CRAWFORD COUNTY

APPEARANCE DOCKET

BOOK 298
Vol. 2

MAY 1994

PIRRELLO ENTEPRISES INC.
Scanned June 2017

1994

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

451.

Peter E. Blystone

MARK DEKA AND ROSE DEKA, DALE STROBEL AND COLLEEN STROBEL, AND JOSEPH PARLAK AND BARBARA PARLAK

vs.

COUNCIL FOR BOROUGH OF CAMBRIDGE SPRINGS

Filed May 9, 1994
@ 4:09 p.m.

Tax & entry paid $50.50
state paid 5.00

NOTICE OF APPEAL FROM ZONING AMENDMENT

May 20, 1994 Motion To Adduce Testimony and Evidence, filed.

May 20, 1994 ORDER filed. AND NOW, May 16,1994, upon consideration of the foregoing motion to adduce testimony and evidence, it is hereby ordered that limited additional testimony and evidence may be adduced at the time this matter is set for consideration by the Court.

Counsel for the parties will attempt to reach a stipulation at least to the extent as to which member or members of Borough council or other Borough officials will testify at that time.

BY THE COURT,
Anthony J. Vardaro, J.

May 20, 1994 copies dist to Millin & Blystone

June 1, 1994 Motion To Dismiss Appeal For Lack Of Jurisdiction filed.

June 1, 1994 ORDER filed. AND NOW, this 1st day of June, 1994, upon consideration of the Appellee's Motion to Dismiss Appeal for Lack of Jurisdiction, the Motion is hereby granted.

It is further Ordered and Decreed that nothing herein shall be interpreted to preclude the Appellants from challenging the validity of the zoning amendment on substantive grounds in accordance with the Municipalities Planning Code. BY THE COURT:
Gordon R. Miller, P.J.

2

1994

452.

KIMBERLY M. FOULK

vs.

JOHN F. FOULK

Filed May 10, 1994
@ 8:50 a.m.

Tax & entry	pd 7-12-94	$50.50
state	pd 7-12-94	5.00
Sheriff's Costs	pd 7-12-94	23.00
Pro Co	pd 7-12-94	9.00

7-12-94 Recd sheriffs costs of $23.00

7-12-94 Paid sheriffs costs 23.00 Ck # 8443

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies (sheriff)
1 copy (plff)
faxed to CPD

ORDER:

And now, this 10 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 shall not go to plaintiff's residence.
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 May 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,

Anthony J. Vardaro, J.

May 17, 1994 Sheriff's Return filed. ATTEMPTED SERVICE via Certified Mail upon Defendant John F. Fould at his last known address of Deer Run Apartments, Apt. 111A, 9977 Darrow Park Drive, Twinsburg,OH 44087. As of May 17, 1994, we have not received the REturn Receipt that was mailed on May 10, 1994.
So answers,

Robert M.Stevens, Sheriff

May 20, 1994 ORDER filed. AND NOW, May 18, 1994 this matter is before the Court on Plaint iff's petition for protection under the Protection fromAbuse Act. The Plaintiff appears represented by counsel and the Defendant appears without counsel and indicates that he was only served two days ago and wishes to obtain counsel.

Accordingly, with the agreement of the parties, this matter is continued until June 7, 1994 at 3:30 p.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse.

Pending that hearing, the temporary order entered by the Court on May 10, 1994 shall remain in full force and effect in its entirety.

A copy of this order shall be sent by the Prothonotary to the Cochranton Police Department, the Pennsylvania State Police, and to County Control.

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

5-20-94 Copies dist. to Kirkpatrick & Deft. 5-20-94 Faxed to Pa.SPD & Cochranton PD

8. The Defendant shall pay record court costs in the amount of $87.50 within thirty (30) days from this date. Payment shall be made to the office of the Prothonotary on the first floor of the Courthouse on or before July 7, 1994 or the Defendant will face additional proceedings for the enforcement of the payment of these costs.

9. The Defendant is reminded taht 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,
Gorodn R. Miller, J
6/9/94 Coch PD & PSP, given to Kirkpatrick, Inrwin & Co Control

June 9, 1994 Order filed. AND NOW, June 7, 1994, after a full formal hearing where both parties were represented by counsel, the Court finds as a fact that the Defendant did enter the Plaintiff's home on May 6, 1994, struck her once across the face which the Court concludes is physical abuse as defined by the Act and the law. The Plaintiff has, therefore, carried her burden of proof by the fair weight of the evidence, and accordingly, the following order is entered:

1. The Defendant shall not assault, abuse, harass or threatn the Plaintiff in any way.
2. The Defendant shall not go to the Plaintiff's residence or place of work. In fact, he shall not be within one hundred (100) yards of those places.
3. The Defendant may contact the Plaintiff in writing or through counsel, friends and relatives provided said contact is not in an abusive, harassing or threatening manner. At the moment the Court believes that the Defendant should be permitted to contac tthe Plaintiff by phone but is not now providing for that, because the Court senses that these parties ought to stay away from each other for the time being. If the custody mediator or the Court in a custody action permits contact for the purpose of dealing with child matters and child welfare and child custody matters, them to the extent that that is provided for in a custody Order this Protection From Abuse Order shall be automatically amended and modified and superseded by any custody Order that permits the parties to have different kinds of contact with each other than this Order permits.
4. We make no provisions and Order with rrespect to custody and visitation as we believe those are best dealt with in a child custody action which the parties have indicated has either been filed or will be filed shortly.
5. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
6. A copy of this Order shall be delivered by the Prothonotary to County Control and the Cochranton Borough Police Department and Pennsylvania State Police at Meadville.
7. This Order shall remain in full force and effect for nine (9) months from this date unless modified or terminated by further Court Order.

1994

Culbertson, Weiss, Schetroma and Schug PC
Glenn A. W. Thompson

453.

Donald A. Nickerson Jr.

ADVANCED CAST PRODUCTS, INC.

VS.

R. M. WILSON, CO., INC.

Filed May 10, 1994
@ 1:49 p.m.

Tax & entry paid $50.50
state paid 5.00
Pro Co. pd 1/20/95 6.00

COMPLAINT

1 copy (atty)

May 17, 1994 Affidavit of Service filed. Glenn A.W. Thompson, Esquire, being duly sworn according to law, deposes and says that he is the attorney for the Plaintiff, that on May 10, 1994, he sent a certified copy of the Complaint in the above-captioned action to the Defendant, R.M. Wilson Co., Inc., at Box 6274, 3434 Market Street, Wheeling, West Virginia 26003, by certifed Mail, pursuant to Pa. R.C.P. 404(2); that in accord with Pa.R.C.P. 403 service of said Complaint was complete upon delivery of said certified copy on May 12, 1994 as evidenced by the attached Domestic Return Receipt, PS Form 3811 and Receipt for Certified Mail, PS Form 3800, and that the foregoing is true and correct. Glenn A.W. Thompson

June 21, 1994 Answer of Defendant, R.M. Wilson Co., Inc. to Plaintiff's Complaint, with New Matter and Counterclaim, filed.

June 24, 1994 Answer with New Matter and Counterclaim filed.

Jul. 14, 1994 Plaintiff's Preliminary Objections to Defendant's Answer, New Matter and Counterclaim, filed.

Jul. 14, 1994 UponPraecipe of Glenn A. W. Thompson, Esquire, Attorney for Plaintiff, the above captioned matter is placed on the next available Argument List.

ON AUGUST, 1994 ARGUMENT LIST

Aug. 23, 1994, Motion for Continuance of Argument Court and Order filed. AND NOW, Aug. 23, 1994, argument scheduled for 10:45 a.m. on Mon. Aug. 29, 1994 in C. R. No. 1 on Plaintiffs Preliminary Objections to the Answer, New Matter an dCounterclaim filed by dft. be continued indefinately until such time as the case is discontinued or plaintiff reissues its praecipe for placement on the Argt. List. Anthony J. Vardaro,
Judge

8/23/94 faxed to Thompson and mailed to Nicherson.

Jan. 19, 1995 Upon praecipe of plaintiff attorney the above captioned case is marked settled and discontinued with Prejudice.

7-14-94 Pltfs Br. filed

4

1994

pro se

454.

DIANE L. DENNIS

vs.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Filed May 10, 1994
at 2:51 p.m.

Tax & entry paid $50.50
state paid 5.00

PETITION TO APPEAL LICENSE SUSPENSION

May 10, 1994 Petition to Appeal License Suspension and ORDER filed. AND NOW, this 10th day of May, 1994 uponpresentation and consideration of the Appellant's Petition to Appeal Drivers License Suspension, it is ordered that the instant appeal shall act as a superseadeas and stay suspension of Appellant's Driver's License.
A Hearing on Appellants License Suspension Appeal is set for the 2nd day of August, 1994 at 9:15 o'clock A.M. in Courtroom No.1 or 2, at the Crawford County Courthouse, Meadville, Pennsylvania.
BY THE COURT:
Gordon R. Miller, J.
(2 copies Pltf.)
5-18-94 Copy of Order to Pltf.

Aug. 4,1994 Motion For Continuanace and Order, filed. AND NOW, to-wit: this 9 day of August, 1994, upon consideration of the foregoing Motion for Continuance, it is hereby ORDERED that the hearing on this matter is continued from Tuesday, August 2, 1994 to September 29, 1994 at 4:00 p.m. in Courtaroom No. 1 or 2 of the Crawford County Courthouse. BY THE COURT:
Anthony J. Vardaro, J.
Aug. 11, 1994 Faxed Kuhar, mailed Appellant

Oct. 4, 1994, ORDER filed. ANDNOW, Sept. 29, 1994 after hearing with respect to the petition to appeal license suspension, said appeal is DISMISSED and the action of the department is AFFIRMED.
BY ORDER OFTHE COURT,
Anthony J. Vardaro, J.
10/4/94 copies idst. to appellant and Kuhar.

Nov. 4, 1994 Exhibits filed.

1994

455.

Blystone & Blystone
Peter E. Blystone

RICHARD KEMP AND SANDRA KEMP

vs.

INTEGRA BANK NORTH

Filed May 10, 1994
@ 2:54 p.m.

Tax & entry paid	$50.25
state paid	5.00
Pro Co. pd 8-26-94	9.00

APPEAL OF DEFENDANT FROM JUDGMENT OF DJ COLE
30-3-06

May 10, 1994, Rule entered upon plaintiff to file complaint issued.

May 12, 1994, Proof of Service filed.

August 24, 1994 AND NOW, Aug. 24, 1994, 4:08 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.

K-142,152

JUDGMENT OF NON PROS
Barbara H. King,
Prothonotary

pro se

456.

SALLY ANN MATTINGLY

vs.

PERRY JOE MATTINGLY

Filed May 10, 1994
@ 3:10 p.m.

Indigent filing

PETITION TO PROCEED IN FORMA PAUPERIS IN A DIVORCE ACTION PURSUANT TO PA. R.C.P. 1920.62 AND AFFIDAVIT IN SUPPORT OF PETITION

ORDER:

AND NOW, May 9, 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 paupersi at this time.

The plaintiff is directed to inform the Prothonotary's office or the court of any improvemtnt 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, J.

May 12, 1994, copy of order to plff.

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 5/10/94 . 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

Jack E. Grayer

457.

TRUMAN J. BURGUESS

vs.

RUTH J. BURGUESS

Filed May 11, 1994
@ 1:15 p.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro Co pd 1-4-95	9.00

COMPLAINT IN DIVORCE

1 copy (atty)

Dec. 21, 1994 Affidavit of Service and Acceptance of Service, filed. I, Jack E. Grayer, depose and say that a true and attested copy of the Complaint in Divorce in the above case was served on the Defendant by first class mail of which occurred on 18 May 1994 see attached Acceptance of Service.
I verify that the statements made in this Affidavit are true and correct. I understand tht false statements herein are subject tot he penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification of authorities.

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

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

Dec. 21, 1994 Upon praecipe of plaintiff attorney to transmi record, case moved to Court.

DIVORCE DECREE FILED

Jan. 5, 1995 AND NOW, January 4, 1995, it is ordered and decreed that TRUMAN J. BURGUESS, III, plaintiff, and RUTH J. BURGUESS, 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

pro se

458.

TRINA RANA MENY

vs.

GERALD WAYNE HOOD

Filed May 11, 1994
@ 1:37 p.m.

Indigent filing
Sheriff's Costs 23.00
John Fuller, Mediator $200.00

CUSTODY COMPLAINT

NOTICE AND ORDER TO APPEAR:
You, Gerald Wayne Hood, have been sued in court to obtain custody of Danny Wayne Hood.
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 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.
Ct. Adm. Courthouse, Meadville, Pa. 16335, 814 336-1151, ext. 298
May 10, 1994 Gordon R. Miller, J.

ORDER: AND NOW, this 10 day of May 1994, the court having appointed a custody mediator in this action for custody, and/or partial 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 and 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 dft.
3. The plff is ordered and directed to immediately go to the sheriff's office to give the sheriff written instructions on when and where the dft. 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 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 cost may be taxed as record costs and imposed as costs by the court.
BY ORDER OF COURT,
Gordon R. Miller, J.

PETITION TO PROCEED IN FORMA PAUPERIS AND AFFIDAVIT IN SUPPORT OF PURSUANT TO PA. R.C.P 240 and ORDER: AND NOW, May 10, 1994, upon consideration ofthe petition filed by the plaintiff in this action, and supporeted by an affidavit attached thereto, all being pursuant to Pa. R.C.P. 240, the plff is granted leave to proceed in forma pauperis at this time.
The plff. is directed to inform the Prothonotary's office or the courtof any improvement in her financial curcumstance 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.
May 12, 1994, copy of above complaint and order mailed to plff. and copy given to sheriff.

June 23, 1994 Sheriff's Return filed. SERVED Gerald Wayne Hood, 900 Wasson, Aberdeen, MS 39730, on May 31, 1994 by certified mail, signed receipt attached.
So answers, Robert M. Stevens, Sheriff

Jul. 25, 1994 ORDER filed. AND NOW, July 22, 1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:
I. Legal custody of Danny Wayne Hood 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 Danny Wayne Hood shallbe with his mother, subject to the following conditons:
A. The father shall be entitled to visit and take the child into his custody from July 14, 1994 to August 15, 1994.
B. Holidays shallbe defined as Christmas and Christmas vacation. Custody of the child shall be alternated on the aforesaid holiday and in the absence of an agreement to the contrary, the child shall be in the custody of the father on the aforesaid holiday from December 23 until January 3rd (the first three (3) days of the following year) in 1994 and even years thereafter and in the custody of the mother for the Christmas vacation in 1995 and odd years thereafter.
C. Beginning with the Summer of 1995, the child shall be in the custody of the father for a period of two (2) months, from June 15 to August 15, each year.
D. Transportation of the child on holidays and Summer visits shall be provided by the father.
E. Neither mother nor father shall say or do anything in an attempt to turn the child against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the child towards both parents.
F. Neither mother nor father shall expose the child to any person or situation which may be harmful to the child's health of well being.
G. Both parents agree to inform the other immediately of any illness or injury regaring the child and both prents 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 shallbe paid by Crawford County.
Gordon R. Miller, Judge

7-25-94 Copy to Pltf & Deft.

1994

Gerald Sullivan

459.

WILMA J. SATTERLEE

vs.

GLENN E. LONGENECKER

Filed May 11, 1994
@ 4:02 p.m.

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

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies (sheriff)
1 copy (plff)
faxed to PSP

ORDER:

And now, this 11 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 shall move out ofthe residence by sunday May 15, 1994, by 6;00 p.m. He shall not contact plff. in any way. He shall not go back to plff. house.

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 19 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.

May 16, 1994 Sheriff's Return filed. SERVED Glenn E. Longenecker personally on May 12, 1994 at 9:00 AM by handing him a copy of the Protection from Abuse at his residence, R.D.#1, Saegertown, Crawford County, PA.

So answers,

Shawn E. Ashbaugh, Deputy Sheriff
Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

May 20,1994 ORDER filed. AND NOW, May 19,1994, at the time fixed for this hearing, the defendant indicated to the Court Administrator by telephone that he was in the hospital and was undergoing surgery in the next day or two and could not attend. He gave the Court Administrator the names of three doctors that we could check with. We are accepting the defendant's word for this, and therefore, we continue this hearing until Thursday, June 9,1994, at 3:30 o'clock p.m., in Courtroom No. 1 of the Crawford County Courthouse.

In the meantime, the Temporary Order entered May 11, 1994 continues in full force and effect without change or modification.

A true and correct copy of this Order shall be served upon the defendant by counsel for the plaintiff either by personal service or Certified Mail and appropriate Return of Service made. Service shall be made at least 10 days prior to the date of the hearing so that the defendant may prepare for the hearing.

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

May 20, 1994 Faxed copies to Pa.SPD, and given to Co. Contrl., Sullivan w/cert copy for Dft.

May 27, 1994 Affidavit of Service filed. I hereby certify that a copy of the May 19, 1994 Order in the above case was sent to the defendant byU.S. certified mail on May 23, 1994 and received by the defendant on May 24, 1994. Return receipt signed by the defendant's agent is attached.

Gerald Sullivan, Esq.

June 13, 1994 Order filed. AND NOW, June 9, 1994, at a time fixed for hearing in this matter, the plaintiff appeared with counsel, the defendant appeared without counsel. He was advised as to the natur of the proceeding and he understood it. The parties have agreed to settle this matter and have agreed to the following order, and in so doing, the defendant does not admit that he engaged i nthe conduct alleged in the Petition. ACCORDINGLY, it is ORDERED as follows:

1. The defednat shall not go to the plaintiff's residence nor within 100 yards of her residence.
2. 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.
3. A copy of this Order shall be delivered by the Prothonotary to County Control andto the Pennsylvania State Police at Meadville. The Prothonotary shall also mail a copy of this Order to the defendant at 515 West 5th Avenue, Warren, pennsylvania, 16465, in care of Dorothy Irene Lewis.
4. This Order shall remain in full force and effect for one year from this date, unless modified or terminated by further order of Court.
5. Since both parties receive Public Assistance, costs shall be paid by Crawford County.
6. The defendant is reminded that this is an Order or Court and violation of this Order may be punishable by a fine of up to $1,000 and a jail sentence of up to six months.
7. The defendant does have some personal belongings at the plaintiff's residence where they resided together at one time. We make no Order with respect to that. We do memorialize what took place at the hearing. The plaintiff indicates that she will make arrangements with the defendant's son to have his belongings picked up and delivered to him. If the defendant does not receive what he thinks he is entitled, to, he shall seek counsel and determine what sort of an action to take that is beyond the PFA

BY THE COURT, Gorodn R. Miller, J

6/13/94 Faxed PSP, mailed dft., givein Co. Control and Sullivan

Continued on Page 504

10

1994

M. Richard Mellon

460.

MacDonald,Illig, Jones
& Britton
T. Warren Jones

ROBERT ELLSWORTH PIERSON

vs.

FRANK COLELLO

Filed May 12, 1994
@ 11:56 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	45.00
Sheriff's Costs	52.06
Pro Co pd 10-2-95	6.00

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

June 1, 1994 SHERIFF'S RETURN, filed. NOT FOUND as per an Affidavit returned from Westmoreland County Sheriff's Department. Attempted service by deputizing Westmoreland County and they in tuen stated that the address of R.D.#2, Box 367, Mount Pleasant, PA 15666 is located in Fayette County, PA.
So answers, Robert M. Stevens, Sheriff

June 9, 1994 Complaint Reinstated.

Jul. 7, 1994 Answer and New Matter filed.

July 7, 1994 SHERIFF'S RETURN, filed. I hereby deputize the Sheriff of Fayette County, Pennsylvania to serve the within Complaint according to law. The defendants alleged address is R.D. #2 Box 367 Mt. Pleasant, PA 15666. Robert M. Stevens
Sheriff Crawford County

SERVED the within Complaint on June 20, 1994, at 11:45 AM, upon Frank Colello at Bullskin Twp., Fayette Co., PA. by handing to Frank Colello Defendant a true and correct copy thereof and made known to him the contents therein. Norman Santon
Sheriff Fayette County

July 19,1994 Reply to New Matter, filed.

Feb. 8, 1995 Certificate of Readiness filed.

ON June,1995 TRIAL LIST

Feb.22, 1995 Motion to Strike from Trial List Pursuant to Crawford County Local Rule L302A(5) and ORDER filed. AND NOW, this 22nd day of February,1995, after hearing argument on the defendant's Motin to Strike from Trial List Pursuant to Crawford County Local Rule L302A(5), and it appearing that said Motion should be granted.
IT IS HEREBY ORDERED, ADJUDGED and DECREED, that the above-referenced matter is stricken from the triallist until such time as discovery is actually completed or the parties have complied with the mechanism for closing discovery provided for in Crawford County Local Rules, Rule L302A(2)(a).

Anthony J.Vardaro, J.

2-22-95 Faxed toAttys. Mellon & Purchase (MacDonald ,Illig,Jones Firm)

Mar. 27, 1995 Notice To Complete Discovery filed.

April 6, 1995 Certificate of Readiness filed.

Sep 25, 1995 Upon praecipe of plaintiff attorney the aforecaptioned case is marked settled and discontinued of record.

1994

Bruce L. Getsinger

461.

STEVEN J. KINNEY

vs.

ROBIN KINNEY aka ROBIN PONDELL

filed May 12, 1994
@ 12:00 PM

Tax & entry paid 50.50
User's Fee paid 5.00

Pro.Co. Pd 1/31/95 $9.00

COMPLAINT IN DIVORCE,
1 copy atty.

May 23, 1994 Affidavit of Service filed. I hereby certify that a true and correct copy of the Complaint in Divorce was served upon Robin Kinney aka Robin Pondell, Defendant, by certified U.S. mail, restricted delivery, return receipt requested, on May 16, 1994, as evidenced by the return receipt attached hereto as Exhibit A.

Bruce L. Getsinger, Esquire

Aug. 30, 1994 Affidavit of Consent of Plaintiff, filed.

Jan. 31, 1995 Affidavit of Consent of Robin Kinney,Defendant,filed.

Jan.31, 1995 Upon Praecipe of Bruce L.Getsinger,Esquire, Attorney for Plaintiff to transmit record,Case moved to Court.

DIVORCE DECREE FILED

Feb. 3, 1995 ORDER OF COURT filed. AND NOW, this lst day of February, 1995, it is ordered and decreed that:

1. STEVEN J. KINNEY, Plaintiff, and ROBIN KINNEY aka ROBIN PONDEL, Defendant, are hereby divorced from the bonds of matrimony.

2. This Decree constitutes a final Order as to all matters and claims pending in this action, and the Court retains jurisdiction of the parties in the subject matter for the purpose of enforcement only.

BY THE COURT,
Gordon R. Miller, J.

1994

Shapiro & Kreisman
Adriana C. Lombardo

462.

BANCPLUS MORTGAGE CORPORATION

vs.

DNAIEL M. CALLAHAN and
SUSAN E. CALLAHAN

Filed May 12, 1994
@ 1:29 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	38.00
Sheriff's Costs	34.00
Pro Co pd 10-5-94	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies Sheriff

May 24, 1994 Sheriff's Return filed. SERVED Susan E. Callahan personally on May 23, 1994 at 11:40 AM by handing her a copy of the Complaint in Mortgage Foreclosure to her in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA NOT FOUND as to Daniel M. Callahan. The Defendants are currently divorced and we did not find a current address.
So answers, Barbara J. Bernoski, Deputy Sheriff
Robert M. Stevens, Sheriff

June 20, 1994 Complaint Reinstated.

July 7, 1994 SHERIFF'S RETURN, filed. SERVED Daniel M. Callahan personally on July 1, 1994 at 11:03 AM by handing him a copy of the Complaint in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.
So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

Oct. 5, 1994 Affidavit of Non-Military Service, filed.

Oct. 5, 1994 Certification of Address of Plaintiff and Defendant(s), filed.

Oct. 5, 1994 Certificate of Service of Default Judgment package upon Defendant(s), filed.

And Now, October 5, 1994, upon praecipe of plaintiff's attorney judgment is hereby entered for Thirty-seven Thousand Two Hundred Fifty and 15/100 in favor of the Plaintiff and against the Defendant(s) for failure to file an answr to Plaintiff's Complaint within 20 days from service thereof.
Entered 10-5-94 Debt: $37,250.15
C - 41, 151 JUDGMENT
10-11-94 Defts. notice of entry. Barbara H. King, Pro.

Ex 1994 - 65

Oct. 28, 1994 Certification Of Notice To Lienholders Pursuant to PA R.C.P 3129.2 (C) (2) filed.

1994

463.

JAMIE TAYLOR, CHRISTINE TAYLOR

vs.

WALTER C. CARR

Filed May 12, 1994
@ 1:41 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 12 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: The Plaintiff Christine Taylor is granted exclusive possession of 762 Waelde Court pending further order of Court.
3. This Order may be enforced without a warrant any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for May 20, 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

May 16, 1994 Sheriff's Return filed. SERVED Walter C. Carr personally on May 12, 1994 at 3:08 PM by handing a copy of the Protection From Abuse at his residence, 762 Waelde Court, Meadville, Crawford County, PA.

So answers,

Shawn E.Ashbaugh, Deputy Sheriff
Scott D. Young, Deputy Sheriff
Robert M.Stevens, Sheriff

May 23, 1994 ORDER filed. AND NOW, May 20, 1994 at the time fixed for hearing, both Plaintiffs appeared without counsel as did the Defendant. The Court advised the Defendant as to the nature of the PFA action and he understood it. He agreed that he has abused both of the Plaintiffs and agrees to the entry of the following order:

1. The Defendant shall not assault, abuse, harass, or threaten either Plaintiff in any manner, nor any of the childrenof Christine Taylor.
2. Sole possession of 762 Waelde Court is awarded to the Plaintiff Christine Taylor. The Defendant shall not go to the place of residenceor place of work of Christine Taylor. He shall not go to the place of residence or place of school or work of Jamie Taylor. In fact, he shall not be within 100 yards of anyof those places.
3. The Court does not make any provisions with respect to visitation between the Defendant and Angela. Primary physical custody of Angela Carr is awarded to her mother, Christine Taylor. All of this is subject to a custody action brought in a court of conpetent jurisdiction. If the parties cannnot resolve any custody or visitation disputes, then either one may bring an appropriate custody or visitation action.
4. The Defendant has sone personal belongings at the home of Christine Taylor. She shall safeguard those belongings and put them in a safe place and not destroy them or dispose of them. The Defendant shall make arrangements to pick up his belongings and shall notify Christine Taylor so that the parties may arrive at a suitable time that is acceptable to both parties, at which time that is acceptable to both parties, at which time the Defendant may pick up his belongings.Christine Taylor shall not be required to keep his belongings for more than 6 months from this date.
5. The Defendant may contact Christine Taylor in writing or through other friends, relatives or acquaintances. He shall not contact Jamie Tay lor under any circumstances.
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 the Meadville City Police Department and to County Control.
8. This order shall remain in full force and effect for a period of 1 year; that is until May 19, 1995 unless modified or terminated by further court order.
9. Court costs in the amount of $89.50 shall be paid by Crawford County since the Defendant has absolutely no income, Jamie Taylor is a high school student, and Christine Taylor just obtained work.
10. The Defendant is reminded that this is an orderof 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.
11. A copy of this order shallbe sent to the Defendant in care of Emmett Carr at R.D.#1, Conneautville,PA.

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

5-23-94 Faxed copy to Meadville City Police Dept., mailed pltf & Deft. & Dist.Co.Control

1994

464.

DOROTHY CHATMAN

vs.

FRED BURNETT

Filed May 12, 1994
@ 2:18 PM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	21.00

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

ORDER:

And now, this day of May 12 , 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 to Plaintiff's residence 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 23, 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

May 23, 1994 Sheriff's Return filed. NOT FOUND as toDefendant Fred Burnett at address of Meade Inn, 625 Park Avenue, PA. Unable to find subject.
So answers, Robert M. Stevens, Sheriff

May 24, 1994 ORDER filed. AND NOW, May 23, 1994, this matter is before the Court on Plaintiff's Petition for RElief Under the Protection From Abuse Act.

Both parties appear without counsel and we note that the defendant has not been served in this matter, but appears voluntarily, having ssen a copy of the petition filed by the plaintiff appar - ently when he went to the plaintiff's residence. The defendant indicates that he is agreeable to an Order being entered and does not wish to have counsel.

ACCORDINGLY, be agreement of the parties, the following Order is entered:

1. The defendant shall not assault,abuse harass,or threaten the plaintiff at any time or any place.
2. The plaintiff shall continue to reside at 705 Vernon Street and the defendant now has his own residence. The plaintiff wishes for the defendant to be able to go to her residence, but he shall not do so when he is under the influence of alcoholic beverages.
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 Vernon Township Police, the Pennsylvania State Police, Meadville Barracks, and to County Control.
5. Additionally, the Prothonotary shall send by Regular Mail a copy to the plaintiff at 705 VErnon Street in Meadville, Pennsylvania and to the defendant at 719 Market Street in Meadville Pennsylvania.
6. The defendant is reminded that this is an Orderof Court and violation of this Order may be punishable by a fine of up to $1,000 and a jail sentence of up to six months.
7. The defendant shall pay court costs in the amount of $85.50 to the Prothonotary's Office on the First Floor of the Crawford County Courthouse within 30 days of the date of this Order.
8. This Order shall remain in full force and effect through May 22, 1995.

BY THE COURT,
Anthony J. Vardaro, Judge

5-24-94 Faxed to Pa. SPD & VernonPD, mailed to Pltf & Deft.

~~May~~ 20, 1996 Motion ~~for~~ Protective Order and ORDER filed. NOW, this 20th day of ~~May~~, 1996, upon consideration of the within Motion for Protective Order, it is ~~ORDERED~~ that:

~~t~~he Motion for ~~Protective~~ Order is granted.

2 Davidson & Derion Insurance, In., is required to produce only that portion of its file regarding Gregory P. Smith, d/b/a Smith's Aero Service and Sales which relates to the existence and terms of any insurance agreement which may be available to satisfy part or all of a judgment ~~entered in this action against Gregory P. Smith, d/b/a/ Smith's Aero Service and Sales~~.

3. The deposition of William Derion or any other representative of Davidson & Derion Insurance, Inc., if necessary, shall be held in Meadville, Pennsylvania.

BY THE COURT,
Gordon R. Miller, J.

FAXED 5-20-96 Agresti, Hitchcock Pietragello, Shafer.

wrong order

Continued Page 14-A.

14
A

1994 **TERM**

1994

Barbara J. Walton

465.

Gerald Sullivan

$150.00 deposited by Plaintiff on 5-13-94

9-13-94 Pd Plff Ck# 8447 66.00

9-13-94 Pd Co. Ck# 8549 75.00

JASON A. BRADLEY

vs.

CHARLOTTE DONOR

filed May 13, 1994
@ 9:10 AM

Tax & entry paid	50.50
User's Fee paid	5.00
John Fuller, Mediator	150.00
Pro Co Pd 9-94	9.00

COMPLAINT FOR CUSTODY
1 copies atty.
1 Faxed Fuller

You, Charlotte Donor, have been sued in Court to obtain custody of Constance Bradley.

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.

I f 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 aboave hearing neither party shall remove the chilld from the state of Pennsylvania.

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

Court Administrator
Crawford County Courthouse
Meadville, PA 16335
(814) 336-1151 ext. 298

Date:
May 13, 1994

BY THE COURT:
Gorodn R. Miller, J

May 13, 1994 Petition For Special Relief filed.

May 20, 1994 Affidavit of Service filed. And Now, May 19, 1994, comes Barbara J.Walton, and avers as follows:

1. A true and correct copy of the Petition for Special Relief, Complaint for Custody and Motion to Appoint a Custody Mediator, was mailed to t he Defendant via Certified Mail, return receipt on May 13, 1994.

2. That the Defendant signed the return card on May14, 1994 and in accordance with Pa.R.C.P. 412 service of theComplaint was made as is evidenced by the United States Postal SErvice Return Recipt (Certified No.Z070232965) 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

July 12, 1994 ORDER filed. AND NOW, July 12, 1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Constance Bradley 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 Constance Bradley shall be with her mother, subject to the following conditions:

A. The father shall be entitled to visit and take the child into his custody the first, second and fourth weekends of each month from 6:00 o'clock p.m. on Friday to 6:00 o'clock p.m. on Sunday, beginning July 8, 1994. Those designated weekends are when the first, second and fourth Fridays fall.

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 week ends, holidays and Summer visits shall be shared as follows: The parent receiving custody shall provide transportation.

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 will be divided with Crawford County paying one-half (½) and the father paying one-half (½) thereof. The Prothonotary of Crawford County is hereby directed to refund one-half (½) of the deposit paid in advance by the Plaintiff, less the cost of the custody order.

P. Richard Thomas, S.J.

July 12, 1994 Faxed Atty's Walton, Sullivan & Fuller.
July 18, 1994 sent Plf. & Dft.

1994

Michael J. Antkowiak

466.

Tamera Ochs Rothschild

SUSAN G. COLLINS

vs.

CLARENCE T. COLLINS

Filed May 16, 1994
@ 12:06 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro Co pd 9-16-94	9.00
Pro Co pd 10-5-93	5.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy atty.

June 15, 1994 ACCEPTANCE OF SERVICE, filed. I, TAMERA OCHS ROTHSCHILD, ESQUIRE, attorney for Defendant, CLARENCE T. COLLINS, hereby accept service of the Complaint in Divorce filed in the above-captioned proceedings for and on behalf of said Defendant this 7 day of June,1994.

Sept. 16, 1994 Affidavit of Consent of Defendant, filed.

Sept. 16, 1994 Affidavit of Consent of Plaintiff, filed.

Sept. 16, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Sept. 21, 1994 AND NOW, this 20th day of September, 1994, after review of the above-captioned case, and upon consideration of the pleadings, Settlement Agreement, and other documents filed therein, it is ORDERED, ADJUDGED AND DECREED that:

1. The Plaintiff, SUSAN G. COLLINS, and the Defendant, CLARENCE T. COLLINS, are hereby divorced from the bonds of matrimony because their marriage is irretrievably broken.

2. The parties' Settlement Agreement was voluntarily entered into under date of May 24, 1994, and submitted herewith.

3. The said Agreement be and the same is hereby approved, adopted, confirmed, merged into and made a part of this Decree with the same force and effect as though set forth herein.

4. Plaintiff's maiden name is restored and she shall be known as SUSAN L. GROVE hereafter.

5. This Decree constitutes a final Order as to all matters and claims pending in this action and the Court retains jurisdiction of the parties and the subject matter for purposes of enforcement only.

6. Plaintiff shall pay the cost of this proceedings.

BY THE COURT:
Gordon R. Miller, J.

Sept. 29, 1994 Notice Of Election To Retake Prior Name: **SUSAN G. COLLINS** To Be Known As: **SUSAN L. GROVE.**

1994

Peters, Lindsay,
Liwis & Hatheway
Edward J. Hatheway

467.

ARTHUR S. SKEENS

vs.

KATHY SKEENS

Filed May 16, 1994
@ 12:06 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co.pd 8/29/94	9.00

COMPLAINT IN DIVORCE
1 copy atty.

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 Plaitiff, 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 in Divorce filed at the a bove term and number; and that I did receive a duly executed return receipt dated May 26, 1994
June 1, 1994 Edward J.Hatheway, Esquire

Aug. 29, 1994 Affidavit of Consent by Arthur S. Skeens, Plaintiff filed.

Aug. 29, 1994 Affidavit of Consent by Kathy Skeens, Defendant, filed.

Aug. 29, 1994 Upon Praecipe of Edward J. Hatheway, Esquire, Attorney for Plaintiff to transmit record, Case moved to Court.

DIVORCE DECREE FILED

September 2, 1994 AND NOW, September 1, 1994, it is hereby ordered and decreed that ARTHUR S. SKEENS, Plaintiff, and KATHY SKEENS, 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

Mollica, Murray & Hogue
Cathy Ann Chromulak

468.

Thomas, Truax, Spadafore & Walker
R. Charles Thomas

ASSOCIATES CONSUMER DISCOUNT COMPANY

vs.

KATRINA WENTLING and JACK R. SINGLETON

Filed May 16, 1994
@ 1:16 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	35.00
Pro Co. pd 4/4/96	15.00

COMPLAINT IN CIVIL ACTION
no copies

May 24, 1994 Sheriff's Return filed. SERVED Katrina Wentling personally on May 19, 1994 at 9:50 AM by handing a copy of the Complaint to her at the residence, 154 Henderson Avenue, Meadville, Crawford County, PA.
SERVED Jack R. Singleton on May 19, 1994 at 9:51 AM by handing a copy of the Complaint to Katrina Wentling, Adult in Charge at the residence, 154 Henderson Avenue, Meadville, Crawford County, PA.
So answers,

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

June 15, 1994 Appearance of Thomas, Truax, Spadafore and Walker by R. Charles Thomas, Esquire for Katrina Wentling and Jack R. Singleton, filed.

Jun. 29, 1994 Amended Complaint, filed.

Jun. 29, 1994 AFFIDAVIT filed. Before me, the undersigned authority, a Notary Pulbic in and for said County and State,personally appeared Cathy Ann Chromulak, Esquire, who being duly sworn according to law, deposes and says that she mailed a true and correct copy of the Amended Complaint in the above captioned case,by United States first class mail, postage prepaid, to R. Charles Thomas, Esquire, Attorney for Defendants, 296 Chestnut Street, Old Post Office Building, Meadville, PA 16335 on the 27th day of June, 1994.
June 27, 1994 Cathy Ann Chromulak, Esquire

Aug. 18, 1994 Answer To Amended Complaint, filed.

Sep.16, 1994 Reply to New Matter, filed.

March 29, 1996 Upon Praecipe of plaintiff attorney For Reference to Arbitrators, the following are hereby appointed:

Richard Roeder, Chairman
Dearald Schüffstall
Barbara Walton

Apr. 19, 1996 Arbitrators take Qualifying Oath.

4-19-96 Faxed Thomas

May 17, 1996 Praecipe for Entry and Withdraw of Appearances filed.

1994

469.

TAMMY JO BERKHOUS

vs.

SKYLAR E. KENNEDY

Filed May 16, 1994
@ 1:16 PM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Erie Co.	66.00
Sheriff Craw. Co.	20.00
Pro Co.	5.00

5-20-94 Rec from Dft Sheriff's Cost 86.00
5-24-94 Pd Sheriff Ck # 8317 86.00

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

Order:

And now, this 16 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 Plaintiff is granted exclusive possession of 109-7 Welsh Road, Spartansburg, PA residence pending further order of court.
3. This Order may be enforced without a warrant any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs. Hearing is hereby set for May 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 COURT,
Anthony J. Vardaro, J

May 23, 1994 Motion to Vacate Protection From Abuse Order and ORDER filed. AND NOW, this 20th day of May, 1994 upon receipt and review of theplaintiff's motion to vacate and terminate the Protection from Abuse Order of May 16, 1994, said motion is granted and tne 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 the Police Department that served the original order and to County Control.

Any provision of the Protection from Abuse Order of May 16, 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.

May 23, 1994 Sheriff's Return filed. SERVED the within Petition For Protection From Abuse and Court Order on May 18, 1994, at 1305 hrs., upon Skylar E. Kennedy at his place of business, Tonnard Manufacturing, Main Street, Corry, Pennsylvania by handing to Skylar E. Kennedy a true and correct copy thereof and made known to him the contents therein.
so aswers, Robert N. Michel, Sheriff
Ken Staaf, Deputy Sheriff

I hereby deputize the Sheriff of Erie County, Pennsylvania to serve the wtihin Protection from Abuse according to law.
So answers, Robert M. Stevens, Sheriff

1994

Northwestern Legal Services
Gerald Sullivan

470.

4-15-97 Pd Sheriff #10880 37.00

BRANDI L. DOWLING

vs.

LAWRENCE A. PRENATT

Filed May 16, 1994
@ 1:26 PM

Tax & entry Pd 4-15-97 50.50
User's Fee Pd 4-15-97 5.00
Sheriff's Costs Pd 37.00
Pro Co Pd 4-15-97 9.00
Pro Co Pd contempt fine 4-16-97 50.00

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

ORDER:

And now, this 16th 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 shall not contact Plaintiff. He will not go to her residence. Temporary custody of the child shall be with Plaintiff.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or fees and costs will be determined by final court order.
7. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the May 24, 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 THE COURT,
Gordon R. Miller, J

May 18, 1994 Sheriff's REturn filed. SERVED Lawrence A. Prenatt personally on May 17, 1994 at 2:00 PM by handing a copy of the protecton from Abuse to him while doing construction work at Papa Carones Restaurant, 317 South Franklin Street, Titusville, Crawford County, PA.
So answers,
Diane Brittain, Deputy Sheriff
Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

May 25, 1994 ORDER filed. AND NOW, May 24, 1994, the parties appeared in court. The plaintiff had counsel, the defendant did not . The Court explained the nature of a PFA action to the defendant and he understood it.

The parties have agreed to settle this matter and the defendant admits that he did engage in the conduct alleged in the Petition, and accordingly, it is ORDERED as follows:

1. The defendant will not assault, abuse, harass, or threaten the plaintiff or the minor child Tori.
2. He shall not stalk the plaintiff.
3. The defendant shall not go to the plaitniff;s residence nor her place of employment for any reason.
4. Temporary custody of the parties' minor child T ori is awareded to the plaintiff. The defendant shall have reasonable visitation rights which shall be agreed upon by the parties. They shall attempt to agree upon the times when the defendant may see his child and the manner and places in which and at which exchange of custody shall occur. This Order regarding custody and visitation shall remain in effect until a Custody Order is entered bya Court of competent jurisdiction, which said Order shall then supersede this Order.
5. This Order may be enforced without a Warrant of Arrest by any law enforcement officer having reasonable ground to believe that it has been violated.
6. A copy of this Order shall be delivered by the Prothonotary to the Titusville Police Department, to County Control and to the defendant at hs address in the Complaint.
7. This Order shall remain in full force and effect for one (1) year from this date; that is, until May 23, 1995, unless modified or terminated by further Order of Court.
8. The defendant shall pay record court costs in the amount of $101.50 by paying the same to the Prothonotary at the Crawford County Courthouse no later than Wednesday, June 15, 1994. If he fails to pay costs, appropriate contempt of court proceedings may be initiated and additional costs and penalties imposed.
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 and a jail sentence up to 6 months.
10. The plaintiff shall not encourage the defendant to violate this Order. If the parties get back together or wish this Order to be modified or terminated,the defendant shallnot violate the Order until another Order is entered.

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

5-25-94 Faxed copy to Titusville PD, given to Atty.Sullivan, Co. Control & deft.

Continued on page 20 ~A~

Brandi Dowling

vs.

Larry Prenatt

Record continued from page 20

of record

A.D. 1994 - 470

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Nov. 21, 1996 Petition For Contempt and Orders filed. Legal proceedings have been brought against you alleging you have wilfully disobeyed an order of court for the payment of costs.
If you wish to defendant against the claim set forthin the following pages, you may but are not required to file in writing with the court your defeses or objections.
Whether or not you file in writing with the court your defenses or objections, you must appear in person in court on Thurs. Jan. 9, 1997, at 10:00 AM in Courtroom 1; Crawford County Court
House, Meadville, Pennsylvania 16335.
IF YOU DO NOT APPEAR IN PERSON, THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST.
If the court finds that you have wilfully failed to comply with its order for payment of costs, you may be found to be in contempt of court and committed to jail, fined or both.
YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORDONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

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

BY THE COURT,
Gordon R. Miller, J

AND NOW, this 20th day of November, 1996, the within Petition having been presented and duly consiered, the prayer of the Petitionis granted and a Rule is issued on said Plaintiff/Defendant to show cause, if any she/he has, why she/he should not be held in contempt of this court.
Said Rule returnable and to be heard on the 9th day of January, 1997 at 10 o'clock A.M. in Courtroom 1 or 2, Crawford County Courthouse, Meadville, Pennsylvania.
The Plaintiff/Defendant shall be present.
The Prothonotary is directed to mail a certified copy of the Petition, Rule and order to the Palintiff/Defendant by certified mail. If Service cannot be made by certified mail, the Sheriff of Crawford County shall forthwith serve or have served a copy of the Petition, Rule and Order upon the Plaintiff/Defendant.

BY THE COURT,
Gordon R. Miller, J

11-22-96 Distributed Dft.

Jan. 13, 1997 Order filed. AND NOW, January 9, 1997, at the contempt hearing held in this case, the defendant did not appear. The Prothonotary sent notice by regular mail.
ACCORDINGLY, It is ORDERED as follows:
1. The hearing in this case is continued to 1:30 on Thursday, March 6, 1997, in Courtroom No. 1
2. The Prothonotary shall send a true and correct copy of theocntempt Petition, orginal notice and Order ot Appear and this Order to the Defendant at the defendant's last known address by regular mail and by Certified Mail, Return Receipt Requested.
3. If the Prothonotary believes that service has not been effected on the defendant, the Prothonotary shall determine whether she shall serve all ofthe required docuemtns onthe defendant by personal service by utilizing theSheriff or a Constable.

BY THE COURT,
Gordon R. Miller, J

1/14/97 mailed reg. & cert. to dft.

Mar 12, 1997 ORDER: AND NOW, March 6, 1997, at a contempt hearing, the Defendant appeared and has not paid all of the record court costs as required by an order that was entered two years ago. He has been working since that time. We find as a fact that he is in contempt of Court and hereby order as follows:

1. The Defendant shall pay all sums due in this case by 4:30 p.m. on Monday, March 31, 1997.
2. The Defendant shall pay the Prothonotary $3.85 as mailing expenses.
3. As a fine for this contempt, the Defendant shall pay $50 to the Prothonotary.
4. If the Defendant fails to make payment in full of all sums due by the time set forth above, he shall surrender himself to the Warden of the Crawford County Jail and serve a sentence of 60 days to 180 days, with work release privileges. If he makes payment in full, this sentence of incarceeration shall be vacated.

Gordon R. Miller, P.J.

Mar 17, 1997 Mailed Dft & Dist Brickner

20
~B~

1994 TERM

1994

Jorden & White
William T. Jorden
George R. Gray

471.

Warren D. Ferry

Edward G. Shoemaker & Associates
Edward G. Shoemaker
for Respondent
Edward G. Shoemaker

WILLIAM T. JORDEN, ESQ., and JORDEN and WHITE, a a partnership

vs.

ORRIE LONG, GEORGIA LONG, JOSEPH KULWICKI, ESQ., and WARREN FERRY, ESQ.

Filed May 17, 1994
@

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
sheriffs costs	26.00

COMPLAINT IN CIVIL ACTION
4 copies atty.

Jun. 15, 1994 Complaint reinstated.

July 15, 1994 SHERIFF'S RETURN: NOT FOUND as to Defendants Orrie Long and Georgia Long at address given of RD 2, Box 721, Cochranton, Crawford County, PA. House vacant.
So answers, Robert M. Stevens, Sheriff

Jul. 26, 1994 Acceptance of Service filed. I accept service of the complaint.
Date 7/21/94 Warren D. Ferry, Esq.

Jul. 26, 1994 Answer to the Complaint of the Plaintiffs for a Declaratory Judgment, filed.

Jul. 26, 1994 Petition for Interpleader and ORDER OF COURT, FILED. AND NOW, this 26th day of July, 1994, the Petition of Warren D. Ferry is granted and Presbyterian University Hospital and University Anesthesia and Critcial Care Medicine Foundation are added to the record as parties plaintiff and enjoined from comencing or further prosecuting any action in any court against Warren D. Ferry to enforce in whole or inpart any claim against him set forth in said Petition, except as a party to the above-entitled action.

NOW, therefore, we command you, the Sheriff of the County of Crawford to direct the claimants, Presbyterian University Hospital, DeSoto and O'Hara Streets, Pittsburgh, PA 15213-2582, and University Anesthesia and Critical Care Medicine Foundation, 201 North Craig Street, Pittsburgh, PA 15213, to file in the above-entitled action in the office of the Prothonotary of the Court of Common Pleas of Crawford County, a complaint within twenty (20) days after being served with copies of the Petition for Interpleader and this Order and all pleadings heretofore filed in the above-entitled action, if said service was made within your county, or within thirty (30) days of said service, if said service was made within any other county of this Commonwealth.

Gordon R. Miller, J.

7-27-94 Faxed to Attys. Ferry,JOrden & Kulwicki

Jul. 29, 1994 ORDER filed. AND NOW, July 29, 1994 as the undersigned was sitting at motions judge, a "Petition of Motion" addressed to Judge Anthony J. Vardaro, signed by Orrie Long and Georgia M.Long, was presented to the Court for some type of action. The Longs apparently had previously retained Attonry Kulwick, and attached to the motion is a lengthy letter to Attorney Kulwicki, alleging certain acts of misrepresentation in the handling of some type of civil action. We were uncertain as to precisely what the Longs are requesting, but we direct that this petition be filed as part of the record in the above-captioned case no responsive pleading is required by Attorney Kulwicki, Attorney Ferry, or Attorney JOrden, who are mentioned in the letter to Attorney Kulwicki.

The Prothonotary shall charge no costs for adding the attached petition to the record in the above captioned case.

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

8-1-94 Copies dist.to Kulwicki, Jorden, W. Ferry & Longs

Aug. 8, 1994 Affidavit of Investigation Pursuant to Pa. R.C.P. No. 430, filed.

Aug. 8, 1994 Motion for Service Pursuant to Special Order of Court Pursuant to Pa. R.C. P. No. 430, and ORDER OF COURT filed. AND NOW this 8 day of August, 1994, following argument and consideration of plaintiffs' MOTION FOR SERVICE PURSUANT TO SPECIAL ORDER OF COURT PURSUANT TO Pa.R.C.P. No. 430, it is hereby ORDERED ADJUDGED and DECREED as follows, to wit:

3. Plaintiffs, at their discretion, may serve process on Georgia and Orrie Long at P.O.Box 721, Cochranton, PA 16314 by certified mail, return receipt requested. Service effective upon MAILING. If service is not made this way then plaintiff shall file another motion for alternative service. The request for fees is denied without prejudice to seek fees under the law after service is made and after a hearing is held on the matter.

By the court,
Gordon R. Miller, J.

8-8-94 Faxed to Attys. Kulwicki, Gray, Ferry. Mailed to Shoemaker

Aug. 8, 1994 Respondent Edward G. Shoemaker's reply to Plaintiffs' Motion for Service Pursuant to Special Order of Court Pursuant to Pa. R.C.P.430, filed.

Aug. 11 1994 Certificate of Service filed. I hereby certify that on the 9th day of August, 1994, I served a true and correct copy of the COMPLAINT on Defendants Orrie and Georgia Long, by certified mail, return receipt requested, see Exhibit A, pursuant to the Order of Court dated August 8, 1994, issued by the Hon. Gordon R. Miller of the Court of Common Pleas of Crawford County, PA.

George R. Gray

Aug. 11, 1994 Acceptance of Service filed. I accept service of the complaint.
Date: May 18, 1994 Joseph F. Kulwicki

SEpt. 27, 1994, Sheriffs return filed. Served complaint upon Margaret Sims 8/18/94 at 1:00 P.M. by hand to her at 3454 Forbes Ave. Pgh Pa. 15213 true and correct copy, made known to her the contents therein. James W. Snyd, Allegheny County

Served complaint on 8/18/94 at 2:03 p.m. upon Pa. J. Bor. Office Manager at 201 N. Craig St. Pgh Pa.115213 by handing to her true and correct copy and making known to her the contents therein. James W. Snyd, Allegheny County, Pa.

22

1994

Barbara J. Walton

472.

Peters, Lindsay,
Lewis & Hatheway
Brian J. Lindsay

PAUL B. MILLARD

vs.

CARRIE HARNED

Filed May 17, 1994
@

Tax & entry paid	50.50
User's Fee paid	5.00
William Pineo, Mediator	152.00
Pro Co pd 9-94	9.00

5-17-94 Rec'd from Atty med fee 150.00

6-27-94 Pd Atty Ck# 9604 65.00

9-13-94 Pd Co Ck# 6549 76.00

COMPLAINT FOR CUSTODY
1 copy atty.
1 copy mediator

Order;

You, Carrie Harned, have been sued in Court to obtain custody of Mariah Harned.

You are ORDERED to appear in personat 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 vistiation may be entered against you or the Court may issue a warrant for your arrest.

Until th eitme 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 ALAWYER OR CANNOT AFFOR DONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator
Crawford County Courthouse
Meadville, PA 16335
(814) 336-1151 ext. 298

BY THE COURT,
Gordon R. Miller, J

May 24, 1994 Affidavit of Service filed. And Now, May 24, 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 May 20, 1994.

2. That the Defendant signed the return card on May 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. P708507900) attached hereto as Exhibit "A".

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

Barbara J. Walton

June 22, 1994 Appearance of Peters, Lindsay, Lewis & Hatheway by Brian J. Lindsay for Defendant filed.

June 24, 1994 Request For Hearing De Novo and Order, filed. AND NOW, this 23 day of June, 1994, the above request for Hearing De Novo is hereby granted and shall be scheduled on the 21st day of July, 1994, at 9:15 o'clock, A.M. at the Crawford County Courthouse in Courtroom 1 or 2.

BY THE COURT:
Anthony J. Vardaro, J.

Juen 24, 1994 Faxed Lindsay, Pineo & Walton. Also gave copies to Lindsay

June 24, 1994 TEMPORARY ORDER, filed. AND NOW, this 24 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, Mariah Harned.

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 fo 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. Until August 1,1994, the father shall have temporary physical custody and visitation each weekend from Friday at 6:00 P.M. until Sunday at 6:00 P.M. except for the first full weekend of each month. A full weekend is one in which both Friday and Saturday occur within the same month. Starting with the first of the father's weekends in August, his periods of visitation and temporary physical custody shall be extended so that they shall end on Monday at 6:00 P.M.

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. Each party will keep the other advised of his or her address and telephone number so that communication may be easily made.

4. Holiday visitation shall be arranged as follows:

a. Christmas: There shall be two Christmas holiday visitation periods, the first beginning Christmas Eve at 6:00 p.m. and ending Christmas Day at 1:00 p.m. and the second beginning Christmas Day at 1:00 p.m. and ending Christmas Day at 8:00 p.m. For Christmas, 1994, the mother shall have visitation and temporary physical custody during the first period, and the father, the second, and the parties shall thereafter alternate the periods.

b. Thanksgiving: There shall be two Thanksgiving visitation periods, the first beginning on the Wednesday preceding Thanksgiving at 6:00 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 Thanksgiving day at 7:00 p.m. For Thanksgiving, 1994, the father shall have the first period and the mother, the second, and the parties shall thereafter alternate the periods.

c. Easter: There shall be two Easter visitation periods. The first shall begin at 8:00 a.m. of Easter Sunday and end at 2:00 p.m. of Easter Sunday, and the second shall begin at 2:00 p.m. of Easter Sunday and end at 8:00 p.m. Easter Sunday. For Easter, 1994, the father shall have the first period, and the mother shall have the second, and the parties shall thereafter alternate.

d. The other holidays to be observed are Memorial Day, Independence Day, and Labor Day. 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 shall take precedence over the other provisions of this order relating to the custodial or visitation periods.

Continued on Page 22A

1994

Paul B. Millard
vs.
Carrie Harned

CONTINUED ON PAGE 22A
of Record
A. D. 1994 - 472

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5. The parties are free to make additional or alternative arrangemetns respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangemetns 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 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. The parties shall split responsibility for transportation with the party receiving the chld in exercise of his or her visitation rights picking up the child at the home of the other. Any person transporting the child shall make sure that seat belts or other restraints are used in accordance with the law.

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 recent medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the children are being transported or in the bedroom of the children.

10. 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 divided equally between the parties. The mediator note that the mother isindigent and her share is therefore assessed to Crawford County. The father's share is assessed to him 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.

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 considere permanent.

By the Court,
Anthony J. Vardaro, J.

Juen 27, 1994 Faxed Walton, Pineo, Sullivan July 1, 1994 Faxed Lindsay sent Plf. & Dft.

July 22, 1994 Order filed. AND NOW, July 21, 1994, this matter is before the Court on the Defendant's request for a de novo custody hearing after a temporary order was entered on June 24, 1994 following mediation.

In most respects, that temporary order is agreeable to both of the parties and after informal hearing, we will attempt to resolve, with their agreement, theissues that were not satisfactory to both parties in the temporary order. In all respects that we do not enter an order inconsistent with the June 24, 1994 order, it is AFFIRMED.

First of all, with respect to the father's periods of temporary physical custody, through July 1994 they shall remain from Friday at 6:00 p.m. until Sunday at 6:00 p.m., except for the first weekend of each month. For August of 1994, as the temporary order indicated, the periods of temporary physical custody shall be extended so that they end on Monday at 6:00 p.m.

Commencing September 1, 1994 the periods of temporary physical custody thereafter for the father shall be each weekend e except the first full weekend of each month, from Friday at 3:00 p.m. until Sunday at 7:00 p.m. Additionally, the father shall have a period of temporary physical custody with the child each Wednesday from 3:00 p.m. through 8:30 p.m.

The mother intends to attend the VoTech School beginning in September of 1994 and apparently will be going to evening classes. If that becomes the case, she shall, by September 1, 1994 supply her class schedule to father andin addition to his normal Wednesday period of temporary physical custody, he shall have theoption of having temporary phyiscal custody of the child each evening that the mother has classes, commencing at 3:00 p.m. and ending at a time when her classes would b eover andshe will have returned home, which time shall be approximately 9:15 p.m.

Insofar as the mother will have the child on the first full weekend of each month, she will be able to takehim to the church of her choice that weekend but she also desires to take the child to church more often than that. Accordingly, so long as she is able to provide transportation both to church from the Plaintiff/father's house and thenback after church to plaintiff/father's house, on the Sunday of the third full weekend of each month, even though she does not have the ch child with her for that weekend, she may pick the child up at father's home at 10:00 a.m. and return the child to father's home at 1:00 p.m., so that the child may attend church. It shall be presumed beginning in August of 1994 that each Sunday of the third full weekend of the month, mother will be making this visit to church with the child and in the event she does not intend to do so, she shall call father and inform him that she will not be picking the child up by 6:00 p.m. the day before the child is supposed to be picked up for church.

With respect to transprotion, other than for the Sunday church visit just set forth, natural ather will provide all transportation at this time, wtihthe udnerstanding that in the event natural mother obtains a vehicle in the fufure, she shall share transportation and additionally, this order with respect to father providing transportation is without prejudice to him to request a modification with respect to that matter at any time in the future.

we note that the father as requested information with respect to the child's doctor and pharmacy and that has been provided this day,and as the temporary order indicates, the parties will continue to share such required information.

Finally, the father has in his household a 13 year old Pit Bull dog which he has had for approximately 7 years. Out of concern for the safety of the child, there shall be an adult present in the room with the child at any time the dog is present in a room where the child is located.

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

July 22, 1994 copies dist. to Walton, PIneo & Lindsay

Feb. 22, 1995 Petition for Contempt and NOTICE AND ORDER TO APPEAR filed. Legal proceedings have been brought against you alleging you have willfully disobeyed an Order of Court for visitation.

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

Whether or not you file in writing with the Court your defenses or objections, you must appear in person in Court on March 24, 1995, at 2:00 o'clock p.m. in Courtroom Number 2, Crawford County Courthouse, Meadville, Pennsylvania.

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

If the Court finds that you have willfully failed to comply with its Order for 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.

Court Administrator
Crawford County Courthouse
Meadville,PA 16335
Telephone: (814) 336-1151
By the Court:
Anthony J. Vardaro, J.

2-22-95 Faxed to Attys. Walton & Lindsay

22
-b-

1994

Paul B. Millard
vs.
Carrie Harned

Record continued from page 22a
of record
A.D. 1994 - 472

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Mar. 27, 1995 Order filed. AND NOW, March 24, 1995 this matter is before theCourt on a petition for contempt filed bythe Plaintiff.

It appears that after informal hearing there was only one short period of time over a weekend in February that the parties really disagreed with respect to Plaintiff's temporary physical custody with the child.

We declined to hold the Defendant in contempt, and we direct the parties to comply with the currect order entered and to attempt to get along and be reasonable with one another as much as possible.

In light of the fact that the Plaintiff has lsot two days of temporary physical custody, it is agreed by the parties and directed that he shall have the child on the first weekend of April which weekend actually begins onMarch 31, 1995 from that Friday at 6:00 p.m. until Sunday at 7:00 p.m. which would be April 2, 1995.

The parties should feel free to extend periods of tempoary physical custody or visitation for the father between themselves as they can agree, but they must at least in theminimum comply with this court order entered by theCourt on July 21, 1995 and to the extent this current order modifies that they must comply with this Order.

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

Mar. 27, 1995 dist to Walton& Lindsay

1994

473.

ROSE E. WILEY

vs.

BRUCE K. WILEY

Filed May 17, 1994
@

Indigent Filing

Pro. Co. pd 5/15/95 5.00

PETITION TO PROCEED IN FORMA PAUPERIS IN A DIVORCE
ACTION PURSUANT TO PA. R.C.P. 1920.62
1 copy Plaintiff

Order:
AND NOW, May 13, , 94 94 , upon consideration of the petitiion file by the (Plaintiff) ~~(Defendant~~) in this action, and supported by an affidavit attached thereto, all being pursuant to Pa. R.C.P. 1920.62 the (Plaintiff) ~~(Defendant)~~ is granted leave to proceed in forma pauperis at this time.
The (Plaintiff) (~~Defendant~~) 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 rresponsible for doing so upon an improvement of ~~his~~/her financial condition.
BY THE COURT:
Gordon R. Miller, Judge

Oct. 25, 1994, Complaint in Divorce filed. 1 copy (plff)

Nov. 1, 1994 SHERIFF'S RETURN, filed. SERVED Bruce Kelly Wiley personally on October 26, 1994 at 11:45 AM by handing a copy of the Complaint in Divorce to him at his place of employment, Vallonia Industries, Old Talon Building, Arch Street, Meadville, Crawford County, PA.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Apr 11, 1995 Affidavit of Consent of Defendant, filed.

Apr 11, 1995 Affidavit of Consent of Plaintiff, filed.

Apr. 25, 1995, Upon praecipe of plaintiff, to transmit the record, this case moved to court.

DIVORCE DECREE FILED

May 8, 1995 AND NOW, May 4, 1995, it is hereby ordered and decreed that ROSALIE ELAINE WILEY, Plaintiff, and BRUCE KELLY WILEY, Defendant, are divorced from the bonds of matrimony.
The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.
BY THE COURT:
Anthony J. Vardaro, J.

May 15, 1995 Notice of Intention to Resume Prior Name of Rosalie Elaine Wiley to be known as Rosalie Elaine Mascitti, filed.

1994

Culbertson, Weiss, Schetroma & Schuq, PC
David L. Hotchkiss

474.

Brennan, Robins & Daley
Richard J. Klixbull

DALE E. FINNEY and BARBARA M. FINNEY,

vs.

WILLIAM POLIZIANI, Executor of the Estate of JOHN A. MATTHEWS, deceased, PNC BANK and WILLIAM POLIZIANI, Trustees under the Will of JOHN A. MATTHEWS, PAM MATTHEWS and JOHN ANDREW MATTHEWS

Filed May 18, 1994
@ 11:15 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	133.00
Pro. Co.pd 11/9/94	6.00

COMPLAINT and MORTGAGE FORECLOSURE
5 copies atty.

Jul.7, 1994 Sheriff's Return filed. SERVED William Poliziani, Executor of the Estate of John A. Matthews by deputizing the Sheriff of Allegheny County, PA, as per Affidavit of Service attached. Served on May 31, 1994.

SERVED William Poliziana, Trustee u/w of John A. Matthews, by deputizing the Sheriff of Allegheny County, PA, as per Affidavit of Service attached. Served on May 31, 1994.

SERVED PNC Bank on May 26, 1994 at 11:39 AM by handing copy to Sandra Parker, Bank Manager, at 868 Park Avenue, Meadville, Crawford County, PA.

SERVED John A. Matthews by deputizing the Sheriff of Allegheny County, PA, as per his Affidavit of Service attached. Served on May 31, 1994.

SERVED Pam Matthews by deputizing the Sheriff of Allegheny County, PA, as per his Affidavit of Service attached. Served on May 31, 1994.

No one was found to be inpossession of the property located at R.D.#1,Gravel Run Road, Cambridge Springs, Crawford County,PA.

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

July 27, 1994 Defendant's Answer to Plaintiffs' Complaint and Mortgage Foreclosure, filed.

Nov. 9, 1994 Upon Praecipe of David L.Hotchkiss, Esquire, Attorneys for Plaintiff, the above captioned matter is discontinued with prejudice, filed.

1994

Shafer, Swick, Bailey, Irwin& Stack
Paul D. Shafer
Jeffrey K. Millin

475.

JAMES SHEEHAN and SHIRLEY SHEEHAN

vs.

DENNY L. BRADSHAW

Filed May 18, 1994
@ 2:35 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	41.00
Pro Co. pd 1/19/95	9.00

WRIT OF SUMMONS
Issued Sheriff

Jun. 8, 1994 Sheriff's Return filed. SERVED Denny L. Bradshaw personally on June 3, 1994 at 2:13 PM at his residence, R.D.#1, Cochranton, Crawford County, PA.
So answers, Scott D.Young, Deputy Sheriff
Robert M.Stevens, Sheriff

Sept. 26, 1994, Complaint filed.

Oct. 21, 1994 Motion for Summary Judgment, filed.

Oct. 21, 1994 Praecipe for Placement on Argument List, filed.

ON ARGUMENT LIST FOR NOVEMBER 1994

Nov. 23, 1994 Petition in Opposition to Motion for Summary Judgment, filed.

Dec. 19, 1994 Memorandum and Order filed. AND NOW, December 15, 1994, the plaintiff's motion for summary judgment as to Count 1 entitled Breach of Contract is hereby granted in part and judgment is entered in favor of the plaintiffs in the amount of $24,275.29 and aprtial summary judgment is entered as to interest. The judgment shall bear interest at the rate of 6% per annum fromthis date against the defendant in the amount of $24,275.29. BY THE COURT,
Gordon R. Miller, J

Dec. 19, 1994 Copies dist. to Millin & Bradshaw

Jan. 19, 1995 Jan. 19, 1995, 10:19 a.m., AND NOW upon Praecipe of Plaintiff Attorney, with copy of Certificate of Service to file summary judgment attached, judgment is hereby entered on Count I of Complaint in favor of Plaintiffs and against the Defendant in the amount of Twenty-four thousand two hundred seventy-five and 29/100 Dollars plus interest at the rate of six (6%) percent per annum from 12/15/94, pursuant to order of Court dated 12/15/94. Defendant has not filed a timely appeal.

B-44
Judgmt. entered - 1/19/95

Debt $24,275.29
Judgment
Barbara H. King, Pro.

Jan. 20, 1995 Notice of entry mailed defendant.

1995-11
EX 1994-475

Oct. 19, 1995 Order filed. AND NOW, Ocotber 18, 1995, Counsel for the plaintiff appears in Motion Court with a Petition for Supplemental Relief to Preserve Property and to Enjoin Defendant from Destroying or Harming Property. Proper notice has been given to the defendant, and he appears at Motion Court without counsel.

Essentially, the relief being requested by the plaintiffs is that the property in question be preserved in its current condition and that the defendant shall not take any action which destroys or impairs the property or its value.

Having explained that to the defendant, he indicates that he would be agreeable to such an Order without further hearing.

Accordingly, it is ORDERED and DIRECTED that the defendant shall preserve the property indicated in the Petition in its current condition and shall not take any action which shall destroy or impair the property or its value until further Order of Court.

The Prothonotary shall send a copy of this Order by regular mail to the defendant at R.D. #1, Box 83, Cochranton, Pennsylvania, 16314. BY THE COURT,
Anthony J. Vardaro, Judge

Oct. 19, 1995 Copy to Atty. Millin

Oct. 18, 1995 Petition for Supplemental Relief to Preserve Property and to enjoin Defendant from destroying or Harming Property, filed. (Paper filed at Ex. 1995-11)

Oct. 23, 1995 Amended Affidavit of Service of Lienholders filed. (Paper filed at Ex. 1995 - 11)

Shafer, Swick, Bailey,
Irwin & Stack
Paul D. Shafer
Jeffrey K. Millin

476.

WILLIAM RAY PROPER and
KAREN L. PROPER, individual
and t/d/b/a D&R HARDWOODS,
a partnership

vs.

DENNY L. BRADSHAW

Filed May 18, 1994
@ 3:45 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	41.00
Pro Co. pd 1/13/95	9.00

WRIT OF SUMMONS
Issued Sheriff

Jun. 8, 1994 Sheriff's Return filed. SERVED Denny L. Bradshaw personally on June 3, 1994 at 2:14 PM at his residence, R.D.#1 Cochranton, Crawford County, PA.
So answers, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

SEpt. 26, 1994, Complaint filed.

Oct. 21, 1994 Motion For Summary Judgment, filed.

Oct. 21, 1994 Praecipe For Placement On Argument List, filed.

ON ARGUMENT LIST FOR November 1994

Nov. 23, 1994 Affidavit in Opposition to Motion for Summary Judgment, filed.

Dec. 9, 1994 Memorandum and Order filed. AND NOW, December 7, 1994, the plaintiff's motion for summary judgment as to Count 1 entitled Breach of Contract is hereby granted and judgment is entered in favor of the planitiffs and against the defendant in the amount of $46,600.96 with interest at the rate of (6%) percent per annum to be computed form the date of this Order plus record court costs. BY THE COURT,
Gordon R. Miller, J

Dec. 9, 1994 copies dist. to Millin & White

Jan. 11, 1995, 2:07 p.m., AND NOW upon Praecipe of Plaintiff Attorney, with copy of Certificate of Service to file summary judgment attached, judgment is hereby entered on Count I of the Complaint, in favor of the Plaintiffs and against the Defendant in the amount of $46,600.96 plus interest at the rate of six (6%) percent per annum from Dec. 7, 1994, pursuant to the Order of Court dated Dec. 7, 1994. Defendant has not filed a timely appeal.

B-44
Judgment entered -
1/11/95.

Debt $46,600.96
Judgment
Barbara H. King, Pro.

Jan. 13, 1995 Notice of entry mailed to Defendant.

EX 1995-10

Oct. 19, 1995, ORDER filed. (see order pertaining to preservation of property at EX 1995 -10)

1994

Barbara J. Walton

477.

KIMBERLY ANN WILTROUT

vs.

JOHN C. WILTROUT

Filed May 18, 1994
@ 3:46 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 6-9-95	9.00

COMPLAINT IN DIVORCE UNDER SECTION 3301(d)
1 copy atty.

May 16, 1994 Affidavit Under Section 3301(d) of the Divorce Code of Plaintiff filed.

May 23, 1994 Affidavit of Service filed. And Now, May 23, 1994, comes Barbara J. Walton, and avers as follows:
1. A true and correct copy of the Complaint for Divorce under Section 3301(d) and Plaintiff's Affidavit of Consent Under Section 3301(d) was mailed to the Defendant via Certified Mail, return receipt on May 20, 1994.
2. That the Defendant signed the return card onMay 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. P708507910) 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

June 15, 1994 AFFIDAVIT OF SERVICE, filed. And Now, June 15, 1994, comes Barbara J. Walton, and avers as follows:
1. A true and correct copy of the Notice of Intention to Request Entry of Divorce Decree mailed to the Defendant via Certified Mail, return receipt on June 10, 1994.
2. Tjhat 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 States Postal Service Return Receipt (Certified No. Z070232948) 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.

June 8,1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

June 13, 1995 AND NOW, this 12th day of June, 1995, upon presentation of the Stipulation and Consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED AND DECREED that KIMBERLY WILTROUT, Plaintiff, and JOHN C. WILTROUT, 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.

1994

Devine & Kuftic
Elizabeth A. Malc

478.

5-18-94 Rec from plaf med dep. 150
6-22-94 Pd Plaf # Bal. Meddy # 8396 3458
9-13-94 Pd Co Ck # 8549 106462

DAVID ANTHONY

vs.

LORETTA J. ANTHONY

Filed May 18, 1994
@

Tax & entry paid 50.50
User's Fee paid 5.00
Pro Co Pd 9-94 9.00

COMPLAINT FOR CUSTODY
1 copy atty.
1 copy mediator

Order,

You, Loretta J. Hunter, have been sued in Court to obtain custody of David Anthony and Bridgette Anthony.
You are ORDERED to appear in personat such time and place as will be determined by the Mediator Bruc esmith for a mediation conference.
If you fail to appear as provided by this Order, an Order for custody, partial custody or vistiation may be entered against you or the Court may issue a warrant for your arrest.
YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE, IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.
Court Adminsitrator
Courthouse
Meadville, PA 16335
(814) 336-1151, ext. 298
Date: 5-17-94

Gordon R. Miller, J

Jun. 21, 1994 TEMPORARY ORDER OF COURT, filed. AND NOW, this 12 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 David Anthony, age six, born July 9, 1987, and Bridgette Anthony, age thre, born June 25, 1990, the parties to this action, shall share legal custody of the said minor children. Said joint legal custody being shared shall entitle both of the parents to equal access to any records relating to the children held by a third party, including but not limited to, school and medical records, and shall also entitle both parents to equal input with regard to the educational and religious upbringing of the children, as well as to any elective surgery.

2. Preimary physical custody of the children shall be transferred to the plaintiff natural father, David Anthony. Regular visitation and temporary custody of the children shall be granted to the defendant mother,Loretta J. Anthony. Physical custody for the defendant mother shall be as follows:

a. The children shsall visit in the home of the natural mother on the first, second, and fourth weekends of each month, beginning immediately, from Friday, at 5:00 p.m., prevailing time, until Sunday, at 6:00 p.m., prevailing time. The mother shall also have the right to take the children into her temporary physical custody, if desired, Tuesday and Wednesday of each week between the hours of 4:00 p.m. to 7:00 p.m., prevailing time.

b. Beginning with the month of June 1994, the mother shall have the opportunity to take the children into her temporary physical custody during the first two weeks of each summer month, being June, July, andAugust.

c. Holiday visitation shall take priority over other scheduled visitation. The parties are encouraged to agree as to holiday visitation; however, in the event that they cannot, the children shall spend Mother's Day with the mother and Father's Day with the father from 8:00 a.m.until 8:00 p.m., prevailing time. During even-numbered years,beginning in 1994, the mother shall have the children on East Day and the 4th of July, and the father shall have the children on Memorial Day and Labor Day. These days shall begin at 9:00 a.m., prevailing time, and shall end at 7:00 p.m. prevailing time. These days shall be reversed in odd-numbered years. The children shall spend Thanksgiving Day each year in the mother's home and the day following Thanksgiving Day each year in father's home beginning in 1994. With regard to Christmas each year, the children shall spend Christmas Day in the mother's home from 2:00 p.m., prevailing time, until 7:30 p.m., prevailing time. Additionally, the children shall be in the mother's home on Valentine's Day, Halloween Day, New Year's Day, and the child's birthday (unless that would interfere with school).

d. The father shall pick up and return the children to the mother's residence.

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

4. Neither parent shall take the children into any 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 arrangements to accommodate their and/or the children's schedules, they may adjust the physical custody arrangements accordingly and are encouraged to do so by mutual consent and agreement.

6. Each of the parents and any grandparent or other adult, including stepparents, coming into regular contact with the children shall teach the children involved in this case to develop and express that natural love and respect due a parent, grandparent, or stepparent 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 any parent, grandparent, or stepparent in the eyes of the children.

7. Those parents or other adults who smoke cigarettes, cigars, or pipes shall make an effort to not smoke in the same children where are at anytime in order to avoid exposure to second-hand smoke. Neither parent having primary physical custody of the children shall drink more than two ounces of alcohol in any twenty-four hour period when the children are in his or her primary physical custody.

8. This Order shall not prejudice the right of either party to request further Medication if there are changed circumstances in the lives of the parties or the children or in the event that the best interest of the children would be served by further Mediation. For purposes of this paragraph, either parent intending to move from the Ft. LeBoeuf or Union City School District shall give a written notice of thirty days to the other parent to allow the opportunity for additional mediation.

9. The Court of Common PLeas of Crawford County, Pennsylvania, shall retain jurisdiction of this matter so long as either of the parents or either child resides in the Court's jurisdiction and for at least six months from the date of this T emporary Order.

10. The fee for Child Custody Mediation shallbe paid 50% by the plaintiff father and 50% by the County of Crawford on behalf of the defendant mother. 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, Judge

6-22-94 Copies given to Sullivan, Malc (w/check) & Smith

Continued to Page 28 A

1994

David Anthony
vs
Loretta J.Anthony

Continued from Page 28
of Record
AD 1994 - 478

****

Jun. 24, 1994 RULE TO SHOW CAUSE filed. AND NOW, this 24th day of June, 1994, the Plaintiff, David Anthony, (Respondent herein), is ordered to SHOW CAUSE why the relief requested by the Defendant,Loretta J. Anthony (Petitioner herein), in her PETITION FOR SPECIAL RELIEF, filed in this Court on June 24, 1994, should not be granted.

This Rule is returnable on the 12th day of July, 1994, at 11:00 A.M. in Courtroom No. 1, of the Crawford County Courthouse, Meadville, Pennsylvania before the Homorable available judge.

It appears that a Crawford County Order may have been signed or will soon be signed after mediation. This petition may not be proper. It does not replace a request for hearing de novo.

Dated: June 24, 1994 Gordon R. Miller, Judge

6-24-94 Copy given to Constantino. 6-24-94 Faxed to Atty. Malc 6-28-94 Faxed to Atty.Smith

June 30, 1994 Request For Hearing De Novo and Order filed. AND NOW, this 29 day of June, 1994, it is hereby Ordered that a HEARING DE NOVO shall take place in this matter on the 4th day of August, 1994, at 1:30 PM before the Hon. P. Richard Thomas in Courtroom No. 2 of the Crawford Co. Courthouse, Meadville, Pennsylvania.

Dated:

By the Court:
Anthony J. Vardaro, J

June 30, 1994 Faxed Malc & Constantine

July 14, 1994 Order filed. AND NOW, July 12, 1994, the matter is before the Court on a petition for special relief whcih in essence is a request that the children be returned to the natural mother even though the temporary order signed by Judge Anthony Vardaro on June 21, 1994 order primary custodial cusotdy with the father.

Counsel for the mother argues that the letter of recommendation by Mediator Bruce L. Smith does not set forth sufficient factual grounds for his observations and recommendations and therefore the status quo prior to the custody mediation should be maintained.

This Court finds that there is no evidence produced that the chidlren would be in danger or that their welfare would not adequately be served by allowing them to remain in the custody of the natural father until a de novo hearing can be held which is currently scheduled for August 4, 1994 before the undersigned.

Accordingly, we deny the petition for special relief and the temporary order previously entered in this case shall remain in full force and effect until the conclusion of the de novo hearing and a permanent order replaces the temporary order of Court now in existence, establishing the respective custodial right of the parents of the children. BY ORDER OF THE COURT,
P. Richard Thomas, S.J.

July 14, 1994 Faxed to Malc & Constantine

Aug. 4, 1994 Exhibits filed.

Aug. 17, 1994 ORDER filed. AND NOW, August 15, 1994, at the conclusion of a second hearing on the custody and visitation issue, this Court is satisfied that the weight of the evidence indicates that the best interest of the minor children in this case, Bridgette and David, would be served at this time by awarding primary custody to the father David T. Anthony, and the Court so orders, with said custody transfer to be effective by agreement of the parties, on Aug. 19, 1994, at 6 p.m. with the responsibility delegated to the mother, Loretta j. Anthony, to produce the children at the current home of the father at such time, together with all of their clothing, essential toys and any routine or prescribed medications required for either child.

The parties and their counsel advise that each set of parents has adequate and satisfactory clothing for the two minor children and they do not visualize that an extensive exchange of clothing will be necessary to effect the transfer of custody.

Counsel and the Corut recognize the need for periodic custody periods and somewhat extensive visitation periods for the mother involving the children and have requested that the Corut reserve any scheduling for partial custody visits to be accorded the mother, the sharing of the traditional holiday periods between the parents and weekend visitation periods for the mother. If counsel do not advise the Court by 4:30 p.m., Aug. 26, 1994, that an agreement has been reached and that a written copy of said agreemetn regarding partial custody for the mother and visitations for the mother will be forwarded to the Court within a certain number of days, this Court without further communication from or to counsel, will enter an appropriate partial custody and visitation Order involving the two children in this case.

In the event of an appeal by either party, this Court will enter a Supplemental Order, setting forth in narrative form the reason for its award of primary custody.

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

Aug. 17, 1994 Copies distributed to Attys. Malc and Constantine.

Sep. 2, 1994 Supplemental Order. Partial Custody and Visitation. After two lengthy hearings we entered an Order August 15, 1994 awarding primary custody of minor children to the fat her of his minor children. Counsel agreed that they would attempt to amicably resolve and reduce to written agreement the partial custody and visitation rights to be accorded the mother. By letter dated August 26, 1994 from mother's attorney we were advised the parties had been unable to reach an amicable agreement on these issues and requesting the Court to enter a supplemental order.

1. Unless the parties agree otherwise the mother shall have the two children in her custody the first and third weekend of every month commencing with the month of September 1994 between the hours of 6 p.m.Friday through 6 p.m.Sunday. It shall be the responsibility of the mother to pick up the children for said visit and the father to return said children to his custody.

2. The mother is accorded partial custody extended "summer visits" with the two children in her exclusive custody the last full week (Sunday through Saturday) of June each year and the second full two week periods of July and Au gust each year.

The mother shall pick up said children for said visits and the father shall return them to his custody at the end of the period. Unless the parties agree otherwise the periods will begin Sunday at noon and terminate Saturday at 8:00 o'clock p.m.

3. Major holidays are designated as Easter, July 4th, Thanksgiving and Christmas.

C ommencing with Thanksgiving 1994 the parents shall alternate said holidays for having custody of said children in their exclusive possession for a period of not less than 72 hours with the mother having temporary custody of the children for Thanksgiving 1994. The four holiday periods shall be alternated between parents each year so that the same parent does not enjoy the same holiday period two years in succession.

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

b. The beginning and ending of the 72 hour period shall be mutually agreed upon and in absence of an agreement the wishes of the mother shall control.

4. The parents may mutually agree on further special visits to accommodate the children or the respective parents.

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

Continued to Page 28 B

28
B

1994

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

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

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

9-2-94 FAxed to Constantine & Malc

Sep. 30, 1994 Exhibits filed.

1994

Moran, Morehouse & Bruno
James L. Moran

479.

Joseph E. Altomare
Elizabeth Anderson Molli, her at law of Ruth Clark Anderson

WILDA A. YAKISH

vs.

CHARLES G. CLARK, and RUTH CLARK ANDERSON, and A.J. THOMPSON ESTATE, A.J. THOMPSON ESTATE, INC., CLARA E. THOMPSON, MARIA C. BALDWIN, DWIGHT H. THOMPSON JENNIE EVANS, MERLE THOMPSON ADDIE THOMPSON, HELEN GREEN, JOHN HENRY THOMPSON, WALTER A. THOMPSON, CLARENCE A. THOMPSON LAURA STUART, GEORGE CONE, and JOHN W. THOMPSON, and all persons claiming by, through, or under them.

Filed May 19, 1994
@

Tax & entry paid	50.50
User's Fee paid	5.00
Pro.Co.pd 9/16/94	9.00

COMPLAINT IN ACTION TO QUIET TITLE
1 copy atty.

May 20, 1994 Action to Quiet Title Motion for Leave to Serve Defendants by Publication and ORDER OF COURT filed. AND NOW, to-wit: this 19th day of May, 1994, upon consideration of the foregoing Motion and the Complaint and Affidavit filed in the within action, the plaintiff is granted leave to make service of the Complaint in Action to Quiet Title by publication against the defendants and their heirs and assigns and all persons claiming through or under them, said publication to be one (1) time in theTitusville Herald and one (1) time in the Crawford County Legal Journal.

Gordon R. Miller, J.

5-23-94 FAxed toAtty. Moran

June 17, 1994 Appearance of Joseph E. Altomare for Elizabeth Anderson Molli, heir at law of Ruth Clark Anderson filed.

In Error ~~June 22, 1994 Notice of Intent to Complete Discovery, filed~~.

Aug. 115, 1994 Motion For Judgment, Affidavit of Service and Order, filed. AND NOW, this 12 day of August, 1994, upon Motion, an Affidavit having been filed that a Complaiant endorsed with a Notice to Plead has been served by publication and that the defendants have not filed an Answer, it is ordered that the above-named defendants, their heirs, executors, administrators and assigns, and all persons claiming by, through or under them, be forever barred from asserting any rights, lien, title or interest in:

ALL that certain piece or parcel of land situate in the Third Ward of the City of Titusville, County of Crawford and State of Pennsylvania, bounded and described as follows: Beginning at an iron stake located in the South line of land, now or formerly, of Fletcher, forty (40) feet west of the southeast corner of said property on the West side of Sullivan Alley (leading from the junction of Central Avenue and Spring Street south to Sullivan Street); thence West along the south line of said Fletcher property, thirty-five (35) feet to an iron stake; thence Southerly at right angles with Central Avenue, one hundred (100) feet, more or less, to an iron stake in the north line of Sullivan Street; thence East along the north line of Sullivan Street, thirty-five (35) feet to an iron stake, forty (40) feet West of Sullivna Alley; thence North at right angles with Central Avenue, one hundred (100) feet, more or less to the place of beginning.

ALL that certain piece or parcel of land situate in the Third Ward, City of Titusville, Crawford County, Pennsylvania, bounded and described as follows:

1. BEGINNING at a point, the outheast corner of a lot which the A.J. Thompson Estate, Inc., by deed dated July 8, 1939, and recorded in Crawford County Deed Book 293, page 26, conveyed to Herbert P. Sullivan and Bertha M. Sullivan, (said point beign two hundred forty-one (241) feet south of the south line of Central Avenue on a perpendicular thereto, said perpendicular beign three hundred eighty-eight and thrity-five one-hundredths (388.35) feet west of the intersection of the southwest line of Spring Street and the south line of Central Avenue), thence north perpendicular to Central Avenue seventy-seven and thirty-eight one-hundredths (77.38) feet to the Southwest corner of land of Vincovich, formerly Broderick; thence southeast along athe north line of so-called Alley, slso being the south line of Vincovich, formerly Broderick, fifty-three (53) feet and continuing along the south line of Strawbridge forlty-two and two-tenths (42.2) feet and continuing along the south line of Gigone, formerly Close, forty-six and seventy-one one-hundredths (46.71) feet to the southeast corner sdof said Gigone; thence north perpendicular to Central Avenue forty (40) feet, more or less, to the south line of Robert Sonne, formerly Wentworth; thence east parallel to Central Avenue along the south line of Sonne forty (40) feet to a pipe; thence along the south line of John Davidson, formerly Fletcher, eight-one (81) feet; thence south eight (8) feet; thence east (40) feet, more or less, to a maple tree, the northwest corner of Hoyt, formerly of J.S. Clark; thence south at right angles to Central Avenue one hundred six (106) feet tot he north line of Sullivan Street, so-called; thence east along the north line of Sullivan Street thirty -five (35) feet to an iron stake; thence north at right angles to Central Avenue one hundred (100) feet to the south line of Davidson, formerly Fletcher; thence east forty (40) feet to the southeast corner of Davidson, formerly Fletcher; thence north along Sullivan Alley, seventy-eight (78) feet to the south line of Goodrich, formerly Schultz; thence southeast parallel to Spring Street sixty-one and seventy one-hundredths (61.70) feet to a stake; thence northeast sixtee and twenty one-hundredths (16.20) feet; thence northeast approximately perpendicular to Spring Street one hundred thirty-two and fifty one-hundredths (132.50) feet to the south line of Spring Street; thence southeast along the south line of Spring Street fifty-two and ninety-five one-hundredths (52.95) feet to a point, the northwest corner of land now or formerly O'Rourke; thence southwest perpenidcular to Spring Stareet along west line of O'Rourke one hundred eighty and fifty-three one-hundredths (180.53) feet to the southwest corner of O'Rourke; thence continuing in the same line approximately thirty (30) feet to the south side of a brick wall of a large storehouse; thence westerly along the south side of said storehouse seventy-eigaht (78) feet, more or less, to the east line of Sullivan Alley; thency southerly along Sullivan Alley one hundred thirteen (113) to the north line of Sullivan Street; thence easterly along the north line of Sullivan Street seventy (70) feet, more or less, to the east line of land of John Antill; thence perpendicular to Spring Street along the east line of Antill one hundred twenty (120) feet to the south line of O'Rourke; thence parallel to Spring Street one hundred forty-five and forty-five one-hundredths (145.45) feet to a point; thence south seventy-two and two-tenths (72.2) feet a stone post; thence south parallel to Monroe Street sixty (60) feet to the north line of G.L.F. lot; thence west forty (40) feet to a point; thence south parallel to Monroe Street sixty (60) feet to a point; thence west (incorrectly stated east in prior deed) forty (40) feet feet to a point; thence south twenty-seven (27) feet to a pipe in the north line of the right-of-way of Union and Titusville Railroad; thence westerly along said rigaht-of-way and northwesterly along the right-of-way of the Pennsylvania Railroad,

CONTINUED ON PAGE 498

1994

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

480.

LEECH INDUSTRIES,INC

vs.

DICK WARNER

Filed May 19, 1994
@ 10:45 AM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro pd 10/7/94	9.00
Exemp.of Record pd 1/19/95	13.50
Pro.Co. pd 3/28/96	5.00

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

May 19, 1994 Rule entered upon Plaintiff to file a Complaint issued.

May 19, 1994 Proof of Service filed.

May 24, 1994 Complaint filed.

And Now, Oct. 3, 1994, at 3:39 p.m. upon praecipe of plaintiff, with cert. of service and notices attached, Judgment is hereby enteredin favor of plaintiff and against the defendant in the sum of One thousand Four Hundred and 00/100 dollars plus legal interest from Dec. 27, 1993 and costs of suit for failure to file a pleading.

Judgment entered
Oct. 3, 1994
W - 44

Debt ---$1,400.00
Int. from 12/27/93
JUDGMENT
Barbara H. King,
Prothonotary

Oct. 7, 1994, notice of entry of judgment mailed to dft.

Mar. 27, 1996 Upon Praecipe of Louis J.Stack, Esquire,Attorney for Plaintiff, the above judgment is marked satisfied of record.

1994

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

481.

PENNWEST FARM CREDIT, ACA

vs.

BARRY E. DILLEY and
PATRICIA A. DILLEY

Filed May 19, 1994
@ 1:10 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	36.00
Sheriff's Costs	43.00
Pro Co pd 8-29-94	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies Sheriff

June 2, 1994 Sheriff's Return filed. NOT FOUND as to Defendants Barry E.Dilley and Patricia A. Dilley at address of R.D. #2, Box 62, Guys Mills, Crawford county, PA. The house is vacant and there is no forwarding address listed with the post office.

POSTED the property located at R.D. #2, Box 62, Guys Mills, Crawford County, PA. on June 1, 1994 at 10:05 AM with a copy of the Complaint in Mortgage Foreclosure.

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

June 13, 1994 Complaint to Reinstate , filed.

July 7, 1994 SHERIFF'S RETURN, filed. SERVED Barry E. Dilley personally on June 27, 1994 at 3:25 PM by handing him a copy of the Complaint in Mortgage Foreclosure at 314½ West Spring Stareet, Titusville, Crawford County, PA.

SERVED Patricia A. Dilley on June 27, 1994 at 3:27 PM by handing a copy of the Complaint in Mortgage Foreclosure to Barry E. Dilley, Adult in Charge at the residence, 314½ West Spring Street, Titusville, Crawford County, PA.

So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Aug. 29,1994 And Now, upon praecipe of plaintiff's attorney judgment is hereby entered in the above captioned matter in favor of the Plaintiff and against the Defendants in accordance to paragraph eleven (11) of the complaint in the sum of Thirty-Two Thousand Eight Hundred Sixty-one and 85/100 with costs plus interest from April 12,1994 at the rate of 10% for failure to file a pleading within twenty days of service of the complaint.

Entered 8-29-94 Debt: $32,861.85 plus int and costs
D - 21, 131 JUDGMENT
Barbara H. King, Pro.

EX 1994 - 56

32

1994

Evans, Portnoy & Quinn
Irving M. Portnoy

482.

Gorr, Moser, Dell & Loughney
Peter Molinaro, Jr.

DIANA G. POLLARD,
Administratrix of the
Estate of THOMAS C. POLLARD,
Deceased

vs.

LORD CORPORATION, a
corporation

Filed May 19, 1994
@ 1:20 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro.Co.pd 1/5/95	$35.00

JURY TRIAL DEMANDED

1 WRIT OF SUMMONS
Issued Sheriff

2 June 1, 1994 SHERIFF'S RETURN, filed. SERVED Lord Corporation on May 26, 1994 at 11:54 AM by handing a copy of the Summons to Chuck Garrity, Chief Engineer/Manager, at the business, South Street, Saegertown, Crawford County, PA.
So answers, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

3 June 27, 1994 Complaint in Civil Action, filed.

4 Jul. 6, 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 Compalint in Civil Action was sent to Lord Corporation, Defendant, by Certified Mail, Return Receipt Requested, on June 24, 1994, the Return Receipt of this mailing being attached hereto and made a part hereof, indicating the receipt of the Complaint by the Defendant on June 27, 1994.
July5, 1994 Irving M. Portnoy, Esquire

5 July 8, 1994 Appearance of Gorr, Moser, Dell & Loughney, by Peter Molinaro, Jr., Esquire for defendants, filed.

6 Sep. 2, 1994 Preliminary Objections filed.

7 Sep. 2, 1994 Upon Praecipe of Peter Molinaro, Jr., Esquire, the above captioned matter is placed on the available Argument List.

ON OCTOBER, 1994 ARGUMENT LIST

8 Dec. 9, 1994 Memorandum and Order filed. AND NOW, December 7, 1994, for the reasons set frothin the attached memorandum the defendant's preliminary objections in the nature of a demurrer are sustained and the plaintiff's complaint is dismissed.
BY THE COURT,
Gordon R. Miller, J

Dec. 9, 1994 copies dist. to Pollard & Lord

9 Jan. 5, 1995 Notice of Appeal to Superior Court filed.

10 Jan. 9, 1995 Notice of Appeal Docketing Superior Court Docket No. Assigned 00052PGH95, filed.

Aug. 29, 1997 Opinion In Support of Affirmance filed.

Aug. 29, 1997 Opinion in Support of Reversal filed.

Aug. 29, 1997 Order filed. AND NOW, this 20th day of May, 1997, the Court being equally divided, the order of the Superior Court is affirmed.
Mr. Justice Nigro files an opinion in support of affirmance in which Mr. Justice Cappy and Madame Justice Newman join.
Mr. Cheif Justice Flaherty files an opinion in support of reversal in which Messrs. Justice Zappala and Castille join.
Judgment entered May 20, 1997 Candace Fry, Chief Clerk

9.2.98 Orphans Court

Aug. 29, 1997 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 REVERSED & REMANDED. JURISDICTION RELINQUISHED.
BY THE COURT
Dated: September 8, 1997 Eleanor R. Valesko
Deputy Prothonotary

Aug. 29, 1997 Certificate of Remand of Record filed.

March 6, 1998 Upon Praecipe of Defendant attorney, this case placed on next Argument List, filed.

ON APRIL 1998 ARGUMENT LIST

May 15, 1998 MEMORANDUM AND ORDER filed. ORDER: AND NOW, May 15, 1998 the defendant's motion for more specific pleading and/or motion to strike concerning paragraphs 10, 13(t), (u) and (v) is denied in part and granted in part as follows:
1. Dft's motion converning paragraph 10 is denied.
2. Dft's motion concerning paragraph 13(t) is denied.
3. Dft's motion concerning paragraph 13(u) is granted.
4. Dft's motion concerning paragraph 13(v) is granted.
5. Dft's motion concerning paragraph 17 is granted.
The plaintiff is given 20 days from the date of this order to file an amended complaint more specifically addressing the items referred to in paragraphs 13(u), 13(v) and 17.
BY THE COURT,
Gordon R. Miller PJ
5/15/98 mailed to Portnoy and Molinaro.

May 7, 1999 Motion to Strike Filed.

May 7, 1999 Praecipe for Argument filed. Upon Praecipe of Gorr, Moser, Dell & Loughney by Peter Molinaro, Jr. Esq Attorney for Defendant this case placed on next argument list.

ON JUNE 1999 ARGUMENT LIST.

1994

S31761

	Diana G. Pollard Administratrix of the Est of Thomas C. pollard, Deceased vs Lord Corp.	continued from page 32 of record AD 1994 - 482

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May 26, 1999 Motion to Compel Answers to Interrogatories and Order of Court Filed. And Now, to-wit this 26 day of May 1999 it is hereby ORDERED, ADJUDGED AND DECREED that the Defendant shall file full and complete Answers to each and every one of teh Interrogatories heretofore filed by the Plaintiff within 30 days of the date of this Order. If the said Defendant shall fail to do so, it shall be subject to those sanctions which the Court shall deem appropriate under the circumstances. This Order is not to be construed to mean that we are ruling in any objections made to the interrogatories of the Defendant.
5/26/99 Faxed Poilnoz and Molinaro

June 16, 1999 Order filed. And Now, June 14, 1999 in view of the fact that Plaintiff has not filed an amended complaint paragraphys 13 (u), 13(v) and 17 of Plaintiff's complaint are stricken pursuant to our order of May 15,1 998. Accordingly the punitive damages claim in Count II is also stricken. Therefore, Defendant's subsequent motion to strike filed May 7, 1999 although unnecessary is granted.

By the Court
Gordon R. Miller, PJ

6/16/99 Faxed Portnoy and Molinaro

June 18, 1999 Notice of Service of Supplemental Answers to Plaintiff's First Set of Interrogatories Filed.

June 22, 1999 Notice of Service of Second Supplemental Answers to Plaintif's First Set of Interrogatories Filed.

June 23, 1999 Answer and New Matter filed.

July 23, 1999 Plaintiff's Reply to Defendant's New Matter filed.

AS OF SEPTEMBER 15, 2000, PLEASE SEE COMPUTER FOR FURTHER ENTRIES.

1994

Barbara J. Walton

483.

MARY M. HERDERING

vs.

DAVID P. HERDERING

Filed May 19, 1994
@ 1:33 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 9/7/94	5.00

COMPLAINT IN DIVORCE UNDER SECTION 3301(d)
1 copy atty.

May 19, 1994 Affidavit Under Section 3301(d) of Plaintiff filed.

May 31, 1994, Affidavit of Service filed. And now, comes Barbara J. Walton and avers as follows:

1. A true and correct copy of Complaint for Divorce under Sect. 3301(d) of the cde and plaintiff's affidavit under section 3301(d) of the divorce code was mailed to the dft. via Cert. mail ret. rec. on May 25, 1994.

2. That the dft. signed the return card on May 26, 1994 and in accordance with Pa. R.C.P. 412, service of the Complaint was made as is evidenced by the US Postal ser. ret. rec. No. P 708507908 attahce dhereto as Exhibit "A". Barbara J. Walton Esq

Aug. 2, 1994 Affidavit of Service filed. And Now, August 1, 1994, comes Barbara J. Walton, and avers as follows:

1. A true and correct copy of the Notice of Intention to Request Entry of Divorce Decree was mailed to the Defendant via Certified Mail, return receipt on July 27, 1994.

2. That the Defendant signed the return card on July 29, 1994 and in accordance with Pa. R.C.P. 412, service of the Complaint was made as is evidenced by the United Stat es Postal Service Return REceipt (Certified No. Z070383653) attached hereto as Exhibit "A".

Barbara J. Walton, Esquire

Aug. 25, 1994 Upon Praecipe of Barbara J. Walton, Esquire, Attorney for Plaintiff to transmit record, Case moved to Court.

DIVORCE DECREE FILED

September 1, 1994 AND NOW, August 30, 1994, it is ordered and decreed that MARY M. HERDERING, plaintiff, and DAVID P. HERDERING, 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.

Sept. 7, 1994 Notice of Election To Retake Maiden Name filed. Mary M. Herdering TO BE KNOWN AS: Mary M. Luce

34

1994

Edgar Snyder &
Associates, PC
John H. Eaton

484.

JOANNE KRIDEL

vs.

CLAIRE W. OAKES

Filed May 19, 1994
@ 1:56 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	30.00

WRIT OF SUMMONS
Issued Sheriff

Jun. 3, 1994 Sheriff's Return filed. SERVED Claire W. Oakes personally on June 1, 1994 at 1:09 PM by handing a copy of the Summons to him in theSheriff's Office, Third Floor, Crawford County Courthouse, Meadville,PA.

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

1994

485.

CUSTODY

MARY M. HERDERING (Luce-Hawk)

vs.

DAVID P. HERDERING, SR.

Filed May 19, 1994
@ 4:05 PM

Indigent Filing

John Fuller, Mediator

PETITION TO PROCEED IN FORMA PAUPERIS PURSUANT TO Pa. R.C.P. 240

Order:
AND NOW, May 17, 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. 240, the Plaintiff is granted leave to proceed in forma pauperis at this time.
The Plaintiffis directed to in form the Prothonotary's office or the Court of any improvement in [redacted]/her financial circumstance that would permit [redacted]/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

May 23, 1994 Copy of order to Plaintiff

May 23, 1994 Custody Complaint and ORDER filed. AND NOW, this 17th day of May, 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 withuot 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 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 petiton 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, J.

5-24-94 Copy Faxed to Atty. Fuller, Copy given to Sheriff & Pltf.

May 23, 1994 Notice and Order to Appear filed. You, David P.Herdering, Sr., have been sued in Court to obtain custody of David & Theresa Herdering.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator John Fuller for a mediation conference.

If you fail to appear as provided by this Order, and Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

Date: May 17, 1994 Gordon R. Miller

5-24-94 Faxed to Fuller & given to Sheriff & Pltf.

Dec. 20, 1994 ORDER filed. AND NOW, Dec. 16, 1994 after mediation conference before John Fuller, Esq., IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of David P. Herdering, Jr. and Theresa M. Herdering 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 David P. Herdering, Jr. and Theresa M. Herdering 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 5:00 o'clock p.m. on Friday to 7:00 o'clock p.m. on Sunday, beginning Dec. 23, 1994.

B. Holidays shall be defined as Christmas, Easter and Thanksgiving. Custody of the children shall be shared on the aforesaid holidays and in the absence of an agreement to the contrary, the children shall be in the custody of the mother on the aforesaid holidays until 1:00 o'clock p.m. and in the custody of the father on the aforesaid holidays from 1:00 o'clock p.m. until 7:00 o'clock p.m.

C. Beginning with the Summer of 1995, each summer the children shall be in the custody of the father for a period of three (3) two (2) week periods, which unless otherwise agreed to by the parties, shall be the first two weeks of June, the first two weeks of July and the first two weeks of August.

D. Transportation of the children on weekends, holidays and Summer visits shall be shared as follows: The father, or his designee, shall pick the children up at the beginning of a visit and mother, or her designee, shall pick up the children at the end of a visit.

E. Neither mother nor father nor anyone else 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 chidlren towards both parents. There shall be no arguing or angry confrontations at custody exchanges.

F. Neither mother nor father shall expose the children to any person or situation which may be harmful to the children's heath or well being.

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

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

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

Anthony J. Vardaor, Judge

Dec. 29, 1994 Order FAXED Attys. B. Walton, H. White, J. Fuller.

Jan. 13, 1995 Sheriff's Return filed. Returned not served. No instructions from Plaintiff. So answers,

Robert M. Stevens, Sheriff

Continued on Page 463

1994

Watts & Pepicelli
Alan L. Pepicelli

486.

HELEN B. ALEX and ALLEN J. ALEX, her husband

vs.

RHONDA M. SEVERO, a/k/a RHONDA SEVERO

Filed May 20, 1994
@ 9:55 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	47.00

WRIT OF SUMMONS
Issued Sheriff

Jun. 8, 1994 Sheriff's Return and Affidavit of Service filed. SERVED the within Writ ofSummons on Friday, May 27, 1994, at 11:35 AM, upon Rhonda M.Severo also known as Rhonda Severo, at her residence, 642 Harvey St., West Hazleton by handing to Charles Severo her husband a true and correct copy thereof and made known to Him the contents therein.

Frank J. Jagadinski, Sheriff
Luzerne County
John Wassal, Deputy Sheriff

See Affidavit of Servcie endorsed hereon by Sheriff of Luzerne County, Pennsylvania, which is part of this return. Served 5-27-94.
So answers:
Robert M. Stevens, Sheriff
Crawford County, PA

1994

Jack L. Cherkin, Esq.
~~Dominic D. Salvatori~~
Thomas A.Testi

487.

Knox,McLaughlin, Gornall & Sennett
Mark E. Mioduszewski
Johanna K. Budde

ROBERT BRYER and LEILANI BRYER, his wife

vs.

COCHRANTON COOPERATIVE ASSOCIATION

Filed May 20, 1994
@ 10:22 AM

Tax & entry paid	50.50
User's Fee paid	5.00
sheriffs costs	27.00
Pro.Co. pd 12/18/95	6.00

COMPLAINT IN CIVIL ACTION
1 copy atty.

May 27, 1994, Sheriffs Return filed. SERVED Cochranton Cooperati ve Assoc. on May 25, 1994 at 11:15 a.m. by handing a copy of the Complaint to Carolyn Eldridge, Manager at the business Box 247, Cochranton, Crawford County, Pa.
So answers, Scott D. Young, dep. sher.
Robert M. Stevens, Sheriff

Jun. 1, 1994 Appearance of Knox, McLaughlin, Gornall & Sennett, by Mark E. Mioduszewski, Esquire, Attorney for Cochranton Cooperative Association, filed.

June 9, 1994 Preliminary Objections filed.

Jul. 6, 1994 Answer to Defendant's Preliminary Objections, filed.

June 24, 1994 Praecipe for Argument List.

ON ARGUMENT LIST FOR July 1994

July 28,1994 Memorandum and Order, filed. AND NOW, July 27, 1994, for the reasons discussed in the foregoing memsorandum the defendant's psreliminary objections are denied except the motion for more specific pleading as to paragraphs 13(b) and 15(a) of the complaint.

Paragaraphs 13(b) and 15(a) of the complaint are not sufficiently specific andpreliminary objections thereto are hereby sustained.

The plaintiffs shall file an amended complaint more specificall addressing the items referred to in paragaraphs 13(b) and 15(a) of their complaint. Said amended complaint shall be filed within twenty (20) days from the date of this Order.

BY THE COURT
Gordon R. Miller, P.J.
July 28, 1994 copies dist to Budde & Salvataori

Aug. 10, 1994 Amended Complaint in Civil Action filed.

Aug. 31, 1994, Answer to Amended Complaint and New Matter filed.

Oct. 5, 1994 Reply to New Matter, filed.

Oct. 28, 1994 Affidavit of Carolyn L. Eldridge In Support of Motion for Summary Judgment on behalf of defendant, filed.

Oct. 28, 1994 Motion For Summary Judgment on behalf of defendant, filed.

Oct. 28, 1994 Upon Praecipe of defendant's attorney, this case placed on next Argument List.

ON NOVEMBER 1994 ARGUMENT LIST

Dec. 1, 1994 Motion to Continue and Order, filed. ORDER: It is hereby Adjudged, Ordered and Decreed that the within Motion for Continuance is hereby granted.
Dated: 11-29-94 Gordon R. Miller, P.J.
Dec. 1, 1994 Faxed Mioduszewski, mailed Salvatori

Dec. 28, 1994 Upon Praecipe of Thomas A.Testi, Esquire, appearance of Thomas A.Testi, Esquire for Robert Bryer and Leilani Bryer, Plaintiffs, filed.

Jan. 12, 1995 Memorandum and Order filed. AND NOW, January 11, 1995, the defendant's motion for summary judgment is denied.
BY THE COURT,
Gordon R. Miller, J

Jan. 12, 1995 copies dist. to Testi & Mioduszewski

Feb. 9, 1995 Motion For Reconsideration of Order Denying Defendants Motion For Summary Judgement, filed.

Feb. 9, 1995 Order filed. AND NOW, February 9, 1995, the defendants' motion for reconsideration of this Court's Order denying the defendants' motion for summary judgment is denied.
BY THE COURT
Gordon R. Miller, P.J.
Feb. 9, 1995 copies mailed Testi & Mioduszewski

Feb. 8, 1995 Upon praecipe of Dominic D. Salvatori, Esquire, his appearance is hereby withdrawn.

Oct. 10, 1995 Notice to Complete Discovery filed. 1 Copy (attd)

Dec. 14, 1995 Upon Praecipe of Thomas A. Testi, Esquire, Attorney for Plaintiff, the above captioned matter is marked settled and discontinued of record.

38

1994

488.

CHARLENE P. GOSNELL

vs.

RUSSELL E. GOSNELL

Filed May 20, 1994
@ 10:25 AM

Tax & entry Pd 5/26/94 50.50
User's Fee Pd 5/26/94 5.00
Sheriff's Costs Pd 5/26/94 36.00
Pro Co Pd 5/26/94 5.00

5-26-94 Rec 36.00 Sheriff Costs

5-26-94 Pd Sheriff #8323 36.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies Sheriff
1 copy Plaintiff
1 faxed Pa.SPD

ORDER:

And now, this 20 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: The Plaintiff shall have exclusive possession of marital home pending further order of Court. The Plaintiff shall have sole custody of the minor children with defendant to have vistiation at plaintiff's rescretion.
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 27, 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

May 24, 1994 Sheriff's Return filed. NOT SERVED as to Defendant Russell E. Gosnell. Attempted several times to serve onFriday, May 20, 1994, but were unable to locate. No other attempts were made because the Plaintiff contact our office stated she wished to have the Protection from Abuse dropped.
So answers, Robert M.Stevens, Sheriff

May 27, 1994 Motion to Vacate Protection from Abuse Order and ORDER filed. And NOW, this 26th day of May, 1994 upon receipt and review of the plaintiff's motion to vacate and terminate the Prorection from Abuse Order of May 20, 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 the police department that received the original order and to County Control.

Any provisions of the Protection from Abuse Order of May 20, 1994 assessing court costs shall remain in full force and effect without change or modification and the party or parties against whom costs werew assessed shall remain obligated to pay the costs.

BY ORDER OF COURT
Gordon R. Miller, J.

5-27-94 Faxed copy to Pa.SPD & given to Co. Control.

1994

489.

SARAH L. WALSH

vs.

ROGER D. WALSH

Filed May 20, 1994
@ 10:59 AM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	23.00

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

Order:

And now, this 20 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: The Plaintiff shall have exclusive possession of marital home pending further order of court. The Plaintiff shall have exclusive custody of 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 May 31, 1994 , at 3 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

May 31, 1994 Sheriff's Return filed. SERVED Roger D. Walsh by Certified Mail on May 24, 1994 at his last known address: c/o Gwendolyn Walsh, 227 Sanford Street, Rochester, NY 14620, signed for by Gwen Walsh. Return REceipt attached.
So answers, Robert M.Stevens,Sheriff

Jun. 1, 1994 ORDER filed. AND NOW, May 31, 1994 at the time fixed for hearing in this matter, the Plaintiff appeared without counsel. The Defendant did not appear. The Plaintiff believes that he was served with process, but we aren't exactly sure, since the return receipt was signed by a Gwen Walsh, not Roger D. Walsh.
In any event, the Plaintiff desires to withdraw this action. She claims she has not been forced to do this and is doing it of her own free will after discussing the matter with representatives from Women's Services.
Furthermore,she claims that the child was never abused by the father.
Accordingly, this action is DISCONTINUED of record and no further proceedings may be had hereon.
In view of the fact that the Plaintiff and the Defendant have no income, and have been most recently supported by Public Assistance, costs in the amount of $87.50 shall be paid by Crawford County.
BY ORDER OF THE COURT,
Gordon R. Miller, P.J.
6-1-94 Faxed copy to MCPD, given to Co. Control & Mailed to Pltf & Deft.

1994

Thomas, Truax,
Spadafore & Walker
Gregory A. Keenan

490.

Peters, Lindsay, Lewis
& Hatheway
Edward J.Hatheway

7-20-94 Rec from plff med dep 150.00
10-18-94 Rec plff med. Referral Ck#8823 150.00

SUSAN MOREHEAD

vs/

FREDRICK A. MOREHEAD

Filed May 20, 1994
@ 11:06 AM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
John Fuller, Mediator Pro Co pd 3-3-95	9.00

COMPLAINT IN DIVORCE, CUSTODY
2 copies atty.

June 8, 1994 Affidavit of Service of Complaint in Divorce, filed. Gregory A. Keenan, Esquire, being duly sworn according to law, deposes and says that on May 23, 1994, he sent a true and correct copy of a Complaint in Divore, properly endorsed with the Notice To Defend, filed in the above action, to the Defendant, Fredrick A. Morehead, at Defendant's last known address of P.O. Box 511512, Salt Lake City, Utah, 84151, by Certified Mail No. P 708 507 531 postage prepaid, return receipt requested, restricted delivery and that attached hereto is a duly executed return receipt card showing date of delivery as May 31, 1994.

Gregory A. Keenan, Esquire

Jul. 1, 1994 Counter-Affidavit Under Section 3301 (d) of the Divorce Code by Frederick A. Morehead, Defendant, filed.

July 12, 1994, Affidavit of Service of Notice of Intention to Request Divorce decree (entry of), Plaintiff's Affidavit under Sect. 3301(d) of Divorce Code, and a counter-affidavit under Sect. 3301(d) of Divorce Code filed.

Jul. 20, 1994 MOtion to Appoint Custody Mediator and NOTICE AND ORDER TO APPEAR filed. You, Fredrick A. Morehead, Defendant, have been sued in Court to obtain custody of Shelby Morehead, Yolanda Morehead, Yvonne Morehead and Yvette Morehead.

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.

Date: 7/19/94 Gordon R. Miller, J.

7-29-94 Faxed to Attys. Keenan & Fuller. 7-27-94 Mailed to Deft.

Oct. 19, 1994 ORDER filed. AND NOW, October 18, 1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal and physical custody of Shelby Morehead, Yolanda Morehead, Yvonne Morehead and Yvette Morehead shall be with their mother, Susan Morehead, subject to the following conditions:

A. The father, Fredrick A. Morehead, shall be entitled to have reasonable telephone contact with the children.

B. The father shall be entitled to see and visit the children any tiem he is in Crawford County, PA., provided he gives the mother reasonable notice of such visit and provided he not remove the children from Crawford County without either a written consent of the mother, or a Court Order.

II. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed within ten (10) days of the date hereof, provided that this order is entered without prejudice to the right of the father to request a further mediation conference if he wishes additional custodial privileges.

III. Costs of the mediation conference shall be paid by Crawford County. The Prothonotary of Crawford Co. is hereby directed to refund the deposit paid in advance by the Plaintiff.

Anthony J. Vardaro, Judge

Oct. 24, 1994 Order FAXED Attys. Fuller, Keenan, copy mailed defendant.

Oct. 28, 1994 Petition To Proceed In Forma Pauperis Pursuant to Pa.R.C.P. 240, filed.

Oct. 31, 1994 Order filed. AND NOW, October 31, 1994 the Defendant appeared pro se in motions' court thsi date and filed a petition to proceed in forma paupris, an affidavit in support of the petition to proceed in forma pauperis, and a request for mediation.

We do not have the file in front of us. It appears that there has already been a mediation conference and a temporary custody order entered, but the Defendant wasn't present. Accordingly, it is ORDERED as follwos:

1. The Defendant's petition to proceed in formal pauperis is DENIED as it appears that he has ample income to pay court costs.

2. The Defendant's request for mediation is DENIED, but the Court hereby sets a de novo hearing before the Cfourt for Thursday, December 1, 1994 at 10:00 a.m. in Courtroom No. 1 of the Crawford County Courthouse. If it appears that this request which we are treating as a request for hearing de novo was filed untimely, that issue shall be taken up first before the Court proceeds to a full hearing.

The Prothonotary shall deliver a true and correct copy of this order to the Plaintiff is she is unrepresented and to counsel for the Plaintiff if she is represented. The Defendant indicates that notices of any other matters can be served on him at 210 Rio Grande, PO Box 511512, Salt Lake City, Utah, 84101.

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

Oct 31, 1994 copies dist to Keenan, Fuller & Dft.

Oct. 31, 1994 Request for Mediation, filed.

Nov. 30, 1994 Motion to Continue De Novo Custody Hearing and ORDER filed. AND NOW, this 30th day of November, 1994, upon presentation and consideration of the Defendant's Motion to Continue the De Novo Custody Hearing scheduled for December 1, 1994 at 10:00 a.m.: is denied.

BY THE COURT:
Gordon R. Miller, J.

11-30-94 Faxed toAttys. Hatheway & Keenan

Continued on Page 40A

1994 TERM

Susan L. Morehead
vs.
Fred A. Morehead

CONTINUED FROM PAGE 40
of Record
A. D. 1994 - 490

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Dec. 2, 1994 ORDER filed. AND NOW, December 1, 1994, at the time fixed for hearing in this matter the Defendant did not appear in person nor with counsel even though this date was set at his request on October 31, 1994. Accordingly, it is ORDERED as follows:

1. The temporary Order of October 18, 1994 is confirmed and hereby made a final Order.
2. The Prothonotary shall send a true and correct copy of this Order to the Defendant at 210 Rio Grande, P.O. Box 511512, Salt Lake City, Utah 84101, and shall furnish a copy to Edward J. Hatheway, Esquire, who apparently doesn't represent the Defendant but who did file a motion to continue this hearing. BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Dec. 2, 1994 copoies dist to Keenan, Hatheway & Dft.

Feb. 27, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

March 10, 1995 AND NOW, March 10, 1995, it is Ordered and Decreed that SUSAN MOREHEAD, Plaintiff, and FREDRICK A. MOREHEAD, Defendant, are Divorced from the bonds of matrimony.

The Court retains jurisdiction of the custody claim raised in this action.

By the Court:
Anthony J. Vardaro, J.

40

-6-

1994 TERM

1994

Brian J. Lindsay

491.

IN THE MATTER OF THE PETITION OF CHERYL LYNN DONNELL FOR CHANGE OF NAME OF MINOR CHILD, ANGELA MARIE GIBSON

Filed May 20, 1994
@ 11:26 AM

Tax & entry paid 50.50
User's Fee paid 5.00

PETITION FOR NAME CHANGE
2 copies atty.

Order:
AND NOW, this 20 day of May, 1994, upon consideraiton of the foregoing Petition, a hearing on said Petition is set for the 28th day ofJune, 1994 at 1: o'clock p.m. in court Room No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania.
The Petitioners are directed to give ntoice of the hearing by publication in two nespapers of general circulationin Crawford County, Pennsylvania, on e of which publications may in the Crawford County Legal Journal, and such other notice of the hearing as the Court shall require as follows: James Steven Donnell shalal be served by both regular and certified mail.
BY THE COURT:
Gordon R. Miller, J

May 25, 1994 Acceptance of Service filed.I, James Steven Donnell, the above named Defendant, hereby accept service of the Petition for Change of Name in the above action.
Date: 5-23-94 James Steven Donnell

May 25, 1994 Consent filed. I, JAMES STEVEN DONNELL, Hereby consent to the Petition for Name Change, as shown by my signature below.
Date: 5-23-94 James Steven Donnell

Jun. 28, 1994 Proof of Publication in Crawford County Legal Journal, filed

Jun. 28, 1994 Proof of Publication in Meadville Tribune, filed.

Jun. 28, 1994 Affidavit filed. AND NOW, this 28 day of June, 1994, comes Mark D'Alfonso and hereby swears and confrims that he has checked the records in the Crawford County Pennsylvania Prothonotary's Office and has found no judgments or liens of record against Angela Marie Gibson.
6-28-94 Mark D'Alfonso

Jun. 28, 1994 AFFIDAVIT filed. AND NOW, this 28 day of June, 1994, comes Mark D'Alfonso and hereby swears and confirms that he has checked the records in the Crawford County Pennsylvania Register and Recorder's Office and has found no judgments or liens of record against Angela Marie Gibson.
Date 6/28/94 Mark D' Alfonso

Jun, 30, 1994 ORDER filed. AND NOW, June 28, 1994, after hearing the Court finds the mother is uncertain as to whether or not the name of any father was placed on the original birth records of minor child Angela Marie Gibson. This Court finds the fat her to be James Steven Donnel and said James Steven Donnell consents thereto. If any other name appears upon said original birth records of minor child Angela Marie Gibson, said name should be excluded.
An amended birth record should be issued designating the father as James Steven Donnell and the name of the child should be changed to Angela Marie Donnell.
BY THE COURT,
P.Richard Thomas, S. J.

6-30-94 Copies Atty. Lindsay

42

1994

492.	BUSH INSURANCE	APPEAL OF DEFENDANT FROM DECISION OF DISTRICT JUSTICE ROBERT LEONHART
	vs.	May 20, 1994 Rule entered upon the Plaintiff to file a Complaint issued.
Thomas Dana Watson	VERNON TOWING, MICHAEL L. SMITH	May 20, 1994 Proof of Service of Notice of Appeal and Rule to File Complaint, filed.
	Filed May 20, 1994 @ 11:41 AM	
	Tax & entry paid 50.25 User's Fee paid 5.00	

1994

Halliday & Halliday
Michael Halliday
Fuller, Kinnunen, Petruso, Gamble, Fabian and Hall
Stephen E. Hall
for Andrew & Bonnie Rogers
493.

Thomas Dana Watson

ANDREW RODGERS AND
BONNIE RODGERS
HUSBAND AND WIFE

vs.

VERNON TOWING, MICHAEL L. SMITH

Filed May 20, 1994
@ 11:42 AM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro. Co. pd 2/2/95	15.00

7-24-95 Pd Comm Exh-Appeal #9338 220.00

Appeal Arb. Pd 7-24-95 220.00

APPEAL OF DEFENDANT FROM DECISION OF DISTRICT JUSTICE ROBERT LEONHART

May 20, 1994 Rule entered upon the Plaintiff to file a Complaint issued.

May 20, 1994 Proof of Service of Notice of Appeal and Rule to File Complaint, filed.

July 8, 1994, Complaint in Civil action filed.

11-4-94 Appearance of Fuller,Kinnunen, Petruso, Gamble, Fabian & Hall by Stephen E. Hall for Andrew Rodgers and Bonnie Rodgers.

Nov. 14, 1994 Answer to Complaint, New Matter and Counterclaim on behalf of defendant, filed.

Dec. 28, 1994 Reply To New Matter and Counterclaim filed.

Feb.2, 1995 Upon praecipe of Stephen E.Hall, Esquire, attorney for appointment of Arbitrators, the following Arbitrators are appointed.

Max Weiss, Chairman
Gregory Keenan
Christopher Ferry

Mar. 9, 1995, Arbitrators TAke the Qualifying Oath.

May 15, 1995 Notice of Hearing Before Board of Arbitrators, filed.

May 31, 1995, Notice of Hearing before the Board of Arbitrators filed.

June 23, 1995 Decision of Arbitrators filed. And now, the 23 day of June, 1995, we the undersigned Arbitrators chosen in this case, after having been duly sworn and having heard the evidence and allegations of the parties find in favor of the Plaintiffs in the amount of $2,809.53, consisting of $1750.00 cash paid, $1021.00 per Exhibits C and E, and $38.53 in pipe, and in favor of the Defendant in the amount of $1340.00 consisting of $600.00 for transporting the mobile home, $700.00 for unreturned axels and tires, and $40.00 for permits. Plaintiffs are therefore awarded the net amount of $1469.53 without interest or delay damages.

Max Weiss, Chairman
Gregory Keenan
Christopher D. Ferry

June 23, 1995 Decision FAXED Attys. Halliday and Watson.

July 24, 1995 Notice of Appeal from Award of Board of Arbitrators filed.

Mar 4, 1996 Certificate of Readiness, filed.

ON TRIAL LIST FOR APRIL 1996

Apr. 2, 1996 ORDER filed. AND NOW, April 1, 1996, at the time of the Call of the Trial List, a pretrial conference is scheduled for April 10, 1996 before President Judge Gordn R.Miller. At that time counsel for Defendant will be prepared to advise the Court with authenticity if necessary whether he intends to ask for a continuance of the case because of the physical impairment of the Defendant.

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

4-3-96 Hall & Watson

April 11, 1996 PRE-TRIAL Order filed. (SEE PAPERS FILED)

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

April 12, 1996 Order FAXED Attys. Watson, Halliday and Hall.

June 6, 1996, Petition to Enforce Settlement Agreement and Order filed. ORDER: AND NOW, a hearing is hereby scheduled for Mon, June 24, 1996 at 1:00 p.m. in C. R. No. 2 of the courthouse Meadville, pa. For the Court,

Ann Walker, Ct. ADm.

6/6/96 faxed to Hall, Halliday and Watson

June 26, 1996 Petition of counsel for Leave to Withdraw Appearance and ORDER filed. AND NOW, to-wit, this 26 day of June, 1996, upon consideration of the foregoing Petition of counsel for Leave to Withdraw Appearance it is hereby ORDERED, ADJUDGED and DECREED that said Petition is granted and that the Petitioner, Thomas Dana Watston, Esquire, hereby be permitted to Withdraw his Appearance of record for the Defendant in the above matter.

By the Court,
Anthony J. Vardaro, J.

6-26-96 FAXED Hall. DISTRIBUTED Watson

July 1, 1996 Judgment filed. AND NOW, June 27, 1996, the plaintiffs' Petition to Enforce a Settlement Agreement is hereby granted by the Court, after an evidentiary hearing, finds that there is no factual dispute and the allegations of the petition to enforce are true and accurate.

Counsel for both parties were acting at the specific direction of their clients and had authority to enter into a settlement agreement immediately prior to jury selection in this case. That agreement entered into between the parties provided that the defendant would pay the plaintiffs the sum of $2,100 and the plaintiffs would return to the defendant certain axles which were used by the which were used by defendant to transport plaintiffs' mobile home. The defendant ratified the settlement negotiated by his attorney.

1. The defendant shall pay the plaintiffs the sum of $2,100 within thirty (30) days from this date.

CONTINUED ON PAGE 478

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1994

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

494.

ANN L. WENSEL

vs.

TERRY D. WENSEL, SR.

Filed May 20, 1994
@ 2:05 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 9/1/94	5.00

COMPLAINT IN DIVORCE UNDER SECTION 3301(c) or 3301(d),
EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION,
CHILD CUSTODY
1 copy atty.

May 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, rreturn receipt requested, dated May 20, 1994. The Defendant acknowledged service on May 21, 1994 by accepting delivery on that date as evidenced by the attached signed return receipt. James R. Irwin

Sep. 1, 1994 Upon Praecipe of James R. Irwin, Esquire, Attorney for Plaintiff, the above-captioned divorce action is discontinued of record.

1994

Lori Maurer
R. Christopher Brode

495.

Edward J. Hatheway

4-2-97 Refd from deft medtee 200

8-12-97 PD Deft Refund # 11211 40.50

2-10-98 Pd Cg #1658 100.50

DOREEN M. STATES

vs.

BRUCE E. STATES

Filed May 20, 1994
@

Indigent Filing

John Fuller, Mediator
$150.00

Pmt rec'd 2-10-98 9.00

COMPLAINT FOR CUSTODY AND SPECIAL RELIEF
1 copy Brode
1 Faxed Fuller

Order:

You, Bruce States, Defendant, have been sued in Court to obtain custody/partial custody of the minor children, Nichole State and Danielle States.

You are ordered to appear in person at the time and place slected by John Fuller, Custody Mediator.

If you fail to appear as provided by this Order, anOrder for custody, partial custody, or vistiation may be entered against you or the Court may issue a warrant for your arrest.

The Crawford County Sheriff'sDepartment is directed to serve a ceritifed copy of this Complaint and Order uponthe defendant. In the alternative, this Petition and order may be served by any competent adult or by certified mail.

Additionally, the Court frants the following Special Relief:

1. The subject minor children shall remain with their father for the remainder of the 1993-1194 school year.

2. The mo;ther shall have weekend vistiation, every other weekend from Friday 5;00 p.m. until Sunday 5:00 p.m. beginning on May 27, 1994.

3. Neither party shall remove the children form the jurisdiction of this court without further order of court.

Plaintiff is allowed to proceed wtihout payment of Court costs reserving to the Court the right to impose costs.

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

Court Administrator
Crawford County Courthouse
Meadville, Pennsylvania
(814) 336-1151, ext. 298

BY THE COURT
May 20, 1994 Gordon R. Miller, J

June 17, 1994 Petition for Contempt of Court and Custody Modification and RULE TO SHOW CAUSE filed. AND NOW, this 17th day of June, 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's request for special relief and for the imposition of sanctions for contempt should not be granted. You are further ordered to bring the minor children over the age of 5 years, failure to appear or to bring the children as ordered may impact upon your primary custody, partial custody, or visitation rights. Additionally, a warrant may be issued for your arrest.

THIS RULE IS RETURNABLE ON THE 29th day June, 1994, at 9:30 o'clock a.m. in Courtroom #1 or #2 of the Crawford County Courthouse, Meadville, PA.

BY THE COURT,
Gordon R. Miller, J.

June 17, 1994 Copy of Order Faxed to Attys. Brode, Fuller and Hatheway.

Jun. 30, 1994 ORDER filed. AND NOW, jUne 29, 1994, the Court dealt with a very limited matter. In the original Order appointing a Mediator when the Custody Complaint was filed, we did grant special relief because the parties came to Motions Court with the children and it appeared that the children wanted to remain with their father. Normally, we would have maintained the status quo and returned the children to their mother, but we believed that it was appropriate to keep the children with the father until the matter could be decided in mediation.

Since that time the parties have not gotten along well at all and that disappoints this Court. The mother's weekend visitations had been denied on two occasions. On May 27, 1994, she was only able to visit and take her youngest daughter into her custody. On June 10, 1994, the father denied the mother visitation rights. The father claims he did that because the oldest child did not want to go with their mother and because the children always came back with head lice when they were at the mother's home. While the evidence is far from clear, it appears that the children did get head lice at their mother's home. While we think that the parties should have worked this out themselves and not have consumed two and one-half hours of court time, and while we are inclined to believe the defendant has violated the Court Order, we cannot say that he was doing so willfully or without the interest of the children in mind. This seems like a simple matter. If the children did get head lice at either place, the parties should discuss it and work together toward curing it and not deprive each other of any visitations. On the other hand, head lice can be an aggravating matter and, in fact, children are sent home from the public shcools if they have head lice because it is contagious. We do not think the defendant acted properly, but yet we do not believe his conduct rises quite to the level of contempt for which he should be punished.

If, however, in the future t he defendant attempts to withhold visitations because of head lice, this Court will hold him in contempt of court unless he is able to show aggravating circumstances, which would include medical testimony as to the severity of the head lice problem and its negative affect on the children; and, two, clear and convincing evidence that the head lice were actually acquired at the mother's home. We do not think that head lice should be the cause of a parent's inability to see a child.

The Order of May 20, 1994 shall remain in effect until modified by mediation. We do not give the mother any additional weekends until mediation, largely because we have not found the defendant in contempt and because the children apparently have special plans for this weekend.

We also order as follows:

1. The parties shall communicate with each other and work together on this head lice problem and not deprive the other of any visitations or custody because of head lice.

2. There shall be no arguing,bickering or fighting during the transfers of custody, and in fact, each side should take a witness to these exchanges to make sure that that does not happen. Any disagreements or arguments shall take place outside the hearing of the children.

3. The plaintiff shall not consume alcoholic beverages, intoxicating liquors, beer or wine at any time while the children are in her custody. While the children are in her custody, she

Continued to Page 503

1994

Barbara J. Walton

496.

TERRIE A. MOORE

vs.

ROBERT A. MOORE

Filed May 23, 1994
@ 9:48 AM

Tax & entry Pd 5-23-94 50.50
User's Fee Pd 5-23-94 10.00
1 Add'l Count pd 5.23.94 15.00
State pd 5-23-94 10.00
Pro Co pd 12-2-97 9.00

COMPLAINT UNDER SECTION 3301(c) OF THE DIVORCE CODE, CUSTODY
2 copies atty.

Mar. 17, 1995 Complaint Reinstated.

May 2, 1995 AFFIDAVIT OF PERSONAL SERVICE, filed. Paul L. Walton, being duly sworn according to law, deposes and says that he/she is an adult over the age of eithteen (18) years, that he/she served the Complalint in Divorce filed in the above matter on Robert A. Moore, personally by handign to him a true and correct copy hereof and informing him of its contents at the Crawford County Courthouse, on March 21, 1995.

Deponent further avers that at the time of said service the said Robert A. Moore identifed himself to deponent.

Jul. 28, 1995 Affidavit of Consent by Terrie A. Moore, Plaintiff, filed.

* See Below

Nov 20, 1997 Waiver of Notice of intention to Request Entry of Divorce Decree Under Section 3301(c) of the Divorce Code, filed. (Defendant)

Nov 20, 1997 Affidavit of Consent of Defendant, filed.

Nov 20, 1997 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Dec. 3, 1997 AND NOW, this 3rd day of December, 1997, upon presentation of the consent of the parties, and upon consideration of same, it is hereby ORDERED, DIRECTED AND DECREED that:

The bonds of marriage between Plaintiff, TERRIE A. MOORE and Defendant, ROBERT A. MOORE, are dissolved because the marriage is irretrievably broken. Plaintiff and Defendant are divorced from the bonds of matrimony.

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:
Gordon R. Miller, J.

* Nov 17, 1997 Waiver of Notice of intention to Request Entry of Divorce Decree Under Section 3301(c) of the Divorce Code, filed. (Plaintiff)

1994

Northwestern Legal Serv.
Gerald Sullivan

497.

6-2-94 Rec from deft Sheriff Cost 25.00
6-2-94 Pd Sheriff Ck# 8338 25.00

TINA LOUISE MOLNAR

vs.

JEFFREY JOHN MOLNAR

Filed May 23, 1994
@ 10:30 AM

Tax & entry	Pd. 6/2/94	50.50
User's Fee	Pd. 6/2/94	5.00
Sheriff's Costs	Pd.	25.00
Pro. Co.	Pd. 6/2/94	9.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 Copies Sheriff
1 copy Plaintiff
Faxed MCPD

Order:

And now, this 23 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 shall not go to Plaintiff's residence and place of work. He shall not contact plaintiff in any way. Temporary custody of Jeremy is awarded to Plaintiff.
3. This Order may be enforced without a warrant any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police department in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs. Hearing is hereby set for June 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,
Gordon R. Miller, J

May 24, 1994 Sheriff's Return filed. SERVED Jeffrey John Molnar personally on May 23, 1994 at 2:40 PM by handing a copy of the Protection from Abuse to him at his place of employment, Fab Trim Shop, 1119 Liberty Street, Meadville, Crawford County, PA.
So answers, Dale A. Collins, Chief Deputy
Robert M.Stevens, Sheriff

Jun. 3, 1994 ORDER filed. AND NOW, June 1, 1994, this matter is before the Court on a Petition for Relief Under the ProtectionFrom Abuse Act. The defendant appears without counsel and the plaintiff appears with counsel. The defendant having been adivsed of his right to counsel, indicates that he will proceed without counsel and the parties have reached an agreement with admission of the allegations of the petition on the part of the plaintiff.

ACCORDINGLY, pursuant to that agreement, it is ORDERED as follows:

1. The defendant shall not assault, abuse, threaten to abuse, harass, or stalk the plaintiff at any time or any place.
2. The defendant shall not go to the plaintiff's residence nor to her place of employment.
3. The plaintiff shall have custody temporarily of the minor child, with such visitation to the defendant as may be mutually agreed upon between the parties, all pending further Order of Court in this action or any other appropriate action.
4. The plaintiff shall submit any medical bills incurred by her for incidents between the parties on or about May 23, 1994, and those bills shall be paid within 30 days of the date they are forwarded to him.
5. The parties agree that the plaintiff may have someone call the defendant to make arrangements for someone on behalf of the plaintiff to pick up fromthe defendant the children's toys, and punch bowl. And in ret urn, when the individual sent by the plaintiff goes to the defendant's residence for those items,he or she shall bring the pots and pans, which are being paid for by the defendant, as well as the defendant's CDs to him at his residence. These exchanges shall be without prejudice to the parties to raise any issue with regard to the ownership of all such items in any appropriate divorce proceeding.
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, County Control and by regular mail by the Prothonotary to the defendant at R.D.10,Box 18, Mulligan Lane, Meadville, Pennsylvania, insofar as he is not represented by counsel.
8. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000 and a jail sentence of up to six months.
9. The defendant shall pay the court costs in the amount of $89.50 to the Prothonotary of Crawford County on the First Floor of the Crawford County Courthouse by 4;30 p.m. on JUne 3, 1994.
10. This Order shall remain in full force and effect through May 31, 1995.

BY THE COURT,
Anthony J.Vardaro, Judge

6-3-94 Faxed copy to MCPD, given to Sullivan &Co.Control. 6-8-94 Mailed copy to Deft.

1994

498.

DAWN M. LYONS

vs.

JOHN P. LYONS

Filed May 23, 1994
@

Tax & entry 6-21-94 Pd 50.50
User's Fee Pd 6-21-94 5.00
Sheriff's Costs Pro Co Pd 6-21-94 25.00 9.00

6-21-94 Rec'd from deft Sheriff Cost 25.00
6-21-94 Pd Sheriff Chk 8392 25.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies Sheriff
1 copy atty.
Faxed MCPD

ORDER:

And now, this 23rd 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 move out. Sole possession of the residence is awarded to Plaintiff. Defendant shall not contact Plaintiff nor go to her 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 June 2, 1994 , at 10:30 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 24, 1994 Sheriff's Return filed. SERVED JohnP. Lyons personally on May 23, 1994 at 4:40 PM by handing him a copy of the Protection from Abuse in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.

So answers,

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

Jun. 3, 1994 ORDER filed. AND NOW, June 2, 1994, the parties appeared in court with counsel and agreed to a settlement of this case. The defendant does so without admission of liability.

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. Sole possession of t he marital residence at 558 Arch Street, Meadville, Pennsylvania shall belong to the plaintiff. That shall be until June 1, 1995.
3. The defendant shall not go to the plaintiff's residence or place of work except for custody and visitation purposes or for the purpose of picking up belongings as hereinafter provided.
4. Physical custody of t he children shall be with the plaintiff. The defendant shall have the right to take his children into his custody the first three (3) weekends of each month from Friday at 6 o'clock p.m. until Sunday at 6 o'clock p.m. For this purpose, the first weekend of a month is the first weekend where Saturday and Sunday both appear in the same month. The defendant shall have the right to a late pickup if he notifies the plaintiff by 6 o'clock p.m. on Wednesday evening that he will be working on Saturday, in which case, his visitations shall commence at 2 o'clock p.m. on Saturday and terminate at 6 o'clock p.m. on Sunday. During the period that the defendant has custody of his children, he shall not consumer alcoholic beverages, intoxicating liquors, beer or wine. In fact, he shall not have consumed such substances within 8 hours of a scheduled visitation. He shall not be under the influence of such beverages at the time he picks the children up. The party receiving the children shall provide transportation.
5. The defendant shall be permitted to go to the plaintiff's residence to pick up items of property as follows:

A) On June 5, 1994, at 12;30 p.m., he shall be permitted to pick up his clothing and purely personal effects,as well as a round dining room table and chairs, two lamps in the basement and his bedroom dresser.

B) At a time to be arranged by the parties, he shall pick up his tools and other similar items in the garage, leaving to the plaintiff a hammer, screwdriver, a useable wrench an pliers.

C) At a time to be arranged, he shall pick up a 1982 Chevrolet Blazer. That shall be done within 6 months from this date.

6. The plaintiff shall have the sole use of a 1986 Olds 88 and the defendant shall have sole use of a 1983 Buick Station wagon.
7. 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.
8. A copy of this Order shall be delivered by the Prothonotary to the Meadville Police Department and to County Control.
9. This Order shall remain in full force and effect for one (1) year from this date; that is, until June 1, 1994, unless modified or terminated by further Order of Court.
10. The plaintiff shall not invite or encourage the defendant to violate this Order. If she desires to reconcile or have further contact not permitted by this Order, she shall, before that change is made, obtain a Court Order modifying or terminating this Order. The Defendant is advised that he should not accpt any invitations to return or to violate this Order,for if he does, even if invited by the plaintiff, he will be in contempt of court.

Continued to Page 48 A

Dawn M.Lyons
vs.
John P. Lyons

Continued from Page 48
of Record
AD 1994 - 498

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11. The defendant may contact the plaintiff by telephone during daylight hours,provided said contact is for the purpose of discussing equitable distribution of marital property, custody, visitation, support and other matters involving the children.visitation, support and other matters involving the children. The telephone contact shall not be abusive, harassing or threatening. The defendant shall not be under the influence of any alcoholic beverages or intoxicating liquors when he makes those phone calls.

12. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence up to six (6) months.

13. The defendant shall pay record court costs inthe amount of $89.50 to the Prothonotary no later than 4:30 p.m. on Friday, July 1, 1994.

14. The custody and propertyprovisions of this Order may be modified in an appropriate action for divorce or equitable distributionof marital property or by the mutual agreement of the parties. Any other Court Orders or agreements on these matters shall supersede the property, custody and visitation aspects of this Order.

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

6-3-94 Faxed to MCPD, Attys. Lindsay & Keenan

Sept. 16, 1994 Complaint For Indirect Criminal Contempt For Violation Of Protection From Abuse Order, filed.

Sept. 16, 1994 RE: Complaint For Indirect Criminal Contempt For Violation of Protection From Abuse Order and ASSIGNMENT OF HEARING DATE, filed. AND NOW, Sept. 16, 1994, hearing in the above captioned matter has been scheduled for Sept. 19, 1994 at 2:30 PM in Courtroom No. 3 of the Crawford County Courthouse, Meadville, PA.

BY ORDER OF THE COURT,
Ann A. Walker, Ct. Administrator

Sept. 16, 1994 Copies distributed by Court.

Sept. 20, 1994 ORDER filed. AND NOW, Sept. 19, 1994 at the time the matter is before the Court on a contempt of an abuse order entered June 2, 1994 the Court is advised that the matter has been amicably resolved in accordance with the following:

1. The Defendant having served approximately 7 days in jail in default of bond, the Warden is directed to release the Defendant forthwith and the terms and conditions of the bond set by the District Justice are rescinded.

2. The parties and their counsel mutually advise the Court that they wish the abuse order entered June 2, 1994 to continue in force and effect and agree to abide by the terms and conditions of said order but advise the Court that there exists now a temporary custody order entered August 3, 1994 at 1994-559 and that this temporary order (de novo hearing pending) will replace the visitation and custody conditions set forth in the abuse order entered June 2, 1994.

3. The Prothontoary advises all costs have been paid.

4. The Court is advised that the Defendant has presented a request for a de novo hearing regarding the custody issue and that this date he advises the Court he is going to withdraw his request for a de novo hearing before a judge on the custody issue and agrees to abide by the terms and conditions of the temporary order entered Aug. 3, 1994 which now becomes the final order on the custody issue in this case.

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

Sept. 20, 1994 Order FAXED City PD, Co. Control & Jail; copy given Attys. Keenan and Lindsay.

1994

Watts & Pepicelli
Theodore H. Watts
Christopher D. Ferry

499.

J. Mark Kravitz
Sabina E. Mack

HOMERWOOD, INC.

vs.

MARTIN W. MACK and SABINA E. MACK, individually and as partners t/d/b/a MACK & COMPANY HARDWOOD SPECIALTIES a possible partnership

Filed May 23, 1994
@ 10:55 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	115.80

COMPLAINT IN CIVIL ACTION
3 copies atty.

Jun. 21, 1994 Complaint reinstated. (3 Copies atty.)

July 15, 1994 SHERIFF'S RETURN: SERVED Martin W. Mack personally by depsutizing the Sheriff of Lehigh County, PA, as per his Affidavit of Service attached. Served on June 27, 1994 at 8881 Orchard Road, Coopersburg, PA.

SERVED Sabina E. Mack by deputizing the Sheriff of Lehigh County, PA, as per his Affidavait of Service attached. Served on June 27, 1994 at 8881 Orchard Road, Coopersburg, PA. Served Martin w. Mack, her Husband.

SERVED Mack & Company Hardwood Specialties by deputizing the Sheriff of Lehigh County, PA, as per his Affidavit of Service attached. Served on June 27, 1994, at 8881 Orchard Road, Coopersburg, PA. Served Martin W. Mack, Owner.
So answers, Robert M. Stevens, Sheriff

July 27, 1994 Answer of Defendant Sabina E. Mack filed.

July 27, 1994 Appearance of J. Mark Kravitz for Defendant Sabina E. Mack filed.

July 27, 1994 Answer of Defendant Martin W. Mack filed.

Mar. 3, 1995 Preliminary Objections to Counterclaim of Defendant Martin W. Mack, filed.

Jul 27, 1995 Praecipe to Place Plaintiff's Preliminary Objections to Counterclaim of Defendant Martin W. Mack on Argument List.

ON ARGUMETN LIST FOR August 1995

Aug. 29, 1995, MEMORANDUM AND ORDER filed. and now, Aug. 29, 1995, the plaintiff's preliminary objections to the defendants' counterclaim are isstained, and the defendants counterclaim is dismissed. The dft. may file an Amended Answer within forty-five (45) days of the date of this order, in which he may assert a counterclaim alleging compliance with the registration provisions of theFictitious Names Act and payment of the $500 civil penalty. Any such counterclaim must comply with the specificity provisions of Pa. R.C.P. 1019. This action is stayed pending the filing of such an Amended Answer. If no Amended Answer complying with this order is filed within 45 days, the plaintiff may proceed with this action.

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

8/29/95 dist. to Ferry andKravitz

Dec. 20, 1996 Praecipe for Entry of Appearance by Pepicelli, Youngs and Youngs, PC, by Christopher J. Youngs, Esquire for Plaintiff filed.

Feb 18, 1997 Notice of Deposition of Sabrina E. Mack, filed.

Feb 18, 1997 Notice of Deposition of Martin W. Mack, filed.

Apr 18, 1997 Motion For Sanctions Pursuant To Rule 4019 and Order: AND NOW, April 18, 1997 upon presentation and consideration of the foregoing Motion for Sanctions Pursuant to Rule 4019, the Defendants, Martin W. Mack and Sabina E. Mack , are directed to appear for deposition at the Offices of Plaintiff's counsel in Meadville, PA, no later than thirty (30) days from the date of this Order.

Counsel for Plaintiff shall serve a copy of this Order upon Defendants and file a Certificate of Service.

In the event either or both of the Defendants fails to appear, the Court may impose further sanctions pursuant to Rule 4019.

This is without prejudice to the Defendant to seek a protective order if they have reason.

Anthony J. Vardaro, J.

Apr 18, 1997 Faxed C. Youngs

May 7, 1997 Notice of Deposition by Martin W. Mack scheduled for Monday, June 9, 1997, filed by Plaintiff's Attorney filed.

May 7, 1997 Notice of Deposition of Sabina E. Mack scheduled for Monday, June 9, 1997, by Plaintiff Attorney filed.

Feb. 3, 1998 Notice of Intention to Complete Discovery on behalf of plaintiff, filed.

April 8, 1998 CERTIFICATE OF READINESS PURSUANT TO CRAWFORD CO LOCAL RULE L302A FILED

October 14, 1998 Order setting Nonjury Trial Date filed. And now, this 14th day of October 1998 non jury trial in the above matter is hereby scheduled for Wednesday, November 4, 1998 at 9 AM CR#3 Crawford County Courthhouse, Meadville, PA

For the Court
Ann A. Walk er, Ct. Admin

10/13/98 Faxed Youngs & Millin

CONTINUED ON PAGE 509

50

1994

Devine & Kuftic
Dennis G. Kuftic

500.

Peters, Lindsay,
Lewis & Hatheway
Brian J. Lindsay

VICKIE A. MARZKA

vs.

STEVEN A. MARZKA

Filed May 23, 1994
@ 1:10 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co Pd 6-29-94	15.00
User Fee Pd 6-29-94	5.00
Pro Co Pd 7-13-95	9.00

COMPLAINT IN DIVORCE
2 copies atty.

June 9, 1994 Answer to Complaint in Divorce and Counterclaim filed. (Custody)

June 14, 1994 ACCEPTANCE OF SERVICE, filed. I, STEVEN A. MARZKA, the Defendant in the above-captioned matter, hereby certify that on the 25th 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.

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

May 17, 1995 Affidavit of Consent by Vickie A. Marzka, Plaintiff, filed.

Jul 7, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

July 14, 1995 AND NOW, July 14, 1995, it is hereby ordered and decreed that VICKI A. MARZKA, Plaintiff, and STEVEN A. MARZKA, 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

501.

Pepicelli, Youngs & Youngs
Christopher J.Youngs
for Defendants, Gerald H. Carnes,Jr., Anne M. Carnes & James T. Cremonese

Shafer, Swick,BAiley, Irwin & Stack
Paul D. Shafer,Jr.
Jeffrey K. Millin

LUKE GEORGE SCHABERL

vs.

GERALD H. CARNES, JR., ANNE M. CARNES, his wife, JAMES T. CREMONESE, and MARY ANN LAKE, individually and d/b/a the DEERHEAD INN

vs.

Ronald William Schafer
Additional Dft.

Filed May 23, 1994
@ 1:15 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	50.00
Sheriff's Costs	34.00
Pro County Pd. 9/29/98	5.00

COMPLAINT IN CIVIL ACTION
1 copy atty.

Jul. 18, 1994 Complaint reinstated.

Appearance of Pepicelli, Youngs and Youngs by Christopher J. Youngs, Esquire, Attorneys for Gerald H. Carnes,Jr., Anne M. Carnes, and James T. Cremonese, Defendants filed.

Jul. 29, 1994 Appearance of Shafer, Swick, Bailey, Irwin & Stack by Paul D. Shafer,Jr. & Jeffrey K. Millin, Esquire for Mary Ann Lake individually and d/b/a the Deerhead Inn, the Defendant, filed.

July 29, 1994 Sheriff's Return filed. SERVED Gerald H. Carnes Jr., personally on July 27, 1994 at 10:30 AM by handing a copy of the Complaint to him at 300 North Street, Meadville, Crawford County, PA.
SERVED Anne M. CArnes, on July 27, 1994 at 10:31 AM by handing a copy ofthe Complaint to Gerald H. Carnes, Jr., her Husband, at 300 North Street, Meadville, Crawford County, PA.
SERVED James T. Cremonese personally on July 27, 1994 at 10:45 AM by handing a copy ofthe Complaint to him at 420 North Street, Meadville, Crawford County, PA.
SERVED Mary Ann Lake, individually and d/b/a Deerhear Inn, personally on July 25, 1994 at 2:45 PM by handing a copy of the Complaint to her at the business, 412 North Street, Meadville, Crawford County, PA.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. STevens, Sheriff

Aug. 5, 1994 Preliminary Objections of Mary Ann Lake Individually and D/B/A The Deerhead Inn, filed.

Aug. 10, 1994 Preliminary Objections, filed.

Mar. 2, 1995 Verification of Service of Notice to Plead, filed.

Apr. 18, 1995, UPon praecipe of defendants Carnes and Cremonese, Argument on above Preliminary Objections placed on next argument list.

ON ARGUMENT LIST FOR MAY 1995

May 23, 1995 Answer to Preliminary Objections, filed.

May 25, 1995 Praecipe for Judicial Notice of Deed Records, filed.

June 30, 1995, MEMORANDUM AND ORDER filed. ORDER: AND NOW, June 29, 1995, Defendatns' first preliminary objection in the nature of a demurrer is overruled; Defendants' second preliminary objection in the nature of a demurrer is overruled; the third preliminary objection in the nature of a motion for more specific pleading is granted tothe extent indicated in our attached Memorandum and the plaintiff may file an amended complaint within 20 days from the date of this order; Defendants' fourth preliminaryobjection inthe nature of a motion to strike for failure to join a necessary and indispensable party, Ronald Schafer, is denied.
BY THE COURT,
Anthony J. Vardaro, J.
6/30/95 faxed to Salvatori, gave O]Neil

July 10, 1995, Amended Complaint filed.

Aug. 1, 1995 Answer and New Matter To Amended Complaint Jury Trial Demanded filed.

Aug. 1, 1995 Praecipe To Withdraw Preliminary Objections filed.

Aug. 1, 1995 Upon praecipe of Atty. Millin Writ to Join Additional Defendant Ronald William Schafer, issued.

Aug. 28, 1995, Upon praecipe of attorneys for dfts. Gerald H. Carnes, Jr. and Anne M. Carnes, and James T. Cremonese, Writ to Join Additional Defendant, Ronald William Schafer, issued. (Issued (atty)

Aug. 29, 1995 Sheriff's Return filed. SERVED Ronald William Schafer by deputizing the Sheriff of Mercer County,PA, as per his Affidavit of Service attached. Served on August 22, 1995 at 1:00 PM at SCI Mercer, 801 Butler Pike,Mercer, Mercer County, PA.
So answers, Robert M.Stevens, Sheriff

Aug. 31, 1995 Reply to New Matter filed.

Sept. 1, 1995, Answer and New Matter of Gerald H. Carnes, Jr. and Anne M. Carnes, and James T. cremonese, to Plaintiff's Amended Complaint, filed.

Sep 11, 1995 Reply to New Matter of Defendnats, filed.

Sep. 27, 1995 Reply to New Matter of Defendants Gerald H. Carnes, Jr., Ann M. Carnes and James T.Cremonese, filed.

Oct. 18, 1995, Writ Reissued to Join Ronald William Schafer as an additional defendant, Issued (atty)

Continued on page 500 ~B~

52

1994

Phillips & Galanter
Donald L. Phillips

502.

WICKES LUMBER COMPANY

vs.

JEFFREY A. KEELER i/and t/a
KEELER CONTRACTING

Filed May 23, 1994
@

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	20.00
Sheriff's Costs	20.00
Pro Co pd 7-13-94	9.00
Exemp.of Record pd 7/29./94	10.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

In Error

June 15, 1994 SHERIFF'S RETURN, filed. I hereby deputize the Sheriff of Erie County, Pennsylvania to serve the within Complaint according to law. The defendants alleged address is 402 Raspberry St., Erie, PA 16502. Robert M. Stevens, Sheriff, Crawford County
SERVED the within COMPLAINT on June 7, 1994, at 1150 Hrs. upon James R. Grotkowski AKA Jim Grothkowski ITA Grothkowski Construction at 140 West 6th Street, Erie County Sheriff Dept, Erie County, Erie, Pennsylvania by handing to James R. Grotkowski a true and correct copy thereof and made known to him the contents therein.
Robert N. MIchel, Sheriff, Erie County
William Parker, Deputy Sheriff

June 15, 1994 SHERIFF'S RETURN, filed. I hereby deputize the Sheriff of Erie County, Pennsylvania to serve the within Complaint according to law. The defendants alleged address is 141 Randall Avenue, Girard, PA 16417 Robert M. Stevens, Sheriff, Crawford Co.
SERVED the within Complaint on June 3, 1994, at 1420 hrs., upon Jeffrey A. Keeler ITA Keeler Contracting at Elbys Restaurant, 38th and Peach Streets, Erie County, Erie, Pennsylvania by handing to Jeffrey A. Keeler a true and correct copy thereof and made known to him the contents therein.
Robert N. Michel, Sheriff, Erie County
Ken Staaf, Deputy Sheriff

And Now, July 13,1994, upon praecipe of Plaintiff's attorney judgment is entered against the above named Defendant(s) in default of an answer sec. leg in the sum of Two Thousand Four Hundred Nienty dollars and 43/100, plus costs.
Entered 7-13-94
K - 91, 181

Debt: $2,490.43 plus costs
JUDGMENT
Barbara H. King, Pro.

1994

Mason & Mason
Joan D. Mason

503.

LINDA L. PETERSON

vs.

DENNIS J. PETERSON

Filed May 23, 1994
@

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co.pd 9/19/94	9.00

COMPLAINT IN DIVORCE
2 copies atty.

July 7, 1994, Affidavit of Service filed. I, Joan Mason, Esq. atty. for plff in the above case, depose and say that I did on June 13, 1994, mila to above dft. by cert. mail #P 425 665 128 ret. rec. req. deliver to addressee only, a complaint in above action. Said notice was received by dft. on June 17, 1994 as indicated by ret. rec. card which was returned to office of plff. atty. and is attached hereto. Joan D. Mason, atty.

Sep. 19, 1994 Affidavit of Consent by Linda L. Peterson, Plaintiff, filed.

Sep.19, 1994 Affidavit of Consent by Dennis J. Peterson, Defendant, filed.

Sep. 19, 1994 Upon Praecipe of Linda L. Peterson,Plaintiff to transmit record, Case Moved to Court.

DIVORCE DECREE FILED

Sept. 20, 1994 AND NOW, Sept. 20, 1994, it is hereby ordered and decreed that LINDA L. PETERSON, Plaintiff, and DENNIS J. PETERSON, Defendant, are divorced from the bonds of matrimony

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

BY THE COURT:
Anthony J. Vardaro, J.

54

1994

Peters, Lindsay,
Lewis & Hatheway
Brian J. Lindsay

504.

ALLAN A. MALEY

vs.

NANCY A. MALEY

Filed May 23, 1994
@ 3:58 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 10-6-94	9.00

COMPLAINT IN DIVORCE
2 copies atty.

June 13, 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 6th day of June, 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 10th day of June, 1994, receive a duly executed return receipt dated, June 8, 1994.

June 20, 1994 I, Brian J. Lindsay, Esquire, after being duly sworn according to law, do hereby ceertify 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 3rd day of Juen, 1994, send to the above named Defendant, by Certified Mail, Return Receipt Requested, a true and correct copy of the Complaitn in Divorce filed at the above term and number; and that I did on the 20th day of June, 1994, receive a duly executed return receipt dated June 16, 1994.

Aug. 24, 1994 Affidavit of Consent by Allan A.Maley,Plaintiff, filed.

Aug. 29, 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 ALLAN MALEY, plaintiff, and NANCY A. MALEY, 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

505.

MRS. DEBORAH MALONY

vs.

MR. ROBERT A. MALONY

Filed May 23, 1994
@ 4:28 PM

Tax & entry	Pd. 5/27/94	50.50
User's Fee	Pd. 5/27/94	5.00
Sheriff's Costs	Pd.	18.00
Pro Co.	Pd. 5/27/94	5.00

5-27-94 Rec'd from dept sheriff's Costs 25.00

5-28-94 Pd Sheriff Costs 18.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies Sheriff
1 copy Plaintiff
Faxed PA. SPD

Order:

And now, this 23 day of May , 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: The Plaintiff shall have exclusive possession of the 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 June 3, 1994 , at 3 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

May 24, 1994 Sheriff's Return filed. SERVED Robert A. Maloney personally on May 23, 1994 sometime between the hours of 6:00 PM and 7:00 PM at the residence of Darlene McCauley, Plaintiff's sister, on Penn Street in Linesville, Crawford County, PA. Served by the Linesville Police Department, not known by which officer.

So answers, Robert M. Stevens, Sheriff

Jun. 1, 1994 Motion to Vacate Protection from Abuse Order AND ORDER filed. AND NOW, this 27th day of May, 1994 upon receipt and review of the plaintiff's motion to vacate and terminate the Protection from Abuse Order of May 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 the Police Department that received the original order and to County Control.

Any provisions of the protection from Abuse Order of May 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
Gordon R. Miller, J.

6-1-94 Faxed to Pa. SPD, given to Co. Control.

1994

Mary Ann Kirkpatrick

506.

JAMIE JOANN BAILEY CHAPMAN

vs.

ROBERT KEITH CHAPMAN

Filed May 24, 1994
@ 9:40 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Pd. 8/26/94	15.00
state paid	5.00
Pro Co 3-28-95	9.00

COMPLAINT IN DIVORCE
1 copy atty.

Jun.6, 1994 Affidavit of Service filed. AND now, June 6, 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 Jamie Joann Bailey Chapman, 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 frowarded by Certified Mail, P 100 657 049; postmarked May 27, 1994, to the last known address of the Defendant, Robert Keith Chapman, c/o Timothy Popp, R.D.#5, Rt. 19, Meadville, PA 16335

3. That the Defendant, Robert Keith Chapman,on May 31, 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 theComplaint against Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.

June 3, 1994 Constance L. Deitman

Aug. 24, 1994, Petition for Additional Claims - Equitable Distribution - filed.

Feb. 24, 1995 Affidavit concerning counseling, filed.

Feb. 24, 1995 Affidavit of Consent of Plaintiff, filed.

Mar.7, 1995 Affidavit of Consent of Robert Keith Chapman,. Plaintiff, filed.

Mar. 10, 1995 Memorandum of Agreement as to Divorce and Equitable distribution filed.

Mar. 23, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

March 31, 1995 And, Now, March 30, 1995, it is ordered and decreed that JAMIE JOANN BAILEY CHAPMAN, plaintiff, and ROBERT KEITH CHAPMAN, defendant, are divorced from the bonds of matrimony. The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

EQUITABLE DISTRIBUTION:

1. Wife shall be the sole owner of all personal property in her possession including but not limited to: Washer and dryer, kitchen table with chairs, stereo, tV and Children's beds and dressers.

2. Husband shall be the sole owner of all personal property in his possession including but not limited to: Waterbed and 1985 Oldsmobile automobile.

3. Wife shall be solely liable to pay the parties' debt to Citibank Master Card and Husband shall be solely liable to pay the parties' debt to Montgomery Wards.

By the Court:
Anthony J. Vardaro, J.

1994

Mayerson, Munsing, Corchin, & Rosato
Hy Mayerson

507.

DALE HAMILTON and LUCILLE HAMILTON, H/W

vs.

AGCO, CORPORATION by and through their agent THE CORPORATION TRUST COMPANY; DEUTZ-FAHR, a/k/a DEUTZ-ALLIS CORP a/k/a GLEANER-ALLIS CORP., MANOR MOTORS and PHIL"S SALES AND SERVICE

Filed May 24, 1994
@ 10:25 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co pd 1-20-97	5.00

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION
1 copy atty.

June 27, 1994 AFFIDAVIT OF SERVICE UPON DEFENDANT, filed. I, Hy Mayerson, Esquire, being duly deposed accordign to law, hereby certify that a true and correct copy of the Complaint in the above capltioned matter was served upon Defendant Deutz-Fahr Landmachinen Vertriebd GmbH by International mail, return receipt requested, postage prepaid at Erwin Dietarich Platz, Gottmadingen, 78244 Germany, June 7, 1994.

A copy of the letter transmittal, and a photocopy of the original signed postal receipt is attached hereto and incorporated herein as Exhibit A, and B and made a part hereof.

June 27,1994 AFFIDAVIT OF SERVICE UPON DEFENDANT, filed. I, Hy Mayerson, Esquire, being duly deposed according to law, hereby certify that a tarue and correct copy of the Complaint in the above captioned matter was served upon Defendant Deutz-Fahr by International mail, return receipt requested, postage prepaid at KHD Antriebs-und Luftfahrttechnik, Nikolaus August Otto Allee 2, 51057 Koeln, Germany, June 7, 1994.

A copy of the letter of transmittal, and a photocopy of the original signed postal receipt is attached hereto and incorporated herein as Exhibit A, and B and made a part hereof.

June 27, 1994 AFFIDAVIT OF SERVICE UPON DEFENDANT, filed. I, Hy Mayerson, Esquire, being duly deposed according to law, hereby certify that a true and correct copy of the Complaint in the above captioned matter was served upon Defendant Deutz-Fahr Landmaschinen Vertriebs GmbH by International mail, return receipt requested, postage prepaid at Erwin Dietrich Platz 1, Postfach 1102, D-78240 Gottmadingen, Germany, Juen 7,1994.

A copy of the letter of transmittal, and a photocopy of the original signed postal receipt is attached hereto and incorporated herein as Exhibit A, and B and made apart hereof.

June 27, 1994 AFFIDAVIT OF SERVICE UPON DEFENANT, filed. I, Hy Mayerson, Esquire, being duly deposed according to law, hereby certify that a true and correct copy of the Complaint in the above captioned matter was served upon Defendant Deutz-Fahr Lanmachinen-Vertriebd GmbH by International mail, return receipt requested, postage prepaid at Erwin Dietarich Platz 1, D-78244, Gottmadingen, Germany, June 7, 1994.

A copy of the letter of transmittal, and a photocopy of the original signed postal receipt is attached hereto and incorporated herein as Exhibit A, and B and made a part hereof.

June 27,1994 AFFIDAVIT OF SERVICE UPON DEFENDANT, filed. I, Hy Mayerson, Esquire, being duly deposed according to law, hereby certify that a true and correct copy of the Complaint in the above captioned matter was served upon Defendant Deutz-Fahr Erntesysteme GMBH by International mail, return receipt requested, postage prepaid at Kodelstr 1, Lauingen 89415 Germany, June 7, 1994.

A copy of the letter of transmittal, and a photocopy of the original signed postal receipt is attached hereto and incorporated herein as Exhibit A, and B and made a part hereof.

June 27, 1994 Certificate of Service of Plaintiffs' Affidavit of Service upon Defendants, filed.

Jan 16, 1997 Upon praecipe of Edward J. Hatheway, Esq., all claims and causes of action which were, or could have been, asserted in this action having been settled, adjusted and compromised, this action is hereby discontinued of record.

58

1994

508.

RUTH ANN KNEUBEHL

vs.

JAMES D. KNEUBEHL, JR.

Filed May 24, 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 atty.
1 Conneautville PD

ORDER:

And now, this 24th 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 move out. He shall not contact Plaintiff & shall not go to her residence. Temporary custody ofthe children is awarded to Plaintiff until further court order. Any Juvenile orders in place shall remain in effect.
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 June 6, 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,
Gordon R. Miller, J

May 27, 1994 Sheriff's Returned filed. SERVED James D.Knuebehl, Jr. personally on May 24, 1994 at 2:00 PM by handing a copy of the Protection from Abuse to him at the Head Start, 996 South Main Street, Meadville, Crawford County, PA. Plaintiff did received custody of the children.
So answers,
Shawn E.Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff
Scott D. Young, Deputy Sheriff

Jun. 8, 1994 ORDER filed. AND NOW, jUne 6, 1994 this matter is before the Court on a petition for relief under the Protection from Abuse Act. The Plaintiff appears with counsel and the Defendant appears without consel.

The parties agree to the entry of the following order, without admission of the allegations of the petition on the part of t he Defendant:

1. Neither party shall assault, abuse harass,or threaten the other party of the minor child named in the petition and neither party shall have contact with the other party of any nature.
2. Pending further order of Court in this proceeding or in an appropriate custody proceeding, the Plaintiff shall have primary physical custody of the minor children, with the Defendant to have weekend temporary custody from Friday at 6:00 p.m. until Sunday at 6:00 p.m. each weekend, beginning on June 10, 1994.
3. The exchange of the children shall take place with Lillian Morris as the middle person so that the parties are not required to have any contact. The exchanges of cusotdy shall take place at the Morris residence, which is where the Plaintiff is currently residing. In entering this part of the order, the Court notes that it is subject to t he involvement of Children & Youth Services and is not intended to indicate to any mediator or other judge any intention on the Court with respect to what t he final custody determination should be.
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 Pennsylvania State Police, Meadville Barracks, as well as the Conneautville Police, and to County Control. Additionaly, since the Plaintiff is unrepresented, the Prothonotary shall send her a copy of the order by regular mail, c/o Lillian Morris on Main Street in Conneautville.
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 sentece of up to 6 months.
7. In light of the financial circumstances of the parties, the County shall pay costs.
8. This order shall remain in full force and effect through June 5, 1995.

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

6-8-94 Copy given to Irwin,& CBPD. Faxed Pa.SPD, mailed Pltf, given Co. Control

1994

Phillips & Galanter
Stephanie A. Murphy

509.

GRACE E. CARTWRIGHT

vs.

LARRY E. O'CONNELL

Filed May 24, 1994
@ 11:55 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	29.00
Sheriff's Costs	20.00
Pro Co pd 11-4-94	9.00
Pro Co Pd 1-18-95 (cert)	2.00
Pro Co pd 8-1-97	6.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

June 20, 1994 SHERIFF'S RETURN, filed. NOT FOUND as to Larry E. O'Connell, Box 430, Espyville, PA, no one there by that name per Post Office, June 7, 1994.
So answers, Robert M. Stevens, Sheriff

Aug. 22, 1994, Complaint Reinstated.

Oct. 4, 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 418 Shingiss St., McKees Rocks, PA 15136. Robert M. Stevens
Sheriff Cr. Co.

SERVED the within Complaint on 9-19-94 at 6:45 PM upon Larry E. O'Conner at above 448 Shingiss St. by handing to Laura O'Connell-sister a true and correct copy thereof and made known to her the contents therein. D. Divito, Sheriff Allegheny Co.

And Now, November 4, 1994 at 11:41 AM upon praecipe of plaintiff's attorney, with Notice of Intention to File Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendant for want of an answer and the damages are assessed at the sum of One Thousand Nine Hundred Thirteen and 00/100 Dollars plus interest and cost of suit.
O-103 Debt $1,913.00
judgment entered 11/4/94 Judgment
Barbara H. King
Prothonotary

July 21, 1997 Upon praecipe of plaintiff attorney the above captioned case is marked settled and discontinued of record.

60

1994

510.

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

LESLIE TAR, M.D.

vs.

STATE FARM INSURANCE CO

Filed May 24, 1994
@ 2:05 PM

Tax & entry paid 50.50
User's Fee paid 5.00
Pro Co pd 1-20-95 15.00
Pro Co pd 3-6-96 5.00 (1 copy atty)

COMPLAINT IN CIVIL ACTION
1 copy atty.

Jun. 24, 1994 Preliminary Objections, filed.

June 29, 1994 Certificate of Service of Preliminary Objections, filed.

Jul. 1, 1994 Answers to Defendant's Preliminary Objections, filed.

Aug. 24, 1994 Upon praecipe of Plaintiff, this case placed on next available Argument List.

ON SEPTEMBER 1994 ARGUMENT LIST

Oct. 14, 1994 Stipulation on behalf of defendant, filed.

Oct. 26, 1994 Answer Containing New Matter, filed.

Nov.2, 1994 Answers to New Matters, filed.

Jan. 19, 1995 Upon praecipe of Plaintiff for appointment of Arbitrators, the following Arbitrators have been appointed.

Feb. 3, 1995 Arbitrators take qualifying oath.

Sept. 22, 1995 Notice of Rescheduled Arbitration hearing, which is set for Nov. 21, 1995 at 9:00 A.M., filed.

Mar 4, 1996 Upon praecipe of Plaintiff the above-referenced action is marked settled, discontinued and ended of record.

1994

511.

MICHELE L. RUTTER

vs/

KENNETH P. RUTTER

Filed May 24, 1994
@

Tax & entry pd 5/31/94 50.50
User's Fee pd 5/31/94 5.00
Sheriff's Costs pd 5/31/94 26.00
Pro. Co. Pd. 5/31/94 5.00

5-31-94 Rec from dept Sheriff Costs 26.00
6-2-94 Pd Sheriff Ck # 8335 26.00

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

Order:

And now, this 24th 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 permit plaintiff the chance to remove her personal belingings. He shall not go to her residence nor contact her. He shall turn custody of the children over to Plaintiff. She shall have custody until further order.
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 June 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

May 27, 1994 Sheriff's Return filed.served Kenneth P. Rutter personally on May 25, 1994 at 1:40 PM by handing a copy of the Protection from Abuse to him at his residence,P.O.Box 52, Venango, Crawford County, PA.

So answers,

Shawn E.Ashbaugh, Deputy Sheriff
Scott D.Young,Deputy Sheriff
Robert M.Stevens, Sheriff

Jun. 1, 1994 Motion to Vacate Protection from Abuse Order and ORDER filed. AND NOW, this 31st day of May, 1994 upon receipt and review of the plaintiff's motion to vacate and terminate the Protection from Abuse Order of plaintiff, 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 served with the prior order and to County Control.

Any provisions of the Protection from Abuse Orderof May 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.

6-1-94 Faxed copy Pa.SPD, given Co. Control

512.

Petition for Involuntary Treatment for

Joseph Mortimer

Filed May 25, 1994
@

MENTAL HEALTH PROCEDURES ACT OF 1976
Sections 304 and 305)

May 25, 1994 Report of Mental Health Review Officer, Findings of Fact, Recommendation and Order filed. AND NOW, this 25th day of May, 1994, upon consideraion 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 h hereby ordered and directed that the said Joseph Mortimer be committed to the Warren State Hospital for treatment for a period not to exceed 180 days from May 17, 1994

BY THE COURT,
Gordon R. Miller, J

Nov. 1, 1994 Mental Health Procedures Act of 1976, filed.

Dec. 6, 1994 Report of Mental Health Review Officer and Order, filed. AND NOW, this 5th day of December, 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 DECREED that the said Joseph Mortimer be committed to the Warren State Hospital for treatment for a period not to exceed 180 days from November 15, 1994. BY THE COURT,
Gordon R. Miller, P.J.
Dec. 7, 1994 copy to Atty Africa, MH/MR, WSH

July 21, 1995 Report of Mental Health Reveiw Officer,RECOMMENDATION and ORDER filed. AND NOW, this 21st day of July, 1995, upon consideration of the Petition filed at the above number and term, and other relevant matter, and after a review of the Report of the Mental Health Review Officer, it is hereby ORDERED and DECRRED that the said Joseph Mortimer be committed to the Warren State Hospital for treatment for a period not to exceed 180 days from May 23, 1995.

BY THE COURT,
Gordon R. Miller, J.
July 21, 1995 Copy of Order to MH/MR, Atty. Africa, and WSH.

Nov. 28, 1995 Report of Mental Health Review Officer and ORDER filed. AND NOW, this 28th day of November, 1995, upon consideration of the Petition filed at the above number and term, and after a review of the Report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Joseph Mortimer be committed to the Warren State Hospital for treatment for a period not to exceed 180 days from November 21, 1995.
BY THE COURT,
Gordon R. Miller, P.J.
Dec. 6, 1995 Copy to Atty. Thomas Africa, MH/MR, WSH.

June 14, 1996 Report of Mental Health Review Officer and ORDER filed. AND NOW, this 14 day of June, 1996, upon consideration of the Petition filed at the above number and term, and after a review of the Report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Joseph Mortimer be committed to the Warren State Hospital for treatment for a period not to exceed 180 days from May 21, 1996. BY THE COURT,
Anthony J. Vardaro, J.
Petition for Order of the Court and Order for Involuntary Treatment filed.
6-20-96 Copy to Atty. Thomas Africa, MH/MR, WSH.

Dec. 10, 1996 Report of Mental Health Review Officer and Order filed. AND NOW, this 10 day of December, 1996, upon consideration of the Petition filed at the above number and term, and after a review of the Report of the Mental Health Review Officer, it is hereby ORDERED AND DIRECTED that the said Joseph Mortimer be committed to the Warren State Hospital for a treatment period not to exceed 180 days form November 26, 1996.
BY THE COURT,
Anthony J. Vardaro, J.

Dec. 10, 1996 Mental Health Procedures Act of 1976 filed.

Feb 18, 1997 Report of Mental Health Review Officer and Order: AND NOW, this 14 day of February, 1997, upon consideration of the Petition filed at the above number and term, and after a review of the Report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Joseph Mortimer be committed to the Warren State Hospital for a treatment period not ot exceed 180 days from November 26, 1996. Anthon J. Vardaro, J.
Feb 25, 1997 copy to Atty Africa, MH/MR & WSH

May 20, 1997 Report of Mental Health Review Officer and Order filed. AND NOW, this 19th day of May, 1997, upon consideration of the Petition filed at the above number and term, and after a review of the Report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Joseph Mortimer be committed to the Warren State Hospital for a treatment period not to exceed 180 days from May 13, 1997.
BY THE COURT,
Gordon R. Miller, P.J.
6-3-97 Mailed Africa, MHMR, Warren

May 20, 1997 Mental Health Procedures Act of 1976 filed.

Dec. 12, 1997 Petition for order of court filed.

Dec. 12, 1997 Report of Mental Health Review Officer, findings of fact and order filed. ORDER: AND NOW, this 11 day of Dec. 1997 upon consideration of above petition, and after a review of the Prport of Mental Health Review Officer, it is herebyordered and directed that the said Joseph Mortimer be committed to the Warren st. Hosp. for a treatment period of not to exceed 180 days form Nov. 25, 1997. by the court,
Anthony J. Vardaro J.

Continued on page 62-A

1994

62

S29052

In Re; Petition for
Involuntary Treatment of
Joseph Mortimer

Record continued from page 62
of record
A.D. 1994 - 512

****

June 1, 1998 Mental Health Procedures Act of 1976 (Sections 304 and 305) filed.

June 1, 1998 Report of Mental Health Review Officer, Findings of Fact, Recommendations and Order filed. AND NOW, this 1st day of June, 1998, upon consideration of the Peittion filed at the above number and term, and after a review of the Report of the Mental Heatlh Review officer, it is hereby ORDERED AND DIRECTED that the said Joseph Mortimer be committed to the Warren State Hospital for a treatment period not to exceed 180 days form May 12, 1998.

BY THE COURT,
Gordon R. Miller, J

Dec. 4, 1998 Mental Health Procedures Act of 1976 (Sections 304 and 305) filed.

Dec. 4, 1998 Report of Mental Health Review Officer, Findings of Fact, Recommendation and Order filed. AND NOW, this 2 day of december, 1998, upon consideration of the Petition filed at the above number and term, and after a review ofthe Report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Jopesph Mortimer be committed to the Warren State Hospital for a treatment period not to exceed 180 days from November 10, 1998.

BY THE COURT,
ANthony J. Vardaro, J

May 20, 1999 Mental Health Procedures Act of 1976 (Sections 304 and 305); Finds of Mental Health Review Officer and Order: AND NOW, this 19 day of May, 1999, upon consideration of hte Petition filed at the above number and term, and after a review of the Report of the Mental Health review Officer, it is hereby ORDERED and DIRECTED that the said Joseph Mortimer be committed to the Warren State Hospital for a treatment period not to exceed 180 days from May 11, 1999.

Gordon R. Miller, P?J.

May 25, 1999 copy to Atty Africa, MH/MR, WSH

FOR FURTHER DOCKET ENTRIES SEE COMPUTER.[illegible] 1994 - 30512

1994

Gregg & Nelson
Kathleen R. Nelson

513.

DONNA S. WATSON

vs.

DONALD J. WATSON

Filed May 25, 1994
@ 2:55 PM

Tax & entry paid 50.50
User's Fee paid 10.00
1 Add'l Count paid 15.00
State paid 10.00
Pro.Co.pd 10/20/95 9.00

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

Jan 5, 1995 AFFIDAVIT OF SERVICE, filed. 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 copy of the Complaitn in Divorce and Notice were sent by registered mail to the Defendant, DONALD J. WATSON, on June 8, 1994.

3. The registered mail was sent to: Donald J. Watson, RD 2, Box 155B, Linesville PA 16424. The sender's receipt is attached hereto.

4. That the Defendant received said registered mail on Juen 13,1994. Said Return Receipt card Z727 826 035 is attached hereto, signed by Donald Watson and made a part hereof.

Apr. 25, 1995 Plaintiff's Affidavit 3301(d) filed.

May 4, 1995 Motion For Withdrawal of Counts and Order filed.
AND NOW, this 2nd day of May, 1995, the herein Motion is granted.
BY THE COURT:
Gordon R. Miller, J

Jul. 31, 1995 Affidavit of Service filed. KATHLEEN R. Nelson, Esquire, being duly sworn according to law, deposes and says that the following facts in support of her Affidavit of Service are true and correct to the best of her knowledge, information and belief:

1. That the Affiant is the Attorney for the Plaintiff in the above-captioned action.

2. That a true and correct copy of the Complaint in Divorce and Notice were sent by registered mail to the Defendant, on July 20, 1995.

3. The registered mail was sent to Donald J.Watson, % Conway Diesil Terminal, F. R. Fitzpatrick, Shop Manager, Conway, Pennsylvania, 15027. The sender's receipt is attached hereto.

4. That the Defendant received said registered mail on July 21, 1995. Said Return Receipt card #Z441 924 638 is attached hereto, signed by T.L. Stump and made a part hereof.

July 27, 1995 Kathleen R.Nelson, Esq.

Sep 15,1995 Amended Affidavit of Service, filed. KATHLEEN R. NELSON, ESQUIRE, being duly sworn according to law, deposes and says that the following facts in support of her Affidavit of Service are true and correct to the best of her knowledge, information and belief:

1. That the Affiant is the Attorney for the Plaintiff in the above-captioned action.

2. That a true and correct copy of the Plaintiff's Affidavit was sent by registered mail to the Defendant, on July 20, 1995.

3. The registered mail was sent to Donald J. Watson, % Conway Diesil Terminal, F.R. Fitzpatrick, Shop Manager, Conway, Pennsylvania, 15027. A copy of the sender's receipt is attache dhereto.

4. That the Defendant received said registered mail on July 21, 1995. Said Return Receipt card #Z 441 924 638 is attached hereto, signed by T.L. Stump and made a part hereof.

Sept. 22, 1995 Plaintiff's Affidavit of Service filed.

Sep 26, 1995 Affidavit of Consent of Defendant, filed.

Oct.16, 1995, Affidavit of Consent of plaintiff filed.

Oct. 16, 1995 Upon Praecipe of Kathleen R. Nelson, Esquire, Attorney for Plaintiff to transmit record, case moved to Court.

Oct. 25, 1995 DIVORCE DECREE filed. AND NOW, October 23, 1995, it is ordered and decreed that Donna S. Watson, plaintiff, and Donald J. Watson, 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.

64

1994

William Walker

514.

APPRAISEL & COUNSELING SERVICE, INC., TED WILSON

vs.

BERNARD WAGNER

Filed May 25, 1994
@

Tax & entry paid 50.25
User's Fee paid 5.00

APPEAL OF DEFENDANT FROM DECISION OF DISTRICT JUSTICE HUBERT VOGAN

May 25, 1994 Rule entered upon the Plaintiff to file a Complaint issued.

May 31, 1994, Proof of Servcie filed.

June 24, 1994 Motion to Strike Appeal and Order, filed. AND NOW, this 20th day of June,1994, in consideration of the attached Motion, it is hereby ordered that arule to show cause is issued and directed to the defendant to Show Cause if any he has why the appeal should not be stricken. Rule returnable on the 12th day of July 1994 at 2:30 o'clock P.M. in Courtroom 1 or 2. Gordon r. Miller, P.J.
June 27, 1994 Faxed Walker, mailed Wagner

July 14, 1994 Order filed. AND NOW, July 12, 1994, at the time set for argument on the motion to strike the appealin this case as being untimely, the Court is advised that a copy of the Order of June 20, 1994 setting argument for this date was mailed to the Defendant at his record address on June 27, 1994 by the Prothonotary.

At time time set for hearing at 2:30, the Defendant failed to appear, and the hearing was continued generally until 3:00 p.m. said date. The Defendant still failed to appear and accordingly, the motion to strike the appeal is GRANTED, because it seems obviuos fromthe record that the appeal was not filed within the thirty (30) day period proscribed.

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

July 14, 1994 Faxed Walker and mailed Wagner

1994

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

515.

Kuhn and Kuhn
Francis J. Constantine

BANK ONE, YOUNGSTOWN, N.A.

vs.

REGINALD COVEY and LINDA COVEY

Filed May 25, 1994
@

Tax & entry paid	50.50
User'sFee paid	5.00
Sheriff's Costs	40.00
Pro Co pd 2-15-95	9.00
Pro Co 9-14-95	5.00

COMPLAINT IN CIVIL ACTION
2 copies atty.

In Error
June 20, 1994 SHERIFF'S RETURN, filed. SERVED Kenneth W. Kebort, personally, on June 8, 1994 at 3:52 PM, at the Sheriff's Office, Room 303, Crawford County Courthouse, Meadville, PA.
SERVED Kathy J. Kebort, personally, on June 10, 1994 at 12:15 PM, at he Sheriff's Office, Room 303, Crawford County Courthouse, Meadville, PA.
So answers, Diane Brittain, Deputy Sheriff
Robert M. Stevens, Sheriff

June 20, 1994 SHERIFF'S RETURN, filed. SERVED Reginald Covey, on June 8, 1994 at 10:20 AM, by handing to his wife, Linda Covey, at their residence, RD #2, Brimstone Road, Centerville, PA.
SERVED Linda Covey, personally, on June 8, 1994 at 10:21 AM, at RD #2, Brimstone Road, Centerville, PA.
So answers, Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

Jul. 15, 1994 Preliminary Objections and Motion to Dismiss, filed.

Jul. 22, 1994 Upon Praecipe of Louis J.Stack, Esquire, Attorney for the Plaintiff, the above captioned matter is placed on the next available Argument list.

ON AUGUST, 1994 ARGUMENT LIST

Sept. 6, 1994 Memorandum and Order, filed. AND NOW, September 1, 1994, the defendant's preliminary objections are dismissed. The defendants shall file a responsive pleading to the Plaintiff's complaint within twenty (20) days from the date of this Order. BY THE COURT
Gordon R. Miller, P.J.

Sept. 6, 1994 copies dist. to Stack & Constantine

Dec. 20, 1994 Motion For Agreement To Entry Of Judgment, filed.

Feb. 7, 1995 Praecipe For Entry Of Judgment By Agreement And Order, filed. AND NOW, this 7 day of February, 1995, comes the above named parties and requests that judgment be entered against the Defendants REGINALD COVEY and LINDA COVEY in the amount of $13,001.59, plus costs and interest from April 12, 1994, at the rate of 12.54% per annum pursuant to the attached Agreement for Entry of Judgment and Order.
C - 106, 146 Debt: $13,001.59 plus costs and interest
JUDGMENT
Barbara H. King, Pro.

Sept 13, 1995 Upon praecipe of plaintiff attorney the above captioned matter is marked satisfied of record.

1994

Shafer, Swick, Bailey Irwin & Stack Louis J. Stack 516.	BANK ONE, YOUNGSTOWN, N.A. vs. KENNETH W. KEBORT and KATHY J. KEBORT Filed May 25, 1994 @ Tax & entry paid 50.50 User's Fee paid 5.00 Sheriff's Costs 31.00 Pro Co pd 7-19-94 9.00	COMPLAINT IN CIVIL ACTION 2 copies Sheriff June 20, 1994 SHERIFF'S RETURN, filed. SERVED Kenneth W. Kebort, personally, on June 8, 1994 at 3:52 PM, at the Sheriff's Office, Room 303, Crawfor dCounty Courthouse, Meadville, PA. SERVED Kathy J. Kebort, personally, on June 10, 1994 at 12:15 PM, at the Sheriff's Office, Room 303, Crawford County Courthouse, Meadville, PA. So answers, Diane Brittain, Deputy Sheriff Robert M. Stevens, Sheriff July 19, 1994 And Now, upon praecipe of Plaintiff's attorney judgment is hereby entered against the above named defendants in the sum of Two Thousand Four Hundred Fifty and 74/100 plus interest from May 4, 1994 at 10.99% per annum and cost of suit for failure to file an Answer. Entered 7-19-94 Debt: $2,450.74 plus interest and Costs K - 104, 104 JUDGMENT Barbara H. King, Pro. 7-26-94 Notice of entry of Judgment sent to Dfts.

1994

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

517.

BANK ONE, YOUNGSTOWN, N.A.

vs.

JAMES D. HAWORTH, SR.

Filed May 25, 1994
@

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	30.00
Pro.Co. pd 7/19/94	9.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

June 20, 1994 SHERIFF'S RETURN, filed. SERVED James D. Haworth, Sr., on June 13, 1994 at 2:30 PM, by handing to Judy Motter, at their residence, Box 261, Linesville, PA
So answers, Shawn E. Ashbaugh, Deputy
Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

And Now, Jul. 19, 1994 at 3:15 P.M. upon praecipe of plaintiff's attorney, with notice of Intention to file Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the Defendant, James D. Haworth, Sr.for want of an answer and the same is liquidated at the sum of Nine Thousand Five Hundred Nineteen and 18/100 Dollars, plus interest from June 19, 1994 at 8.85% per annum and cost of suit.
H-94;
Entered 7-19-94
Atty. Stack

Debt $9,519.18
Int. from 6/19/94 at 8.85% per annum
Judgment
Barbara H. King
Prothonotary

1994

518.

~~Gloria A. Tischuk~~
Dep. Atty. Gen.
Charles B. Schweitzer

CHARLES E. STILES, JR.

vs.

THE PENNSYLVANIA STATE POLICE - TROOP "E"

Filed May 25, 1994
@

COMPLAINT IN CIVIL ACTION
1 copy Plaintiff

May 25, 1994 Petition To Proceed In Forma Pauperis PUrsuant To Pa. R.C.O. 240 and Order filed. AND NOW, May 24, 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 financial circumstances that would permit him to apy 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

July 8, 1994, Complaint Reinstated.

Indigent Filing

~~Sheriff's Costs~~ ~~20.00~~
(Indigent)

12-19-97 Pd Sheriff 20.00

12-19-97 Pd Int Entry 50.50
12-19-97 Pd Mile Fee 5.00
12-19-97 Pd Sheriff 20.00
ProCo pd 3-29-99 46.50
User's fee pd 3-29-99 5.00

Jul. 20, 1994 Sheriff's Return and Affidavit of Service filed. SERVED the within Complaint on July 13, 1994, at 1427 hrs. upon the Pennsylvania State Police, Troop E. at 4320 Iroqouis Avenue, Lawrence Park, Erie County, Pennsylvania by handing to Captain Patrick McHenry a true and correct copy thereof and made known to him the contents therein.
July 18, 1994
Robert N. Michel, Sheriff ERie County
Brenda Rufini, Deputy Sheriff
See Affidavit of Service endorsed hereon by Sheriff of Erie County, Pennsylvania, which is part of this return.
So answers:
Robert M. Stevens, Sheriff,
Crawford County,PA

Aug. 17, 1994, Commonwealth Defendants' Preliminary Objections filed.

Sept. 6, 1994 Statement of the Case, filed.

July 12, 1996 ORDER filed. AND NOW, July 11, 1996, after receipt and review of the plaintiff's petition for ruling, said petition is granted to the extent provided below.
It appears that the plaintiff filed a complaint which was properly served. It also appears that the defendant has filed preliminary objections and a brief in support of those preliminary objections. The next step in the process would be for one of the parties to file a praecipe to place the preliminary objections on an argument list. (Crawford County Civil Rule L306(A)).
Even though the plaintiff has not filed a praecipe we will treat his "Petition for Ruling" as a praecipe.
We therefore order the Prothonotary to place this case on the August 1996 Argument List for an argument to be held in the later part of August, 1996.
The plaintiff has already filed his brief addressing the preliminary objections of the defendant. Normally parties appear in person and make an oral argument at the Argument List. Since the defendant is incarcerated, however, the only counsel who he may hire to represent him or by filing a petition for writ of habeas corpus ad testificandum asking the Court to order the Sheriff of Crawford County to bring the defendant to the Crawford County Jail in time so that he may appear at the Argument Court. That petition must be filed well enough in advance in order that the Sheriff may schedule that transportation. If the plaintiff does not wish to attend the Argument Court or if the defendant does not attend the Argument Court, the Court will consider his brief as his argument in opposition to the preliminary objections.
We caution the plaintiff that he must comply with the Pennsylvania Rules of Civil Procedure and the Crawford county Civil Rules with respect to procedural matters in any civil litigation in our Court. If he does not have a copy of the Crawford County Civil Rules he should contact the Prothonotary of Crawford County and ask that a copy be sent to him for his use. The Prothonotary normally charges a fee for this but in this case since the defendant is incarcerated he may receive a copy of the Crawford County Civil Rules free of charge.
BY THE COURT
Gordon R. Miller, P.J.
7-12-96 MAILED Stiles, Tischuk

July 12, 1996 Petition for Ruling and Certificate of Service by Plaintiff filed.

July 24, 1996 Petition For Writ of Habeas Corpus Ad Testificandum filed.

July 25, 1996 Order filed. AND NOW, July 23, 1996, the plaintiff's Petition for Writ of Habeas Corpus Ad Testificandum is granted although we would not mormally grant such a petition simply for an argument in a civil action. We do so in this case largely because the defendant is housed at Albion which is not far from the Crwaford County Courthouse.
The Sheriff is ordered and directed to bring the plaintiff back to theCrwaford County Jail prior to August 24, 1996 so that he may appear and present an oral argument in this case. The oral argument is scheduled for August 26, 1996.
When the oral argument is completed the Sheriff shall return the Defendant to the Albion State Correctional Faciilty at the Sheriff's convenience.
BY THE COURT,
Gorodn R. Miller, J

7-25-96 Mailed Pltf. & Distributed Sheriff & Tischuk

Aug. 28, 1996 Memorandum and ORDER filed. AND NOW, August 27, 1996, defendant's claim of sovereign immunity is denied without prejudice because it is was improperly raised in a preliminary objection.
Defendant shall have twenty (20) days to file an answer to plaintiff's Complaint.
BY THE COURT
Gordon R. Miller, P.J.
9-7-6-96 FAXED Tischuk MAILED STILES.

CONTINUED ON PAGE 488

1994

Ferguson & Spataro
John F. Spataro

519.

IN RE: APPEAL OF ROBYN J. SYE

Filed May 25, 1994
@

Tax & entry paid 50.50
User's Fee paid 5.00

APPEAL FROM SUSPENSION OF VEHICLE REGISTRATION PRIVILEGES
1 copy Plaintiff

June 6, 1994 Motion For Hearing Of Appeal and Order, filed. AND NOW, this 13 day of June, 1994, upon consideration of the within Motion, a hearing is hereby scheduled for the 2nd day of August, 1994, at 10:00 o'clock, a.m. in Courtroom No. 1 or 2, Crawford County Courthouse, Meadville, Pennsylvania, 16335.

BY THE COURT,
Anthony J. Vardaro, J.

June 14, 1994 faxed copy to Spataro

Aug. 3, 1994 Motion For Continuance and Order, filed. AND NOW, to-wit: This 5th day of August, 1994, upon consideration of the foregoing Motion for Continuance, it is hereby ORDERED that the hearing on this matter is continued from Tuesday, August 2, 1994 to September 29, 1994 at 3:00 p.m. in Courtroom No 1 or 2 of the Crawford County Courthouse. BY THE COURT:
Gordon R. Miller, P.J.

Aug. 8, 1994 faxed Kuhar & Spataro

Sept. 30, 1994 ORDER, filed. AND NOW, to-wit: this 29 day of September, 1994, this statutory appeal by the appellant, Robien J. Sye, from a three-month suspension of the registration of a motor vehicle of hers that is assigned Vehicle Identification No. 1MEPM36X5PK608683, which was imposed by the Department pursuant to 75 Pa.C.S. Sec. 1786(d), is sustained in light of the inability of the Department to obtain evidence needed to meet its burden of proof in the appeal.

BY THE COURT:
Anthony J. Vardaro, J.

Oct. 3, 1994 Faxed Spataro, mailed Kuhar.

1994

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

520.

GLENN A. CANFIELD and DONNA LOIS CANFIELD, his wife

vs.

HAROLD A. HIGBY and NANCY W. HIGBY, his wife

Filed May 26, 1994
@ 10:05 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	43.00
Pro.Co.pd 7/7/94	5.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

June 20, 1994 SHERIFF'S RETURN, filed. SERVED Harold A. Higby, personally, on JUne 7, 1994 at 10:43 AM, at his residence, RD 2, Candohta Lake, Union City, PA.

SERVED Nancy W. Higby, on June 7, 1994 at 10:45 AM, by handing to her husband, Harold A. Higby, at their residence, RD 2, Candohata Lake, Union City, PA.

So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Jul. 7, 1994 Upon Praecipe of Paul D. Shafer, Jr. Attorney for Plaintiff, the above captioned matter discontinued of record, filed.

1994

Barbara J. Walton

521.

SANDRA BARNES

vs.

ROBERT L. BARNES

Filed May 26, 1994
@

Tax & entry paid 50.50
User's Fee paid 5.00

COMPLAINT FOR CUSTODY
1 copy atty.

Jun. 28, 1994 Affidavit of Service filed. And Now, June 27, 1994, comes Barbara J. Walton, and avers as follows:

1. A true and correct copy of theComplaint for Custody was mailed to the Defendant via Certified Mail, return receipt on May 31, 1994.

2. That the Defendant signed the return card on June 24, 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. Z070232967) 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 of18 Pa. C.S.§ 4904, relating to unsworn

Barbara J. Walton, Esquire

Oct. 20, 1994 Consent Custody Agreement filed. AND NOW,this 19 day of October, 1994,upon presentation of the Stipulation and Consent of the parties, attached hereto and after consideration of same it is hereby ORDERED, DIRECTED AND DECREED that:

1. The parties shall have shared legal custody of the minor children, Melissa Lee Barnes and Anna Marie Barnes. The parties shallshare 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 Melissa Lee Barnes and Anna Maria Barnes shall be withthe Mother Plaintiff. The Father/Defendant shall have visitation withthe minor children as mutually agreed upon by the parties.

3. Holiday visitationshall be as the parties mutually agree upon.

4. The children 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 partywill try to accomodate the other parent to allow visitations. The parties further agree that the pressence of the each parent is important in the children's life.

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

7. Neither party shall use illegal drugs or be under the influence of alcohol at anytime which said party has the care and custody of the subject minor children to harmful situations or harmful people while having custody of the children.

8. Neither party shall do or say anything to blacken the character of the other in the children estimation. Each party shalltreat the other ina polite and respectful manner when in the children's presence and each party shall instruct his or her rlatives and friends to do likewise and also not to disparage the other party in the children's estimation.

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

Anthony J.Vardaro,J.

3 copies Atty. 10-26-94 Copy to Atty.Walton & mailed to Deft.

1994

522.

JUDITH A. BOUGHER

vs.

JOHN J. BREWSTER

Filed May 26, 1994

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	37.00

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

ORDER:

And now, this 26th 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 go to her residence. Sole possession of 124 E. Main Street & sole custody of the child are 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 June 6, 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

May 31, 1994 Sheriff's Return filed. SERVED John J. Brewster on May 27, 1994 at 10:14 Am by handing a copy of the Protection from Abuse to him at the Brennan Cox residence, 416 Linden Place, Titusville, Crawford County, PA.
So answers,

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

June 8, 1994 ORDER filed. AND NOW, June 6, 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 the Plaintiff does not appear. The Defendant indicates that he believed that the Plaintiff would be here and still wished to have a protection from abuse order entered and Defendant's father is present and indicates that he talked to the Plaintiff last evening and she did not indicate one way or the other her intention with respect to this hearing.

It is now 15 minutes past the time set for the hearing, and accordingly, since the Plaintiff has not appeared, this petition is DISMISSED.

A copy of this order shall be sent to County Control, as well as the Titusville Police Department. Additionally, a copy shall be sent by regular mail by the Prothonotary to the Plaintiff at 124 East Main St. in Titusville and to the Defendant at 214 North Washington St. in Titusville.

Finally, since the Plaintiff has not appeared, Court costs are assessed to her in the amount of $101.50. They shall be paid within 30 days of the date of this order to the Prothonotary on the first floor of the Crawford County Courthouse.

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

June 8, 1994 Order Faxed to TPD; copy given to Co. Control; copy mailed plaintiff.

1994

M.A Kirkpatrick

523.

James R. Irwin

6-6-94 Rec from deft Sheriff's costs 27.00
6-8-94 Pd Sheriff 27.00
Crk#9349

JULIE PETRICK

vs.

DALE PETRICK

Filed May 26, 1994

Tax & entry	Pd. 6-6-94	50.50
User's Fee	pd. 6-6-94	5.00
Sheriff's costs	Pd.	27.00
Pro. Co. Pd.	6/6/94	9.00
Pro. Co. Pd.	7/19/94	5.00

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

Order:

And now, this 26 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 shall move out. Sole possession of the residence & custody of the children is awarded to Plaintiff. Defendant shall not contact 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 June 6, 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

May 31, 1994 Sheriff's Return filed. SERVED Dale Petrick personally on March 27, 1994 at 9:15 AM by handing a copy of the Protection from Abuse to him at the residence, R.D. #1, Box 173G, Venango, Crawford County, PA.
So answers,

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

May 31, 1994, Appearance of James R. Irwin, attorney for defendant filed.

June 7, 1994 Order filed. AND NOW, June 6, 1994, the parties appeared in open court with counsel and agreed to the entry of the following Order. The Defendant does not admit that he committed the conduct alleged inthe Petition.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or the minor children
2. The Defendant shall move out of the marital prperty and sole possession of the residence shall remain with the Plaintiff. The defendant sahll not go to the residence or place of work of the Plaintiff. He may go to the residence this date at 5:00 p.m. to pick up his personal belonging
3. The Children shall reside with their mother except as follows. The children may reside with their father at the home where he now lives, that is with his parents, from 7:00 po'clock p.m. this date until 12:00 o'clock noon on June 10th, and likewise from noon on June 12th through noon onJune 16th. The parties will either agree on custody and visitation beyond that or they will seek custody mediation. If the children wish to contact theirm other by telephone at reasonable times they may do so.
Transportation for the vistaitions outlined above shall be provided bythe paternal grandparents.
4. While the children are inthe custody of the Plaintiff, the Defendant shall be given reasonable opportunity to call his childrenand talk to them by telephone during daylight hours. The Court does not believe that these calls should exceed one per day.
5. The Defendant sahll not consume any alcoholic beverages, intoxicating liquors, beer or wine during the periods of time that the children are living with his parents, which is also where ihe is now living.
6. The Defendant may contact the Plaintiff by telephone during daylight hours in order to discuss matters invovling the children. Said phone calls shall not be harassing or threatening nor shall they be made a frequent or continuing basis. Depending upon the problem that is being discussed, the Court does not believe that more than one phone call should be made a day even if that.
7. This Order may be enforced wtihout 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 by the Prothonotary to County Control and the Pennsylvania State Police at Meadville,
9. This Order shall remainin full force and effect for one(1) year from this date, that is until June 5, 1995, unless modified or terminated by further Court Order.
10. The Defendant shall pay record court costs in the amount of $91.50 this date.
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 $1,000.00 and a jail sentence of up to six (6) months.

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

June 7, 1994 Copies given Irwin, Kirkpatrick, Co. Control and faxed PSP

Jul. 21, 1994 Motion to Vacate Protection From ABuse Order and ORDER filed. AND NOW, this 20th day of July, 1994 upon receipt and review of the plaitniff's motion to vacate and terminate the Protection from Abuse Order of June 6, 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 Police who received prior order and to County Control.

Continued to Page 505

74

1994

Louis P. Vitti, & Assoc., PC
Louis P. Vitti

524.

CORESTATES BANK, N.A. as trustee for COMMONWEALTH OF PENNSYLVANIA SCHOOL EMPLOYES' RETIREMENT FUND, Assignee of HOUSING MORTGAGE CORPORATION

vs.

ROYCE FREEBOURN and KATHY A. FREEBOURN, his wife, and JAMES D. RING and SUSAN J. RING

Filed May 27, 1994
@ 11:29 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co pd 7-6-94	9.00
Pro co pd 8/24/94	5.00
Sheriff's Costs	42.00
Sheriff's Costs	100.00

COMPLAINT IN MORTGAGE FORECLOSURE
5 copies Sheriff

June 30, 1994 And Now, upon praecipe of Plaintiffs attorney judgment is hereby entered in favor of the plaintiffs and against the defendants for want of an answer in the amount of Forty-Four Thousand Eight Hundred Seventy-One and 35/100 together with interest and costs.
Entered 6-30-94 Debt: $44,871.35
F - 104, 144 JUDGMENT
R - 93, 153 Barbara H. King, Prothonotary

July 14, 1994 Complaint Reinstated.

Aug. 22, 1994, Upon praecipe of plaintiff attorney, this judgment is satisfied against Royce E. Freebourn and Kathy A. Freeborn only.

Sep. 16, 1994 Praecipe to Reinstate Complaint by Adding Party Defendant, filed. (copy Sheriff)

Sep. 16, 1994 Amended Complaint, filed.

Sep. 16, 1994 Affidavit of Service filed. On the 14th day of September, 1994, I, Louis P. Vitti, Esquire, served James D.Ring and Susan J. Ring with a copy of the Amended Complaint by ordinary mail at 121 S. Franklin Street, Cochranton, PA 16314.
I verify that the statements in this affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.A. Section 4904 relating to unsworn falsification to authorities.
Date: September 14, 1994 Louis P.Vitti, Esquire

Oct. 18, 1994 SHERIFF'S RETURN, filed. SERVED The United States of America by deputizing the Sheriff of Allegheny County, PA, as per his Affidavit of Service attached. Served on September 30, 1994 at 633 U.S. Post Office & Courthouse Building, Pittsburgh, PA 15219.
So answers, Robert M. Stevens, Sheriff

EX1994-78

Dec. 21, 1994 Sheriff's Return filed. Before me the undersigned authority personally appeared Larry E. Kopko Sheriff of the County of Warren, Commonwealth of Pennsylvania who being duly sworn according to law deposes and says that by virtue of the within writ directed to me, I have cause to be made strict and diligent search and inquirty but was unable to find the defendant Royce E. Freebourn in Warren County, Pennsylvania.
I therefore make a return of NOT FOUND. Larry E. Kopko
Before me the undersigned authority personally appeared Larry E. Kopko Sheriff of the County of Warren, Commonwealth of Pennsylvania who being duly sworn according to law deposes and says that by virtue of the within writ directed to me, I have caused to be made strict and diligent search and inquiry but was unable to find the defendant Kathy A. Freebourn in Warren County, Pennsylvania.
I therefore make a return of NOT FOUND. Larry E. Kopko
Before me the undersigned authority personally appeared Larry E. Kopko Sheriff of the County of Warren, Commonwealth of Pennsylvania who being duly sworn according to law deposes and says that by virtue of the within writ directed to me, I have cause to be made strict and diligent search and inquirty but was unable to find the defendant James D. Ring in Warren County, Pennsylvania.
I therefore make a return of NOT FOUND. LArry E. Kopko, Sheriff
Before me the undersigned authority personally appeared Larry E. Kopko Sheriff of the County of Warren, Commonwealth of Pennsylvania who being duly sworn according to law deposes and says that by virtue of the within writ directed to me, I have caused to be made strict and diligent search and inquiry but was unable to find the Defendant Susan J. Ring in Warren County, Pennsylvania.
I therefore make a return of Not Found. Larry E. Kopko, Sheriff
NOT FOUND as to Defendant Royce E. Freebourn at 121 South Franklin Street, Cochranton, Crawford County, PA. Cochranton Post Office has no record of him at that address.
SERVED Kathy A. Freebourn Shilling on July 19, 1994 at 9:20 AM by handing a copy of the Complaint in Mortgage Foreclosure to Matt Shilling, her Husband and Authorized Agent, at his place of employment Cresscare Medical, Chestnut Street, Meadville, Crawford County, PA. Signed Acceptance of Service attached.
SERVED James D. Ring on June 3, 1994 at 1:43 PM by serving Dorothy Campbell, Adult in Charge at the residence, 121 South Franklin Street, Cochrant, Crawford County, PA.
SERVED Susan J. Ring onJune 3, 1994 at 1:42 PM by serving Dorothy Campbell, Adult in Charge at the residence, 121 South Franklin Street, Cochranton, Crawford County, PA.
NOT FOUND as to Royce E. Freebourn as per an Affidavit of Service returned from Warren County Sheriff's Office.
NOT FOUND as to Kathy A. Freebourn as per an Affidavit of Service returned form Warren County Sheriff's office.
NOT FOUND as to James D. Ring as per an Affidavit of service returned form Warren County Sheriff's Office.
NOT FOUND as to Susan J. Ring as per an Affidavit of Service returned from Warren County Sheriff's Office.
so answers, Robert M. Stevens, Sheriff

1994

Phillips & Galanter
Donald L. Phillips

525.

WICKES LUMBER COMPANY

vs.

JAMES R. GROTKOWSKI a/k/a
IIM GROTKOWSKI i/and t/a
GROTKOWSKI CONSTRUCTION
a/k/a GROTKOWSKI BUILDERS

Filed May 27, 1994
@ 11:55 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	20.00
Pro. Co. pd 7/19/94	5.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Juen 15, 1994 SHERIFF'S RETURN, filed. I hereby deputize the Sheriff of Erie County, Pennsylvania to serve the within Complaint according to law. The defendants alleged address is 402 Raspberry St., Erie, PA 16502.

Robert M. Stevens, Sheriff, Crawford Co.

SERVED the within Complaint on June 7, 1994 at 1150 hrs., upon James R. Grotkowski AKA Jim Grotkowski ITA Grotkowski Construction at 140 West 6th Street, Erie County Sheriff Dept, Erie County, Erie, Pennsylvania by handing to James R. Grotkowski a true and correct copy thereof and made known to him the contents therein.

Robert N. Michel, Sheriff, Erie Co.
William Parker, Deputy Sheriff

Jul. 19, 1994 Upon Praecipe of Donald L. Phillips, Esquire, Attorney for Plaintiff, the above case marked settled and discontinued of record.

1994

526.

BERNARD WAGNER

vs.

PATRICIA WAGNER

Filed May 27, 1994
@ 12:30 PM

Tax & entry paid 50.50
User's Fee paid 5.00

PETITION FOR CHILD MEDIATOR HEARING
5 copies Pltf.

Jul. 1994 ORDER filed. AND NOW, July 1, 1994, the document filed by Bernard Wagner entitled "Appealing of Temporary Child Custody Order" having no legal significance whatsoever is returned to the Prothonotary with no action by this Court.

The last child custody action involving these parties was captioned "Bernard Wagner v. Patricia Wagner" at 1992-308. That action was discontinued of record on motion of Mr. Wagner's counsel on March 22, 1993.

The matter Mr. Wagner presented to the Court has no legal significance.

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

7-11-94 Copy mailed to Pltf & Deft.

1994

Mary Ann Kirkpatrick

527.

Shafer,Swick,Bailey,
Irwin & Stack
James Irwin

JULIE ANN KING PETRICK

vs.

DALE EUGENE PETRICK

Filed May 27, 1994

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 3-21-95	9.00
William Pineo, Mediator	
Pro Co pd 1-14-97	9.00

6-16-94 Rec from Deft Meddeposit #150.00
11-15-94 Recd from Plff med. deposit #150.00
2-8-95 Pd Deft med Refund #8879 61.50
2-8-95 Pd Plff med Refund #8878 52.50
3-21-95 Pd Co #9037 $177.00
4-12-95 Rec'd from Deft med fee 88.50
12-15-95 Pd Co #9625 88.50

COMPLAINT IN DIVORCE, ALIMONY, CHILD SUPPORT, ALIMONY PENDENTE LITE, REASONABLE COUNSEL FEES, COSTS AND EXPENSES, EQUITABLE DISTRIBUTION, CUSTODY
1 copy atty.

May 27, 1994 Petition for Special Relief and Exclusive Possession and Order filed. And Now, May 27, 1994, hearing on Plaintiff's Petition for Special Relief and Exclusive Possession is scheduled for June 6, 1994, at 3:30 p.m. at the Crawford County Courthouse in Meadville, PA. However this notice is short and the Court reserves the right to continue this to a later date and not hear this on the 6th of June. By the court,
1 copy atty. Gordon R. Miller, J

June 6, 1994 Affidavit of Service filed. James M. Tidd, being duly sworn according to law, deposes and sets forth as follows:
1. That he/she is a competent adult.
2. That on information furnished him/her, he/she served a certified copy fo the Divorce complaint and a certified copy of teh Petition for Special Relief and Exclusive Possession in the above-matter upon Dale Eugene Petrick at 8:50 o'clock, p.m. on 6-1-94, at RD #2, Miller Hill Rd., Cambridge springs, PA (Box 252)
3. That costs incured for this service were as follows:
   a.) Service $35.00
   b.) Mileage $12.00
   Total $47.00
4. Further Deponent Saith Not.

James M. Tidd

June 20, 1994 Motion To Appoint Mediator and Order, filed. AND NOW, this 17 day of June, 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, Esq., 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.
BY THE COURT:
Anthony J. Vardaro, J.
June 20, 1994 Faxed Pineo & Irwin. Given to Kirkpatrick

Jun. 28, 1994 Motion to Set Hearing for Alimony Pendente Lite, Counsel Fees, Costs and Expenses filed.

June 28, 1994 Motion to Set Hearing for Alimony Pendente Lite, Counsel Fees, Costs and Expenses and ORDER filed ORDER. And Now, June 28, 1994, hearing on Plaintiff's request for alimony pendente lite, counsel fees, costs and expenses is scheduled for July 21, 1994, at 3:30 p.m. o'clock in Courtroom number 1 or 2 of the Crawford County Courthouse at Meadville, PA.
By the Court:
Anthony J.Vardaro, J.
6-28-94 Faxed to Attys. Kirkpatrick & Irwin

July 21, 1994 Motion to Continue and Order, filed. And, Now, motion to continue generally the above matter is allowed. By the Court:
Date: July 21, 1994 Gordon R. Miller, P.J.
July 21, 1994 Faxed Kirkpatrick & Irwin
July 27, 1994 Faxed Pineo

Aug. 3, 1994 Motion To Withdraw Request For Child Custody Mediator and Mediation Conference and Order filed. AND NOW, this 3rd day of August, 1994 upon presentation and consideration of the within Motion, Defendant's request for a Child Custody Mediator and Mediation Conference is hereby withdrawn. Gordon R. Miller, J
Aug. 3, 1994 FAxed Pineo, Kirkpatrick & Irwin

Nov. 15, 1994 Motion to Request Mediation and Order, filed. And, Noc, November 14, 1994, this matter is referred to William Pineo, child custody mediatior, who will promptly shcedule a mediation conference. By the Court:
Gordon R. Miller, P.J.
Nov. 15, 1994 Faxed Kirkpatrick, Irwin & Pineo

Dec. 5, 1994 Proof of Service of Order referring the above matter to W. Pineo, filed.

Dec. 22, 1994 Affidavit of Consent of Plaintiff filed.

Feb. 6, 1995 Request for Hearing and Order filed. AND NOW, this 2nd day of February, 1995, upon presentation and considerationof the foregoing Request for Hearing a hearing is scheduled with the Court of Common Pleas of Crawford County, Pennsylvania, on the 7th day of March, 1995 at 1:30 o'clcok p.m. in Courtroom No. 1 or 2 or 3 of the Crwaford County Courthouse, Meadville, Pennsylvania.
BY THE COURT:
Gordon R. Miller, J

Feb. 6, 1995 Faxed Irwin, Krikpatrick & Pineo

Jan. 31,1995 TEMPORARY ORDER filed. AND NOW, this 30th day of January,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 the legal and physical custody of the subjectminor children, Jermiah John Petrickand Ashley Nicole Petrick.
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. Healthcare, school personnel, and other care providers are herebyauthorized to release to either party any and all confidential information which they mayhave regarding the subject minor children.

Continued to Page 461

1994

Peters, Lindsay,
Lewis & hatheway
Brian J. Lindsay

528.

BETH RENEE FOLTZ

vs.

KENNETH BRYAN FOLTZ

Filed May 27, 1994
@ 4:03 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 10-24-94	9.00
Pro Pd 5/9/96	5.00

COMPLAINT IN DIVORCE
2 copies atty.

Jun.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 Plaintiff, and that as such I am authorized to make this verification; that I did on the 2nd day of June, 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 June, 1994, receive a duly executed return receipt dated June 6, 1994.
June 9, 1994 Brian J. Lindsay, Esquire

Sep.2, 1994 Affidavit of Consent by Kenneth Bryan Foltz, Defendant, filed.

Oct. 18, 1994 Affidavit of Consent of Plaintiff, filed.

Oct. 18, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Oct. 27, 1994 AND NOW, October 26, 1994, itis hereby ordered and decreed that BETH RENEE FOLTZ, Plaintiff, and KENNETH BRYAN FOLTZ, Defendant, are divorced from the bonds of matrimony.

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

BY THE COURT:
Anthony J. Vardaro, J.

May 8, 1996 Notice of Election to Retake Maiden Name filed.
TO BE KNOWN AS BETH RENEE BRANDON.

1994

Barrett & Dratler
Bruce A. Barrett

529.

6-8-94 Rec from Dept Sheriffs Costs
6-8-94 Pd Sheriff Clk 8349 @ 30.00

ALICIA M. STOUGH

vs.

STEPHEN J. STOUGH

Filed May 31, 1994
@ 1:30 PM

Tax & entry	Pd 6-8-94	50.50
User's Fee	Pd 6-8-94	5.00
Sheriff's Costs		30.00
Pro Copy	Pd 6-8-94	5.00

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

Order:

And now, this 31st 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 Plaintiff shall have exclusive custody of the min or child with such visitationto defendant as she shall deem appropriate pending further order of court. Pending further order of Court plaintiff shallhave exclusive possession of the ***
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 June 7, 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,
Anthony J. Vardaro, J

***marital home at 97 Auburn Drive.

Jun. 1, 1994Sheriff's Return filed. SERVED Stephen J. Stough personally on June 1, 1994 at 9:24 AM by handing a copy of the protection from Abuse to him at hisplace of employment, Amminco, West Mead Industrial Park, Meadville, Crawford County, PA.
Soanswers,
Shawn E. Ashbaugh, Deputy Sheriff
Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

June 7, 1994 Praceipe To Discontinue Action, Motion To Vacate Protection From Abuse Order and Order, filed. AND NOW, this 7 day of June, 1994 upon receipt and review of the plaintiff's motion to vacate and terminate the Protection from Abuse Order of May 27, 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 appropriate police agency and to County Control.

Any provisions of the Protection from Abuse Order of May 27, 1994 assessing court costs shall remain in full force and effect without change or modification and the party or paraties against whom costs wre assessed shall remain obligated to pay the costs.

BY ORDER OF COURT
Anthony J. Vardaro, J.

June 7, 1994 faxed copy to Pa.SPD & gave copy to Co. Control. June 14, 1994 mailed copy to Plf. & Dft.

80

1994

Gerald Sullivan

530.

RONDA L. WAGNER

vs.

KEN REGO

Filed May 31, 1994
@ 2:55 PM

Tax & entry Pd 11-6-96 50.50
User's Fee Pd 11-6-96 5.00
Sheriff's Costs Pd 25.00
In Error ~~Sheriff's Costs 25.00~~
Pro Co Pd 11-6-96 9.00

11-6-96 Pd Sheriff
#10387 25.00

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

ORDER:

And now, this 31 day of May , 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 June 8, 1994 , at 3 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

June 2, 1994 Sheriff's Return filed. SERVED Ken Rego personally on June 2, 1994 at 9:30 AM 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

In Error June 2, 1994 SHERIFF'S RETURN, filed. SERVED Ken Rego personally on June 2, 1994 at 9:30 AM 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

June 13, 1994 Motion For Continuance and Order, filed. AND NOW, this 13 day of Juen,1994, upon consideration of Plaintiff's Motion to Continue, it is hereby ordred that the hearing presently scheduled for June 8,1994 at 3:00 p.m. be continued to the 22nd day of June, 1994, at 3:00 o'clock p.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse.
Pending the hearing scheduled above, the Order dated May 31, 1994 shall remain in full force and effect.
BY THE COURT,
Anthony J. Vardaro, J.
June 13, 1994 faxed MCPD & Sullivan, given to Co. Control & Dft.

June 24, 1994 ORDER, filed. AND NOW, June 22,1994, this matter is before the Court on Plaintiff's Petition for Relief Under the Protection From Abuse Act.
Both parties appear, the plaintiff with counsel and the defendant without counsel. The defendant is advised of his right to counsel and indicates that he will represent himself, and the parties have reached an agareement 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, threaten to abuse, harass, stalk or threaten the plaintiff at any time or any place.
2. The defendant shall not go to Plaintiff's residence, which is currently at 102 Hope Street in Meadville, but he shall not go to any residence which is occupied by the plaintiff as her residence during the term of this Order. The defendant is advised that he should not go to the residence of the plaintiff even if he is invited since any police agency shall presume that he is in violation of this Order if he is at the plaintiff's residence. In the event the parties wish for the defendant to be able to go to plaintiff's residence, they should seek a modificationof 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 Vernon Township Police Department, the Pennsylvania State Police (Meadville Barracks) and to County Contarol. Insofar as the defendant is not represented by counsel, the Prothonotary shall send a copy of this Order by Regular Mail to him at his address at 1004 Market Street in Meadville.
5. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000 and a jail sentence of up to six months.
6. The defendant shall pay court costs in this matter in the amount of $89.50 to the Prothonotary of Crawford County on the First Floor of the Courthouse in Meadville within 30 days of the date of this Order.
7. This Order shall remain in full force and effect through June 21, 1995.
BY THE COURT, Anthony J. Vardaro, J.
June 24, 1994 Faxed Vernon PD, PaSPD and given Co Control, Sullivan & Dft.

1994

Barrett & Dratler
Bruce A. Barrett

531.
Peters,Lindsay,
Lewis & Hatheway
Brian J. Lindsay

May 31, 1994 $150.00
deposited by Plaintiff

7-13-94 Refunded $150.00 to pltf. Ck # 8446

8-2-95 Recd from Lindsay dept/ med. fee 150.00

ALICIA M. STOUGH

vs.

STEPHEN J. STOUGH

Filed May 31, 1994
@ 3:10 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add' Counts paid	30.00
State paid	10.00

Kathleen Nelson,Mediator
Pro Co pd 5-14-98 90.00

COMPLAINT UNDER SECTION 3301(c) OF THE DIVORCE CODE, EQUITABLE DIVISION OF MARITAL PROPERTY, COMPLAINT FOR CUSTODY

1 copy atty.
1 copy mediator

Order:

You, Stephen J. Stough, Defendant, have been sued in Court to obtain custody and/or visitation of the minor child.

You are ordered to appear in person for a conference at such time and place as may be set by Wm. Pineo, 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 Count 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.

Barrett & Dratler
965 South Main Street
Meadville, PA 16335
(814) 336-5521
6/3/94

Court Administrator
Courthouse
Meadville, PA 16335
(814) 336-1151, ext. 298
BY ORDER OF COURT,
Anthony J. Vardaro , J

Jun. 24, 1994 Affidvait 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 Complaint was sent by certified mail to the Defendant.
3. The certified mail was sent to the Defendant at 97 Auburn Drive, Meadville, Pennsylvania 16335, on June 17, 1994. The Sender's receipt is attached hereto.
4. The Defendant received said certified mail on June 22, 1994. Said receipt card number 279 007 664 is attached hereto and signed by Stephen J.Stough.
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 June 23, 1994.

June 23, 1994 Bruce A. Barrett, Attorney for Plaintiff

July 7, 1994 Motion For Returnof Mediator's Deposit and Order. And now, July 12, 1994 The above Motion allowed. P. Richard Thomas, S.J.
July 13, 1994 Faxed Barrett.

Aug. 4, 1995 Petition For special Relief and Order filed. AND NOW, this 4 day of Aug., 1995 upon consideration of the within Petition For Special Relief, this court hereby orders and decrees as follows:

1. That the primary custody of Amenda Lynn Stough shall be with the Plaintiff Mother, subject to the following vistiation schedule accorded to the Defendant Father.
2. That Father, Stephen Stough, shall be entitled to make Amanda into his custody this Saturday, the 5th day of August, 1995, from 9:00 a.m. until 6:00 p.m. and shall thereafter have custody of Amanda every Friday from 9:00 a.m. until 6:00 p.m. and shall provide transportation to pick up the child and return the child to the Mother's residence.
3. That this Order is entered as a Temporary Relief and shall not be construed to influence the Mediator in any decision to be made after a full mediation proceeding can be conducted.
4. The Petitioner, Defendant herein, shall serve a copy of this court's Order upon the Plaintiff Mother forthwith.
5. Mother present in motion Court & agrees

BY THE COURT,
P. Richard Thomas, J

Aug. 9, 1995 Copy of order to Barrett & Lindsay

Aug. 14, 1995 Motin to Refer to Custody Mediation and NOTICE AND ORDER TO APPEAR.

You Alicia M. Stough, Plaintiff, have been sued in court to obtain custody,partial custody or visitation of the child: Amanda Lynn Stough

You are ordered to appear in person at such time and place as will be determined by the Mediator, Kathleen Nelson,Esq. for a mediation conference.

If you fail to appear as provided by this Order, an Order for custody,partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.

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

Court Administrator, Crawford County Courthouse
Meadville,PA 16335
814/336-1151,ext.298

BY THE COURT:
Anthony J.Vardaro,J.

8-14-95 Faxed Lindsay, given Nelson & Barrett

Mar. 12, 1998 Important Notice and Court Order notifying of the Termination of this case filed.

April 24, 1998 WAIVER OF NOTICE OF INTENTION TO REQUEST ENTRY OF DIVORCE DECREE FILED (Deft.)

April 24, 1998 AFFIDAVIT OF CONSENT ON BEHALF OF STEPHEN J. STOUGH DEFT. FILED.

April 23, 1998 AFFIDAVIT OF CONSENT FILED. (ALICIA M. STOUGH, PLTF)

APRIL 23,1 998 WAIVER OF NOTICE OF INTENTION TO REQUEST ENTRY OF A DIVORCE DECREE UNDER 3301(c) OF THE DIVORCE CODE FILED (ALICE M. STOUGH, PLTF

Cont on Pg 4805

82

1994

Mason & Mason
M. Dan Mason

532.

KEVIN A. LOBINS nad KAY A. LOBINS

vs.

SUMMIT TOWNSHIP

Filed May 31, 1994
@ 3:35 PM

Tax & entry paid 50.50
User's Fee paid 5.00

NOTICE OF APPEAL
1 copy atty.
Writ of Certeorari issued to Dennis Agnew, Ch. of Board

June 8, 1994 Answer to Appeal filed.

1994

533.

Halliday & Halliday, P.C.
Michael Halliday

HERBERT G. ORR

vs.

DEBORAH A. BRANT

Filed June 1, 1994
@ 10:16 AM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro Co pd 7-29-94	9.00

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

June 1, 1994 Rule entered upon the Plaintiff to file a Complaint issued.

Jun. 1, 1994 Proof of Service of Notice of Appeal and Rule to File Complaint, filed.

July 29, 1994 And now, upon praecipe of defendant's 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.

Entered 7-29-94 JUDGMENT OF NON PROS
O - 84 Barbara H. King, Pro.

1994

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

534.

NATIONAL FUEL GAS
DISTRIBUTION CORPORATION

vs.

RANDY J. EDWARDS and
MARY K. EDWARDS

Filed June 1, 1994

WRIT OF REVIVAL

of

AD 1990 - 534

Writ of Revival indexed against the defendants in favor of National Fuel Gas Distribution Corporation the plaintiffs, in the sum of One Thousand Three Hundred Ninety-nine and 29/100 plus interest and cost of suit.

Debt---------- $1,399.29
Int. from August 20, 1990
Barbara H. King, Pro
E-144-114
Issued Sheriff

Tax & entry paid	15.00
Pltf. on Orig.	95,50
Sheriff's Costs	37.00
Pro Co pd 7-28-94	9.00
Pro Co pd 3-28-95	5.00

Jun. 24, 1994 Sheriff's Return filed. SERVED Randy J. Edwards, June 17, 1994 at 11:10 AM, at the Sheriff's Office, Room 303, Crawford County Courthouse, Meadville, PA, by handing to Mary K. Edwards, Authorized Agent, signed acceptance of servcie attached.
SERVED Mary K. Edwards, personally, on June 17, 1994 at 11:11 AM, at the Sheriff's Office, Room 303, Crawford County Courthouse, Meadville, PA
So answers,

Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, July 21, 1994, upon praecipe of plaintiffs attorney judgment is entered of the plaintiff and against the defendants in the above-captioned matter in the amount of One thousand three hundred ninety-nine and 29/100 with interest from August 20, 1990 plus the costs of this action.
Entered 7-21-94 Debt: $1,399.29 plus int. and costs
E - 114, 144 JUDGMENT
Barbara H. King, Pro.

Mar. 23, 1995 Upon praecipe of plaintiff's attorney the above matter is satisfied in full of this judgment, debt, interest and costs and hereby discharge the same of record.

1994

535.

Gregory A. Keenan

8-3-95 Pd Sheriff 17-9357 25.00

DARLENE M. BRENOT

vs.

DAVID A. BRENOT

Filed June 1, 1994
@ 2:45 pM

Tax & entry pd 8/1/95 50.50
User's Fee pd 8/1/95 5.00
Sheriff's Costs pd 8/1/95 25.00
Pro Co pd 8/1/95 9.00

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

Order:

And now, this 1st day of June , 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 live with Plaintiff. Defendant shall not go to Plaintiff's residence or place of work. Defendant sahll not contact Plaintiff in any way. Custody of children 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 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 June 9, 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

June 2, 1994 Sheriff's Return filed. SERVED David A. Brenot personally on June 1, 1994 at 3:04 PM by handing a copy of the Protection from Abuse to him at this temporary place of custody in the Crawford County Jail, 360 Center Street, Meadville, Crawford County, PA.
So answers,
Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

June 10, 1994 ORDER filed. AND NOW, June 9, 1994 this matter is before the Court on a request for relief under the Protection from Abuse Act filed by the Plaintiff. Each party appears without counsel and the Defendant having been advised of his right to counsel indicates that he believed that Attorney Greg Keenan, who is his public defender on criminal charges, would be appearing for him today. It appears that he has made no arrangements with Mr. Keenan outside the Public Defender's Office and after some discussion in which we explain to the Defendant how this matter may proceed, he indicates that he will proceed without counsel and this order is entered without admission of the allegations of the petition on the part of the Defendant.

Accordingly, the following order is ENTERED.

1. The Defendant shall not assault, abuse, harass, or threaten the Plaintiff or any minor child named in the petition.
2. The Defendant shall not go to the Plaintiff's residence nor to her place of work nor shall he contact her in any manner. Once he is no longer incarcerated, the parties will attempt to make arrangements for the Defendant to have visitation with the children and to telephone the children on a regular basis. However, the Court will not enter an order with respect to those issues.
3. The Defendant is advised that he should not go to the Plaintiff's residence at 953 Allegheny Street in Meadville, or any other residence she resides at, even if he is invited to that residence since it will be presumed by any law enforcement officer that he is not permitted to be at the residence. If the time should come that the parties wish for the Defendant to be able to goto Plaintiff's residence, they should seek a modification of this order prior to him doing 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 ordr shall be delivered to the Meadville City Police Department and to County Control. Additionally, the Prothonotary shall send a copy by regular mail to the Plaintiff at 953 Alfred Street, Meadville, and to the Defendant, c/o the Crawford County Jail.
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. Insofar as the Defendant is incarcerated and unemployed, the County shall pay costs in this matter.
8. This order shall remain in full force and effect through Juen 8, 1995.

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

June 10, 1994 faxed to MCPD, mailed Plf. & Dft., given to Co. Control.

Sept. 16, 1994 Complaint For Indirect Criminal Contempt For Violation of Pretection From Abuse Order, filed.

Sep. 16, 1994 Assignment of Hearing Date filed. AND NOW, September 16, 1994, hearing in the above captioned matter has been scheduled for September 19, 1994 at 1:30 P.M. in Courtroom No.3 of the Crawford County Courthouse, Meadville,PA.

BY ORDER OF THE COURT,
Ann A. Walker, Ct. Adm.

9-16-94 Copies mailed & Distr. by Ct. Adm.

Continued to Page 489

1994

536

DENISE M. PETERS

vs.

BRIAN T. NUNEMAKER

Filed June 1, 1994
@ 3:20 PM

Indigent Filing

PETITION TO PROCEED IN FORMA PAUPERIS PURSUANT TO Pa. R.C.P. 240
CUSTODY ACTION

Order:
AND NOW, May 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, J

You, Brian T. Nunemaker have been sued in Court to obtain custody of Nevada Lee Peters.
You are ORDERED to appear in person at such time and place as will be determined by the Mediator JohnFuller 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 HELPT.
Court Administrator
Courthouse
Medville, PA 16335
(814) 336-1151, ext. 298
Date: May 26, 1994
Gordon R. Miller, J

AND NOW, this 26th day of May, 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 made an appropraite 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, J

June 20, 1994 SHERIFF'S RETURN, filed. SERVED Brian t. Nunemaker, personally, as June 7, 1994 at 3:00 PM, at the Sheriff's Office, Room 303, Crawford County Courthouse, Meadville, PA. So answers,
Diane Brittain, Deputy Sheriff
Robert M. Stevens, Sheriff

Aug. 5, 1994 CUSTODY ORDER filed. ANDNOW, Aug. 4th, 1994 after mediation conference before John Fuller, Esq., IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:
I. Legal custody of Nevada Lee 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 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 Nevada Lee Peters shall be with her mother, subject to the following conditions:
A. The father shall be entitled to visit and take the child into his custody every other weekend from 6:00 o'clock p.m. on Friday to 6:00 o'clock p.m. on Sunday, beginning Sept. 23, 1994. From Aug. 13, 1994 to Sept. 23, 1994, the father shall be entitled to have the child every other Saturday from 10:00 o'clock a.m. to 8:00 o'clock p.m. and Sunday from 10:00 o'clock a.m. to 8:00 o'clock p.m. Overnight visits shall take place at the home of father's parents, Thomas and Pauline Nunemaker.
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 8:00 o'clock p.m. In addition, the father shall be able to have the child in his custody on the child's birthday from 10:00 o'clock a.m. to 4:00 o'clock p.m.
C. If the father has to work on a Saturday when the child is scheduled to be in father's custody, mother shall allow the child to be in father's custody on father's day off during the week from 10:00 o'clock a.m. to 8:00 o'clock p.m.
D. Transportation of the child on weekends and holidays shall be provided as follows: If the child is being taken to the paternal grandparent's home, either father or his parents shall provide transportation both ways.
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.

RECORD CONTINUED ON PAGE 86 (a) . . . .

86(a)

86(a)

1994

Denise M. Peters

vs.

Brian T. Nunemaker

Record Continued From Page 86

OF

AD 1994 - 536

****

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 (½) father; One-half (½) Crawford Co.

Gordon R. Miller, Judge

86
(b)

1991

1994

Robert C. Ward

Barbara J. Walton

537.

STACEY DAVIS

vs.

TIMOTHY DAVIS

Filed June 1, 1994
@ 3:21 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Se Pd 9-94	9.00
William Pineo, Mediator	
Pro Se Pd 10-12-95	9.00
Pro Se Pd 9-19-96	9.00

6-1-94 Rec'd from Pltf med. dep. #150 $150.00
7-5-94 Pd Pltf, med Refund Ck #8429 & Bailon $65.00
8-15-94 Rec from deft med fee $76.00
9-13-94 Pd Cs 8549 $152.00
1-5-95 Rec from Pltf med. deposit $150.00
3-15-95 Refunded pltf #9007 $150.00
7-26-95 Rec from Pltf med deposit #150.00
9-7-95 Refunded pltf. CK 9446 $80.00
10-12-95 Pd Cs $61.00 #9512
9-5-96 Rec'd from Deft med fee $61.00
9-19-96 Pd Cs Prothonotary $61.00

COMPLAINT FOR CUSTODY
1 copy atty.
1 copy mediator

Order:

You, Timothy Davis, have been sued in Court to obtain custody of Nathan and Andrew Davis.

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 aboave hearing neither party shall remove the children 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 Courthouse
Meadville, Pa 16335
(814) 336-1151, ext. 298

Date: 5/31/94

By the court,
Gordon R. Miller, J

June 16, 1994 Affidavit of Personal Service filed. Paul Walton, being duly sworn according to law. deposes and says that he is an adult over the age of eighteen (18) years, that he served the Complaint for Custody and Motion to Appoint a Mediator filed inthe above matter on Timothy Davis personally by handing to him a true and correct copy hereof and in forming him of its contents at his residence located off Route 86, R.D. #1, Cambridge Springs, PA 16403. Deponent further avers that at the itme of said service the said Timothy Davis indentifed himself to deponent

Paul Walton

July 5, 1994 TEMPORARY ORDER filed. AND NOW, this 5 day of July, 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, Nathan Davis and Andrew Davis.

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 the right of temporary physical custody and visitation for the first three full weekends of each month from Saturday at 9:00 a.m. through Sunday at 7:00 p.m. A full weekend is defined in which Saturday and Sunday occur within the same month. Said visits will be at the home of the mother's sister. The mother shall also have the right of visitation and temporary physical custody with the children each weekday during the summer from 10:00 a.m. to 3:30 p.m. and during the school year from after school until 4:00 p.m.

4. Holiday visitation shall be arranged as follows:

a. Christmas: The mother shall have visitation and temporary physical custody of her children each Christmas from 12:30 p.m. to 8:00 p.m.

b. Thanksgiving: The mother shall have visitation and temporary physical custody with her children from 12:30 p.m. to 8:00 p.m. each Thanksgiving.

c. Easter: The mother shall have visitation and temporary physical custody each Easter Sunday from 12:30 p.m. to 8:00 p.m.

d. For the holidays of Memorial Day, Independence Day, and Labor Day, the mother shall have visitation on each holiday from 12:30 pm. to 8:00 p.m.

e. The mother shall have visitation and temporary physical custody each Mother's Day from 12:30 p.m. to 8:00 p.m.

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

5. 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 nto 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 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 PA.

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

RECORD CONTINUED TO PAGE 497.....

1994

Don Lewis

538.

WILLIAM J. GRUBER

vs.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Filed June 1, 1994
@ 3:37 PM

Tax & entry paid 50.50
User's Fee paid 5.00

PETITION TO APPEAL DRIVERS LICENSE SUSPENSION
3 copies atty.

Order:
AND NOW, this 6 day of June, 1994, upon Motion by the Appellant, a hearing is set on said Appeal for the 31st day of August, 1994, at 9:00 o'clock a.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

Sept. 1, 1994 Motion For Continuance and Order, filed. AND NOW, to-wit: this 31 day of August, 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 appellant, it is hereby ORDERED that the hearing on this matter is continued from Wednesday, August 31, 1994 at 9:00 a.m. to November 10, 1994 at 2:15 P.M. in Courtroom No. 1 or 2 of the Crawford County Courthouse. BY THE COURT:
Anthony J. Vardaro, J.

Sept. 2, 1994 Faxed Kuhar & Lewis

Nov. 23, 1994 Motion To Withdraw and Order filed. AND NOW, this 22nd day of November, 1994, upon presentation and consideration of the foregoing Motion to Withdraw, said Motion: is granted.

BY THE COURT,
Gordon R. Miller, J

Nov. 23, 1994 Faxed Kuhar & Lewis

1994

Barrett & Dratler
Bruce A. Barrett

539.

JAMES STEPHENS

vs.

TRESA STEPHENS

Filed June 2, 1994
@ 9:45 AM

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

COMPLAINT UNDER SECTION 33019c) OF THE DIVORCE CODE
EQUITABLE DIVISION OF MARITAL PROPERTY
1 copy atty.

June 17, 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 Complaint was sent by certified mail to the Defendant.
3. The certified mail was sent to the Defendant at 364 Walnut Street, Apartment No. 3, Meadville, Pennsylvania 16335, on June 2 1994. The Sender'sreceipt is attached hereto.
4. The Defendant received said certified mail on June 3, 1994. Said receipt card number 279 007 663 is attached hereto and signe by Tresa Stephens.
5. The return receipt card was returned after signature to the office of Bruce A. Barrett, Esq., 965 South Main Street, Meadville PA 16335, onJune 4, 1994. Bruce A. barrett

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 6/17/94 . 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)

90

1994

John P. Gagliotti

540.

WALTER A. BOLHARSKY

vs.

REGIS & BONNIE EASLER

Filed June 2, 1994
@ 12:04 PM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro Arb pd 8/26/94	15.00
Pro Co pd 11-16-94	5.00

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

June 2, 1994 Rule entered upon the Plaintiff to file a Complaint issued.

Jun. 3, 1994 Proof of Service of Notice of Appeal and Rule to File Complaint, filed.

June 23, 1994 Complaint filed.

Jul. 15, 1994 Complaint, filed. (Copies Pltf.)

Aug. 23, 1994, Upon praecipe of plaintiff attorney, for appointment of arbitrators, the following arbitrators are appointed:

~~Max Weiss, Ch.~~ John B. Brautigam, Ch.
~~Kathleen Nelson~~ M. Kathryn Karn
~~David Pickens~~ Dave Truax

Sept. 16, 1994 Arbitrators take qualifying oath.

Nov. 9, 1994 Upon praecipe of plaintiff attorney the above-captioned case is settled and discontinued of record.

1994

Randall T. Hetrick

541.

6-13-94 Rec from deft & Bill Sheriff's cost 25.00

6-13-94 Pd Sheriff Ck#8363 25.00

8-4-94 Rec from deft Nonsupport Bond 1.00 No Bond Issued

9-30-94 Rec'd from deft 210.00 fine.

KELLY GIERING

vs.

CHARLES GIERING

Filed June 2, 1994
@ 1:45 PM

Tax & entry Pd 6-13-94 50.50
Users Fee Pd 6-13-94 5.00
Sheriff's Costs 25.00
Prothd 6-13-94 9.00

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

Order:

And now, this 2nd day of June , 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 children in any way. Defendant shall not be within 100 yards of Plaintiffs home or work place. 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 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 June 13, 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

Jun. 3, 1994 Sheriff's Return filed. SERVED Charles Giering personally on June 3, 1994 at 12.06 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

June 13, 1994 ORDER filed. AND NOW, Juen 10, 1994, the parties appeared in court each with counsel and agree to settle this matter on the following terms and conditions. The Defendant does so without admitting that he engaged in the conduct alleged in the Petition. Accordingly, it is ORDERED as follows:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or the minor children in any way.
2. The Defendant shall not go to the Plaintiff's residence for any purpose. He may drive by her residence but he will not stop or get out of his vehicle. He shall not go to her place of work except for legitimate business purpose in which case he shall conduct his business with dispatch and leave the premises.

He may contact the Plaintiff by telephone during daylight hours for the purpose of discussing the children provided said contact is not abusive, harassing or threatening. He may contact the Plaintiff in writing at any time provided that the communication in writing is not abusive, harassing or threatening.

3. Primary physical custody of the children shall be with the Plaintiff. The Defendant shall have the right to take his children into his custody and visit with them every other weekend starting with Juen 10, 1994. The weekend visitations shall commence at 8:30 o'clock p.m. on Friday evening and terminate at 5:00 o'clock p.m. on sunday evening. During these weekends since the father works the Plaintiff shall have the children in her custody from 8:30 o'clock a.m. on Saturday until 3:00 o'clock p.m. the same dya.

During the other weekends when the mother has custody of the children, the father shall have the right to take his childen into his custody on Sunday at 10:00 o'clock a.m. terminating at 5:00 o'clock p.m.

During the exchanges of the children there shall be no arguing, bickering, fighting or unpleasant conduct. The exchanges shall be peaceful because that is in the best interest of the children.

4. The Plaintiff shall provide all transportation both delivering and picking up the children for visitations. She shall endeavor to be timely. A slight deviation because of weather, traffic or other interferences up to fifteen (15) minutes should be tolerated by the Defendant, otherwise the Plaintiff shall be on time and the children shall be ready on time for all pickups.
5. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
6. A copy of this Order whall be delivered by the Prothonotary to County Control and the Linesville Police Department.
7. This Order shall remain in full force and effect for six (6) months from this date unless modified or terminated by further Court Order.
8. The parties shall split the court costs. The Plaintiff shall pay her share this date and the Defendant shall pay his share within thirty (30) days from this date or suffer punishment and potential contempt of court proceedings.
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,
Gordon R. Miller, P.J.

June 13, 1994 sent Linesville PD, Gagliotti & Co Control. 6-17-94 mailed to Hetrick

Continued to Page 501

1994

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

542.

Barbara J. Walton

MARLEEN S. BAILEY, N/k/a
MARLEEN S. SIKORA

vs.

GARY L. BAILEY

Filed June 2, 1994

PETITION FOR CUSTODY (UCCJA)
1 copy atty.
1 copy mediator

Order:
AND NOW, this 1 day of June, 1994, it is ordered that all parties in the above cpationed case and their counsel shall appeal for a mediation conference before the Mediator, Wm. Pineo, at a time to be set by the Mediator in the Crwaford 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 children shall not be removed form the jurisdiction of the Court by either party hereunder, under possible punishment for Contempt ofCourt.

BY THE COURT,
Anthony J. Vardaro, J

Tax & entry paid 50.50
User's Fee paid 5.00
Bruce L. Smith, Mediator 265.66
Pro Co 9-9-94 9.00

June 9, 1994 Appearance of Barbara J. Walton for Defendant filed.

June 8,1994 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 Custody certified by the Prothonotary of Crawford County, PA. on the above named Defendant by certified mail, addressee only, return receipt requested, dated June 3, 1994. The Defendant acknowledged service on June 6, 1994 by accepting delivery on that date as evidenced by the attached signed return receipt.

James R. Irwin, Esquire

July 28, 1994 Motion To Appoint New Child Custody Mediator and Amend Prior Order and Order filed. AND NOW, July 27, 1994, upon presentation of the above motion, in the event that Bruce L. Smith, Esquire can hold a Mediation Conference in this matter prior to August 24, 1994, William Pineo, Esquire, is relieved as Mediator and Bruce L. Smith, Esquire is appointed in his place. If Mr. Smith cannot hold a hearing sooner than that date, then the appointment of Mr. Pineo shall remain.
Pending that mediation, the children shall be permitted to live with their mother in Lawrence County during the portion of the week that they normally would have been with their mother, which is, from the Court's understanding, form Sunday evening or Monday morning through some time on Wednesday, it beingthe Court's intention that the parties continue to fillow whatever their normal custody schedule has been, but that mtoher be permitted to exercise her custody period in Lawrence County.
As long as mother takes the chidlren to Lawrence County to exercise her periof of temporary physical custody pending further Order of Court, she shall be rresponsible for providing transportation to and form father's house so that father shall not have to go to Lawrence County to pick up the children or to bring them back.
This Order is not intented in any manner to give guidance to the Mediator or subsequent trier of fact with respect to the ultimate outcome of this litigation, but is only intended as a Temporary Order.

BY THE COURT,
Anthony J. Vardaro, J

July 29, 1994 Copies dist. to Walker, Irwin, Walton, Smith & PIneo

Aug. 10, 1994 Petition for Special Relief and Order filed. And Now, this 10 day of August, 1994 Motion denied.

BY THE COURT,
Anthony J. Vardaro, J

Aug. 10, 1994 Faxed Walton, Irwin & Smith

Aug. 23,1994 TEMPORARY ORDER OF COURT, filed. AND NOW, this 23 day of August, 1994, after Mediation and Upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The parents of Mandie Sue Bailey, age fifteen, born January 7, 1979, and Sara B. Bailey, age five, born April 8, 1989, the parties to this action, shall share legal custody of the said minor children. Said joint legal custody being shared shall entitle both of the parents to equal access to any records relating to the children held by a third party, including, but not limited to, school and medical records, and shall also entitle both parents to equal input with regard to the educational and religious upbringing of the children, as well as to any elective surgery.

2. Primary physical custody of the children shall remain with the plaintiff natural mother, Marleen S. Sikora. Physical custody for the father with the child, Mandie Sue, shall be arranged with the mutual consent and cooperation of the mother, father, and child. Regular visitation and temporary custody of the child, Sara, shall be granted to the defendant natural father, Gary L. Bailey. Physical for the father with the child, Sara, shall be as follows:

a. The child shall visit in the home of the father on the first, second, and fourth weekends of each month, beginning immediately, from Friday at 5:30 p.m., prevailing time, until Sunday at 7:00 p.m., prevailing atime. The father shall also have the opportunity to take the child into his temporary custody every Wednesday between the hours of 4:00 and 7:00 p.m., prevailing time, in the event that he is willing to do so, within a five-mile radius of Sara's place of residence in Lawrence County. Such Wednesday visitation shall be corrdinated twenty-four hours in advance by telephone with the mother.

b. Beginning with the month of June, 1995, the father shall have the opportunity to take the child, Sara, into his temporary physical custody from one week after school is in recess until one week before school resumes. Temporary custody for the father shall be interrupted for a one-week vacation with the mother and her current husband. A notice of at least ten days shall be given to the father of that time. Additionally, the mother shall have the opportunity to visit with the child on the third weekend of each month during the same hours as the father as provided above during the school year.

c. Holiday visitation shall take priority over other scheduled visitation. The parties are encouraged to agree as to holiday visitation; however, in the event that they cannot, the child, Sara, shall spend Mother's Day with the mother and Father's Day with the father. These days shall run from 8:00 a.m. until 8:00 p.m., prevailing time. The child shall spend Memorial

CONTINUED ON PAGE 92A

6-2-94 Rec'd from Pltf Med. Dep 150 cc
8-24-94 Pd Prothy Chk# 8513 8.17
9-13-94 Pd Cs Chk# 8549 132.83

Marleen S. Bailey, n/k/a
Marleen S. Sikora
vs.
Gary L. Bailey

CONTINUED FROM PAGE 92
of Record
A. D. 1994 - 542

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Day and Labor Day in even-numbered years with the father and odd-numbered years with the mother. The child shall spend the 4th of July in even-numbered years with the mother and odd-numbered years with the father. Memorial Day and Labor Day shall run from 8:00 a.m. until 8:00 p.m. The 4th of July shall run from 8:00 a.m. until 11:00 p.m. The child shall spend Thanksgiving Day in even-numbered years with the mother and odd-numbered years with the father during the hours of 8:00 a.m. until 8:00 p.m.l, prevailinga time. The child shall spend the Friday, Saturday, Sunday and Monday followisng Thanksgiving Day each year with the father. The shall spend Easter vacation in even-numbered years with the father and odd-numbered years with the mother from Friday at 9:00 a.m., prevailinga tiem, until 6:00 p.m., prevailing time, on Sunday. During Christmas vacation each year, the child shall be with the mother until 9:00 a.m., prevailing tiem, on December 25. The child shall then be with the father until 8:00 p.m., prevailing time, on December 31.

c. The father shall pick up and return the child to the mother's residence, except during those times in the summer when the mother is exercising visitation with the child. At those times, the mother shall be responsible for picking up and delivering the child.

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

4. Neither parent shall take the children into any environment which might be commonly thought of as detrimental to their development or to the development of their character or which would be commonly thought of as dangerous to their physical person.

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

6. The parents, stepparents, grandparents, and any adult coming into regular contact with the children shall teach the children involved in this case to develop and express that natural love and respect due a parent from his or her child, stepchild, or grandchild. The parents, stepparents, grandparents, and any adult coming into regular contact with the children will not do or say anything to blacken the character of any parent, stepparent or grandparent in the eyes of the children.

7. This Order shall not prejudice the right of either party to request further Mediation if there are changed circumstances in the lives of the parties or the children or in the event that the best interest of the children would be served by further Mediation.

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

9. The fee for Child Custody Mediation shall be paid 50% by the plaintiff mother and 50% by the defendant father. Any amount in excess of the mother's one-half share held by the Prothonotary under Local Rules shall be refunded to her.

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. 29, 1994 Faxed to Irwin, Walton, & Smith. Sent to Plf. & Dft.

92
-b-

1994

1994

Evans, Garvey & Lackey
Gary D. Lackey

543.

AGWAY, INC.

vs.

AXTELL J. BYLES, Trustee; and J.S. Schultz and ELIZABETH L. SCHULTZ, his wife; H. B. NORTON and GERTRUDE C. NORTON, his wife; J.B. PASTORIUS, Trustee for GRANGE MILLING COMPANY OF TITUSVILLE: their heirs, personal representatives, successors and assigns, generally

Filed June 2, 1994
@ 2:50 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co. pd 12/12/94	9.00

COMPLAINT TO QUIET TITLE
3 copies atty.

June 2, 1994 Affidavit That Defendants are Dead or Whereabouts unknown filed. I, Donald A. Sibley, being the Assistant Treasurer of Agway, Inc. and being authorized to do so, deposes and says that Agway, Inc. is the plaintiff in the above-captioned action to quiet title, that defendants, Axtell J. Byles, Trustee; and J.S. Schultz and Elizabeth L. Schultz, his wife; H. B. Norton and Gertrude C. Norton, his wife; J.B. Pastorius, Trustee for Grange Milling Company of Titusville are uknown to your affiant and that after diligent search and inquiry plaintiff has been unable to ascertainthe present whereabouts of the defendants or his, her or their status as living or dear, and if deceased, affiant has no knowledge as to the identity or whereabouts of his, her or their respective spouse, personal representatives, heirs, successors, or assigns, if any; and that affiant makes this affiavit to support an order of court authorizing service by publication of the complaint filed.
Donald A. Sibley

June 2, 1994 Legal Notice filed.

Jun. 6, 1994 Motion for Service by Publication filed.

Jun. 6, 1994 ORDER filed. AND NOW, to wit: June 6, 1994, upon consideration of the foregoing Motion, the Sheriff of Crawford County is ORDERED and DIRECTED to make service of the Complaint of the defendant s, Axtell J.Byles, Trustee; and J.S. Schultz and Elizabeth L.Schultz, his wife; H.B.Norton and Gertrude C. Norton, his wife; J. B. Pastorius, Trustee for Grange Milling Company of Titusville; their heirs, personal representatives, successors and assigns, generally, by publication once in the Titusville Herald Newspaper, a newspaper of general circulation in Crawford County, Pennsylvania, and in the Crawford County Legal Journal.
BY THE COURT:
Anthony J.Vardaro, J.

6-13-94 Copy to Atty. Lackey

Aug. 9, 1994 Complaint Reinstated.

Nov. 3, 1994 Affidavit filed. Gary D. Lackey, being duly sworn according to law, deposes and says that he is a member of the law firm of Evans, Garvey and Lackey, Attorneys for plaintiff in the above captioned matter, and as such makes this Affidavit on behalf of said plaintiff stating as follows:
(1) that on June 6, 1994, your Honorable Court entered an Order in said case directing that service be made on defendants their heirs, successors and assigns, by publication once in the Titusville Herald Newspaper and once in the Crawford County Legal Journal;
(2) that, after Reinstatement of theComplaint by Praecipe filed August 9, 1994, service was made by publication in accordance with said Order of June 6, 1994 by (a) publication once only in the Crwaford County Legal Journal on Wednesday, August 17, 1994, as per proof of publication attached; and by (b) publication once only in the Titusville Herald on Friday, August 12, 1994, as per proof of Publication attached; and
(3) that more than twenty (20) days have elapsed from the date of publication of said Notices and no appearance has been entered or answer filed on behalf of any defendant.
Garry D. Lackey

Nov. 9, 1994, Motion for Judgment and Final Decree and Final Decree filed. And Now, Nov. 7, 1994, upon presentation of the foregoing Motion, and after due consideration thereof, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the defendants, their heirs, personal representatives, successors and assigns, generally, are forever barred from asserting any right, title, lien or or interest in the real estate described in paragraph nos. 3,(A), 3 (B), and 3 (C) of the complaint in the above described case inconsistent with the interest fo the plff. as set forth inthe 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 thrity (30) days from the date of 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 day period, the Prothonotary on praecipe of the plaintiff shall enter final judgment.
BY THE COURT,
Gordon R. Miller, J.

Nov. 16, 1994, copy to Atty.Lackey

Dec. 12, 1994 And now, Dec. 12, 1994, 1:53 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.

B-11,S-91,51,N-74,P-95,G-184
Judgment entered - 12/12/94

FINAL JUDGMENT
Barbara H. King,
Prothonotary

94

1994

Watts & Pepicelli
Alan L. Pepicelli

544.

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

LARETHEA L. HARRIS

vs.

THOMAS RICHARD PEKROL and WILLIAM PEKROL, SR.

Filed June 2, 1994
@ 3:36 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	37.00
Pro Co Pd 8/17/98	6.00

WRIT OF SUMMONS
Issued Sheriff

June 20, 1994 SHERIFF'S RETURN, filed. SERVED William Perrol, Sr., personally, on June 7, 1994 at 2:15 PM, at his residence, 1372 Leslie Road, Meadville, PA.
SERVED Thomas Richard Pekrol, on June 7, 1994 at 2:17 PM, by handing to his father, William Pekrol, Sr. at their residence, 1372 Leslie Road, Meadville, PA.
So answers, Shawn E. Ashbaugh, Chief Deputy
Robert M. Stevens, Sheriff

July 14, 1994 Appearance of Thomas, Truax, Spadafore, Walker & Keenan by Emil Spadafore, Jr. for Defendants filed.

Jul. 19, 1994 Praecipe for Rule to File Complaint issued. (Issued Atty.)

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 Plaintiff, Alan L.Pepicelli, Esquire, 916 Diamond Square, Meadville, PA 16335, by United States first-class mail, postage prepaid.
Date: August 1, 1994 Emil M.Spadafore, Jr., Esquire

Aug. 9, 1994 Certificate of Service of Interrogatories and Request for Production filed.

Aug. 15, 1994, Complaint in Civil action filed. (JURY TRIAL DEMANDED)

Aug. 15,1994 Notice of Service of Requests for Production of Documents and two sets of Interrogatories, filed.

Sept. 12, 1994 Answer filed. (1 copy atty)

Sept. 12, 1994 Certificate of Service of Answrs to the Request for Production, Request for Admission, and Interrogatories, filed.

Oct. 18, 1994 Certificate of Service of Interrogatories and Request for Production filed.

May 26, 1995, Notice of service of Answers to Interrogatories and Request for Production of Documents, filed.

Nov. 6, 1995, Notice of Deposition of Thomas Richard Pekrol filed.

Mar. 20, 1996 Notice Of Intent to Complete Discovery filed.

Nov. 10, 1997 Certificate of Readiness filed.

Dec 5, 1997 Motion To Strike Certificate of Readiness and Order: AND NOW, this 5th day of December 1997, upon consideration of the within Motion, not objected to by the plaintiff, said motion is granted and the certificate of readiness is stricken. Gordon R. Miller, P.J.
Dec 5, 1997 Faxed Spadafore & Pepicelli

August 4, 1998 PRAECIPE TO SETTLE AND DISCONTINUE FILED. Upon Praecipe of Watts & Pepicelli PC by Alan L. Pepicelli Attorney for Plaintiff the above-captioned case is settled and discontinued of record.

1994

Jorden& White
Harry Faber White, II

545.

MARILY F. DINE and CLARENCE W. DINE, her husband

vs.

DEBORAH A. CADMAN

Filed June 2, 1994
@ 3:45 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	32.00
Pro Co Pd 8/25/95	5.00

WRIT OF SUMMONS
Issued Sheriff

June 20,1994 SHERIFF'S RETURN, filed. SERVED Deborah Cadman, personally, on June 13, 1994 at 3"25 PM, at her place of employment, Catholic Church, Conneaut Lake, PA
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

Aug. 25, 1995, Upon praecipe of plaintiff attorney, the above captioned case is marked settled and discontinued of record.

1994

Bettie J. Peterson-Muth JOANNA KATHLEEN MARTIN

546.

vs.

JOSEPH MARTIN, JR.

Filed June 3, 1994
@ 1:05 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 1-14-97	9.00

COMPLAINT IN DIVORCE - Equitable distribution
1 copy atty.

June 20, 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, Joanna Kathleen Martin, and that she did serve a true and correct copy of the Complaint inDivorce filed in the above matter on Joseph Martin, Jr. by mailing a copy of said complaint onJune 3, 1994 by Certified Mail, Restricted Delivery, Return Receipt Requested to his last known address at 1033 Erie Street, R.D. #4 Box 276, Saegertown, Pennsylvania 16433. Joseph Martin, Jr. signed the mail receipt onJune 4, 1994, The signed receipt is attached hereto and marked as Exhibit "A". Bettie J. Peterson-Muth

Jan 7, 1997 Waiver of Notice of Intention to Request Entry of Divorce Decree Under Section 3301(c) of the Divorce Code, filed. (Defendant)

Jan 7, 1997 Affidavit of Consent of Defendant, filed.

Jan 7, 1997 Waiver of Notice of Intention to Request Entry of Divorce Decree Under Section 3301(c) of the Divorce Code, filed. (Plaintiff)

Jan 7, 1997 Affidavit of Consent of Plaintiff, filed.

Jan 7, 1997 Marital Settlemetn Agreement, filed.

Jan 7, 1997 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

January 16, 1997, Decree filed.

1. Divorce:

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

2. Equitable Property Determination and Distribution:

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

3, A copy of the Marital Settlement Agreement of the parties, which sets out in detail the agreement of the parties concerning the matters herein, shall be filed with this decree in the Prothonotary's Office at the above-number and all of the provisions thereof are incorporated in this Decree by reference as if the same were set forth more fully herein.

This order shall be effective as of the 15th day of January, 1997.

BY THE COURT
Gordon R. Miller, J.

AS OF AUGUST 10, 2000, PLEASE SEE COMPUTER FOR FURTHER ENTRIES.

1994

Ferguson & Spataro
Douglas W. Ferguson

547.

ROBERT C. STAUDT

vs.

MARY K. STAUDT

Filed June 3, 1994
@ 1:05 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro Co pd 10-4-94	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
2 copies atty.

June 21, 1994 AFFIDAVIT OF SERVICE, filed. I, the undersigned, being duly sworn according to law, depose and say that I served a tarue and correct copy of the Complaint in Divorce certified by the Prothonotary of Crawford County, Pennsylvania, on the above named Defendant by certified mail, addressee only, return receipt requested, dated June 8, 1994, the Defendant acknowledged service on June 9, 1994, by accepting delivery on that date as evidenced by the attached signed return receipt. Douglas W. Feguson

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

Sept. 28, 1994 Affidavit of Consent of Defendant, filed.

Sept. 28, 1994 Upon praecipe of Plaintiff's attorney to transmit records, case moved to Court.

Oct. 7, 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 tantamoun 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 COUR
Date: 10-5-94 Gordon R. Miller, P.J.
Oct 10-7-94 Faxed to Ferguson

Oct. 14, 1994 Motion To Withdraw Count One - Equitable Distribution From Divorce Complaint and Order filed. AND NOW, this 14 day of October, 1994, Count One- Equitable Distribution is withdrawn fromthe Divorce Complaint. BY THE COURT,
Anthony J. Vardaro, J

Oct. 17, 1994 Faxed Ferguson

Oct. 19,1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Oct. 27, 1994 AND NOW, October 24, 1994, it is ordered and decreed that ROBERT C. STAUDT, plaintiff, and MARY K. STAUDT, 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

549.

BRENDA WILSON

vs.

FRANK L. RIMER

Filed June 3, 1994
@ 2:00 PM

Tax & entry	50.50
User's Fee	5.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies Sheriff
1 copy atty.
Faxed MPD

ORDER:

And now, this 3 day of June , 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 to 572 Randolph St., Meadville without further order of Court. The Defendant sahll not telephone Plaintiff at work or home.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment 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 June 10, 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

Number 548 Skipped

go on to next page.

1994

549.

BRENDA WILSON

vs.

FRANK L. RIMER

Filed June 3, 1994
@ 2:00 PM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	20.00
Pro Co	9.00

3-26-97 Received from plaintiff 42.25 (1/2 costs) in envelope

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

Order:

And now, this 3 day of June , 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 572 Randolph St., Meadville without further order of court. The defendant shall not telephone plaintiff at work or 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 June 10, 1994 , at 11:30 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

Jun. 3, 1994 Sheriff's Return filed. SERVED Frank L. Rimer personally on JUne 3, 1994 at 3:00 PM by handing him a copy of the Protection from Abuse to him in theSheriff's Office, Crawford County Courthouse, Third Floor, Meadville, PA.
So answers,
Diane Brittain, Deputy Sheriff
Robert M.Stevens, Sheriff

June 13, 1994 ORDER filed. AND NOW, June 10, 1994, this matter is before the Court on Plaintiff's petition for relief under the Protection from Abuse Act.

The parties appear each without counsel. The Defendant is advised of his right to counsel and he indicates he wishes to proceed without counsel, and indicates that he wishes to have a formal hearing since his position is there is not abuse in this case.

The Plaintiff is given anopportunity to present her case and to either call herself or anyone else under oath she wishes to call, and she declines to do that, indicating that the abuse was verbal, and after some discussion, indicates that she wishes to withdraw the petition.

The parties apparently have had some discussion resolving some of the problems that they have had.

The parties agree that they will split the costs by each paying $42.25 within 30 days of the date of this order to the Prothonotary on the first floor of the Crawford County Courthouse.

The Prothonotary shall provide a copy of this order to the Meadville City Police Department and to County Control.

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

June 13, 1994 Faxed Meadville CPD, mailed Plf. & Dft, given Co. Control.

Feb. 7, 1997 Petition For Contempt and Orders filed. Legal proceedings have been brought against you alleging you have wifully disobeyed an order of court for the payment of costs.

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

Whether or not you file in writing with the court you defenses or objections, you must appear in person in court on Frid, April 11, 1997, at 1:30 p.m. in Courtroom 2, Crawford County Courthouse, Meadville, Pennsylvania 16335.

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

If the court finds that you have wilfully failed to comply with its order for payment of costs, you may be found to be in contempt of court and committed to jail, fied or both.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP. Court Administrator, Crawford County Courthouse, Second Floor, Meadville, Pa 16335 (814) 333-7498 BY THE COURT, Anthony J. Vardaro, J

AND NOW ,this 6 day of February, 1997, the wtihin Petition having been presented and duly considered, the prayer of the Petition is granted and a Rule is uissued on said Plaintiff/Defendant to show cause, if any she/he has, why she/he should not be held in contempt of this court.

Said Rule returnable and to be heard on the 11th day of April, 1997, at 1:30 o'clock p.m. in Courtroom 2, Crawford County Courthoue, Meadville, Pennsylvania.

The Plantiff/Defendant shall be present.

The Prothonotary is directed to mail a certified copy of the Petition Rule and order to the Plaintiff/Defendant by certified mail, If SErvice cannot be mede by ceritifed mail, the Sheriff of Crwaford County shall forthwith serve or have served a copy of the Petition, Rule and Order uponhe Plaintiff/Defendant. BY THE COURT,
Anthony J. Vardaro, J

2/10/97 mailed dft.

Apr 22, 1997 ORDER: AND NOW, April 11, 1997, at the time set for a Contempt Hearing for failure to pay costs to the Prothonotary, the Plaintiff who owes the costs did not appear; but the Prothonotary indicates she has made satisfactory payment arrangements and has been making her payments. Accordingly, this matter is continuted generally to be reset upon motion of the Prothonotary if the Plaintiff does not comply with her payment plan. Anthony J. Vardaro.

4-30-97 Sent Plf & Dft.

100

1994

Barbara J. Walton

550.

JILL VICIAN

vs.

PAUL R. VICIAN

Filed June 3, 1994
@ 2:04 PM

Tax & entry paid 50.50
User's Fee paid 5.00
State paid 10.00
Pro Co pd 12-8-94 9.00
Pro Co pd. 12-29-94 5.00

COMPLAINT IN DIVORCE UNDER SECTION 3301(d)

June 3, 1994 Affidavit of Consent Under Section 3301(d) of Plaintiff filed.

July 25, 1994 Petition For Service Pursuant To Special Order of Court Under Pa. R.C.P. Rule 430 and Affidavit in Support of Order For Service of Process by Publication, filed.

July 25, 1994 Memorandum filed. AND NOW, July 22, 1994 the Court filed the following memorandum in response to a petition for service that was delivered to the Court Administrator on July 20, 1994.

The petition was not signed by counsel and will not be considered by the Court.

Beyond that, however, we feel that the plaintiff must comply with the note that follows Pa.R.C.P. 430. Specifically she must inquire of postal authorities, especially postal authorities in Studio City, California to determine where the defendant may be. She should check local telephone directories, local tax recrod, motor vehicle records and voter registration records in and about Studio City, California. BY THE COURT
Gordon R. Miller, P.J.

July 25, 1994 copies given to Walton.

Nov. 1, 1994 Complaint Reinstated.

Nov.14, 1994 Acceptance of Service filed. I accept service of the Complaint in Divorce Under Section 3301 (d) and the Plaintiff's Affidavit of Consent Under Section 3301(d) on this 4 day of November,1994.

Paul R.Vician, Defendant

Dec. 5, 1994 Counter-Affidavit Under Section 3301(d) of the Divorce Code, filed.

Dec. 5, 1994 Acceptance of Service, filed. I accept service of the Notice of Intention to Request Entry of Divorce on this 15 day of November, 1994. Paul R. Vician

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

DIVORCE DECREE FILED

Dec. 13, 1994 AND NOW, this 12th 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 JILL VICIAN, Plaintiff, and PAUL R. VICIAN, 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.

Dec. 29, 1994 Notice of Election to Retake Prior name filed, to be known as Jill Schepner, filed.

1994

Robert J. Felton

551.

IN RE: MAINTENCANCE OF SHELMADINE CEMETERY

Filed June 6, 1994
@ 9:10 AM

Tax & entry Pd-6-13-94 50.50
User's Fee Pd-13-94 5.00

PETITION FOR MAINTENANCE OF SHELMADINE CEMETERY

AND NOW, this 6 day of June, 1994, upon presentation and consideration of the within Petition signed by twenty-five residents of Oil Creek Township, Crawford County, Pennsylvania, it is ORDERED as follows:

1. The Supervisors of Oil Creek Township, Crawford County, are directed to care for Shelmadine Cemetery at a cost of not more than Five Hundred ($500.00) Dollars in any one calendar year.
2. The Supervisors shall expend monies from the general fund for such purpose.
3. Shelmadine Cemetery shall remain open to the public under the regulation and control of the Supervisors of Oil Creek Township.

BY THE COURT:
Anthony J. Vardaro, J

1994

Donald W. Grieshober
Mason & Mason
Joan D. Mason

552.

HILLIS A. DOMINGO

vs.

JAMES C. DOMINGO

Filed June 6, 1994
@ 9:31 AM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
1 Add'l Count pd10-10-96	15.00
State pd 10-10-96	5.00
Master dep pd 9-3-97	250.00
Pro Co pd 12-2-97	9.00

7-11-97 dep. of $250.00 paid

9-9-97 dep by pltf. $500

COMPLAINT IN DIVORCE, ALIMONY, ALIMONY PENDENTE LITE, COUNSEL FEES ANDJ COURT COSTS
1 copy atty.

June 6, 1994 Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code filed.

July 7, 1994, Affidavit ofService filed. I, Joan D. Maosn, atty. for plff in above case, and being duly sworn according to law, depose and say that I did on June 13, 1994, mail to the above dft. by cert. mail ret. rec. req. deliver to addressee only, a complaint in above divorce. Said notice was received on June 18, 1994 as indicated by ret. rec. card which was returned to the office of plff. atty. and is attached hereto. Joan d. Mason, atty.

Oct. 2, 1996 Inventory by Defendant filed.

Oct 3, 1996 Defendant's Answer with Counter Claim for Divorce and Equitabel Distribution, filed.

Oct. 16, 1996, Motion for Appraisal of Marital Residence and order filed. ORDER: AND NOW, Oct. 16, 1996, the plff. is ordered to schedule and permit the appraisal fo the marital residence by Carol Alberstadt, appraiser. Upon receipt of report or copy will be provided to plaintiff counsel.

By the Court,
Anthony J. VArdaro, J.
10/16/96 faxed to Kirkpatrick and Mason

Oct. 24, 1996, Affidavit of Service of Order for Appraisal of MARital Residence filed.

Nov. 13, 1996 Acceptance of Service, filed.

Nov. 13, 1996 Affidavit of Consent of Defendant filed.

May 21, 1997 Counter-Claim Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code of James Charles Domingo filed.

July 2, 1997 Income and Expense Statement of James Charles Domingo, filed.

July 3, 1997 Pre-Trial Statement, filed.

July 11, 1997 Motion toAppoint Master and Order: And Now, July 11, 1997, David W. Pickens, Esquire is appointed master in respect to the following claims: Divorce, Alimony, Eq. Distribution, Counsel Fees, Cost and Expenses.
Deposit required: By Jame sDomingo - $25.00; By Hillis Domingo
If not filed already the parties are ordered to file their pretrial statements within thirty (30) days from this date. The Plaintiff shall file her inventory and incomeand expense statement within 30 days. Anthony J. Vardaro, J.
July 11, 1997 Faxed Kirkpatrick, J. Mason & Pickens

July 18, 1997 Appearance of Blackmore & Grieshober by Donald W. Grieshober for Plaintiff filed.

July 21, 1997 Notice of Scheduled Pre-Hearing Conference filed.

July 28, 1997 Income and Expense Statement and Inventory of Property/Pre-Trial Statement on Behalf of Plaintiff, Hillis A. Domingo filed.

July 24, 1997 Certificate of Service filed. This is to certify that the Income & Expense Statement and Pre-trial Statement on behalf of Hillis Domingo was filed this _____ day of July, 1997.

Aug. 4, 1997 I, donald W. Grieshober, Esquire, of the Law Firm of BLACKMORE & GRIESHOBER, certify that I served a copy of the Request For Production of Documents on Mary Ann Kirkpatrick, Esquire, attorney for Defendant, by mailing the same to her by U. S. Mail, postage prepaid, on August 1, 1997.

BLACKMORE & GRIESHOBER
BY: Donald W. Grieshober, Esq.
Attorney for Plaintiff

Aug 28, 1997 Notice of Service of Defendant's Answers to Request for Production of Documents, filed.

Sept 2, 1997 Updated Income and Expense Statement on Behalf of Plaintiff, Hillis A. Domingo.

Sept. 10, 1997 Summary of Pre-Hearing Conference and Scheduling Order filing.

Sept. 12, 1997 Notice of Scheduled Master's Hearing for Friday, October 10, 1997 at 9:30 o'clock a.m. in the Green Room at the Crawford County Courthouse filed.

Sept 15, 1997 Withdrawal of Alimony Claim, filed.

Oct 3, 1997 Waiver of Notice ofIntention to Request Entry of Divorce Decree Under Section 3301(c) of the Divorce Code, filed. (Defendant)

Oct 6, 1997 Affidavit of Consent of Plaintiff, filed. **AND** Waiver of Notice ofIntention to Request Entry of Divorce Decree Under Section 3301(c) of the Divorce Code, filed. (Plaintiff)

Cont. on Pg. 102A

HILLIS A. DOMINGO
VS.
JAMES C. DOMINGO

CONTINUED FROM PAGE 102
A.D. 1994 - 552

****

Oct 31, 1997 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

December 3, 1997 AND NOW, December 3, 1997, it is Ordered and Decreed that HILLIS A. DOMINGO, Plaintiff, and JAMES C. DOMINGO, Defendant, are divorced from the bonds of matrimony.

It is further Ordered and Decreed as follows: The Agreement entered into between Plaintiff and Defendant dated Sept. 26, 1997 is enforceable under Section 3105.(a) of the Amended Divorce Code. Any provision in the Agreement regarding child support shall be modifiable under Section 3105.(b) of the Amended Divorce Code. The provisions regarding disposition of existing property rights and interests betwen the parties, alimony, pendente lite, counsel fees and expenses shall not be subject to modification in accordance with Section 3105.(c), unleses there is a specific provision to the contrary in this Agreement.

BY THE COURT:
Anthony J. Vardaro, J.

102B

1994

1994

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

553.

Elizabeth A. Prather

STACEY L. SUTTON

vs.

WAYNE SUTTON

Filed June 6, 1994
@ 1:34 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Pd 6/19/96	9.00

COMPLAINT IN DIVORCE
1 copy atty.

June 27, 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 June 10, 1994, she sent a certified copy of the Complaint in Divorce by certified mail, restricted delivery, return receipt requested to Wayne Sutton, 2008 Sultana Ave., Nashville, Tennessee 37207, teh defendant's last known address.

June 28, 1994 Appearance of Elizabeth A. Prather for Defendant filed.

Sept. 12, 1994 Affidavit of Consent of Plaintiff, filed.

Sept. 23, 1994, Motion for Termination of Representation Pursuant to Rule 1.16(b)(4) of the Rules of Professional Conduct and Order filed. ORDER: AND NOW, Sept. 23, 1994, on Motion for Termination of Representation Pursuant to Rule 1.16(b)(4) of the Rules of Professional Conduct, it is hereby ORDERED, ADJUDGED AND DECREED that representation shall be terminated pursuant to Rule 1.16(b)(4) of the Rules of Professional Conduct.

By the Court,
Anthony J. Vardaro, J.

9/23/94 faxed to E. Prather and A. Gamble.

June 17, 1996, notice of Intention to Request Entry of Divorce Decree filed.

June 17, 1996, Defendants Counter-Affidavit filed.

June 17, 1996, Upon praecipe of plaintiff attorney, to transmit the record, the above case is submitted to the court.

June 27, 1996 DIVORCE DECREE FILED.

AND NOW, June 25, 1996, it is Ordered and Decreed that Stacey Sutton, Plaintiff, and Wayne Sutton, 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.

BY THE COURT,
Anthony J. Vardaro, J

104

1994

Ostroff & Kline
Jonathan Ostroff

554.

ERNEST VOGEL

vs.

MICHAEL DALE HOLMAN

Filed June 6, 1994
@ 1:51 pM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co Paid	5.00
Sheriff's Costs	31.00

WRIT OF SUMMONS
Issued Sheriff

June 15, 1994 Upon praecipe of Plaintiff's attorney the above matter is settled and discontinued of record.

July 15, 1994 SHERIFF'S RETURN: SERVED Michael Dale Holman on July 6, 1994 at 3:19 PM by handing a copy of the Summons to Candace Holman, his Mother, at Cambridge Tire, RD 1, Cambridge Springs, Crawford County, PA. Signed Acceptance of Service attached.
So answers, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

1994

555.

REGINA PRUSSACK

vs.

LAURIE DIXON

Filed June 6, 1994
@ 3:14 PM

Indigent Filing

William Pineo, Mediator 102.00
Sheriff's Costs 25.00
Pro Co 9.00

PETITION TO PROCEED IN FORMA PAUPERIS PURSUANT TO Pa. R.C.P. 240 (custody)

Order:
AND NOW, June 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 is directed to in form 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, J

June 9, 1994 ORDER filed. AND NOW, this 9 day of June, 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 Ssheriff'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.

June 15, 1994 dist to Pineo, Sheriff & Plf.

June 9, 1994 Custody Complaint and Order, filed. ORDER: You, Laurie Dixson, have been sued in Court to obtain custody of Stephanie Picente.

You are ORDERED to appear in person at such stime 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, partiall custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

Date: 6-9-94 Anthony J. Vardaro, J.

June 15, 1994 dist to Pineo, Sheriff & Plf.

June 23, 1994 Sheriff's Return filed. SERVED Laurie Dixon, onJune 20, 1994 at 11:20 AM, by handing to Amy Skuther, her daughter, at their residence, 1204 Penna Avenue, Meadville, PA
So answers,
Shawn E. Ashbaugh, Deputy Sheriff
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. Legal and physical custody of the subject minor child, Stephanie Picente, is hereby awarded and confirmed to the plaintiff mother, Regina Prussack.

2. The Defendant is ordered to return the child to the custody of her mother forthwith. The Mediator has noted for the Court that the parties have arranged for the Defendant to transfer custody to the mother at the Defendant's residence at Noon, July 27, 1994.

3. Costs and fees in this Mediation, which are fixed at $102.00 are to be borne by Crawford County. Mediator notes for the Court that the mother and teh Defendant do not have enough money to pay for the proceedings. The mother is sproceeding a a poor person. By the Court,
Gordon R. Miller, P. J.

Aug 11, 1994 Faxed Pineo, sent Plf. & Dft.

1994

556.

TONI ANN HOWE

vs.

GENE EDWIN HOWE

Filed June 6, 1994
@ 3:20 PM

Indigent Filing

Sheriff's Costs 23.00

John Fuller, Mediator 150.00

CUSTODY COMPLAINT
1 copy Sheriff
1 Copy Plaintiff

ORDERS:

AND NOW, this 6 day of June, 1994, the Court having appointed a custody mediator 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 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 service 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 which said cost may be taxed as record costs and imposed as costs by the Court.

BY ORDER OF COURT,
Anthony J. Vardaro, J

You, Gene Edwin Howe, have been sued in Court to obtain custody of Tiffany & Amber.

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 a sprovided 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: May 31, 1994

Gordon R. Miller, J

June 6, 1994 Petition To Proceed In Forma Pauperis pursuant to Pa.R.C.P. 240 and Order filed. AND NOW, May 31, 1994, upon consideration of the peittion 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 theCourt of any improvement in her financial circumstance that would permit her to pay the costs incurred in this action and shall be rresponsible for doing so upon an improvement of financial condition.

BY THE COURT,
Gordon R. Miller, J

Jun. 29, 1994 Sheriff's Return filed. SERVED Gene Edwin Howe, 108 Garden Street, Apt. 28, Seeca Falls, NY 13148, by certified letter, signed receipt attached.

So answers, Robert M. Stevens, Sheriff

Sep. 27, 1994 ORDER filed. AND NOW, September 23, 1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal and physical custody of Tiffany Marie Howe and Amber Elizabeth Howe shall be with their mother, Toni Ann Howe, subject to the following conditions:

A. The father, Gene Edwin Howe, shall be entitled to visit the children every other Sunday from 1:00 o'clock p.m. to 4:00 p'clock p.m., beginning October 2, 1994,provided he notifes mother at least twenty-four (24) hours in advance of any visit. Mother's telephone number is (814) 333-8241 to confirm that he will exercise the visit.

B. Holidays shall be defined as Christmas, Easter and Thanksgiving. Custody of the children shall be shared on the aforesaid holidays and in the absence of an agreement to the contrary, the children shall be in the custody of the mother on the aforesaid holidays until 1:00 o'clock p.m. and in the custody of the father on the aforesaid holidays from 1:00 o'clock p.m.until 4:00 o'clock p.m. Provided, however, that father must call mother twenty-four (24) hours in advance to confirm that he will exercise the visit.

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. There shall be no angry exchanges between the parties during any visit.

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.

II. This order is a temporary order but shallbecome 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 at any time after April 1, 1995.

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

Gordon R. Miller, Judge

10-3-94 Copies to Pltf & Deft.

1994

Law Offices of
Jack L. Cherkin
Dominic D. Salvatori

557

RODNEY BRECHT

vs.

CONNEAUT SCHOOL DISTRICT

Filed June 6, 1994
@ 3:20 PM

Tax & entry paid 50.50 ✓
User's Fee paid 5.00

MOTION FOR INJUNCTIVE RELIEF

June 6, 1994 Order filed. AND NOW, June 3, 1994, after testimony with respect to the Plaintiff's motion for injunctive relief, the Court grants the motionofthe Defendant dismissing the request for such relief.

We find that the Plaitniff has not proven to the satisfaction of the Court that there weill be irreparable harm to the Plaintiff nor are we satisfied that the Plaintiff has not property right allowing him to attend a graduation ceremony.

Factually it appears to be undisputed that the Plaintiff on an outing with his school class to Cedar POint apparently chose to return with friends rather than with the bus provided and was aware that he could not do that, although he may not have been aware of the specific punishment that would result.

We find that the School District is permitted to reasonably punish and that we cannot find evidence that their punishment was unreasonable based on the record before us.

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

June 6, 1994 Copies of order to Atty's Salvatori and Watts

Aug. 5, 1994 Exhibit filed.

1994

Rosen, Rosen & Bloon
Bruce T.Rosen

Thomas, Truax,
Spadafore & Walker
Gregory A. Keenan

558.
Fuller,Kinnunen,Petruso,
Gamble, Fabian & Hall
Ann H.Gamble

RICHARD A. MIETUS

vs.

CHERYL A. MIETUS

Filed June 6, 1994
@ 3:25 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro. Co. pd 9/27/94	9.00
William Pineo, Mediator	

12-16-95 Ref from plf
med fee 150

2-29-96 Pd plf Refund
12980 50

Pro Bo Pd 5-15-96 9 50

5-15-96 Pd Co 12809 91 00

COMPLAINT IN DIVORCE, CUSTODY
1 copy atty.

Jul. 1, 1994 Affidavit of Service of Complaint in Divorce filed. Gregory A. Keenan, Esquire, being duly sworn according to law, deposes and says that on June 8, 1994, he sent a true and correct copy of a Complaint in Divorce,properly endorsed with the Notice to Defend, filed in t he above action, to the Defendant, Cheryl A. Mietus, at Defendant's last known address of 17106 Otto Road, Pleasantville,, PA 16341, by Certified Mail No. P 708 507 538,postage prepaid, return receipt requested, restricted delivery and that attached hereto is a duly executed return receipt card showing date of delivery as June 9, 1994.
June 13, 1994 Gregory A. Keenan, Esquire

Sep. 27, 1994 Affidavit of Consent by Richard A. Mietus, Plaintiff, filed.

Sep. 27, 1994 Affidavit of Consent by Cheryl A. Mietus, Defendant, filed.

Sep. 27, 1994 Upon Praecipe of Gregory A.Keenan, Esquire,Attorney for Plaintiff to transmit record, Case moved to Court.

DIVORCE DECREE FILED

Oct. 3, 1994 AND NOW, October 3, 1994, it is Ordered and Decreed that RICHARD A. MIETUS, Plaintiff, and CHERYL A. MIETUS, 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: None.

By the Court:
Gordon R. Miller, J.

Dec. 20, 1995 Motion for Appointment of CustodyMediator and ORDER filed. You,Cheryl A. Mietus, have been sued in Court to obtain custody,partial custody, or visitation rights of Shane Michael Mietus and Joshua Scott Mietus.
Wm. Pineo, Esquire, is appointed Mediator for the purpose of conducting a conference with respect to the issues raised in the Complaint. The Mediator shall conduct such a conference and shall report to the Court as to whether or not the issues raised in the Complaint are capable of resolution by agreement between the parties. The Mediator shall confer with the parties and make every effort to achieve negotiated resolutions of the issues raised in the Complaint. If no such resolution can be achieved, the Mediator shall so report to the Court. He shall also submit aninterim proposed order which shall include a hearing date before the Court.

You are further ordered to appear before the Mediator at such time as the mediator shall establish. If you fail to appear as provided by this Order or to bring the child or children, an order you or the Court may issue a warrant for your arrest.
YOU SHOULD TAKE THIS PAPER TO YOUR LALWYER 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, Court HOuse, Meadville, PA 16335, (814) 336-115

Dated 12/19/95
12-20-95 Faxed Keenan,mailed Rosen

BY THE COURT,
Anthony J.Vardaro,Judge

Feb. 26, 1996 TEMPORARY ORDER dated Feb. 26, 1996 filed. Costs andfees of this Mediation, which are fixed at $182.00. The Mediator notes that the mother is receiving public assistance and therefore her share is assessed to Crawford County.

The deposit required for the appointment of the Custody Mediator was made by the father. The deposit shallfirst 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 days from the date hereof. If neither party so moves,this Order shall be considered permanent.

By the Court,
Gordon R.Miller, J.

2-27-96 Faxed Rosen, Pineo &Gamble (Backup)

1994

Thomas, Truax,
Spadafore & Walker
Gregory A. Keenan

559.
Peters, Lindsay, Lewis
& Hatheway withdrawn
~~Brian J. Lindsay~~

6-17-94 Rec from dept Med. Dept 150.00
8-4-94 Pd dept Balmeister Ck# 8471 41.00
9-13-94 Pd Co Ck#8549 100.00

DAWN M. LYONS

vs.

JOHN P. LYONS

Filed June 6, 1994
@ 3:36 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	200.00

Pro & Pd 9-94 9.00
Pro Pd 5/1/94 9.00

COMPLAINT IN DIVORCE, CUSTODY
1 copy atty.

Jun. 16, 1994 Answer to Complaint in Divorce and ORDER filed. AND NOW, this 14th day of June, 1994, upon consideration of the Answer to Complaint in Divorce, Custody Mediator, John Fuller, Esq. is hereby appointed Mediator to hold a conference to determine the best interest of the subject minor children.

BY THE COURT:
Anthony J. Vardaro, J.

6-16-94 Faxed to Attys. Keenen & Fuller, given to Atty.Lindsay

Jul. 1, 1994 Affidavit of Service of Complaint in Divorce, filed. Gregory A. Keenan, Esquire, being duly sworn according to law, deposes and says that on June 8, 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, John P. Lyons, at Defendant's last known address of 8881 Leslie Road, Meadville, PA 16335, by Certified Mail No. P 708 507 537 postage prepaid, return receipt requested, restricted delivery and that attached hereto is a duly executed return receipt card showing date of delivery as of June 11, 1994.

June 13, 1994 Gregory A. Keenan, Esquire

Aug. 3, 1994 ORDER filed. AND NOW, August 3, 1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Christopher J. Lyons and Sean M. Lyons shall be shared between the mother and the father, the plaintiff and defendant herein, that is, each parent shallbe 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 Christopher J.Lyons and Sean M. Lyons shall be with their mother, subject to the following conditons:

A. The father shall be entitled to visit and take the children into his custody the first three (3) weekends of each month from 6:00 o'clock p.m. on Friday to 6:00 o'clock p.m. on Sunday, beginning July 29, 1994. The first three (3) weekends are the weekends on which the first three (3) Fridays fall.

B. Holidays shall be defined as Christmas, Easter and Thanksgiving. Custody of the children shall be shared on the aforesaid holidays and in the absence of an agreement to the contrary, the children shall be in the custody of the mother on the aforesaid holidays until 1:00 o'clock p.m. and in the custody of the father on the aforesaid holidays from 1:00 o'clock p.m. until 9:00 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 three (3) separate one (1) week periods. The father shall give the mother at least thirty (30) days notice of the dates of the Summer visits. In 1994 the father shall be entitled to have the children n his custody for seven (7) consecutive days on ten (10) days notice to mother.

D. Transportation of the children on weekends, holidays and Summer visits shall be provided as follows: The party receiving the children shall provide transportation.

E. Neither mother nor father shall say or do anything in an attempt to turn the children against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the children towards both parents.

F. Neither mother nor father shall expose the children to any person or situation which may be harmful to the children's health or well being.

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

H. Both parties shall abide by the Order of Court dated June 2, 1994 at A.D. 1994-498 to the extent it is not inconsistent herewith. Specifically, father shall not consume alcoholic beverages during a visit nor within eight (8) hours prior thereto.

I. Mother shall not change her residence from Crawford County without giving father at least sixty (60) days prior notice.

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) father; one-half (½) Crawford County. The Prothonotary of Crawford County is hereby directed to refund a portion the deposit paid in advance by the Defendant, less the cost of the custody order.

GORDON R. MILLER, Judge

8-10-94 Copies Faxed to Attys. Keenan & Lindsay & Fuller

Aug. 19, 1994 Request For De Novo Hearing and Order, filed. AND NOW, this 18 day of August, 1994, the above request for Hearing De Novo is hereby granted and shall be scheduled on the 27th day of September, 1994, at 2:30 o'clock p.m. at the Crawford County Courthosue in Courtroom 1 or 2.

BY THE COURT:
Anthony J. Vardaro, J.

Aug. 19, 1994 Faxed Keenan & Lindsay
Aug. 23, 1994 Faxed to Fuller

Sep. 12, 1994 Motion to Continue and ORDER filed. AND NOW, this 9th day of September, 1994, upon consideration of Plaintiff's Motion to Continue, said Motion is granted. The de novo custody hearing currently set for September 27, 1994, at 2:30 p.m. is hereby continued to the 9th day of November, 1994, at 1:30 p.m. in Courtroom 1 or 2.

By the Court:
Gordon R. Miller, J.

9-12-94 Faxed to Attys. Keenan & Lindsay

Sep. 19, 1994 Upon Praecipe of Brian J. Lindsay, Esquire, Attorney for Defendant, request to Withdraw Hearing De Novo, filed.

Nov. 14,1994 Affidavit of Consent of Plaintiff, filed.

Jan 24, 1996 Affidavit of Consent of Defendant, filed.

Cont. on Pg. 473

1994

Barbara J. Walton

560.

BRIAN MURPHY

vs.

LORI MURPHY

Filed June 7, 1994
@ 2:15 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 10-25-94	9.00

COMPLAINT IN DIVORCE
1 copy atty.

Jun. 22, 1994 Affidavit of Service filed. And Now, June 21, 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 June 10, 1994.

2. That the Defendant signed the return card on June 20, 1994 and in accordance with Pa. R.C.P. 412, service of the Complaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No. Z070232962) 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

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

Sept. 27, 1994, Affidavit of Consent of plaintiff filed.

Oct. 18, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Oct. 27, 1994 AND NOW, this 26th day of October, 1994, upon presentation of the Stipulation and Consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED AND DECREED that BRIAN MURPHY, Plaintiff, and LORI MURPHY, 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.

1994

Swanson, Bevevino
& Millin, PC
Timothy R. Bevevino

561.

FIRST DEPOSIT NATIONAL BANK

vs.

DAVID SCHLAUDECKER a/k/a
DAVID P. SCHLAUDECKER

Filed June 7, 1994
@ 2:25 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

June 23, 1994 Sheriff's Return filed. SERVED David P. Schlaudecker, personally, at his residence, 450 Chestnut Street #1, Meadville, PA onJune 15, 1994 at 10:20 AM
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Nov. 7, 1994 Suggestion of Bankruptcy, filed.

Emil Spadafore, Jr.

562.

Wilson, Elser, Moskowitz, Edelman & Dicker ~~withdrawn~~
~~Rochelle M. Fedullo~~
for Lakewood Engineering & ManufacturingCo.

Murphy, Taylor & Trout, P.C.
Arthur J. Murphy, Jr.
for Lakewood Engineering & Manufacturing Co.

~~Tighe, Evan & Ehrman~~ ~~withdrawn~~
~~Virginia Spencer Scott~~

Murphy,Taylor & Trout
Arthur J.Murphy,Jr.
Monica Maghrak
for Ames Department Store

Meyer, Darragh, Buckler, Bebenek & Eck,
Eric N. Anderson
for add'l dft. McMillAN Electric Co.

MILDRED CONLEY

vs.

LAKEWOOD ENGINEERING & MANUFACTURING COMPANY, and AMES DEPARTMENT STORE
vs
McMillan Electric Company

Filed June 7, 1994
@ 2:55 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	34.00

TRIAL BY JURY OF 12 DEMANDED

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

June 27, 1994 SHERIFF'S RETURN, filed. SERVED Lakewood Engineering & Manufacturing Company by Certified Mail on 6-20-94, at 501 N. Sacramentto Blvd., Chicago, IL 60612. Return receipt attached.
Served Ames Deparatment by Certified Mail on 6-20-94, at 2418 Main Street, Rocky Hill, CT 06067. Return receipt attached.
So answers, Robert M. Stevens, Sheriff

Jul. 5, 1994 Appearance of Wilson, Elser, Moskowitz, Edelman & Dicker by Rochelle M.Fedullo, Esquire, Attorney for Defendant, Lakewood Engineering & Manufacturing Company, filed.

Jul. 5, 1994 Notice of Interrogatories and Production Requests, filed.

July 19, 1994 Appearance and Withdrawal, filed. Appearance of Murphy, Taylor & Trout, P.C. by Arthur J. Murphy, Jr. for Lakewood Engineering & Manufacturing Company, also, Withdrawal of Wilson, Elser, Moskowitz, Edelman & Dicker by Rochelle M. Fedulla, Esq. for Lakewood Engineering & Manufacturing Co., filed.

Nov. 21, 1994 Appearance of Tighe, Evan & Ehrman by Virginia Spencer Scott on behalf of Defendant Ames Stores, filed.

Dec. 21, 1994 Answer, New Matter and New Matter Pursuant To Rule 2252(d) filed.

Dec. 30, 1994 Amended Answer, New Matter and New Matter filed.

Apr.26, 1995 Motion for Leave to Join Additional Defendant and ORDER OF COURT filed. IT IS HEREBY ORDERED this 25 day of April,1995,upon consideration of the foregoing Motion for Leave, that defendant Lakewood Engineering & Manufacturing Company's Motion is granted, and it shall file its Praecipe for Writ to Join McMillan Electric Company as an Additional Defendant within seven (7) days from the date of this Order.

By the Court:
Anthony J.Vardaro,J.

4-26-95 Faxed Spadafore, Bax &Scott

Apr.28, 1995 Writ issued to to Join Additional Defendant, McIllan Electric Company. (issued Atty)

May 1, 1995 Appearance of Murphy,Taylor & Trout, P.C. by Arthur J. Murphy,Jr., Esquire & Monica Maghrak, Esquire for Ames Department Store, Ames Stores, a General Partnership, Defendant, filed.

Apr 26, 1995 Second Amended New Matter Pursuant to Rule 2252(d), filed.

May 8, 1995 Upon Praecipe of Tighe, Evan, Schenck & Paras, William R. Tighe and Virignia Spencer Scott, Attorneys for Ames Stores, a general partnership, have withdrawn their appearance and Murphy, Taylor and Trout, P.C. by Arthur J. Murphy, Esquire and Monica Maghrak, Esquire have entered their appearance on behalf of Ames
Stores, a general partnership, filed.

May 11, 1995, Answer and New Matter, on behalf of dft. Lakewood Engineering & Mfg. Co. filed.

May 17, 1995 Complaint to Join, filed.

May 18, 1995, Appearance of Meyer,Darragh, buckler, Bebenek & Eck, by Eric N. Anderson, attorneys for additional dft. McMillan Electric Co. filed.

May 31, 1995, Reply to New Matter filed.

June 2, 1995, Reply to New Matter filed.

Jun. 12, 1995 Answer,New Matter and New Matter Pursuant to Rule 2252 (d), filed.

June 14, 1995 Reply of Lakewood Engineering & Manufacturing Company and Ames Stores to New Matter of Additional Defendant McMillian Electric Company, filed.

Aug. 4, 1995 Reply To New Matter filed.

Aug. 4, 1995 Second Amended New Matter Pursuant To Rule 2252(d) filed.

Oct. 25, 1995, Motion to Compel Discovery filed.

Oct. 25, 1995, Upon praecipe of attorney for additional defendant McMillan ELectric Co., the above motion is placed on next argument list.

ON ARGUMENT LIST FOR NOVEMBER L995

CONTINUED ON PAGE 475

1994

Barbara J.Walton

563.

TERRIE A. MOORE

vs.

ROBERT A. MOORE

Filed June 7, 1994
@ 4:30 PM

Tax & entry Pd 4-19-95 50.50
User's Fee Pd 4-19-95 5.00
Pro Co Pd 4-19-95 9.00

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

Order:

And now, this 7 day of June , 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 home at 504 North St., Pending further order of Court. The Plaintiff shall have physical custody of the minor children with such vistiation to defendant as plaintiff deems appropriate pending
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 June 15, 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

**further order of court.

Jun. 20, 1994 ORDER filed. AND NOW, June 15, 1994 this matter is before the Court on the Plaintiff's petition for relief under the Protection from Abuse Act.

The parties appear both unrepresented. The Defendant has never been served in this matter,but indicates he was made aware of the hearing by the Plaintiff and he is here prepared to proceed without counsel. He understands his right to counsel, but is prepared to proceed and is agreeable toan order being entered.

Upon admission of the allegations of the petition, the following order is ENTERED:

1. The Defendnt shall not assault, abuse, harass, or threaten the Plaitniff or any minor child namded in the petition.
2. The Plaintiff shall have exclusive possession of the marital home at 504 North Street in Meadville pending further order of court. The Defendant is cautioned that he shuld not go to that residence even if he is invited, insofar as any police agency shall presume that he is in violation of this order if he is at that residence. In the event the parties wish for the Defendant to be able to go to the Plaintiff's residence at 504 NOrth Street, they should seek a modification of this order prior to him doing so.
3. Pending further order of Court in this proceeding or any other appropriate proceeding, physical custody of the minor children shall be with the Plaintiff, with such visitation as she deems appropriate with the Defendant. This order is without prejudice to either party to file an appropriate custody proceeding.
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, and by regular mail by the Prothonotary to the Plaintiff at 504 North Street in Meadville. Additionally, a copy shall be available in the Prothonotary's Office for the defendant to pick up.
6. The Defendant is reminded that this is an order of Court and violation of this order may be punishable by a fine of up to $1,000 and a jail sentence of up to six months.
7. The Defendant shall pay court costs in the amount of $64.50 to the Prothonotary within 60 days of the date of this order. The Prothonotary's Office is located on the first floor of the Crawford County Courthouse in Meadville, Pennsylvania.
8. This order shall remain in full force and effect through June 14, 1995.

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

6-20-94 Faxed Copy to MCPD, given Co. Control & Pltf holding copies & Bill for Deft.
6-22-94 Deft. Picked up copy of Order.

Mar. 30, 1995 Notice of Hearing Form. Indirect Criminal Contempt for Violation of Protection from Abuse Order. Notice of Hearing. To: Defendant Robert A. Moore.

1. You are hereby ORDERED to appear for hearing on:
   Date: March 31, 1995 Time: 1:30 Place Copurthouse.
2. You have been charged with the following: Viol. of 6/15/94 Court Order.
3. Your bail has been set at: 10,000

To protect your rights you should have a lawyer represent you at this hearing. If you do have a lawyer, the Crawford County Lawyers' Referral Service will give you information about finding one.

Contact: Court Administrator, Courthouse
Meadville,PA 16335 Telephone No. (814) 336-1151,ext.298.

3-30-95 Copies dist. by D.J.

Continued on Page 462

114

1994

Joseph w. Tinko

564.

Thomas Dana Watson
for Defendants

11-14-95 Paid
atty. Watson $4.00
Ck. # 9563.

BUSH AGENCIES, INC.

vs.

MICHAEL L. SMITH and
VERNON TOWING

Filed June 8, 1994
@ 11:21 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co pd 11-14-95	5.00

COMPLAINT IN CIVIL ACTION
1 copy atty.
2 copies Sheriff

June 29, 1994 Acceptance of Service, filed. I accept service of process of the Complaint on behalf of the named defendants, Michael L. Smith and Vernon Towing, and certify that I am authorized to do so. Thomas Dana Watson

Jul. 25, 1994 Answer, New Matter and Counterclaim filed.

Aug. 2, 1995 Plaintiff's Motion to Compel Discovery and Impose Sanctions Against The Defendants on behalf of Plaintiff and COURT ORDER filed. AND NOW, this 2 day of August, 1995, upon presentation and due consideration of the Plaintiff's foregoing Motion to Compel Discovery and Impose Sanctions Against the Defendants, it is hereby ORDERED, ADJUDGED AND DECREED as follows:

1. The Defendants and their counsel are hereby directed to respond to the Plaintiff's First Set of Interrogatories directed to the Defendants, as served upon Defendants' counsel on or about April 24, 1995, within ten (10) days of the date of this Order;

2. The Defendants and their counsel are hereby directed to respond to the Request for Production of Documents directed to the Defendants, as served upon Defendants' counsel on or about April 24, 1995, within ten (10) days of the date of this Order;

BY THE COURT
Anthony J. Vardaro, J.

Aug. 2, 1995 Order FAXED Attys. TInko and Watson.

Nov 8, 1995 Upon praecipe of Joseph W. Tinko, Esquire and Thomas Dana Watson, Esquire all claims and actions in the above referenced case have been settled. Kindly mark the case settled and discontinued of record with prejudice to each party.

1994

Feinberg & Silva
Bobbie Ann Thornburg

565

Marsh, Spaeder, Baur, Spaeder & Schaaf
Thomas M. Lent
for Dfts. Thomas St. John, Jr. & Sr. and Louise A. St. John

HELEN M. DEIHL GARBER, Executrix of the Estate of DAVID F. DEIHL, Deceased

vs.

THOMAS ST. JOHN, JUNIOR, THOMAS ST. JOHN, SENIOR and LOUISE A. ST. JOHN

Filed June 8, 1994
@ 11:34 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	50.00
Pro.Co.pd 6-14-95	5.00
Pro.Co. pd 6-16-95	1.00

COMPLAINT IN CIVIL ACTION
3 copies Sheriff

July 15, 1994 SHERIFF'S RETURN, filed. SERVED Thomas St. John Senior on July 6, 1994 at 2:41 PM by handing a copy of the Complaint to Marsha St. John, Adult in Charge at the residence, RD 3, Box 142, Union City, Crawford County, PA.

SERVED Thomas St. John, Junior, on July 6, 1994 at 2:40 PM by handing a copy of the complaint to Marsha St. John, Adult in Charge at the residence, RD 3, Box 142,Union City, Crawford County, PA.

SERVED Louise St. John on July 6, 1994 at 2:42 PM by handing a copy of the Complaint to Marsha St. John, Adult in Charge at the residence, RD 3, Box 142, Union City, Crawford County, PA.

So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Oct. 21, 1994 Appearance of Marsh, Spaeder, Baur, Spaeder & Schaaf by Thomas M. Lent, Esq., for Dfts. Thomas St. John, Jr., Thomas St. John, Sr. and Louise A.St. John, filed.

Oct. 21, 1994 Preliminary Objections, filed.

Oct. 21, 1994 Praecipe for Argument List, filed.

ON ARGUMENT LIST FOR NOVEMBER 1994

Nov. 2, 1994 Praecipe to Withdraw Preliminary Objections, Brief in Support Thereof, and Praecipe for Argument list, filed.

Dec. 13, 1994 ORDER filed. AND NOW, December 9, 1994, the petition to allocate proceeds is denied.

The Court had a conference call with counsel for the petitioner several weeks ago and indicate the additional information which we believe is necessary to take proper consideratiion of this petition. Such matters include an indication of how any medical bills and specials were paid or will b epaid; the length of time the decedent lived after the accident until he died; whether or not the decedent was conscious; the type of pain and suffering he may have experienced while he was still alive; and notice to, or consent of, the decedent's father or a detailed explanation of the efforts made to locate the decedent's fahter to obtain his consent or to give him notice.

We are filing the petition with the Prothonotary for safe keeping. We will reconsider athe petition when an amended petition is filed setting forth additional details which the Court must consider before deciding the petition. BY THE COURT
Gordon R. Miller, P.J.

Dec. 13, 1994 Faxed Thornbeurg & Lent.

Apr. 11, 1995Objections to Plaintiff's "Amended Petition to Allocate Proceeds,Settlement, Discontinuance and End a Death Case", filed.

Apr. 13, 1995 Verification of Plaintiff, Helen M.Deihl Garber,Administratrix of the Estate of David F.Deihl, verifies that the statements made in the foregoing Amended Petition to Allocate Proceeds,Settlement, Discontinue and End a Death Case are true and correct. Plaintiff understands that any statements made herein are subject to the penalties of 18 Pa.C.S.A . Section 4904, relating to unsworn falsification to authorities.
Helen M.Deihl Garber

Apr. 24, 1995, Upon praecipe of defendant attorneys, above Preliminary Objections to Plaintiffs Amended Petition to Allocate Proceeds, Settlement, Discontinue and End a Death Case, withdrawn.

Apr. 27, 1995 Objections To Plaintiff's "Amended Petition To Allocate Proceeds, Settlement Discontinuance and end a Death Case filed.

Apr. 27, 1995 Order filed. AND NOW, April 18, 1995 the court having received on two prior occasions a petition to allocate proceeds, settlement, discontinuance and end a death case as well as an amended petition, which the Court generally refused for various reasons, and no having received objections to the amended petition we wish to resolve this matter. While normally petitions to approve settlements are presented in open court or placed on the argument list by the parties the court, sua sponte, in an effort to resolve this matter, will treat the case somewhat differently. Accordingly it is ordered as follows:

1. A hearing and/or argument on the matters filed to date, as well as any new matters that may be filed up untilthe date of hearing and/or argument is hereby scheduled for the 26th day of May, 1995 at 8:45 o'clock a.m. in Courtroom No. 1 of the Crawford County Courthouse.
2. Counsel for the defendants shall appear in person. Counsel for the plaintiff shall appear in person if the Court is to receive testimony, evidence or if otherwise a record is to be created or findings of fact made by the court. If no evidence is to be presented and no findings of fact are to be made by the Court and the hearing and/or argument is simply an argument on legal issues than counsel for the plaintiff need not be present but must be available for a conference call.
3. If the parties resolve all of their differences they may simply submit a stipulation in writing to the undersigned judge prior to the date set above in which case there will not be a conference call and neither counsel will be required to appear.

BY THE COURT,
Gordon R. Miller J

Apr. 27, 1995 Faxed Thornburgh & Lent

Continued on Page 465

1994

Thomas, Truax,
Spadafore & Walker
Gregory A. Keenan

566.
Lori a. Maurer
~~Peters, Lindsay~~, Lewis
& Hatheway
~~Brian J. Lindsay~~ W.thdrawn
Law Office of Donald E. Lewis
Mark A. Stevens
June 8, 1994 $150.00
deposited by Plaintiff

10-10-94 Pd Plf Refund
Ck# 8599 52.50
10-10-94 Co Com. 88.50
Ck# 8601

8-2-95 Rec from Dept
Nominal Bond
Cm Bond Bk

WILLIAM G. COULTER

vs.

TAMMY S. M. KEENO

Filed June 8, 1994
@ 11:30 AM

Tax & entry paid	50.50
User's Fee paid	5.00
10-10-84 Pd Co-	Goo
William Pineo Mediator	177.00
Pro Co	9.00
Pro Co	9.00

✓ COMPLAINT FOR CUSTODY
1 copy atty.
1 copy mediator

Order:
You, Tammy S. M. Keeno, Defendant, have been sued in Court to obtain custody of Dakota A. Keeno.
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 a ppear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.
YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE, IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.
Court Administrator
Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498
Date: 7-8-94 Anthony J. Vardaro, J
July 12, 1994 Faxed Keenan & Pineo

✓ July 14, 1994 Complaint Reinstated.

✓ July 29, 1994 Affidavit of Service filed. Gregory A. Keenan, Esquire, being duly sworn according to law, deposes and says that on July 14, 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, Tammy S. M. Keeno, at Defendant's last known address of 145 Water Street, Box 5123, Conneaut Lake, PA 16316, by Certified Mail No. P 708 507 542 postage prepaid, return receipt requested, restricted delivery and that attached hereto is a duly executed return reciept card showing date of delivery as July 15, 1994. Gregory A. Keenan

✓ Aug. 24, 1994 Appearance of Peters, Lindsay, Lewis & Hatheway by Brian J. Lindsay, Esquire, Attorney for Defendant, filed.

✓ Oct. 7, 1994 TEMPORARY ORDER, filed. AND NOW, this 6 day of October, 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, Dakota Keeno, is hereby awarded to his mother, the Defendant.
2. No visitation is presently awarded to the father because the Mediator advises the Court that the parties cannot be in each other's presence without the danger of the outbreak of violence.
3. The Mediatoar advises that this matter cannot be resolved without the formalities attendant to a court hearing and, therefore, a hearing in this matter is scheduled for the 22nd day of November, 1994, in Court Room 1, at 10:00 a.m.
4. Costs and fees in 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.
5. 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. By the Court,
Anthony J. Vardaro, J.

Oct. 7, 1994 Faxed Pineo, Keenan & Lindsay
Oct. 14, 1994 sent to Plf. & Dft.

✓ Nov. 23, 1994 Motion To Continue and Order filed. AND NOW, this 22nd day of November, 1994, upon consideration of Defendant's Motion to continue the custody hearing currently set for November 22, 1994, said Motion is granted.
This matter is hereby continued to the 19th day of December, 1994 at 1:30 p.m. in Courtroom No. 1 or 2 or 3.
By the Court,
Gordon R. Miller, J

Nov. 23, 194 Faxed to Keenan & Lindsay

✓ Dec. 8, 1994 Motion to Continue and ORDER filed. AND NOW, this 8 day of December, 1994, upon considerationof Plaintiff's Motion to Continue the hering currently set for the 19th of December, 1994, at 1:30 p.m., said Motion is Granted.
This matter is hereby rescheduled for the 3rd day of January, 1995, at 2:30 P.M. in Courtroom No. 1.
By the Court:
Anthony J. Vardaro, J.

12-8-94 Faxed to Attys. Keenan & Lindsay

✓ Dec. 30, 1994 Motion to Continue and ORDER filed. AND NOW, this 30th day of December, 1994, upon consideration of Defendant's Motion to Continue the Hearing currently set for the 3rd day of January, 1995, at 2:30 P.M., said Motion to Granted.
This matter is hereby rescheduled for the 1st day of February, 1995, at 1:30 p.m., in Courtroom No. 1.
BY THE COURT:
Gordon R. Miller, J.

Dec. 30, 1994 Order FAXED Attys. Lindsay and Keenan.

✓ Feb. 13, 1995 Motion To Continue Custody Hearing and Order filed. AND NOW, this 9th day of February, 1995, upon consideration of Plaintiff's Motion to Continue, and the Court finding that Counsel for Defendant has no objection to Plaintiff's Motion, the hearing set for February 1, 1995 at 1:30 p.m. is hereby continued. This matter will be rescheduled for hearing upon request of either party.
BY THE COURT,
Gordon R. Miller, J

Feb. 13, 1995 Faxed Keenan & Lindsay

Continued to Page 116 A

1994 TERM

William G.Coulter
vs
Tammy S.M.Keeno

Continued from Page 116
of Record
AD 1994 - 566

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✓Jun. 14, 1995 Motion to Schedule De Novo Custody Hearing and ORDER filed. AND NOW, this 14 day of June, 1995, upon consideration of Plaintiff's Motion to schedule a de novo custody hearing in this matter, said Motion is granted and this matter is scheduled for the 2nd day of August, 1995,at 9:15 A.M. in Courtroom No. 1 or 2.

BY THE COURT:
Anthony J.Vardaro,J.

6-14-95 Faxed Pineo,Lindsay & Keenan

✓Jul 11, 1995 Motion to Withdraw Appearance and Order filed. AND NOW, this 11th day of July, 1995, upon presentation and consideration of the within Motion Defendant's counsel, Brian J. Lindsay, Esquire, is hereby authorized to withdraw his appearance on behalf of the Plaintiff in the above captioned case. BY THE COURT
Gordon R. Miller, P.J.

July 11, 1995 Faxed Lindsay

✓Aug. 2, 1995 ORDER filed. AND NOW,August 2, 1995,at the time fixed for the denovo custody hearing, the defendant did not appear. This hearing was scheduled by a Court Order entered June 14, 1995, nearly two months ago. Her attorney at that time was Brian J. Lindsay. Mr. Lindsay has advised the Court that he wrote a letter to his client at her Post Office address, telling her exactly the date and time of the hearing. It appears that the defendant is at work. We have tried to contact her by telephone. At first, she was working with a patient. Then the phone has been busy at the dentist's office for approximately twenty minutes.

Since it appears that the defendant knew about this hearing and since it appears that she has avoided the hearing, a Bench Warrant is hereby issued for her immediately apprehension and delivery to the Court for further proceedings.

(Issued)

BY THE COURT,
Gordon R.Miller,President Judge

8-4-95 Copy to Atty. Keenan, mailed Deft.

✓ Aug. 3, 1995 ORDER filed. AND NOW, August 2, 1995, the bench warrant previously issued in this case is hereby vacated.

8-3-95 Copies dist.to Keeno & Keenan

✓Aug. 4, 1995 Order filed. AND NOW August 2, 1995, at the time fixed for hearing in this matter, the defendant (mother) did not appear, but did ultimately appear at 2 o'clock p.m. She claims that she did not have notice of this hearing. This Court is satisfied that she did, infact, have notice of the hearing for notice was sent to her by her attorney on June 16, 1995 at her address.

ACCORDINGLY, it is ORDERED as follows:

1. Th is Court holds the defendant in contempt of court for failure to appear. As punisment for this contempt, she is ORDERED and DIRECTED to pay a $200 fine to Crawford County and $200 to Gregory A. Keenan to apply on his attorney's fees which said sum shall be paid no later than September 15, 1995.

2. The h earing in this matter is hereby set for Tuesday, August 15, 1995 at 1:30 o'clock p.m., in Courtroom No. 1 of the Crwaford County Courthouse.

3. The defendant shall appear without fail. She shall not bring Dakota with her because he is too young to testify and does not feel comfortable in the courtroom. She shall provide day care or some sort of babysitting serves for him.

4. The mother shall sign a bond in the amount of $1 with the Sheriff of Crawford County as surety to assure her appearance at that hearing. She shall contact the Sheriff by telephone between the hours of 9 o'clock a.m. and 11 o'clock a.m. on tuesday, August 15, 1995, to tell the Sheriff that she will be present and where she is located. If she fials to call the Sheriff during that period of time, a Bench Warrant will be issued for her immediate arrest and placement in the Crawford County Jail until we can hold a hearing.

5. Under no circumstances shall the defendant remove the child Dakota from Crawford County, Pennsylvania without further Order of Court.

BY THE COURT,
Gordon R. Miller, J

Aug. 4, 1995 given Keenan & Sheriff mailed Keeno

✓Aug. 18, 1995 ORDER filed. AND NOW, August 17,1995, after a full formal hearing to determine visitation rights it is ordered as follows:

1. Primary legal and physical custody of Daota S. Keeno (child) is awarded to Tammy S. Keeno (mother).

2. William g. Coulter (father) shall have the following visitation right sin and to the child:

a. During the period from August 21, 1995 to September 27,1995 the father shall be permitted to visit his chidl at the CYS Office on Park Avenue in Meadville, Pennsylvlania for two hours per week. Visitations shall take place between 2:30 p.m. and 4:30 p.m. each Wednesday. The mother shall deliver the child to the CYS Office no later than 2:30 o'clock p.m. and she shall return no later than 4:30 o'clock p.m. to pick the child up after the visits. The father shall have the right to take no more than two persons with him during the visits, if he desires. It is the Court's hope that the father may take one or more of his daughters with him so that they become acclimated to each other. CYS has the right to impose rules on these visits.

b. For the period from September 28, 1995 through November 12, 1995 the father shall have the child from 1:00 o'clock p.m. until 5:00 o'clock p.m. every Saturday and Sunday of alternating weekends, the weekends when he has custody of his daughters.

c. From November 13, 1995 until further order of court the father shall have the child from 9:30 o'clock a.m. to 7:00 o'clock p.m. every Saturday and Sunday of alternating weekends, the weekends when the father has custody of his minor daughters.

d. The exchanges of custody for the visitations referred to in subparagraphs b and c, above, shall take place with the father's oldest daughter going to the mother's home and receiving the child in the parking lot or yard at the rear of the mother's home with said daughter returning the child to the same place when the visitation is completed. This assumes the parties will keep their present homes. If the mother moves then father's eldest daughter shall go to mother's home to pick the child up and mother shall go to father's home to take the child back.

3. These parties have exhibited almost a total inability to get along with each other and therefore we are directing an expert evaluation pursuant to Pa.R.C.P. 1915.8. The mother and father shall within ten (10) days of this date independently make an appointment with Michael Mercatoris, or one of his properly qualified associates for a psychological examination. The cost of the father's psychological examinatiion shall be paid by him. The cost of the mother's psychological examination shall be paid one-half by her and the other one-half shall be paid by Crawford County with the expert to submit a bill in detail to the Court Administrator of Crawford County. We reserve the right to make further allocations of the bill for these services and to require the mother to pay more than a half of her bill. If the expert evaluataor requires a down paymetn then each party shall make the required downpayment within twenty-one (21) days after notified by the expert evaluator to make the downpayment. The evaluations shall be completed and delivered to the Court within sixty (60) days after the first evaluation session. Both parties shall appear on time for each meeting with the evaluator and are warned that if they are late or miss a meeting they may be held in contempt of court and punished accordingly, includign imprisoned for up to six months. After the court receives the evaluation reports the court may, on its own, schedule another hearing, or it may send copies of the reports to the parties or their counsel to permit the parties to take whatever further action they desire.

FAILURE TO COMPLY WITH THE TERMS OF THIS ORDER WITYH RESPECT TO EXPERT EXAMINATIONS MAY RESULT IN FINES, IMPRISONMENT OR OTHER SANCTIONS.

Cont on Pg. 116B

William G. Coulter
vs.
Tammy S. M. Keeno

CONTINUED FROM PAGE 116A
of Record
A. D. 1994 - 566

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

5. Neither parent shall take the child into any environment which may be detrimental to his development or to the development of his character or which would be dangerous to his physical person.

6. Neither parent will do or say anything to blacken the character of the other parent in the eyes of the child. Each parent and any adult coming into regular contact with the child shall teach the child to develop and express that natural love and respect due a parent from a child. These parents have a his tory of saying and doing nasty things to each other. That type of conduct is absolutely prohibited in the presence of the child.

7. There shall be no arguing, bickering or unpleasantries, verbal, or by gesture, during any exchanges of custody. The exchanges of custody shall not involve any unpleasantries or negative conduct which may be observed by the child.

8. The fther and mother shall continue to reside in Crawford County, Pennsylvania and not move without further order of court. The mother may take the child out of Crawford County as well as out of Pennsylvania for legitimate purposes such as business,social, shopping, vacations, etc.

9. Neither party shall consume illegal drugs or controlled substances while the child is in his or her custody. The mother shall not become visibly intoxicated or under the influence of alcoholic beverages while the child is in her custody. The father shall be sober and shall not consume any alcoholic beverages while the child is in his custody.

10. The Court may well require the parties to undergo such counseling and therapy toward improving the ability of the parties to cooperate, communicate, resolve disputes, etc., all in the best interests and welfare of the child. We do not enter such an order now. We await the results of the expeert evaluation.

11. Once the visitations at CYS terminate and the child then visits the father in the father's home the mother shall make certain that the father has instructions with respec to the child's eating and sleeping habits. The mother shall provide an ample supply of clothing for the visitations. Any items which the mother furnishes shall be returned to the mother at the close of the visitations.

12. We have not ordered shared legal custody, as courts normally do, because there is no evidence that these parties could get along at this time.

13. Both parties are cautioned that they must do everything within their power to foster a good relationship withs the child and with each other insofar as child rearing issues are concerned. This Court intends to deal harshly with any parent that violates the terms of this order.

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

Aug 18, 1995 copies dist to Keeno, Keenan & CYS
Aug 24, 1995 Faxed Pineo, sent Plf. & Dft

✓ Aug. 29, 1995, ORDER: AND NOW, Aug. 25, 1995, the bench warrant ordered aug. 2, 1995 is hereby vacated.

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

8/30/95 dist. toKeeno, Keenan and Sheriff

✓ September 28, 1995, Order Filed. And, Now, September 22, 1995, the parties appeared in court in the collateral support matter and the Court discusses the necessity of starting the counseling in the custody action as soon as possible. The original counselor to whom the Court had sent the parties has written the Court a letter and indicated that he cannot hear this case. He cannot work on this case because Mr. Coulter prefers that he not. That alone would not be enough for us to change coulselors. The Court will determine the coulselors not the parties. However, Dr. Mercatoris indicates that he feels he has a conflict of interest now. Accordingly, it is ordered as follows:

1. Each party shall submit a list of up to three names to the Court as a possible counselor to help resolve the difficulties they have in getting along with each other in the custody setting. Each may send a list of three persons giving their names and addresses in writing to the Judge's Chambers. That writing shall be sent or delivered so that it is received by the Judge's Chambers no later than 12:00 noon on Friday, September 29, 1995. Each party shall provide the other party with a copy of that list. The copy shall be mailed to the other party's residence or hand-delivered to the other party on September 29, 1995 at the support hearing.

2. Thereafter, the Court will select a counselor to begin the counseling process by choosing a name from one of the lists submitted or by choosing a totally different name.

3. Counselor shall be someone who is trained, licensed, or experienced in family counlseling especially involving ccunseling of parents of a young child who have extreme difficulties getting along with each other.

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

9/28/95 Walton & Keenan

✓ Oct. 3, 1995 Petition for Contempt and ORDER filed. AND NOW, upon consideration of the Contempt Petition filed by Gregory A. Keenan, Esquire, a rule is hereby entered against the Defendant, Tammy S. Keeno, to show cause, if any she may have, as to why she should not be held in Contempt of Court. Rule returnable for hearing & argument the 8th day of November, 1995 in Court Room 1 or 2 at 1:30 p.m.

BY THE COURT:
Anthony j.Vardaro, J.

10-3-95 Faxed Keena, Mailed Keeno

✓ Oct. 10, 1995 ORDER Filed. AND NOW, October 9, 1995, the order of August 17, 1995 is amended to provide for a different expert to perform the evaluation pursuant to Pa.R.C.P. 1915.8. Dro. Michael Mercatoris has advised the Court that he has a conflict of interest and should not make the evaluation in this case.

Accordingly it is ordered that Kathryn Anderson, Ph.D. shall perform an expert evaluation pursuant to Pa.R.C.P. 1915.8.

A true and correct copy of the Order of August 17, 1995 together with a copy pf Pa.R.C.P. 1915.8 shall be transmitted by the Judges Chambers to Dr. Anderson.

Except for the change in the identity of the expert the Order of August 17, 1995 remains in full force and effect without any additional change or modification.

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

Faxed 10-10-95 Keenan Copy sent Anderson by Court

✓ Nov. 9, 1995 ORDER filed. AND NOW, November 8, 1995, after an informal hearing on the Petition of William G. Coulter for Contempt filed October 3, 1995, alleging that Tammy S. M. Keeno has failed to comply with the Court Order of August 2, 1995, Miss Keeno indicates that she does not have the kind of money to pay it and that I cannot get money from a pauper, and even indicated to some extent that she was not inclined to pay it.

ACCORDINGLY, it is ORDERED AS FOLLOWS:

1. We once again find Tammy S. M. Keeno in contempt of court.

2. She is sentenced to undergo imprisonment in the Crawford County Jail for a minimum term of 30 days and a maximum term of 6 months. She may purge herself from contempt by paying all sums due under the Order of August 2, 1995, by 4:30 o'clock p.m. on **Wednesday, November 29, 1995.** If she fails to pay, she shall surrender herself to the Warden of the Crawford County Jail at 5 o'clock p.m. on **Wednesday, November 29, 1995, to begin serving her** sentence. She shall be entitled to Work Release Privileges for her normal work schedule, provided her jail conduct is perfect.

BY THE COURT,
Gordon R. Miller, President Judge

Nov. 9, 1995 Copy in Atty. Keenen's mailbox; mailed plff.

CONTINUED ON PAGE 490

1994

Cusick, Madden,
Loyce & McKay
James E. Douglas

567.
Thomas,Truax, Spadafore,
Walker & Keenan
William L.Walker

PATRICK F. MILLER

vs.

STATE FARM INSURANCE COMPANIES, and LINDA OLIVER individually and d/b/a STATE FARM INSURANCE

Filed June 8, 1994
@ 11:45 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	31.00
Pro. Co. Pd 12/7/94	5.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Jun. 24, 1994 Sheriff's Return filed. SERVED State Farm Insurance, at RD#4, Meadville, PA 16335, on June 15, 1994 at 9:40 AM, by handing to Carla Jackson, REceptionist,person in charge of business.

SERVED Linda Oliver, i/d/b/a State Farm Insurance, 217 West Erie Street, Linesville, PA 16424, personally, on June 21, 1994 at 2:05 PM

So answers,

Shawn E. Ashbaugh, Deputy
Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

Jul. 8, 1994 Appearance of Thomas, Truax, Spadafore, Walker and Keenan by William L.Walker, Esquire, Attorney for State Farm Insurance Companie and Linda Oliver, Defendants.

Dec. 7, 1994 UponPraecipe of James E.Douglas, Esquire, Attorney for Plaintiff, the above-captioned matter discontinued as to all Defendants, filed.

1994

Mayerson, Munsing,
Corchin & Rosato, PC
Hy Mayerson
Eric Busch

568.

DALE HAMILTON and LUCILLI HAMILTON, H/W

vs.

DEUTZ TRACTOR CORPORATION, DEUTZ CORPORATION, KLOECKNER-HUMBOLDT-DEUTZ, AG, KHD DEUTZ OF AMERICA CORPORATION AGCO, CORPORATION,DEUTZ-FAHR a/k/a DEUTZ-ALLIS CORP. a/k/a GLEANER-ALLIS CORP., MANOR MOTORS, PHIL'S SALES and SERVICE, and SANDY LAKE IMPLEMENT CO., INC.

Filed June 8, 1994
@ 1:16 PM

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
Sheriff's Costs	92.60
Pro Co pd 1-20-97	5.00 ✓

JURY TRIAL DEMANDED

WRIT OF SUMMONS
Issued Sheriff

Jul. 1, 1994 Affidavit of Service filed. I, Eric Busch, Esquire, being duly sworn according to law, deposes and says that on June 20, 1994, I served a Summons on the Defendant KHD Deutz of America Corporation, c/o The Corporation Trust Company, 1209 Orange Street, Wilmington, Delaware, 19801, by Certified Mail, return receipt requested. Following as Exhibits are the letter of transmittal and return receipt card:
June 29, 1994 Eric Busch, Esquire

Jul. 1, 1994 Affidavit of Service filed. I, Eric Busch, Esquire, being duly sworn according to law, deposes and says that on June 20, 1994, I served a Summons on the defendant Agco Corporation, c/o The Corporation Trust Company, 1209 Orange Street, Wilmington, Delaware, 19801, by Certified Mail, return receipt requested. Following as Exhibits are the letter of transmittal and return receipt card:
June 29, 1994 Eric Busch, Esquire,

Jul. 1, 1994 Certificate of Service filed. I HEREBY CERTIFY that on this 29th day of June, 1994, a true and correct copy of Plaintiffs Affidavits of Service Upon Defendants for Summons issued was delivered to the following:

Barbara H. King, Prothonotary
Office of the Prothonotary
903 Diamond Park
Meadville, PA 16335

Wallace J. Knox, Esquire
Knox,McLaughlin,Gornall & Sennett
120 West Tenth Street
Erie, PA 16501-1461

E.Max Weiss,Esquire
911 Diamond Park
Meadville, PA 16335

Vincent DeFalice,Esquire
DeFalice & Coleman, PC
6th Floor, 816 Fifth Avenue
Pittsburgh, PA 15219

Jul. 5, 1994 Sheriff's Return and Affidavit of Service filed. Now, June 13, 1994 at 6:40 P.M. served wht within Writ of Summons upon Manor Motors,at R.D.#1, Penn Run, Cherryhill Twp., Indiana County, Pa. by handing to Ron Syster, in charge at time of service a true and correct copy of the within Writ and making known to him/her/them the contents thereof.
So answers:
Donald L. Beckwith, Sheriff
by J. Dennis Porter, Deputy

See Affidavit of Service endorsed hereon by Sheriff of Indiana County,Pennsylvania, which is part of this return.
So answers:
Robert M,.Stevens
Sheriff, Crawford County, PA

Jul. 5, 1994 Affidavit of Service filed. I, Hy Mayerson, Esquire, being duly sworn according to law, deposes and says that on June 20, 1994, I served a Summons on the defendant Phil's Sales and Service, 1472 S. R. 164,Columbiana, Ohio, 44408, by Certified Mail, return receipt requested. Following as Exhibits are the letter of transmittal and return receipt card:
June 28, 1994 Hy Mayerson, Esquire

July 14, 1994 Affidavit of Service filed. I, Hy Mayerson, Esquire, being duly sworn according to law, deposes and says that on July 1, 1994, I served a Summons on the defendant Deutz Corporation, 3883 Steve Reynolds Boulevard, Norcross, Georgia 30093, by Certified Mail, return receipt requested. Following as Exhibits are the letter of transmittal and return recceipt card:
Hy Mayerson

Jul. 26, 1994 Affidavit of Service filed. I, Hy Mayerson, Esquire, being duly sworn according to law, deposes and says that on July 7, 1994, I served a Cummons on the Defendant Deutz Tractor Corporation, c/o Richard Carothers, Esquire, Boyce, Ekonomou & Atkinson, 3573 Koger Boulevard, Suite 180, Duluth, Georgia 30316,by Certified Mail, return receipt requested. Following as Exhibits are the letter of transmittal and return receipt card:
June 21, 1994 Hy Mayerson, Esquire

Jun. 12,1995 Complaint filed.

Sep. 7, 1995 Answer and New Matter of Defendant, Deutz Corporation, filed.

Sep. 11, 1995 Preliminary Objections filed.

Feb. 22, 1996 Verification of Richard Carothers on behalf of defendant, Deutz Tractor Corp., filed.

Feb. 22, 1996 Upon praecipe of defendant attorney,on behalf of Deutz Tractor Corp., this case placed on next Argument List.

ON MARCH 1996 ARGUMENT LIST

Jan 16, 1997 Upon praecipe of Edward J. Hatheway, Esq., all claims and causes of action which were, or could have been, asserted in this action having been settled, adjusted and compromised, this action is hereby discontinued of record.

1994

569.

PETITION FOR INVOLUNTARY TREATMENT

OF

CAROLINE R. FELTON

Filed June 8, 1994
@ 4:30 PM

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

120

1994

Dailey, Restifo & Dailey
Edward J. Niebauer

570.

TAMMY M. ACE

vs.

CARL BELL

Filed June 9, 1994
@ 2:35 PM

Tax & entry paid	50.50
User's Fee paid	5.00

COMPLAINT FOR CUSTODY
2 copies atty.

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 6/9/1994. 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.

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

Michael Halliday

571.

6/16/94 Entered my appearance for Patricia Wagner D. Magee

Dec. 18, 1996 Recd Sheriff's costs #25.00 from Dft. Dec. 18, 1996 paid Robert M. Stevens, Sheriff's costs #25.00 CK10432

PATRICIA J. WAGNER

vs.

BERNARD R. WAGNER

Filed June 9, 1994
@

Tax & entry pd 12-18-96 50.50
User's Fee pd 12-18-96 5.00
Sheriff's Costs 25.00
Adv. Fee 2-28-95 250.00
Pro Co pd 12-18-96 9.00

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

Order:

And now, this 9 day of June , 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 contact Plaintiff at anytime or any 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 June 16, 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

Jun. 15, 1994 Sheriff's Return Filed. SERVED Bernard R. Wagner, personally, at the Sheriff's Office, Room 303, Crawford County Courthouse, Meadville, PA, on JUne 10, 1994 at 3:25 PM
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

June 16, 1994 Petition To Continue Appearance filed.

June 16, 1994, EXHIBITS filed.

June 16, 1994 Order filed. This matter is a protection from abuse matter that is to be heard in Courtroom No. 1 or 2 at 3:30 PM onJune 16, 1994.

The Defendanthas issued a subpoena for District Justice William L. Fagley from Judicial District 35-3-03.

District Justice Fagley has filed an unverified petition to continue appearance in which he indicates that he will be unavailable essentially from June 15, 1994 through July 1, 1994.

We have considered this petition in Motion Court with the Defendant, and while the Defendant believes that District Justice Fagley's testimony may be crucial to his case, we believe it may not.

Essentially, the testimony would regard a hearing in front of the District Justice sometime late in 1993 and based on the allegations in the protection from abuse petition filed which will be before this Court it appears that the issues will really resolve around incidents within the last couple of weeks.

We are not going to quash this subpoena but we will not require District Justice to appear on June 16, 1994. This order is without prejudice to the Defendant to ask that the hearing be continued for the testimony of District Justice Fagley and the Court will make a ruling with respect to whether the same will be done once there has been some testimony with regard to this matter at the itme of theinitial hearing.

BY THE COURT,
Anthony J. Vardaro, J

June 16, 1994 dist. to Fagley, Halliday (for pltf.) & Dft.

June 23, 1994 Order filed. AND NOW, June 17, 1994, the hearing in this matter is continued to a date to be set by the Court Administrator. In the meantime, the Temporary Protection From Abuse Order entered June 9, 1994 is continued in full force and effect. The Prothonotary shall deliver a true and correct copy of this Order to County Control and to the Pennsylvania State Police at Meadville.

BY THE COURT,
Gordon R. Miller, J

June 23, 1994 Faxed PSP, dist. to Halliday, dft. & Co Control

June 28, 1994 Order filed. AND NOW, June 21, 1994, the continued hearing in these cases is hereby scheduled for the 20th day of July, 1994 at 1:30 o'clock p.m. in Courtroom No. 1 of the Crwaford County Courthouse.

BY THE COURT,
Gordon R. Miller, J

June 28, 1994 Copies dist. to Halliday & Bernard Wagner

July 21, 1994 ORDER filed. AND NOW, July 20, 1994, after a full formal hearing, the Court feels that the plaintiff has carried the burden of proving by the fair weight of the evidence that the defendant has engaged in abuse as defined by the Act, and therefore, the Court enters the following Order:

1. The defendant shall not assault, abuse, harass, or threaten the plaintiff in any manner, nor procure others to do so. The defendant shall not stalk her.

CONTINUED ON PAGE 502

1994

Watts & Pepicelli
Alan L. Pepicelli

572.

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

MARCEL J. AMRHEIN, JR. and KAYBERTA M. ARMRHEIN, his wife

vs.

STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY

Filed June 9, 1994
@ 3:56 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro Co pd 3-29-95	5.00

COMPLAINT IN CIVIL ACTION
1 copy atty.

Jun. 24, 1994 Sheriff's Return filed. SERVED State Farm Mutual Insurance, RD#4, Meadville, PA, on June 15, 1994 at 2:15 PM, by handing to Carla Jackson, Receiptionist, person in charge of business. So answers, Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

July 14, 1994 Appearance of Thomas,Truax, Spadafore, Walker & Keenan by Emil M. Spadafore, Jr. for Defendant filed.

July 14, 1994 Preliminary Objections filed.

Jul. 15, 1994 Upon praecipe of Alan L. Pepicelli, Esquire, Attorney for Plaintiff, the above captioned matter is placed on the next available Argument List.

ON AUGUST, 1994 ARGUMENT LIST

Sept. 12, 1994 CERTIFICATE OF SERVICE, filed. I certify that a true and correct copy of the Answers to the Request for Production, Request for Admission, and Interrogatories was served upon counsel for the Plaintiffs, Alan L. Pepicelli, 916 Diamond Square,Meadville, Pennsylvania 16335, by United States first-class mail,postage prepaid. Emil M. Spadafore, Jr.

Nov.16, 1994 MEMORANDUM AND ORDER filed. ORDER. AND NOW, November 15, 1994,upon consideration of Defendant's preliminary objections, its demurrers are overruled except that its demurrer is sustained to the extent that any claim under 42 Pa.C.S.A. § 8371 for denial of medical benefits is dismissed.

Subparagraphs 25(a), (b) and (c) of the Plaintiffs' complaint are stricken without prejudice to the Plaintiffs to re-plead those paragraphs within 20 days of the date of this Order.

BY THE COURT:
Anthony J.Vardaro,J.

11-16-94 Copies dist. to Pepieelli & Spadafore

Nov. 22, 1994 Notice of Intent to Complete Discovery filed.

Nov. 22, 1994 Notice of Deposition of State Farm Mutual Automovile Insurance Company filed.

Nov. 22, 1994 Certificiate of Service filed. Alan L. Pepicelli, Esquire, hereby certified that he is the attorney for the Planitiffs in the above-captioned case and that a certified copy of the Amended Complaint in Civil Action was hand-delivered to Emil M. Spadafore, Jr., Esquire counsel for State Farm Mutual Automobile Insurance Company, at his offices situate at Old Post Office Building, 296 Chestnut Street, Meadville, Pennsylvania, on November 22, 1994.

Alan L. Pepicelli

Nov. 22, 1994 Amended Complaint in Civil Action filed.

Dec. 16, 1994 Motion For Protective Order filed.

dec. 16, 1994 Notice of Deposition of State Farm Mutual Automobile Insurance Company filed.

Dec. 20, 1994 ORDER, filed. AND NOW, December 16, 1994, the defendant presents a motion for protective order with regard to a deposition of a State Farm representative in this action. The deposition has been scheduled by the plaintiffs for December 19, 1994, and the notice of deposition included a request that various documents and/or magnetic tape microfilm, computer software, motion picture film, photographs and other documents and records be produced at the deposition.

The defendant seeks a protective order because it, first of all, maintains that not all of these documents are available to its local representative, and secondly, because it maintains some of the requests are not relevant. We will deny the motion for protective order at this time and direct that the deposition take place on December 19, 1994. With respect to any documents and other items not produced by the State Farm representative at that deposition, we will permit oral argument and direct the Court Administrator to schedule the same for the January 30, 1995 argument list. The plaintiffs will be permitted after we have determined any issues still remaining at the time of the January 30, 1995 argument to take further deposition of Lynn Hoffman as a State Farm representative based on those rulings and/or another representative of State Farm Insurance if that is appropriate.

The defendant shall file a brief with respect to the issues remaining between the parties for consideration by the Court on January 30, 1995 with said brief to be filed at least fifteen days prior to the scheduled argumetn date. The plaintiff shall file a responsive brief at least five days before the scheduled argument date.

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

Dec. 20, 1994 Pepicelli, Spadafore, Ct. Adm

Mar. 27, 1995 Upon praecipe of plaintiff attorney the within case is discontinued of record, without prejudice, and in accordance with the within attached Stipulation.

1994

Shafer, Swick,
Bailey, Irwin &
Stack
Paul D. Shafer, Jr.
Jeffrey K. Millin

573.

Chares D. Sheehy

Thomas, Truax, Spada-
fore, and Walker
R. Charles Thomas
for add'l dft. Giering

WAYNE L. MINER and MARY
TERESA MINER, his wife

vs.

STARK TRUSS COMPANY
vs.
Bruce Giering, t/d/b/a
Bruce Giering Contractor
Filed June 9, 1994 Add'l Dft.
@ 4:00 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro Co pd 9-20-94	6.00

WRIT OF SUMMONS
Issued Atty.

Jun. 20,1994 Affidavit of Service filed. I, JEFFREY K. MILLIN, being first duly sworn according to law, depose and say that I am the attorney for Plaintiff and that as such, I am authroized to make this affidavit, wherein I do hereby affirm that on the 13th day of June, 1994, I did serve the Defendant STARK TRUSS COMPANY with the original of the Writ of Summons in this mat ter as evidenced by the attached certified mail return receipt requested.
June 20, 1994 Jeffrey K. Millin

July 12, 1994, Complaint filed. (JURY TRIAL DEMANDED)
1 copy (atty)

Jul.25, 1994 Appearance of Charles D. Sheehy, Esquire for Stark Truss Company, Defendant, filed.

Aug. 9, 1994 Upon praecipe of Charles D. Sheey & Assoc., by Charles D. Sheehy, Esq., Writ To Join Additional Defendant, Bruce Giering,t/d/b/a Bruce Giering Contractor, filed.

Aug. 26, 1994 Answer To Complaint And New Matter Of Defendant, Stark Truss Company, filed.

Sept. 14, 1994 SHERIFF'S RETURN, filed. SERVED Bruce Giering t/d/b/a Bruce Giering Contractor on August 26, 1994 at 4:00 PM by handing a copy of the Writ to Join Additional Defendant to Susanne Giering, his wife, at their residence, North Chestnut Street, Linesville, Crawford County, Pa. So answers
Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

Sept. 16, 1994 Upon praecipe of Plaintiffs attoney the above-captioned case is settled and discontinued of record.

Sept. 22, 1994, Appearance of Thomas, Truax, Spadafore and Walker, by R. charles THomas, attorneys for additional defendants Giering, filed.

1994

Reale & Fossee, PC
Judith Olmstead

574.

JEAN M. CALDWELL

vs.

DEANNA JEANINE HALL

Filed June 10, 1994
@ 1:53 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro Co pd 7-26-94	9.00
Pro pd. 9/28/94	2.00
Pro.Co. pd 4/23/96	6.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

June 23, 1994 Sheriff's Return filed. SERVED Deanna Jeanine Hall, personally, at 984 South Main Street, Apt. #3, Meadville, PA on June 15, 1994 at 10:13 AM
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

July 7, 1994 Notice of Intention to Take Default Judgment, filed.

And Now, July 20, 1994, upon praecipe of Plaintiff's attorney judgment is hereby entered against the defendant for failure to file an Answer to Plaintiff's Complaint in the amount of Five Hundred Forty-Nine and 77/100.
Entered 7-20-94 Debt: $549.77
H - 41 JUDGMENT
Barbara H. King, Pro,.

7-26-94 Notice of entry of Judgment sent to Dft.

Sept. 21, 1994, Upon praecipe of plaintiff attorney, revocation of drivers license and registration mailed to Dept. of Trans. in Harrisburg, Pa.

Apr. 23, 1996 This Judgment Satisfied. (See paper filed.)

1994

Nichols, Krill &
Taggart
Kevin C. Jennings

575.

JEFFREY WILSON

vs.

ELIZABETH McCONNAUGHEY

Filed June 10, 1994
@ 1:53 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	23.00
Pro.Co. pd 3/22/95	6.00

WRIT OF SUMMONS
Issued Sheriff

June 15, 1994 SHERIFF'S RETURN, filed. SERVED Elizabeth McConnaughey, personally, on June 13, 1994 at 11:30 AM at the Sheriff's Office, Room 303, Crawford County Courthouse, Meadville, Pa. So answers, Carole Stefanucci, Deputy Sheriff
Robert m. Stevens, Sheriff

Mar. 22, 1995 Upon Praecipe of Kevin C.Jennings, Esquire, the above-referenced matter is settled and discontinued of record with prejudice.

1994

576.

MARY WAGNER

vs.

KEVIN C. MASTON

Filed June 10, 1994
@ 4:28 PM

Indigent Filing

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

June 10, 1994 Rule entered upon the Plaintiff to file a complaint issued.

June 10, 1994 Petition To Proceed In Forma Pauperis Pursuant To Pa. R.C.P. 240 and Order filed. AND NOW, June 10, 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 of 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

June 13, 1994 Copy of order to Maston

June 29, 1994 Proof of Service of Notice of Appeal and Rule to File Complaint, filed.

1994

577.

BERNARD R. WAGNER

vs.

PATRICIA J. WAGNER

Filed June 13, 1994
@ 9:21 AM

Tax & entry Pd. 9-1-94 50.50
User's Fee Pd. 9-1-94 5.00
Sheriff's Costs Pd. 25.00
Pro. Co. Pd. 9-1-94 9.00

9-1-94 Rec'd from dept Sheriff's cash 25.00
9-2-94 Rec'd Sheriff Chk # 8534 25.00

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

Order:

And now, this 13 day of June , 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 June 16, 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

Jun. 15, 1994 Sheriff's Return filed. SERVED Patricia J. Wagner, personally, on June 13,1994 at 10:00 AM, at RD #6, Wagnercrest Farms,Meadville, PA
So answers
Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

June 23, 1994 Order filed. AND NOW, June 17, 1994, the hearing in this matter is continued to a date to be set by the Court Administrator. In the meantime, the Temporary Protection From Abuse Order entered June 13, 1994 is continued in full force and effect. The Prothonotary shall deliver a true and correct copy of this Order to County Control and to the Pennsylvania State Police at Meadville,

BY THE COURT,
GordonR. Miller, J

June 23, 1994 Faxed PSP, dist. Halliday, Pltf. & Co. Control

June 28, 1994 Order filed. AND NOW, June 21, 1994, the continued hearing in these cases is hereby scheduled for the 20th day ofJuly, 1994 at 1:30 o'clock p.m. in courtroom No. 1 of the Crwaford County Courthouse.

BY THE COURT,
Gordon R. Miller, J

June 28, 1994 copies dist. to Halliday & B. Wagner

July 21, 1994 ORDER filed. AND NOW, July 20,1994, after several hours of hearing, the Court is not satisfied that the plaintiff has proven his case by the fair weight of the evidence, and therefore, DISMISSES this action and terminates the temporary Abuse Order entered June 13, 1994.

A copy of this Order shall be delivered to the Pennsylvania State Police at Meadville and to County Control.

The plaitniff shall pay the record court costs in the amount of $89.50 within 30 days from this date.

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

July 21, 1994 Faxed Pa. SPD, given Halliday, Plf & Co. Control

Aug. 5, 1994 Transcript of Proceedings Hearing on Protection From Abuse Petitions, Parts I and II of III, filed. (See Transcript filed at AD 1994-571)

1994

578.

EMILY M. HAWTHORNE

vs.

KENT W. HAWTHORNE

Filed June 13, 1994
@ 10:18 AM

6-17-94 Rec from Deft Sheriff Costs 30.00

6-17-94 Pd Sheriff Ck # 8381 30.00

Tax & entry Pd 6-17-94 50.50
User's Fee 6-17-94 5.00
Sheriff's Costs 30.00
Pro Co Pd 6-17-94 900

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies Sheriff
1 copy Plaintiff
Faxed Vernon Twp. & PSP

ORDER:

And now, this 13th day of June , 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: Plaintiff shall be permitted to go to her home to pick up her personal belongings. custody of the child shall be with Plaintiff

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

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

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

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

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

8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the June 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 THE COURT,
Gordon R. Miller, J

Jun.15, 1994 Sheriff's Return filed. SERVED Kent W. Hawthorne,personally, on June 13, 1994, at 2:00 PM, at the Sheriff's Office, Room 303, Crawford County Courthouse, Meadville, PA.
So answers,
Shawn E. Ashbaugh, Deputy Sheriff
Dale A. Collins, Chief Deputy
Robert M. Stevens,Sheriff

June 17, 1994 Consent, Stipulation and Court Order and Order filed. AND NOW, this 17th day of June, 1994, after agreement of the parties, the Plaintiff, Emily M. Hawthorne, and the Defendant, Kent W. Hawthorne, 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 he procure anyone else todo so.
2. The Defendant shall not assault, abuse, harass or threaten the Plaintiff and Defendant's minor child, Ashley M. Hawthorne, at any time or any place not shall he procure anyone else to do so.
3. The defendant shall refrain from using profanities around the parties minor child and form directing profanities towards the parties minor child.
4. The parties have indicated to the Court that they still wish to cohabit with each other at the parties marital address located at R.D. #2, Box 412-A, Linesville, Pennsylvania 16424. The Defendant is reminded that he could be ejcted from the marital residence should the Plaintiff file a Petition for Contempt of this Court's Protection From Abuse Consent Agreement Order.
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 bythe Prothonotary's Office to County Control and to the Linesville Police Department.
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 theDefendant is in no way admitting to the charges of abuse alleged in the Plaintiff's Protection fromAbuse Petition.
9. The hearing onthe Plaintiff's Protection from Abuse petition which is currently scheduled for Monday,June 20, 1994 at 3:30 p.m. is canceled due to the fact that the parties have entered into a Protection From Abuse Consent Agreemtn Order. The Defendant's counsel shall inform the Crawford County Court Administrator that the June 20, 1994 hearing has been canceled.
10. This Order shall remain in full force and effect through June 17, 1995.
11. Defendant shall pay costs forthwith.

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

June 17, 1994 Faxed Brode, Hatheway, dist. Co. Control, Linesville PD

1994

Thomas, Truax,
Spadafore & Walker
Gregory A. Keenan

579.

LU ANN KRIVANEK

vs.

SCOTT D. KRIVANEK

Filed June 13, 1994
@ 11:40 AM

Indigent Filing

Sheriff's Costs 20.00
Sheriff's Costs 20.00
IFP

COMPLAINT IN DIVORCE
1 copy atty.

June 13, 1994 Praecipe To Proceed In Forma Pauperis filed.

June 13, 1994 Application For Leave To Proceed In Forma Pauperis filed.

Jul. 1,1994 ORDER filed. AND NOW, this 1st day of July, 1994 upon consideration of the within application for leave to proceed informa pauperis said application is granted. The plaintiff may proceed informa pauperis without the payment of costs.

This order shall not relieve the defendant from any liability for the payment of costs of this action.

Technically speaking the plaintiff should have disclosed a statement of financial condition of the defendant, including income and property, to the extent known by the plaintiff. See Pa. R.C.P. 1920.62.

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

7-1-94 Faxed Copy to Atty.Keenan. 7-11-94 Mailed Copy to Deft.

July 12, 1994, Complaint reinstated.

Jul.20, 1994 Sheriff's Return filed. NOT SERVED as to Defendant Scott D. Krivanek. Attempted service by deputizing the Sheriff of Allegheny County, PA. As per return letter, Allegheny County indicated they would not serve the paper without the proper costs even though we did mail their office a copy of the application to proceed informa pauperis. Allegheny County Letter attached.

So answers, Robert M. Stevens, Sheriff

Aug. 5, 1994 Complaint Reinstated

Sept. 14, 1994 SHERIFF'S RETURN, filed. SERVED Scott D. Krivanek by deputizing the Sheriff of Allegheny County, Pa, as per his Affida of Service attached. Served on August 17, 1994.

So answers, Robert M. Stevens, Sheriff

I hereby CERTIFY and RETURN that on the 17 day of Aug., 1994, 150 P.M. 1140 Wayne Ave., McKeews Rock, Pa. 15136, adult family member Nancy-Mother. Eugene L. Coon, Sheriff Allegheny Co.

Nov. 14, 1994 Affidavit of Consent of Plaintiff, filed.

Mar. 21, 1995 Affidavit of Consent by Scott D.Krivanek, Defendant, filed.

Mar. 21, 1995 Upon Praecipe for Review by Gregory A. Keenan, Esquire, Attorney for Plaintiff to transmit record, Case moved to Court.

DIVORCE DECREE FILED

March 31, 1995 AND NOW, March 29, 1995, it is hereby ordered and decreed that LU ANN KRIVANEK, Plaintiff, and SCOTT D. KRIVANEK, 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.

130

1994

Specter Law Offices, P.C.
Daphna Robon

Specter Law Offices
Daphna Friedmann

Evans, Portnoy & Quinn
Irving M. Portnoy
for Jones & Unger

580.

Thomas, Truax,
Spadafore, Walker &
Keenan
Emil M. Spadafore, Jr.
Harry B. Hunt, III

KELLY L JONES and KIMBERLY S. UNGER

vs.

DR. HARRY B. HUNT, III,
Executor for the Estate of
HARRY B.HUNT, JR., Deceased

Filed June 13, 1994
@ 1:00 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro Pd 5/19/98-	#5.00
Pro Pd. 6/2/98	1.00

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION

July 14, 1994 Appearance of Thomas, Truax, Spadafore, Walker & Keenan by Emil M. Spadafore, Jr. for Defendant Harry B. Hunt, III filed.

July 14, 1994 Preliminary Objections filed.

July 15, 1994 SHERIFF'S RETURN, filed. SERVED Dr. Harry B. Hunt, III by Certified Mail at his last known address of 203 Woodscape Drive, Albany, New York 12203. Served on July 6, 1994. So answers, Robert M. Stevens, Sheriff

Oct. 3, 1994 Certificate of Service filed. I Certify that a true and correct copy of the interrogatories were served upon counsel for the Plaitniffs,Daphna Friedmann, Esquire, Spector Law Offices, Koppers Building, 26th Floor, Pittsburgh, PA 15219, by United States first-class mail,postage prepaid.
Date: 10/3/94 Emil M. Spadafore, Jr.Esq.

Oct. 31, 1994 Praecipe To Be Placed On Argument List, filed.

ON ARGUMENT LIST FOR December 1994

Dec. 29, 1994 Motion For Continuance and Order, filed. AND NOW, this 28 day of December, 1994, Plaintiffs' Motion for Continuance is hereby granted. To be set by Court Administrator on next argument list. BY THE COURT:
Anthony J. Vardaro, J.
Dec. 29, 1994 Faxed Spadafore, mailed Robon

ON ARGUMENT LIST FOR FEBRUARY 1995

Feb. 22, 1995 Memorandum and Order filed. ORDER. AND NOW,February 22, 1995, upon consideration of thepreliminary objections of the Defendant to the Plaintiffs' complaint, it is ordered and directed that Paragraph 10(f) is stricken by agreement of the parties; the Defendant's preliminary objection with respect to Paragraph 10(g) is denied and Paragraph 10(i) is stricken without prejudice to the Plaintiffs tofile an amended complaint within 20 days of the date of this order making Subparagraph 10 (i) more specific with regard to any physical condition of the Defendant which impaired or impeded his ability to operate an automobile.
BY THE COURT:
Anthony J. Vardaro, J.
2-22-95 Dist. Friedman & Spadafore

Mar 9, 1995 Notice of Service of Interrogatories, filed.

Mar. 14, 1995 Amended Complaint, filed.

Apr. 19, 1995, Answer filed.

June 15, 1995 Certificate of Service of Answer to Plaintiffs' Interrogatories and Request for Production, filed.

June 19, 1995 Appearance of Evans, Portnoy & Quinn by Irving M. Portnoy, Esquire for Kelly L. Jones and Kimberly S. Unger, Plaintiffs in the within-captioned matter.

Oct. 6, 1995, Notice of Taking Deposition of Kimberly S. Unger filed.

Oct. 6, 1995, Notice of Taking Deposition of Kelly L. Jones filed.

Apr 10, 1996 Notice of Taking of Depositions of KELLY L. JONES and KIMBERLY S. UNGER, filed.

May 11, 1998 Upon praecipe of plaintiff attorney, the above captioned case is hereby marked settled and discontinued of record.

1994

581.

PAMELA ANN PROPER

vs.

LARRY E. PROPER

Filed June 13, 1994
@ 2:13 PM

Tax & entry	50.50
User's Fee	5.00
Sheriff's costs	37.00

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

Order:

And now, this 13th day of June , 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: Plaintiff shall be permitted to go to Defendant's home to get her children & belongings. Custody of the children shall be with the 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 June 21, 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

Jun. 15, 1994 Sheriff's return filed. SERVED Larry E. Proper, personally, on JUne 14, 1994 at 9:20 AM, at RD#2, Union City, PA 16438.
So answers,

Shawn E.Ashbaugh, Deputy Sheriff
Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

Jun. 24, 1994 ORDER filed. AND NOW, June 21, 1994 this matter is before the Court on Plaintiff's petition for relief under the Protection from Abuse Act. Both parties appear without counsel and indicate they are attempting to reconcile, and the Plaintiff indicates she does not wish to have a Protection from Abuse order in effect.

Accordingly, the temporary order entered by Judge Miller on June 13, 1994 is terminated effective immediately.

Insofar as both parties are receiving public assistance, the County shall pay the costs.

A copy of this order shall be sent to the appropriate police agency and to County Control.

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

6-24-94 Faxed copy to Corry SPD, given Pltf, Deft.& Co.Control.

1994

Joseph F. Kulwicki

582.

IN RE: PROPOSED PRIVATE SALE OF TAX CLAIM LAND, CRAWFORD COUNTY COMMISSIONERS, ASSESSED OWNER, SITUATE IN SPRING TOWNSHIP, CRAWFORD COUNTY, PENNSYLVANIA

Assessment No.: 5113-9

Filed June 13, 1994
@ 3:41 PM

Tax & entry paid	50.50
User's Fee paid	5.00

PETITION FOR DISALLOWANCE OF PRIVATE TAX CLAIM SALE AND FOR HEARING

Order:

AND NOW, this 3rd day of June, 1994, upon consideration of the wtihin Petition for Disapproval of Private Tax Claim Sale and For Hearing, the proposed private tax claim sale of the above described real estate to Jackie Rae Montroy is hereby stayed and a hearing on the same is set for the 23rd day of June, 1994, in Court Room #1, at 11:30 a.m. in the Crwaford County Courthouse in Meadville, Pennsylvania; all proceedings to be stayed pending said hearing.

Counsel for petitioner is directed to forthwith serve a copy of the wtihin Petition and Order upon Frederic Wagner, Director of the Crawford County Tax Claim Bureau and upon Jackie Rae Montroy, the current bidder at his last known address and uponthe Crawford County Commissioners, the last assessed owner, both by certified mail and regular mail and file an Affidavit of Service thereon.

By the Court,
Gordon R. Miller, J

Jun. 20, 1994 Affidavit of Service filed. CARRIE A DAVIS, being duly sworn according to law deposes and says that I am an adult individual, sui juris, employed as a paralegal by Joseph F. Kulwicki, III, Esquire, that on June 20, 1994, I personally forwarded a letter, by regular mail, to Jackie Rae Montroy enclosing a copy of a Court Order, in connection with the above-captioned matter.
AND FURTHER DEPONENT SAITH NOT.
June 20, 1994 Carrie A. Davis

Jun. 20, 1994 Affidavit of Servic e filed. CARRIE A DAVIS, being duly sworn according to law deposes and says that I am an adult individual, sui juris, employed as a paralegal by Joseph F. Kulwicki, III, Esquire, that on June 20, 1994, I personally forwarded a letter, by regular mail, to Fred Wagner, Crawford County Treasurer enclosing a copy of the Petition and Court Order, in connection with the above-captioned matter.
AND FURTHER DEPONENT SAITH NOT.
June 20, 1994 Carrie A. Davis

June 24, 1994 Order filed. AND NOW, June 23, 1994, it appearing to the Court that the Petition for Disallowance of Private Tax Claim Sale and for Hearing was not timely, said Petitio is DENIED.

BY THE COURT,
Anthony J. Vardaro, J

June 24, 1994 Copies to Kulwicki, Spataro & F. Wagner

1994

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

583.

Fuller, Kinnunen,
Petruso, GAmble,
Fabian & Hall
Gary Fabian

E. DEAN SMOCK

vs.

WILMA J. SMOCK

Filed June 13, 1994
@ 3:50 PM

Tax & entry paid	50.50
User'sFee paid	5.00
State paid	10.00
Add'l count pd 7/13/94	15.00
User's Fee pd 7/13/94	5.00
Pro Co Pd 6/30/95	5.00

COMPLAINT IN DIVORCE
1 copy atty.

June 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 corect cpy of the Complaint in Divorce certified by the Prothonotary of Crawford County, Pennsylvania on the above named Defendant by certified mail, addressee only, return receipt requested, dated June 14, 1994. The Defendant acknowledged service on Juen 20, 1994 by accepting delivery on that date as evidenced by the attached signed return receipt.

Jul.13, 1994 Answer to Divorce Complaint andCounterclaim,filed.

Jul. 13, 1994 Praecipe for Bill of Particulars, filed.

Jul. 21, 1994 Service of the Foregoing Rule is hereby accepted.

June 30, 1995, Upon praecipe of plaintiff attorney, the above captioned divorce is hereby discontinued of record.

1994

Ferguson & Spataro
Douglas W. Ferguson

584.

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

KATHY J. SCHMITZ

vs.

CHARLES E. SCHMITZ

Filed June 14, 1994
@ 10:01 AM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00
Master's Dep. pd 7-2-96	250.00
Pro Co pd 1-22-97	9.00
Pro Co pd 2/17/99	5.00

7-2-96 Rec'd from plf-master fee 250.00

1-13-97 Rec'd from dft 59.70

1-31-97 Pd S. Dellas Copy fees #10539 107.70

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION,
COUNSEL FEES, COSTS AND EXPENSES
1 copy atty.

Jun. 20, 1994 Appearance of Shafer, Swick, Bailey, Irwin& Stack by James R.Irwin, Esquire, Attorney for Defendant Charles E. Schmitz, filed.

June 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, eturn receipt requested, dated June 15, 1994. The Defendant acknowledged service on June 16, 1994, by accepting delivery on that date as evidenced by the attached signed return receipt. Douglas W. Ferguson

July 3, 1996, Income and Expense Statement of plaintiff filed.

July 2, 1996 Motion for Appointment of Master in divorce filed.

July 2, 1996 Affidavit under Section 3301 (d) of the Divorce Code filed.

July 2, 1996 Inventory and Appraisement of Kathy Jo Schmitz filed.

July 2, 1996 Order filed. AND NOW, July 11, 1996, David Perkins Esquire is hereby appointed Master in respect to the following claims: All claims properly raised by pleadings or petition.

If not filed already the parties are ordered to file their pre-trial statements within twenty (20) days from this date as well as the form requested by Pa.R.C.P. 1920.46.

Per Curiam,
Gordon R. Miller, J.
7-12-96 FAXED Irwin, Ferguson & Pickens

JUly 16, 1996, Notice of Scheduled Pre-Hearing Conference filed.

July 16, 1996, Income and Expense Statement of plaintiff filed.

Oct. 11, 1996 Plaintiff's Pre-Trial Statement pursuant to PA. R.C.P. 1920.33(b) filed.

Oct. 11, 1996 Defendant's Pre-Trial Narrative filed.

Oct. 11, 1996 Summary of Pre-Hearing Conference filed.

Nov. 19, 1996, Inventory of Charles E. Schmitz filed.

Dec. 12, 1996, Notice of Master's Hearing filed.

Dec. 16, 1996, Notice ot Produce filed.

Dec. 19, 1996 Certificate of Mailing filed. Douglas W. Ferguson, Esquire, attorney for Kathy Jo Schmitz, Plaintiff, herein, certifies that he served a true and correct copy of Plaintiff's Notice to Produce by first class mail, postage prepaid on December 16, 1996, by mailing the same to James R. Irwin, Esquire, 360 Chestnut Street, Meadville, Pennsylvania 16335. Service was also made by facsimile on December 16, 1996.

Douglas W. Ferguson, Esquire
Attorney for Plaintiff

Jan. 8, 1997 Notice of Filing Master's Report filed.

Jan. 8, 1997 Master's Report and Recommendation filed.

Jan. 8, 1997 Transcript from Master's Hearing filed.

Jan 16, 1997 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

Jan. 29, 1997 Order filed. AND NOW, January 27, 1997, this matter is before the Court for a final divorce decree. However we will not grant a final decree until all costs in the custody action at 1994-367 are paid.

When the costs are paid one of the parties may file a praecipe to send the matter to the Court for review.

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

1-29-97 DISTRIBUTED Ferguson & Irwin

Jan. 30, 1997 Second Praecipe to Transmit Record-Final Decree in Divorce by Plaintiff filed.

DIVORCE DECREE FILED

Jan. 31, 1997 AND NOW, January 30, 1997, it is Ordered, adjudged and decreed as follows:

1. The parties hereto are divorced from the bonds of matrimony.
2. The parties property and debt will be distributed in accordance with the terms, conditions and provisions of the attached transcription of their settlement agreement and the same is incorporated and merged herein as if set forth in full. To the extent nor provided for in the agreement, etc.(SEE PAPERS FILED).

BY THE COURT:
Gordon R. Miller, J.

Feb. 17, 1999 NOTICE OF ELECTION TO RETAKE MAIDEN NAME FILED. KATHY JO SCHMITZ to be known as KATHY JO ZEJAVAC

1994

Kemp C. Scales

585.

NORTHWEST SAVINGS BANK

vs.

JUNE E. KERR, a/k/a JUNE E. KERR-SMITH

Filed June 14, 1994
@ 10:38 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro.Co. pd 7/26/94	9.00

COMPLAINT IN FORECLOSURE
1 copy atty.

And Now, Jul. 26, 1994 upon praecipe of Plaintiff's attorney, judgment is hereby entered in favor of the plaintiff and against the above-named defendant for failue to file an answer and the damages are assessed at the sum of Eleven Thousand Three Hundred Eighty-Seven and 47/100 Dollars, plus interest from 6/10/94 at 13.5% and costs of suit.

K-94

entered 7/26/94
Atty. Scales

Debt $11,387.47
Int.from 6/10/94 at 13.5%
Judgment
Barbara H. King
Prothonotary

EXECUTION 1944 - 44

1994

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

586.

JOANNE E. AUGUSTINE

vs.

DANIEL L. AUGUSTINE

Filed June 15, 1994
@ 9:30 AM

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

COMPLAINT IN DIVORCE
1 copy atty.

Mar. 12, 1998 Important Notice and Court Order filed. Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 6/15/94 . 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

Mary A,, Kirkpatrick

587.

MARSHA ELAINE GRACENIN GODINA

vs.

FRANK LEWIS GODINA

filed June 15, 1994
@ 10:12 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 1-3-97	9.00

COMPLAINT IN DIVORCE, ALIMONY, CHILD SUPPORT, ALIMONY PENDENTE LITE, REASONABLE COUNSEL FEES, COSTS AND EXPENSES EQUITABLE DISTRIBUTION, CUSTODY
1 copy atty.

June 15, 1994 Preliminary Inventory of Marital Assets filed.

Oct. 29, 1996 Memorandum of Agreement as to Divorce, Alimony, Counsel Fees, Child Support, Equitable Distribution and Custody filed.

Dec. 11, 1996, Acceptance of Servcie filed. I, Frank Lewis Godina, accept service of the complaint in divorce filed on behalf of Marsha Elaine Gracenin Godina.
Date: July 2, 1994 Frank Lewis Godina, Dft.

Dec. 11, 1996, Affidavit of consent of plff. filed.

dec. 11, 1996, Waiver of notice of intention to request entry of divorce decree (plff) filed.

Dec. 11, 1996, Affidavit of consent of dft. filed.

Dec. 11, 1996, Waiver of notice of intention to request entry of a divorce decree (dft) filed.

Dec 20, 1997 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Jan. 6, 1997 And, Now, January 3, 1997, it is ordered and decreed that MARSHA ELAINE GRACENIN GODINA, Plaintiff and FRANK LEWIS GODINA, 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 Memorandum of Agreement filed of record herein is made a part hereof and shall be fully enforceable under the Divorce Code.

By the Court:
Gordon R. Miller, J.

1994

Shapira, Hutzelman,
Berlin & May
Stephen H. Hutzelman

588.

AVCO FINANCIAL SERVICES
CONSUMER DISCOUNT COMPANY,
ONE

vs.

GARY L. KERSTETTER and
KIMBERLY B. KERSTETTER
a/k/a KIMBERLY KAY BROWN
KERSTETTER

Filed June 15, 1994

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	50.00
Pro.Co.pd 10/3/94	5.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Jul. 20, 1994 Sheriff's Return filed. NOT FOUND as to Defendants Gary L.Kerstetter and Kimberly Kerstetter at address given of R.D.#3, Box 187A, Union City, Crawford County, PA. Made two attempts to
So answers, Robert M. Stevens, Sheriff

Aug. 18, 1994 Motion For Court Approval of Alternate Service of Process and Order, filed. AND NOW, this 17th day of August, 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 in the Crawford County Legal Journal summarizing the action.

2. Placing a legal advertisement in a newspaper of general circulation in Crawford County, Pennsylvania giving a summary of the action. Gordon R. Miller, P.J.

Aug. 18,1994 Faxed Koehler
Aug. 22, 1994 Faxed Hutzelman

Oct. 3, 1994 Upon Praecipe of Stephen H. Hutzelman,Esquire, Attorney for Plaintiff, the above referenced matter is settled and discontinued of record.

1994

Federman & Phelan
Frank Federman

589.

STATEWIDE FUNDING CORPORATION

vs.

CRAIG R. BAKER
MEMORY A. BAKER

Filed June 15, 1994
@

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	31.00
Pro Co pd 5-8-96	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies Sheriff

June 24, 1994 Sheriff's Return filed. SERVED Craig R. Baker , ES #5, Box 46 Krider Road, Meadville, PA., on June 20, 1994 at 10:45 AM by handing to his wife Memory A. Baker, at their address. SERVED Memoray A. Baker, personally, on June 20, 1994 at 10:47 AM, at RD #5, Box 46 Krider Road, Meadville, PA 16335. So answers,

Shawn E. Ashbaugh, Deputy
Robert M. Stevens, Sheriff

May 6, 1996 And Now, upon praecipe of plaintiff attorney judgment has been entered in favor of the Plaintiff and agaisnt the Defendnats for failure to file an Answer to Plaintiff's Complaint within 20 days from service thereof and for Foreclosure and Sale of the mortgaged premises, in the amount of Fifty-two Thousand Six Hundred Forty-eight and 40/100.

B - 227, 286 Debt: $52,648.40

JUDGMENT

Barbara H. King, Pro.

May 8, 1996 Notice of entry of Judgment sent to Dfts.

EX 1996 - 18

1994

590.

GERALD E. LAROCHELLE, MD

VS.

JOHN BARDO

Filed June 15, 1994
@

Tax & entry paid	50.25
User's Fee paid	5.00
Pro Co. pd 7/18/94	9.00

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

June 15, 1994 Rule entered upon the Plaintiff to file Complaint issued.

June 17, 1994 Proof of Service filed.

July 18, 1994 AND NOW, July 18, 1994, 1:31 p.m., upon praecipe of plaintiff's attorney judgment of NON PROS is hereby entered against the named Plaintiff for failure to file a Complaint with twenty days after being ruled so to do.

L-74

JUDGMENT OF NON PROS
Barbara H. King,
Prothonotary

1994

Jorden & White
Harry Faber White

591.

ROBERT GARTNER

vs.

MARY K. LAKE

Filed June 15, 1994
@ 2:59 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Krwlo Pd 2-13-95	5.00
Pro Co pd 2-6-95	9.00
Pro Col pd 6-5-97	5.00

COMPLAINT IN DIVORCE
1 copy atty.

June 15, 1994 Affidavit Under Section 3301(d) of the Divorce Code of Plaintiff filed.

Jun. 20, 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, Mary K. Lake, by certified mail, return receipt requested on June 16, 1994, at the Defendant's Address, 412½ North Street, Meadville, PA 16335 . The Defendant's acceptance of the same is attached hereto asExhibit "A."
June 20, 1994 Harry FAber White, II

Jan. 30, 1995 Affidavit of Service filed. I, Harry Faber White, II, Esquire, attorney for the Plaintiff in the above captioned matter, being duly sworn according to law, deposes and says that I served the Notice of Intention to Request Entry of Divorce Decree under Rule 1920.73 and also served the Counter-affidavit under Section 3301(d) of the Divorce Code uponthe Defendant, Mary K. Lake, by certified mail, rreturn reciept requested, on October 27, 1994, at the Defendant's address, 412½ North Street, Meadville, PA 16335. The Defendant's acceptance of the same is attached hereto. Harry Faber White, II

Feb. 1, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Feb. 17, 1995 AND NOW, Feb. 13, 1995, it is ordered and decreed that ROBERT GARTNER, plaintiff, and MARY K. LAKE, 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 5, 1997 Notice of Election to Retake Maiden Name - **Mary K. Gartner TO BE KNOWN AS: Mayr K. Lake,**

1994

Dallas W. Hartman, PC
Joanne M. Weber

592.

Meyer, Unkovic & Scott
Russell J. Ober, Jr.
for all defendants

TIMOTHY GADWELL, a minor by JAMES GADWELL and CYNTHIA GADWELL, his parents and natural guardians; JAMES GADWELL, individually and CYNTHIA GADWELL, individually

vs.

CLP MANAGEMENT, INC., trading and doing business as CONNEAUT LAKE PARK, INC., OPGAKCO, INC., trading and doing business as CONNEAUT LAKE PARK, INC.: LAKE SIDE REAL ESTATE COMPANY, INC. trading and business as CONNEAUT LAKE PARK, INC: CHARLES FLYNN, individually and trading and doing business as CONNEAUT LAKE PARK, INC. and/or ASSOCIATED GAMES COMPANY: ASSOCIATED GAMES COMPANY: and CONNEAUT LAKE PARK, INC.

Filed June 16, 1994
@ 1:43 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	75.00
Pro.Co. pd 12/6/94	6.00

WRIT OF SUMMONS
issued sheriff

July 20, 1994 Appearance of Meyer, Unkovic & Scott by Russell J. Ober, Jr. for all defendants.

July 27, 1994 Writ Return filed. SERVEE CLP MANAGEMENT ON June 21, 1994 at 1:30 PM by handing a copy of the Summons to Sally Coffman, Switchboard Operator and Adult in Charge at the business, R.D. #4, Box 283, Conneaut Lake, PA 16316.
SERVED OPGAKCO, Inc. on June 21, 1994 at 1:29 PM by handing a copy of the Summons to Sally Coffman, Switchboard Operator and Adult in Charge at business, R.D. #4, Box 283, Conneaut lake, PA 16316.
SERVED Lake Side Real Estate Co., Inc. on June 21, 1994 at 1:28 PM by handing a copy of the Summons to Sally Coffman, Switchboard Operator and Adult in Charge at the business, R.D. #4, Box 283, Conneaut Lake, PA 16316.
SERVED Charles Flynn on June 21, 1994 at 1:27 PM by handing a copy of the Summons to Sally Coffman, Switchobard Operator and Adult in Charge at the business, R.D. #4, Box 283, Conneaut Lake, PA 16316.
SERVED Associated Games Co. on June 21, 1994 at 1:26 PM by handing a copy of the Summons t Sally Coffman, Switchboard Operator and Adult in Charge at the business, R.D. #4, Box 283, Conneaut Lake, P 16316.
SERVED Conneaut Lake Park on June 21, 1994 at 1:25 PM by handing a copy of the Summons to Sally Coffman, Switchboard Operator and Adult in Charge at the business, R.D. #4, Box 283, Conneaut Lake PA 16316.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

July 29, 1994 Petition to Compromise Action and Order filed. IT IS HEREBY ORDERED AND DECREED that the Compromise relating to the above-captioned minor is approved and shall be distributed as ffollows:
a. Dallas W. hartman, P.C., will receive attorney's fees and costs in the amount of $1,666.98; and
b. Payment to Integra Bank in the amount of $1,096.52. Said payment to Integra shall be in a federally insured savings account in the anme oftheminor, TIMOTHY GADWELL, with the provisions that no distribution can be made without a Court Order or until TIMOTHY GADWELLreaches the age of eighteen (18).
Counsel for the moving party is directed to serve notice of the entry of this Order upon all opposing parties or their counsel. Proof of the deposit shall be promptly filed of record.
IT IS FINALLY ORDERED that the Prothonotary shall mark the case settled and discontinued for record. BY THE COURT:
P. Richard Thomas, S.J.

July 29, 1994 Faxed Weber & Wilson

Dec. 6,1994 Certificate of Deposit of Settlement Proceeds- Per the Court Order dated July 29, 1994 and the above case marked settled and discontinued of record filed.

Jan. 13, 1995 Sheriff's REturn filed. Returned Not Served. Received no instructions or check.
So answers, Robert M. Stevens, Sheriff

1994

C. Barton Jones

593.

ROGER J. VERCILLO and
IRENE VERCILLO

vs.

VELMA I. MIGHTON, a/k/a
VELMA I. LOHIZER, her
successors and assigns

Filed June 16, 1994
@ 1:43 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro. Co. pd 11/10/94	9.00

COMPLAINT TO QUIET TITLE

Oct. 6, 1994 Motion for Judgment filed.

Oct.6,1994 Affidavit of Service of Complaint, filed. I,C.Barton Jones,Esquire,being duly sworn according to law, depose and say as follows:

1) Your deponent is an adult citizen of the Commonwealth of Pennsylvania and resides at 1267 East Lake Road,Jamestown, CCrawford County, Pennsylvania.

2) Your deponent is the attorney of record for the Plaintiffs in the above-captioned action, and makes this Affidavit on their behalf.

3) A Complaint in Action toQuiet Title, endorsed with Notice to Plead with Twenty(20) days was served upon all Defendants named in the above-captioned action by publication in the Meadville Tribune Newspaper on the 7th dayof July,1994,and inthe Crawford County LegalJournalonthe 13thdayof July, 1994, pursuant to Order of this Court dated the 14th day of March 1994, as will more fully appear by reference to Proof of Publications annexed hereto and made a part hereof.

4) The Defendants named in the above-captioned action did not enter their apperances, nor filed a responsive pleading tothe Complaint withinTwenty(20) days, after service upon said Defendants as hereinabove set forth, to this date.

Oct.4, 1994 C.Barton Jones,Esquire

Oct. 6, 1994 ORDER OF COURT, filed. AND NOW this 6 day of October 1994, an Affidavit of Service of the Complaint with Notice of Plea attached thereto having been filed and no appearance or answer by on behalf of the Defendants in the above captioned action, upon motion of C. Barton Jones Attorney for Plaintiff's, this Honorable Court hereby Orders and Decrees:

1) That the Defendants VELMA I. MIGHTON, a/k/a VELMA I.LOHIZER, her Heirs, Personal Representatives, and Assigns are hereafter forever barred from asserting any right lien, title, or interest in or to the parcels of land owned by the Plaintiffs in this action to Quiet Title.

2) The Plaintiffs ROGER J. VERCILLO and IRENE VERCILLO, are hereby declared the rightful title holders to the whole of that land described in their complaint; and they are hereby recognized as in possession of all the undivided right, title,interest and ownership due them as sole owners of that land.

3) The Defendant, her Heirs,Personal Representatives, and Assigns have Thirty (30) days from the date of this Order, the Prothonotary, on Praecipe of the Plaintiffs, shall enter final judgment, all in accordance Pa.R.C.P.1066, et seq.

BY THE COURT,
Anthony J. Vardaro,Judge

10-13-94 Copy to Atty. Jones

And Now, Nov. 10, 1994 at 1:31 P.M. upon praecipe of C.Barton Jones, Esquire, attorney for plaintiff,final judgment is hereby entered in this case, in favor of the plaitniffs and against the defendants, pursuant to the foregoing Order of Court.

M-165; L-164;

FINAL JUDGMENT
Barbara H. King
Prothonotary

594.

IN RE: Proposed private
of Tax Claim Land of
HOWARD L. KNAPP heirs

Filed June 16, 1994
@ 2:03 PM

Tax & entry paid	50.50
User's Fee paid	5.00

PETITION FOR DISAPPROVAL

Jun. 16, 1994 Petition for Disapproval and ORDER filed. Now this 28 day of June, 1994, upon consideration of the within petition, a rule is granted upon the Crawford County Tax Claim Bureau to show cause if any it has why the proposed sale of real estate to J. Michael Allyn should not be disapproved.

This rule is returnable for July 7, 1994 at 1:00 p.m. in Courtroom 1 or 2 at the Crawford County Courthouse, Meadville, Pennsylvania, petitioner to notify all parties hereto forthwith and provide proof of service at time of hearing.

Per Curiam
Anthony J. Vardaro, J.

6-28-94 Faxed to Attys. Scales & Spataro and given to F.Wagner

Jun. 30, 1994 Proof of Service, filed.

July 18, 1994 ORDER filed. AND NOW, July 7, 1994 this matter is before the Court on a petition for disapproval of a proposed private sale with respect to certain lands in the City of Titusville bearing Assessment No. 5600-A-3-28.

At the time of hearing, the Court disapproves the proposed sale and sets a minimum bid of $475 wtih respect to the land in question.

The Tax Claim Bureau Director conducts an auction in the courtroom and the successful bidder for $1300 is Ronald E. Vosburgh and Mona L. Vosburgh, his wife.

The Tax Claim Bureau Director shall accept the sum of $1300 from those parties forthwith and issue an appropriate deed at its earliest convenience and shall also this day refund the $300 previously paid by J. Michael Allen.

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

July 19, 1994 copies dist to Vosburgh, Spataro, Wagner & Allyn

1994

Daniel J. Kuhn

595.

MATTIE TROYER

vs.

RALPH J. AMOROSO and
JUDITH ANN AMOROSO, His wife

Filed June 16, 1994
@ 2:53 PM

Tax & entry paid	15.00
PPltf on orig.	9.50
Pro Co pd 9-14-94	9.00
Pro.Co. Pd 4/11/96	5.00

WRIT OF REVIVAL

of

DSB 1989 - 351

Writ of Revival indexed against the defendants in favor of Mattie Troyer
the plaintiffs, in the sum of Two Thousand Five Hundred and no/100 plus interest from June 21, 1989
A-142-92
Debt---------- $2,500.00
Int. from June 21, 1989
Barbara H. King, Pro

Issued Atty.

Jul. 1, 1994 Acceptance of Service filed. I accept service of the "Praecipe for Writ of Revival" and the "Writ of Revival" which have been filed and issued in the above captioned matter.
Date 6-21-94 Ralph J. Amoroso, Defendant

Jul. 1, 1994 Acceptance of Service, filed. I Accept service of the "Praecipe for Writ of Revival" and the "Writ of Revival" which ahve been filed and issued in the above captioned matter.
Date 6-21-94 Judith Ann Amoroso, Defendant

Sept. 12, 1994 And Now, upon praecipe of plaintiff's attorney judgment is hereby entered in favor of Plaintiff and against Defendants for failure to file and answer or otherwise plead to the Writ of Revival within twenty days of service thereof, and assess damages at Four Thousand Four Hundred Eleven and 50/100.
Entered 9-12-94 Debt: $4,411.50
A - 92, 142 Barbara H. King, Pro.

Sept. 23, 1994, Notice of Entry of Judgment filed.

Sept. 23, 1994, Proof of Service filed.

Apr. 8, 1996 Upon Praecipe of Daniel J.Kuhn, Esquire, the above captioned judgment is marked satisfied of record.

1994

Paul E. Allen

Richard P. Gilmore

596.

pro se

Halliday & Halliday
Michael Halliday for
Patricia Wagner

Edward J. Hatheway
for Bernard R. and
David L. Wagner

Thomas, Spadafore,
Walker & Keenan, LLP
R.Charles thomas

5-24-96 Pdcommissioner #10034 Cchopped $20.00

BEAU-DAIRY, INC.

vs.

BERNARD R. WAGNER, PATRICIA WAGNER, his wife, DAVID WAGNER d/b/ba WAGNERCREST FARMS

Filed June 17, 1994
@ 9:17 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Pd arb. 8/28/95	15.00
appeal Pd 5-24-96	220.00

COMPLAINT IN CIVIL ACTION
4 copies atty.

June 23, 1994 Sheriff's Return filed. SERVED Patricia Wagner, personally, on June 17, 1994 at 9:44 AM, at the Crawford County Courthouse, Hallway 2nd Floor, Meadville, PA 16335
SERVED Bernard R. Wagner, d/b/a Wagnercrest Farms, personally on June 17, 1994 at 9:50 AM, at The Crawford County Courthouse, Court Room #1, Meadville, PA
SERVED David Wagner, d/b/a Wagnercrest FArms, by handing to his brother, Bernard R. Wagner, signed acceptance of service attached on June 17, 1994 at 9:51 Am, at The Crawford County Courthouse, Meadville, PA
So answers, Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

July 7, 1994, Answer and Counterclaim filed.

Jul. 20, 1994 Appearance of Halliday & Halliday by Michael Halliday, Esquire, Attorney for Patricia Wagner,Defendant, filed.

Jul. 20, 1994 Answer to Complaint, filed.(2 copies Atty.)

Jul. 22, 1994 Certificate of Service, filed. I hereby certify that a true and correct copy of the Answer to Complaint, as filed on behalf of the Defendant, Patricia Wagner, in the above-captioned action, was served upon the following:
By First Class United States Mailk, Postage Pre-Paid on July 22, 1994,addressed as follows:
Bernard R. Wagner, 166 Franklin Street, P.O.Box 781, Cochranton,PA 16314
Mr. David Wagner, R.D.#6, Meadville, PA 16335
By First Class United States Mail, Postage Pre-Paid, on July 21, 1994, addressed as follows:
Richard P. Gilmore, Esquire, 215 East Third Street, Waterford, PA 16441 (Counsel for Plaintiff)
By Michael Halliday, Esquire

July 26, 1994 Preliminary Objections to Defendant's Counterclaim filed.
July 26, 1994 Upon Praecipe of plaintiff attorney, this case placed on next available argument list.

ON AUGUST 1994 ARGUMENT LIST

Aug. 30, 1994 ORDER filed. AND NOW, August 29, 1994,at the time set for argument with respect to the Plaintiff's Preliminary Objections to the Defendant's Counterclaim, counsel for the plaintiff appears, but no one appears on behalf of the defendants, the Court noting that all defendants, except Patricia Wagner, are pro se.
Counsel for the plaintiff indicates that he has had conversations with Bernard Wagner and he expected that an Amended Counterclaim would be filed, but it has not occurred.
We have reviewed the pleadings in this matter and it appears that the Counterclaim is not specific at all, and accordingly, the Plaintiff's Preliminary Objections are SUSTAINED.
The defendants may file an Amended Count erclaim which is more specific within 20 days of the date of this Order.
BY THE COURT,
Anthony J. Vardaro, Judge
8-30-94 Copies dist.to Gilmore, Halliday & B. Wagner

Sept. 16, 1994 Amended Counterclaim, filed.

Oct. 5, 1994, Preliminary Objections to Defendant's Amended Counterclaim filed. 2 copies (atty)

Dec. 21, 1994 Upon Praecipe of Plaintiff Attorney, the above Preliminary Objections are placed onthe next available argument list.

January 1995 Argument List

Jan. 18, 1995 Appearance of Paul E. Allen, Esquire on behalf of Beau-Dairy, INc., filed.

Feb. 10, 1995 Memorandum and Order filed. AND NOW, February 9, 1995, the preliminary objections of the Plaintiff are sustained. The Defendant is granted leave to file a third amended counterclaim within 20 days of the date of this order.
BY THE COURT,
Anthony J. Vardaro,

Feb. 13, 1995 Copies dist. to Halliday, Gilmore, Wagner & Allen

Aug 2, 1995 Motion To Withdraw As Counsel and Order, filed. AND NOW, this 1st day of August 1995, upon consideration of the foregoing Motion, denied as not in compliance with Local Rule L 1012B.
Anthony J. Vardaro, J.
Aug 2,1995 Faxed Jordan, Bazurney & mailed Gilmore.

Aug. 9 1995, Motion to Withdraw As Counsel and Order filed. ORDER: AND NOW, this 9 day of Aug. 1995, upon consideration of the foregoing Motion, the Court consents tothe withdrawal of Atty. William T. Jorden as counsel for the dfts, Bernard R. Wagner, Patricia J. Wagner, David L. Wagner, and Wagnercrest Farms.
Anthony J. Vardaro, J.
8/9/95 faxed Jorden, Halliday, Allen, Gilmore (mailed)

Aug. 24, 1995, Upon praecipe of plaintiff attorney, for reference to arbitration, the following arbitrators are appointed: ~~Alan Pepicelli, Ch.~~ ~~Paul Shafer,Ch.~~ ~~Joseph Kulwicki,III Ch.~~
Ann H. Gamble,
Kemp Scales
Douglas W. Ferguson CH.

Continued on Pg. 146A

Oct. 27, 1995, Arbitrators Take the Qualifying Oath.

Mar 5, 1996 Notice of Arbitrator's Hearing

April 24, 1996, DECISION OF THE ARBITRATORS filed in which they find: in favor of plainitff and against all defendants in the sum of $8,623.95 plus interest at 6% per annum from June 17, 1994, plus costs of suit.

Decision entered
4/24/96
W - 23, 133, 43, 183

DECISION OF ARBITRATORS
Barbara H. King,
Prothonotary

May 24, 1996 Notice of Appeal from Award of Attorney for Patricia Wagner and Defendants of Board of Arbitrators filed.

May 24, 1996 Notice of Appealing Arbitrator's Hearing by Defendants filed.

Oct 11, 1996 Certificate of Readiness to Proceed to Trial, filed.

On Trial List For February 1997

Jan 20, 1997 Appearance of Edward J. Hatheway, Esquire on behalf of Defendants, Bernard R. Wagner and David L. Wagner, filed.

Jan. 28, 1997 Petition for Leave of Court to file Third Amended Counterclaim and to Continue this Case to Next Civil Trial Term filed.

Jan. 28, 1997 Order filed. ANDNOW, January 28, 1997, the defenant's Petition For Leave of Court to File Third Amended Counterclaim and to Continue this case to the Next Civil Trial Term which is really an unverified motion, is granted insofar as it appears that when previous counsel for Bernard R. Wagner and David L. Wagner withdrew his appearance, he led the court to believe that he had filed the necessary pleading outstanding in this matter and further due to the holding of the Superior Court in Cellutron Products Corporation v. Stewart, 223 Ps. Super. 391, 300 A.2d 900 (1992). Bernard R. Wagner and David L. Wagner shall file their third amended counterclaim in this matter within twenty (20) days from the date of this Order and the Court Administrator is directed to list this matter for trial on the April 1997 Civil Jury Trial List.

BY THE COURT:
Anthony J. Vardaro, J

1-28-97 distributed Ct. Adm. by Court, Hatheway, mailed Gilmore & Halliday

Feb. 6, 1997 Defendants' Third Amended Counterclaim filed.

June 6, 1997 Appearance of Thomas, Spadafore, Walker and Keenan, LLP by R. Charles Thomas, Esquire, on behalf of Defendant, Beau-Dairy, Inc., filed.

July 7, 1997 Answer of Beau Dairy, Inc. to Defendants' Third Amended Counterclaim, filed.

July 28, 1997 Defendants' (Bernard R. Wagner and David L. Wagner) Reply to Plaintiff's New Matter, filed.

Sept 29, 1997 Motion For Continuance and Order: AND NOW, this 29th day of September, 1997, upon presentation and consideration of the within Motion and there being no objections to the continuance of this case the same is continued to the February 1998 Civil Term of Court. No further continuances. Gordon R. Miller, P.J.
Sept 29, 1997 Faxed Halliday, Thomas & Hatheway

Jan 26, 1998 Pre-Trial Narrative on Behalf of Beau-Dairy, Inc., as Defendant on the Counterclaim, filed.

January 27, 1998 ORDER FILED. AND NOW, Jan. 26, 1998 the pre-trial conference in this case is scheduled for Monday, Feb. 2, 1998 at 9:00 AM in Courtroom 1.

BY ORDER OF THE COURT
Gordon R. Miller, PJ

1/27/98 DISTRIBUTED THOMAS, GILMORE, HALLIDAY & HATHEWAY

Feb. 3, 1998 PRE-TRIAL ORDER FILED. AND NOW, Feb. 2, 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 on Monday, Feb. 9, 1998, at 10:00 o'clock AM in Courtroom No. 1 of the Crawford County Courthouse. It is anticipated that this case shall take two days to try.
FOR FULL ORDER SEE PAPERS FILED.

BY THE COURT
Gordon R. Miller, J.

2/4/98 FAXED HALLIDAY

FEB. 6, 1998 MOTION IN LIMINE ON BEHALF OF PLAINTIFF FILED.

Feb. 6, 1998 MEMORANDUM AND ORDER FILED. AND NOW, Feb. 5, 1998 the Court reserves a ruling on the motion in limine. We intend to hold an in camera heaing prior to or during the jury trial to determine whether or not and of the defendants have expertise in any of the area where expert evidence is usually expected and required.

BY The Court
Gordon R. miller

2/6/98 FAXED R. CHARLES, HATHEWAY GILMORE & HALLIDAY BY THE COURT

Feb. 11, 1998 QUESTION FROM JURY TO JUDGE FILED.

Feb. 11, 1998 VERDICT FILED. AND NOW, February 11, 1998 at 1:05 o'clock PM we the jury empaneled in the above entitled case find in favor of Defendants and against: Plaintiff.

RALPH P. KISER, FOREPERSON

VERDICT ENTERED 2/11/98 B-186 VERDICT BARBARA H. KING, PROTHONOTARY

Feb. 11, 1998 EXHIBITS FILED

Feb. 11, 1998 DEFENDANTS' SUGGESTED POINT FOR CHARGE FILED.

Feb. 11, 1998 BEAU DAIRY, INC'S MOTION FOR DIRECTED VERDICT FILED.

CONTINUED ON PAGE 146B

146 B

1994

BEAU DAIRY, INC.
vs
Bernard R. Wagner, Patricia Wagner and David Wagner d/b/a WAGNERCREST FARMS

CONTINUED FROM PAGE 146 A
OF RECORD
AD 1994 - 596

****

FEb. 13, 1998 ORDER FILED. AND NOW, FEB. 11, 1998 the motion for directed verdict filed by Beau Dairy, Inc. as to the counterclaim only is granted for the following reasons:

1. The Defendants' counterclaim is barred by a two-year statute of limitations as the Defendants' have specifically represented that their basis for cause of action lies in negligence.
2. There has been no evidence presented of any negligent act on the part of Beau Dairy, Inc.
3. There is no evidence concerning the work Graham Dairy Supply did and whether or not it performed work that Beau Dairy Inc. performed negligently.
4. There is no evidence showing the amount of damages that the Defendant suffered for repair any work that Beau Dairy, Inc. did negligently, if in fact it did work negligently. There is $10,000. but there was also evidence that some of that payment represented goods and services in addition to repair work. So there is no figure for the jury to utilize in determining damages.

Accordingly, the counterclaim is dismissed and the issue surrounding the counterclaim shall not be presented to the jury.

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

2/13/98 DISTRIBUTED GILMORE, HATHEWAY & RCT

146
-C-

1994

Watts & Pepicelli
Alan L. Pepicelli

pro se

596A.

Peters, Lindsay, Lewis and Hatheway
Edward J. Hatheway

JOHN CARETTI

vs.

DEBBIE WILLIAMS

Filed June 17, 1994
@ 11:44 AM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro Co pd 8-15-94	15.00
Pro Co pd 1-18-95	9.00
Pro Co pd 4-1-97	5.00

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

June 17, 1994 Rule entered upon the Plaintiff to file a Complaint issued.

June 23, 1994 Proof of Service filed.

June 23, 1994 Affidavit of Service filed.

July 7, 1994, Complaint in Civil action filed.

July 19, 1994, Appearance of Peters, Lindsay, Lewis and Hatheway, by Edwary J. Hatheway, attorneys for defendant filed.

July 19, 1994, Answer and New Matter filed.

Aug. 12, 1994 Reply to New Matter filed.

Aug. 12, 1994 Appearance of Watts & Pepicelli by Alan L. Pepicelli for Plaintiff filed.

Aug. 15, 1994 Upon praecipe of Plaintiff attorney to appoint Arbitrators, the following Arbitrators have been appointed.

Robert Felton, Chr.
~~Brian Lindsay~~ Sylvia Dratler
Thomas Watson

Sept. 20, 1994, Arbitrators Take the Qualifying Oath.

Dec. 9, 1994 Notice of Hearing, filed.

Dec. 9, 1994 at 10:03 A.M. Decision of Arbitrators filed in which they find for the Plaintiff for the sum of$439.84 plus the costs of suit.

W-215;
12-9-94 Faxed to Attys. Pepicelli & Hatheway

DECISION OF ARBITRATORS
Barbara H. King
Prothonotary

Jan. 16, 1995 Upon praecipe of plaintiff attorney Final Judgment is entered in favor of Plaintiff and against Defendant in the above-captioned case for the aggregate sum of Four Hundred thirty-nine Dollars and 84/100, together with costs, and interest at the rate of six percent (6%) pler annum commencing December 9, 1994.

I hereby certify that thirty (30) days has elapsed from the decision of arbitrators and no appeal has been taken.

Entered 1-16-95
W - 215

JUDGMENT
Barbara H. King, Pro.

Apr 1, 1997 This Judgment satisfied (see paper filed).

146
-D-

1994

1994

Paula A. Schmeck

MacDonald, Illig,
Jones & Britton
Susan Fuhrer Reiter

597.

INTEGRA BANK/NORTH
successor by merger to
PENNBANK

vs.

THOMAS E. CRYTZER and JUDY
A. CRYTZER, individually
and d/b/a INLET VALLEY
GREENHOUSES & LANDSCAPING

Filed June 17, 1994
@ 1:12 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	31.00
Pro Co pd 8-11-94	9.00
Pro Co pd 12-7-98	5.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

July 7, 1994 SHERIFF'S RETURN, filed. SERVED Thomas E. Crytzer on June 28, 1994 at 2:45 PM by handing a copy of the Complaint to Nettie Mast, Adult in Charge at the residence, R.D. #8, Box 366, Meadville, Crawford County, PA.

SERVED Judy A. Crytzer on June 28, 1994 at 2:46 PM by handing a copy of the Complaint to Nettie Mast, Adult in Charge at the residence, R.D. #8, Box 366, Meadville, Crawford County, PA.

So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Aug. 3, 1994 And Now, upon praecipe of plaintiff attorney judgment is hereby entered in favor of the plaintiff and against the defendant above named for failure to file an Answer in the sum of Nine Thousand Thirty-four dollars and 30/100.

Entered 8-3-94 Debt: $9,034.30
C - 94, 164 JUDGMENT
I - 189 Barbara H. King, Pro.
8-11-94 Notice of entry of Judgment sent to Dfts.

Dec. 1, 1998 Appearance of Paula A. Schmeck, for plaintiff, and satisfaction of judgment marked on the record, filed.

1994

598.

MARGARET E. PICCOLO

vs.

GUY J. PICCOLO

Filed June 17, 1994
@ 1:46 PM

Tax & entry 2-7-96 Pd 50.50
User's Fee Pd 2-7-96 5.00
Sheriff's Costs Pd 25.00
Pro Co Pd 2-7-96 90.00

2-7-96 Pd Sheriff 25.00 #9753

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies Sheriff
1 copy Pltf.
Faxed PSP, MPD

ORDER:

And now, this 17th day of June , 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 not go to Plaintiffs residence nor place of work.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or fees and costs will be determined by final court order.
7. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the June 27, 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

Jun. 23, 1994 Sheriff's Return filed. SERVED Guy J. Piccolo, personally, at his place of employment, Sherry's Beer Distributor, Meadville, PA, on June 17, 1994 at 3:40 PM
So answers, Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

June 28, 1994 ORDER filed. AND NOW, June 27, 194 at the time set for heraing on this Protection from Abuse action, the Defendant appears with his counsel but Plaintiff wife failed to appear. The Court is advised that wife has consulted with counsel but Defendant's counsel in contacting Plaintiff's counsel is advised by Plaintiff's counsel that she has not recently been in touch with her counsel regarding representation in this case. Since the Plaintiff knew the precise date and time of the hearing when the temporary order was signed, this Court concludes she does not desire to proceed further with this protection from abuse action.

Accordingly, the petition is DDISMISSED and prothonotary costs in the amount of $89.50 are assessed against the Plaintiff wife, all to be paid within 30 days. No further petition for protection from abuse may be filed with the Prothonotary's Office until costs in this case are paid by the Plaintiff.

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

June 28, 1994 Copy of Order Faxed to Attys. White, Hatheway , MCPD, Pa.SPD; copy to Co. Control; copy mailed Plf.7/1/94.

1994

599.

DIANE LOUISE DENNIS

vs.

RONALD LEE CRAGO

Filed June 17, 1994
@ 2:41 PM

Tax & entry Pd 7-27-94 50.50
User's Fee Pd 7-27-94 5.00
Sheriff's Costs 34.00
Pro Co Pd 7-27-94 9.00

7-27-94 Rec from Pltf. Sheriff's Costs 34.00
7-28-94 Pd Sheriff Ck#8466 34.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies Sheriff
1 copy Plaintiff
Faxed WMPD and PSP

Order:

And now, this 17th day of June , 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 go to Plaintiff's home and will not stalk or follow 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 June 27, 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

Jun. 23, 1994 Sheriff's Return filed. SERVED Ronald Lee Cargo, personally, on June 20, 1994 at 9:15 AM, at his residence, RD#2, Box 40-11, Guys Mils, PA 16327
So answers,
Shawn E. Ashbaugh,Deputy
Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

June 28, 1994 ORDER filed. AND NOW, June 27, 1994, at the time fixed for the hearing in this matter, the defendant appeared with counsel, but the plaintiff did not appear. She obviously was advised as to the time and date of the hearing at the time the Temporary Order was entered.

ACCORDINGLY, it is ORDERED as follows:

1. This Petition is DISMISSED.

2. A true and correct copy of this Order shall be delivered to the Meadville City Police Dept., to County Control and mailed by Regular Mail by the Prothonotary to the plaintiff at 233 Walker Drive, Meadville, PA. 16335..

3. Court costs in the amount of $98.50 shall be assessed to the plaintiff, who brought this action and did not follow through with it. She shall pay those court costs within 30 days from this date, that is, by July 27, 1994, or face appropriate contempt of court proceedings.

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

June 28, 1994 Copy of Order Faxed to MCPD; copy given to Co. Control, Atty. Gagliotti and Pltf.

150

1994

Peters, Lindsay,
Lewis & Hatheway
Edward J. Hatheway

600.

DONALD R. BRITTON

vs.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Filed June 17, 1994
@ 2:43 PM

Tax & entry paid 50.50
User's Fee paid 5.00

PETITION TO APPEAL DRIVERS LICENSE SUSPENSION and TO GRANT STAY OF EXECUTION OF DRIVING PRIVILEGES

June 17, 1994 ORDER, filed. AND NOW, June 21, 1994, upon presentation and consideration of the foregoing Petition To Appeal Drivers License Suspension And To GArant A Stay of Execution Of Driving Privileges: a hearing on the appeal is set for Augist 31,1994 at 10:00 a.m., and a supersedeas is granted pending disposition of the appeal. BY THE COURT,
Anthony J. Vardaro, J.
June 21, 1994 Faxed Hatheway and sent Kuhar

Sep. 1, 1994 ORDER filed. AND NOW, August 31, 1994, after a full formal hearing, the appeal of Donald R. Britton is hereby DISMISSED and the action and decision of the Secretary of Transportation suspending his operating privileges are AFFIRMED AND SUSTAINED.
BY THE COURT,
Gordon R. Miller, P.J.
9-1-94 Copies dist. to Kuhar & Hatheway

1994

Kathleen R. Nelson

601.

DAVID BARNEY HINEMAN

vs.

JANET L. HINEMAN

Filed June 17, 1994
@ 3:28 PM

Tax & entry paid	50.50
User's Fee paid	10.00
State paid	10.00
1 Add'l Count paid	15.00
Pro Co pd 10-31-94	9.00

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

Jul.1, 1994 Affidavit of Service filed. AND NOW, this 28th day of June, 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,Janet L. Hineman, on June 21, 1994.
3. That the Defendant received said certified mail on June 24, 1994. Said Return Receipt Card Z 727 826 032 is attached hereto, signed by Janet L. Hineman and made a part hereof.

June 28, 1994 Kathleen R. Nelson, Esquire

Oct. 19, 1994 Affidavit of Consent by David Barney Hineman, Plaintiff, filed.

Oct. 19, 1994 Affidavit of Consent by Janet L.Hineman, Defendant, filed.

Oct. 27, 1994 Upon Praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Nov. 2, 1994 STIPULATION and DECREE filed. AND NOW, this 1 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 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 Affiavit has been filed by each of the parties, evidencing that each consents to the divorce, pursuatn to Section 3301(c) of the Divorce code.

II. REAL ESTATE

Defendant is the owner of real property situate in Vernon Township, Crawford Co., PA., more specifically identified as 113 Cervone Drive, Meadville. Plaintiff shall execute a Quit Claim Deed (to be held in escrow) JH., waiving any and all interest he may have acquired by virtue of his marriage to the Defendant, which Deed shall be in recordable form.

III. PERSONAL PROPERTY

The Plaintiff shall retain as his sole and separate property all of those items of personal property such as jewelry, clothing, and personal effects now in his possession, along with a 1988 ski boat, a 1980 Corvette automobile which were purchased subsequent to the parties separation. Furthermore, the Plaintiff shall be permitted to remove, within ten (10) days from the date of this Decree, a now blower from the former marital residence located t 113 Cervone Drive.

The Defendant shall be entitled to retain those items of personal property such as jewelry, clothing, and personal effects now in her possession, along with the 1986 Cadillac automobile, and the contents of the marital residence including a Rock-O-La jukebox.

IV. EMPLOYMENT BENEFITS

Plaintiff has waived any and all claim and entitlement he may have to Defendant's employment benefits, including Defendant's stock ownership, with Alltel Corp. Defendant has waived any and all claim and entitlement she may have to Plaintiff's employment benefits with Greenleaf Corp.

V. DEBTS

a. Plaintiff's Obligations

Plaintiff shall be solely responsible for the following marital debts and obligations, and shall hold the Defendant harmless in regard to same:

Defendant shall be solely responsible for the following marital debts and obligations, and shall hold the Plaintiff harmless in regard to same:

AT & T Visa Account, Carlisle Account, Kaufmann's Account, and the Mortgage with FHA, its successors or assigns, on the Cervone Drive, Crawford Co., Real Estate.

BY THE COURT:
Anthony J. Vardaro, J.

602.

PAULA LEE WALKER

vs.

JOHN MARK MARTONE, SR.

Filed June 17, 1994
@ 4:16 PM

Indigent Filing
Sheriff's Costs 25.00
William Pineo, Mediator 152.00
Pro Co 9.00

CUSTODY COMPLAINT

You, John Mark Martone, Sr., have been sued in Court to obtain custody of John Mark Martone, Jr.
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 Ordr, 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: 6/16/94 Anthony J. Vardaro, J

AND NOW, htis 16 day of June, 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 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 of this Order was entered and any required notice, with appropriate numbers of copies, to the Sheriff of Crwaford 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 Crwaford 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

June 17, 1994 Petition To Proceed In forma Pauperis Pursuant to Pa. R.C.P. 240 and Order filed. AND NOW, June 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 planitiff 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, J

Jun. 29, 1994 Sheriff's Return filed. SERVED John M. Martone, Sr., personally, on June 23, 1994 at 8:03 AM, at the Crawford County Jail, Center Street, Meadville, PA
So answers,
Dale A. Collins, Chief Deputy
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. Legal and physical custody of the subject minor child, John Mark Martone, Jr. is hereby awarded to his mother, the Plaintiff.
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 mediator notes for the Court that the father is presently incarcerated in the Crawford County Jail and will be in the custody of the Commonwealth for sometime. The question of the father's visitation rights is, therefore, deferred until he is reasonably able to exercise visitation.
4. Neither party shall do or say anything to blacken the character of the other in the child's estimatin. Each party shall treat the other in apolite and respectful manner when in the child's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the child's estimation.
5. Costs and fees of this Mediation, which are fixed at $152.00 are assessed to Crawford County. The Mediator notes for the Corut that the mother is unemployed and is proceeding in forma pauperis, and that the father is psresently incarcerated in the Crawford County Jail and has no income.
6. Either party may move the Court for a hearing de novo within ten (10) days from date hereof. If neither party so moves, this Order shall be considered permanent.
By the Court,
Gordon R. Miller, P.J.

Aug 11, 1994 Faxed Pineo, sent to Plf. & Dft.

1994

Swanson, Bevevino,
& Millin, PC
Timothy R. Bevevino

603.

FIRST DEPOSIT NATIONAL BANK

vs.

KYMBERLY Z. HAMMOND

filed June 20, 1994
@

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

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Jul. 20, 1994 Sheriff's Return filed. NOT FOUND as to Defendant Kymberly Z. Hammond at address given of 118½ West Main Street, Titusville, Crawford County,PA. Three attempts made to the residence no one at home,possibly vacant. In checking with post office they did not have any address change.
So answers, Robert M.Stevens, Sheriff

Jan. 13, 1995 Sheriff's Return filed. Returned Not Served. Received no instructions or check.
So answers,
Robert M. Stevens, Sheriff

Northwestern Legal Services
Gerald Sullivan

604.

DONNA M. WENIGER

vs.

CONRAD W. WENIGER

Filed June 20, 1994
@ 2:02 PM

Tax & entry Pd 7-1-94 50.50
User's Fee Pd 7-1-94 5.00
Sheriff's Costs 25.00
Pro Co. Pd. 7-1-94 9.00

7-1-94 Rec'd from deft Sheriff Costs 25.00

7-1-94 P/Sheriff Ck#8425 $25.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 Copies Sheriff
1 copy Plaintiff
Faxed MPD, WMPD & PSP

ORDER:

And now, this 20 day of June , 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 custody of the 3 children pending further order of Court. The Defendant shall not go to Plaintiff work place.
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 June 29, 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

Jun. 23, 1994 Sheriff's Return filed. SERVED Conrad E. Weiniger, personally, on June 20, 1994 at 2;17 PM, at the Crawford County Jail, Meadville, PA
So answers, Jim Withers, Constable
Robert M.Stevens, Sheriff

Jun.29, 1994 Answer to Petition for Relief under ProtectionFrom Abuse Act, filed.

Jul. 1, 1994 ORDER filed. AND NOW, June 29, 1994 this matter is before the Court on Plaintiff's petition for relief under the Protection from Abuse Act. The parties both appear, with the Plaintiff represent ed by counsel and the Defendant not represented. He is advised of his right to counsel and indicates that he does intend to go forward representing himself.

The parties have reached an agreement with respect to this petition and the following is entered without admission of the allegations of the petition on the part of the Defendant.

1. The Defendant shall not abuse, threaten to abuse, assault, harass, stalk or threaten the Plaintiff at any time or any place.
2. The Defendant shall not go to the Plaintiff's residence at R.D.10, 214 Green Mountain Street, in Meadville, PA at any time. The Defendant is cautioned that he should not go to that residence even if he is invited there, since any police agency called will presume that he is in violation of this order if he is at that residence.
3. In the event the parties wish for the Defendant to be able to go to that residence, they should seek a modification of this order before he goes to that residence.
4. The Defendant shall not go to the David Mead Inn during any time the Plaintiff is working. It appears that her work shift is 4:00 p.m. until closing, Monday through Saturday.
5. Temporary physical custody of the minor children shall be with the Plaintiff, with visitations to be mutually arranged and agreed upon for the Defendant between the Plaintiff and the Defendant. This visitation order and custody order is without prejucide to either party to file an appropriate custody action.
6. The Plaintiff shall be permitted to go to the Defendant's residence at R.D.#2, Box 13, Conneaut Lake, Pennsylvania on Saturday, July 9, 1994 at 9:00 a.m. for the purpose of removing her personal effects and the personal effects of the minor children.
7. On July 9, 1994 when the Plaintiff goes to the marital residence to remove certain items, the Defendant shall not be present at that residence. Additionally, pending the removal of those items, he shall not in any way tamper or destroy any such items nor shall he in any way destroy any marital property.

The items that will be removed will include the Plaintiff's clothing as well as the children's clothing, a Griswold cast iron collection, and some furniture that is in one of the children's rooms that the child purchased, as well as the toys belonging to the children.

8. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
9. A copy of this order shall be delivered to the West Mead Township Police, the Meadville City Police Department, and the Pennsylvania State Police, Meadville Barracks, and to County Control Additionally, the Prothonotary shall send a copy of this order by regular mail to the Defendant at R.D.#2, Box 13, Conneaut Lake, Pennsylvania 16316 insofar as he is unrepresented.
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.
11. The Defendant shall pay court costs in the amount of$89.50 to the Prothonotary's Office on the first floor of the Crawford County Courthouse by 4:30 p.m. on July 1, 1994.
12. This order shall remain infull force and effect through June 28, 1995.

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

7-1-94 Faxed WMPD, Pa.SPD, MCPD. Dist. to Sullivan, Co. Control & Deft.

1994

Northwestern Legal Serv.
Gerald Sullivan

605.

HOLLY JEAN PHILLIPS

vs.

TONEY WOODROW WOFFORD

Filed June 20, 1994
@ 2:14 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 PSP & WMPD

Order:

And now, this 20 day of June , 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 William Gill Village complex 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 June 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

Jun. 23, 1994 Sheriff's Return filed. SERVED Toney Woodrow Wofford, personally, at his residence 832 Liberty Street, Meadville, PA on June 20, 1994 at 3:15 PM
So answers,
Jim Withers, Constable
Robert M. Stevens, Sheriff

Jun. 22, 1994 D.J. Petition, filed.

Jun. 29, 1994 ORDER filed. AND NOW, June 28, 1994, this matter is before the Court on Plaintiff's Petition for Relief under the Protection From Abuse Act. The parties appear, the Plaintiff with counsel and the Defendant without counsel. He understands his right to counsel and wishes to proceed without counsel.

The parties agree 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, threaten to abuse, harass, stalk or threaten the Plaintiff named in the Petition in any manner.
2. The Defendant shall not go to the Plaintiff's residence nor shall he go to William Gill Village at all so long as the Plaintiff is residing at that complex and this Order is in full force and effect.

The Defendant is cautioned that he should not go to the Plaintiff's residence nor to William Gill Village even if he is invited to the Plaitniff's residence insofar as any police agency will assume that he is in violation of this Order.

In t he event that the parties wish for the Defendant to be able to go to Plaintiff's residence, they should seek a modification of this Order before the Defendant does so.

3. The Plaintiff shall have temporary physical custody of the parties' minor child pending further Order of Court in this proceeding or in any other appropriate proceeding. This Order is without prejudice to either party to file an appropriate custody action.
4. This Order may be enforced without a warrant of arrest by any law endorcement 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 West Mead Police Department and to the Pennsylvania State Police, Meadville Barracks. Insofar as the Defendant is not represented, the Prothonotary shall send a copy of this Order by regular mail to him care of Ernest Banks, Willow and South Main Street, Meadville, Pennsylvania 16335.
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 court costs in this matter in the amount of$89.50 within sixty (60) 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.
8. This Order shall remain in full force and effect through June 27, 1995.

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

6-29-94 Faxed to MCPD, Pa. SPD, WM.PD, given Sullivan & Mailed to Deft. w/bill

Continued on page 486

156

1994

Peters, Lindsay, Lewis
& Hatheway
Edward J. Hatheway,
~~Barbara J. Walton~~ withdrawn

606.

William Gregg

MARY LYNNE ARPIN n/k/a
MARY LYNNE FADER

vs.

ROBERT C. ARPIN

Filed June 20, 1994
@ 2:42 PM

Tax & entry Pd. 7/5/94 50.50
User's Fee Pd. 7/5/94 5.00

PETITION FOR SPECIAL RELIEF
2 copies atty.

June 20, 1994 Order filed. AND NOW, June 17, 1994, upon consideration of the Plaintiff's petition for special relief which also seems to incorporate within it a petition for adoption and enforcement of decree issued in Allegheny County, Pennsylvania and a contmept request, we will schedule hearing and argument with respect to the petition before the undersigned for July 26, 1994, at 3:30 p.m. in Courtroom No. 2, Crwaford County Courthouse.

Insofar as the petition speaks to a stipulation purported to be attached to the decree in divorce but not attached to the petition the Plaintiff shall have available a certified copy of that stipulation at theitme of hearing and argument that stipulation at the time of hearing and argument. Additionally, this case currently carries no Crwaford County number and the Plaintiff is directed to file the same in the office ofthe Prothonotary and pay an appropriate filing fee to the Prothonotary.

BY THE COURT,
Anthony J. Vardaro, J

June 21, 1994 Faxed Atty's Walton and Gregg

June 30, 1994 Motion For Leave To Withdraw Appearance of Barbara Walton and Order, filed. And Now, June 30, 1994, the motion for withdrawal of appearance is granted.

By the Court:
Anthony J. Vardaro, J.

June 30, 1994 Faxed Gregg, given Walton

Jul. 5, 1994 Motion to Cancel Hearing and ORDER filed. AND NOW, July 1, 1994, the hearing scheduled for July 26, 1994 is hereby continued to be reset upon motion of either party.

By the Court:
Anthony J. Vardaro, J.

7-4-94 Faxed to Attys. Gregg & Walton

Nov. 7, 1994 Petiton forSpecial Relief and RULE TO SHOW CAUSE ORDER filed. AND NOW, this 4th day of November,1994,upon consideration of the enclosed Petition for Special Relief, it is hereby entered ordering and directingthe Respondent, Robert C. Arpin, to show cause, if any he has, why said Petition for Special Relief should not be granted. The said Rule to Show Cause is returnable for hearing and/or argument on the 22nd day of November, 1994, at 3:30 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 16335.

BY THE COURT:
Gordon R. Miller, J.

11-7-94 Faxed to Attys. Hatheway & Gregg

Nov. 23, 1994 Motion To Continue Hearing on Petitioner's Special Relief Petition and Order filed. AND NOW, this 22 day of November, 1994, upon presentation and consideration of the Petitioner's Motion to Continue the Hearing on her Special Relief Petition scheduled for November 22, 1994 at 3:30 p.m.: Continued to be reset upon motion of any party.

BY THE COURT,
Anthony J. Vardaro, J

Nov. 23, 1994 Faxed to Gregg & Hatheway

1994

607.

RONDA HATCHER

vs.

RONALD L. TEUDHOPE

Filed June 20, 1994
@ 4:02 PM

Tax & entry Pd 7-26-94 50.50
User's Fee Pd 7-26-94 5.00
Sheriff's Costs 32.00
ProCo Pd 7-26-94 9.00

7-26-94 Receipt # 5764 32.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 coies Sheriff
1 copy Planitiff
Faxed PSP

Order:

And now, this 20 day of June , 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 , 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

Jun. 23, 1994 Sheriff's Return filed. SErved Ronald L. T eudhope, personally, on June 21, 1994 at 1:45 PM, at his residence, RR #2, Box 5A, Beaver Street, Springboro, PA
So answers,
Shawn E. Ashbaugh, Deputy Sheriff
Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

Jul. 1, 1994 ORDER filed. AND NOW,JUne 30, 1994 at the time fixed for hearing in this matter, the Plaintiff appeared bu the Defendant did not. The Defendant was served and therefore the Court held a hearing in his absence. We are satisfied that the Defendant has engaged in physical abuse or threats of physical abuse against the Plaintiff and that she is entitled to relief. Accordingly, it is ORDERED as follows:

1. The Defendant shall not assault, abuse, harass, or t hreaten the Plaintiff or any of her minor children.
2. The Defendant shall not contact the Plaintiff in any way except in writing, provided the writing does not become abusive, harassing, or threatening.
3. The Defendant shall not go to t he Plaintiff's home or to her place of work. In fact, he shall not be within 100 yards of those places.
4. The Plaintiff shall do nothing to cause the Defendant to violate this order. If she believes that she wants to resume contact with the Defendant,she shallnot do so until she files a motion with the Court with the proper forms and in the proper manner, and obtains a modification or termination of this order.
5. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
6. The prothonotary shall deliver a copy of this order to the Pensylvania State Police at Meadville and to the Defendant at hs address listed on the original complaint, as well as to County Control.
7. This order shall remain in full force and effect for 1 year from this date unless modified or terminated by further order of Court.
8. The Defendant shall pay record court costs in the amount of $96.50 by paying the same to the Prothonotary in the Crawford County Courthouse no later than August 1, 1994. If he fails to pay the costs, he may be held in contemot of court and punished further.
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 ORDER OF THE COURT,
Gordon R. Miller, P. J.

7-1-94 Faxed to Pa.SPD, given to Co. Control. 7-11-94 Mailed Copy to Pltf & Deft.

158

1994

Ferguson & Spataro
Douglas W. Ferguson

608.

TINA M. GETTYS

vs.

DARRELL L. GETTYS

Filed June 21, 1994
@ 10:09 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro. Co. pd 10/13/94	9.00

COMPLAINT IN DIVORCE

Aug. 3, 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 June 23, 1994. The Defendant acknowledged service on June 27, 1994, by accepting delivery on that date as evidenced by the attached signed return receipt.
Douglas W. Ferguson

Oct. 6, 1994 Affidavit of Consent by Tina M.Gettys, Plaintiff, filed.

Oct. 13, 1994 Affidavit of Consent of Darrell L.Gettys, Defendant, filed.

Oct. 13, 1994 Upon Praecipe of Douglas W.Ferguson, Esquire, to transmit record, case moved to Court.

DIVORCE DECREE FILED

Oct. 25, 1994 AND NOW, October 21, 1994, it is ordered and decreed that TINA M. GETTYS, plaintiff, and DARRELL L. GETTYS, 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

Mason & Mason
Joan D. Mason

609.

DEBRA ANN EARLEY

vs.

JEFFREY SCOTT EARLEY

Filed June 21, 1994
@ 10:49 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co. Pd 4/10/97	9.00

COMPLAINT IN DIVORCE
2 copies atty.

July 7, 1994, Affidavit of Service filed. I, Joan Mason, atty. for plff in the above case, depose and say that I did on June 22, 1994, mail to dft. by cert. mail #P425 665 131 ret. rec. req. del to addressee only a complaint inthe above action. Said notice was received by dft. on June 27, 1994, as indicated by ret. rec. card which was returned to office of plff. atty. and is attached hereto. Joan D. Mason, Esq.

Mar 12, 1997 Affidavit of Consent of Plaintiff, filed.

Mar 12, 1997 Waiver of Notice of Intention to Request Entry of Divorce Decree Under Section 3301(c) of the Divorce Code, filed. (Plaintiff)

Apr. 3, 1997 Waiver of Notice of Intention to Request Entry of a Divorce Decree Under Section 3301(c) of the Divorce Code by Jeffrey Scott Earley, Defendant, filed.

Apr. 3, 1997 Affidavit of Consent by Defendant filed.

Apr. 3, 1997 Praecipe for Review Under 3301 (c) of the Divorce Code filed.

Apr. 14, 1997 **DIVORCE DECREE FILED.**

AND NOW, April 14, 1997, it is ordered and decreed that Debra Ann Earley, plaintiff, and Jeffrey Scott Earley, defendant, are divorced from the bonds of matrimony.
The Court retains jurisdiction of any claims raised by the aprties 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

Mason & Mason
Joan D. Mason

610.

DAVID E. JONES

vs.

CAROLYN A. JONES

Filed June 21, 1994
@ 10:49 AM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro.Co. pd 3/14/95	$9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
2 copies atty.

Aug. 15, 1994, Complaint Reinstated.

Sept. 30, 1994, Affidavit of Service filed. I, Joan Mason, in above case, and being duly sworn according to law, depose and say that I did on Sept. 1, 1994 maile to dft. by cert. mail, # Z 727 903 615 ret. rec. req. deliver to addressee only, a complaint in above divorce action. Said notice was received by dft. on Sept. 7, 1994 asindicated by ret. rec. card which was returned to office of plff's atty. and is attached hereto.
Joan D. Mason, Atty. for plff.

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

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

Mar. 14, 1995 Upon Praecipe of Joan D. Mason, Esquire, Attorney for Plaintiff to transmit record, case moved to Court.

Mar. 24, 1995 Memorandum filed. AND NOW, March 21, 1995 this matter has been referred to the Court for final decree. We will not enter a final decree because in a companion custody action at 1995-62 the costs have not been paid as required by the Order of February 21, 1995. Once those costs are paid the Court will review this matter and enter an appropriate decree.

BY THE COURT,
Gordon R. Miller, J

Mar. 24, 1995 Faxed J. Mason

Apr. 21, 1995, Upon praecipe of plaintiff attorney, to resubmit case to the court, this case moved tocourt.

DIVORCE DECREE FILED

May 3, 1995 STIPULATION and DECREE filed. AND NOW, this 1st day of May, 1995, the court orders and decrees as follows:

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

2. REAL ESTATE; LIABILITIES: Carolyn A. Jones shall transfer to David E. Jones all of her right, title and interest in the real estate located at RD #8, Box 212, Hayfield Township, Crawford Co., PA., in exchange for payment of $2,500.00, $500.00 of which has already been paid pursuant to mutual agreement arrived at between the parties themselves. The balance of $2,000.00 shall be due and payable on or before March 23, 1995. As further consideration for transfer of her interest in said property, David E. Jones agrees to assume all liabilities connected with the property, David E. Jones agrees to assume all liabilities connected with the property, which includes the balance of a home equity loan, which has an approximate principal balance at this time of $15,000.00. Additionally, in consideration for said transfer, David E. Jones assumes full responsibility for the balance of approximately $1,200.00 owed to FNB, and $1,300.00 owed to Beneficial Finance, all of which debts are joint debts.

3. PENSION AND RETIREMENT BENEFITS: The parties hereto have been married since March 29, 1975 (rather than 1979 as erroneously noted in the divorce complaint). Carolyn A. Jones has been employed in the construction trades, and has accrued pension and retirement benefits through Laborer's Local 964, for a period of approximately 11 years. David E. Jones is also in the construction trades, and is a member of Carpenter's Local 556, through which he has accrued pension and retirement benefits for approximately 6 years. Each party waives any rights or entitlements that he or she would otherwise have had as a result of this marriage, and relinquishes any claim to the pension and/or retirement benefits now titled to the other party hereto.

4. WAIVER OF FILING OF DOCUMENTS: Neither party hereto shall require the other party hereto to file an inventory and appraisement as would otherwise have been required by the PA. Rules of Civil Procedure. Each party is aware to his or her own satisfaction of the debts incurred and assets acquired during the marriage.

5. WAIVER OF CLAIMS: Neither party hereto shall make any claim against the other party hereto, except for enforcement of the rights and responsibilities set forth in this decree.

BY THE COURT,
Gordon R. Miller, J.

1994

Ely & Smith
Theodore B. Ely

611.

HAMOT MEDICAL CENTER OF THE CITY OF ERIE, PENNSYLVANIA

vs.

DAVID CRANDALL and SANDRA JONES

Filed June 21, 1994
@ 11:16 AM

Tax & entry paid	15.00
Pltf. on orig.	9.50
Sheriff's Costs	31.00

WRIT OF REVIVAL

of

DSB 1987 - 549

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 Two Thousand Four Hundred Two and 62/100 plus interest and cost of suit.
C-44; J-153
Debt----------$2,402.62
Interest from June 3, 1985
Barbara H. King, Pro

Issued Sheriff

July 26, 1994 Writ Return filed. NOT FOUND as to Defendant David Crandall at address given of R.D. #2, Dunham Road, Meadville, Crawford County, PA. Left three notes on three attempts to the residence, received no response and no one ever being home.
So answers, Robert M. Stevens, Sheriff

November 27. 2002 - See Computer for further entries.

162

1994

Ferguson & Spataro
Douglas W. Ferguson

612.

~~Ferguson & Spataro~~ in Error
~~Douglas W. Ferguson~~
~~Email to Lafave~~

JAMES & SUSAN HANIWALT

vs.

RON HART d/b/a HART"S
MACH/L & G

Filed June 22, 1994
@ 8:34 AM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro Co pd 10/12/94	15.00
Pro. Co. pd 4/7/95	9.00
Satisfaction @ 8/21/96	85.00

APPEAL OF DEFENDANT'S FROM DECISION OF
DISTRICT JUSTICE GEORGE HERZBERGER

June 22, 1994 Rule entered upon the Plaintiff to file a Complaint Issued.

June 23, 1994 Proof of Service filed.

Jul. 1, 1994 Complaint, filed.

July12, 1994, affidavit of Service filed. I, the undersigned being duly sworn according to law, depose and say that I have served a true and correct copy of the complaint certified by the Prothonotary of Crawford County, Pa. onthe above named dft. by reg. mail, dated July 1, 1994. Douglas W. Ferguson Esq.

Aug. 26, 1994 Answer filed.

Sept. 20, 1994 Plaintiffs' Answer to Defendant's Counterclaim filed.

Oct. 12, 1994 Upon praecipe of Plaintiff Attorney For Reference To Arbitrators, the following Arbitrators are appointed:
Alan Pepicelli, Chairman
Edward Hatheway
Karen Johnson

Dec. 5, 1994 Arbitrators take Qualifying Oath.

Jan. 10, 1995 Notice of Arbitration, filed.

Feb. 15, 1995 Decision of Arbitrators filed. And now,the 15th day of February,1995,we the undersigned Arbitrators cosen in this case,after having been duly sworn and having heard the evidence and allegations of the parties find in favor of the Plaintiffs and against the Defendant in the sum of $2,582.00 with interest at 8% per annum from March 16, 1995 until paid in full. All costs are assessed to the Defendant.

H-144; H-184;

DECISION OF ARBITRATORS
Barbara H.King
Prothonotary

2-15-95 Faxed to Attys. Ferguson & Spadafore

Apr. 7, 1995 And Now, Apr. 7, 1995 at 1:59 PM uponpraecipe of plaintiff attorney judgment is hereby entered in the above captioned matter in accordance with decision of the Board of Arbitrators entered thereon.

H-144; H-184;

Atty. Ferguson
4-19-95

Debt $2,582.00
JUDGMENT
Barbara H.King
Prothonotary

Ex. 1995 - 26

Aug. 21, 1996 This Judgment satisfied
(see paper filed)

1994

Joseph C. Barnhart

613.

ALBERT L. DELP, SR.

vs.

CINDY L. DELP

Filed June 22, 1994
@ 1:25 pM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 5-19-95	9.00

COMPLAINT IN DIVORCE
1 copy atty.

May 16, 1995 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 athat he did serve a certified copy of a Complaint in Divorce upon the above-named Defendant at her mailing address of 409 West Walnut Street, Titusville, PA 16354, by United States Certified Mail, Restricted Delivery, evidenced by postal Retuarn Receipt P 853 732 315, purportedly signed by said Defendant and dated June 23,1994, attached hereto and incorporated herin by reference.

Mlay 16, 1995 Affidavit of Consent of Defendant, filed.

May 16, 1995 Affidavit of Consent of Plaintiff, filed.

May 16, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

May 26, 1995, MEMORANDUM filed. AND NOW, May 24, 1995, the plaintiff's praecipe to transmit the record will not be acted on since it appears to be signed by Jos. C. Barnhart, after the effective date of his disbarment. The Supreme Court Order announcing his disbarment by consent was dated April 28, 1995. The praecipe to submit this matter for final divorce was dated May 15th.

The court will reconsider this matter on praecipe signed by the plaintiff pro se, on praecipe filed by new counsel after the entry of an appearance, or on praecipe of Mr. Barnhart if he is able toconvince us that his disbarment was not effective until after May 15, 1995.

by the court,
Gordon R. Miller, P.J.

5/26/95 faxed to Barnhart and mailed to plff.

June 2, 1995 DIVORCE DECREE FILED.

AND NOW, this 1st day of June, 1995, it is ordered and decreed as follows:

1. Upon consideration ofthe peladings and Affidavits filed in the above=captioned matter, the Court hereby grants an absolute divorce fromthe bonds of matrimony to the above-named parties, on the grounds that the marriage is irretrievably broken and ninety (90) days have elapsed from the date of the filing of the complaint, and an Affidavit has been filed by each of the parties evidencing that eachof the parties consents to the divorce, pursuant to 3301(c) of the Pennsylvani Divorce Code.

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

BY THE COURT,
Gorodn R. Miller, J

Jun. 7, 1995 MEMORANDUM filed. We entered a memorandum on May 24, 1995 at the time we refused to enter a final decree because the praecipe was signed by Joseph C. Barnhart after the effective date of his disbarment.

Mr. Barnhmart called our attention to the fact that that was in error. Rule 217 of the Pennsylvania Rules od Disciplinary Enforcement gave Mr. Barnhart thirty (30) days after April28, 1995 to wind up and complete affairs on behalf of clients. Therefore he had until May 28, 1995 to do so and his praecipe to transmit the record in this case was appropriate and timely.

Accordingly we have entered a divorce decree on June 1, 1995 and express our regret to Mr. Barnhart and the parties for this oversight.

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

6-14-95 Faxed to Barnhart, mailed to Deft.

1994

614.

BOROUGH OF SPRINGBORO

vs.

DONNA HIGLEY

Filed June 22, 1994
@ 1:26 PM

Tax & entry paid	9.00
Pltf. on orig.	18.50

AGREEMENT TO REVIVE

OF

AD 1989 - 588

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 Seven Thousand and no/100 plus costs

H-41
Debt-----$7,000.00
Barbara H. King, Pro

Revived to AD 1999-652

1994

615.

BOROUGH OF SPRINGBORO

vs.

MARIE E. HERSHELMAN

filed June 22, 1994
@ 1:26 PM

Tax & entry paid 9.00
Pltf. on orig. 23.50

AGREEMENT TO REVIVE

OF

A.D. 1989 - 652

The undersigned hereby agrees that the judgment entered on Marie E. Herselman to Borough of Springboro revived and the lien continued and authorized the prothonotary to enter and index a judgment of revival in the amount of Seven Thousand and no/100----------plus cost.

Signed and dated this 2nd day of June 19 94.

Debt $7,000.00

JUDGMENT
Barbara H. King
Prothonotary

Revided to AD 1999-660

166

1994

616.

BOROUGH OF SPRINGBORO

vs.

CARLYLE ARTMAN

Filed June 22, 1994
@ 1:26 PM

Tax & entry paid	9.00
Pltf. on orig.	18.50

AGREEMENT TO REVIVE

OF

AD 1989 - 586

The undersigned hereby agree(s) that the judgment entered on June 30, 1989 to the Court of Common Pleas of Crawford Co. be revived and thelien continued and authorize(s) the prothonotary to enter and index a judgment of revival in the amount of Seven Thousand and no.100 ----------plus costs

Signed and dated this 18 day of April , 1994 .

Date----- June 22, 1994
Debt----- $7,000.00
A-34

Judgment
Barbara H. King
Prothonotary

Revived to AD1999-649

1994

617.

BOROUGH OF SPRINGBORO

vs.

MABEL SILVERTHORN

Filed June 22, 1994
@ 1:26 PM

Tax & entry paid	9.00
Pltf. on Orig.	23.50

AGREEMENT TO REVIVE

OF

A.D. 1989 - 653

The undersigned hereby agrees that the judgment entered on July 27, 1989 to Borough of Springboro revived and the lien continued and authorized the prothonotary to enter and index a judgment of revival in the amount of Six Thousand Nine Hundred Twenty and00/10plus cost.

Signed and dated this 6th day of June 1994 .

Debt $6,920.00

JUDGMENT
Barbara H. King
Prothonotary

Revived to AD1994-661

1994

618.

BOROUGH OF SPRINGBORO

vs.

DALE RIGHT
ROSEMARIE V. RIGHT

Filed June 22, 1994
@ 1:26 PM

Tax & entry paid 9.00
Pltf. on orig. 18.50

AGREEMENT TO REVIVE

OF

A.D. 1989 - 587

The undersigned hereby agree(s) that the judgment entered on June 30, 1989 to the Court of Commons of Crawford Co. be revived and thelien continued and authorize(s) the prothonotary to enter and index a judgment of revival in the amount of Seven Thousand and no/100----------plus costs

Signed and dated this 21st day of June , 1994

Date----- June 22, 1994
Debt----- $7,000.00
R-45-145

Judgment
Barbara H. King
Prothonotary

Revived to AD1999-698

1994

Barbara J. Walton

619.

JANE H. DEAN

vs.

EDWARD B. DEAN

Filed June 22, 2994
@ 2:02 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro Co. pd 9/30/94	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
2 copies atty.

Jun.30, 1994 Affidavit of Service filed. And Now, June 30, 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 JUne 25, 1994.

2. That the Defendant signed the return card on June 27, 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. P708507899) attached hereto as Exhibit "A".

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

July 7, 1994, Property Settlement Agreement filed.

Sept. 22, 1994, Affidavit of Consent of plaintiff filed.

Sept. 22, 1994, Affidavit of Consent of defendant filed.

Sept. 23 1994 Upon praecipe of plaintiff attorney for Review under Section 3301(c) of Divorce Code this case moved to Court.

DIVORCE DECREE FILED

Oct. 6, 1994 AND NOW, this 3 day of October, 1994, upon presentation of the Stipulation and Consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED AND DECREED that:

1. The bonds of marriage between Plaintiff, JANE H. DEAN, and Defendant, EDWARD D. DEAN, 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 July 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:
Anthony J. Vardaro, J.

170

1994

Tarasi & Johnson
Louis M. Tarasi, Jr.

620.

Eileen Koepfer Narvin
For Defendants

DOROTHY A. HEANEY

vs.

CRAWFORD COUNTY and ROBERT P. PRICE

Filed June 23, 1994
@ 1:47 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	31.00
Pro co pd 7/13/98	6.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

July 13, 1994 Appearance of Eileen Koefer Narvin, Esq. on behalf of Defendants, Crawford County and Robert P. Price, filed.

July 15, 1994 SHERIFF'S RETURN, filed. SERVED Crawford County on June 30, 1994 at 11:37 AM by handing a copy of the Complaint to William Harry, Chief Clerk of Crawford County, in the Sheriff's Office, Third Floor, Crawford Courthouse, Meadville, PA.

SERVED Robert P. Price personally on July 8, 1994 at 10:30 AM by handing a copy of the Complaint to Robert P. Price at his place of employment at the County Home, Saegertown, Crawford County, PA.

So answers, Diane Brittain, Deputy Sheriff
Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Sept. 16, 1994 Preliminary Objections, filed.

Sept. 19, 1994 Notice of Service of Interrogatories Directed To Defendant, Crawford County, filed.

In Error
~~Sept.~~ 19, 1994 Motion For Sanctions and Order, filed. AND ~~NOW, September~~ 19, 1994 it is ~~ordered that the Defendant~~'s shall answer all discovery ~~within 30~~ days of this date. This order is entered by consent of Defendant's counsel.

Anthon J. Vardaro, J.

~~Sept. 19~~

Nov. 4, 1994 Plaintiff's Response to Defendant's Preliminary Objections filed.

July 13, 1998 Upon praecipe of plaintiff attorney, the above captioned case is hereby discontinued as to all defendants, with prejudice.

1994

MacDonald, Illig,
Jones & Britton
Richard J. Parks

621.

INTEGRA BANK/NORTH, formerly known as INTEGRA NATIONAL BANK/NORTH

vs.

LEWIS W. KERR and AUDREY C. KERR, husband and wife

Filed June 23, 1994
@ 1:47 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	40.00
Pro Co. pd 7/28/94	9.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

July 15, 1994 SHERIFF'S RETURN, filed. SERVED Lewis W. Kerr personally on July 6, 1994 at 2:25 PM by handing a copy of the Complaint to him in the Sheriff's Office, Third Floor, Crawford County, Courthouse, Meadville, PA.

SERVED Audrey C. Kerr on July 6, 1994 at 2:26 PM by handing a copy of the Complaint to Lewis W. Kerr, 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, Depty Sheriff
Robert M. Stevens, Sheriff

July 28, 1994, 11:43 a.m., AND NOW upon Praecipe of Plaintiff Attorney, with Affidavit of Non-Military Service attached, judgment is hereby entered in favor of Plaintiff and against Defendant in the amount claimed in the Complaint of $32,264.06 plus interest at the rate of $7.03 per day from 7/1/94, plus costs of suit, taxes, insurance premiums advanced by Plaintiff and for foreclosure and sale of the mortgaged premises.

Debt $32,264.06
Judgment
Barbara H. King, Pro.

K-104,14
Judgment entered -
7/28/94.

Aug. 26, 1994 Affidavit of Service of Notice of the Sheriff's Sale, filed.

1994

Zimmer, Kunz, PC
Alexander P. Bicket

622.

Mason and Mason
M. Dan Mason

JUDITH ELLEN PORTANOVA

vs.

ARTHUR GREATHOUSE

Filed June 23, 1994
@ 1:47 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro Co pd 3-8-95	9.00
Pro Co paid 4/30/98	5.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

July 7, 1994 SHERIFF'S RETURN, filed. SERVED Arthur Greathouse on June 28, 1994 at 9:20 AM by handing a copy of the Complaint to Alberta Greathouse, his mother and adult in charge at the residence, R.D. #2, Box 76, Meadville, Crawford County, Pa.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Jul. 19, 1994 Answer to Complaint filed. (1 copy Atty.)

July 21, 1994 Certificate of Service filed. The undersigned hereby certifies that a true and correct copy of the Defendant's Answer to Complaint was served upon all counsel of record on July 19, 1994, by First Class Mail. M. Dan Mason

Feb. 28, 1995 Stipulation Regarding Entry of Consent Judgment, filed. The parties stipulate and agree that judgment may be entered by teh Prothonotary against the defendant in the amount of Seven Thousand One Hundred Nine Dollars and 64/100 Cents and further that the defendant has agareed to make payment in the amount of Two Hundred Dollars per month. Payments are to begin in March, 1994, with payments due by the 5th of each month; and, if payments are made without interruption on a monthly basis, there will be no revocation of license nor executiion of judgment. In the event defendant becomes more than sixty (60) days delinquent on this account, an execution will issue on the judgment immediately.
G - 14 Debt: $7,109.64
CONSENT JUDGMENT
Barbara H. King, Pro.

Apr. 13, 1998 This Judgment Satisfied. (See Paper Filed).

1994

623.

HARRY TURNER

vs.

MEADVILLE MINI WAREHOUSE

Filed June 23, 1994
@ 2:11 PM

Tax & entry paid	50.25
User's Fee paid	5.00
ThoCo pd 7-25-94	900

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

June 27, 1994 Proof of Service filed.

July 18, 1994 ANDNOW, July 18, 1994, 1:33 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.

T-623

JUDGMENT OF NON PROS
Barbara H. King,
Prothonotary

1994

Gregg & Nelson
Kathleen R. Nelson

624.

REBECCA L. STEPHENS

vs.

BRYAN S.STEPHENS

Filed June 23, 1994
@ 3:37 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Sheriff's Costs	25.00
Pro Co pd 10-10-94	9.00
Sheriff's Costs	35.00
Pro Co pd 11-18-94	9.00

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

June 23, 1994 Plaintiff's Affidavit Under Section 3301(d) Of The Divorce Code filed.

July 29, 1994 Compalint Reinstated.

Aug. 10, 1994 Sheriff's Return filed. SERVED Bryan S. Stephens personally on August 4, 1994 at 11:00 AM by handing a copy of the Complaint in Divorce to him at his residence, 299 Randolph Street, Meadville, Crawford County, PA.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M.Stevens, Sheriff

Sep. 30, 1994 Affidavit of Consent by Bryan S. Stephens, Defendant, filed.

Oct. 5, 1994 Upon praecipe of Plaintiff's attorney 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:

X As to a 3301 (d) divorce:
X There is no indiciation that the3301 (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.
X Other: There are costs owing at the following docket numbers in the Prothonotary's office which must be paid prior to a divorce decree being signed:
A.D. 1992 - 124 - Defendant - $93.50
A.D. 1992 - 724A - Defendant - $55.50

Either party may file a praecipe torefer 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.

10-13-94 Faxed by Court to Counsel

Oct. 19, 1994 Praecipe to Reinstate Plaintiff's Affidavit, filed.

NOv. 1, 1994 SHERIFF'S RETURN, filed. SERVED Bryan S. Stephens on October 26, 1994 at 11:00 AM by handing a copy of Plaintiff's Affidavit to Michelle Shawgo, Adult in Charge at the residence at 299 Randolph Street, Meadville, Crawford County, PA.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Nov. 7, 1994 Upon praecipe of Plaintiff to transmit record, case moved to Court.

Nov. 16, 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 becaue:

X As to a 3301(d) divorce:
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 coundel of a represented party was properly mailed or delivred; and/or a copy of said notice is not attached to the praecipe to refer or submit.
X Other: In the alternative, Plaintiff could file a 3301(c) affidavit of consent and the divorce would then be ready for a decree to be 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:
Anthony J. Vardaro,J.

Nov. 16, 1994 copies dist. by Court.

Nov. 17, 1994 Affidavit of Consent of Plaintiff, filed.

Nov. 18, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Nov. 22, 1994 AND NOW, November 21, 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.

Aug 23, 1996 Certificate of completion of the Seminar for Separating Parents for REBECCA STEPHENS, filed.

1994

Gregg & Nelson
Kathleen R. Nelson

625.

McClure & Miller
Edward P. Wittmann

DESILENE A. KREIDER

vs.

THEODORE C. KREIDER

Filed June 23, 1994
@ 3:38 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 11-15-94	9.00

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

Jul. 14, 1994 Affidavit of Service filed. AND NOW, this 13th day of July, 1994, Kathleen R. Nelson, Esquire, being duly sworn according to law, deposes and dsays 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 inDivorce and Notice were sent by certified mail to the Defendant, Theodore C. Kreider,on June 30, 1994.

3. That the Defendant received said certified mail on July 2, 1994. Said Return REceipt Card Z 727 826 037 is attached hereto, signed by T heodore C. Kreider and made a part hereof.

July13, 1994 Kathleen R.Nelson, Esquire

July 21, 1994 Appearance of McClure & Miller by Edward P. Wittmann, Esq. for Defendant filed.

Oct. 27, 1994 Affidavit of Consent of Defendant filed.

Oct. 27, 1994 Affidavit of Consent of Plaintiff filed.

Nov. 15, 1994 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Nov. 22, 1994 AND NOW, November 21, 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.

176

1994

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

626.

EVEYLN J. WORLEY,
Administratrix C.T.A. of
the Estate of MARY WORLEY,
a/k/a MARY F. WORLEY, a/k/a
MARY EMALINE WORLEY, a/k/a
MARY JO WORLEY, Deceased

vs.

JOHN C. NICKELSON and
JOYCE E. NICKELSON, his wife

Filed June 24, 1994
@ 1:30 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro. Co. Pd. 11/3/94	5.00

COMPLAINT TO CONFORM CONFESSED JUDGMENT PURSUANT TO 41
Pa. Cons. Stat. 407 - JUDGMENT NOTE ACT 6 COMPLAINT
2 copies atty.

July 7, 1994 SHERIFF'S RETURN, filed. SEERVED John C. Nickelson prsonally on June 28, 1994 at 2:05 PM by handing a copy of the Complaint to him at his residence, R.D.#8, Box 808, Meadville, Crawford County, PA.
So answers, Robert M. Stevens, Sheriff

Nov. 3, 1994 Upon Praecipe of David P. Truax, Esquire, Attorney for Plaintiff, the above case settled and discontinued, satisified in full.

1994

Barbara J. Walton
~~Joseph W. Tinko~~ withdrawn

627.

Thomas, Spadafore,
Walker & Keenan
R. Charles Thomas

PATRICIA D. JONES

vs.

KEITH L. JONES

Filed June 24, 1994
@ 1:54 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00
Add'l Count pd 6-4-97	15.00
State pd 6-4-97	5.00
John Fuller, Mediator	

Pro C Pd. 6/29/99 13.50

8-18-97 Rec'd from Plf med deposit 200.00
7-27-98 Refunded Medley 200.00
8-25-98 Rec'd from Plf Manley 250.00
1-19-99 Rec'd from Plf Martin 50.00

COMPLAINT IN DIVORCE, REQUEST FOR EQUITABLE DISTRIBUTION UNDER SECTION 3502 OF THE DIVORCE CODE, REQUEST FOR ALIMONY PENDENTE LITE AND ALIMONY UNDER SECTION 3701 and SECTION 3702 OF THE DIVORCE CODE, REQUEST FOR COUNSEL FEES, COSTS and EXPENSES UNDER SECTION 3104, SECTION 3323 and SECTION 3702 OF THE DIVORCE CODE
2 copies atty.

May 4, 1995 Affidavit of Service filed. BEFORE ME, a Notary Public of the Commonwealth of Pennsylvania, on this 3rd day of May, A.D. 1995, comes Joseph W. Tinko, Esquire, the undersigned affiant who, after being duly sworn according to law, deposes and says as follows:
That the Divorce Complaint in the above-captioned case was served on the Defendant, Keith L. Jones, on June 25, 1994 at R.D. #1, Box 144, Old Plank Road, Venango, Pennsylvania, 16440, by United States Certified Mail postage prepaid as evidenced by the return receipt signed by the Defendant, Keith L. Jones, which is attached hereto as Exhibit A"" and incorporated herein by this reference as if fully set forth.
Date: May 3, 1995 Joseph W. Tinko

Feb 2, 1996 **APPEARANCE** of Barbara J. Walton, Esquire for Plaintiff, Patricia D. Jones, **withdraw of appearance** of Joseph W. Tinko, Esquire for Plaintiff.

May 2, 1996 Inventory of plaintiff filed.

July 3, 1996, Motion to compel Fining and Order filed. ORDER: AND NOW, this 3 day of July 1996 the dft. is ordered to complete and file hisinventory and income and expense statement within 30 days. AnthonyJ. Vardaro, J.
7/3/96 faxed to Walton, mailed to dft.

Sept. 30, 1996 Inventory and Appraisement of Defendant, Keith L. Jones filed.

Oct. 3, 1996 Defendant's Income and Expense Statement filed.

May 23, 1997 Petition for Additional Remedies, filed.

Aug 15, 1997 Motion To Appoint Custody Mediator and Orders: ORDER: You, Keith Jones have been sued in Court to obtain custody, partial custody or visitation of: Carson K. Jones and Allison D. Jones.
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 address listed on the complaint or petition that has been filed recently.
Date: 8/14/97 Anthony J. Vardaro, J.
Aug 18, 1997 Distributed Walton and Faxed Fuller & Thomas
AND
ORDER: AND NOW, this 14 day of August, 1997 a Complaint in Divorce being filed herewith which avers that there are children of the marriage under the age of 18 years it is ORDERED and DECREED that the parties shall comply with Crawford County Civil Rule L1930 and shall attend and complete the Seminar for Separating Parents.
Application must be made by the Plaintiff within fifteen (15) days after he/she filed the Complaint in this action: and the application must be made by the Defendant within fifteen (15 days after he/she was served with the Complaint.
Each party is required to complete the seminar within forty-five (45) days after he/she makes application. Anthony J. Vardaro, J.
Aug 18, 1997 Faxed Walton and Distributed Thomas & Fuller

Sept 24, 1997 Certificate of completion of the Seminar for Separating Parents for Patricia Jones, filed.

July 27, 1998 MOTION TO REFUND DEPOSIT and ORDER OF COURT, filed. AND NOW, this 24 day of July, 1998, the mediation deposit paid by Plaintiff shall be refunded to her, less any expenses submitted by the mediator and court costs.
By The Court
Anthony J. Vardaro, J.
July 27, 1998 FAXED Attys. Fuller, Thomas, Distributed Atty. Walton.

Aug. 25, 1998 Motion for Appointment of Master in Divorce filed. ORDER APPOINTING MASTER: AND NOW, Aug. 26, 1998 David Pickens, esq is appointed Master in respect to the following claims: Equitable Distribution, alimony, Alimony pendente lite, counsel fees, costs and expenses.
PER CURIAM,
Anthony J. Vardaro, J.
8/27/98 faxed to Walton, Thomas, Pickens

Sept. 11, 1998 Notice of Scheduled Pre-Hearing conference filed.

Nov. 20, 1998 Summary of Pre-Hearing Conference and Scheduling Crder filed.

Jan. 7, 1999, Notice of Scheduled Master's Hearing filed.

Jan. 26, 1999 ORDER OF COURT filed. AND NOW, this 22nd day of January, 1999, the above matter is continued until a new hearing is requested, as counsel advises the matter is settled.
By The Court
David W. Pickens, Master

CONTINUED ON PAGE 510

178

1994

William J. Gregg	WILLIAM COULTER	COMPLAINT IN CIVIL ACTION 2 copies atty.
628.	vs.	
	BRIAN DONAHUE and RUTH HAHN	
	Filed June 24, 1994 @ 2:21 PM	
	Tax & entry paid 50.50 User's Fee paid 5.00	

1994

Peters, Lindsay,
Lewis & Hatheway
Brian J. Lindsay

629.

6/24/94 $150.00
deposited by Planitiff

10-4-94 Pd Pltf Refund
Ch#8592 52.50

10/20-94 Pd Co 88.50
Ch#8601

ROBERT WILLIAM PRESTON SEELEY

vs.

JANICE RUTH SEELEY

filed June 24, 1994
@ 3:42 PM

Tax & entry paid	50.50
User's Fee paid	5.00
William Pineo, Mediator	177.00
Pro Co Pd 10-10-94	9.00

COMPLAINT FOR CUSTODY

June 28, 1994 Notice And Order To Appear, field. You, JANICE RUTH SEELEY, Defendant, have been sued in court to obtain custody, partial custody or visitation of the child: CHRISTOPHER ROBERT SEELEY.

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.

Date: 6-28-94 Anthony J. Vardaro, J.

July 5, 1994 Faxed Lindsay & Pineo

July 6, 1994 Affidavit filed. I, Kevin d. Wolfe, do hereby verify that I did personally serve a true and correct copy of the Complaint for Child Custody filed at the above term and number on the above-named Defendant, Janice Ruth Seeley, at Texas Pit & Pub, Route 618, Conneaut Lake, Pa. on the 30th day of June, 1994.

Sept.29, 1994 TEMPORARY ORDER, filed. AND NOW, this 28th day of September, 1994, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AN DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor child, Christopher Robert Seeley.

2. The parties shall share with each other sny 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 parties shall share physical custody of the subject minor child on an alternating weekly basis. Starting Sunday, September 25th, the mother shall have primary physical custody from 6:00 P.M. Sunday until 6:00 P.M. the following Sunday, and then the father shall have primary physical custody starting 6:00 P.M. of said following Sunday and ending at 6:00 P.M. on the Sunday after that. Thereafter the parties shall alternate their weekly periods. The party not having physical custody shall have the right to temporary physical custody on either Wednesday or Thursday from after school until 8:00 P.M., if school is in session, or from 4:00 P.M. to 8:00 P.M. if school is not.

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

4. Holiday visitation shall be arranged as follows:

a. Christmas: There shall be two Christmas holiday visitations; the first beginning at Christmas Eve at 8:00 P.M. and ending Christmas Day at noon, and the second beginning Christmas Day at noon and ending Christmas Day at 8:00 P.M. For Christmas, 1994, the mother shall have the first period, and the father, the second, the parties shall thereafter alternate.

b. Thanksgiving: There shall be two Thanksgiving holiday visitation periods: the first beginning at 6:00 P.M. on the Wednesday preceding Thanksgiving and ending at 1:00 P.M. on Thanksgiving Day and ending at 8:00 P.M. Thanksgiving Day. For Thanksgiving, 1994, the mother shall have the first period and the father, the second; the parties shall thereafter alternate.

c. Easter: There shall be one Easter holiday visitation, beginning at 9:00 A.M. and ending 6:00 P.M. on Easter Sunday. For Easter, 1995, the father shall have the Easter visitation; the parties shall thereafter alternate.

d. The other holidays to be observed are Memorial Day, Indepence 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 1995 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 visitation as set out in this order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

7. The parties 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 transpsorted, 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 diaparage the other party in the child's estimation.

11. Either party may request a review of this order upon a substantial change in the circumstances of either party or the child.

Continued on Pg. 456

1994

Burton L. Fish

630.

Shafer, Swick, Bailey,
Irwin & Stack
Robert S. Bailey
Jeffrey K. Millin

ROBERT W. BAUMGARTNER

vs.

WILLIAM A. GEORGE and
MEADVILLE AERO, INC.

Filed June 24, 1994
@ 3:57 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	31.00
Pro.Pd 8/3/94	5.00

COMPLAINT IN CIVIL ACTION
2 copies atty.

July 7, 1994 SHERIFF'S RETURN, filed. SERVED William A. George personally on June 28, 1994 at 1:26 PM at his place of emplyment Meadville Plating, Route 322, Meadville, Crawfor dounty, PA.

SERVED Meadville Aero, Inc. on June 28, 1994 at 1:25 PM by handing a copy of the Complaint to William George, President of Meadville Aero, Inc., at his place of employment, Meadville Plating, Route 322, Meadville, Crawford Countu, PA.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Jul. 15, 1994 Preliminary Objections to Complaint on behalf of Meadville Aero, Inc., Defendant, filed.

Jul. 15, 1994 Preliminary Objections to Complaint on behalf of William A. George, Defendant, filed.

Jul. 25, 1994 Complaint: first amendment, filed. (1 copy Atty.)

July 29, 1994 Preliminary Objections To Complaint: First Amendment filed.

July 29, 1994 Preliminary Objections to Complaint: Firist Amendment filed.

Aug. 8, 1994 Second Amendment Complaint filed.

Aug. 15, 1994, Preliminary Objections to Complaint; Second Amendment filed.

Aug. 15, 1994, Preliminary Objections to Complaint; Second Amendment filed.

Aug. 25, 1994 Upon praecipe of plaintiff attorney, this case placed on next argument List.

ON SEPTEMBER 1994 ARGUMENT LIST

Aug. 31, 1994 Upon Praecipe of Burton L.Fish, Esquire, Attorney for Plaintiff, the two sets of Preliminary Objections to Complaint: Second Amendment that were filed, are placed on the next available Argument List.

~~ON OCTOBER, 1994 ARGUMENT LIST~~

Sept. 29, 1994 Memorandum and Order filed. AND NOW, September 28, 1994, it is ordered as follows:

1. The defendants' demurrer is denied.
2. The defendant shall not be required to respond to paragraph 10 of the complaint as it is a conclusion of law and can be ignored in any answer.
3. Paragraphs 11 (c), (d), (e) and (f) are stricken because they ladck appropriate specificity and the second amended complaint does not allege sufficient facts to justify those items damaged.
4. The plaintiff is given one final opportunity to file an amended complaint as to the items stricken only. He shall file said third amended complaint, if he desires to do so, within twenty (20) days from the date of this Order.

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

Sept. 29, 1994 Copies dist to Fish & Mullin

Oct. 17, 1994 Comlaint, Third Amendment, filed.

Nov. 9, 1994 Preliminary Objections to Complaint: Third Amendment of William A.George, Defendant, filed.

Nov. 9, 1994 Preliminary Objections to Complaint: Third Amendment of Meadville Aero, Inc., Defendant, filed.

Nov. 15, 1994, UPon praecipe for the argument list, this case placed on next argument list.

ON ARGUMENT LIST FOR DECEMBER 1994

Jan. 16, 1995 MEMORANDUM AND ORDER filed. AND NOW, January 12, 1995, the preliminary objections of the defendants, William A. George and Meadville Aero, Inc., filed Nov. 9, 1994 are disposed of as follows:

1. The demurrers and motions to strike Count III and IV are denied as to damage claims for lost wages, salary or earnings and loss of the value of an interest in a corporation. However, the demurrers are sustained as to claims for unjust enrichment and quantum meruit.
2. Count VI is dismissed except that paragraph 32 shall be incirporated into Count V. Except as to paragraph 32 the demurrer to Count VI is sustained.
3. The demurrer and motion to strike Count V are denied.
4. The plaintiff is not given any additional opportunities to amend his complaint.
5. The defendants shall file responsive pleadings to the third amended complaint within twenty (20) days from the date of this order.

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

Jan. 16, 1995 Copies distributed to Attys. Fish and Millin.

Feb. 16, 1995 Answer, New Matter and Counterclaim, of Meadville Aero, Inc., Defendant, filed.

Feb. 16, 1995 Answer, New Matter and Counterclaim of William A. George, Defendant, filed.

RECORD CONTINUED ON PAGE 180 (a).....

1994

ROBERT W. BAUMGARTNER

vs.

WM. A. GEORGE AND MEADVILLE AERO, INC.

RECORD CONTINUED FROM PAGE 180

OF

AD 1994 - 630

****

March 13, 1995 Plaintiff's Answer To Defendant's, William A. George, New Matter and Counterclaim filed.

March 13, 1995 Plaintiff's Answer To Defendant's, Meadville Aero, Inc. New Matter and Counterclaim filed.

May 30, 1995, Plaintiff's Motion for Sanctions filed.

May 30, 1995, Upon praecipe of plaintiff attorney, above motion for sanctions placed on next argt. list.

ON ARGUMENT LIST FOR ~~JUNE~~ July 1995

Aug.16, 1995 MEMORANDUM AND ORDER filed. ORDER. AND NOW,August 14, 1995, it is ordered as follows:

1. The plaintiff's motion for sanctions is denied and we not impose sanctions at this point.
2. The defendants are ordered and directed to serve copies of the documents requested at paragraphs 2,10, 11 and 13 of theplaitniff's request for production of documents, or make the requested documents reasonably available for inpsection by the plaintiff, within twenty (20) days from the date of this Order.

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

8-16-95 Dist.to Fish and Millin

May 20, 1996 Defendants' Motion to Compel Discovery and ORDER filed. AND NOW, this 20th day of May, 1996, upon consideration of Defendants' Motion to Compel Discovery, it is Ordered and Decreed that the Plaintiff shall serve full and complete responses to the discovery within 20 days of the date of this Order, or suffer appropriate sanctions in accordance with the Rules of Civil Procedure upon further Motion of the Defendants. By the Court:
Gordon R. Miller, J.

FAXED 5-20-96 Fish & Millin, Penrich.

June 5, 1996 Certificate of Service by Plaintiff by First Class, United States Mail, postage prepid, or hand delivery, addressed as follows: Jeffrey K. Millern, Esq.
PO BOX 594
Meadville PA 16335-0594 filed.

June 5, 1996 Certificate of Service by Plaintiff by First Class, United States Mail, postage prepaid, or hand delivery, addressed as follows: Jeffrey K. Millen, Esq. filed.
PO BOX 594
Meadville PA 16335-0594

Dec. 27, 1996 Plaintiff's Motion To Compel Discovery and Order filed. AND NOW, to-wit: this 23rd day of December, 1996 upon consideration of Plaintiff's Motion to Compel Discovery, it is Ordered and decreed that the Plaintiff shall serve full and complete responses to the discovery within 20 days of the date of this Order, or suffer appropriate sanctions inaccordance with the Rules of Civil Prccedure upon further Motion ofthe Plaintiff. The time for filing objections has expired.

By the Court,
Gordon R. Miller, J

12-27-96 Faxed Fish & Millin

Aug. 3, 1998 Upon praecipe of plff. attorney, this case settled and discontinued of record, with prejudice.

180
(b)

1994

1994

Ferguson & Spataro
Douglas W. Ferguson

631.

Routman, Moore,
Goldstone & Valentino
Charles F. Gilchrest

CARL L. SAXTON

vs.

JOSEPH S. DRUSKO and
LOLA V. DRUSKO, his wife

Filed June 27, 1994
@ 9:59 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	43.00

NON JURY TRIAL

ACTION FOR DECLARATORY JUDGMENT
2 copies Sheriff

July 15, 1994 SHERIFF'S RETURN, filed. SERVED Joseph S. Drusko on July 6, 1994 at 10:56 AM by handing a copy of the Complaint to Lola Drusko, his Wife, at their residence, 323 West Elm Street, Titusville, Crawford County, PA.
SERVED Lola V. Drusko personally on July 7, 1994 at 10:55 AM by handing a copy of the Complaint to her at the residence, 323 West Elm Street, Titusville, Crawford County, PA.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

July 21, 1994 Answer To The Complaint in Civil Action with New Matter and Counter-claim filed.

Aug. 1, 1994 Plaintiff's Reply To Defendants' New Matter, Plaintiff's Answer To Defendants' Counter-Claim and Plaintiff's New Matter To Defendants' Counter-Claim, filed.
2 copies atty

Aug. 12, 1994 Defendants' Reply To Plaintiff's New Matter To Defendants' Counter-Claim, filed.

Mar. 7, 1995 Certificate of Readiness filed.

ON JUNE, 1995 TRIAL LIST.

Sep. 26, 1995 ORDER filed. AND NOW,September 25, 1995 at the call of the civil trial list, counsel for the Defendant apepared andindicated that both parties had filed timely requests for jury trial. He also indicated he may not be opposed to a non-jury trial.
At the moment, this is on the non-jury trial list, although that may be an error if proper requests for jury trial have been filed. The Court administrator and the Court must know where to place this case.
Accordingly, counsel are given 48 hours from this time to file a statement with the Court indicating whether they will waive a jury trial and try the case non-jury or whether they insist upon the jury trial. At that point,the Court will know where to place this case.
BY ORDER OF THE COURT,
Gordon R. Miller, P. J.
9-26-95 Copies to Gilchrest & Ferguson

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:
Carl L. Saxton VS. Joseph S. Drusko and Loia V. Drusko, his wife, Dec. 7, 1995 9:15 A.M., Courtroom #1 or 2.

Dec.8, 1995 ORDER filed. AND NOW,December 7, 1995,at the close of the nonjury trial, the case will proceed as follows:
1. There will be oral argument held this date.
2. The parties will file briefs or memorandums of law by 4:30 p.m. on Friday,December 22, 1995. And thereafter,the Court will consider this matter ripe for decision.
BY THE COURT,
Gordon R.Miller, President Judge
12-8-95 Copy to Attys. Gilchrest & Ferguson

Apr 25, 1996 Memorandum and Order: AND NOW, April 25, 1996, for the reasons set forth in the attached memorandum and by reason of the findings of fact and conclusions of law heretofore made it is ordered and declared as follows:
1. The settlement and discontinuance with prejudice of the action to quiet title at 1991-186 and the action in ejectment at 1991-187 simply discontinued those actions, did not constitute a settlement and discontinuance with prejudice as is stated on the record, did not constitute a judgment on the merits and does not prohibit or otherwise affect this action.
2. The defendants have an easement appurtenant over a portion of a 25 foot strip of land owned by the plaintiff being the same parcel of land described as the fourth parcel in a deed from Crl L. Saxton and Joseph Stefaniszyn to Carl L. Saxton, dated April 13,19876 and recorded in Crawford County Record Book 14, page 844. That portion of the fourth parcel of land owned by the platintiff over which the defendants have an easement appurtenant shall be the western portion of said parcel that runs west from a point that is 50 feet west of the current building, which is approximately 60 feet by 60 feet in size and owned by the plaintiff. The building referred to is shown on plaintiff's Exhibit 1 as being partially on three parcels of land to-wit: The second and fourth parcels conveyed to the plaintiff as aforesaid, and also occupying a portion of lands described in this litigation as the disputed parcel.
3. The defendants shall not have an easement over any other portion of the plaintiff's land or lands.
4. The plaintiff has title in fee simple to a portion of the parcel in dispute which said portion is bounde don the north, east and south by other land of the plaintiff and is bounded on the west by the balance of the disputed parcel which is owned by the defendants. The western boundary of that portion of the disputed parcel which is now owned by the plaintiff is located 50 feet west of the western edge of the current building owned by the plaintiff which said building is approximately 60 feet by 60 feet in size. Said western line shall be 50 feet west of, and parallel to, said building.
5. The defendants are the owners of the disputed parcel except for that portion awarded to the plaintiff in this action. Gordon R. Miller, P.J.
Apr 25, 1996 Dist. Ferguson, mailed Gilchrist

May 2, 1996 Exhibits filed. (in file folder)

1994

632.

ROBERT FRANKLIN DEMPSEY

vs.

NANCY LOU DEMPSEY

Filed June 27, 1994
@ 11:09 AM

Tax & entry paid	10.50
User's Fee paid	5.00
Pro Co. pd 6/27/94	5.00

CERTIFIED COPY OF DIVORCE FROM ROSS COUNTY, OHIO

June 27, 1994 Notice of Election To Retake Maiden Name filed.
Nancy Lou Dempsey TO BE KNOWN AS: Nancy Lou Kuhns

1994

Ostroff & Kline, PC
Jonathan Ostroff

633.

NATASHA MOONEY a/k/a NATASHA WILLIAMS, a minor by her parent and natural guardian, GERMAINE MOONEY

vs.

KAREENA BAUER and PATRICIA BAUER

Filed June 27, 1994
@ 1:30 PM

PETITION FOR MINOR'S COMPROMISE AND APPROVAL OF SCHEDULE OF DISTRIBUTION PURSUANT TO PA. R.C.P. 2039

July 13, 1994 ORDER FOR DISTRIBUTION, filed. AND NOW, THIS 13 day of July, 1994, upon condideration of the foregoing Petition, the above matter for Twenty Thousand Dollars ($20,000), it is hereby approved and distribution is ordered as follows:

To: Ostroff & Kline, P.C. - Reimbursement of Costs	$ 124.75
To: Ostroff & Kline, P.C. - Counsel Fee (25%)	$ 5,000.00
Remaining distribution to be made to minor on further motion submitted by counsel.	$ 14,875.25
	$ 20,000.00

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

1 copy atty

Aug.8, 1994 Upon Praecipe of Jonathan Ostroff, Esquire, Attorney for Petitioner, the above matter settled, discontinued and ended, upon payment of your costs only, filed.

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

1994

Robert J. Felton

634.

June 27, 1994 $150.00 deposited by Plaintiff

8-12-94 Pd Plff Bal Med Dep Chk# 8445 65.00

9-13-94 Pd Cr 76.00 Chk#8549

COLLEEN R. SUTTON

Vvs.

PAUL S. SUTTON

filed June 27, 1994 @ 1:25 PM

Tax & entry paid	50.50
User's Fee paid	5.00
William Pineo, Mediator	152.00
Pro Co Pd 9-94	9.00

COMPLAINT FOR PRIMARY PHYSICAL AND LEGAL CUSTODY

June 27, 1994 Order filed. You, PAUL S. SUTTON, have been sued in Court to obtain custody of Brandi Lea Sutton.

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.

Date: 6-28-94 Anthony J. Vardaro, J.

July 5, 1994 Faxed copy to Felton & Pineo

Aug. 11, 1994 TEMPORARY ORDER, filed. AND NOW, this 11 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. Legal and physical custody of the subject minor child, Brandi Lea Sutton, is hereby awarded to her mother, Colleen r. Sutton. The father shall surrender custody of the child to the mother forthwith. Law enforcement agencies are hereby authorized to lenforce this provision.

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 father shall have temporalry physical custody and visitation with the subject minor child each week, except for the first full week of each month, from Sunday at 5PM through Tuesday and 5 PM. A full week is one in which the days of Sunday through Saturday occur within the same month. The father shall also have the right of visitation and temporary physical custody for one week in each of the months of June, July, and August. A one week period is defined as exactly seven days. The father with notify the mother one month in advance of each of the periods he wishes to select.

4. Holiday visitation shall be arranged as follows:

a. Christmas: There will be two Christmas holiday visitationperiods, the first beginning on December 24th at noon and ending Christmas day at noon and the second beginning Christmas day at noon and ending on December 26th at noon. For Christmas, 1994, the mother shall have the first period, and the father, the second,and the parties shall thereafter alternate the periods.

b. Thanksgiving: There shall be tywo Thanksgiving visitation periods, the first beginning on the Wednesday preceding Thanksgiving at 5 PM and ending on Thamksgiving day at 2 PM and the second beginning Thakksgiving day at 2 PM and ending on the Friday after Thanksgiving at 5 PM. For Thanksgiving, 1994, the father shall have the first period, and the mother the second, and the parties shall thereafter alternae the periods.

c. Easter: There shall be two Easter visitation periods, the first beginning on Holy Sarturday at noon and ending Easter Sunday at 1 PM and the second beinning on Easter Sunday at 1 PM and ending on Easter Sunday at 7 PM. For Easter, 1995, the father shall have the first period, and the mother, 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 AM and 8:00 PM, except for Independence Day, when the holiday visitation shall be extended to 11:00 PM so that the child may watch the fireworks. The father shall visitation and temporalry physical custody for Labor Day,1994, and the parties shall thereafter alternate.

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 durign rthe 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 oarder 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 hsall not b eproposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrang efor alternative visits or to make alternative arrangements.

7. The child shall be picked up and delivered at the home of the mother's sister, Sue Osborn. Each party shall trnasport the child to and from said home.

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 alcohol at any time when said party has custody of 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 dos os 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 relative 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 without further order of this Court.

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 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.

CONTINUED ON PAGE 184A

Colleen R. Sutton
vs.
Paul S. Sutton

CONTINUED FROM PAGE 184
of Record
A. D. 1994 - 634

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14. Either party may move the Corut 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. 17, 1994 Faxed Pineo, Felton. Sent Plf. & Dft.

184
-6-

1994 TERM

1994

Brian Lindsay
Barrett & Dratler
Bruce A. Barrett

635.

May 22, 1994 $150.00 deposit by Plaintiff

11-14-94 Paid $90.00 to Plff refund on mediation deposit

12-16-94 Pd Co. Medley #8732 $150

STEPHAN R. WHITLING

vs.

RHONDA M. WHITLING

Filed June 27, 1994
@ 2:06 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
William Pineo, mediator	102.00
Pro Co pd 12-16-94	90.00
Pro. Co. pd 3/18/96	9.00

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

June 30, 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 Complaint was sent by certified mail to the Defendant.
3. The certified mail was sent to the Defendant at 5283 Sandy Lake Road, Cochranton, Pennsylvania 16314, on June 27, 1994. The Sender's receipt is attached hereto.
4. The Defendant received said certified mail onJune 28, 1994. Said receipt card number 070 233 162 is attached hereto and signed by Rhonda M. Whitling.
5. The return receipt card was returned after signature to the office of Bruce A. Barrett, Esq., 965 South Main Street, Meadville PA 16335, onJune 29, 1994. Bruce A. Barrett

Order:

You, Rhonda M. Whitling, 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, William Pineo for a mediation conference.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

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

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

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

Dated: 8/23/94
8/23/94 copies given to Barrett and Pineo

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

Nov. 10, 1994 TEMPORARY ORDER, filed. AND NOW, this 3rd 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. The parties shall share legal and physical custody of the subject minor child, Isabella Grace Whitling.
2. The parties shall share with each other any and all information which each may have regarding the health, education, and major events in the life of the subject minor child. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor child.
3. The mother shall have primary physical custody of the subject minor child. The father shall have temporary physical custody and visitation on alternate weekends, starting with the weekend of November 12, 1994 from Saturday at 9 A.M. to Saturday at 5 P.M. and from Sunday at 9 A.M. to Sunday at 5 P.M. When the father's residenceshall have been completed and occupied, the alternate weekend visitation shall begin on Friday at 5 P.M. and end Sunday at 5 P.M. The father shall also have visitation and temporary physical custody on alternate Fridays, beginning with November 18, 1994 from 9 A.M. to 5 P.M.
4. Holiday visitation shall be arranged as follows:
   a. Christmas: The father shall have visitation and temporary physical custody each Christmas Eve from 9 A.M. to 5 P.M.
   b. Thanksgiving: The father shall have visitation and temporary physical custody on the Friday following Thanksgiving from 9 A.M. to 5 P.M.
   c. Easter: The father shall have visitation on Holy Saturday each year from 9 A.M. to 5 P.M.
   d. Birthdays: The father shall have visitation and temporary physical custody with the subject minor child on the day before the child's birthday and on the father's birthday from 9 A.M. to 5 P.M. if the child is not attending school or from 5 P.M. to 7 P.M. if the child is attending school.
   c. The other holidays to be observed are Memorial Day, Independence Day, and Labor Day, Holiday visitation shall be between the hours of 9 A.M. and 8 P.M., except for Independence Day, when the holiday visitation shall be extended to 11 P.M. so that the child may watch the fireworks. The father shall visitation and temporary physical custody for Memorial Day, 1995, and the parties shall thereafter alternate the holiday periods.
   f. The child shall spend Father's Day with her father from 9 A.M. to 7 P.M., and Mother's Day with her mother during the same hours.
   g. The provisions of this paragraph shall take precedence over the other provisions of this Order relating to the custodial or visitation periods.
5. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged 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

Cont. on Pg. 456

1994

Barbara Walton

636.

Joseph Tinko

7-26-94 Rec from Dept Sheriff Asst 43.00
7-26-94 Pd Sheriff 43.00 Ck# 8457

CINDY SPECK

vs.

RANDY SPECK

Filed June 27, 1994
@ 3:39 PM

Tax & entry	Pd 7-26-94	50.50
User's Fee	Pd 7-26-94	5.00
Sheriff's Costs		43.00
Pro Co.	Pd 7-26-94	9.00
Pro Co.		9.00

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

ORDER:

And now, this 27th day of June , 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 marital residence is awarded to Plaintiff. Defendant shall not go to Plaintiffs residence or place of work. 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 July 6, 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

Jul. 1, 1994 Sheriff's Return filed. SERVED Randy Speck,personally, on June 28, 1994 at 3:50 PM, at the Venango Gulf Course, Venango, PA
So answers,
Shawn E. Ashbaugh, Deputy Sheriff
Diane Brittain,Deputy Sheriff
Robert M.Stevens, Sheriff

July 11, 1994 AND NOW, July 6, 1994, this abuse matter is before the Court and it appears the paraties have reached some type of amicable agreement resolving the same.

The paties mutually agree that the defendant will not take up residence at the marital home, but may come to the home for the purpose of visiting his two children who reside there. The parties mutually agree that before visitations with the children, the defendant will call his wife to arrange a satisfactory time for visits.

Primary custody of the minor children is continued with the mother.

During visits to the residence, the defendant will not threaten or assault the wife in any fashion.

The defendant will pay the costs in this case in the amount of $107.50 within 30 days of this date at the Prothonotary's Office.

This Order shall remain in full force and effect for a period of one (1) year.

Any Police Officer having reasonable grounds to believe that the defendant has violated the assault provisions of this Orde to the extent that he has threatened the life of the wife, threatened to do serious bodily harm or actually attempted or did assault the wife, may apprehend the defendant without a warrant, lodge him in the County Jail and notify the Court immediately to set a time for a contempt hearing.

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

July 11, 1994 Copy of Order Faxed to PSP, copy given to Co. Control; 7-14-94 copy mailed Plf., Dft.

Jan. 20, 1995 Petitiion To Modify Protection From Abuse Order and Order filed. AND NOW, this 20 day of January, 1995, upon presentation of the Petition to Modify the Protection from Abuse Order filed by the Plaintiff in the above captioned matter, it is hereby entered ordering and directing the Defendant, Randy Speck, to show cause, if any he has, why said Petition to Modify the Protection from Abuse Order should not be granted. The said Rule to Show Cause is rreturnable for hearing and/or argument on the 2 day of February, 1995, at 3:30 o'clock p.m., in Courtroom Number 1 or 2 in the Crawford County Courthouse.

By the Court:
Anthony J. Vardaro, J

Jan. 20, 1995 Faxed Walton

Feb. 6, 1995 ORDER filed. AND NOW, February 2, 1995, this matter is before the Court with respect to the Plaintiff's Petition to Modify a Protection From Abuse Order entered by Senior Judge P. Richard Thomas on July 6,1994.

The parties are represented by counsel and they agree to the modification of that Order as follows:

1. The defendant may go to the marital residence on Saturday, Feb. 4, 1995, between teh hours of 10 a.m. and Noon for the sole purpose of removing remaining personal items, the nature of which have been discussed by the parties this day. The defendant may bring with him no more than two friends, and while he is at the marital residence, he shall not harass, abuse, or other wise violate the conditions of the Protection From Abuse Order with respect to the plaintif

CONTINUED ON PAGE 186A

Cindy Speck
vs.
Randy Speck

CONTINUED FROM PAGE 186
of Record
A. D. 1994 - 636

2. The defendant shall not procure his fsriends to in any way harass the plaintiff, and the plaintiff shall not in any way attempt to harass the defendant or invoke any sort of conduct which will cause problems between the parties, it being the Court's intention that both parties cause the removal of the items intended to be removed to occur in a reasonable and peaceful manner.

3. Commencing this date, with the exception of the above paragaraph, the defendant shall not go to the marital residence occupied by the plaintiff for any reason or for any purpose. The defendant is cautioned that if he does go to the marital residence, other than as indicated above, any police agency will presume that he is in violation of this Order. If at some time the parties wish for the defendant ato be able to go to the marital residence, then they must seek a modification of this Order prior to him doing so.

4. Pending any further Order of Court in this proceeding or in a pending ivorce action, custody of the minor children shall be physically primarily with the plaintiff, with the defendant to have temporary physical custody every other Saturday, commencing February 11, 1995, with the period of temporary physical custody to be from 7:30 a.m. until 6 p.m.

5. Additionally, the defendant shall have temporarily physical custody with the minor children from 7:30 a.m. until 6 p.m. on Memorial Day and from 1 p.m. until 6 p.m. on Easter Sunday.

6. All exchanges with respect to custody of the children shall take place at Howell's Market in Venango Borough. At the time of those exchanges, the parties shall make every effort to be prompt and not to be tardy and there shall be minimal exchanges of words between the parties only to the extent necessary for the sake of the children.

7. The defendant may call the children when they are in the plaintiff's custody each evening between the hours of 7 p.m. and 8 p.m. and the plaintiff shall not interfere with the telephone conversations between the defendant and the children.

8. At the discretion of the children, if they are prepared in the mornign and have time, they may call the defendant from time to time while they are peparing to leave for school to talk to him. The defendant shall not initiate those calls.

9. Each parent shall make every effort to have the childrenlove and obey the other parent and shall not in any way attempt to blacken the character of the other parent in fromt of the children. Further, the parents shall each attempt to make sure that the chidlren have a meaningful relationship with the other parent.

10. Insofar as the plaintiff is currently working and the defendant is not, school officials are authorized and it is suggested to school officials that they first call the defendant at his home if there is any emergency within the school regarding a child during the school day.

11. In the event that the defendant is not at home, apparently he is serving some sort of apprenticeship at athe Country Meadows Golf Course near Venango, Pennsylvania, and the school shall contact him at that location prior to attempt to contact the plaintiff at her place of work.

12. In the event that there is a need to modify the schedule for periods of temporary physical custody of the exchange of children for any reason, the party seeking the modification shall call the other party 24 hours in advance if at all possible and the parties shall act reasonably in arranging for such modification as needed.

13. A copy of this Order shall be sent by the Prothonotary to the Pennsylvania State Police, Meadville Barracks, and to Crawford County Control.

BY THE COURT,
Anthony J. Vardaro, J.

Feb. 6, 1995 Faxed Tinko, Pa.SPD, City PD, Co Control, given Walton

Feb. 24, 1995 Contempt Petition and RULE TO SHOW CAUSE ORDER filed. AND NOW, this 23 day of February,1995, upon receipt and review of Randy Spect's Contempt Petition, it is hereby ORDERED AND DECREED that a Rule to Show Cause is hereby placed upon Cindy Speck ordering and directing the said Cindy Speck to show cause, if any she has, why said Contempt Petition should not be granted and why she should not be held in contempt of Court as prayed for in the said Contempt Petition. The said Rule to Show Cause is returnable for hearing and/or argument on the 17th day of March, 1995, at 3:30 o'clock p.m., prevailing time, in Courtroom Number 2, in the Crawford County Courthouse, located at 903 Diamond Park, Meadville,Pennsylvania.

A copy of this notice shall be served upon Cindy Speck's attorney Barbara J. Walton, Esquire, by forwarding a copy of same to her by regular mail.

BY THE COURT
Anthony J.Vardaro, J.

2-27-95 Faxed Attys. Tinko & Walton

March 20, 1995 ORDER filed. AND NOW, March 17, 1995 this matter is before the Court with respect to the Defendant's Contempt Petition concerning ongoing problems with respect to this protection from abuse order.

After informal hearing, we find that the Plaintiff is in contempt of our order of Feb. 2, 1995 which was entered by agreement of the parties.

We will not impose any penalty with respect to this contempt at this time, and we will give ghe Plaintiff an opprotunit to purge herself of contempt as follows:

1. She shall obey the order of February 2, 1995 entered by this Court.

2. Paragraph 7 of the order of Feb. 2, 1995 is modified to state that the Defendant may call the children when they are in Plaintiff's custody every Monday evening, Tuesday evening between the hours of 7 p.m. and 8 p.m.; and the Plaintiff shall have the children available during those hours on those days for the Defendant to call unless the parties have made other arrangements prior to the time scheduled for the telephone call which arrangements are satisfactory to both of them. In addition, the Defendant shall be permitted to call between those hours any other evening; and if the children are home, the Plaintiff shall permit the Defendant to speak with the children. The Plaintiff is specificall ordered not to interfere with the telephone conversations between the Defendant and teh children, and she is further specifically ordered not to allow the telephone to ring and not answer the telephone when she is home during those hours simply to preclude the Defendant from having conversations with the children on any evening when the children are home and the Defendant calls. Additionally, the Plaintiff is specifically precluded from having a phone block on her telephone at any time between 7 p.m. and 8 p.m. on any evening. The Defendant shall not during any telephone calls ask to speak to the Plaintiff, and he shall not call the Plaintiff during those hours or any hours, insofar as, his call shall be limited to speaking to the children as aforesaid. Likewise, the Plaintiff shall not attempt to call the Defendant or talk to the Defendant during the telephone calls when he calls to speak to the children.

3. The Plaintiff is ordered and directed to immediately check her residence including behind a dresser and in a hope chest to determine if there are any x-rays, medical records, worker's compensation papers, or any further pension papers and to provide those to her counsel within 96 hours of this order so that her counsel may provide them then to the Defendant's counsel. The Plaintiff shall have the right to make copies of any of those records she wishes, but she shall supply the originals of those records to her counsel so that they may be supplied to the Defendant's counsel.

4. The Court expects the parties to abide by this order and the terms and conditions of the order of Feb. 2, 1995 to the extent that order has not been amended by this order, and in the event the litigation has to continue between these parties with respect to these orders, we will not hesitate to impose any appropriate sanctions in the future.

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

March 30, 1995 Order FAXED Atty. Tinko; copy given Walton.

186
B

1994

1994

Peters, Lindsay,
Lewis & Hatheway
Brian J. Lindsay

637.

June 27, 1994 $150.00
deposited by Plaintiff

JAMEY LEE CORNELL

vs.

WENDY LYNN CORNELL

Filed June 27, 1994
@ 4:11 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~~

William Pineo, Mediator

COMPLAINT IN DIVORCE, CUSTODY/VISITATION

Jun. 27, 1994 Complaint inDivorce and NOTICE AND ORDER TO APPEAR. You, Wendy Lynn Cornell, Defendant, have been sued in court to obtain custody, partial custody or visitation of the children: Dustin Corey Cornell and Alexander Maxwell Cornell and Christian Donovan Cornell.

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
Crawford County Courthouse
Meadville, PA 16335
814/336-1151, ext. 298

7/5/94 BY THE COURT:
Anthony J.Vardaro,J.

7-5-94 Faxed copy to Atty.Fuller. Gave copy to Lindsay
7-11-94 Mailed copy to Deft.

July 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 authorized to make this verification; that I did on the 29th day of June, 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 1st day of July, 1994, receive a duly executed return receipt dated, June 30, 1994.

Jul. 15, 1994 Motion to Vacate and ORDER filed. And Now, July 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 above captioned custody case and William Pineo is hereby appointed as mediator in his place.

GordonR. Miller, Judge

7-15-94 Faxed to Attys.Lindsay, Pineo & Fuller.

Mar. 12, 1998 Important Notice and Court Order filed. Out court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 7/15/94 . 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

Paula A.Schmeck

MacDonald, Illig,
Jones & Britton
Richard J. Parks

638.

INTEGRA BANK/NCRTH

vs.

TRINIA F. HOLOWID, d/b/a
HOLOWID'S SPECIALTY LINES
and JOHN R. HOLOWID

Filed June 28, 1994
@ 11:45 AM

COMPLAINT IN CIVIL ACTION
2 copies Sherifff

July 12, 1994 SHERIFF'S RETURN, filed. SERVED Trinia F. Holowid personally on July 6, 1994 at 9:12 AM by handing a copy of the Complaint to her at the business, Holowid's Specialty Linens, 370 Linden Street Meadville, Crawford County, PA.

SERVED John R. Holowid on July 6, 1994 at 9:13 AM by handing a copy of the Complaint to Trinia F. Holowid, his wife, at Holowid's Specialty Linens, 370 Linden Street, Meadville, Crawford County, PA.

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

Mar 23, 1998 Appearance of Paula A. Schmeck, Esquire on behalf of National City Bank of Pennsylvania.

AND

Upon praecipe of plaintiff attorney the judgment on file in this case has been satisfied of record.

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	31.00
Pro Co pd 3-31-98	5.00

1994

639.

MRS. DEBORAH MALONEY

vs.

MR. ROBERT A. MALONEY

Filed June 28, 1994
@ 4:17 PM

Tax & entry Pd 7-6-94 50.50
User's Fee Pd 7-6-94 5.00
Sheriff's Costs 39.00
Pro Se Pd 7-6-94 5.00

1-6-94 Recd from Dept Sheriff Costs 39.00
7-6-94 Pd Sheriff Costs 84-34 39.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 Copies Sheriff
1 copy Plaintiff
FAXED PSP

Order:

And now, this 28 day of June , 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 o the residence is awarded to Plaintiff. Defendant shall not contact Plaintiff in anyway. Defendant shall not go to Plaintiff's 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 July 7, 1994 , at 2:00 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

July 1, 1994 Sheriff's Return filed. SERVED Robert A. Maloney personally on June 30, 1994 at 9:30 AM at his place of residence, R.D. #1, Box 331, Espy Road, Espyville, Crawford County, PA
So answers,

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

Jul.7, 1994 Motion to Vacate Proection From Abuse Order and ORDER filed. AND NOW, this 7 day of May, 1994 upon receipt andreview of the plaintiff's motion to vacate and terminate the Protection from Abuse Order of June 28, 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 all appropriate police agencies and to County Control.

Any provisons of the Protection from Abuse Order of June 28, 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.

7-8-04 Faxed to Pa. SPD, mailed Pltf & deft, given Co. Control

1994

640.

JULIE D. NORR

vs.

CHAUNCEY HORNE, JR.

Filed June 29, 1994
@ 11:13 AM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	23.00
Pro.Co.	9.00
Sheriff's Costs (Additional)	29.00
Surcharge	25.00

3
55.50
23.00
9.00
29.00
25.00
141.50
5.00
146.50

AD 1994-640

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

ORDER:

And now, this 29th day of June , 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 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 July 7, 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

July 1, 1994 Sheriff's Return filed. Not found as to defendant Chauncey Horne, Jr. Reportedly his parents came for him, and they have left the area.
So answers,
Robert M. Stevens, Sheriff

Jul. 18, 1994 ORDER filed. AND NOW, July 7, 1994, at the time set for hearing the Court notes that no service was made of the Abuse Petition upon the Defendant. Plaintiff appears and advises the Court that the Defendant has gone to the State of Oklahoma. Accordingly, the temporary Order entered June 29, 1994 preventing the Defendant from contacting the Plaintiff or going to her residence is continued in force and effect.

IF the Plaintiff ascertains the Defendant has returned to this area, she will promptly notify the Sheriff's Office of Crawford County to effectuate service of the Petition upon the Defendant.

Once the Defendant is serviced, the Sheriff's Office shall file a return of service with the Prothonotary and the Prothonotary shall immediately notify the Court Administrator to set a hearing on the Petition.

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

7-19-94 Faxed MCPD, given Pltf & Deft. & Co. Control & Sheriff

Jun. 2, 1995 Sheriff's Return filed. SERVED Chauncey Horne,Jr. personally on June 1,1995 at 10:30 AM by handing a copy of the Protection from Abuse to him at 311 Short Street, Meadville, Crawford County, PA, his residence with his brother.
So answers,
Robert M.Stevens,Sheriff

Jun. 13, 1995 ORDER filed. AND NOW, June 13, 1995,the Court Administrator having been informed by the plaintiff that the defendant had returned to the area and been served by the Sheriff withthe petition in this matter, and the Court Administrator having been directed by Judge Thomas' order of July 7, 1994 to set a hearing once service had been made on Defendant, said hearing is hereby set for June 27, 1995 at 9:15 A.M., in Courtroom No.1 or 2 of the Crawford County Courthouse, Meadville, PA.

FOR THE COURT,
Ann A.Walker,Court Administrator

6-13-95 Copies dist.by Ct.

June 28, 1995, ORDER filed. AND NOW, June 27, 1995 at the time fixed for hearing inthis matter, the plff. appeared and testified about events where the dft. physically abused her. The dft. did not appear, although he was served with process on June 1, 1995, at 311 Short St. and was given notice of the date and time and place of the hearing by an order of June 13, 1995 that was sent by the Ct. Adm. to the dft. at 311 Short St. We proceeded with the hearing because we believe that the dft. has been adeluately served with originalprocess and adequately served with a copy of the order setting a hearing. We proceeded in his absence.

We find that the dft. has violated the Protection from abuse Act, and therefore, ORDER as follows:

1. The dft. shall not assault, abuse, harass, or threaten the plaintiff.
2. The dft. shall not go to the plaintiff]s residence or place of work. In fact, he shall not be within 100 yards of those places.

RECORD CONTINUED ON PAGE 190 A

3. The defendant shall not contact the plaintiff in any way. If he must contact her for legitimate purposes, he shall do that through third persons such as friends, neighbors or lawyers. That contact through third party persons must only be for legitimate and lawful purposes.

4. This order shall remain in full force and effect, unless modified or terminated by further order, until June 26, 1996.

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

6.A copy of this order shall be delivered tothe Meadville PoliceDept., to County Control and shall be sent by the Prothonotary by first Class Mail tothe dft. at 311 Short St., Meadville, Pa. 16335.

7. The dft. is reminded that this is an order of Court and violation of this order may be punishable by a fine from $100 to $1,000 and a jail sentence up to 6 months.

8. The dft. shall pay record court costs in the amount of $141.50 tot he Prothonotary on the first floor of the Crawford CountyCourthouse no later than Mon. July 31, 1995. If he fails to pay, he may be held in contempt of court and punished.

by the court,
Gordon R. Miller, P.J.

6/28/95, faxed to MCPD, Co. Control, mailed to plff and dft.

190 B

1994

1994

641.

CLARENCE A. FULLER, JR

vs.

ROBERT STEBNISKY d/b/a BEST BET LANDSCAPE and HAULING

Filed June 29, 1994
@ 11:26 AM

Tax & entry paid	50.25
User's Fee paid	5.00

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

June 29, 1994 Rule entered upon the Plaintiff to file a Complaint issued.

Jun. 29, 1994 Proof of Service of Notice ofAppeal and Rule to File Complaint, filed.

Nov. 1, 1994 Complaint filed.

Apr. 26, 1995 Answer, New Matter, Counterclaim, filed.

May 23, 1995, Plaintiff, Clarence A. Fuller, Jr.'s Reply to New Matter and Counterclaim filed.

June 19, 1995 Reply to Defendant's New Matter to Counterclaim.

1994

Akman & Associates
Jonathan C. Hook

642.

Barbara J. Walton

JOAANE MCCLEARN

vs.

HENRY B. MCCLEARN

Filed June 29, 1994
@ 1:15 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00

COMPLAINT IN DIVORCE, ALIMONY, ALIMONY PENDENTE LITE
EQUITABLE RELIEF
2 copies atty.

Jul.22, 1994 Certificate of Service filed. I hereby certify that a true and correct photocopy of the foregoing Complaint in Divorce and Notice to Defend was served on HenryH.McClearn on the 7th day of July, 1994,by mailing said photocopy to Henry H. McClearn via certified first class mail, restricted delivery, return receipt requested,postage prepaid, at the address listed below:

PO Box 11
VEnango, PA 16440

Jonathan C.Hook, Esquire

Aug 2, 1994 Appearance of Barbara J. Walton on behalf of Henry B. McClearn, filed.

Aug. 2, 1994 Answer to Complaint in Divorce and Countercomplaint For Divorce, filed.

Aug. 18, 1994 Acceptance of Service, filed. AND NOW, this 13th day of August 1994, the undersigned, Jonathan C. Hook, Esquire, Attorney for Joanne McClearn, in the above captioned matter, accepts service of a Counter Complaint in Divorce filed by Henry b. McClearn, Defendant in the matter.

Nov. 7, 1994 Affidavit of Consent to Divorce by Henry H. McClearn, Defendant, filed.

Mar. 15, 1995 Petition For Alimony Pendente Lite and Order filed. AND NOW, upon consideration of the foregoing petition for Alimony Pendente Lite, and on motion of Jonathan C. Hook, Esquire, attorney for petitioner, a Rule is granted on the respondent, Henry H. McClearn, to show cause why he should not pay the petitioner alimony pendente lite, counsel fees and expenses. Rule returnable for hearing & argument on the 7th day of April, 1995, at 1:30 p.m. in Court Room 1, 2 or 3, Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT,
Gordon R. Miller, J

March 15, 1995
Mar. 15, 1995 Faxed Walton, mailed Hook

Mar. 24, 1995 Motion to Continue and Order filed. AND NOW, this 24th dayof March, 1995, upon presentation of the Motion for Continuance by the Defendant, the hearing scheduled on the Plaintiff's Petition for Alimony Pendente Lite schedule for April 7, 1995 at 1:30 p.m. is hereby continued until May 4, 1995 @ 1:30 p.m. in Courtroom 1 or 2.

by the Court,
Gordon R. Miller, J

Mar. 24, 1995 Faxed Hook, given Walton

Apr. 6, 1995 Motion For Continuance and Order, filed. AND NOW, this 5 day of April, 1995, upon presentation of the Motion for Continuance by the Defendant, the hearing scheduled on the Plaintiff's Petition for Alimony Pendente Lite scheduled for May 4, 1995 at 1:30 p.m. is haerby continued until May 23, 1995 at 1:30 o'clock p.m. in Courtroom #1 or 2.

By the Court,
Anthony J. Vardaro, J.

Apr. 5, 1995 dist to Walton & Hook

May 26, 1995, ORDER filed. AND NOW, May 23, 1995, after an informal hearing, where the court has concluded that the plaintiff's net earning capacity approximates $531.10 per month from BiLo Foods in Meadville, where she averages approximately 32 hours per week and the dft's net earning capacity is approximately $2440 per month from his employment at the SCI in Cambridge Springs and an army retirement, we have briefly reviewed the parties' monthly expenses and they appear to be reasonable.

The plaintiff clearly has a need for alimony pendente lite and the defendant has the ability to pay it, especially now that his son will no longer be attending college and his monthly expenses associated with that will be eliminated.

ACCORDINGLY, it is hereby ORDERED as follows:

1. The defendant shall pay $396 per month as alimony pendente lite for the plaintiff for the months of June, July, August and September, 1995. Said payments shall be made twice each month, with $198 due on or before the 15 of each month and the same amount due on or before the 30th of each month. This shall commence with June 15, 1995.

2. This order is without prejudice tothe plaintiff to seek additional sums of alimony pendente in the future. This order shall not be binding on the court or any Master. The court reserves the right to either grant or deny alimony pendente lite in the future, depending upon the facts and the law then provided.

by the court,
Gordon R. Miller, Pres. Judge

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

Sept. 26, 1996 Waiver of Notice of Intention to Request Entry of a Divorce Decree under 3301(c) of the Divorce Code by Plaintiff filed.

Sept. 26, 1996 Affidavit of Consent by Plaintiff filed.

1994

Thomas, Truax,
Spadafore & Walker
David P. Truax

643.

COMMONWEALTH OF PENNSYLVANIA

vs.

ORVILLE FRANK HUBER, JR.

Filed June 29, 1994
@ 4:27 PM

Tax & entry paid 50.50
User's Fee paid 5.00

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

Jul. 5, 1994 Petition for Appeal From Order of Department of Transportation Suspending Driver's License and ORDER filed. AND NOW this 1 day of July, 1994, upon consideration of the foregoing Petition and upon Motion of David P. Truax, Esquire, attorney for Petitioner,a hearing is hereby scheduled to determine whether the Department of Transportation in suspending the operating privileges of the Petitoner should be set aside.

The above matter is set for hearing on the 29th day of September, 1994, at 9:15 a.m. at the Courthouse at Crawford County,Pennsylvania in Courtroom No. 1 or 2.

Petitioner's operating privileges are hereby reinstated in accordance with law pending a finaldecision of the above appeal.

A true and correct copy of the within Petition and Order shall be served upon the Department of Transportation, Bureau of Driver Licensing, Room 103, Transportation and Safety Building, Harrisburg, Pennsylvania, 17120, by Certfied Mail, return receipt requested at least sixty (60) days prior to the aforesaid hearing date.

By the Court:
Anthony J. Vardaro, J.

7-12-94 Faxed to Atty. Truax, mailed to Dept.of Trans.

Oct. 12, 1994 Findings of Fact, Conclusions of Law and Order, filed. AND NOW, October 10, 1994, the appeal of Orville Frank Huber, Jr. to the suspension of his operating privileges is dismissed and the action of the department is affirmed. BY THE COURT:
Anthony J. Vardaro, J.

Oct. 12, 1994 copies dist to Truax & Kuhar

1994

Ferguson & Spataro
Douglas W. Ferguson

644.

~~Pepicelli, Youngs and Youngs PC~~ (withdrawn)
~~Christopher J. Youngs~~

CHARLES W. BRANT and
LETHA M. BRANT, his wife

vs.

DAVID M. NORR and JOANN E. NORR, his wife

Filed June 30, 1994
@ 9:20 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	34.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

July 12, 1994, Appearance of Pepicelli, Youngs and Youngs, by Christopher j. Youngs, attorneys for defendants filed.

July 15, 1994 SERVED David M. Norr on July 6, 1994 at 12:55 PM by handing a copy of the Complaint in Ejectment to Joann E. Norr, his Wife, at their residence, RD 1, Prenatt Road, Guy Mills, Crawford County, PA.

SERVED Joann E. Norr personally on July 6, 1994 at 12:56 PM by handing a copy of the Complaint in Ejectment to her at the residence, RD 1, Prenatt Road, Guys Mills, Crawford County, PA.

So answers, Shawn e. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

July 29, 1994 Appearance of Pepicelli, Youngs and Youngs by Christopher J.Youngs, Esquire for David M. Norr and Joann E. Norr, his wife, The Defendants, filed.

Jul. 29, 1994 Accpetance of Service filed. The undersigned, Christopher J. Youngs, Esquire, attorney for the Defendants in the above case, does hereby accept service of the certified copy of the Complaint in Equity and Petition for Preliminary Injunction filed in the above-captioned matter on behalf of the Plaintiffs, and certify that I am authorized to do so for the Defendants, David M. Norr and Joann E. Norr, his wife. The certified copies of the Complaint in Equity and Petiton for Preliminary Injunction was served by hand delivery to me on the 29 day of July, 1994.
7-29-94 Christopher J. Youngs, Esquire

Aug. 5, 1994 Preliminary Objections, filed.

Aug, 8, 1994 Petition to Disqualify Plaintiffs' Counsel and RULE TO SHOW CAUSE filed. AND NOW, upon presentation of the foregoing PETITION TO DISQUALIFY PLAINTIFFS' COUNSEL, a Rule is hereby entered upon the Plaintiffs, Charles W.Brant and Letha M.Brant, and Douglas W. Ferguson, Esquire, why Attorney Ferguson should not be disqualified and enjoined from representing Plaintiffs in this action.

This Rule shall be returnable and a hearing held thereon on Aug. 29, 1994, at 2:00 o'clock p.m. in Courtroom 1 or 2, Crawford County Courthouse, Meadville, Pennsy vlania. Counsel for Petitioner to file brief on this issue by August 22, 1994.

BY THE COURT,
P. Richard Thomas, J.

8-10-94 Faxed to Attys. Youngs & Ferguson

Aug. 16, 1994 Plaintiffs' Praecipe To Place Defendants' Preliminary Objections on Argument List, filed.

ON SEPTEMBER 1994 ARGUMENT LIST

Sept. 6, 1994 ORDER filed. AND NOW, September 2, 1994, after consideration of the Defendants' petition to disqualify Plaintiffs' counsel as well as consideration of the briefs of teh parties and oral argument, we decline to disqualify Plaintiffs' counsel.

We note that he represented both parties at the time of the transfer of the real estate in question in 1988 and now this is a boundary dispute some six years later which happens to arise with respect to that same parcel. We believe that this is therefore a new matter and it is not improper for him to represent the Plaintiffs.

BY THE COURT:
Anthony J. Vardaro, J.

Sept. 6, 1994 Copies given Ferguson & Youngs

Sept. 21, 1994 Answer and New Matter To Complaint in Ejectment filed.

Sept. 21, 1994 Praecipe To Withdraw Preliminary Objections filed.

June 6, 1996, Motion for Leave to withdraw Appearance and Order filed. ORDER: AND NOW, May 29, 1996 upon presentation and consideration of the foregoing motion the requested relief is granted and the appearance of CHristopher J. Youngs, is ordered withdrawn.

Anthony J. Vardaro, J

6/13/96 copies to Ferguson and Youngs

1994

645.

KIMBERLY L. SEELEY, self and also in behalf of minor children KRISTA SEELEY and KAYLA SEELEY

vs.

JEFFERY R. SEELEY

Filed June 30, 1994
@ 9:35 AM

Indigent Filing

CERTIFIED COPY OF PETITION FOR PROTECTION FROM ABUSE
OF ERIE COUNTY, PENNSYLVANIA

AND NOW, to-wit, this 29 day of June, 1994, upon consideration of the Petition for Protection From Abuse in the above-captioned case, it is ORDERED, ADJUDGED and DECREED as follows:

A final hearing for the Petitioner and Respondent will be held on the 7 day of July, 1994, at 9:00 AM in courtroom No. C, Erie County Courthouse, Erie, Pennsylvania.

Pending said hearing, it is ORDERED that:

1. Temporary custody is granted to the Petitioner of the parties 2 minor children: Names/ages Krista Seeley 4 yrs. and Kayla Seeley 2 yrs.

2. Possession of the premises at a Confidential location is granted to the Peitioner for the exclusive occupance by her/him and her/his child/children. Respondent shall hereafter have no license to be prenset on the premises.

3. Respondent is directed to refrain from striking, hitting, threatening, abusing or harassing Petitioner and the minor child/ children at any location incldуing but not limited to Petitioner's residence, her/his place of employment and the child's/children's school, by any act or actions, including both physically and verbally, including but not limited to those recited in this Petition.

4. That the Sheriff's Department or any other police agency within the area of the residence ofthe parties, including the State Police, shall enforce this Order by:

(a) Serving a certified copy of this Order on the Respondent at 206 Chord Rd., Corry, PA 16407 Apt. 5 where the said Respondent now resides. The Petitioner shall rlease Respondents personal hygiene and clothing to a third party within a reasonable time and hour.

(b) If the Respondent violates violates this Order, he/she is to be arrested onthe charges of indirect criminal c ontmept. An arrest for violation of this Order may be made without warrant, based solely on probable cause, whether or not the violation is committed in the presence of the Sheroff or POlice aforesaid or not.

(c) If the Respondent is placed under arrest for violation of this Order, he/she shall be arraigned before the District Justice who shall fix security.

(d) An Aff idavit having been filed pursuant to 23 Pa.C.S.A. Section 6106(b), this Petition shall be filed and service shall be made without payment of costs.

5. It is further ORDERED that the Respondent immediately relinquish possession or custody of:

The Sheriff's Department or any law enforcement agency is ordered to enforce this and, if applicable, to witness the exchange.

BY THE COURT:
S/ Jiuliante

Jul.8, 1994 ORDER filed. AND NOW, this 7 day of July, 1994, upon consideration of the Petition for Protection From Abuse and a final hearing upon said Petition having been heard on this 7 day of July, 1994, at 9:00 A.M. in Courtroom No. C, it is hereby ORDERED, ADJUDGED and DECREED THAT:

1) Temporary custody is granted to the Petitioner of the parties' 2 child/ren for a period of one year from the date of this Order. (Note: Prior to the expiration of the one-year period, it is recommended that either party file a separate action requesting a hearing before the Custody Counselor to obtain custodial rights of a more permanent nature) Krista Seeley 4 yrs, Kayla Seeley 2 yrs.

2)Possession of Petitioner's present residence and any other residence that he/she may reside, is granted to the Petitioner for the exclusive occupancy by her/him and her/him children for a period of one year from the date of this ORDER. Respondent, Jeffery Seeley, is completely excluded from said residence for the same one year period and shall have no license to be present on the premises.

3)Respondent is prohibited from striking, hitting, threatening,harassing or abusing the Petitioner or the minor child(ren) at any location including but not limited to the Petitioner's residence, his /her place of employment and the children's school.

4)There shall be not contact between the parties, except that telephone contact will be permitted for the limited purpose of communication with the minor child (ren) or for arranging visitation with the minor child(ren). The Respondent shall stay at least One hundred (100) yards away from the Petitioner.

5)That the Sheriff's Department, or any other police agency within the area of the residence of the Petitioner, including the State Police are instructed to enforce this ORDER.

6) Should the Respondent violate this Order, he/she is to be arrested and then cited for Indirect Criminal Contempt before a District Justice. An arrest for violation of this Order may be without warrant based solely on probably cause, whether or not the violation is committed in the presence of a police officer.

7)Petitioner is ordered not to invite, entice or encourage the Respondent to violate this Order in any fashion, or he/she may be subject to sanctions of the Court which can include incarceration for up to six (6) months.

8)Consent to entry of this as an Order is not an admission to the allegations.

9)Defendant was served ~~but-failed-to-appear~~.

10)This Order shall expire on July 7, 1995 unless extended by the Court. Otherwise this case will be closed.

11)This Order shall be a warrant for arrest of the Respondent upon probable cause of a violation.

Jess Jiuliante, Judge

7-13-94 Copy of Order to Co. Control

1994

Weiss, Michalek
Edward P. Weiss
Patrick J. Shannon

646.

Davies,McFarland &
Carroll
Francis Garger
for Y.C. Fan, MD

Grogran,Graffam,
McGinley & Lucchino
Terrence F.McVerry
for F. A. Padin,MD

DIANA L. SLOAN and PAUL H. SLOAN, her husband

vs.

Y. C. FAN, M.D., and
F. A. PADIN, M.D.

Filed June 30, 1994
@ 11:33 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	49.00
Pro Co pd 6-6-95	6.00

JURY TRIAL DEMANDED

WRIT OF SUMMONS
Issued Sheriff

July 12, 1994 SHERIFF'S RETURN, filed. SERVED Y. C. Fan, M.D. personally on July 6, 1994 at 11:15 AM by handing a copy of the Summons to Susan b. Bennett, Office Manager, at his place of business, 119 East Mechanic Street, Titusville, Crawford County, PA.

SERVED F.A. Padin, M.D., by deputizing the Sheriff of Venango County, PA, as per his Affidavit of Service attached. Served personally on July 7, 1994, at 150 Prospect Avenue, Franklin, PA 16323
So answers, Robert M. Stevens, Sheriff

Jul. 22, 1994 Appearance of Davies, McFarland & Carroll by Francis Garger, Esquire, Attorneys for Y.C. Fan, MD one of the Defendants in the above captioned case.

Jul. 22, 1994 Praecipe for Rule for Complaint issued. (Issued Atty.)

Jul.22, 1994 Praecipe for A rule to File a Complaint issued. (Issued Atty.)

July 22, 1994 Appearance of Grogan, Graffam, McGinley& Lucchino, by Terrence F. McVerry, Esquire for F. A. Padin, MD,Defendant.

Aug 3, 1994 Affidavit Of Service Of Rule To File A Complaint, filed.

Sept. 13, 1994 Complaint in Civil Action, filed.

Oct. 17, 1994 Answer to Complaint and New Matter filed.

Dec. 7, 1994 Stipulation of Counsel, filed.

Dec. 22, 1994 Notice of Service, filed.

Jan. 12, 1995 Answer and New Matter To Plaintiffs' Complaint filed.

June 5, 1995 Upon praecipe of plaintiff attorney the above-captioned matter is settled and discontinued of record.

1994

647.

Edward J. Hatheway

8-16-94 Recd from deft Sheriff Costs 29.00
8-16-94 Pd Sheriff 29.00 Chk # 8500

STACEY M. DRUSKO

vs.

MATTHEW E. LOCKE

Filed June 30, 1994
@ 11:39 AM

Tax & entry	Pd 8-16-94	50.50
User's Fee	Pd 8-16-94	5.00
Sheriff's Costs		29.00
Pro Co Pd 8-16-94		9.00
Pro Co Pd 4-17-95		5.00
fine paid 4-17-95		100.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 Copies Sheriff
1 copy Plaintiff
Faxed PSP

Order:

And now, this 30th day of June , 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 chidlren. Defendant shall not go to Plaintiff's residence. Defendant shall move out. Sole possession ofthe residence shall belong to Plaintiff. Custody of the children 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 July 8 , 1994 , at 2:00 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

July 1, 1994 Sheriff's Return filed. SERVED Matthew E. Locke personally on June 30, 1994 at 2:05 PM at his residence, Star Route Estates, Rt. 27, Meadville, Crawford County, PA.
So answers, Robert M. Stevens, Sheriff

Jul. 11, 1994 ORDER filed. AND NOW, JUly 8, 1994, this matter is before the Court on the Plaintiff's Petition for Relief under the Protection from Abuse Act. The Plaintiff appears without counsel and the Defendant appears with counsel.

After formal hearing the Court is convinced that the Plaintiff has shown by a preponderance of the evidence that abuse has occurred within the meaning of the Act.

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. Pending further Order of Court in this proceeding or any other proceeding the Plaintiff shall have primary physical custody of the minor child Brett Locke with the Defendant to have visitation by picking up the child at Plaintiff's residence each Wednesday between the hours of 1:00 and 3;00 p.m. commencing on July 13, 1994.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
4. A copy of this Order shall be delivered by the Prothonotary to County Control and the Pennsylvania State Police at Meadville Barracks.

Insofar as the Plaintiff is not represented the Prothonotary shall send her a copy of the Order by regular mail to Lot 10, StarRoute Estates, Meadville, Pennsylvania.

5. The Defendant is reminded that this is anOrder 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 $93.50 within thirty 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, Pensnylvania.
7. This Order shall remain in full force and effect through July 7, 1995.

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

7-11-94 Faxed Atty. Hatheway,PSP, mailed Pltf & Gave to Co. Control. 7-14-94 Mailed to Deft.

April 17, 1995 RE: Complaint For Indirect Criminal Contempt For Violation of Protection From Abuse Order Assignment of Hearing Date filed. AND NOW, April 17, 1995, hearing in the above captioned matter has been scheduled for April 17, 1995 at 2:30 P.M. in Courtroom No. 1 at the Crawford Co. Courthouse, Meadville, Pa.

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

4-17-95 Copies distributed by Ct. Adm. to Deft., at Crawford Co. Jail, Warden, Sheriff, Plf.

Apr. 20, 1995, Motion to Vacate Protection From Abuse Order and Order filed. And Now, this 19 day of Apr. 1995, upon receipt and review of the plaintiff's Motion to vacate Order of July 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 Prothonotary to proper police agency and to county control.

Any provisions of the Protection from abuse order of July 8, 1994 assessisng court costs shall remain in full force and effect without change or modification and the party or parties against who costs were assessed shall remainobligated to pay the costs.

BY ORDER OF COURT, Anthony Vardaro, J. 4/21/95 faxed Co. Cont. & PSP

RECORD CONTINUED ON

PAGE 481.....

1994

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

648.

BANK ONE, YOUNGSTOWN, N.A.

vs.

JEFFREY L. ROBERTS and
JELANIE L. ROBERTS

Filed June 30, 1994
@ 2:54 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	66.00
Pro Co Pd 10/7/94	9.00

COMPLAINT IN CIVIL ACTION
2 copies atty.

Aug. 10, 1994 Sheriff's Return filed. SERVED Jeffrey L.Roberts by deputizing the Sheriff of Mercer County,PA, as per his Affidavit of Service attached. Served on July 18, 1994 at the Mercer Regional Jail, 801 Butler Pike, Mercer, PA 16137.

SERVED Jelanie L.Roberts personally on July 8, 1994 at 10:45 AM by handing her a copy of the Complaint at the residence, R.D.#8, Box 122, Meadville, Crawford County, PA.

So answers,

Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, Oct. 3, 1994 at 3:39 p.m. upon praecipe of plaintiff attorney, with cert. of service and important notice atta ched, Judgment is hereby entered in favor of the p laintiff and against the defendants in the sum of Three Thousand Seven Hundred Eighteen and 56/100 dollars plus interest from 5/15/94 at 10.75% and costs of suit, for failure to file a pleading.

Judgment entered
10/3/94
R - 218, 218

Debt - $3,718.56
Int. from 5/15/94

JUDGMENT
Barbara H. King,
Prothonotary

Oct. 7, 1994, notice of entry of judgment mailed to dfts.

1994

649.

Marsh, Spaeder, Baur,
Spaeder & Schaaf
James R. Fryling

JOHN L. GIONTI

vs.

STAR HOMES, et al

Filed July 1, 1994
@ 1:56 PM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro Co pd 8-8-94	9.00

APPEAL OF DEFENDANT FROM DECISION OF
DISTRICT JUSTICE ROBERT LEONHART

July 1, 1994 Rule entered upon the Plaintiff to file a Complaint issued.

Jul. 7, 1994 Proof of Service of Notice of Appeal and Rule to File Complaint, filed.

And Now, Aug. 2, 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.

G - 93 JUDGMENT OF NON PROS
Barbara H. King, Pro.

Hutzelman, Walsh
& Walsh
Joseph M. Walsh, III

650.

AGNES V. KERR

vs.

MICHAEL J. KERR

Filed July 1, 1994
@ 1:56 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co. pd 9-29-99	13.50

COMPLAINT IN DIVORCE
1 copy atty.

Sept. 13, 1999 Affidavit of Consent of defendant filed.

Sept. 13, 1999 Waiver of Notice of Intention To Request Entry of a Divorce Decree Under 3301(c) of the divorce code of Defendant filed.

Sept. 23, 1999 Affidavit of Mailing filed. I, Joseph M. Walsh,III, Esq., do hereby state that a copy of the Complaint Under Section 3301(c) of the Divorce Code was mailed to Michael J. Kerr at his address being known as 515 West Spruce St., Titusville, PA 16354 on July 6, 1994, by certified mail, return receipt requested. Attached hereto is the return receipt showing that he received the same on July 7, 1994.

Joseph M. Walsh, III, Esquire

Sept. 23, 1999 Plaintiff's Affidavit of Consent and Waiver of Notice of Intention to Request Entry of a Divorce Decree Under Section 3301(c) of the Divorce Code, filed.

Sept. 23, 1999 Upon praecipe of plaintiff attorney for Review Under Section 3301(c) of the Divorce Code this case moved to Court.

DIVORCE DECREE FILED

Oct. 1, 1999 AND NOW, this 30 day of September, 1999, it is ordered and decreed that AGNES V. KERR, Plaintiff, and MICHAEL J. KERR, Defendant, are divorced from the bonds of matrimony.

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

Pending Claims: None.

BY THE COURT:
Gordon R. Miller, Judge

1994

Jorden& White
William T. Jorden

651.

Meyer, Darragh,
Buckler, Bebenek & Eck
Scott Millhouse

TERRI L. HENDERSON

vs.

RICHARD WILLIAMS

Filed July 1, 1994
@ 1:56 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	27.00
Pro Co pd 4-30-97	6.00

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Jul. 20, 1994 Sheriff's Return filed. SERVED Richard Williams personally on July 12, 1994 at 1:10 PM by handing a copy of the Complaint to him at his residence, R.D.#2, Box 111, Cochranton, Crawford County, PA.
So answers, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Aug. 5, 1994 Praecipe for Appearance and Demand For Jury Trial, filed. Appearance of Meyer, Darragh, Buckler, Bebenek & Eck by Scott Millhouse for defendant Richard Williams, filed.

Sept. 2, 1994 Defendant's Answer and New Matter, filed.

Sept. 21, 1994 Answer to New Matter filed.

Nov. 10, 1994, Notice of Filing Answers to Defendants Interrogatories and Request for Production, filed.

Autg 10, 1995 Notice of Deposition Richard Williams, filed.

Oct. 20, 1995, Notice of Deposition of Richard Williamsfiled. 1 copy (atty)

Nov. 12, 1996 Certificate of Readiness filed on behalf of Defendant filed. Kindly certify the above captioned matter ready for trial. The pleadings have been closed and service has been effected on all parties.
Meyer, Darragh, Buckler,
Bebenek & Eck
Scott Millhouse, Esq.
JURY TRIAL DEMANDED

Nov. 25, 1996 Motion to Strike Certificate of Readiness and Order filed. AND NOW, this 25 day of November, 1996, upon consideration of the foregoing Motion to Strike Certificate of Readiness, the above listed case is stricken from the trial list.
Anthony J. Vardaro, J.
11-25-96 FAXED Jorden

Dec. 20, 1996 Notice of Deposition filed.

Jan. 8, 1997 Brief in Support of Motion for Summary Judgment filed.

Jan. 8, 1997 Motion for Summary Judgment filed.

March 3, 1997 Notice of Deposition of Mr. Richard Williams, filed.

Mar 10, 1997 Praecipe for Argument Date, filed.

ON ARGUMENT LIST FOR April 1997

Mar 20, 1997 Plaintiff's Answer to Defendant's Motion for Summary Judgment, filed.

Apr 28, 1997 Upon praecipe of plaintiff attorney the above captioned action is hereby marked settled and discontinued of record.

202

1994

652.

R. Christopher Brode

PHILIP PRYSTALOSKI

vs.

BEVERLEY SIEG

Filed July 1, 1994
@ 3:53 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 MPD

ORDER:

And now, this 1st day of July , 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 nor go to his residence or place of work. Tempoary custody of the child Michael shall be with Plaintiff.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or fees and costs will be determined by final court order.
7. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the July 11 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 THE COURT,
Gordon R. Miller, J

July 7, 1994 SHERIFF'S RETURN, filed. SERVED Beverley Sieg personally on July 1, 1994 at 4:15 PM by handing a copy of the Protection from Abuse to her in the Crawford County Courthouse, Second Floor, Meadville, Crawford County, PA.
So answers,
James Withers, Deputy Sheriff
Robert M. Stevens, Sheriff

July 7, 1994 Motion For Continuance and Order, filed. AND NOW, this 7 day of July, 1994, upon consideration of defendant's Motion to Continue, it is hereby ordered that the hearing presently scheduled for July 11, 1994 at 11:15 a.m. be continued to the 14 day of July, 1994, at 9:00 o'clock, A.M. in Courtroom No. 2 of the Crawford County Courthouse. Defendant agrees she will not contact Plaintiff in any manner and that the temporary order will remain in effect until the hearing can be held.
BY THE COURT,
P. Richard Thomas, S.J.

July 8, 1994 Faxed Brode, mailed Plf.

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 sruling 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 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 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 fo 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 athe end of said visits.
3. At the time of pick up and rturn, 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 invited 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 the pick up of the child, neither parent may consume alcoholic beverages of any kind.

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

July 19, 1994 copies dist to Prystaloski, Brode & C&Y

1994

653.

10-14-94 Rec'd from dept Sheriff's Cost 47.50
10-18-94 Pd Sheriff Ck# 8016 47.50

WENDY A. HUMES

vs.

STEVEN RAY HUMES

Filed July 5, 1994
@ 9:49 A,

Tax & entry Pd. 10-14-94 50.50
User's Fee Pd. 5.00
Sheriff's Costs Pd. 47.50
Pro Co. Pd. 9.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies Sheriff
1 copy atty.
Faxed PSP

Order:

And now, this 5 day of July , 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 home pending further order of Court. The Plaintiff shall have temporary physical custody or minor children with visitatio to defendant at her discretion 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 July 15, 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

July 7, 1994 SHERIFF'S RETURN, filed. SERVED Steven Ray Humes personally on July 6, 1994 at 10:00 AM by handing a copy of the Protection from Abuse to him at a place of visitation in Little Cooley, Crawford County, PA.
So answers,
Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Jul. 18, 1994 ORDER filed. AND NOW, July 15, 1994, at the time fixed for hearing in this matter the Plaintiff appeared with counsel, the Defendant appeared without counsel. He was advised as to the nature of these proceedings and he understood them. The parties agree to a settlement of this case and based upon the settlement,the Court ORDERS as follows. By agreeing to this settlement, the Defendant does not admit that he engaged in the conduct alleged in the Complaint.

1. The Defendant shall not assault, abuse, harass, threaten, or stalk the Plaintiff or her minor children nor shall he cause others to do any of those things.

2. The Defendant shall not go to the Plaintiff's residence.

3. The Plaintiff shall have primary custody of the minor children with the Defendant having the right to visit the children on alternate weekends from 5:00 o'clock p.m. on Friday evening to 5:00 o'clock p.m. onSunday evening commencing with Friday, July 22, 1994. Transportation for these visitations shall be provided by the defendant by way of his family and friends. During periods of time when the children are visiting their father, the father shall not consume alcoholic beverages, intoxicating liquors, beer or wine, nor shall he consume or possess non-prescribed illegal drugs or controlled substances.

In fact, he shall not have any such substances within twelve (12) hours of the scheduled visitation so that he is absolutely sober when the visitations commence.

This Order on custody and visitation is subject to change or modification in a custody proceeding. Until an Order is entered in a custody proceeding, however, this Order shall prevail.

4. Barbara Bradley shall go to the home of the Plaintiff on July 17, 1994 at 12:00 o'clock noon to pick up any of the Defendant's personal belongings. The Plaintiff shall deliver the Defendant's clothing to him at the close of this hearing.

5. The Defendant shall pay all medical bills related to the Plaintiff's treatment for the incident of July 2, 1994 to the extent that the medical bills are not covered by medical assistance or some other third party payer. If the Plaintiff seeks reimbursement from the Defendant for such costs, she shall send the bills or copies of the bills to the Defendant with an explanation of the amount that was paid by a third party payer, the amount left over to be paid by the Defendant, and why the third party payer did not pay the entire bill.

Upon receipt of such information, the Defendant shall pay the amount that he is obligated to pay within fifteen (15) days after receipt of the bill and the information.

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, the Pennsylvania State Police, Corry Barracks, and to the Defendant, care of Robert Humes, R.D.#2, Cambridge Springs, Pennsylvania 16403.

8. This Order shall remain in full force and effect for one (1) year from this date, that is July 14, 1994, unless modified or terminated by further Court Order.

9. The Defendant shall pay record court costs in the amount of $112.00 to the Prothonotary of Crawford County in the following manner: He shall pay $56.00 on or before August 15,1994 and he shall pay the balance on or before September 15, 1994. If he fails to pay, the Prothonotary may institute contempt of court proceedings to hold the Defendant in contempt of court and be punished for failure to pay costs.

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.

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

7-18-94 Faxed to Pa.SPD Corry, given Sullivan, Deft. & Co. Control

1994

Jack L. Cherkin,
Dominic D. Salvatori

654.

BONNIE BELLE TEMPLE, and
GEORGE TEMPLE, her husband

vs.

ROBERT L. HANNA

Filed July 5, 1994
@ 1:58 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	32.00
Pro paid 9/28/94	5.00
Pro.Co.pd 10/18/94	1.00

WRIT OF SUMMONS
Issued Sheriff

July 20, 1994 SHERIFF'S RETURN, filed. SERVED Robert L.Hanna on July 13,1994 at 2:30 PM by handing a copy of the Summons to Jodi L. Kosar, Adult in Charge at the residence, RD 1, Box 980, Conneaut Lake, Crawford County, PA.
So answers, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Sept. 22, 1994 Upon praecipe of plaintiff attorney, the above action is marked settled and discontinued of record.

1994

MacDonald, Illig,
Jones & Britton
Richard J. Parks

655.

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

vs.

MERLE D. SNYDER, JR. and SHIRLEY W. SNYDER, his wife

Filed July 5, 1994
@ 4:27 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	50.00
Pro Co pd 8-12-94	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
3 Copies Sheriff

Jul. 20, 1994 Sheriff's REturn filed. SERVED Merle D. Snyder,Jr. personally on July 13, 1994 at 2:00 PM by handing a copy of the Complaint in Morgage Foreclosure to him at the resdience, 102-104 North DillonDrive, Titusville, Crawford County, PA.

SERVED Shirley W. Snyder on July 13, 1994 at 2:01 PM by handing a copy of theComplaint in Morgage Foreclosure to Merle D. Snyder, her Husband, at the residence, 102-104 North Dillon Drive, Titusville, Crawford County, PA.

POSTED t he property of Merle and Shirley Snyder located at 102-104 North Dillon Drive, Titusville, Crawford County,PA on July 11, 1994 at 12:58 PM.

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

And Now, Aug. 3, 1994, upon praecipe of plaintiff's attorney judgment is entered against the above named defendants, in mortgage foreclosure for failure to file an answer in the above-captioned matter in the amount claimed in the Complaint of Sixteen Thousand Five Hundred Seventy-three and 12/100 plus interest at the rate of $2.98 per diem from June 30, 1994, plus costs of suit, taxes, insurance premiums advanced by Plaintiff and for foreclosure and sale of the mortgaged premises.

Entered 8-3-94 Debt: $16,573.12 plus int. , costs, taxes
S - 153, 230 JUDGMENT
Barbara H. King, Pro.

Ex 1994 - 49

Aug. 8, 1994 Affidavit of Service Pursuant to Pa.R.C.P. NO. 3129.2(c)(2), filed.

1994

Mason & Mason
Joan D. Mason

656.

Kathleen R. Nelson

JOHN W. KAYLOR

vs.

JAMIE E. KAYLOR

Filed July 6, 1994
@

Tax & entry paid	50.50
User's Fee paid	5.00
Bruce L. Smith Mediator	273.40
Pro Co 10-10-94	9.00

COMPLAINT FOR CUSTODY
1 copy atty.

Order:

You, Jamie E. Kaylor, Defendant, have been sued in court to determine custody, partial custody, and vistiation of the childreN; Jemmalee Alice Kaylor, Jennifer Lee Kaylor and Jeanine Renee Kaylor.

Bruce Smith, Esq., is hereby appointed custody mediator in this matter.

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

You are further ordered to birng with you, if in your physical custody, the three (3) above named chidlren if in your possession or control, if so requested by the mediator or the Plaintiff.

The children shall not be relocated by the Plaintiff to another home outside of Crawford County, without this court's permission, and she shall keep the Plaintiff informed of her address and telephone number.

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 FOTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator
Crawford County Courthouse
Meadville, PA 16335
Telephone: (814) 336-1151, Ext. 298

7/6/95

By the Court
Anthony J. Vardaro, J

7/6/94 Faxed Atty. Smith

July 11, 1994 Order filed. AND NOW, July 6, 1994, the parties appear in motion court with their counsel. Apparently, they were living in the State of North Carolina in 1992 and separated. The Defendant is currently residing in Crawford County, along with the three minor children of the parties.

The Plaintiff appears in Moiton Court with a Custody Complaint and has attached to it a Separation Agreement and Property Settlement signed October 17, 1992. His counsel notes that that agreement indicates that he was to ahve the children in his custody throughout the summer, but apparently in 1993, due to his schedule, he did not exercise that period of temporary physical custody. We also note that there has not been an Order entered in North Carolina nor in Pennsylvania.

The Plaintiff does indicate that he has had apparently monthly visitations in Pennsylvania with the children and has kept them at his parents' home in this area over weekends.

He now seeks to take the chidlren to North Carolina for the remainder of the summer.

The defendant's counsel indicates that she does not believe it is appropriate for the children to go to North Carolina for such a lengthy period of time in light of the fact they have not had lengthy visitation with their father since the separation of the parties.

The plaintiff is presently in Pennsyvlania apparently expecting that the children would be going with him due to discussion with the defendant and in light of thefact that this proceeding has now been filed and we believe it would be appropriate for the pl aintiff to have some extended period of temporary physical custody with regard to the chidlren, it is ORDERED and DIRECTED that pending mediationin this matter, the plaintiff shall have temporary physical custody of all three children commencing on July 6, 1994, at 12 o'clock Noon and ending July 20, 1994, at 12 o'clock noon.

We have appointed this day Bruce E. Smith, Esquire as a Mediator in this child custody matter and the parties will contact Mr. Smith to try to schedule a meidaiton on or before July 20, 1994. In the event that is not possible with his schedule, by agreement, the parties will next go William Pineo, Esquire, to determine whether he could mediate this matter in a timely manner and then to John Fuller, Esquire, to try to schedule this matter in a timely manner, it being the Court's intention tha tif at all possible, this matter be mediate on or about July 20, 1994.

The plaintiff is ORDERED and DIRECTED to deposit the sum of $150 as required by the Local Rules this date for the purpose of scheduling of the mediation conference.

This parties are cautioned that this is a Court Order to temporarily resolve this matter pending mediation and the Mediator nor any judge reviewing this matter should not consider this t be intended to influence the ultimate decision made in this case insofar as the Court has limited facts before it at the time of entering this Order.

We note that we have signed a companion Order this same day which appoints Bruce L. Smith, Esquire as the child Custody Mediator.

BY THE COURT,
Anthony J. Vardaro, J

July 11, 1994 Faxed Mason, Nelson & Smith

Aug. 1, 1994 TEMPORARY ORDER OF COURT, filed. AND NOW, this 1st 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 Jemmalee Alice Kaylor, age ten, born April 4, 1984, Jennifer Lee Kaylor, age three, born August 2, 1990, and Jeanine Renee Kaylor, age two, born December 8, 1991, the parties to this action, shall share legal clustody of the said minor children. Said joint legal custody being shared shall entitled 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 parents shall have the duty to meet and discuss these issues in the event there is ever a disagreement in any area.

2. Primary physical custody of the children shall remain with the defendant natural mother, Jamie E. Kaylor. Regular visitation and temporary custody of the children shall be granted to the plaintiff father, John W. Kaylor. Physical custody for the plaintiff father shall be as follows:

a. The children shall be available for pick-up and visit with the father either in Crawford County or in his home in North Carolina, after he has transported them there, the second weekend of each month from Friday at 6:00 p.m., prevailing time, until Sunday at 8:00 p.m., prevailing time. These visits shall take place each month, except during the months of June, July, and August, NOvember, and December.

b. Beginning with the balance of the summer of 1994, the children shall be in the father's temporary custody form June 15 until August 15 each summer.

Continued on Page 206A

7-6-94 Deposited #150.00 by Plaintiff
10-10-94 Rec'd from plff 19.24
med fee
(Called Plff/Counsel about telecon cost No response)
10-10-94 Pd Comm #8601 19.24
10-18-94 Rec'd from plff 28.24
med fee
12-7-94 Rec'd from plff
med. fee 28.24
12-16-94 Pd Co #8732 56.48
1-25-95 Rec'd from Plff
med fee $56.48
3-14-95 Rec'd from Plff
med fee 56.48
3-21-95 Pd B #8037 $112.96

John W. Kaylor
vs.
Jamie E. Kaylor

CONTINUED FROM PAGE 206
of Record
A. D. 1994 - 656

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c. Holiday visitation shall be as follows: (i) in odd-numbered years, the entire period of Thanksgiving vacation shall be available to the father. This includes the period from Wednesday at 5:00 p.m., prevailing time, until Monday at 8:00 p.m., prevailing time. During even-numbered years, the fther shall have the opportunity to have the children from Friday at 8:00 a.m., prevailing time, until Monday at 8:00 p.m., prevailing time. (ii) in even-numbered years, the father shall have the children over the Christmas holiday from one day after the school break begins until noon on January 1st. In odd-numbered years, the father shall have the children from 8:00 a.m., prevailing time, on December 26, until 8:00 p.m., prevailing time, on January 1.

d. If the father or the mother is in the area of the other parent's home for whatever reason, he or she shall, upon a telephone notice of twenty-four hours, be permitted to have uninterrupted visitation with the children and to take children into his or her custody for forty-eight consecutive hours in any one month, including the period of time when the children are with the father in North Carolina each summer.

e. The parent having custody of the children at anytime shall make them available for a telephone call from the other parent on Tuesday and Thursday each between the hours of 7:00 and 8:00 p.m., prevailing time. The cost of the telephone call shall be borne by the parent making the call.

f. The father shall pick up and return the children to the mother's residence during any period when he has temporaryphysical 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 any of the children requiring medical treatment. Because of the distance involved, the notice shall be given by telephone.

4. Neither parent shall take any of 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 agaree to alternative arrangements to accommodate their and/or the children's schedules, they may adjust the physical custody arrangements accordingly and are encouraged to do so by mutual consent and agreement.

6. Each of the parents and any adult coming into regular contact with the children shall teach the children involved in this case to development and express that natural love and respect due a parent from his or her children. Neither of the parents (nor any adult coming into regular contact with the children) will do or say anything to blacken the character of either parent in the eyes of the children. No adult shall attempt to blacken the character of any other adult regularly coming into contact withs the children.

7. When either parent is out of the home working while the children are in his or her custody, that parent shall provide qualified child-care supervision for the children. Such a child-care provider may be a relative of the children; if not, the child-care provider shall be at least the age of fifteen years.

8. This Order shall not prejudice the right of either party to request further Mediation if there are changed circumstances in the lives of the parties or the children or in the event that the best interest of the children would be served by further Mediation. For the purposes of this paragraph, either parent shall give a written notice of thirty days to the other parent of an intention to move, on a permanent basis, from his or her current residence to a place more distant then ten miles from his or her current residence. If such notice is given, further Mediation may be requested.

10. The Court of Common Pleas of Crawford County, Pennsylvania, shall retain jurisdiction of this matter so long as either of the parensts 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 by the plaintiff father.

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:
Gordon R. Miller, P.J.

Aug. 10, 1994 Faxed copy to J. Mason, Nelson, & Smith, sent to Plf. & Dft.

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-6-

1994 TERM

1994

Mason & Mason
Joan D. Mason

657.

JERRY L. McCORMICK

vs.

VIRGINIA L. McCORMICK

Filed July 6, 1994
@ 2:02 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 11-14-96	9.00

COMPLAINT IN DIVORCE
1 copy atty.

July 6, 1994 Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code filed.

Aug. 15, 1994, Complaint Reinstated.

Sept. 23, 1994, Complaint reinstated.

Nov. 4, 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 October 7, 1994, mail to the above Defendant, Virginia L. McCormick, by certified mail #Z 727 903 621, return receipt requested, deliver to addressee only, a divorce complaint and Plaintiff's 3301(d) affidavit, in the above divorce action. Said notice was received by Virginia L. McCormick onOctober 12, 1993, as indicated by the return receipt card which was returned to the office of the Plaintiff's attorney and is attached hereto.
Joan D. Mason

May 8, 1995 Affidavit of Consent of Defendant filed.

Sept. 5, 1996 Notice of Affidavit Under Section 3301(d) of The Divorce Code of Plaintiff's filed.

Oct 18, 1996 Upon praecipe of plaintiff attorney to transmit record, case moved to Court. And, Notice of Intention to Request Entry of Divorce Decree, filed.

Nov. 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:
Other: There is not indication as to the date and manner of service of the 1920.42(d)(1) notice.
Either party may file a praecipe to refer the matter back to the Court when the record isin such a state that the parties are entitled to a final decree.
Date: 11-14-96
BY ORDER OF COURT
Gordon R. Miller, J

Dec 2, 1996 Counter-Affidavit Under Section 3301 (d) of the Divorce Code, filed.

Dec 2, 1996 Notic eof Intention to Request Entry of Divorce Decree, filed.

Dec 2, 1996 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Dec. 13, 1996 AND NOW, December 12, 1996, it is ordered and decreed that JERRY L. MCCORMICK, plaintiff, and VIRGINIA 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 and which has not been withdrawn by the party making the claim.

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

1994

Pepicelli, YOungs
& Youngs
Lisa Pepicelli Youngs

658.

LAWRENCE O. PRICE

vs.

MARY PETROFF, JOSOPH PETROFF CATHRYNE CORNELL, a/k/a KATHRYN I. CORNELL, ANN McAVOY, CONNIE P. BILLIG, a/k/a CONSTANCE BILLIG, ALGA THOMPSON, a/k/a OLGA THOMPSON, LEROY CORNELL, GARY A. BILLIG, JANICE SMITH, and their heirs, executors, successors and assigns

Filed July 6, 1994
@ 3:32 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	27.00
sheriff costs	193.48
Pro Co pd 10-21-94	9.00

COMPLAINT IN QUIET TITLE
3 copies atty.

July 15, 1994 Motion for Service by Publication and ORDER filed. AND NOW, this 14th day of July, 1994, upon consideration of the foregoing Motion and Affidavit,it appearing that the identity and whereabouts of t he defendants, Mary Petroff, Joseph Petroff, Cathryne Cornell, a/k/a Kathryn I. Cornell, Ann McAvoy, Connie P.Billig, a/k/a Constance Billig, Alga Thompson, a/ka Olga Thompson, their heirs and assigns are unknown, following diligent search and inquiry, it is hereby ordered that the Sheriff of Crawford County, Pennsylvania make service upon the defendants, Mary Petroff, Joseph Petroff, Cathryne Cornell, a/k/a Kathryn I. Cornell, Ann McAvoy, Connie P. Billig, a/k/a Constance Billig, Alga Thompson, a/k/a Olga Thompson, their heirs and assigns, by publication in both the Meadville Tribune and the Crawford County Legal Journal, one (1) time. Said publications shall include notices requriing the defendants, their heirs and assigns, to file an Answer to Plaitiff's Complaint within twenty (20) days after date of publication.

BY THE COURT,
Gordon R. Miller, J.

7-15-94 Faxed to Attys. L.Youngs

July 25, 1994 SHERIFF'S RETURN, filed. SERVED Leroy Cornell personally on July 19, 1994 at 11:10 AM by handing a copy of the Action to Quiet Title to him at his residence, Box 329, Third Street, Conneaut Lake, Crawford County, Pa.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Aug. 11, 1994, Sheriffs Return filed. SERVED by Publication once only in the Crawford County Legal Journal on Wed. July 27, 1994, as per proof of publication attached.
SERVED by publication once only inthe Meadville Tribune on Wed. July 27, 1994 as per proof of publication attached.
So answers, Robert m. Stevens, Sheriff

Aug. 24, 1994 Affidavit of Service filed. I, Lisa Pepicelli Youngs, hereby certify that I am attorney for the above-named Plaintiff; that the Complaint to Quiet Title, with notice to plead, was served upon the Defendants, Mary Petroff, Joseph Petroff, Cathryne Cornell a/k/a Kathryn I. Cornell, Ann McAvoy, Connie P. Billig a/k/a Constance Billig, Alga Thompson a/k/a olga Thompson, their heirs, executors and assigns by publication pursuant to this Honorable Court's Order dated July 14, 1994 in the Crawford Co. Legal Journal and in the Meadville Tribune, one (1) time, on July 27, 1994 and on Leroy Cornell by the Sheriff of Crawford Co. on July 19, 1994, and on Gary A. Billig on July 11, 1994 by Certified Mail No. P 100 650 657, Return Receipt Reqeusted, and on Janice Smith on July 12, 1994 by Certified Mail No. P 100 650 656, Return Receipt Requested, see copies of the Return Receipts attached as Exhibits "A" and "B" respectively; that since the Complaint was published, Defendants, their heirs, successors or assigns have neither entered an appear ance nor filed an Answer or responsive pleading of any kind; and that the last day to file an Answer or other responsive pleading was Aug. 16, 1994. I understand that the statements made herein are subject to the penalties of 18 Pa. C.S.A. 4904 relating to unsworn falsificatin to authorities.

Lisa pepicelli Youngs, Esq.

Aug. 29, 1994 Motion for Judgment and FINAL ORDER AND ORDER OF JUDGMENT ENTRY filed. AND NOW, this 29 day of August, 1994, it appearing that the Complaint in the above action has been properly served upon all defendants, their heirs, successors and assigns, in accordance with the Rules of Civil Procedure, and that no Answer or other responsive pleading has been filed or Appearnace 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 and assigns, are hereby and forever barred from asserting any right, lien, title or interest inconsistent with the respective interests of the Plaintiff as set forth in their Complaint in all those certain pieces or parcels of land situate in Fairfield Township, Crawford County, Pennsylvania, bounded and described as follows:

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

On the North by land now or formerly of the Lucy McConnell Estate; on the East by land now or formerly of Elizabeth Johnson; on the South by the Mercer-Crawford counties line road; and on the West by the improved road leading from Cochranton to Sandy Lake, containing eighty (80) acres of land more or less having erected thereon a frame house, barn and out buildings.

BEING the same land conveyed to Lawrence O. Price by Tax Claim Bureau deed dated January 20, 1992, and recorded February 7, 1992 in Crawford County Record Book 144, Page 474.

EXCEPTING all that piece or parcel of land conveyed to Kathryn I. Cornell and LeRoy E. Cornell as described in Crawford County Deed Book 439, page 376.

EXCEPTING all that piece or parcel of land conveyed to Philip Cerra as described in Crawford County Deed Book 409, Page 45.

EXCEPTING all that piece or parcel of land conveyed to Stefan Schostarez and Magdelena Schostarez as described in Crawford County Deed Book 385, Page 137.

EXCEPTING all that piece or parcel of land conveyed to William P. Holben and Patricia P. Holben as described in Crawford County Deed Book 377, Page 174.

Chain of title to said parcel may be found by referrring to and as more specifically set forth in Complaint filed in the office of the 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 attacking the titles of the Plaintiff to the aforesaid parcels of land, from commencing or maintaining any action attacking the same or from encumbering, mortgaging or conveying the same or any part thereof unless the Defendants, their heirs, successors or assigns, shall within thirty (30) days of the date of the entry of this Order file a Petition to open or to strike judgment in this proceeding or bring an action in ejectment against the Plaintiff.

If no Petition to Open or Strike Judgment is filed within thirty (30) days of this Order, then upon Praecipe of the Plaintiff, the Prothonotary is directed to enter final judgment against the Defendants, their heirs, successors and assigns.

BY THE COURT,
Anthony J.Vardaro, J.

8-30-94 Copy given to L.Youngs, ESq.

Continued on Pg. 208A

1994 TERM

Lawrence O. Price
vs.
Mary Petroff, et al

CONTINUED FROM PAGE 208
of Record
A. D. 1994 - 658

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Oct. 18, 1994 Praecipe of Lisa Pepicelli Youngs, Esq., for Entry of Final Judgment, filed. Kindly enter final jugment against all of the above-named Defendants, their heirs, successors and assigns, pursuant to Court Order of August 29, 1994. I hereby certify that none of the Defendants has filed a Petition to Open or to Strike Judgment. Date: October 17,1994

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-b-

_____TERM

1994

659.

PAM MARIE NOGEE

vs.

JOHN CHARLES MERVINE

Filed July 7, 1994
@ 11:04 AM

Tax & entry Pd 1-29-97 50.50
User's Fee Pd - 1-29-97 5.00
Sheriff's costs pd 25.00
Pro Co Pd 1-29-97 9.00

1-29-97 Pd Sheriff #10530 25.00

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

Order:

And now, this 7 day of July , 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 to Plaintiff's residence pending further order of court. The Plaintiff shall have temporary sole custody of both 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 July 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

July 8, 1994 Sheriff's Return filed. SERVED john Charles Mervine personally on July 7, 1994 at 11:56 AM by handing a copy of the Protection from Abuse to him at his temporary place of custody in the Crawford Co. Jail, 360 Center St., Meadville, Crawford Co., PA.
So answers, Robert M. Stevens, Sheriff

July 14, 1994 Order filed. AND NOW, July 12, 1994, at the time set for hearing, Plaintiff and her consel and Defendant appear before the Court ad advise the Court the matter has been amicably r esolved onthe following terms and conditions:

1. The defendant admits he committed the assault charged and admits he inflicted injuries requiring hospital attention.
2. The Defendant shall not assault, abuse, harass, stalk or threaten the Plaintiff in any manner or procure others to do so in his behalf.
3. He shall not go to her residence or to her place of employment for any purpose.
4. Temporary custody fothe two (2) minor children shall be with the Plantiff.
5. Any visitation between Defendant and the children will be by mutual arrangement between the mother and father, but must be at the residence of the Defendant's father, Charles Mervine, Townville, Pennsylvania. The parties mutually agree that Charles Mervine must be present throughhout said visits and the Court is advised that Charles Mervine will provide transportation for the children as the Defendant has no operator's license.
6. Plaintiff sustained injuries as a result of an assault, and the Defendant shall be responsible for all unreimbursed medical expenses. In this regard, it shall be the obligation of the Plaintiff to forward any bills received to the Defendant and the Defendnat shall be responsible for the payment thereof.

If untlimately the Plaintiff is reinbursed she shall pay such sums to the Defendant as he advanced for the payment of the bills in question.

7. This Order shall remain in full force and effect for one (1) year unless modified or terminated by further Court Order.
8. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to belieive it has beenviolated, andlodge the Defendant in the Crawford County Jail for violation thereof and immediately notify the Court to schedule an immediate ocntempt hearing.
9. A copy of this Order shall be delivered by the Prothnotary to County Control and Meadville City Police. A copy shall be sent to the Defendant care of Charles Mervine, R.D. #1, Townville Pennsylvania 16360.
10. The Defendant shall pay record court costs in this matter iwthin twenty (20) days of th eitme he receives a bill form the Prothonotary addressed to the Defendnat care of Charles Mervine at the address listed above.

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

July 14, 1994 FAxed Sullivan, MDP, mailed defendant and gave to Co. Control

Schroeck & Associates
Christine Fuhrman Konzel

660.

LORI L. GRAPPY

vs.

JOHN R. GRAPPY

Filed July 7, 1994
@ 1:40 p.m.

Tax & entry paid	$50.50
2 counts paid	30.00
state paid	10.00
state paid	15.00
Pro Co pd 3-13-97	9.00

COMPLAINT IN DIVORCE, CUSTODY, PARTIAL CUSTODY, AND VISITATION, EQUITABLE DISTRIBUTION OF PROPERTY

3 copies (atty)

July 20, 1994 AFFIDAVIT OF SERVICE, filed. Before me, a Notary Public, in and for the County and State aforementined, personally appeared CHRISTINE FUHRMAN KONZEL, ESQUIRE, who first being duly sworn according to law, deposes and says that the she served a true and attested copy of the COMPLANIT IN DIVORCE upon Defendant, JOHN R. GRAPPY, by U.S. Mail, certified return receipt, restricted delivery, certificate number P 316 766 876 on the 14th day of July, 1994.

Dec. 20, 1994 Motion For Consent Agreement and Order, filed. AND NOW, this 20 day of December 1994, upon presentation and consideration of the foregoing motion, and the parties having executed the consent agreement, the consent agreement is entered and adopted as an order of this Court.

BY THE COURT
Anthony J. Vardaro, J.

Dec. 21, 1994 dist to Plf & Dft.
Dec 23, 1994 Faxed to Dft. at (814) 838-0645

Feb 3, 1997 Certificate of completion of the Seminar for Separating Parents for Lori Grappy, filed.

Mar 12, 1997 Upon praecipe of plaintiff attorney to enter a Decree for Divorce, this case is submitted to Court.

Mar 12, 1997 Affidavit of Consent of Plaintiff, filed.

Mar 12, 1997 Waiver of Notice of Intention to Request Entry of Divorce Decree Under Section 3301(c) of the Divorce Code, filed. (Plaintiff)

Mar 18, 1997 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:

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.

As to a 3301(d) divorce:

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

There is no showing that the proper notice required by 1920.42(d)(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.

Mar 17, 1997 Anthony J. Vardaro, J.
Mar 18, 1997 Mailed Schroeck

Motion to Withraw Claim, filed.

Apr 9, 1997 Certificate of Service of a Praecipe for Divorce Decree and correspondence, filed.

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

Apr 22, 1997 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 willnot be entered at this time because:

As to a 3301(d) divorce:

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

There is no showing that the proper notice required by 1920.42(d) in the form provided by 1920.73 to a party who is unrepresented or to counsel of a represented party was properly maield 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 Cour twhen the record is in such a state that the parties are entitled to a final dicree.

Anthony J. Vardaro, J.
Apr 22, 1997 Faxed Schroech

May 7, 1997 Notice and Affidavit under Section 3301(d) of the Divorce Code by Plaintiff filed.

June 2, 1997 Affidavit of Service: Before me, a Notary Public, in and for the County and State aforementioned, personally appeared FELICIA R. SCHROECK, ESQUIRE who first being duly sworn according to law, deposes and says that she served a true and attested copy of the Affidavit under Section 3301(d) of the Divorce Code signed by Lori L. Grappy, Plaintiff and correspondence requesting opposing counsel to contact Attorney Schroeck's Office upon Defendant, JOHN R. GRAPPY, by U.S. Mail, Certified Return Receipt, Restructed Delivery, Certificate No.: 069-555-914 on the 21st dya of May, 1997.

June 16, 1997 Certificate of Service of copy of notice of intention to request Entry of Divorce Decree and correspondence, served on Mr. John R. Grappy, filed.

July 28, 1997 Certificate of Service of Praecipe for Final Decree filed.

July 28, 1997 Upon praecipe of Plaintiff Attorney to enter a Decree for Divorce in the above-rerfenced matter, this case moved to court.

X

DIVORCE DECREE FILED

Aug. 12, 1997 AND NOW, this 11 day of August, 1997, it is ORDERED and DECREED that LORI L. GRAPPY, Plaintiff and JOHN R. GRAPPY, 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.

Anthony J. Vardaro, J.

1994

Barrett & Dratler
Bruce A. Barrett

661.

DANIEL J. HOWELL

vs.

LUCRECIA HOWELL

Filed July 7, 1994
@ 1:40 p.m.

Tax & entry paid	$50.50
state paid	5.00
state paid	10.00
Pro Co pd 8-25-94	9.00

COMPLAINT UNDER Section 3301(d) IN DIVORCE

1 copy (atty)

July 7, 1994, Affidavit under Sect. 3301(d) of Divorce code and Dft's counter-affidavit filed.

July 19, 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 Complaint was sent by certified mail to the Defendant.
3. The certified mail was sent to the Defendant at 5939 Roosevelt Boulevard, jacksonville, Florida 32244, on July 7, 1994. The Sender's receipt is attached hereto.
4. The Defendant received said certified mail on July 12, 1994. Said receipt card number 070 233 163 is attached hereto and signed by Lucrecia Howell.
5. The return receipt card was returned after signature to the office of Bruce A. Barrett, Esq., 965 South Main Stareet, Meadville, Pa. 16335, on July 18, 1994.

Aug. 22, 1994 Defendant's Counter-Affidavait Under Section 201 (d) of the Divorce Code, filed.

Aug. 22, 1994 Affidavit of Defendant, filed.

Aug. 22, 1994 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

Aug. 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 As to a 3301(d) divorce:

X There is no indication that the 3301(d) affidavit was properly served on the responding p~~x~~rty.

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 fo 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.

Date: August 25, 1994

BY THE COURT:
Anthony J. Vardaro, J.

Aug. 26, 1994 copies dist. to Barrett & Dft.

June 21, 1995 AMENDED 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 abovb captioned action.
2. A copy of the Complaint was sent by certified mail to the Defendant.
3. The certified mail was sent to the Defendant at 5939 Roosevelt Boulevard, Jacksonville Florida 32244, on July 7, 1994. The Sender's receipt is attached to the affidavit of service previously filed.
4. The Defendant received said certified mail on July 12,1994. Said receipt card number 070 233 163 is attached to the affidavit of service previously filed.
5. The return receipt card was returned after signature to the office of Bruce A. Barrett, Esq., 965 South Main Street, Meadville, PA. 16335, on July 18,1994.
6. The Complaint sent to the Defendant included a Notice to Defend; a btice and Plaintiff's Affidavit under section 3301(d); and a counter-affidavit under section 3301(d).

The Complaint served was a certifed copy of the original complaint as filed in the Prothonotary's Office.

June 21, 1995 Notice of Intention to Request Entry of Divorce Decree, filed.

June 21, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

June 27, 1995 AND NOW, June 27, 1995, it is hereby ordered and decreed that DANIEL J. HOWELL, Plaintiff, and LUCRECIA HOWELL, Defendant, are divorced from the bonds of martimony.

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

BY THE COURT:
Anthony J. Vardaro, J.

1994

R. Christopher Brode

662.

BEVERLY K. SIEG

vs.

PHILIP PRYSTALOSKI

Filed July 7, 1994
@ 3:24 p.m.

Tax & entry	$50.50
state	5.00
Sheriff's Costs	20.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

TEMPORARY ABUSE ORDER:

ORDER:

And now, this 7TH day of July , 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 THREATEN PLAINTIFF IN ANY MANNER.

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

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

5. 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 July 14, 1994 , at 9:00 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,
P. Richard Thomas, S. J.

7/7/94 copies faxed to st. Police, vernon police and Meadville police dept; 3 copies to sheriff

July 15, 1994 SHERIFF'S RETURN, filed. SERVED Philip Prystaloski personally on July 12, 1994 at 3:36 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, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

Jul. 18, 1994 ORDER filed. AND NOW, July 14, 1994 the matter is before the Court on the above crossa buse petitions. T he 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 t ime have been unable to agree on a custody and visitation schedule keyed toward the best interest of minor child Micahel, 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 to the County to absorb the costs on each case.

2. The Court hereby sets a hearing on the custody pettion 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 designated 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 invited 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 the 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 Prystaloski, Brode & C&Y

Continued on Page 212B

1994 TERM

Beverly K. Sieg
vs.
Philip Prystaloski

CONTINUED FROM PAGE 212
of Record
A.D. 1994 - 662

****

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 representatiave 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 involv-ingminor child Michael, who currently is in the custody of the father Philip Prystaloski.

These parties for alengthy period of time have been unable to agaree 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 followign 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 weekend custody visits to mother on the weekends of July 22 - 24 and the week end 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 designated 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 Prysta-loski may not enter the residence of the mother Beverly Sieg for any purpose, even if specifically invited 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 fo the child and the pick up of the child, neither parent may consume alcoholic beverages of any king.

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

July 19, 1994 copies dist to Prystaloski, Brode & C&Y
(see original at A.D. 1994 - 652)

212
-b-

1994 TERM

1994

Peters, Lindsay, Lewis
& Hatheway
Brian J. Lindsay

663.

DIANA R. STOKES

vs.

JONATHAN STOKES

Filed July 7, 1994
@ 3:55 p.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro. Co. pd 10/11/94	9.00

COMPLAINT IN DIVORCE

2 copies (atty)

Jul. 11, 1994 Affidavit of Service filed. I, Brian J. Lindsay, Esquire, after being duly sworn according to law, do hereby certify that I am t he attorney of record for the above named Plaintiff, and that as such I am authroized to make this verification; that I did on the 6th day of July, 1994, send to the above named Defendant, by Certified Mail, Return Receipt Requested, a true and correct copy of theComplaint in Divorce filed at the above term and number; and that I did on the 11th day of July, 1994, receive a duly executed return receipt dated, July 8, 1994.
July 11, 1994 Brian J. Lindsay, Esquire

Oct. 5,1994 Affidavit of Consent of Jonathan Stokes, Defendant, filed.

Oct.7, 1994 Upon Praecipe upon Brian J. Lindsay,Esquire, Attorney for Plaintiff to transmit record, case Moved to Court.

Oct. 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___ Properly completed 3301(c) consents have not beenfiled of record.Pa. R.C.P. 1920.42. Plaintiff's not filed and Defendant's signed sooner than 90 days.

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.

10-21-94 Faxed to Atty. Lindsay.

Dec. 21, 1994 Affidavit of Consent of plaintiff filed.

Jan. 4, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

Jan. 11, 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: Properly completed 3301(c) consents have not been filed of record. Pa. R.C.P. 1920.42. Defendant's affidavit of consent was signed 88 days after the filing of the complaint and is therefore too early.

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

BY THE COURT:
Anthony J. Vardaro ,J

Feb. 17, 1995 Affidavit of Consent of Defendant, filed.

Mar. 27, 1995 Upon praecipe of Plaintiff Attorney to transmit record, this case moved to Court.

DIVORCE DECREE FILED

April 7, 1995 AND NOW, April 4, 1995, it is hereby ordered and decreed that DIANA R. STOKES, Plaintiff, and JONATHAN STOKES, 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.

214

1994

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

664.

STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY

vs.

MARJORIE CLARK

Filed July 7, 1994
@ 4:22 p .m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's costs	21.00
Pro Paid 9/30/94	9.00
Pro Co Pd(Cert) 12-2-94	2.00

COMPLAINT

1 copy (sheriff)

Jul. 19, 1994 Sheriff's Return filed. SERVED Marjorie Clark by Certified Mail at her last known address in care of Dottie Snedeker, P.O.Box 8, Dover, OH 44622. Served on July 14, 1994.
So answers, Robert M. Stevens, Sheriff

And Now, Sept. 26, 1994, at 4:00 p.m., upon praecipe of plaintiff attorney, with notice attached, Judgment by default is hereby entered in favor of the plaintiff and against the defendant for want of an answer, in the amountof Three Thousand Eight Six and 75/100 Dollars, plus costs.

Debt ----$3,086.75

Judg. entered
9/26/94

C - 269

JUDGMENT
Barbara H. King,
Prothonotary

1994

Elizabeth A. Prather

665.

$150.00 paid by plff. on 7/8/94

10-3-94 Pd Plff per E Prather Refund $150.00 ck# 8588

RICKY LEE KOEHLER

vs.

CHERYL A. KOEHLER

Filed July 8, 1994
@ 9:08 a.m.

Tax & entry paid $50.50
State paid 5.00

COMPLAINT FOR VISITATION

Order:

You, Cheryl A. Koehler, , have been sued in Court to obtain visitation of Richard and Jesse Koehler. 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: 7/12/94 P. Richard Thomas, S. J.

July 8, 1994 Copy of Order to Attys' Prather, Fuller.

July 18, 1994 Petition to Amend Complaint for Visitation and ORDER filed. AND NOW, this 18th day of July, 1994, upon consideration of the attached Petition, it is hereby ORDERED, ADJUDGED and DECREED that the Complaint for Visitation filed at AD No. 1994-665 in the Court of Common Pleas of Crawford County be amended to read "Complaint for Partial Physical Custody/Visitation" and wherever the word "visitation" appears, it shall now read "partial physical custody visitation".

Gordon R. Miller, J.

July 18, 1994 Copy of Order Faxed Attys. E. Prather and J. Irwin.

Oct. 3, 1994 Petiton for REfund of Mediation Deposit and ORDER filed. AND NOW, this 3rd day of October, 1994,upon consideration of the attached Petition, it is hereby ORDERED, ADJUDGED and DECREED that the Petitioner shall receive a refund of the mediation deposit in the amount of $150.

By the Court,
Gordon R. Miller, J.

10-3-94 Faxed Irwin& E. Prather.

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, Oct. 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 the Rules of Professional Conduct.

By the Court,
Anthony J. Vardaro, J.

Oct. 13, 1994 Order FAXED Attys. Prather and Irwin.

1994

Gregg & Nelson
Kathleen R. Nelson

666.

CAROL KOEHLER SMITH

vs.

DONALD HOUSTON SMITH

Filed July 8, 1994
@ 9:56 a.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro Co pd 1-3-95	9.00

COMPLAINT UNDER SECTION 3301(d) OF THE DIVORCE CODE

1 copy (atty)

July 8, 1994, Plaintiff's Affidavit Under sect. 3301(d) of the Divorce Code filed.

July 29, 1994 Affidavit of Service filed. AND NOW, this 27th day of July, 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 atre 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, Donald Houston Smith, on July 18, 1994.
3. That the Defendant received said certified mail on July 20, 1994. Said Return Receipt Card Z 727 826 043 is attached hereto, signed by Donald H. Smith and made a part hereof.

Kathleen R. Nelson

Dec. 22, 1994 Affidavit of Service, filed. AND NOW, this 21st day of December, 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 Defendant's Counter Affidavit and Notice of Intention to Request Entry of Divorce were sent by certified mail to the Defendant, Donald Houston Smith, on September 26, 1994.
3. The Defendant received said certified mail on September 27, 1994. Said Return Receipt Card Z727 826 053 is attached hereto, signed by Ginger Childress, girlfriend of the Defendant and made a part hereof.

Dec. 22, 1994 Upon praecipe of plaintiff attorney to transmi record, case moved to Court.

DIVORCE DECREE FILED

Jan. 5, 1995 AND NOW, January 4, 1995, it is ordered and decreed that CAROL KOEHLER SMITH, plaintiff, and DONALD HOUSTON SMITH, defendant, are divorced from the bonds of matrimony.

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

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

1994

Gregg & Nelson
Kathleen R. Nelson

667.

ROBIN L. BROWN

vs.

ERICK T. BROWN

Filed July 8, 1994
@ 9:56 a.m.

Tax & entry paid	$50.50
1 count paid	15.00
state paid	10.00
state paid	10.00
Pro Co pd 10-8-96	9.00

COMPLAINT IN DIVORCE
CUSTODY AND VISITATION
1 copy (atty)

July 29, 1994 Affidavit of Service filed. AND NOW, this 27th day of July, 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, Erick T. Brown, on July 18, 1994.

3. That the Defendant received said certified mail on July 19, 1994. Said return Receipt Card Z 727 826 045 is attached hereto signed by ERma Brown, and made a part hereof. Erma Brown is the mother for the Defendant and the owner of the premises at 310½ Poplar Street, Meadville, Pennsylvania, where the Defendant resides.

Kathleen R. Nelson

Jul. 17, 1995 Affidavit of Consent by Robin L.Brown, Plaintiff, filed.

April 3, 1996 Motion for Withdrawal of Count and ORDER filed. AND NOW, this 3 day of April, 1996, the herein Motion is granted.

BY THE COURT:
Anthony J. Vardaro, J.

April 4, 1996 Order FAXED Atty. Nelson.

May 1, 1996, Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code filed.

Sept 30, 1996 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

October 11, 1996 AND NOW, October 10, 1996, it is ordered and decreed that the Plaintiff and Defendant named herein, are divorced from the bonds of matrimony.

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

BY THE COURT:
Anthony J. Vardaro, J.

1994

Gregg & Nelson
Kathleen R. Nelson

668.

BARBARA L. CASBOHM

vs.

JOHN M. CASBOHM

Filed July 8, 1994
@ 9:56 a.m.

Tax & entry paid	$50.50
1 count paid	15.00
state paid	10.00
state paid	10.00
Pro.Co. Pd 12/1/94	$9.00

COMPLAINT IN DIVORCE, CUSTODY, VISITATION

1 copy (atty)

Aug. 25, 1994 Acceptance of Service filed. AND NOW, this 16 day of Aug., 1994, comes John M.Casbohm, Defendant in the above captioned matter and acknowledges that he received a true and correct copy of theComplaint in Divorce which was filed on July 8, 1994, in the above captioned matter.

John M.Casbohm, Defendant

Oct. 12, 1994 Affidavit of Consent of Defendant, filed.

Oct. 12, 1994 Affidavit of Consent of Plaintiff, filed.

Oct. 14, 1994 Stipulation and Order filed. AND NOW, this 14 day of October, 1994, upon Stipulation of the parties to this actio the following Order is hereby entered:

1. Legal and primary physical custody ofthe minor child, Sarah E. Casbohm, shall be with hermother, Plaintiff herein.
2. Father, Defendant herein, shall be entitled to visitation rights, including overnight visits, holiday visits, weekend visits, and summer visits, as agreed upon fromtime to time between the parties.
3. This Order is entered without prejudice to the right of eithr party to request a mediation conference at sometime in the future for the purpose of obtaining a more specific visitation schedule between the child and the child's father.
4. The parties shall share all transportation with regard to the father's visitation rights with the party receiving custody of the child to provide transportation.
5. Neither party shall expose the child to any person or situation which may be harmful to the child's health or well being.
6. Neither party shall do or say anything in an attempt to turn the child against th eother parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the child toward both parents.

Anthony J. Vardaro, J

Oct. 17, 1994 Copy given Nelson

Oct. 27, 1994 Complaint Reinstated.

Nov. 30, 1994 ACCEPTANCE OF SERVICE, filed. I accept service of the reinstated Complaint. John M. Casbohm

Dec. 1, 1994 Upon Praecipe of Kathleen R.Nelson, Esquire,Attorney for Plaintiff to transmit record, Case Moved to Court.

DIVORCE DECREE FILED

Dec. 9, 1994 AND NOW, December 5, 1994, it is ordered and decreed that BARBARA L. CASBOHM, Plaintiff, and JOHN M. CASBOHM, 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

669.

THOMAS MOLES

vs.

CHRISTINE A. MOLES

Filed July 8, 1994

Tax & entry paid $10.50
state paid 5.00

PETITION FOR PROTECTION FROM ABUSE CERTIFIED FROM THE COURT OF COMMON PLEAS OF ERIE COUNTY

(see Order of Court of Jan. 5, 1994 in papers filed)

220

1994

670.

Edward Hatheway

JAMIE L. KELLY

vs.

JOSEPH J. KELLY

Filed July 8, 1994
@ 1:01 p.m.

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

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
1 copy (plff)
3 copies (sheriff)
1 copy faxed to Titusville PD

IN ERROR

~~Jul. 20, 1994 ORDER filed. AND NOW, July 18, 1994, after the Court receives input, the only testimony regarding abuse is the same as was alleged in the plaintiff's petition, and the Court having ascertained from the plaintiff that there is no further evidence of abuse than~~

ORDER:

And now, this 8 day of July , 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 work at Rustil Inn, Hydetown, Pa.

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

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

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

6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment 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 July 18, 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.

Jul.12, 1994 Sheriff's Return filed. SERVED Joseph J. Kelly personally on July 8, 1994 at 3:10 PM by handing a copy of the Protection from Abuse to him at his place of employment, Lord Corporation, Saegertown, Crawford County, PA.
So answers,
Shawn E.Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

July 20, 1994 ORDER filed. AND NOW, July 18, 1994, after the Court receives input, the only testimony regarding abuse is the same as was alleged in the plaintiff's petition, and the Court having ascertained from the plaintiff that there is no further evidence of abuse than than alleged in the petition, the Court hereby finds insufficient grounds to grant an Abuse Order, and accordingly, dismisses the petition and DIRECTS the County to pay the costs.
BY THE COURT,
P. Richard Thomas, S. J.
7-20-94 Faxed to TPD, given Co. Control & Atty. Hatheway. Mailed to Pltf.

1994

Joseph E. Altomare

671.

Knox McLaughlin
Gornall & Sennett, P.C.
James T. Marnen

FRANCES L. STAUB, GUARDIAN OF THE PERSON AND ESTATE OF CLARENCE G. STAUB, AN INCAPACITED PERSON, AND FRANCES L. STAUB, HIS WIFE

vs.

STEVEN A. WAGNER
~~LEROY E. WAGNER~~

Filed July 8, 1994
@ 1:49 p.m.

Tax & entrypaid	$50.50
state paid	5.00
Sheriff's Costs	37.00
Sheriff's Costs	41.00
Pro Co paid 3/3/98	6.00
Pro Co pd 3-31-98	5.00

JURY TRIAL DEMANDED

COMPLAINT

1 copy (sheriff)

July 20, 1994 Appearance of Knox McLaughlin Gornall & Sennett, P.C. by James T. Marnen for defendant, Leroy E. Wagner, filed.

Jul.25, 1994 Answer and New Matter, filed.

July 25, 1994 SHERIFF'S RETURN, filed. SERVED Leroy E. Wagner on July 13, 1994 at 1:45 PM by handing a copy of the Complaint to Deanna Wagner, his Wife, at the residence, RD 5, the corner of Ralston Road and Route 27, Titusville, Crawford County, Pa.
So answers, Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

Aug. 15, 1994 First Amended Complaint, filed.

Aug. 15, 1994 Stipulation filed.

Aug.15, 1994 Acceptance of Service and Entry of Appearance filed I hereby accept service of the above-captioned First Amended Complaint on behalf of Steven A. Wagner, Defendant.
Appearance of Knox, McLaughlin, Gornall & Sennett, P.C. by James T. Narnen, Esquire, Attorney for Defendant Steven A. Wagner, filed.

Aug.25, 1994 Answer, New Matter and Counterclaim filed., ~~and Order. AND NOW, October 26, 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 Error
~~By the Court,~~
~~Anthony J. Vardaro, J.~~

July 13, 1995, Plaintiff's Notice of Serving Answers to Defendant's Interrogatories and Request for Production, filed.

July 24, 1995 Answer to New Matter and Counterclaim filed.

Jan. 12, 1996 Plaintiff's Notice of Serving Responses to Defendant's Request for Production (Second Set), filed.

July 30, 1996 Sheriff's Return filed. Served Gerald Donovan personally on July 26, 1996 at 9:27 AM at the Sheriff's Office Crawford County Courthouse.
Served Deborah Donovan personally on July 26, 1996 at 9:28 AM at the Sheriff's Office Crawford County Courthouse.
So answers, Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

July 22, 1997 Certificate of Readiness, filed.

January 16, 1998 MOTION FOR CONTINUANCE OF TRIAL AND ORDER FILED. AND NOW, this 14th day of January 1998, after consideration of defendant's Motion for Continuance of Trail, it is hereby ordered that the said Motion is granted. The trial of this action is continued from the February 1998 Civil Trial List to the April 1998 Civil Trial List. No further continuances for the defense.

GORDON R. MILLER, JUDGE

1/16/98 MAILED MARNEN & FAXED JAS ALTOMARE

Feb. 25, 1998 UPON PRAECIPE OF JOSEPH E. ALTOMARE, ESQ. ATTORNEY FOR PLAINTIFFS THIS CASE IS MARKED SETTLED AND DISCONTINUED OF RECORD.

Mar 17, 1998 Upon praecipe of Defendant attorney the Counterclaim filed in this action by defendant Steven A. Wagner agaisnt plaintiff Frances L. Staub, Guardian of the Person and Estate of Clarence G. Staub, an incapacitated person, and Frances L. Staub, his wife, discontinued with prejudice.

222

1994

Elizabeth A. Prather

672.

Christopher J.Youngs

GARY PAUL HATTON

vs.

SALLY LYNN HATTON

COMPLAINT FOR CUSTODY

July 8, 1994 Complaint for Custody and NOTICE AND ORDER TO APPEAR

You, Sally Lynn Hatton, have been sued in Court to obtain custody of Scott Alan Hatton.

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: 7/12/94

P. Richard Thomas, S. J.

Filed July 8, 1994
@ 1:57 p.m.

Tax & entry paid $50.50
state paid 5.00

John Fuller, Mediator 200.00
10-10-94 Pro Co Pd 9.00

$ 150.00 paid by plff. on 7/8/94

10-10-94 Pd Co #8601 141.00

11-21-94 Rec'd from Plaf Bal. med fees 59.00

12-16-94 Pd Co, Mellon #8932 59.00

Sep.12, 1994 ORDER filed. AND NOW, September 9th, 1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Scott Alan Hatton and Jennifer Christine Hatton shall be shared between the mother and 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 Scott Alan Hatton shall be with his father and physical custody of Jennifer Christine Hatton shall be with her mother, subject to the following conditions:

A. Holidays shall be defined as Christmas, Easter and Thanksgiving. Custody of the children shall be alternated on the aforesaid holidays and in the absence of an agreement to the contrary, the following Holiday schedule shall prevail.

In 1994 and on even numbered years thereafter the children shall be in the custody of the mother for their Christmas vacation from school, and in the custody of the father for their Christmas vacation from school, and in the custody of the father for their Thanksgiving vacation.

In 1995 and on odd numbered years thereafter the children shall be in the custody of the mother for their Thanksgiving vacation, and in the custody of the father for their Christmas vacation.

Custody for the Easter vacation shall be as agreed upon from time to time by the parties.

B. Beginning with the Summer of 1995 and each summer thereafter, the children shall be in the custody of the father for the last three (3) weeks of June. Both children shall be in the custody of the mother for the month of July and the first three (3) weeks of August.

C. Transportation of the children on holidays and Summer visits shall be provided as follows: The parties shall transfer custody at a mutually agreeable place approximately one-half (½) the way between mother and father's homes.

D. It is anticipated that the child, Scott Alan Hatton, will be scheduled for annual evaluation by the Cleft Palate Program of the Pennsylvania Department of Health in or about December 1994. Mother has no choice as to date or time of the evaluation. Father shall be responsible to see that Scott Alan Hatton attends the evaluation. Mother shall immediately notify father upon receipt of date and time of the evaluation.

Father shall promtly arrange for orthodontics follow-up care for Scott Alan Hatton who recently completed a course of treatment with braces.

E. Neither mother nor father shall say or do anything in an attempt to turn the children against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the children towards both parents.

F. Neither mother nor father shall expose the children to any person or situation which may be harmful to the children's health or well being.

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

H. Health care providers are authorized to provide both mother and father any information with respect to payment of the children's medical bills.

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. The Prothonotary of Crawford County is hereby directed to refund a portion of the deposit paid in advance by the Plaintiff, less the cost of the custody order.

Gordon R. Miller, Judge

9-14-94 Copy of Order to Attys. Prather, Youngs & Fuller

Oct. 27, 1994 Motion For Termination of Representation Pursuant to Rule 1.16(b) of the Rules of Professional Conduct, filed. And Order, filed. AND NOW, October 26, 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.

Oct. 27, 1994 Faxed C. Youngs & E. Prather

1994

Barbara J. Walton

673.

CYNTHIA MARZKA

vs.

ALLEN MARZKA

Filed July 8, 1994
@ 2:23 p.m.

Tax & entry paid	$50.50
1 count paid	15.00
state paid	10.00
state paid	10.00
Pro Co pd 12-21-94	9.00
Pro Co Pd 6/23/96	5.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

1 copy (atty)

July 19, 1994 And Now, July 18, 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 July 12,1994.

2. That the Defendant signed the return card on July 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. Z070232952 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.

Nov. 18, 1994 Affidavit of Consent of Plaintiff filed.

Dec. 16, 1994 Property Settlement Agreement filed.

Dec. 16, 1994 Affidavit of Consent of Plaintiff filed.

Dec. 19, 1994 Upon praecipe of plaintiff attorney to transmi record, case moved to Court.

DIVORCE DECREE FILED

Dec. 29, 1994 AND NOW, this 28th 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 the bonds of marriage between Plaintiff, CYNTHIA MARZKA and Defendant, ALLEN MARZKA, are dissolved because the marriage is irretrievably broken. Plaintiff and Defendant are divorced from the bonds of matrimony.

AND IT IS FURTHER ORDERED, DIRECTED and DECREED, that the terms, provisions and conditions of the Property Settlement Agreement between the parties herein dated December 16, 1994, 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 marital home shall become the sole and exclusive property of the Husband. The Wife is directed to sign a Quit Claim Deed transferring title to same, at which time Husband shall pay to the Wife the sum of $23,000.00.

2. The Husband shall provide wife with sufficient funds to pay his one-half share of the balances of the following credit cards and debts:

a. Mellon Bank Line of Credit
b. VISA
c. AT & T Universal Mastercard
d. J. C. Penney

3. The parties have agreed on the division of their personal properties and vehicles and are directed to take all steps and furnish all documetns to facilitate such division.

4. The Husband shall pay to the Wife the sum of $140.00 each week for the next three and one-half years, beginning Dec. 16, 1994. These payments shall be paid by wage attachment through the Domestic Relations Section.

5. All other portions of the Property Settlement Agreement signed by the parties Dec. 16, 1994 are incorporated herein and the parties are directed to comply with said agreement.

6. This Honorable Court shall retain jurisdiction over this matter.

BY THE COURT:
Gordon R. Miller, J.

June 13, 1996 Notice of Election to Retake Prior Name filed. TO BE KNOWN AS From CYNTHIA MARZKA to CYNTHIA WALK.

1994

Bettie j. Peterson-Muth

674.

TONYA ANN McCLELLAND

vs.

DENNIS LEE McCLELLAND

Filed July 8, 1994
@ 2:32 p.m.

Tax & entry paid	$50.50
1 count paid	15.00
state paid	10.00
state paid	10.00
Pro Co Pd 5/1/96	9.00

COMPLAINT IN DIVORCE, CUSTODY

1 copy (atty)

Oct. 26, 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, Tonya Ann McClelland, and that she did serve a true and correct copy of the Complaint in Divorce filed in the above matter on Dennis Lee McClelland by mailing a copy of said complaint on July 26, 1994 by Certified Mail, Restricted Delivery, Return Receipt Requested, to his last known address at R.D. #3, Box 112, UnionCity, PA 16438. Dennis Lee McClelland signed the mail receipt on July 27, 1994. The signed receipt is attached hereto and marked as Exhibit "A". Bettie J. Peterson-Muth

Dec. 19, 1995 Affidavit of Consent of Defendant filed.

Dec. 19, 1995 Affidavit of Consent of Plaintiff filed.

April 26, 1996, Wavier of Notice of Intention to Request entry of Divorce Decree (dft) filed.

April 26, 1996, Waiver of notice of intention to request entry of divorce decree (plff) filed.

April 26, 1996, Upon praecipe of plaintiff attorney, to transmit the record, this case moved to court.

May 7, 1996, Stipulation for an Agreed ORDER OF CUSTODY filed. AND NOW, this 2nd day of May, 1996, the parties hereto have stipulated and agreed. Plaintiff shall have physical custody of the child and Defendant to be entitled to visitation on supervised basis. (SEE PAPERS FILED).

Gordon R. Miller, J.

May 8, 1996 Copy given to Atty. Muth; mailed defendant.

DIVORCE DECREE FILED

May 7, 1996 AND NOW, May 2, 1996, it is ordered and decreed that TONYA ANN MCCLELLAND, plaintiff, and DENNIS LEE MCCLELLAND, defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of any claims raised by by 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

Bettie Peterson-Muth

675.

CHRISTINE L. NAGEOTTE

vs.

DANIEL A. NAGEOTTE

Filed July 8, 1994
@ 2:32 p.m.

Tax & entry paid	$50.50
1 count paid	15.00
state paid	10.00
state paid	10.00
Pro. Co. pd 12/6/94	9.00
Pro.Co. Pd 12/20/95	5.00

COMPLAINT IN DIVORCE, CUSTODY

1 copy (atty)

July 21, 1994 Affidavit of Service filed. Bettie J. Peterson-Muth, Esquire, bieng duly sworn according to law, deposes and says that she is the attorney for the Plaintiff, Christine L. Nageotte, and that she did serve a true and correct copy of the Complaint in Divorce filed in the above matter onthe Defendant, Daniel A. Nageotte, by presenting a true and correct copy of said complaint to him on July 12, 1994, at her office located at Star Soute, Meadville, PA 16335. The Defendant, Daniel A. Nageotte, signed an Acceptance of Service which is attached hereto.

Bettie J. Peterson-Muth

Jul. 25, 1994 Stipulation for an Agreed Order of Custody and ORDER FOR CUSTODY, filed. AND NOW, this 22 day of July, 1994, the parties hereto having stipulated and agreed, it is hereby ordered and decreed as follows:

I. Legal custody and physical custody of Jessica Sunshine Nageotte, Rachael Elizabeth Nageotte, Jenna Eliza Nageotte and Mollie Jewel Nageotte 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 education, medical treatment and religious instruction of the subject children. The parents shall also cooperate fully to see that the best interests, needs and desires are met by each parent for each child. The parents shall share custody of the children. At the present time, the following arrangement shall continue to exist: Father shall have primary physical custody of Jessica Sunshine Nageotte and Rachael Elizabeth Nageotte. Mother shall have primary physical custody of Jenna Eliza Nageotte and Mollie Jewel Nageotte. The non-custodial parent shall have liberal visitation with the children not presently in their physical custody.

II. 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 twoards both parents.

III. 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.

IV. 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.

V. The parties may make whatever other or different arrangements they may find mutually convenient.

Gordon R. Miller, J.

7-26-94 Faxed to Atty. Muth.

Nov 15, 1994 Affidavit of Consent of Defendant, filed.

Nov 15, 1994 Affidavit of Consent of Plaintiff, filed.

Dec. 6, 1994 Upon Praecipe of Bettie J. Peterson-Muth, Esquire, Attorney for Plaintiff to transmit record, Case moved to Court.

DIVORCE DECREE FILED

Dec. 9, 1994 AND NOW, Dec. 7, 1994, it is ordered and decreed that CHRISTINE L. NAGEOTTE, plaintiff, and DANIEL A. NAGEOTTE, defendant, are divorced from the bonds of matrimony.

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

BY THE COURT,
Anthony J. Vardaro, J.

Dec. 19, 1995 Notice of Election to Retake Maiden Name of Christine L.Nageotte to be known as CHRISTINE L. CARPENTER, filed.

1994

Peters, Lindsay,Lewis & Hatheway
Edward J. Hatheway

676.

Thomas J. Ruth

WILLIAM AND BARB SEE

vs.

STANLEY L. PROCESS

Filed July 8, 1994
@ 2:55 p.m.

Tax & entry paid $50.25
state paid 5.00
Pro Co pd 2-15-95 15.00

APPEAL OF DEFENDANT FROM JUDGMENT OF DISTRICT JUSTICE

July 8, 1994, Rule entered upon plaintiffs to file complaint issued.

July12, 1994, Proof of service filed.

Jul. 18, 1994 Complaint, filed. (1 copy Atty.)

Jul. 20, 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 Plaitniffs, and that as such I am authorized to make this verification; that I did on the 18th day of July, 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 on the 20th day of July, 1994, receive a duly executed return receipt dated, July 19, 1994.

Aug. 3, 1994 Preliminary Objections filed.

Aug. 8, 1994 Amended Complaint, filed.(1 copy Atty.)

Aug. 29, 1994 Answer and New Matter, filed.

Feb. 7, 1995 Upon praecipe of plaintiffs attorney for appointment of Arbitrators, the following Arbitrators have been appointed.
Alan Shaddinger, Chairman
William F. Gorman
Karen Johnson

Feb. 27, 1995 Notice of Service of Interrogatories Directed to Plaintiffs/Appellees and Request for Production of Documents, filed.

Mar. 14, 1995 Arbitrators take Qualifying Oath.
3-14-95 Faxed to Attys. Hatheway & Ruth

Mar. 30, 1995 Notice of Hearing Before Arbitrators to be held on Wednesday, April 26, 1995 at 10:00 A.M. filed.

Apr. 26, 1995 Decision of Arbitrators, filed. And now, the 26th day of April, 1995, we the undersigned Arbitrators chosen in this case, after having been duly sworn and having heard the evidence and allegations of the parties find in favor of Defendant Process and against Plaintiff, See.
Alan Shaddinger, Chr.
William P. Gorman
Karen Johnson

Apr. 26, 1995 Faxed Hatheway & Ruth

1994

Peters, Lindsay, Lewis
and Hatheway
William f. Peters

677.

BRENT D. GAIDOSH

vs.

KATHLEEN M. GAIDOSH

Filed July 8, 1994
@ 4:04 p.m.

Tax & entry paid	$50.50
state paid	5.00
state paid	10.00
Pro Co pd 10/19/94	9.00

COMPLAINT IN DIVORCE

1 copy (atty)

July 14, 1994 ACCEPTANCE OF SERVICE, filed. I, Kathleen M. Gaidosh, the above named Defendant, hereby personally accept service of the Divorce Complaint in the above-captioned action. Date: 7-13-94

Oct. 18, 1994 Affidavit of Consent of Plaintiff filed.

Oct. 18, 1994 Affidavit of Consent of Defendant filed.

Oct. 18, 1994 Upon praecipe of Plaintiff Attorney, the above captioned matter is moved to court.

Oct. 19, 1994 DIVORCE DECREE FILED.

AND NOW, October 19, 1994, it is hereby ordered and decreed that Brent D. Gaidosh, Plaintiff, and Kathleen M. Gaidosh, Defendant, are divorced fromm the bonds of matrimony. The Court retains jurisdiction of any claims raised by the parties to this action for whicha final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J

228

1994

Thomas, truax, Spadafore and Walker
R. Charles Thomas

678.

ROBERT B. HARE AND JUANITA L. HARE, HIS WIFE

vs.

DAVID VASU AND LEE HAMILTON, INDIVIDUALLY, AND d/b/a/ S & P CONSTRUCTION, AND THEIR HEIRS, PERSONAL REPRESENTATIVES AND ASSIGNS

Filed July 11, 1994
@ 1:34 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	65.19
Pro co. pd.10/27/94	$9.00

COMPLAINT - QUIET TITLE

3 copies (atty)

Aug. 23, 1994, Complaint reinstated.

Sept. 12, 1994 SHERIFF'S RETURN filed. SERVED David Vasu on July 16, 1994 by Certified Mail at his last known address, 702 Old Darby St., Seffner, FLA 33584. Return receipt attached.
SERVED S & P Construction on July 16, 1994 by Certified Mail at last known address, 2400 Ridgeland, Avon, OH 44011. Return receipt attached.
Attempted service on Lee Hamilton by Certified Mail at his last known address, 9109 Kenmore, Cleveland, OH 44106, which was retsurned "Unclaimed", envelope attached.
SERVED Lee Hamilton personally on August 26, 1994 by deputizing the Sheriff of Cuyahoga County, OH. Affidavit of service attached.
So answers, Robert M. Stevens, Sheriff
RETURN: I hereby deputize the Sheriff of Cuyohoga County, Ohio to serve the within Complaint-Quiet Title according to law. The defendants alleged address is 9109 Kenmore, Cleveland, OH 44106. Either personal service, or to any adult person in charge of his residence. Robert M. Stevens, Sheriff, Crawford Co.
SERVED the within Complaint - Quiet Title on Aug. 26, 1994, at 4:00 p.m. upon Lee Hamilton at 9109 Kenmore by handing to personal service a true and correct copy thereof and made known to the contents therein. Ellis Chappell, Sheriff Cuyahoga County, OH

Sep. 28, 1994 Affidavit filed.R.Charles Thomas,Esquire, being duly sworn according to law, deposes and says that he is a member of the law firm of Thomas, Truax, Spadafore, Walker and Keenan, which firm is counsel for the Plaintiffs in the above captioned case and as such makes this Affidavit on behalf of said Plaintiffs; that on the 5th day of July, 1994 the plaintffs in this case filed a Complaint to quiet title; that the action to quiet title was brought against the Defendants, David Vasu and Lee Hamilton, individually and d/b/a S & P Construction; that the aforesaid Complaint was served by the Sheriff of Crawford County on David Vasu and S & P Construction by Certified Mail on July 16, 1994 and by personal service on Lee Hamilton by the Sheriff of Cuyahoga County, Ohio on August 26, 1994 and attached to this Affidavit is a copy of the Sheriff's REturn; more than twenty (20) days have elapsed from the date of service of the said Complaint upon the Defendants, Davis Vasu, Lee Hamilton and S & P Construction, and their respective heirs, representatives or assigns have not appeared nor have they filed an Answer to said Complaint; that on the 16th day of September, 1994 Notice was sent to all of the Defendants pursuant to Pennsyvlania Rule of Civil Procedure 237.1 (Notice of Praecipe for Entry of Default Judgment) and ten (10) days has expired since that notice was sent to the Defendants and none of the Defendants have appeared or filed an Answer to the Plaitiffs' Complaint. Copies of the Notices sent pursuant to Pennsylvania Rule of Civil Procedure 237.1 are attached to this Affidavit.
September 20, 1994 By: R. Charles Thomas, Esq.

Sep. 28, 1994 Motion for Judgment and JUDGMENT FOR THE PLAINTIFFS BY REASON OF THE DEFAULT OF THE DEFENDANTS, filed. AND NOW, this 28 day of September, 1994, upon presentation of the foregoing Motion and due consideration thereof, the Court finds:
1. That the Defendants were served with theComplaint in this action on July 16, 1994 and August 26, 1994 and that none of the Defendants have entered an Appearance or filed an Answer to the Plaintiffs' Complaint; the Court further finds that on September 16, 1994 Notice of Praecipe for entry of a default judgment was given to the Defendants pursuant to Pennsylvania Rule of Civil Procedure 237.1 and that the Defendants have not entered an Appearance or filed an Answer to the Plaintiffs' Complaint.
NOW, THEREFORE, this 28 day of September, 1994 upon application of R. Charles Thomas, Esquire, Attorney for the Plaintiffs, IT IS HEREBY ORDERED AND ADJUDGED that the Plaintiffs own in fee simple absolute and are entitled to the quiet and peaceful possession of all that certain piece or parcel of land situate in Beaver Township, Crawford County, Pennsyvlania, bounded and described as follows, to-wit:

BEGINNING at an iron pin set at the southeasterly intersection of Arch Road (Route 887) and Palmer Road (Legislative Route 20123); thence South 0°0' East along the easterly line of Palmer Road a distance of 671.22 feet to an iron pin; thence South 83°22' 54" EAst along other land now or formerly of Robert B.Hare, a distance of 722.26 feet to an iron pin; thence North 0°27'15" East along land now or formerly owned by Textor a distance of 739.81 feet to an iron pin; thence North 88° 50' 15" West along the southerly line of Arch Road a distance of 723.56 feet to an iron pin, being the point and place of beginning, and containing 11.671 acres in accordance with a corrected survey by Robert L. Rabell, Registered Surveyor, dated September 18, 1981.

That the Plaintiffs' title to said property is hereby forver quieted against any and all claims or demands of the Defendants, David Vasu, Lee Hamilton, and S & P Construction, and any person claiming uder them to any estate, right, title, lien or interest in said real property;that the Defendants, David Vasu, Lee Hamilton and S & P Construction, and any person claiming under them are permanently enjoined and restrained from asserting any claim or interest in or to said property or any part thereof unless the Defendants, their heirs and assigns, take such action as is herein directed within thirty (30) days after the entry of this judgment.
IT IS FURTHER ORDERED AND DECREED that if no petition to open this judgment or satisfy this Decree is presented by the Defendants, their heirs and assigns, within thirty (30) days from and after the entry of this Decree the same shall be final. If such action is not taken within said thirty day period, the Prothonotary shall enter judgment.

BY THE COURT,
Anthony J. Vardaro, J.

9-28-94 Faxed to R. Charles Thomas, Esq.

Oct. 27, 1994 And now, October 27, 1994 at 2:50 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.

V-46,H-214,S-186 FINAL JUDGMENT
Judgment entered - 10/27/94 Barbara H. King, Pro., Prothonotary

1994

Phillips and Galantar
Stephanie A. Murphy

679.

KIM DUANE ARMSTRONG

vs.

JOHN ANDREW SIMON, Jr.

Filed July 11, 1994
@ 2:10 p.m.

Tax and entry paid	$50.50
state paid	5.00
Pro.Co. pd 8/25/94	9.00
ProCo pd 11-18-94	2.00

COMPLAINT

July 20, 1994 VERIFICATION OF SERVICE, filed. I, Stephanie A. Murphy, hereby swear or affirm that I am attorney for the plaintiff above and that service of a copy of the Complaint filed by the plaintiff was made upon the defendant, JOHN ANDREW SIMON, JR., at the address of 1571 State Route 6, Jefferson, OH 44047 on July 15, 1994, by Certified Mail No. P 385 418 676, the original receipt is attached hereto.

And Now, Aug. 25, 1994 at 11:58 A.M.upon Praecipe of Plaintiff's Attorney, with notice of Intention to file Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendant, JOhn Andrew Simon, Jr., named in default of appearance or pleading sec. leg. Pa. R.C.P.1037 in the amount of Two thousand One hundred and Three and 46/100 Dollars, plus costs.

S-92;
Entered 8-25-94
Atty. Murphy

Debt $2,103.46
Judgment
Barbara H. King
Prothonotary

Mazzotta McCague
J. Michael McCague

680.

MELLON BANK, N.A.

vs.

BENNETT F. MAHAN, a/k/a
BENNETT FM MAHAN, JR. AND
SANDRA MAHAN

Filed July 11, 1994
@ 2:26 p.m.

Pro King	paid	$15.00
Plff on orig.		46.00
Sheriff's Costs		89.30
Sat. pd 10/10/95		5.00

WRIT OF REVIVAL

of

AD 1994 - 680

Writ of revival indexed in judgment index in favor ofplaintiff and against the defendants in the sum of One Hundred fourteen Thousand Nine Hundred Forty seven and 57/100 Dollars with int. at 9% per annum from July 5, 1994.

JUDGMENT OF REVIVAL
Barbara H. King,
Prothonotary

Indexed on
July 11, 1994
M - 23, 23, 153

Sept. 14, 1994 SHERIFF'S RETURN, filed. NOT FOUND as to defendants Bennett and Sandra Mahan, as per Affidavit received from Sheriff of Westmoreland County, PA hereto attached.
So answers, Robert M. Stevens, Sheriff

Oct. 10, 1995 This Judgment Satisfied. (See paper filed.)

1994

M. Kathryn Karn

681.

Elizabeth A.Prather

CHERYL A. GAWLINSKI

vs.

THOMAS M. GAWLINSKI

Filed July 12, 1994
@ 1:05 p.m.

Tax & entry paid	$50.50
1 count paid	15.00
state paid	10.00
state paid	10.00
Pro Co pd 11-14-94	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

4 copies (atty)

Jul. 19, 1994 Appearance of Elizabeth A.Prather, Esquire, for Thomas M. Gawlinski, Defendant, filed.

Oct. 27, 1994 Motion For Termination of Representation Pursuant to Rule 1.16(b) of the Rules of Professional Conduct and Order, filed. AND NOW, October 26, 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.
Oct. 27, 1994 Faxed E. Prather & Karn

Nov. 9, 1994 ACCEPTANCE OF SERVICE, filed. I, THOMAS M. GAWLINSKI, Defendant herein, do state that I personally received a true and attest copy of the Complaint In Divorce, Notice To Defendant and Claim Rights, and Notice of Availability of Counseling in the above-captioned action.

Nov. 9, 1994 Affidavit of Consent of Plaintiff, filed.

11-09-94 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. 16, 1994 AND NOW, this 15 day of November, 1994, it is hereby ORDERED, ADJUDGED AND DECREED that the plaintiff, CHERYL A. GAWLINSKI, and the defendant, THOMAS M. GAWLINSKI, are divorced from the bonds of matrimony.

The court retains jurisdiction overy any claims raised by the parties to this action for which a final order has not yet been entered. All duties, rights and claims of the parties in regard to each other as a result of their marriage hereby are terminated, except for those duties, rights and claims specifically enumerated in a Marriage Settlement Agreement executed by the parties and dated Oct. 25, 1994, the terms of which hereby are incorporated by reference as if fully set forth herein.

BY THE COURT,
Anthony J. Vardaro, J.

232

1994

682.

BOROUGH OF SPRINGBORO
P.O. Box 33
SPRINGBORO, PA. 16435

vs.

ROSE HENRETTY

Filed July 12, 1994
@ 1:11 p/m

Pro King paid $9.00
Plff on orig 23.50

AGREEMENT TO REVIVE
of
AD 1989 - 654

The undersigned hereby agrees that this judgment be revived and the prothonotary has indexed a judgment of revival in the amount of Six Thousand Nine Hundred Ninety Seven and 50/100 Dollars
Revival indexed
7/12/94
H - 143

JUDGMENT IN REVIVAL
Barbara H. King,
Prothonotary

Revived to AD1994-737

1994

683.

BOROUGH OF SPRINGBORO

vs.

RICK CONLEY
KATHLEEN CONLEY

Filed July 12, 1994
@ 1:11 p.m.

Pro King paid	$9.00
plff on orig	23.50

AGREEMENT TO REVIVE

of

AD 1989 - 651

The undersigned hereby agrees that the judgment entered on July 27, 1989 be revived and the prothonotary has indexed the judgment in the sum of Seven Thousand Dollars plus costs in favor of the plaintiff and against the defendant.
Judgment of revival
indexed 7/12/94
C - 143, 103

JUDGMENT OF REVIVAL
Barbara H. King,
Prothonotary

Revived to AD 1994-738

1994

Barbara J. Walton

684.

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

LINDA R. MOYER

vs.

JOHN B. MOYER

Filed July 12, 1994
@ 3:05 p.m.

Tax & entry paid	$50.50
2 counts paid	30.00
state paid	15.00
state paid	10.00
~~John Fuller, mediator~~	
William Pineo, Mediator	
Add'l count pd 11/2/94	15.00
State pd 11/2/94	5.00
Pro Co pd 10-25-95	9.00

9-22-94 Rec'd from Pltf Meadv 150.00
11-10-94 Pd Pltf atty. Refund #8603 150.00

COMPLAINT IN DIVORCE, CUSTODY, EQUITABLE DISTRIBUTION

2 copies (atty)

Jul. 15, 1994 Affidavit of Service filed. And Now, July 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 July 12, 1994.

2. That the Defendant signed the return card on July 13, 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. Z070383567) 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

Aug. 4, 1994 Appearand of Fuller, Kinnunen, Petruso, Gamble, Fabian & Hall by Gary A. Fabian for Defendant filed.

Sept. 22, 1994, Motion to Appoint Mediator and Set Hearing and Order filed.

(1 copy (Fuller) and 1 copy (atty)

Order:

You, John B. Moyer, have been sued in Court to obtain custody of Adam Moyer and Johnny Moyer. 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

BY THE COURT,
Gordon R. Miller, J

DateL 9/21/94

Sep. 28, 1994 Motion to Vacate and ORDER filed. AND NOW, September 25, 1994, after consideration of the within Motion to Vacate, it is hereby ordered anddecreed as follows, to-WIT: John Fuller, Esquire is hereby granted leave to withdraw as custody mediator of record for the Moyer vs. Moyer custody case and William Pineo is hereby appointed as mediator in his place.

Gordon R. Miller, Judge

9-28-94 Faxed to Attys. Pineo, Fuller, Fabian & Walton

Oct. 12, 1994 Petition for Additional REmedies, Motion to Set Hearing on Petition and Order, filed. AND NOW, October 12, 1994, Plaintiff's Petition and Motion are denied. Pa. RCP 1920.15(b) only allows a Defendant to raise claims by a "petition" and if the Plaintiff wishes to add counts at this time she must properly file and serve an amended complaint. Anthony J. Vardaro, J.
Oct. 12, 1994 Faxed to Walton & Fabian
Oct. 18, 1994 Faxed to Pineo

Nov. 2, 1994 Amended Complaint in Divorce filed.

Nov. 7, 1994 Affidavit of Service filed. And Now,November 7, 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 November 4, 1994.

2. That the Defendant signed the return card on November 5, 1994, and in accordance with Pa. R.C.P. 412, service of the Complaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No.Z070383636) attached hereto as Exhibit "A".

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

Barbara J.Walton, Esquire

Nov. 9, 1994, Motion for Refund of Mediation Deposit and Order filed. ORDER: AND NOW, Nov. 7, 1994 this court orders that the Prothonotary's Office refund to plaintiffs attorney for Plaintiff the amount of $150.00 which is the full amount of plaintiffs mediation deposit.

BY THE COURT,
Gordon R. Miller, J.

11/10/94 faxed to Pineo, Fabian, given to Walton with check.

Nov 14, 1994 Appearance of Fuller, Kinnunen, Petruso, Gamble, Fabian & Hall by Gary A. Fabian, Esquire for defendant, filed.

Nov. 23, 1994 Motion To Set Hearing on Request for Alimony Pendente Lite, Counsel Fees, Costs and Expenses and Order filed. AND NOW, this 22nd day of November, 1994, upon presentation of the Motion to Set hearing on the request for Alimony Pendente Lite and Counsel Fees, Costs and Expenses, it is hereby entered ordering and directing the Defendant, John B. Moyer to Show cause, if any he has, why said request should not be granted. The said Rule to Show Cause is returnable for hearing and/or argument on the 21st day of December, 1994, at 9:00 o'clock a.m. prevailing time, in Courtroom Number 1 or 2 in the Crawford County courthouse located at 903 Diamond Park, Meadville, pennsylvania 16335.

By the Court:
Gordon R. Miller, J
Nov. 23, 1994 Faxed Fabian, & Walton

Record Continued on Page 234(a)

Continued in margin

1994

LINDA R. MOYER
vs.
John B. Moyer

RECORD CONTINUED FROM PAGE 234
OF
AD 1994 - 684

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Dec. 21, 1994 Income and Expense Statement on behalf of Plaintiff filed.

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

Dec. 21, 1994 Income and Expense Statement of John B. Moyer, filed.

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

Dec. 21, 1994 Order filed. AND NOW, December 21, 1994, this matter is before the Court for a hearing at the request of the Plantiff with respect to alimony pendente lite, counsel fees, costs and expenses.
The parties are represented by counsel and have reached an agreement which we will enter as this Order.
1. Beginning in January, 1994 and continuing for a period of a total of three (3) months, the Defendant will pay alimony pendente lite to the Plaintiff in the amount of $200.00 for each of those three months. Additionally, for each of those three months the Defendant will pay $100.00 to Plaintiff's consel toward Planitiff's attorney fees for a total of $300.00.
2. The parties recognize that the Plaintiff has filed a child support action inthe Domestic Relations Section which apparently occured in September of 1994, but there has been no hearing. While that matter is not directly in front of us at this time, the parties agree that as part of this Order the Defendant will continue to make payments toward child support in the amount of $200.00 every two weeks until there is an Order from the Domestic Relations Section after a conference which sets an appropriate amount of child support. We note for the record that the Defendant has made such $200.00 payments on November 23rd and December 9, 1994. This Order is without prejudice to the Hearing Officer or ultimately the Court to establish an appropriate amount of support based on the filing of the support Complaint sometime in September of 1994, and should not be deemed to indicate to either a Hearing Officer or the Court what the appropirate amount of support should be. The Defendant at the time a support Order is entered shall be entitled to credit for any payments that have been made or will be made, however, based on this Order with those credits to go toward any arrears that may be in place due to the fact that apparently child support will be due from sometine in September of 1994.
3. The Defendant will file a 3301(c) affidavit this day and the Plaintiff will fine her 3301(c) affidavit within ten (10) days of this Order. Likewise, the Defendant will file his income and expense statement this day and the Plaintiff will file her income and expense statement within ten (10) days of the date of this Order. Both parties will file their inventories within thirty (30) days of the date of this Order.
In the event that this divorce has not been completed after the official three (3) months of alimony pendente lie, this Order is without prejudice to the Plaitnoff to request further hearing for the establishment of continued alimony pendente lite.

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

Dec. 21, 1994 Copies dist to Fabian & Walton

Jan. 24, 1995, Inventory of Linda R. Moyer filed.

Oct 25, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

Oct 25, 1995 Marriage Settlement Agreement, filed.

Oct. 30, 1995 Divorce Decree filed. AND NOW, this 30 day of October, 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, LINDA R. MOYER and Defendant, JOHN B. MOYER, 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 October 16, 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 parties agree that the marital home consisting of residence, lot and adjoining vacant lot siuate in Summit Township, Crawford County, Pennsylvania shall become the exclusive property of the Husband. The Wife further agrees to provide and execute a Quit Claim Deed transferring any right she may at this time or in the future have to this real estate. The parties agree to cooperate fully in signing any deeds or other documents required for this transfer of real estate.

Husband further agrees to assume responsibility for any unpaid balance on the current mortgage and will take the necessary steps to refinance this mortgage so that the Wife is no longer responsible for this debt.

In the event the Husband should choose to sell this home within five years of the date of this agreement, the Husband shall approach Wife before putting it on the market to allow her the right of first refusal after which it can be put on the market. Wife would also have the option to be the first referral to list the home for sale. In the event the home is sold to an outside party within 5 years of the date of this agreement any amount of the net proceeds over $85,000.00 would be divided between the parties so that each would receive one-half of that amount.

2. Husband agrees to assume the balance of the debt incurred through his Credit Union and agrees to hold Wife harmless from payment of same.

3. The parties agree that two joint savings accounts at PNC Bank are closed and divided to the satisfaction of the parties.

4. The Husband shall retain the Credit Union checking account and any asset account at the Credit Union. This shall include, but not be limited to the Christmas Club.

5. Husband agrees to assume the personal debt to J. Richard Moyer and agrees to hold Wife harmless from payment of same.

6. The parties agree any household possessions currently in his/her possession shall become the sole property of that person.

7. The Wife shall retain the 1987 Aerostar motor vehicle and shall assume responsibility for any debts associated with this vehicle.

The Husband shall retain the 1985 Ford Ranger Pickup, the 1980 Ford Mustang, and the pontoon boat.

The parties agree to cooperate fully with the signing of any titles which would transfer the ownership of the above items into his or her name.

8. Husband agrees to pay to the Wife the sum of $25,000 in further satisfaction of claims filed for Equitable Distribution.

This payment shall be made to the Wife within 60 days of the date on which the last party signs this agreement.

9. The parties agree that the Husband shall retain physical possession of certain U.S. Savings Bonds, title to both the husband and wife, which are to utilized for the benefit of the parties' children.

10. The parties agree that certain life insurance policies exist and further agree that each party shall any retain any life insurance as to which he or she is designated as the owner thereof.

11. The Wife waives any right she may at this time or in the future have to any and all pension and/or retirement benefits of the husband to which he may be entitled through the Commonwealth of Pennsylvania State Employee's Retirement

CONTINUED ON PAGE 234-(B)

234(B)
-B-

1994

LINDA R. MOYER
Plaintiff
VS.

JOHN B. MOYER,
Defendant

CONTINUED FROM PAGE 234 A
of RECORD
A. D. 1994 - 684

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System. The Wife also waives any right to Husband's Deferred Compensation Benefits as well.

12. Both parties waive all rights to make any claim for alimony at this time or in the future. Wife agrees to dispose of her claims for Alimony Pendente Lite and Counsel fees at this time.

13. The parties agree to cooperate fully with the signing of any and all documents required for the transfer of any property or real estate and shall do so in a timely fashion so as not to cause any delays in the completion of this matter. Any signing of documents shall take place within 10 days of the date of the final divorce decree.

And it is further ORDERED, ADJUDGED AND DECREED, that terms, provisions and conditions of a Marriage Steelement Agreement between the parties dated October 16, 1995 and attached hereto, are hereby incorporated in this decree and order by reference as fully as though the same were set forth herein at length. Said agreement shall not merge with, but shall survive this decree and order.

By the Court:
Anthony J. Vardaro, J.

1994

Barbara J. Walton

685.

William Gregg

CHERYL SISK

vs.

THOMAS S. SISK

Filed July 12, 1994
@ 3:05 p.m.

Tax & entry paid	$50.50
3 counts paid	45.00
state paid	20.00
state paid	10.00
matter dsppd 2-16-95	250.00
Pro. Co. Rd. 3-11-96	9.00

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

2 copies (atty)

Jul. 15, 1994 Affidavit of Service filed. And Now, July 14, 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 July 12, 1994.

2. That the Defendant signed the return card on July 13, 1994 and in accordance with Pa. R.C.P. 412, service of theComplaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No.Z070383568) 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 Inventory and Expense Statement of Cheryl Sisk, filed.

7-17-96 Rec'd from Plff Ct Reg fees 48 1.25

12-24-96 # 11492 Pd Dallen 175.00

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

Nov. 23, 1994 Motion to Set Hearing and Order filed. AND NOW, this 22nd day of November, 1994, upon presentation of the Motionto Set Hearing on the request for Alimony Pendente Lite and Counsel Fees, Costs and expenses, it is hereby entered ordering and directing the Defendant, Thomas Sisk, to show, cause, if any he has, why said request should not be granted. The said Rule to Show Cause is returnable for hearing and/or argument on the 21st day of December, 1994 at 2:00 o'clock p.m., prevailing time, in Courtroom Number 1 or 2 in the Crawford County courthouse located at 903 Diamond Park, Meadville, Pennsylvania 16335.

By the Court:
Gordon R. Miller, J

Nov. 23, 1994 Faxed Gregg, given Walton

Dec. 22, 1994 Motion to Cancel Hearing and Order filed. AND NOW, December 21, 1994, the hearing schedule for December 21, 1994 is hereby cancelled.

By the Court;
Anthony J. Vardaro, J

Dec. 22, 1994 Faxed Gregg, given Walton

Feb. 9, 1995 Affidavit of Consent of defendant filed.

Feb. 9, 1995 Inventory on behalf of defendant filed.

Feb. 16, 1995 Income and Expense Statement of defendant filed.

Feb. 16, 1995 Motion for Appointment of Master and ORDER APPOINTING MASTER filed. AND NOW, February 21, 1995, David Pickens, Esq. is appointed Master in respect to the following claims: Alimony, Alimony Pendente Lite, Equitable Distribution, counsel fees, costs and expenses. Deposit required: By Plaintiff $250.00.

If not filed already the parties are ordered to file their pretrial statements within thirty (30) days from this date.

Per Curiam,
Anthony J. Vardaro, Judge

2-20-96 Dep. Ref. if

Feb. 22, 1995 Order FAXED Attys. Walton, Pickens; copy given Atty. Gregg.

Feb. 27, 1995 Notice of Scheduled Pre-hearing Conference, filed.

Mar. 10, 1995 Motion To Set Hearing and Order filed. AND NOW, this 10 day of March, 1995 a hearing has been scheduled on the Plaintiff's request for Alimony Pendente Lite and Counsel Fees, costs and Expenses for the 4th day of April, 1995 at 1:30 o'clock p.m. in Courtroom No. 1, 2 or 3 in the Crawford County Courthouse, Meadville, Pennsylvania.

By the Court,
Anthony J. Vardaro, J

Mar. 10, 1995 dist. to Walton & Gregg

Mar. 24, 1995 Summary of Pre-Hearing Conference filed.

Apr. 6, 1995 Motion For Cancellation of Hearing and Order, filed. AND NOW, April 5, 1995, the hearing scheduled for April 4, 1995 is hereby cancelled.

By the court:
Anthony J. Vardaro, J.

Apr 6, 1995 Faxed Gregg, given Walton

May 12, 1995 Notice Of Scheduled Master's Hearing filed.

June 16, 1995 Notice of Scheduled Master's Hearing, filed.

Aug. 22, 1995, Motion to set hearing and Order filed. ORDER: AND NOW, this 21st day of Aug. 1995 a hearing has been scheduled on the plaintiffs Request for Alimony Pendente Lite and Counsel Fees, Costs and Expenses for the 25 day of Sept. 1995 at 10:15 a.m. in C. R. 1, 2 or 3 in the Courthouse, Meadville, Pa.

BY THE COURT,
Gordon R. Miller, J.

8/22/95 faxed to Gregg, given Walton

Continued on page 469

pro se

686.

SHERYL ANN WOLFE

vs.

NEAL LEROY WOLFE

Filed July 12, 1994
@ 3:36 p.m.

Indigent filing

PETITION TO PROCEED IN FORMA PAUPERIS - DIVORCE ACTION

ORDER: AND NOW, 12 of July 1994, upon consideration of the petition filed by plaintiff in this a ction, and supported by an affidavit attached thereto, all being pursuant to Pal R.C.P. 1920.62 the plff is granted leave to proceed in forma pauperis at this time.

The plff. is directed to inform the Prothonotary's office or the court of any improvement in her financial circumstances that would permit her to apy the costs incurred inthis action and shall be responsible for doing so upon an improvement of her financial condition. BY THE COURT,
P. Richard Thomas, S.J.

July 13, 1994, copy of pet. and order mailed to plff.

September 28, 1995, Consent Order Filed. And now, this 28th day of September, 1995, it is hereby ordered, adjudged and decreed that the Defendant, Thomas Sisk, shall pay to Plaintiff, Cheryl Sisk, the amount of $200.00 as and for alimony pendente lite. Payment shall be received on or before the 1st day of each month.

These payments shall apply to the months of July, August, September, October and November, 1995. All amounts currently due and owing shall be remitted in full as follows:

a. Payment for July to be received September 29, 1995;
b. Payment for August to be received October 6, 1995;
c. Payment for September to be received October 13, 1995; and
d. Payment for October to be received by October 31, 1995 with November payment due November 1, 1995.

In the event the Master hearing which is currently scheduled for November 16 and 17, 1995, is rescheduled this order shall be without prejudice to the Plaintiff to request further hearing for the establishment of continued alimony pendente lite.

This Court shall retain jurisdiction of this matter. Request for Counsel fees & costs to be decided by Divorce Master.

BY THE COURT:
P. Richard Thomas J.

Faxed 9/28/95 Gregg, Given, 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 7/12/94 . 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

Barbara J. Walton

687.

Peters, Lindsay, Lewis & Hatheway
Edward J. Hatheway

$150.00 paid by plff. on 7/12/94

9-9-94 Rec'd pltf 52.50
Mail Refund Chk 8548

9-13-94 Rec'd Co Chk-8549 88.50

10-13-94 Rec'd from deft med fee 88.50
12-15-94 Pd Co, med fee Ck 8732 88.50

STEPHEN T. BURGER

vs.

RENEE D. BURGER

Filed July 12, 1994
@ 4:25 p.m.

Tax & entry paid $50.50
state paid 5.00
William pineo, mediator 175.00
Mailing Costs 2.00

Prs & Pd 9-9-94

COMPLAINT FOR CUSTODY

1 copy (atty)
1 copy (mediator)

NOTICE AND ORDER TO APPEAR:

YOU, Renee D. burger, have been sued in court to obtain shared custody of Stephen J. Burger and Stephanie R. Burger.

You are ordered to appear in person at such time and place as will be determined by Mediator WILLIAM PINEO.

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.

Until the time of hearing neither pary shall remove the children from the state of Pa.

You should take this paper to lawyer at onec, if you do not have one, or cannot afford one, go to or tele. the office set forth below to find out where you can get help.

Ct. Adm., Courthouse, Meadivlle, Pa. 16335
814 336-1151 ext. 298

Date: 7/12/94

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

July 19, 1994 AFFIDAVIT OF SERVICE, filed. And Now, July 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 July 14, 1994.

2. That the Defendant signed the return card on July 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. Z070383569) 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.

Sep. 9,1994 Temporary Order filed. AND NOW, this 7th 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, Stephen and Stephanie.

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 children.

3 a. The mother shall have primary physical custody of the subject minor children. The father shall have temporary physical custody and visitation each week from Saturday at 9:00 a.m. until Tuesday at 6:00 p.m., except for the first full week of each month, when he shall have visitation and temporary physical custody from Sunday at 6:00 p.m. to Tuesday at 6:00 p.m. A full week is defined as one in which all the days from Sunday through the following Saturday occur within the same month.

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

4. Holiday visitation shall be arranged as follows:

a. Christmas: There shall be two Christmas holiday visitations. The first beginning on Christmas Eve at noon and ending Christmas Day at noon and the second beginning on Christmas Day at noon and ending on 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 visitations. The first beginning on Wednesday preceding Thanksgiving after the close of the children's school 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 after Thanksgiving at 2:00 p.m. For Thanksgiving, 1994, the father shall have the first period and the mother, the second, and the parties shall t hereafter alternate.

c. Easter: There shall be two Easter holiday visitation periods, the first beginning on Holy Saturday at 6:00 p.m. and ending on Easter Sunday at 1:00 p.m. and the second beginning on Easter Sunday at 1:00 p.m. and ending on Easter Sunday at 6:00 p.m. For East er, 1995, the father shall have the first period and the mother, 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 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,1995 and the parties shall thereafter alternate the holiday periods.

e. The children shall spend Father's Day with their father from 9:00 a.m. to 7:00 p.m., and 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 visitationperiods and are strongly encouraged to do so if that would be proper and convenient. As an an example, parties may wish to conform the pick-up and delivery times to take full advantage of the transportation provided by the children's school district. 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 of modification. Said modifications or canellations 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 picking up the children at the home of the other. Any person transporting the children shall make sure that the seat belts or other restraints are used in accordance with the laws of Pennsylvania.

Continued to Page 493

1994

James R. Irwin

688.

JAMES KNEUBEHL

vs.

RUTH A. KNEUBEHL

Filed July 13, 1994
@ 10:13 a.m.

indigent filing

John Fuller, Mediator

PETITION BY INDIGENT PARTY UNDER PA. R.C.P. 1920.62
(CUSTODY)

ORDER:
AND NOW, this 13 day of July 1994 after consideration of the foregoing petition of James Kneubehl, 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.

BY THE COURT,
P. Richard Thomas, S.J.
July 14, 1994, copy faxed to Atty. Irwin.

July 20, 1994 Complaint Custody (UCCJA) and Order, filed. AND NOW, this day July, 1994, it is osrdred that all parties in the above captioned case and their counsel shall appear for a mediation conference before the Mediator, John fuller, at a time to be set by the Mediator in the Crawford County Courthouse with the Child Custody Mediator as Required by Rule 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, under possible punishment for Contempt of Court.

BY THE COURT:
Gordon R. Miller, P.J.
July 20,1994 Faxed Fuller & Irwin

Sept 22, 1998 ORDER: Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 7/20/1994. 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.

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

Fuller, Kinnunen,
Petruso, Gamble,
Fabian and Hall
Stephen E. Hall

689.

PEGGY SUE MILLER

vs.

DAVID P. MILLER, JR.

Filed July 13, 1994
@ 12:02 p.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro Co pd 12-6-96	9.00

COMPLAINT IN DIVORCE

1 copy (atty)

Aug. 7, 1996 Affidavit of Consent by Plaintiff filed.

Aug. 7, 1996 Waiver of Notice of Intention to Request Entry of a Divorce Decree Under §3301(c) of the Divorce Code by Plaintiff filed.

Aug. 7, 1996 Waiver of Notice of Intention to Request Entry of a Divorce Decree Under § 3301(c) of the Divorce Code by Defendant filed.

Aug. 7, 1996 Affidavit of consent by Defendant filed.

Nov 27, 1996 Acceptance of Service: I accept service of the foregoing Complaint. (David P. Miller, Jr.)

Nov 27, 1996 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Dec. 11, 1996 AND NOW, December 10, 1996, it is hereby ordered and decreed that PEGGY SUE MILLER, Plaintiff, and DAVID P. MILLER,Jr., Defendant, are divorced from the bonds of matrimony.

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

BY THE COURT:
Anthony J. Vardaro, J.

1994

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

690.

KAREN A. HINKSON

vs.

DAVID M. HINKSON

Filed July 13, 1994
@ 1:12 p.m.

Tax & entry paid	$50.50
2 counts paid	30.00
state paid	15.00
state paid	10.00
Pro Co pd 3-26-97	9.00

COMPLAINT IN DIVORCE, CUSTODY, EQUITABLE DISTRIBUTION

1 copy (atty)

July 20, 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 July 14, 1994, she sent a certified copy of the Complaint in Divorce to the defendant by certified mail, return receipt requested to David M. Hinkson, RD 1, Box 20, Centerville, Pa. 16404, the defendant's last know address. The said receipt being attached hereto.

Nov. 15, 1996 Affidavit of Consent of Defendant filed.

Feb 14, 1997 Affidavit of Consent of Plaintiff, filed.

Mar 25, 1997 Notice of Intention to Request Entry of Divorce Decree, filed.

Mar 25, 1997 Defendant's Counter-Affidavit Under Section 3301(d) of the Divorce Code, filed.

Mar 25, 1997 Marital Settlement Agreement, filed.

Mar 25, 1997 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

March 31, 1997 AND NOW, March 27, 1997, it is hereby ordered and decreed that KAREN A. HINKSON, Plaintiff, and DAVID M. HINKSON, 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

Robert J. Felton

691.

Peters, Lindsay,
Lewis & Hatheway
Brian J. Lindsay

KAREN A. HIPPLE

vs.

JEFFREY A. HIPPLE

Filed July13, 1994
@ 2:52 p.m.

Tax & entry paid	$50.50
state paid	10.00
1 count paid	15.00
state paid	10.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

1 copy (atty)

Jul. 25, 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 July 16, 1994, by sending defendant the same by certified mail no. P 066 497 367, return receipt requested. A complaint was mailed to the defendant on Friday July 15, 1994, as reflected in the receipt for mailing and the return receipt attached hereto.
July 21, 1994 Robert J. Felton, Esquire

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

May 17, 1995 Answer and Counterclaim to Complaint in Divorce, filed.

July 11, 1996 Waiver of Notice of Intention to Request Entry of a Divorce Decree filed.

July 11, 1996 Affidavit of Consent to Divorce by Plaintiff filed.

DIVORCE DECREE FILED

Aug. 8, 1996 AND NOW, this 7th day of August, 1996, 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 above named parties, on the grounds that the marriage is irretrievably broken and ninety days have elapsed from the date of the filing of the complaint etc. (For further information See papers filed).

BY THE COURT
Gordon R. Miller, J.

Aug. 9, 1996 Waiver of Notice of Intention to Request Entry of a Divorce Decree Under Section 3301(C) of the Divorce Code by Defendant filed.

Aug. 9, 1996 Affidavit of Consent by Defendant filed.

Nov 4, 1996 QUALIFIED DOMESTIC RELATIONS ORDER: The following Order is hereby approved:

1. This Order shall apply to the Pension Plan for Vertical Seal Co. (the "Plan") and shall be directed to National City Bank of Pennsylvania, 248 Seneca Street, Oil City, Pennsylvania 16301, as the Plan Administrator of the Plan.
2. (see paper filed)

SO ORDERED this 30 day of October, 1996. Anthony J. Vardaro, J.

AND AMENDED CONSENT DECREE: AND NOW, this 30 day of October, 1996, upon presentation and consideration of the foregoing Stipulation, this Court hereby directs that Paragraph III. DISTRIBUTION OF MARITAL PROPERTY, Subsection D. PENSIONS/RETIREMENT PLANS is hereby amended to state as follows:

D. PENSION/RETIREMENT PLANS: Husband has an interest in a pension plan provided by his current employer, Vertical Seal Company, and acknowledges that a part of the valueof such plan is "marital property" within the meaning of the phrase as interpreted in the context of the Divorce Code. Wife has no interest in any pension or retirement plan.

Husband hereby grants and assigns unto Wife a Fifty (50%) Percent interest in his pension plan with Vertical Seal Company, at its value on March 29, 1994, with the enjoyment of the same for Wife to be immediately payable to Wife from the Plan Administrator. This Agreement shall be reduced to a Qualified Domestic Relations Order, to be forwarded to tlhe Administrator of the pension plan to ensure the protection of the interest of Wife in the same.

All provisions of the Consent Decree entered in this case on August 7, 1996, which are unaffected by this amendment shall remain in full force and effect.

Anthony J. Vardaro, J.

Nov 6, 1996 Faxed felton & Lindsay

242

1994

692.

DOROTHY L. HALL

vs.

MICHAEL K. BRADEN

Filed July 14, 1994
@ 9:19 AM

Tax & entry Pd. 7-22-94 50.50
User's Fee Pd 5.00
Sheriff's Costs Pd. 37.00
Pro Co Pd. 7-22-94 5.00

7-22-94 Rec from Dept Sheriff 37.00
7-22-94 Pd Sheriff 37.00 Ck# 8455

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies Plaintiff (Sheriff)
1 copy Plaintiff
Faxed PSP

ORDER:

And now, this 14th day of July , 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 or place of work Temporary custody of the children is granted to Plaintiff. Defendant shall turn the children over to the Plaintiff.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment 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 July 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

July 15, 1994 SHERIFF'S RETURN: SERVED Michael K. Braden personally on July 14, 1994 at 11:08 AM. Defendant stopped on fischer Road in Conneautville, Crawford County, PA, and served with the Protection from Abuse paper.
So answers,
Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

July 22, 1994 Motion To Vacate Protection From Abuse Order and Order filed. AND NOW, this 22 day of July, 1994 upon receipt and review of the plaintiff's motion to vacate and terminate the Protection from Abuse Order of July 14, 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 agencies and to County Control.
Any provisions of the Protection from Abuse Order of July 14, 1994 assessing court costs shall remainin 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,

July 22, 1994 copies dist. to Pltf. deft. & Co. Control, faxed PSP

1994

693.

CAROLE HELLYER

vs.

LESLIE FERRY

Filed July 14, 1994
@ 9:32 AM

Tax & entry	Pd 8-12-94	50.50
User's Fee	Pd 8-12-94	5.00
Sheriff's Costs		32.00
Pro Co	Pd 8-12-94	9.00

8-12-94 Rec from Plf Sheriff Costs 32.00
8-22-94 Pd Sheriff 32.00 CR

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

Order:

And now, this 14th day of July , 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 Plaintiffs home is granted to Plaintiff. Defendant shall not contact Plaintiff nor 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 July 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 COURT,
Gordon R. Miller, J

July 15, 1994 SHERIFF'S RETURN: SERVED Leslie Ferry personally on July 14, 1994 at 10:45 AM by handing a copy of the Protection from Abuse to him at his mother's residence, RD 1, East Spring Road, Springboro, Crawford County, PA.
So answers,
Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

July 27, 1994 ORDER filed. AND NOW, July 25, 1994, at the time fixed for hearing in this matter, the Defendant appeared but the Plaintiff did not. The Court waited fifteen (15) minutes for the Plaintiff to appear and she did not appear. Therefore, the Petition is dismissed and the Order of July 14,1994 is hereby vacated.

The Prothonotary shall send a copy of this Order to the Pennsylvania State Police at Meadville County Control and to the Plaintiff at RD 1, Box 82B, East Spring Road, Springboro, Pa.

Since the Plaintiff is employed, she shall pay record court costs in the amount of $96.50 no later than 4:30 o'clock p.m. on Wednesday, August 31, 1994. If she fails to pay the costs by then, she may face contempt of court proceedings.

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

July 27, 1994 Faxed Pa. St. Police, given Co Control & sent Plf. & Dft.

244

1994

Barbara J. Walton

694.

DONNA ILENE JOHNS

vs.

HOWARD JESSE JOHNS

Filed July 14, 1994
@ 1:49 p.m.

Tax & entry paid $50.50
state paid 5.00

PETITION FOR SPECIAL RELIEF - CUSTODY

(Order from the Circuit Court of Upshur County, West Va.)

ORDER:

Counsel for plaintiff seeks via a petition for special relief to have West Virginia jurisdiction of this custody case be transferred to Crawford County by seeking a court order allowing the filing of the West Virginia custody decree in the Prothonotary's Office in Crawford county.

No court order is necessary as, under the Uniform child Custody Jurisdiction act (23 Pa. C.S.A. 5356) an out-of-state custody decree may be filed in this state as a matter of law and thus requires no special court permission.

Petition for special relief is denied.

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

July 14, 1994, copy to B. Walton, Esq.

1994

Shafer, Swick, Bailey
Irwin and Stack
Louis J. Stack

695.

BANK ONE, YOUNGSTOWN, N.A.

vs.

JON H. WHITE

Filed July 14, 1994
@ 2:45 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	27.00
Pro.Co. pd 2/23/95	9.00
Pro Co pd 3-14-95	9.00 ✓

COMPLAINT

1 copy (sheriff)

July 25, 1994 SHERIFF'S RETURN, filed. NOT FOUND as to Defendant Jon H. White at address given of RD 1, Box 400A, Espyville PA. He has moved, address unknown.
So answrs, Robert M. Stevens, Sheriff

Oct. 3, 1994, Complaint Reinstated.

Feb. 7, 1995 Affidavit of Return of Service filed. AND NOW, this 7th day of February, 1995, comes LOUIS J. STACK, 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 a true and correct certified copy of the Complaint upon the defendant pursuant to Pa. R.C.P. 403 and 404 on October 11, 1994, by first class certified mail, return receipt requested, postage prepaid, at his last known address of 724 North Vernon, Sterling, Virginia 22170. The original signed return receipt is sttached here to as Exhibit A.
Further your deponent saith not.

Louis J. Stack

And Now, Feb. 23, 1995 at 10:58 A.M. upon Praecipe of Louis J.Stack, Esquire, Attorney for Plaintiff, with notice of Intention to file Default Judgment attached, judgment is hereby entered infavor of the Plaintiff and against the defendant for failure to file a pleading and the same is liquidated at the sum of One thousand six hundred twenty-eight and 02/100 Dollars, plus interest from July 5, 1994 at 8.59% and cost of suit.

W-95;
Entered FEb.23, 1995
Atty. Stack

Debt $1.628.02
Int.from July 5, 1994 at 8.59%
Judgment
Barbara H. King
Prothonotary

And Now, March 3, 1995, upon praecipe of plaintiff attorney judgment has been entered against the defendant in the sum of Two Thousand Seven Hundred Sixty and 58/100 plus interest from July 5, 1994 at 13.00% per Count 1 of the complaint and cost of suit for failure to file a pleading.

Entered Mar. 3, 1995
W - 95
Mar. 14, 1995 Entry of judgment mailed to Dft.

Debt: $2,760.58 plus interest and costs
JUDGMENT
Barbara H. King, Pro.

246

1994

Joseph F. Kulwicki, III

696.

$150.00 paid by plff. 7/14/94

Rd Plff Med Refund Ck#8517 61.00

9-13-94 Pd Co Ck#8549 80.00

MICHAEL VANDERHOFF

vs.

KEISHA PEEPLES

Filed July 14, 1994
@ 2:45 p.m.

Tax & entry paid $50.50
state paid 5.00

John Fuller, Mediator $160.00
Pro Co Pd 9-94 9.00

COMPLAINT FOR CUSTODY/VISITATION, MEDIATOR

NOTICE AND ORDER TO APPEAR:

You, Keisha Peeples, have been sued in Court to obtain custody/visitation of Ashley Marie Vanderhoff.

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 vistiation may be entered against you or the Court may issue a warrantfor your arrest.

Until the itme of the above hearing, neither party shall remove the child formthe Commonwealth 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 SE TFORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator
Crawford County Courthouse
Meadville, PA 16335
(814) 336-1151 ext. 298

Date:

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

Aug. 25, 1994 ORDER filed. AND NOW, August 24, 1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Ashley Marie Vanderhoff shallbe 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 Ashley Marie Vanderhoff shall be with her mother, subject to the following conditions:

A. The father shall be entitled to visit and take the child into his custody every other weekend from 6:30 o'clock p.m. on Friday to 6:30 o'clock p.m. on Sunday, beginning August 25, 1994.

B. Holidays shall be defined as Christmas Eve, Christmas Day, Easter and Thanksgiving. Holidays shall be alternated in the following manner.

The child shall be in the custody of the father on Thanksgiving Day (10:00 a.m. to 7:00 p.m.); Christmas Eve (2:00 p.m. to 9:00 p.m.) in 1994 and even years thereafter and in the custody of the mother on Christmas Eve andThanksgiving Day in 1995 and odd years thereafter.

The child shall be in the custody of the father on Christmas Day (9:00 a.m. to 7:00 p.m.) and Easter Sunday (9:00 a.m. to 7:00 p.m.) in 1995 and odd years thereafter and in the custody of the mother on Christmas Day and Easter Sunday in 1994 and even years thereafter.

The child shall be in the custody of the father on her birthday from 12:00 o'clock noon to 7:00 o'clock p.m.

C. Beginning with the Summer of 1995 and each summer thereafter, the child shall be in the continuous custody of the father for a period of seven (7) days to correspond with father's vacation from work. The father shall give the mother at least thirty (30) days notice of the dates of the Summer visit.

D. Transportation of the child on weekends, holidays and Summer visits shall be provided by the father.

E. Neither mother nor father shall say or do anything in an attempt to turn the child against the other parent, but on the other hand shall do everything in the power of eachto foster a favorable and loving attitude on the part of the child towards both parents.

F. Neither mother nor father shall expose the child to any person or situation which may be harmful to the child's health or well being.

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

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 with father paying one-half (½) thereof and Crawford County paying one-half (½) thereof. 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, Judge

8-30-94 Copy of Order to Attys. Kulwicki, III, Fuller, Hatheway & Deft.

Sept. 1, 1994, Motion of Defendant for DeNovo Hearing filed.

Sep. 1, 1994 ORDER OF COURT filed. And Now, September 7, 1994 in consideration of defendant's request for de novo hearing, the same is set for October 26, 1994 at 10:15 A.M. in Courtoom 1 or 2 of the Crawford County Court House.

Gordon R. Miller,J.

9-8-94 Faxed to Attys. Hatheway, Kulwicki & Fuller, mailed Deft.

Oct. 27, 1994 Order filed. AND NOW, October 26, 1994, the parties appeared in court for a de novo hearing and agreed to a modification of the Order of August 22, 1994. ACCORDINGLY, the Order of August 24, 1994 is hereby amended and supplemented as follows:

1. Paragraph II(b) in the last sentence provides for visitations during the child's birthday. That provision shall be amended. The child shall be in the custody of the fatheron her birthday from 4 o'clock p.m. until 9 o'clock p.m.

2. Neither party shall be intoxicated or under the influence of alcohol, intoxicating liquors, beer or wine during any period of time that the child is in that parent's custody.

3. The Court expects that the exchange of visitation take place on a timely basis, but recognizes traffic problems, weather conditions, et cetera, may not make that possible. ACCORDINGLY, the father shall make every effort to pick up the child and return the child exactly on time. If, at the time of the pickup, he does not appear at the mother's home within 30 minutes after th eitme for the pickup, the mtoher and the child may consider that particular visitation to have been forfeited and no time should be substituted for that vistiation so that the mother and child can go about their business and make other arrangements. Likewise, the father shall return the c hild on time. If he is late by more than 30 minutes from the itme of the return, the next visitation shall be forfeited at the election of the mother.

4. The mother, who is the primary physical custodian, shall attempt to make appointments that involve the child during the times when she has custody of the child. If that is not possible, andif an appointment for the child is make during a time when the father will have custody, the mother shall notify the father at least 4 days in advance and the father shall take the child to the appointment that the child might having during the father's vistiation period.

5. In all other respect, the Order of August 24, 1994 shall remain in full force and effect without change or modification except as modified or amended by this Order.

BY THE COURT,
Gordon R. Miller, J
Oct. 27, 1994 copies dist. to Kulwicki, Hatheway & dft.

1994

697.

KATRINA L. SMITH

vs.

JEFFREY S. SMITH

Field July 15, 1994
@ 2:52 PM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	25.00
Pro Co	9.00

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

Order:

And now, this 15th day of July , 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 residence. Defendant sahll not contact plaintiff and shall not go to Plaintiffs residence. He shall not be within 100 yards of plantiff'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 July 26, 1994 , atl:30 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

July 18, 1994 Complaint For Indicrect Criminal Contempt For Violation Of Protection From Abuse Order filed.

Jul. 19, 1994 Sheriff's Return filed. SERVED Jeffrey S. Smith personally on July 15, 1994 at 3:27 PM by handing a copy of the Protection from Abuse to him at his residence, 860 Lamont Drive, Meadville, Crawford County,PA.

So answers,

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

Jul. 22, 1994 ORDER filed. AND NOW, July 19, 1994 this matter is before the Court on a Complaint for indirect criminal contempt for violation of a protection from abuse order filed as a result of incidents on July 15, 1994. The Defendant appears without counsel and having been advised of his right to free counsel, indicates that he does not want counsel. The allegations of the complaint are that he violated Judge Miller's temporary abuse order of July 15, 1994 in that he would not leave the marital residence even though the same had beenawarded to the Plaintiff pursuant to that order.

The Defendant admits that he would not leave but indicates that the reason is that he had no place to go.

Now that he has spent some time in jail, however,he indicates that he had at least a couple of places or has at this time a couple of places that he could go to in Meadville and the Plaintiff indicates that she has talked to the Defendant's mother and that apparently he could go live with his mother in the Allentown, PA area.

We are also advised this day that certain criminal charges are being filed as a result of this incident.

Based onthe Defendant's admission, he is found in contempt of Judge Miller's order of July 15, 1994.

Any punishment with respect to that contempt is deferred at this time to be considered on July 26, 1994 at 1:30 p.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse at the same time a hearing is to be held to determine whether the temporary protection from abuse order entered on July 15, 1994 shall become a permanent order.

Pending that hearing, the Defendant shallremain in the Crawford County Jail unless he posts $5,000 bond either cash or professional bondsman.

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

7-22-94 FAxed W.M.PD, Pltf, Deft.& Co. Control

July 28, 1994 ORDERfiled. AND NOW, July 26, 1994 this matter is before the Court for a determination of punishment in light of the fact that the Defendant was found in contempt on July 19, 1994.

The Defendant advises us this day that he has criminal charges pending and is scheduled for arraignment and a preliminary hearing in front of District Justice Chisholm on August 12,1994.

In light of the fact that the contempt happened immediately after the order was issued in this matter, the Defendant is sentenced to undergo imprisonment in the Crawford County Jail for a term of 30 days, effective July 15, 1994. He shall be released automatically at the expiration of 30 days unless there is any other detainer holding him with respect to the criminal charages which are scheduled as indicated in front of District Justice Chisholm.

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

July 28, 1994 Faxed WMPD, PaSPD, given Co Control, Plf. & Dft.

CONTINUED ON PAGE 506

1994

Peters, Lindsay, Lewis & Hatheway
Edward J. Hatheway

698.

Shafer, swick, Bailey, Irwin & Stack
Charles J. Swick
Jeffrey K. Millin

WALTER R. GRAVES

vs.

HARRY W. BISH, d/b/a HARRY'S AUTO SALES

Filed July 15, 1994
@ 2:56 PM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro Co pd 9-1-95	6.00

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

July 15, 1994 Rule entered upon the Plaintiff to file a Complaint issued.

July 29, 1994 Proof of Service filed.

July 29, 1994 Amended Proof of Service filed.

Aug. 8, 1994 Complaint filed.(1 copy Atty.)

Aug. 23, 1994, Appearance of Shafer, Swick, Bailey, Irwin and Sta ck by Charles J. Swick, and Jeffrey K. Millin, attorneys for defendant filed.

Aug. 23, 1994, Preliminary Objections to Complaint filed.

Aug. 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 onthe 8th day of August, 1994, send to the above named Defendant, by Certified Mail, Return Receipt Requested, a true and correct copy of the Civil Complaint filed at the above term and number; and that I did on the 10th day of August, 1994, receive a duly executed return receipt dated, August 9, 1994.
August 24, 19__ Edward J. Hatheway, ESquire

Aug 31, 1995 Upon praecipe of plaintiff attorney the above-captioned case is marked settled and discontinued of record with prejudice.

1994

Barrett & Dratler
Bruce A. Barrett

699.

GINA L. PHELPS

vs.

AARON M. PHELPS

Filed July 15, 1994
@ 4:01 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00

COMPLAINT UNDER SECTION 3301(c) OF THE DIVORCE CODE, COMPLAINT FOR CUSTODY, COMPLAINT FOR EQUITABLR DISTRIBUTION
1 copy atty.

July 27, 1994 Affidavit of Service filed. I, Bruce A. Barrett, Esquire, being djuly sworn, deposes and says that the following facts in support of his Affidavit of Service re true and correct to the best of his knowledge, informationand belief.

1. The affiant is the Attorney for the Plaintiff in the above captioned action.
2. A copy of the Complaint was sent by certified mail to the Defendant.
3. The certified mail was sent to the Defendant at 719 Comstock Street, Conneaut Lake, PEnnsylvania 16316, onJuly 22, 1994. The Sender's reciept is attached hereto.
4. The Defendant received said certified mail on July 25, 1994. Said receipt card number 070 233 164 is attached hereto and signed by Lucrecia Howell.
5. The return receipt card was returned after signature to the office of Bruce A. Barrett, 965 South Main Street, Meadville, PA 16335, on July 27, 1994. Bruce A. Barrett

Mar. 12, 1998 Important Notice and Court Order filed. Out court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 7/27/94 . 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

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

700.

Thomas, Truax
Spadafore & Walker
R. Charles thomas

JOYCE M. SHAW

vs.

JOSEPH E. SHAW

Filed July 15, 1994
@ 4:04 PM

Tax & entry paid	50.50
User's Fee paid	20.00
3 Add'l Counts paid	45.00
State paid	10.00
John Spataro, Mediator	270.00
Pro Co 10-12-95 Pd	9.00
Masters Pd 1-7-98	250.00
Pro Co pd 7-23-98	9.00

8-8-95 Rec'd from dft med dep. 150.00

10-12-95 Pd Ck #9512 1148 cw

10-11-95 Rec'd from Pltf med fee 129.00

10-12-95 Pd Ck #9512 129.00

6-24-98 Rec'd from Pltf Masters fee 122.35

7-8-98 Pd Dallas Ct Rptr fee 122.35

COMPLAINT IN DIVORCE UNDER SECTION 3301(c) or 3301(d)
EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION, ALIMONY, ALIMONY PENDENTE LITE COUNSEL FEES, COSTS and EXPENSES, CHILD CUSTODY
2 copies Atty.

Aug. 2, 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 July 27, 1994. The Defendant acknowledged service by accepting delivery as evidenced by the attached signed return receipt.
August 1, 1994 James R. Irwin, ESquire

Aug 16, 1994 Appearance of Thomas, Truax Spadafore and Walker by R. Charles Thomas, for Defendant Joseph E. Shaw, filed.

May 30, 1995 Affidavit of Consent by Joyce M.Shaw,Plaintiff, filed.

Jun. 14, 1995 Petition for Exclusive Possessionof Marital Residence and RULE TO SHOW CAUSE, filed. AND NOW,this 14 day of June, 1995, upon consideration of the within Petition for exclusive Possession of the Marital Residence, a Rule is granted upon Defendant, Joseph E.Shaw, to show cause why the relief requested in said Petition should not be granted.
RULE RETURNABLE,with hearing thereon on the 19th day of July, 1995, at 3:00 p.m. in Courtroom No. 1 or 2 or the Crawford County Courthouse, Meadville,Pennsylvania.
BY THE COURT:
Anthony J.Vardaro,J.
6-14-95 Faxed Irwin & Thomas

July 10, 1995, Petition for Special RElief Pursuant to Sections 3104(a), 3323(f) and 3505(a) of the Divorce Code and Pa. Rule of Civil Procedure 1920.43, and Order filed. order; And Now, this 10 day of July 1995, upon presentation of the within Petition for Special Relief, a hearing on this matter is scheduled for the 31st day of July 1995 at 9:15 a.m. in C. R. No. 1 2 or 3 of the Crawford CountyCourthouse, meadville, Pa.
BY THE COURT,
Gordon R. Miller, J.
7/10/95 faxed to Irwin and Thomas.

Jul. 18, 1995 Motion to Consolidate Hearings and ORDER filed. AND NOW,this 14th day of July, upon consideration of the within Motion, the hearing now scheduled for July 31, 1995 shall be heard in conjunction with the Special Relief Hearing currently scheduled for July 19, 1995 at 3:00 p.m.
BY THE COURT:
Gordon R.Miller, J.
7-18-95 Faxed Irwin & Thomas

Jul. 18, 1995 Request for Hearing and ORDER filed. AND NOW,this 14th day of July, 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 31st day of July, 1995 at 3:00 o'clock p.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville,Pennsylvania.
BY THE COURT:
Gordon R.Miller, J.
7-18-95 Faxed Irwin& Thomas

Jul. 20, 1995 ORDER filed. AND NOW, July 19, 1995 this matter comes befsore the Court pursuant to two different petitions for special relief filed by the Plaintiff.
Both parties appear represented by counsel, and after an informal hearing, it is ORDERED and DIRECTED that:
1. Pending further order of Court or final disposition of this matter, the Plaintiff shall have exclusive possession of the home at 442 Cole Drive and the Defendant shall have exclusive possession of the home at 34 Park Avenue. Neither party shall enter the other's home, but either pary may go to the other home for the purpose of exchanging custody of the minor child.
2. Within 3 days of the date of this order, the Plaintiff shall return the keys that she has to 34 ParkAvenue to the Defendant, and the Defendant shall return the keys he has to 442 Cole Drive, as well as the garage door opener that he has to that residence, to the Plaintiff.
3. With respect to funds that were withdrawn from a PNC account by the Defendant in the amount of $5,333, whichhe has in cash, he shall,within 3 days of the date of this order, pay to the Plaintiff one-half of that amount. Additionally, the parties shall, within 3 days of the date of this order,split the remaining funds in the amount of $106 inthat PNC account.
4. The Defendant indicates that he sold the camper that is the subject of one of the petitions before us today sometime apparently after February 27, 1995 for $300. In light of the small amount in the context of the assets of these parties, and in light of the fact that there is not written information available this day as to that sale, we will not make any adjudication with respect to those funds, but we note for any Master or trier of fact in the future that the Defendant has had the benefit of those funds, whatever amount it may be, and when equitable distribution takes place, there should be an appropriate adjustment with respect to those funds.
5. Pending any further order of court or final disposition of this matter, both parties shall be enjoined and restrained from transferring, appropriating, pledging, alienating, selling, utilizing, or encumbering in any way any marital assets except that each may sell the vehicle that is currently in their possession so long as they keep an accurate record of the amount they receive for a trade-in or in the sale of such vehicle.
6. It is specifically noted by the Court that eventually there will be an equitable distribution of thepropertyof the parties, and nothing that we have contained in this order should be considered as guidance or in any qay prejudice either party to appropriately address the equitable distribution of the assets, nor should anything that we have done be guidance for any trier of fact, including a Master, in making such distribution.

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Joyce M.Shaw
vs
Joseph E.Shaw

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of Record
AD 1994 - 700

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7. Neither party has filed the required inventory and appraisement and accordingly, each party shall do so within 20 days of the date of this order.

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

7-20-95 Copies dist.to Irwin& Thomas

Aug. 1, 1995 Inventory of Joyce M. Shaw filed.

Aug. 8, 1995 Motion for Appointment of Custody Mediator and ORDER OF COURT filed. And now,August 7, 1995 upon presentation and consideration of the within Motion, John Spataro,Esquire, is appointed Custody Mediator in the above captioned action.

BY THE COURT,
Anthony J.Vardaro,J.

8-8-95 Faxed Spataro, Irwin & Thomas

Aug. 10, 1995, ORDER RESETTING HEARING DATE for Aug. 24, 1995 at 1:30 p.m.

Sept. 5, 1995, ORDER RESETTING HEARING DATE FOR Oct. 3, 1995 at 9:15 a.m. filed. (C. R. No. 2)
(copies dist. by Sally W.)

Sep 20, 1995 TEMPORARY ORDER, filed. AND NOW, this 19th day of September, 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, Ryan Matthew Shaw, born on March 5, 1979 and Steven Andrew Shaw, born on July 21, 1986.

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) Primary physical custody of Ryan Matthew Shaw will remain withs the father, subject to the partial custody rights of the mother as set forth elsewhere in this order. Primary physical custody of Steven Andrew Shaw will remain with the mother, subject to the partial custody rights of the father which are set forth elsewhere in this order.

4) The parents and Ryan shall attend counseling sessions for a period of not less than two months. The parents are direxcted to consult with the Center for Families In Change, 996 South Main Street, Meadville, for purposes of identifying a suitable counselor. The parties shall, along with their son, Ryan, faithfully attend all counseling sessions. If the counselor selected by the parties recommends counseling sessions inexcess of the two month minimum stated in this order, then inthat event the child and parents shall continue counselding for an additional two month period.

5) The mother shall have the right to take Ryan into her partial care and custody every Sunday afternoon from Noon until 3:00 p.m. This arrangement shall continue through to December 15, 1995. After December 15, 1995, the mother shall have the right to take her son Ryan into her partial care and custody beginning on the weekend of December 15 and for every other weekend thereafter from 6:00 p.m. on Friday until Noon the following Sunday.

6) The father shall hve the right to take Steven into his care and custody every other weekend beginning on Friday, September 29 from 6:00 p.m. until Sunday at Noon.

7) The court notes that the intent is for the two children to be together while in the custody of either their father or their mother every weekend, beginning December 15, 1995.

8) Holiday, vacation and birthday visitations shall be arranged as follows:

a. The Christmas holiday shall be divided into two segments, with one segment beginning on Christmas Eve at 6:00 p.m. and continuing until Noon on Christmas Day and the second segment commencing at Noon on Christmas Day and concluding at Noon on December 26.

For 1995 and each oddnumbered year hereafter, the mother shall have care and custody of the children during the first segment and the father shall have care and custody of the children during the second segment. For 1996 and each even numbered year hereafter, the father shall have the children during the firs tsegment and the mother shall have the second segment.

b. The Thanksgiving holiday will be divided into two segments with the first segment beginning at 9:00 a.m. beginning on Thanksgiving day and continuing until 4:00 p.m., and the second segment beginning at 4:00 p.m. on Thanksgiving day and consluding at 6:00 p.m. the following Friday.

For 1995 and each oddnumbered year hereafter, the father shall have custody during rthe first segment and the mother shall have custody of the children during the second segment. For 1996 and each evennumbered year hereafter, the mother shall have custody of the children during the first segment and the father shall have custody fo the children during the second segment.

c. The other holidays to be observed are New Year's Day, 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 b extended to 11:00 p.m. so that the children may watch the fireworks. For 1996, the father shall have custody of the children on New Year's Day, Memorial Day and Labor Day while the mother shall have custody of the childrenon Easter Sund ay and Independence Day. The parties shall alternate the holiday periods for each subsequent year thereafter.

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 paragaraph shall take precedence over the other provisions of this order relating to custody.

9) 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 party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cnacellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrang efor alternative visits or to make alternative arrangements.

10) The parties shall share responsibility for transportation with the party receiving the children in the exercise of his or her rights picking up the child at the home of the other. Any person transporting the children shall make sure that the seat belts or other restraints are used in accordance with the laws of Pennsylvania.

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

12) 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 minro 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 ro permit others to do so in a closed automobile in which the children is being transported or in the bedroom of the children.

13) 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.

Cont. on Pg. 250 B

Joyce M. Shaw
vs.
Joseph E. Shaw

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14) 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.

15) Either party may request a review of this order upon any material change in circumstances.

16) Costs and fees of this Mediation, which are fixed at $270.00 ($60.00/hr. x 4.5 hrs.) and the $9.00 Court Order filing fee are divided between the parties with a share of each being assessed to him or her as costs in this case.

17) The deposit required for the appointment of the Custody Mediator was made by teh father. The deposit shall first be applied agaisnt the entire costs and fees. The mother shall be responsible for the balance of the fees and costs in the amount of $129.00. The mother shall pay to the Prothonotary of Crawford County the sum of $129.00 within thirty (30) days of the date of this Order.

18) 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,
Gordon R. Miller, P.J.

Sept. 29, 1995 Faxed Spataro, Irwin & Thomas, sent Plf. & Dft.

Oct. 10, 1995 ORDER Filed. AND NOW, October 3, 1995 this matter comes before the Court for a hearing regarding counsel fees, expert fees, costs and expenses. The parties proceed on the record but informally and it appears that the Defendant has a slightly greater income each month after paying child support to the Plaintiff, and the Defendant has a little more money in the bank, but essentially their incomes are comparable.

We do not believe at this time an award of counsel fees is appropriate but we believe that the matter can be resolved when equitable distribution takes place and there would appear to be assets to do that appropriately, and we will not make any judgement with regard to that issue ultimately to be decided at the time of equitable distribution.

After some discussion with the parties, it appears that this litigation needs to get moving forward for both of their benefits, either through settlement or by proceeding to a master's hearing.

The parties agree that the value of the Cole Drive house for any future litigation will be $92,000. It will not be necessary for either party to obtain an appraisal of that residence. The parties also agree that if they cannot settle this matter within the next 30 days, they will split the cost appraisals for the Park Avenue Home and for the personal property at both homes. They further agree that the Park Avenue home would be appraised by Linda Peters and if this matter is not resolved within 30 days, Defendant's counsel will contact her to arrange the appraisal.

Likewise, if this matter has not been resolved in 30 days, counsel for the Plaintiff will contact Sherman Allen to do an appraisal of the personal property at both of the residences and the parties will cooperate in seeing to it that that appraisal is paid equally by both parties in a prompt manner.

This order is without prejudice to any party to come back requesting counsel fees, expert fees, and costs and expenses prior to the ultimate resolution through a Master's Hearing if they feel that becomes appropriate if this litigation does not go forward.

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

Faxed 10-10-95 Irwin & Thomas

Jan. 3, 1996 Inventory and Appraisement of defendant filed.

Jan. 3, 1996 Affidavit of Consent by Joseph E. Shaw, Defendant, filed.

Nov. 4, 1996 Plaintiff's Income & Expense filed.

Nov. 4, 1996 Waiver of Notice of Intention to Request Entry of a Divorce Decree Under Section 3301(C) of the Divorce Code by Plaintiff filed.

Nov. 4, 1996 Affidavit of Consent by Plaintiff filed.

Nov. 6, 1996 Inventory of Joyce M. Shaw filed.

April 17, 1997 Answer of Joseph e. Shaw to Petition for Leave to Take Discovery filed.

Apr. 21, 1997 Petition for Discovery by Plaintiff Attorney filed.

Apr. 21, 1997 Order filed. AND NOW, this 21st day of April, 1997, upon presentation of Plaintiff's Petition for Leave to take Discovery, a hearing is set for the 28th day of april, 1997 at 10:30 O'clock A.M. in Courtroom No. 2 of the Crawford County Courthouse, Meadville, Pennsylvania.

FOR THE COURT:
Ann A. Walker, Ct. Admin.

4-21-97 FAXED Thomas & Irwin

Apr 25, 1997 Income and Expense Statement, filed.

May 9, 1997 ORDER filed. And Now May 8, 1997 it is ordered and directed that dft. within 10 days of this order, sign an authorization and consent in the form attached.

Additional the plff is granted leave to depose the dft in any pension plan adm. of IBEW 712 Profit Sharing and Pension Plans or.... (see paper filed)

by order of court,
Anthony J. Vardaro, J.

5/12/97 Dist to Irwin and Thomas.

November 12, 1997 MOTION FOR FURTHER DISCOVERY FILED.

November 12, 1997, Order filed. AND NOW, this 12th day of November, 1997, upon consideration of Plaintiff's Motion fro Further Discovery, Defendant is ordered to provide to Plaintiff, through counsel, within ten (10) days from the date of this order all profit sharing and pension statements he has in his possession with regard to IBEW and TIAA/CREF, along with a new Authorization for Plaintiff's counsel give not less than a two (2) month expiration date.

BY THE COURT
Gordon R. Miller, J

Nov. 12, 1997 faxed Thomas & Irwin

Jan. 6, 1998 Motion for Appointment of Master in divorce and order filed. ORDER APPOINTING MASTER: AND NOW, Jan. 6 1998 David Pickens Esq. is appointed master in respect the following claims:
Divorce, Alimony, alimony pendente lite, eq. dist., counsel fees, costs and expenses
If not filed already the parties are ordered to file their pretrial statements within 30 days from this date.

Per curiam,
Anthony J. Vardaro J.

1/6/98 faxed to Pickens, Thomas and Irwin

Jan. 15, 1998 Notice of Master's Hearing filed.

Continued on Page 270-C

250 C

1994

S29052

JOYCE M. SHAW
vs
Joseph E. Shaw

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of record
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Feb 1&, 1998 SUMMARY OF PRE-HEARING CONFERENCE AND SCHEDULING ORDER FILED.

March 13, 1998 Notice of Scheduled Master's Hearing by David W. Pickens, Esq., filed.

June 17, 1998 Notice of Filing Master's Report, filed.

June 17, 1998 Master's Report and Recommendation, filed.

July 15, 1998 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

July 27, 1998 AND NOW, this 24 day of July, 1998, it is ordered and decreed that JOYCE M. SHAW, Plaintiff, and JOSEPH E. SHAW, Defendant, are divorced from the bonds of matrimony.

It is further ordered that the parties' Agreement as outlined in the transcript of the Master's Hearing, dated June 11, 1998, is incorporated herein and made a part hereof and shall be fully enforceable under the provisions of the Divorce Code.

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

July 2, 1999 MOtion for Entry of Qualified Domestic Realtions Orders and Order filed. and Now, this 2 day of July 1999 upon consideration of the following matters, the Court does hereby make the following Order, intending same to be a Qualified Domestic Realtions Order:
1. The above action in divorce was filed on July 15, 1994. All parties were duly served and said proceeding has been conducted in accordance with the rules and laws pertaining thereto.
(See paper filed for more information)

By the Court
Anthony J. Vardaro, J.

7/2/99 Faxed Irwin & Thomas

JUly 2, 1999 Motion for Entry of Qualieifed Domestic Relaitons Orders and Qualified Domestioc Realtions Order Filed. And Now, this 2 day of July 1999 upon consideration of the following matters, the Court does hereby make the following order intending same to be a Qualified Domestic REaltions Order:
(See paper filed)

By the court
Anthony J. Vardaro J

7/2/99 Faxed Irwin & Thomas

1994

Ferguson & Spataro
Douglas W. Ferguson

701.

July 18, 1994 deposited by Plantiff $150.00

9-12-94 Pd Bldg Chk #854 Bal mail dly 44.48

9-13-94 Pd Co #8549 99.52

10-29-97 Refund from dft med fee 33.18

2-17-98 Pd Co #11657 33.18

TERRY E. VAN CISE

vs.

AMY J. VAN CISE

Filed July 18, 1994
@ 11:35

Tax & entry paid 50.50
User's Fee paid 5.00
Bruce L. Smith, Mediator
Pro Co Pd 9-9-94 $0
Mediation Fee $132.70

COMPLAINT FOR CUSTODY

July 18, 1994 (2) Orders filed. ORDER: You, AMY J. VAN CISE, Defendant, have been sued in court to obtain custody, partial custody or visitation of the children: Amy Jo Van Cise and Joshua J. Van Cise.

Bruce L. Smith, 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 children if so requested by teh Child Custody Mediator.

If you fail to appear as directed by the Child Custody Mediator to bring the child, an order for custody, partial custody or visitation may be entered agaisnt you or the court may issue a warrant for your arrest. By Order of Court
Date: July 19, 1994 Gordon R. Miller, P.J.

ORDER #2: AND NOW, this 20th day of July, 1994, upon petition of Terry E. Van Cise, through his attorneys, Ferguson & Spataro, Bruce L. Smith, Esq., is hereby appointed Child Custody Mediataor in this matter. The parties and their counsel shall attend the mediation conference scheduled by the Child Custody Mediataor and shall comply with all requests of the Child Custody Mediataor.

Pending the mediation conference, the children shall continue to reside with Defendant/Mother. BY THE COURT:
Gordon R. Miller, P.J.

Aug. 3, 1994 Affidavit of Service filed. I, the undersigned, being duly sworn according tl law, depose and say that I served a true and correct copy of the Complaint for Custody filed by the Plaintiff and certified by the Prothonotary of Crawford County, Pennsylvania, on the Defendant, Amy J. Van Cise, by certified mail, addressee only, return receipt requested, dated July 22, 1994. The Defendant acknowledged service on July 25, 1994, by accepting delivery on that date as evidenced by the attached signed return rreceipt.

Douglas W. Ferguson

Sep. 8, 1994 Tempoary Order of Court filed. AND NOW, this 7thday of September, 1994, after Mediation and upon recommendation of theChildCustodyMediator,it is hereby ordered and decreed that:

1. The natural prents of Amy Jo Van Cise, age ten, born October 12, 1983, and Joshua J. Van Cise, age four, born April 23, 1990, the parties to this action, shall share legal custody of the said minor children. Said joint legal custody being shared shall entitle both of the parents to equal access to any records relating to the children held by a third party, including, but not limited to, school and medical records, and shall also entitle both parents to equal input with regard to the educational and religious upbringing of the children, as well as to any elective surgery.

2. Physical custody of the children shall be shared on an alternate week basis. Each week shall begin at 7:30 p.m., prevailing time, on Sunday when the transfer of custody shall occur. The parent receiving custody shall pick up the children at the other parent's home. The parent who does not have custody of the children during any given weekshall have the opportunity for mid-week visitation by picking up the children at the other parent's home on Wednesday at 5:00 p.m., prevailing time, and returning the children to that home by 8:00 p.m.,prevailing time. Alternate week visitation shall begin the first Sunday at 7:30 p.m., prevailing time,after the date of this Order.

Holiday visitation shall take priority over other scheduled visitation. The parties are encouraged toagree as to holiday visitation; however, in the event that they cannot, the children shall spend Mother's Day in the mother's home and Father's Day in the father'shome from 8:00 a.m. to 8:00 p.m., prevailing time. Christmas holidays with the children shall be shared by the parents with the father having the children from 5:00 p.m., prevailing time, on Christmas Eve until 10:00 p.m., prevailing time, at which time he shall return the children to the mother's home where they shall spend Christmas Day. Beginning December 26, the childrenshall be with the father for one-half of the remaining vacation and shall then be returned to the mother for the second half of the vacation, with the alternate week transfer to take place on Sunday at 7:30 p.m.,prevailing time, before school resumes, unless it is the mother's week.

The other holidays of Easter, Memorial Day, 4th of July, Labor Day, and Thanksgiving Day will be shared by the parents onand odd-and-even-year basis. The children will spend Easter Day, the 4th of July, and Thanksgiving Day with the father during odd-numbered years and Memorial Day and Labor Day with the mother. These holidays will be reversed in even-numbered years. The holidays shall run from 8:00 a.m. to 8:00 p.m., prevailing time.

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

4. Neither parent shall take the children into any environment which might be commonly thought of as detrimental to their development or to the development of their character or which would be commonly thought of as dangerous to their physical persons.

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

6. Each of the parents, any grandparent, and other adult coming into regular contact with the children shall teach the children involved in this case to develop and express that natural love and respect due a parent or a grandparent from his or her chid/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 a grandparent in the eyes of the children.

7. This Order shall not prejudice the right of either party to request further Mediation if there are changed circumstances in the lives of the parties or the children or in the event that the best interest of the children would be served by further Mediation. For the purposes of this paragraph, if either party were to move out of the Titusville SchoolDistrict, he or she would be required togive the other party a written notice of thirty (30) days of the intention to move, during which time the other parent could petition for further Mediation.

Continued to Page 491

1994

Ostroff & Kline, PC
Jonathan Ostroff

702.

Swisher Law Offices
C.Crady Swisher,III

OSTROFF & KLINE, P.C.

vs.

TONYA CAMASI and C. CRADY SWISHER, III, ESQUIRE

Filed July 18, 1994
@ 1:53 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	37.00

JURY TRIAL

WRIT OF SUMMONS
Issued Sheriff

Sept. 14, 1994 SHERIFF'S RETURN, filed. NOT FOUND, as to Tonya Camasi, Moved to St. Augustine Florida. Exact address unknown.

Served Crady Swisher, III Esquire on August 4, 1994 by deputizing Sheriff of Allegheny County, PA. Affidavit of service attached. 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 610 Smithfield St., Suite 404, Pittsburgh, Pa. 15222-2512. Robert M. Stevens, Sheriff Crawford Co.

SERVED the within Writ on Aug. 4, 1994, at 1:00 p.m., upon Grady Swisher at Place of Business by handing to Crady Swisher a true and correct copy thereof and made known to him the contents therein. D.A. Isenberg, Sheriff Allegheny County

Oct. 24, 1994, Complaint in Civil Action filed.

Nov. 21, 1994 Certificate of Service filed. I, Jonathan Ostroff, Esquire, attorney for Plaintiff, hereby certify that a true and correct copy of Plaintiff's Complaint, and Plaintiff Ostroff & Kline, P.C.'s First Set of Interrogatories and Request for Production of Documents Directed to Defendant, C. Crady Swish, III, Esquire, has been served upon Defendant C. Crady Swisher, III, Esquire, by certified mail, return receipt requested #Z 343 086 083, on this 18th day of November, 1994.
Jonathan Ostroff

Jan. 19, 1995 Notice of Default Judgment filed.

Feb. 1, 1995 Answer and New Matter of C. Crady Swisher, III, Esquire, filed.

Feb. 9,1995 Request for Jury Trial, filed.

Feb. 21, 1995 Plaintiff's Answer To New Matter of Defendant C. Crady Swisher, III, Esquire filed.

Apr. 3, 1995 Plaintiff's Motion to Compel Answers to Plaintiff's First Set of Interrogatories and Request for Production of Documents Directed to Defendant,C.Crady Swisher,III, Esquire and ORDER filed. AND NOW, this 30th day of March, 1995,it is hereby ORDERED and DECREED that defendant, C.Crady Swisher, III, Esquire, shall furnish full and complete Answers to Plaintiff's First Set of Interrogatories and Request for Production of Documents Directed toDefendant, C.Crady Swisher, III,Esquire, within thirty (30) days of the date of this Order,or risk sanctions.
BY THE COURT:
Gordon R. Miller,J.

4-3-95 Mailed Swisher & Ostroff

May 22, 1995 Motion for Sanctions Against Defendant C.Crady Swisher, III, Esq. for Failure to Comply to a Discovery Order, filed.

May 26, 1995 Answer to Plaintiff's Motion for Sanctions Against Defendant C. Crady Swisher,III, Esquire, for Failure to Comply with a Discovery Order of Court, filed.

Aug. 14, 1995, Motion for Summary Judgment on Behalf of C. Crady Swisher, III, filed.

Aug. 28, 1995 Plaintiff's Answeer to Defendant, C. Crady Swisher, III, Esquire's Motion For Summary Judgment, filed.

Nov. 28, 1995 ORDER filed. AND NOW, November 22, 1995, the Plaintiff through counsel has filed a motion to compel discrete answers to the Plaintiff's interrogatories served to the Defendant, C. Crady Swisher, III, Esquire. Defendant Swisher appears and maintains that he cannot suppy that information due to attorney/client privilege.

It appears that this matter needs to be briefed and argued; and accordingly, the Court Administrator is directed to schedule it on the next available argument lis.

Insofarkas the moving party has not yet filed a brief and should have done so prior to this being scheduled, the moving party is afforded 20 days from the date of this order to file a compliance with the Local Rules.
BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

11-28-95 mailed Ostroff & Swisher, Given Ct. Adm.

Feb. 28, 1996 Memorandum Opposing Plaintiff's Motion to Compel Discrete Answers to Plaintiff's Interrogatories served to defendant C. Crady Shiwsher, III, Esq., on or about Nov. 18, 1994, filed.

Mar. 11, 1996 Notice of Service of Combined Interrogatories and Request for Production of Documents filed.

April 22, 1996 Certificate of Service of Plaintiff's Answers to First Combined Interrogatories and Request for Production of Documents, filed.

April 26, 1996, ORDER filed. AND NOW, April 26, 1996 the court has considered the plaintiffs Motion to Compel Discrete Answers to plaintiff's Interrogatories served to the dft. on or about Nov. 18, 1994, and we are prepared to rule on the same. First of all, we conclude that the ob jections raised by the dft. have not been waived. (see paper filed for cases cited).

Accordingly, after due consideration of the attorney-client privilege and the attorney-work product privilege and in consideration of each of the interrogatories served upon the defendant

Continued on Pg. 252 A

1994

C. Crady Swisher, III, Esq. it is ordered and directed that the said C. CradySwisher, III, Esq., shall answer the following interrogatories within twenty (20) days of the date of this order: 1, 19, 25, and 26.

The defendant shall also answer No. 12 and therefore the objection is overruled and the answer which was alternately stated which was "no" shall be the answer to this interrogatory and no further answer shall be required.

All other interrogatories ahve either beenanswered or we sustain the objection to those not answered.

BY THE COURT:

Anthony J. Vardaro, J.

4/26/96 mialed to McCarren and Swisher

May 14, 1996 Notice of Serving Supplemental Answers To Plaintiff Ostroff & Kline, P.C.'s First Set of Interrogatories and Request For Production of Documents Directed to Defendant C. Crady Swisher, III, Esq., filed.

252B

1994

1994

Culbertson, Weiss, Schetroma & Schug
David L. Hotchkiss

703.

Elderkin, Martin, Kelly & Messina
Evan C. Rudert

JOHN T. RANGE and LETTY RANGE

vs.

PAUL E. YURTINUS and STEPHANIE E. MURTINUS, husband and wife

Filed July 18, 1994
@ 4:17 PM

Tax & entry paid	50.50
User's Fee paid	5.00
sheriffs costs	60.00
ProCo pd 2-16-96	9.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Aug. 22, 1994 Answer and New Matter, filed.

Aug. 23, 1994, Sheriffs Return filed. SERVED Paul E. Yurtinus personally on July 38, 1994 at 10:25 AM by handing a copy of the Compalint to him at his residence Lot 23, westside Residential Section Danner plan, Canadohta Lake, Crawford County Pa.

SERVED Stephanie E. Yurtinus personally on July 28, 1994, at 10:26 a.m. by handing a copy of the Complaint to her at the residence Lot 23, Westside Residential Section danner plan, Canadohta Lake, Crawford County, Pa.
So answers, dale A. Collins, Ch. Dep.
Robert M. Stevens, Sher

Sep. 29, 1994 Reply to New Matter, filed.

Oct. 14, 1994 Motion to Sever Plaintiff's Quiet Title and Equity Injunctive Claims for Separate Trial, and Setting Non-Jury Trial filed.

Oct. 14, 1994 Order filed. AND NOW, October 14, 1994, the plaintiff's moiton to sever is denied.
BY THE COURT,
Gordon R. Miller, J
Oct. 17, 1994 Copies dist. to Hotchkiss & Rudert

Dec. 29, 1994 Motion for Entry of Stipulated Order and Order, filed. And Now, this 23 day of December, 1994, based on the stipulation of counsel for both parties to this action, the Plaintiff is given leave to withdraw Count IV of the Complaint, setting forth a claim for damages and trespass, which Count is hereby deemed to be withdrawn, and the Defendant is granted leave to withdraw Defendants' demand for jury trial, which demand is hereby deemed to be withdrawn herewith. Anthony J. Vardaro, J.
Dec. 29, 1994 FAxed Hotchkiss & Rudert

Jan. 16, 1995 Motion to Schedule Trial and ORDER filed. And, Now, upon consideration of the foregoing Motion, trial in the above-captioned, non-jury matter is set to be heard the 2nd day of March, 1995, at 9:15 o'clock a.m. in Court room No. 1 or 2 in the Crawford County Court-house, Meadville, PA.
Gordon R. Miller, J.

January 12, 1995

Jan. 16, 1995 Order FAXED Attys. Hotchkiss and Rudert.

Feb. 1, 1995 Motion for Judgment on the Pleadings and PROPOSED ORDER filed. AND NOW,this 31st day of January,1995, it is hereby Ordered that an argument on the Defendants' Motion for Judgment on the Pleadings will be held before the undersigned on February 10, 1995 at 10:30 a.m. In light of the facts that this motion has beenfiled less than 60 days before trial and had to be specially set because otherwise it would have been on the February Argument list at the end of February, the Plaintiff's do not have to file their brief until the day before argument.
BY THE COURT:
Anthony J. Vardaro, J.
2-1-95 Faxed to Attys.Hotchkiss & Rudert

Feb. 24 1995 Joint Motion for Continuance filed.

Feb. 24, 1995 ORDER filed. AND NOW, this 23 day of February, 1995, the parties' Joint Motion for Continuance is GRATED and the trial scheduled for March 2, 1995 at 9:15 a.m. is continued and rescheduled for the 23rd day of May, 1995, beginning at 9:15 a.m. in courtroom 2 of the Crawford Co. Courthouse before the undersigned.
BY THE COURT:
Anthony J. Vardaro, Judge
Feb. 24, 1959 Order FAXED Atty. Rudert, Hotchkiss.

Apr. 10, 1995 Certificate of Service of Defendants' Answers to Plaintiffs' First Request for Admissions from Defendant filed.

April 12, 1995, MEMORANDUM AND ORDER Filed. ORDER: AND NOW, April 11, 1995, upon consideration of the Defendants' motion for judgment on the pleadings judgment is entered in favor of the defendants and against the plaintiffs with respect to Count I in the nature of a ejectment action; judgment is entered in favor of the plaintiffs and against the defendants in a manner consistent with the prayer for relief contained for Count II in the plaintiff's complaint and the court denies entry of judgment on the pleadings with respect to Court III of the plaintiffs' complaint.
Accordingly, the only issue to be decided at trial will be Court III as to whether the plaintiffs are entitled to equity injunction pursuant to Count III of their complaint.
BY THE COURT,
Anthony J. Vardaro, J.

4/12/95 copies dist. to Hotchkiss and Rudert.

May 17, 1995 Motion for Continuance and ORDER FOR CONTINUANCE, filed. And Now, this 17th day of May, A.D. 1995,upon motion of counsel for the Plaintiffs, consented in by counsel for the Defendants, the above-captioned matter currently set for trail at 9:15 a.m. on May 23, 1995, is continued, to be rescheduled upon motion of counsel for either party.
Gordon R.Miller, J.
5-17-95 Faxed Hotchkiss & Rudert

Continued to Page 466

pro se

704.

REBECCA LYNN FOSTER

vs.

WILLIAM MILLER REED, JR.

CUSTODY COMPLAINT

Order:

You, William M. Reed, Jr. , have been sued in Court to obtain custody of Kara and Megan Reed.
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

Gordon R. Miller, J.

July 14, 1994

Filed July 19, 1994
@ 11:41 a.m.

Indigent filing

John Fuller, mediator	179.58
Sheriff's Costs	38.40
Pro Co	9.00

July 14, 1994, copies to Fuller, Sheriff and plff.

AND NOW, July 7 , 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 pay the costs incurred in this action and shall be responsible for doing so upon an improvement of financial condition.

BY THE COURT:

P. Richard Thomas, P.J.

July 19, 1994, Petition to Proceed In Forma Pauperis and Order filed.

ORDER: AND NOW, this 14 day of July , 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, J.

JUly 20, 1994, copies to Sheriff and plff.

Aug. 5, 1994 SHERIFF'S RETURN, filed. SERVED William Miller Reed, Jr., by deputizing the Sheriff of Venango County, Pa, as per his Affidavit of Service attached. Served on July 29, 1994 at the Venango County Sheriff's Office, Courthouse, Franlin, Pa.
So answers, Robert M. Stevens, Sheriff

SERVICE: Before me the undersigned authority,m personally appeared Melissa A. Bingman-Deputy Sheriff who being duly sworn according to law, deposes and says that on the 29th day fo July, 1994 at 11:30 A.M. she serve dthe within Notice and Order to Appear-Custody Complaint-Order filed at NO. AD 1994-704 Term 1994, Crawford Co., Pa., upon defendant William Miller Reed, Jr. at Agent's place of visitation located at Venango County Sheriff's Office, Courthouse, Franklin, Pa. 16323 and by making known the contents thereof to William M. Reed Sr./Authorilzed Agent/Father and handing to and leaving with him the certified copy of the said Writ received from Robert M. Stevens, Sheriff Crawford County.
Melissa A. Bingman, Deputy Sheriff
Gene Price, Sheriff of Venango County

Continued on Page 254A

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-a-

1994 TERM

Rebecca Lynn Foster
vs.
William Miller Reed, Jr.

CONTINUED FROM PAGE @%$
OF Record
A. D. 1994 - 704

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Sept. 29, 1994 ORDER filed. AND NOW, September 28, 1994 after mediation conference befor John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Kara Shea Reed and Megan Renee Reed 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 Kara Shea Reed and Megan Renee Reed 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 3:00 o'clock p.m. on Friday to 5:00 o'clock p.m. on Sunday, beginning September 23, 1994.

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 agareement to the contrary, the children shall be in the custody of the mother on the aforesaid holidays until 1:00 o'clock p.m. and in the custody of the father on the aforesaid holidays farom 1:00 o'clock p.m. until 7:00 o'clock p.m. The children whall be with mother on Mother's Day and with father on Father's Day.

C. Beginning with the Summer of 1995, the children shall be in the custody of the father for a period of two (2) weeks. The father shall give the mother at least thirty (30) days notice of the dates of the Summer visit.

D. Transpsortation 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 personor situation which may be harmful to the children's health or well being.

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

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

IV. Cost of the mediation conference shall be paid by Crawford County. Gordon R. Miller, P.J.

Oct. 7, 1994 Faxed copy to Fuller, sent to Plf. & Dft.

254
-b-

1994 TERM

1994

R. Christopher Brode

705.

CHERYL REESE

vs.

SHAWN DENMAN

Filed July 19, 1994
@ 12:02 p.m.

Tax & entry	Pd 9-15-94	$50.50
state	Pd 9-15-94	5.00
Sheriff's Costs		30.00
Pro Co	Pd 9-15-94	9.00

9-15-94 Rec'd from dept Sheriffs Costs 30.00

9-15-94 Pd Sheriff Ck# 8561 30.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
1 copy (plff)
3 copies (sheriff)
faxed to MCPD

ORDER:

And now, this 19 day of JUly , 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 go within 100 yards of her residence.

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

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

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

6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment 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 July 26, 1994 , at 2:15 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.

Jul. 25, 1994 Sheriff's Return. SERVED Shawn Denman personally on July 20, 1994 at 3:50 PM by handing him a copy of the Protection from Abuse at his residence, 522 North Street, Meadville, Crawford County,PA.
So answers,
Shawn E.Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

July 28, 1994 ORDER filed. AND NOW, July 26, 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, is advised of his right to counsel, and indicate he wishes to proceed without counsel.

The following order is entered by agreement of the parties without admission of the allegation of the petition on the part of the Defendant.

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

2. The Defendant shall not go to the Plaintiff's place of employment or training and he may not contact her nor may he contact the minor children in any manner.

3. The Defendant may not go within 100 yards of the Plaintiff's residence nor may he go within 100 yards of the childrne.

4. If the parties should happen to be in a public place together, the Defendant shall have the responsibility of immediately leaving without in any way annoying, abusing, harassisng, threatening or assaulting the Plaintiff in doing so.

5. The Defendant shall have possession of the joint residence at 522 North Street in Meadville. The Plaintiff may go to that residence some time within the next two weeks for the prupose of removing a list of items, a copy of which has been attached to this order. These are items agareed upon by the parties. The Plaintiff shall give the Defendant 24 hours notice of her intention to so so, and when the Plaiantiff goes to the residence to remove those items, she may bring a third party and if the Defendant is present, he shall not assault, abuse, harass, or threaten the Plaintiff in any manner.

Pending the Plaintiff's removal of the property from the residence at 522 North Street, Meadville, the Defendant shall not in any way dispose of, destroy, sell, nor procure anyone else in any way to dispose of, destroy, sell,or in any way effect the property indicated on the attached list.

6. This ordr may be enforced without a warrant of arrest by any law enforcement officer having reasonaable 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. Additionally, a copy shall be mailed to the Defendant by the Prothonotary by regular mail to Post Office ABox 733, Meadville.

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.

9. The Defendant shall pay court costs in this matter in the amount of $94.50, which shall be paid in full on or before September 26, 1994. Those costs shall be paid to the Prothonotary of Crawford County on the first floor of the Crawfor dCounty Courthouse, and the Defendant may make such installments as he wishes toward the payment of the same, so long as he keeps track of what he owes, and has paid the costs in full on or before September 26, 1994.

CONTINUED ON MARGIN

10. This order shall remain in full force and effect through July 25, 1995.
BY ORDER OF TEH COURT,
Anthony J. Vardaro, J.
July 28, 1994 Faxed MCPD, given Co. Control & Sullivan.
Aug 3,1994 sent to Dft.

Thomas, Truax, Spadafore, Walker, Keenan

Gregory A. Keenan

706.

~~R. Christopher Brode~~

~~Lauri Maurer~~ withdrawn

$150.00 paid by plff. on 7/19/94
8-12-94 Pd Pltf Bal med dep Chk #8496 141.00
1-11-95 Rec from Pltf med deparet 150.00
1-23-96 Red from Plf-med deposit 150.00
1-23-96 Refunded overpayment #9707 141.00
Balance on Hand 150.00
3-11-96 Pd pltf #9851 150.00
8-13-96 Red from Pltf med dep. 150.00
11-12-96 Pd Pltf Refund #10336 150.00

PHILLIP DARNLEY

vs.

MARIA A. DARNLEY

Sheriff's Costs 29.00
Filed July 19, 1994
@ 1:43 p.m.

Tax & entry paid $50.50
state paid 5.00
John Fuller, mediator 200.00
Pro Co Pd 9-94 9.00
~~Pro Co Pd 2-3-94~~ 9 cm
Pro Co Pd 2-12-96 9 cm
In Forma Pauperis filed 1-12-98
7/21/94 copy faxed to Atty. Keenan.

COMPLAINT FOR CUSTODY

Aug. 11, 1994 Affidavit of Service filed. Gregory A. Keenan,

Order:

You, Maria A. Darnley, dft. , have been sued in Court to obtain custody of Brenda A. Darnley, Kristy Lynn Darnley & Pamela Jo. Darnley. 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: 7/20/94 Gordon R. MIller, J.

July 22, 1994, Petition for Emergency Relief, and Order filed. ORDER: AND NOW, this 22 day of July 1994, upon consideration of the plaintiff's Petition for Emergency Relief requesting an order granting the plaintiff primary custody of the minor children pending further mediation, said petition is denied.

By the Court,
Gordon Rm MIller, J.

July 22, 1994, copy faxed to Atty. Keenan.

Aug. 11, 1994 Affidavit of Service filed. Gregory A. Keenan, Equire, being duly sworn according to law, depose and says that on July 21, 1994, he sent a true and correct copy of a Complaint For Custody, properly endorsed with the Notice To Defend, filed inthe above action, to the Defendant, Maria A. Darnley, at Defendant's last known address of c/o Mr. and Mrs. Gil Simons, P.O. box 523, Loreauville, Louisiana, 70552, by Certified Mail No. P 899 088 172 postage prepaid, return receipt requested, restricted deliver and that attached hereto is a duly executed return receipt card, which was executed by Defendant's mother, showing date of deliver as July 25, 1994.

Gregory A. Keenan

Aug 11, 1994 ORDER filed. AND NOW, August 10, 1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal cistody of Brenda A. Darnley, Kristy Lynn Darnley and Pamela Jo Darnley 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 Brenda A. Darnley, Kristy Lynn Darnley and Pamela Jo Darnley shall be with their mother, subject to the following conditions:

A. The father shall be entitled to visit the children from time to time in Louisiana,provided: (1) he shall give mother at leat seven (7) days notice of any visit; (2) such visits shall not exceed four (4) hours in duration on any one (1) day, and (3) such visits shall take place at the maternal garandmother's home, unless mother agarees otherwise.

sB. Father shall be premitted to speak to the children on the telephone once a week.

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.

E. Both parents agree to inform the other immediately of any illness or injury regardinga the children and both parents agree to furnish the other with a curent telephone number.

F. Both mother and father shall secure within three (3) months a psychological evaluation, a copy of which evaluation shall be furnished to mother's attorney and father's attorney and which evaluations shall be available to the custody mediator and the Court.

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, howerver, this order is entered without prejudice to the right of either party to request a further mediation conference after receipt of both psychological evaluations.

IV. Cost of the mediation conference shall be paid by Crawford County. The Prothonotary of Crawford County is hereby directed to refund the deposit paid in advance by the Plaintiff, less the cost of the custody order. Anthony J. Vardaro, J.

Aug. 17, 1994 Faxed to Keenan, Brode & Fuller. Sent to Plf. & Dft.

Aug. 19, 1994 Request for Hearing De Novo and ORDER filed. AND NOW, this 19 day of August, 1994, upon consideration of Plaintiff's Request for a de novo custody hearing, said Request is granted. This matter will be heard on the 25th day of October, 1994, at 9:15 A.M. in Courtroom No. 1, 2 or 3.

By the Court:
Anthony J. Vardaro, J.

8-22-94 Faxed to Attys. Keenan & Brode

Oct. 27, 1994 ORDER filed. AND NOW, October 25, 1994 the Court having heard testimony in this matter but not complete testimony, the parties have now agreed to the entry of a consent order, which is as follows:

COTNINUED ON PAGE 256A

1994 TERM

Phillip Darnley
vs.
Maria A. Darnley

CONTINUED FROM PAGE 256
of Record
A. D. 1994 - 706

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1. Legal custody of Brenda A. Darnley, Kristy Lynn Darnley, and Pamela Jo Darnley shall be shared between the mother and father, the Defendant and Plaintiff; 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 decision saffecting the children such as education, medical treatment, and religious instruction of the subject children.

2. Physical custody of the three minor children shall be primarily with their mother, subject to the following periods of temporary custody and/or visitation with their father:

A. Commencing November 1, 1994 and for the period of 1 month thereafter, the Plaintiff shall be entitled to certain visitation, with the Defendant presetn at all times except as hereinafter set forth. The visitations shall occur each Saturday from 10:00 a.m. until 4:00 p.m. and each Sunday from 10:00 a.m. until 4:00 p.m., as well as three evenings from 4:00 p.m. until 7:00 p.m. each week. Notwithstanding the terms and conditions of this order, the Defendant shall not be present during one visit each week from 4:00 p.m. until 7:00 p.m., which shall be one of the three visits indicated. The Plaintiff may take the children into his sole custody for that visit. The evening periods of visitation during the first month shall depend on the Plaintiff's work schedule and he shall give the Defendant reasonable notice with regard to those time periods.

B. Commencing on the second month which shall begin on December 1, 1994 and continuing monthly thereafter, until further order of Court, the Plaintiff shall have periods of temporary physical custody with all three children from Friday at 5:00 p.m. until the following Sunday at 4:00 p.m. with such weekends to commence on December 2, 1994 and to be alternate weekends thereafter, it being the Court's intention that this period of temporary physical custody on weekends be for alternate weekends. In addition, the Plaintiff shall have one period of temporary physical custody every week beginning after school and continuing until 9:00 p.m. with the day to be selected depending on the Plaintiff's work schedule, and the Plaintiff being required to give the Defendant reasonable notice of which day that will be. The Defendant shall not be required to be present for any of these periods of temporary physical custody.

3. With respect to these periods of temporary physical custody and/or visitation, the Plaintiff will supply all transportation and further, he will make available to the Defendant a vehicle whenever he is able to for the purpose of her running any errands that she may need.

4. The Plaintiff agarees that the Defendant shall have sole possession of the marital residence at R.D. 1, Box 326A, Crum Road, Espyville, Pennsylvania commencing November 1, 1994 or earlier if the Defendant moves back to Pennsylvania with the children prior to that date. The Plaintiff shall pay the mortgage and utilities for that residence but he shall not reside there.

The Plaintiff may not go to that aresidence other than for the periods indicated for the purpose of picking up the children or returning the children, or during the first month visiting the with the children, unless he is otherwise invited to the residence by the Defendant.

5. The parties shall also be free to make other arrangements or alternate arrangements for periods of temporary physical custody and visitation from time to time as they may mutually agree upon.

6. The parties agree and it is ordered that they shall make arrangements as soon as possible for the following counseling:

A. The children shall be taken for counseling through a program at the Center for Families in Change or through some similar program that may be arranged.

B. Both the Plaintiff and the Defendant will enroll in parenting classes and participate in each of these classes until they are discharged through obtaining a certificate at the end of those classes.

C. Both the Plaintiff and the Defendant shall obtain drug and alcohol counseling and shall continue in such counseling until the counselor involved certifies in writing to the Court, with a copy to both counsel for the parties, that a party does not need further drug and alcohol counseling.

D. The Plaintiff shall obtain counseling for anger management and not discontinue such counseling until discharged by the counselor when the counselor supplies to the Court a letter so indicating, with copies to counsel for both parties.

7. Neither party while having custody of the children shall use illegal controlled substances nor have any on their person or in the household nor shall either party drink alcoholic beverages when they have custody of the children or within a period of 8 hours prior to having such custody.

8. Neither party shall say or do anything in an attempt to turn the children against the other parent nor shall they procure anyone else to do so and on the other hand, they shall do everything in their power to foster a favorable and loving attitude on the part of the children toward both parents.

9. Both parents shall inform the other immediately of any illness or injury regarding the children and both shall furnish the other with a current telephone number if they have telephone service.

10. The Plaintiff may make reasonable telephone contact with the marital residence for the purpose of takling to the children and the Defendant, so long as these contacts are not in any way abusive or threatening.

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

Oct. 27, 1994 copies dist to Brode & Keenan
Nov. 1, 1994 Faxed to Fuller

Nov.2, 1994 Exhibits filed.

Jan. 10, 1995 Motion To Refer Back to Custody Mediation and Order filed. AND NOW, this 9th day of January, 1995 upon consideration of Plaintiff's Motion to refer to the custody mediatior for further mediation, said Motion is granted and this matter hereby referred back to John Fuller, Esquire, for further mediation.

BY THE COURT:
Gordon R. Miller, J

1-11-95 Faxed Brode, Fuller & Keenan

February 16, 1995, Petition For Entry of Agreement, Stipulation, Consent Custody Order Filed.

And Now, this 13th day of February, 1995, upon stipulation of the parties to this action, and upon finding that both parties hereto are in agreement that the Defendant-Mother will be relocating with the subject minor children to Loreauville, Louisiana, the following Order is hereby entered:

1. The parties shall share legal and physical custody of the subject minor children, Brenda A. Darnley, Kristy Lynn Darnley and Pamela Jo Darnley, 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.

2. The parties hereto agree that the Defendant-Mother shall have primary physical custody of the subject minor children with partial custody accorded to the Plaintiff-Father as follows:

A. Father shall have partial custody of the subject minor children each summer, with said period of partial custody beginning seven (7) days after school recesses for the summer vacationperiod until fourteen (14) days prior to the commencement of the next fall school term.

B. For the Christmas holiday, 1995, and all odd numbered years tereafter, Father shall be entitled to partial custody of the subject minor children from the day after school recesses for the Christmas holiday until the day before school reconvenes at the end of the Christmas holiday. For the Christmas Holiday 1995, and all even numbered years thereafter, Father shall be entitled to partial custody of the subject minor children from December 26th until the day before school reconvenes at the end of the Christmas holiday period.

3. The parties agree that reasonable phone contact will be allowed between the custodial and non-custodial party for the purpose of maintaining contact with the subject minor children when said children are in the custody of the respective parties.

RECORD CONTINUED TO PAGE 256b

The party making any such phone contact will bear the expense of the call. Furthermore, should any of the subject minor children initiate phone contact with the non-custodial parent while in the custody of the other, the party maintaining custody atthe time the call is made shall be responsible for the expense of the child's call. In any event, all such phone calls shall be placed before 9:00 p.m. of each evening.

4. The parties hereto agree that, notwithstanding the basic custodial schedule set forth in Paragraph 2 above, either party may take partial custody of the minor children on any occasion where the parties may be in the home state of the other party during a weekend. Each party shall be required to give the other party ten (10) days advance notice of said party's intention to come to the home state of the other party for purposes of a visitation with the minor children. On these occasions, the visiting party shall be entitled to take the minor children into his or her custody from Friday at 6:00 p.m. until the following Sunday at 6:00 p.m.

5. In the event that either party should unexpectedly have a long leekend present itself with said weekend not being ascertainable within ten (10) days prior to the onset of said weekend, either party may nonetheless optain partial custody of the subject minor children for that weekend upon providing a minimum of seventy-two (72) hours notice to the other party and assuming that the otherparty has not previously committed to firm plans on behalf of the subject minor children for that weekend period of partial custody shall be from Friday at 6:00 p.m. through the following Sunday at 6:00 p.m.

6. On any weekend visits predicated by either ten days notice or 72 hours notice, whichever the case may be, the parties agree that the parties themselves will not stay overnight at the residence of the other party but mutually agree that the minor children may spend the night at the custodial parent's residence if the non-custodial parent is unable or unwilling to provide overnight accommodations for the minor children at a hotel or residence of a family member.

7. Any party requesting a weekend visit pursuant to the ten day notice or the 72 hour notice requirement as aforestated will be responsible to pay for and provide all transportation and transportation expenses attendant to such visitation.

8. Transportation necessary to transfer custody of the subject minor children during the summer and Christmas exchanges will be shared equally between the parties with the party receiving custody of the minor children picking up said minor children from the other party's residence. If, on any given occasion, one party must provide all of the transportation necessary to achieve the exhchange of custody, the party unable to share the transportation responsibilities for any given exchange of custody shall pay any gasoline and/or food expense incurred by the party providing transportation. The party providing transportation will submit a statement to the other party outlining the expenses incurred for gasoline and food and the party receiving that invoice will be responsible for reimbursing the other party in full within 30 days of receipt of the invoice.

9. Any party transporting the children shall make sure that seat belts or other restraints are used in accordance with the law of Pennsylvania and /or Louisiana.

10. Each party shall teach the minor children to give to the other party that love and respect which is due a parent from his or her children. Furthermore, 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 not to disparage the other party in the children's estimation.

11. 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 compels the cancellation or modification. Said modification or cancellation shall not be proposed except for good reasons. Should a cancellation ormodification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative visits or to make alternative arrangements.

12. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

BY THE COURT
Gordon R. Miller, J.

Jan. 9, 1996 Praecipe to Proceed In Forma Pauperis, filed. (2 copies Certified)

Jan. 10, 1996 Petition for Contempt of Court, Modification and Attorney Fees, filed.

Jan. 10, 1996 Petition for Emergency Relief, filed.

Jan 17, 1996 Custody Order of January 10, 1996, filed. Hearing on the Petition for Contempt and with regard to Attorney's Fees is set for March 1, 1996, at 11:00 a.m., in Courtroom No. 1 or No. 2 of the Crawford County Courthouse.
Jan 17, 1996 dist. Brode, Keenan & Fuller

Jan. 19, 1996 Motion To Resubmit for Further Mediation and ORDER filed. AND NOW, upon consideration of Plaintiff's Motion to Resubmit the above captioned case for further mediation, said Motion is hereby granted and Mr. John Fuller, Esq., will conduct further mediation at a time to be scheduled by Mr. Fuller.

BY THE COURT:
Gordon R. Miller, J.

Jan. 23, 1996 Order FAXED Attys. Brode, Keenan and Fuller.

Mfar 4, 1996 ORDER: AND NOW, March 1, 1996 this matter is before the Court on a petition for contempt and for attorney's fees filed by the Defendant against the Plaintiff.

Afater formal hearing, we decline to find that the Plaintiff is in contempt of court for a violation of the order entered previously on Feb. 13, 1995, and accordingly, we also decline to award attorney's fees.

Pending mediation on March 5, 1996 the parties shall follow the order entered on Feb. 13, 1995 with th only two modifications to that order being that no party shall remove the children form the Commonwealth of Pennsylvania pending that mediation, and that further, pending that mediation, no party shall drive a vehicle wherein these children are present unless there is a proper restraint system as required by Pennsylvania law, and no party shall be under the influence of alcoholic beverages nor shall any party have consumed alcoholic beverages at any time within 8 hours of driving the children. Additionally, the same requirement shalll apply with respect to illegal controlled substances.

In all other respects in which it is inconsistent with this order and the Feb. 13,1995 order, this Court's order of Jan. 10, 1996 is now rescinded.

Pending the mediation conference, no party shall have conversations with the children or any child concerning what their testimony might be at the time of the mediation or anytime in the future. Anthony J. Vardaro, J.
Mar 4, 1996 Brode & Keenan
Mar 6, 1996 Faxed Fuller

March 8, 1996 ORDER filed. AND NOW, March 7, 1996 after mediation conference before John Fuller, Esq., IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT: Both parents to have visitation with children; costs of mediation conference shall be paid by Crawford Co., Prothonotary is hereby directed to refund the deposit paid in advance by the Plaintiff. (see papers filed).

GORDON R. MILLER, Judge
March 11, 1996 Order FAXED Attys. Brode, Fuller, Keenan; mailed plf., defdt.

RECORD CONTINUED TO PAGE 256 (-c-).....

PHILIP DARNLEY

vs.

MARIA A. DARNLEY

RECORD CONTINUED FROM PAGE 256 -b-

OF

AD 1994 - 706

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March 15, 1996 Petition For Special Relief Custody and ORDER filed. AND NOW, this 15th day of March, 1996 upon presentation and consideration of the foregoing Motion For special Relief the Court orders as follows:

1. Paragraph Number III of the March 7, 1996 Court order is struck from the order without prejudice to the plaintiff to file exceptions to the March 7, 1996 Court Order and request a de novo hearing.
2. The defendant shall be entitled to custody of the subject minor children from the plaintiff upon 24 hour notice to the plaintiff.
3. The costs of transportation to return the subject minor children to the defendant residence shall be borne by defendant.

BY THE COURT:
Gordon R. Miller, J.

March 15, 1996 Order FAXED Attys. Keenan and Brode.

April 2, 1996 Request for Hearing and ORDER filed. AND NOW on 1st day of April, 1996 based on the attached Request For a Hearing de-novo the court sets a hearing for 26th day of June, 1996 in Courtroom number 1 of the Crawford Co. Court House.

FOR THE COURT,
Ann A. Walker, Court Administrator

April 2, 1996 Order FAXED Attys. Brode, Keenan, Fuller.

June 24, 1996 Motion to Discontinue De Novo Hearing and ORDER filed. AND NOW, this 24 day of June 1996, and after review of the attached motion to discontinue the De-Novo hearing scheduled for June 26, 1996 at 9:15 A.M. in courtroom number one of the Crawford County Court House, said motion is granted.

BY THE COURT
Anthony J. Vardaro, J.

Jul 31, 1996 Petition for Special Relief Pursuant to Pa. R.C.P. 1915.13, filed.

Aug. 2, 1996 Order filed. AND NOW, July 31, 1996, upon receipt and review of the Plaintiff's Petition for Special Relief , a Rule to Show Cause is issued and directed to the defendant to show cause, if any she has, why the prayer of the Petition should not be granted. Said rule is returnable for hearing and/or argument on **Friday, August 16, 1996,** at 2 o'clock p.m. in courtroom No. 1 of the Crawford County Courthouse.

The parent having custody of the children shall breing the children to the hearing. That means if the children on August 16, 1996 are in the custody of the defendant, she is ORDERED AND DIRECTED to bring the children to the hearing and may face contempt of court charges if she fails to do so.

BY THE COURT,
Gordon R. Miller P.J.
8-2-96 DISTRIBUTED Legal Services & Fuller,, Keenan

Aug. 13, 1996 Petition for Modification of a Custody Order filed.

Aug. 13, 1996 Petition for Modification of a Custody Order, Notice and Order to Appear and Order and Notice filed. You, MARIA A. Darnley, have been sued in Court to (obtain) (modify) custody, partial custody or visitation of the child(ren) Brenda, Kristy and Pamela Jo Darnley

You are ORDERED to appear in person at such time and place as will be determined by the Mediator 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.

BY THE COURT,
8/13/96 Anthony J. Vardaro, J.

AND NOW, this 13 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 courhouse; or the Court Administrator at the Crawford County Court House.

BY THE COURT:
Anthony J. Vardaro, J.
8-13-96 FAXED Sullivan, Keenan, Fuller & Spataro

Aug. 22, 1996 ORDER filed. AND NOW, August 16, 1996 both parties appeared with counsel and have agreed to a resolution of the immediate matter that's now before the Court, to wit: Petition for Special Relief, filed July 2, 1996.

Based upon the agreement of the parties, it is ORDERED as follows:

1. The petition for special relief is granted and the children shall remain with their father until further order of Court. We expect that mediation will take place quickly and quite possibly the matter would be resolved at that point.
2. The mother denies the allegations set forth in the petition for special relief. She is consenting to this order not because the petition has merit, but because it will save her additional potential transportation, she believes this is the expedient thing to do now, hoping that the matter will be resolved in mediation.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.
8-22-96 MAILED Mowrer & DISTRIBUTED Keenan

Sept 13, 1996 Certificate of completion of the Seminar for Separating Parents for PHILLIP DARNLEY, filed.

Sept. 23, 1996, Appearance of N/W Legal Services, by Lori A. Maurer, attys. for defendant filed.

Sept. 27, 1996 Petition to Waive Mandatory Seminar for Separating Parents under Local Rule 1930 and to Reappoint John Fuller, Es., as Mediator filed.

Sept. 30, 1996 ORDER filed. AND NOW, September 27, 1996, upon consideration of the petition to waive the mandatory seminar for separating parents and to reappoint John Fuller, Esquire as mediator in this case insofar as he has been involved previously. The appointment of John Spataro, Esquire is rescinded.

Additionally, the Defendant, Marie Darnley shall attend a similar program for separating parents in Louisiana if there is one available; and if there is not one available, she shall certify on the record on a verification form or under oath that there is not such a program available and thereafter her attendance shall be waived.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.
10-1-96 FAXED Fuller, Spataro, Keenan & Maurer (NWLS)

Record Continued on Page 256 (-d-)

1994

PHILLIP DARNLEY

VS.

MARIE A. DARNLEY

RECORD CONTINUED FROM PAGE 256 (c)

OF

AD 1994 - 706

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Nov. 8, 1996 ORDER filed. AND NOW, Nov. 8, 1996 after mediation conference before John Fuller, Esq., IT IS ORDERED AND DECREED AS FOLLWOS, TO-WIT:

I. Parties are ordered to abide by the Consent Custody Order dated Feb. 13, 1996 and by the Order of March, 1996.

II. This order shall be a temporary order but shall become a permanent order unless exceptions are filed within twenty (20) days after the date hereof.

III. During the time allowed for filing exceptions and pending further hearings, if any, the children shall be in the mother's custody and she may return with the children to Louisiana pending further hearings, if any.

IV. Cost of the mediation conference shall be paid by Crawford Co. The Prothonotary of Crawford Co. is hereby directed to refund any deposit paid in advance.

Gordon R. Miller, Judge

Nov. 12, 1996 Order FAXED Attys. Maurer and Keenan.

Nov. 21, 1996 Request for Hearing and Order filed. AND NOW, this 19th day of November, 1996, upon consideration of the within Request, hearing is scheduled for the 6th day of February, 1997 at 9:15 o'clock A.M. in courtroom 1.
By the Court:
Gordon R. Miller, J.
11-22-96 FAXED Keenan, Maurer & Fuller.

Feb 21, 1997 Opinion & Order, filed.
Dated: February 7, 1997 Gordon R. Miller, P.J.
Feb 21, 1997 Dist Keenan & Maurer
Feb 25, 1997 faxed Fuller

Feb. 19, 1997 Petition for Reconsideration by Plaintiff and Order filed. AND NOW, this ____ day of February, 1997, upon consideration of Plaintiff's Petition is denied. The court is aware of these factors. We are maintaining the status quo and affirming a consent order intend sometime ago. Gordon R. Miller, J.

Feb. 21, 1997 Exhibits filed.

July 14, 1997 Petition for Review of Feb. 18, 1997 Order filed. AND NOW, July 18, 1997, Hearing is scheduled for Wednesday, August 6, 1997, at 9:00 A.M., C.R. 3.
FOR THE COURT,
Ann A. Walker, Ct. Admin.
7-18-97 FAXED Keenan & Maurer

July 18, 1997 Petition for Special Relief by Defendant and Order filed. AND NOW, this 18 day of July, 1997, upon consideration of Defendant's Petition for Special Relief, it is hereby ordered as follows:

(1) If Defendant purchases airline tickets for the children to return to her custody, Plaintiff, Phillip Darnley, shall provide transportation for the subject minor children from his home in Espyville to the Cleveland airport on or about August 4, 1997 and make sure that the children board the flight scheduled by Defendant, Maria Darnley, for the return of the children to her custody in Louisiana during the first week of August 1997. Defendant will then meet the children at the New Orleans airport;

(2) If Defendant purchases bus tickets to return the children to her custody, she will meet the children at the Meadville bus station and Defendant shall provide transportation for the children from his home in Espyville, Pa. to meet Maria Darnley at the agreed-upon time;

(3) Violation of this Order may result in contempt of court proceedings.

BY THE COURT,
Anthony J. Vardaro, J.
7-18-97 DISTRIBUTED Deft. & FAXED Maurer & Keenan

August 8, 1997 Exhibits filed.

Jan 12, 1998 Petition to Proceed In Forma Pauperis Pursuant to Pa. R.C.P. 240 and Order: AND NOW, 1-8-1998, 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. Anthony J. Vardaro, J.
Jan 21, 1998 Faxed Keenan & Brode & Fuller

Jan 13, 1998 Modification of Custody Complaint and Order: You, Maria Darnley, have been sued in Court to modify custody, partial custody or visitation of the children: Brenda, Kristy,Pamela.

You are ORDERED to appear in person at such time and place as will be determined by Mediator John Fuller, 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.
Date: 1-9-98 Anthony J. Vardaro, J.
Jan 21, 1998 Faxed Keenan, Brode, Fuller
AND:

ORDER: AND NOW, this 9 day of January, 1998 a Complaint in Divorce being filed herewith which avers that there are children of the marriage under the age of 18 years. It is ORDERED and DECREED that the parties shall comply with Crawford County Civil Rule L1930 and shall attend and complete the Seminar for Separating Parents.

Application must be made by the Plaintiff within fifteen (15) days after he/she filed the Complaitn in this action; and the application must be made by the Defendant within fifteen (15) days after he/she was served with the Complaint.

Each party is required to complete the seminar within forty-five (45) days after he/she makes application.

Anthony J. Vardaro

ORDER: AND NOW, this 9 day of January, 1998, 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 plaitniff 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 complaitn 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. through 5. (see paper filed) Anthony J. Vardaro, J.
Jan 21, 1998 Faxed Keenan, Brode, Fuller

Continued on Page 256e

PHILLIP DARNLEY
vs
Marie A. Darnley

CONTINUED FROM PAGE 256 -(d)
of Record
AD 1994-706

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January 27, 1998 PETITION FOR SPECIAL RELIEF ON BEHALF OF MARIA A. DARNLEY FILED.

January 27, 1998 ORDER FILED. AND NOW, this 26th day of Jan, 1998, upon consideration of the petition for special relief it is ordered as follwos:

1. While it is true that the mother has an order granting custody to her and while we normally would require compliance with that order until arother hearing, it appears that circumstances have changed, especially by reason of the fact that the mother refused custody shortly after she was granted custody the last time. Therefore the children shall remain with the paternal grandmother until the Court can hold a hearing notwithstanding the language of our last order.

2. A hearing is scheduled fro Wed, Feb. 4, 1998 at 9:00 o'clock in Courtroom No. 1. The Court can only devote one hour to this hearing at that time because of the court schedule. If the mother does not believe that she can make that hearing on such short notice or that one hour is not sufficient to present her case then her attorney should file a motion with the Court to reschedule the hearing. The parties are cautioned that the Court will only devote one hour on that day. They are further cautioned that if two to four hours is needed then the matter will be heard sometime in late April or May. At the moment the Court schedule is extremely crowded.

BY THE CCURT
Gordon R. Miller, PJ

1/7/98 DISIRIBUTED NW LEGAL SERVICES, PLTF (JAIL) WORK RELEASE & SHERIFF

January 27, 1998 SHERIFF'S RETURN FILED. Served Maria A. Darnley the complaint by sending it out certified mail, return receipt dated on 1-17-98.
So answers

Robert M. Stevens, Sheriff

Feb. 6, 1998 Re: Petition for Special Relief and ORDER filed. AND NOW, FEb. 4, 1998, after a brief formal hearing on the mother's petition for special relief, the Court finds that both parents have failed. The mother was given custody last summer and kept the children for three (3) weeks, found that she was living in a motel and could not take care of the children and asked the father to come and get them. That disappoints the Court greatley.

In the meantime, the father is in jail for an assault, and admits to drug and alcohol abuse while the children have been in his custody most recently. He has failed. The children are not doing well in school. The Court will not remove the children at this point.

Accordingly, it is ordered as follows:

1. The parents shall share legal and physical custody of the minor children. Primary physical custody of the children shall be with the father until further Order of Court.

2. The parties are free to make additional or alternative plans respecting the custodial custody, and we strongly urge them to do so, provided that any agreement between the parties be placed in writing so that there will be no credibility issues in the event of another hearing before the Court.

In the event the mother comes to PA. sometime between now and the summer months, she shall notify the father and they shall reach an understanding as to periods of visitation the mother may have. (SEE PAPERS FILED FOR FURTHER INFORMATION).

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

Feb. 6, 1998 Order Distributed by Court to Deft. at Jail, CYS, Adult Probation; Atty. Maurer given copy by Prothonotary.

FEb. 6, 1998 EXHIBITS FILED.

Feb. 9, 1998 ORDER FILED. AND NOW, August 6, 1997 the Order of Feb. 7, 1997 and February 13, 1995 are affirmed in all respects.

The mother shall take the children this date and return them to Louisiana.

There shall be no scene at the bus station, infact, the father shall not go to the bus station this time.

When the children are with their father the father shall not listen in on the phone calls with their mother. If he uses a speaker phone that is okay so long as he is not present in the room.

Because of the difficulty that took place the last time the children went with their mother we hereby provide the following directions to the parties with respect to the exchange that will take place this afternoon.

We expect both parties to follow this without fail or be in contempt with a penalty of fine or incarceration or both.

The children shall go with their father to his home to pack up their belongings and to say goodbye to their grandparents.

They shall return to the Meadville bus station by 2:40 PM.

The father shall not go to the bus station with them. They shall be taken to the bus station by Sandra Darnley who has graciously agreed to help us with this matter.

BY THE COURT
Gordon R. Miller, PJ

2/11/98 FAXED KEENAN, BRODE & FULLER

May 19, 1998 Report of CYS on Philip Darnley, filed.

May 19, 1998 ORDER: AND NOW, May 15, 1998, the Court has received and reviewed the Home Study Report prepared by Crawford County Children & Youth Services as ordered in our last order and accordingly it is ordered as follows:

1. The original home study shall be filed of record in this custody action.

2. The Prothonotary shall send a tarue and correct copy of this home study to Lori Maurer, Esquire, attorney for the mother.

Gordon R. Miller, P.J.

May 19, 1998 Dist. Maurer

May 11, 1999 Notice of Substitution of Counsel filed. Please substitute E. Scott Lowicki, Esq. for that of Dimitra Y. Massey Esq. as counsel of Recrod for the Defendant in the above-captioned matter. Northwestern Legal Services

May 11, 1999 Motion to Withdraw Appearaqnce and Order filed. And Now, this 12th day of May 1999 upon consideration of the Motion of E. Scott Lowicki Esq to withdraw his appearance on behalf of Maria A. Duplechin f/k/a Maria A. Darnley in the above-captioned matter, said Motion is hereby granted.

By the Court
Gordon R. miller, J

5/12/99 Faxed Lowicki

1994

707.

SHELLY ZIMMER

vs.

ROBERT TOTH

Filed July 19, 1994
@ 1: 45 p.m.

Tax & entry paid $10.50
state paid 5.00

CERTIFIED COPY OF
PETITION FOR PROTECTION FROM ABUSE FROM THE COURT
OF COMMON PLEAS OF ERIE COUNTY, PENNSYLVANIA
(# 13666 - 1994)

(see paper filed for the July 15, 1994 Order from the court of common pleas of Erie County, Pa.)

Sep. 20, 1994 ORDER filed. AND NOW, this 26 day of July, 1994, upon consideration of the Petition for Protection from Abuve, and a final hearing upon said petition having been heard on this 26 day of July, 1994, at 9:A.M. in Courtroom No. 3, it is hereby ORDERED, ADJUDGED and DECREED that:

(1) Temporary custody is granted to the Petitioner of the parties' children for a period of one year fromthe date of this Order. (NOTE: Prior to the expiration of the one year period, it is recommended that either party file a separate action requesting a hearing before the Custody Counselor to obtain custodial rights of a more permanent nature.)

(2) Possession of the Petitioner's present residence and any other residence that he/she may reside, is granted to the Petitioner for the exclusive occupancy by her/him and his/her children for a period of year from the date of this Order. Defendant, Robert Toth is completely excluded from said residence for the same one-year period and shall have no license to be present on thepremises.

(3) Respondent is prohibited from striking,hitting, threatening, abusing or harassing Petitioner and the minor children at any locationincluding but not limited to Petitioner's residence, his/her place of employment and the children's school.

(4) There shall be no personal contact between the parties, except that telephone contact will be permitted for the limited purpose of communication with the minor children or for arranging visitation with the minor children. The Respondent shall stay at least one hundred (100) yards away from the Petitioner.

(5) That the Sheriff's Department, or any other police agency within the area of the residence of the Petitioner, including the State Police are instructed to enforce this Order.

(6) Should the Respondent violate this Order,he is to be arrested and then cited for indirect criminal contempt before a District Justice. An arrest for violation of this Order without a warrant, based solely upon probable cause, whether or not the violation is committed in the presence of a police officer.

(7)Plaintiff (Petitioner) is ordered not to invite, entice or encorage the Respondent to violate this Order in any fashion, he or she may be subject to sanctions of this court which can include incarceration up to six months.

(8) Consent to entry of this Order is not an admission to the allegations.

(9) Defendant was served.

(10) This order shall be a warrant for arrest of the Respondent uponprobable cause of a violation.

(11) This order shallexpire on July 26, 1995 unless extended by the Court. Otherwise this case will be closed.

Jessamine S.Jiuliante, J

9-26-94 Copy Mailed to Plft & Deft

1994

Shafer, Swick, Bailey, Irwin and Stack
Louis J. Stack

708.

Marsh, Spaeder, Baur Spaeder & Schaaf
John P. Eppinger

BANK ONE, YOUNGSTOWN, N.A.

vs.

ROBERT L. MATTOCKS AND MARCELLE M. MATTOCKS

vs

GARNISHEES:
LAURIE COONEY
RANDY ROZELLE
HAROLD WEIR
DOROTHY SWIFT
Filed July 19, 1994
@ 3:14 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	34.00
arb. paid 10/7/94	15.00
Pro Co pd 2-15-95	9.00
Pro.Co. Pd 11/13/95	9.00
Pro Co pd 1-9-96	10.00

COMPLAINT

2 copies (sheriff)

Aug. 5, 1994 Answer and New Matter, filed.

Aug. 10, 1994 Sheriff's Return filed. SERVED Robert L. Mattocks personally on July 27, 1994 at 9:29 AM by handing a copy of the Complaint to him at the residence, R.D.#1, Box 99, Guys Mills, Crawford County,PA.
SERVED Marcelle M.Mattocks on July 27, 1994 at 9:30 AM by handing a copy of theComplaint to Robert Mattocks, her Husband, at their residence, R.D.#1, Box 99, Guys Mills, Crawford County, PA.
So answers Shawn E.Ashbaugh,Deputy Sheriff
Robert M. Stevens, Sheriff

Aug. 17, 1994, Reply to New Matter filed.

Oct. 3, 1994, Upon praecipe of plaintiff attorney, for reference to the arbitrators, the following arbitrators are appointed:
David Hotchkiss, Ch.
Bruce Smith
John Gagliotti

Oct. 13, 1994 Arbitrators take wualifying oath.

Nov. 9, 1994 Praeciple to Withdraw Reference to Arbitrators, filed.

Dec. 29, 1994 Motion for Entry of Consent Judgment, filed. AND NOW, this 22 day of December, 1994, comes the Plaintiff, BANK ONE, YOUNGSTOWN, N.A. by its attorneys, SHAFER, SWICK, BAILEY, IRWIN & STACK, and the Defendants ROBERT L. MATTOCKS and MARCELLA M. MATTOCKS by and through their attorneys MARSH, SPAEDER, BAUR, SPAEDER & SCHAAF and files this Motion for Entry of Consent Judgment, whereof the following is a statement:
1. The Plaintiff, BANK ONE, YOUNGSTOWN, N.A., filed an action in Complaitn on or about July 18,1994 against defendants for money due and owing ona note securing a 1992 Eagle Talon in the amount of $4,457.59 plus interes tfrom July 18, 1994 at 8.50% per annum and costs of suit.
2. The Defendants consent to the entry of judgment in the amount of $4,457.59 plus interest from July 18,1994 at 8.50% per annum and costs of suit.
3. The Plaintiff agrees not to proceed with execution at this time pending Defendants' answers to Interrogatories in Aid of Execution.
4. The Plaintiff also agrees to withdraw its praecipe for reference to arbitrators which was filed october 3, 1994 with this court.
WHEREFORE, the parties respectfully request this Honorable Court to enter the Consent Judgment in the amount of $4,457.59 from July 18, 1994 at 8.85% per annum and costs of suit.
Louis J. Stack,Esq.

Dec. 29, 1994 ORDER filed. AND NOW, this 23 day of December, 1994, the Court does hereby grant the motion for entry of consent judgment by the parties to this action.
Anthony J. Vardaro, J.
M - 145, 223
Jan. 5, 1995 Faxed to Stack, sent to Eppinger

Feb. 7, 1995 Praecipe For Entry Of Consent Judgment, filed. AND NOW, this 7th day of February, 1995, comes the above named parties and requests that judgment be entered against the Defendants ROBERT L. MATTOCKS and MARCELLA M. MATTOCKS in the amount of $4,457.59, plus costs and interest from July 18, 1994, at the rate of 8.5% per annum pursuant to the attached Motion for Entry of Consent Judgment and Order.
M - 145, 223
Debt: $4,457.59 plus interest and costs
JUDGMENT
Barbara H. King, Pro.

Execution 1995-78

And Now, Nov.13, 1995 at 1:10 P.M. upon Praecipe of Plaintiff's Attorney, with notice of intention to file Judgment by Admission attached, judgment is hereby entered in favor of the plaintiff and the against Garnishees, LAURIE COONEY: RANDY ROZELLE: HAROLD WEIR and DOROTHY SWIFT in the above captioned matter in the amount of Four Thousand Four Hundred Fifty-seven and 59/100 Dollars plus interest from 7/18/94 at 8.85%,pursuant to Pa.R.C.P. 3146(b).
C-103; R-141; W-84; S-296;
Debt $4,457.59 plus interest
Judgment
Barbara H. King,Pro.

Entered Nov. 13, 1995
Atty. Stack
11-17-95 Notice to Defts.

Jan 4, 1996 Upon praecipe of plaintiff attorney to satisfy judgment against Grnishees in this matter the judgment is satified in full of record.

Jan 4, 1996 Uponpraecipe of plaintiff attorney judgment in this matter is satisfied in full of record.

1994

Shafer, SWick, BAiley
Irwin and Stack
James R. Irwin

709.

Barbara J.Walton

DAVID A. MEYERS

vs.

MARY ALICE MEYERS

Filed July 20, 1994
@ 10:18 a.m.

Tax & entry paid	$50.50
2 counts paid	30.00
state paid	10.00
state paid	15.00
Pro.Co. Pd 9/22/95	9.00

COMPLAINT IN DIVORCE, CUSTODY OF CHILD, EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION

2 copies (atty)

July 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 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 July 20, 1994. The Defendant acknolwedged service on July 23, 1994 by accepting deliver on that date as evidenced by the attached signed return rreciept

James R. Irwin

Jul. 29, 1994 Appearance of Barbara J. Walton, Esquire, Attorney for Mary Alice Meyers, Defendant, filed.

Mar. 16, 1995 Affidavit of Consent To Divorce of DEfendant filed.

Sep. 19, 1995 Affidavit of Consent by David A.Meyers, Plaintiff, filed.

Sep. 19, 1995 Upon Praecipe of James R. Irwin, Esquire,Attorney for Plaintiff to tramsit record, case moved to Court.

DIVORCE DECREE FILED

Sept. 26, 1995 AND NOW, this 25th day of September, 1995, it is ordered and decreed that DAVID A. MEYERS, Plaintiff, and MARY ALICE MEYERS, Defendant, are divorced from the bonds of matrimony.

It is further ordered that the parties' Separation and Property Settlement Agreement dated Sept. 11, 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.

1994

Kathleen R. Nelson

710.

$150.00 mediation fee paid by plff on 7/20/94

10-27-94 Pd Mediator Pineo # 8630 25.00

10-27-94 Pd Plff per Nelson # 8631 116.00

TAMMY M. CLARK

vs.

STEPHEN W. CLARK

Filed July 20, 1994
@ 11:16 a.m.

Tax & entry paid	$50.50
2 counts paid	30.00
state paid	15.00
state paid	10.00
William Pineo, Mediator	
Pro Co Pro Co Pd 12-16-94	9.00
Pro Co pd 8-8-95	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
CUSTODY/VISITATION

July 20, 1994 Notice and Order to Appear, filed. You, Stephen W. Clark, Defendant, have been sued in court to obtain custody, partial custody or visitation of the child: Dustin M. Clark.

You are ordered to appear in person at such time and place as will be determined by teh 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.

BY THE COURT:
Date: 7-21-94 Gordon R. Miller, P.J.
July 25, 1994 Faxed Pineo, cert copy to Nelson
Aug. 1, 1994 copy to Dft.

Sept. 28, 1994, Complaint reinstated.

Oct. 4, 1994, Acceptance of Service filed. I, Stephen W. Clark, dft. in the above captioned matter, hereby accept servcie of the complaint in divorce, filed.
Dated: 9/22/94 Stephen W. Clark.

Oct. 5, 1994 CONSENT CUSTODY ORDER, filed. AND NOW, this 4 day of October, 1994, upon Stipulation of the parties to this action, the following Order is hereby entered:

1. Legal custody of Dustin M. Clark shall be shared between the parties hereto, with each parent entitled to records relating to the child held by a third party including, but not limited to, school and medical records. Both parents are entitled to equal input with regard to the child's health, education, religious instruction, and other important decisions.

2. Physical custody of Dustin M. Clark shall be shared between the parties hereto as follows:

a. Mother shall have the child in her care and custody for a seven day period beginning on Sunday at 12:00 noon and ending on the following Sunday at 12:00 noon, at which time the Father shall take the child into his care and custody for a seven day period ending at 12:00 noon the following Sunday. The parties shall continue to alternate physical custody of the child on an every other week basis throughout the calendar year.

b. Holiday visitation shall be arranged between the parties, however, in the event no agreement is reached, the following schedule shall apply:

i. Thanksgiving

During even years, the child shall be in the custody of the Mother from the evening before Thanksgiving until 2:00 p.m. on Thanksgiving Day. Father shall then have custody of the child from 2:00 p.m. Thanksgivign Day until 2:00 p.m. the day after Thanksgiving. In odd numbered years, the child shall be with the Father from the evening brfore Thanksgiving until 2:00 p.m. on Thanksgivign Day until 2:00 p.m. on the day after Thanksgiving.

II. Christmas

During even years, the child shall be in the custody of the Mother from Christmas Eve until 2:00 p.m. Christmas Day. Father shall then have custody of the child from 2:00 p.m. Christmas Day until 2:00 p.m. the day after Christmas. In odd numbered years, the child shall be with the Father from Christmas Eve until 2:00 p.m. Christmas Day, and with the Mother from 2:00 p.m. on Christmas Day until 2:00 p.m. on the day after Christmas.

3. The parties shall share the responsibility for transportation as they shall agree. If there is no agreement, the party receiving the child in the exercise of his or her visitation shall pick up the child at the home of the other parent.

4. Both parents shall keep all firearms under lock and key at all times when the minor child is in his or her care and custody, and the minor child shall have no access whatsoever to said firearms.

5. The child shall be permitted to telephone the home of the parent not then in physical custody, and said telephone calls shall not be overly monitored by the other parent.

6. The parties shall see that the child feels free to take his possessions, i.e., toys, clothing, etc., to and from the homes of both parents, without consideration as to who provided said possession to the child.

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

8. Neither parent shall use illegal drugs or be under the influence of alcohol at any time when said parent has the care and custody of the subject minor childen.

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

10. This Order is entered without prejudice to the right of either party to request a mediation conference at some time in the future. Anthony J. Vardaro, J.
Oct. 5, 1994 Faxed Nelson Oct. 10, 1994 Faxed Fuller, sent Plf. & Dft.

Oct. 4, 1994 Motion to Withdrawal of Count in Divorce and Order, filed. AND NOW, this 13th day of October, 1994, the above Motion is granted. Gordon R. Miller, P.J.
Oct. 17, 1994 given Nelson
Oct. 18, 1994 Faxed Pineo

Oct. 27, 1994 Motion for Return of Custody Mediation Deposit and Order filed. AND NOW, this 24 day of October, 1994, the Prothonotary of Crawford County is ordered to refund to Tammy M. Clark, Plaintiff in the above referenced matter, the sum of $116.00 for unused mediation fees, after payment of $25 for mediator costs. Prothonotary is directed to pay William Pineo $25.00 in mediator costs.
BY THE COURT
Anthony J. Vardaro ,J

Oct. 27, 1994 Faxed Nelson & Pineo

Apr 11, 1995 Affidavit of Consent of Defendant filed.

Apr 11, 1995 Amended Acceptance of Service filed.

Aug 1, 1995 Affidavit of Consent of Plaintiff, filed.

Aug 3, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

Continued on Page 260A

1994

Tammy M. Clark

vs.

Stephen W. Clark

Record Continued from page 260

of

AD 1994 - 710

Aug. 11, 1995, ORDER filed. This divorce matter has been referred tothe court for review and decree. The court has reviewed the record and is returning the record to Prothonotary. A final decree will not be entered at this time because:

The dft. was not served with process within 30 days after the date of the filing of the complaint or reinstated complaint. Pa. R.C.P. 401(a) Lauterbach vs. Lauterbach, 202 Pa. Super. 260 195 A.2d 159 (1963) Fox v. Thompson, 327 Pa. Super. 39, 546 A.2d 1146 (1988). The original divorce complaint was filed on July 20, 1995 and reinstated on Sept. 28, 1994.Defendant sign3d an acceptance of service dated Sept. 22, 1994 which was more than 30 days after the filing and prior to the reinstatement of the original complaint. An amended acceptance of service was filed on Apr. 2, 1995 but does not indicate that service was made 30 days after July 20, 1995 or 30 days after Sept. 28, 1994.

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

BY THE COURT,
Anthony J. Vardaro, J.

8/14/95 copy to Atty. Nelson.

Sept. 12, 1995, Amended Acceptance of Servcie filed. (actual date of Service 9/29/94 instead of 9/22/94)

Sept. 12, 1995, Upon praecipe of plaintiff attorney, for review, this case resubmitted to the court.

DIVORCE DECREE FILED

Sept. 18, 1995 AND NOW, September 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 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.

260B

1991

1994

Halliday and Halliday
Michael Halliday

711.

pro se

George Gray

PATRICIA J. WAGNER

vs.

BERNARD R. WAGNER AND
DAVID L. WAGNER

Filed July 20, 1994
@ 1:14 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	31.00

COMPLAINT IN CIVIL ACTION

3 copies (atty)

July 26, 1994 Sheriff's Return filed. SERVED Bernard R. Wagner personally on July 20, 1994 at 3:01 PM by handing a copy of the Complaint to him in Courtroom #1, of the Crawford County Courthouse, Second Floor, Meadville, Crawford County, PA. SERVED David L. Wagner on July 20, 1994 at 3:00 PM by handing a copy ofthe Complaint to Bernard R. Wagner, his Authorized Agent in courtroom #1, of the Crawford County courthouse, Second Floor, Meadville, Crawford County, PA.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Aug. 9, 1994, Answer and counterclaim filed.

Aug. 9, 1994, Motion to Produce directed to the Plaintiff, Patricia Wagner, filed.

(JURY TRIAL DEMANDED)

Aug. 16, 1994 Preliminary Objections, filed.

Sept. 9, 1994 Objections to Motion to Produce, filed.

Sept. 19, 1994 Motions For Sanctions and Order, filed. And Now, September 19, 1994 it is ordered that the Defendant's shall answer all discovery within 30 days of this date. This Order is entered by consent of Defendnt's counsel. Anthony J. Vardaro, J.
September 19, 1994 Faxed Halliday & Jorden

Oct.

Oct. 17, 1994 Motion For Summary Judgment on Count 1 of the Complaint Pursuant to Pa. R.C.P. No. 1035, filed.

Oct. 17, 1994 Certificate of Service of Motioin and Brief in Support of Motion for Summary Judgment on Count 1 of the Complaint, filed.

Oct. 17, 1994 Praecipe To Place Motion For Summary J. On The Argument List, filed.

ON ARGUMENT LIST FOR NOVEMBER 1994

Oct. 24, 1994, Motion for a Protective Order filed.

Oct. 24, 1994, MEMORANDUM AND ORDER filed. ORDER: AND NOW, Oct. 21, 1994, after consideration of the Defendants' Motion for protec tive order and after oral argument, it is ordered that the motion is granted and the defendant Bernard R. Wagner shall not be required to answer the plaintiff's first set of interrogatories until 20 days following the date of disposition of Defendant Bernard R. Wagner's motion for summary judgment on the issue of whether the plaintiff is in fact a partner. BY THE COURT,
Anthony J. Vardaro, J.

10/24/94 Faxed by court.

Nov. 16, 1994 Statement of Material Facts Pursuant to Rule L1035A, filed.

Nov. 16, 1994 Certificate of Service of Statement of Material Facts Pursuant ot Rule L1035A.

Nov. 9, 1994 ORDER filed. AND NOW, November 9, 1994, Defendant Bernard Wagner's motion for summary judgment has been filed and is scheduled for argument before the undersigned on November 28, 1994.
No statement of facts as required by Crawford County Local Rule L1035A has been attached to the motion and, accordingly, Bernard Wagner is directed to do so within 10 days of the date of this order. If he fails to do so, argument with regard to the motion for summary judgment will be stricken without prejudice to him to place it on the argument list again once he has complied with that rule.
If the statement is filed within 10 days, the Plaintiff shall file a response as required by Crawford County Local Rule L1035B on or before November 28, 1994. BY THE COURT:
Anthon J. Vardaro, J.
Nov. 9, 1994 copies dist by Crt.

Nov. 23, 1994 Plaintiff's Answer and Response to Defendants' Motion for summary Judgment and Brief filed.

Nov. 29, 1994 Certificate of Service of Reply Brief in Support of Motion for Summary Judgment on Court 1 of the Complaint filed.

Nov. 29, 1994 Certificate of Service filed.

dec. 19, 1994 Affidavit of Plaintiff filed.

Dec. 19, 1994 Memorandum and Order filed. AND NOW, December 16, 1994, the Defendant Bernard R. Wagner's motion for summary judgment is denied. BY THE COURT
Anthony J. Vardaro, J

Dec. 19, 1994 copies dist. to Halliday & Gray

Thomas, Truax, Spadafore, Walker, Keenen
Gergory A. Keenan

712.

R. Christopher Brode

$150.00 mediation fee paid by plff on 7/20/94

10-14-94 Pd Pltf
Keenan Legund #8610 52.50
Pro Co #8732 Judge 88.50

JAMMIE C. JOHN

vs.

LEONA F. JOHN

Filed July 20, 1994
@ 4:52 p.m.

Tax & entry paid $50.50
state paid 5.00

William Pineo, mediator 177.00
Pro Co Pd 12-16-94 gpo

COMPLAINT FOR CUSTODY

1 copy (atty)
1 copy (mediator)

Order:

You, Leona F. John, have been sued in Court to obtain custody of Michael A. John, Zachery L. John and Tiffany G. John, You are ORDERED to appear in person at such time and place as will be determined by the Mediator, WILLIAM PINEO for a mediation conference.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

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

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

Gordon R. Miller, J.
7/19/94

Aug. 16, 1994 Affidavit of Service, filed. Gregory A. Keenan, Esquire, being duly sworn according to law, deposes and says that on July 22, 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, Leona F. John, at Defendant's last known address of 163 East State Road, Jamestown, Pa 16134, by Certifie dMail No. P 899 093 383 postage prepaid, return receipt requested, restricted delivery and that attached hereto is a duly executed return receipt card showing date of delivery as July 23, 1994.

Oct. 12, 1994 TEMPORARY ORDER, FILED. AND NOW, this 12 day of October, 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; Zachery; and Tiffany.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and major events in the life of the subject minor 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 every Saturday for six Saturdays, beginning October 1, 1994, from 9:00 A.M. to 6:00 P.M. There visitations will be spent at the home of the father's father. Beginning with the second week-end after the father shall have completed teh six Saturday visitations, he shall have visitation temporary physical custody on alternate week-ends, from Friday at 7:00 P.M. through Sunday at 4:00 P.M.

c. The father shall also have visitation temporary physical custody for one two week period in July and one one week period in August. He shall give the mother one week's notice of teh periods he wishes to select.

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

4. Holiday visitation shall be arranged as follows:

a. Christmas: There shall be two Christmas holiday periods. The first beginning on Christmas Eve at 7:00 P.M. and ending Christmas Day at noon and the second beginning at Christmas Day at noon and ending December 26th at noon. For Christmas, 1994, the mother shall have the first peeriod and the father, the second, and the parties shall thereafter alternate.

b. The other holidays to be observed are Easter, Memorial Day, Independence Day, Labor Day, and Thanksgiving. Holiday visitation shall be between the hours of 9:00 A.M. and 7:00 P.M. For Thanksgiving, 1994, the father shall have visitation and temporary physical custody and the parties shall thereafter alternate the holiday visitation periods.

c. The children shall spend Father's Day with the father from 9:00 a.m. to 4:00 p.m., and Mother's Day with their mother during the same hours.

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

5. 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 govrn.

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. The parties shalll select a pick-up and drop-off point midway between their residences and shall arrange to exchange the children there. The parties have advised the Mediator that presently they are agreed on the Grove City exit of I-79. Any person transporting the children shall make sure that 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.

CONTINUED ON PAGE 262A

1994 TERM

Jammie C.John
vs.
Leona F. John

CONTINUED FROM PAGE 262
of Record
A.D. 1994 - 712

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9. Neither party shall use illegal drugs or alcohol at anytime when said party has teh care and custody of the dubject 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 $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 Mediator was made by the father. The deposit shall first be appkied 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 from the date of this Order.

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.

Oct. 19,1994 Faxed to Pineo, Keenan & Brode. Sent to Plf. & Dft.

Nov. 21, 1994 Plaintiff's Petition For Contempt of Court, Special Relief and Custody Modification and Order, filed. AND NOW, this 21st day of November, 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 for the Petitioner for special relief, modification, costs and attorney fees as well as the imposition of sanctions for contempt should not be granted.

THIS SRULE IS RETURNABLE on the 14th day of December, 1994, at 3:00 o'clock P.M. in Courtroom No. 1 of the Crawford County Court House, Meadville, Pennsylvania. All visits shall be at the plainitffs father's home without fail. Should that not be possible then all visits shall be at defendant's fathers home.

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

Nov. 21, 1994 Faxed Brode, Keenan, Pineo

Dec. 13, 1994 Proof of Service filed. I hereby certify that a copy of the attached Court Order was served upon Respondent Jamie C. John's Attorney, Gregory A. Keenan, Esq. at 296 Chestnut Street, Meadville, PA 16335 by regular U. S. Mail onNovember 21, 1994.
Date: 12-13-94

R.Christopher Brode,Esq.

Dec. 20, 1994 ORDER filed. AND NOW, December 14, 1994, the parties appeared in open court on the Defendant's Petition for Contempt, Special Relief and Custody Modification, and the parties agree to resolve this matter on the following basis. The Plaintiff agrees that contempt has occurred. The Defendant is not seeking any sanctions.

Accordingly, it is ORDERED as follows:

1. The Plaintiff's Contempt Petition is dismissed.
2. The Plaintiff is ordered and directed to refrain from consuming alcoholic beverages, intoxicating liquors, beer or wine while the children are in his custody.
3. The Order of October 12, 1994, shall remain in full force and effect without change or modification.

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

12-20-94 Faxed to Attys. Brode & Keenan

262
-6-

1994 TERM

1994

Peters, Lindsay, Lewis
& Hatheway
Brian J. Lindsay

713.

$150.00 paid on 7/20/94
mediation fee

1-19-95 DA Pltf-Refund
8817 $150.00

ANNA CRAY

vs.

MARK CORNMAN

Filed July 20, 1994
@ 4:52 p.m.

Tax & entry paid $50.50
state paid 5.00
William Pineo, mediator

COMPLAINT FOR CHILD CUSTODY
1 copy (atty)
1 copy (mediator)

Order:
You, Mark Cornman, , have been sued in Court to obtain custody of Bridgette Nicole Cornman
You are ORDERED to appear in person at such time and place as will be determined by the Mediator, WILLIAM PINEO, for a mediation conference.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

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

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

Gordon R. Miller, J

Dated: 7/19/94

Aug. 1, 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 I did on the 25th day of July. 1994, send to the above named Defendant, by Certified Mail, Return REceipt Requested, a true and correct copy of theComplaint for Child Custody filed at the above term and number; and that I did on the 1st day of August, 1994, receive a duly executed return receipt dated July 29, 1994.
August 1, 1994 Brian J. LIndsay, Esquire

Jsn. 19, 1995 Motion For Return of Mediator's Fees and Order, filed. AND NOW, this 18th day of January, 1995, upon consideration of the Motion for Return of Mediator's Fee, the Prothonotary's Office is directed to refund the Plaintiff $150.00 for the deposit of Mediator's fees.

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

Jan. 19,1995 Faxed Lindsay

1994

Rosen, Rosen & Bloom
Bruce T. Rosen

714.

$150.00 mediation fee paid by plff-7/20/94

10-18-94 Rec'd from dft mediation fee $68.50
10-18-94 Pd Plff per Rosen # 9614 refund 52.50
12-6-94 Pd Co #8732 177.00
7-6-95 Rec'd from Plff med fee 150.00
7-17-97 Pd. Plff. Refund # 10445 102.50
2-4-97 Rec'd from dft med fee 38.50
5-21-97 Pd Co #11030 77.00

CHERYL A. CARBAUGH

vs.

HARRY R. CALDWELL

Filed July 20, 1994
@ 4:52 p.m.

Tax & entry paid $50.50
state paid 5.00
~~Bruce L. Smith, mediator~~ withdrawn
William Pineo, Mediator 177.00
Pro Co Pd 12-15-94 90.00
Pro Co Pd 5-21-97 90.00

COMPLAINT FOR CUSTODY

Order:

You, Harry R. Caldwell , have been sued in Court to obtain custody of Barbara Caldwell and Mark Caldwell. You are ORDERED to appear in person at such time and place as will be determined by the Mediator, Bruce Smith for a mediation conference.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

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

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

Date: 7/19/94 Gordon R. Miller, J.

July 28, 1994 Motion To Vacate Appointment of Mediator and Order, filed. NOW, this 27th day of July, 1994, in consideration of the within Motion, the appointment of Bruce L. Smith as Custody Mediator in this case is vacated, and William Pineo is appointed Mediator in his place. Gordon R. Miller, P.J.
July 28, 1994 Faxed Pineo, Smith & Rosen, mailed Dft.

Oct. 12, 1994 TEMPORARY ORDER, filed. AND NOW, this 12 day of October , 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, Barbara Cladwell and Mark Caldwell.

2. The parties shall share with each other any and all information which each may have reagarding 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 primary physical custody of the subject minor children.

b. The mother shall have temporary physical custody and visitation of the first three full week-ends of each month, from Friday, at the close of school, if school is in session, or from 5:00 P.M. if school is not, through Sunday at 6:00 P.M. A full week-end is defined as a week-end in which Saturday and Sunday occur within the same month. The mother shall also have visitation and temporary physical custody of the subject minor children, one night each week, from the close of school, if school is session, or from 5:00 P.M. if school is not, through the following morning of the opening of school, if school is in session, or until 8:00 P.M. if school is not. The mother shall notify the father one week in advance of the night she wishes to disignate.

c. Each of the parties shall have the right to designate a atwo week period each summer, during the children's school summer vacation during which he or she will have exclusive physical custody of the children with no visitation being accorded the other party. The parties shall designate the two week periods and notify each other, working out any confilicts, by May 31 of each year.

4. Holiday visitation shall be arranged as follows:

a. Christmas: There shall be two Christmas holiday periods. The first beginning on Christmas Eve at noon and ending Christmas Day at 11:00 A.M. and the second, beginning at Christmas Day of 11:00 A.M. and ending December 26, 1994 at 11:00 A.M. The father shall have the first period each year, and the mother, the second.

b. Thanksgiving: There shall be two Thanksgiving holiday visitation periods. The first beginning at 4:00 P.M. the Wednesday preceding Thanksgiving and ending at 3:00 P.M. Thanksgiving Day, and the second beginning Thanksgiving Day at 3:00 P.M. and ending the Friday after Thanksgiving at 3:00 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 priods, the first beginning on Holy Saturday at 7:00 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 8:00 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 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 durign the same hours.

e. The other holidays will be arranged by the parties.

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 cnacellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

CONTINUED ON PAGE 264A

1994 TERM

Cheryl A. Carbaugh
vs.
Harry R. Caldwell

CONTINUED FROM PAGE 264
of Record
A. D. 1994 - 714

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&. 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 restraints are used in accordance with the laws of Pennsylvania. 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 children to give to the other party that love and respect which is due a parent from his or her children.

9. Neithe 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 $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 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.

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.

Oct. 13, 1994 Faxed to Pineo, Irwin & Rosen. Sent to Plf. & Dft. 10-19-94

Oct. 24, 1994, Request for Hearing De Novo and Order filed. ORDER: AND NOW, this 24 dayof Oct. 1994 upon presentation and consideration of the foregoing Request for Hearing De Novo, a hearing is s cheduled with thecourt of Common Pleas of Crawford County, Pa. onthe 22 day of Nov. 1994 at 1:30 p.m. in C. R. No. 1 2 or 3 of the Crawford County Courthouse, Meadville, Pa.

BY THE COURT,
Anthony J. Vardaro,J.

10/24/94 faxed to Rosen and Irwin.

Nov. 28, 1994 ORDER filed. AND NOW, November 22, 1994 at the time the matter is before the Court for de novo custody hearing, the matter is informally reviewed with counsel and the parties. The Court and counsel likewise interviewed, inprivate,the two minor children, and this Court is satisfied that the present custody and visitation order meets the general desires and needs of both children in sharing time with their parents.

Accordingly, with the consent of counsel for both parties,no detailed de novo custody hearing is necessary. The Court, counsel, and the children agree that the most appropriate weekly overnight stay with mother would be Wednesday of each and every week, unless both parents agree to meet special conditions another night as occasionaly substituted for Wednesday.

In all other respects,the order heretofore entered as a temporary order on October 12, 1994 remains in force and effect.

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

11-28-94 Copies dist.to Rosen & Irwin

July 10, 1996Motion for Leave to Reappoint Custody Mediator filed.

July 10, 1996, ORDER filed. And Now, July 9, 1996, upon consideration of the plaitniff's Motion we decline to grant said motion insofar as essentially this is a Petition to Modify in which a mediation conference is requested and, therefore, plaintiff must comply with Crawford County Civil Rule L1930.

by the court,
Anthony J. Vardaro, J.

7/10/96 faxed to Rosen, 7/12/96 given Pineo and Irwin.

Aug. 20, 1996 Motion for Leave to Re-Appoint Custody Mediator on behalf of Plaintiff, ORDER, and Order and Notice filed. You, HARRY R. CALDWELL, have been sued in Court to obtain custody, partial custody, or visitation rights of BARBARA CALDWELL.

William Pineo, Esquire, is re-appointed Mediator for the purpose of conducting a conference with respect to the issue raised in the Complaint. The Mediator shall conduct such a conference with respect to the issues raised in the Complaint. The Mediator shall conduct such a conference and shall report to the Court as to whether or not the issues raised in the Complaint are capable of resolution by agreement between the parties. The Mediator shall confer with the parties and make every effort to achieve negotiated resolutions of the issues raised in the Complaint. If no such resolution can be achieved, the Mediator shall so report to the Court. He shall also submit an interim proposed order which shall include a hearing date before the Court.

You are further ordered to appear before the Mediator at such time as the mediator shall establish. If you fail to appear as provided by this Order or to bring the child or children, 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.
8-21-96 FAXED Bruce Rasen, J. Irwin * W. Pineo

ORDER AND NOITCE: AND NOW, this 20 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 Courthouse; or the Court Administrator at the Crawford County Courthouse.

BY THE COURT
Anthony J. Vardaro, J.

8-21-96 FAXED B. Rosen, J. Irwin, W. Pineo

Aug 23, 1996 Certificate of completion of the Seminar for Separating Parents for CHERYL A. CARBAUGH, filed.

Sept 6, 1996 Affidavit of Service: BRUCE T. ROSEN, being first duly sworn according to law, deposes and says that he did, on Aug 27, 1996, forward a true and correct copy of the MOTION FOR LEAVE TO RE-APPOINT CUSTODY MEDIATOR, ORDER AND NTOEICE, ORDER, filed at the above number and term, together with Seminar for Separating Parents application to HARRY R. CALDWELL, the above named defendant, which Complaint in Divorce was properly enveloped and addressed to said defendant at R.D.#3, Titusville, PA 16354, delivered to the Postmaster at Oil City, Pennsylvania, on said date, as will appear by reference to Postal Receipt No. P 542 127 836, marked Ex. "A" and made a part hereof; attached hereto and made a part hereof is the return receipt issued by the postal authorities purporting to be signed by said Defendant on Sept 4, 1996 showing address of 11167 Ralston Rd., Titusville PA 16354, which return receipt is marked Ec. "B".

Continued Page 264-B

714. | CHERYL A. CARBAUGH VS HARRY R. CALDWELL | CONTINUED FROM PAGE 264-A OF RECORD A. D. 1994 - 714

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Oct. 24, 1996 Certificate of Completion of Separating Parents Seminar by HARRY R. CALDWELL filed.

Nov. 19, 1996 Motion For Leave to Re-Appoint Custody Mediator and Order filed. You, Harry R. Caldwell, have been sued in Court to obtain custody, partial custody or visitation rights of Barbara Caldwell. William Pineo, Esquire, is appointed Mediator for the purpose of conducting a conference with respect to the issues raised inthe Complaint. The Mediator shall conduct such a conference and shall report to the Court as th whether or not the issues raised in the Complaint are capable of rresolution by agreement between the parties. The Mediator shall confer withe the parties and ma make every effort to achieve negotiated resolutions of the issued reaised in the Complaint. If no such resolutions can be achieved, the Mediator shall so report to the Court. He shall also submit an interim proposed order which shall include a hearing date before the Court.

You are further ordered to appear before the Mediator at such time as the mediator shall establish. If you fail to appear as provided by this Order or to bring the child or children, an order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

YOU SHOULD TAKE THIS PAPER TO 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 Administraotr, Court House, Meadville, PA 16335, (814) 336-1151

BY THE COURT,
Gordon R. Miller, J

Dated November 15, 1996

11-20-96 Faxed Pineo & Irwin mailed Rosen

Jan. 16, 1997 Temporary Order filed. AND NOW, this 16th day of January, 1997, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. The mother shall have primary physical custody of the subject minor child, Barbara Caldwell, and the father shall have visitation as may be arranged between the parties.

2. In all other respects the Order of October 12, 1994 is unchanged and its provisions affirmed.

3. Costs and fees of this Mediation, which are fixed at $77.00, are divided equally between the parties with a share of each being assessed to him or her as costs in this case.

4. 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.

5. 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.

1-17-97 FAXED Rasen, Irwin, & Pineo

1994

Peters, Lindsay,
Lewis and Hatheway
Brian J. LIndsay

715.

Bruce Barrett

$150.00 mediation fee
pd. by plff 7/20/94
9-14-94 Pd Plaintiff
Lindsay ck 8560 141.00

ROBERTA L. SCANDER

vs.

JOEL P. WEILACHER

Filed July 20, 1994
@ 4:52 P.M.

Tax & entry paid $50.50
state paid 5.00
John Fuller, mediator 200.00
Pro Co pd 10-10-94 9.00

COMPLAINT FOR CHILD CUSTODY

1 copy (atty)
1 copy (mediator)

Order:
You, Joel P. Weilacher, , have been sued in Court to obtain custody of Brett John Paul Weilacher.
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

7/19/94

By The Court;
Gordon R. Miller, J.

ORDER:
AND NOW, this 18 day of july 1994, upon consideration of the verified allegations of Plaintiff's complaint for child custody this court hereby ORDERS AND DIRECTS that primary physical custody of child, Brett John Paul Weilacher shall be with plaintiff, Roberta L. Scander, and defendant Joel P. Weilacher shall have no custody or visitaiton rights to subject minor child until further order of court.
This order is entered without prejudice to the defendant to petition this court for a hearing to challenge the allegations of the complaint and the appropriateness of this temporary order.
BY THE COURT,
Anthony J. Vardaro, J.

Aug. 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 22nd day of July, 1994, send to the above named Defendant, by Certified Mail, Return Receipt Requested, a true and correct copy of the Complaint for Child Custody filed at the above term and number; and that I did on the 15t h day of August, 1994, receive a duly executed return receipt dated August 10, 1994, indicating that the certified mail was "unclaimed", which is attached hereto as Exhibit "A".
I, Brian J. Lindsay, Esquire, do hereby certify that on the 9th day of August, 1994, I sent to the above named Defendant, by FirstClass United States Mail, a true and correct copy of the Complaint for Child Custody.
Pursuant to Pennsylvania Rule of Civil Prodecure 403 (1), service by ordinary mail is complete if the mail is not returned to the send within fifteen (15) days after mailing.
August 24, 1994 Brian J. Lindsay, ESquire

Sept. 14, 1994 ORDER filed. AND NOW, September 13, 1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:
I. Legal custody of Brett John Paul Weilacher shall be shared between the mother and the father, the plaintiff and defendant herein, that is, each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions affecting the child such as the education, medical treatmetn and religious instruction of the subject child.
II. Physical custody of Brett John Paul Weilacher 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 at any time the father is visiting in Crawford County or Warren County, provided father shall give mother at least ten (10) days notice prior to the visit and provided that such visits shall not exceed forty-eight (48) hours in duration.
B. Father shall obtain apsychological or psychiatric evaluation and shall furnish mother a copy of the evaluation prior to June 1, 1995. Father shall also attend a parenting class and shall furnish mother proof of successful completion of the class prior to June 1, 1995.
C. Beginning with the Summer of 1995, the child shall be in the custody of the father for a period of thirty (30) days during the summer months. The father shall give the mother at least thirty (30) days notice of the dates of the Summeer visit. If this summer visit goes well, in 1996 and subsequent summers, the length of the visit shall be increased to two (2) months.
D. Transportation of the child for Summer visits shall be provided by the father.
E. Neither mother nor father shall say or do anything in an attempt to turn the child against the other parent, buat on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the child towards both parents.
F. Neither mother nor father shall expose the child to any person or situation which may be harmful to the child's health or well being.
G. Both parents agree to inform the other immediately of any illness or injury regardding the child and both parents agree to furnish the other with a current telephone number. Father shall be entitled to call the child once a week.
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. The Prothonotary of Crawford County is hereby directed to refund the deposit paid in advance by the Plaintiff, less the cost of the custody order.
Gordon R. Miller, P.J.
Sept. 19, 1994 Faxed to Fuller, Lindsay & Barrett. sent to Plf. & Dft.

Record continued on Page 484...

1994

Gregg and Nelson
William J. Gregg

716.

SHEILA K. HOLLABAUGH

vs.

RONNIE E. HOLLABAUGH

Filed July 21, 1994
@ 10:30 a.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro. Co. pd 11/23/94	$9.00
Pro.Co. pd 1/17/95	5.00

COMPLAINT IN DIVORCE

2 copies (atty)

July 27, 1994 Affidavit of Service filed. AND NOW, this 27th day of July, 1994, William J. Gregg, Esquire, being duly sworn according to law, deposes and says that the following facts in support of his Affidavit of Service are true and correct to the best of his knowledge, information and belief:

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, Ronnie E. Hollabaugh, on July 22, 1994.
3. That the Defendant received said certified mail on July 25, 1994. Said Return Receipt Card Z 727 826 046 is attached hereto, signed by Ron Hollabaugh and made a part hereof.

William J. Gregg

Nov. 14, 1994 Affidavit of Consent of plaintiff filed.

Nov.23, 1994 Affidavit of Conssent of Ronnie E. Hollabaugh, Defendant, filed.

Nov. 23, 1994 Upon Praecipe of William J. Gregg, Esquire to transmit record, Case moved to Court.

Dec. 5, 1994 ORDER filed. This divorce matter has been referred to the Court for review and decree. The Court has reviewed the srecord 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:

__X__ Other: There are costs owing in the total amount of $69.50 which were assessed at A.D. No. 1986-1065, a protection from abuse action. The order of December 10, 1986 reserved the Court's right to require either or both parties to pay such costs at any future date if they became financially able to do so.

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.

Dec. 5, 1994 dist Atty Gregg

Dec. 21, 1994 Upon praecipe of plaintiff attorney to transmi record, case moved to Court.

DIVORCE DECREE FILED

Jan. 5, 1995 AND NOW, January 4, 1995, it is ordered and decreed that SHEILA K. HOLLABAUGH, Plaintiff, and RONNIE E. HOLLABAUGH, 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.

Jan. 17, 1995 Notice of Election to Retake Maiden Name of Sheila K. Hollabaugh, to be known as SHEILA K. STEIMER, filed.

1994

Thomas, Truax, Spadafore, and Walker
Gregory A. Keenan
Dennis Kuftic
717.

Shapira, Hutzelman, Berlin & May
Joseph M. Walsh, III

DAVID A. SOWRY

vs.

BILLIE R. PHILLIPS-SOWRY

Filed July 21, 1994

Tax & entry paid	$50.50
state paid	5.00
state paid	10.00
Add'l counts pd 12/8/97	30.00
User's fee pd 12/8/97	10.00
2 Add'l Cts. pd 1-7-98	30.00
State pd 1-7-98	10.00
Pro Co Pd 2/25/99	12.00
Pro Co Pd 3/12/99	7.50

COMPLAINT IN DIVORCE

2 copies (atty)

Aug. 16, 1994 Affidavit of Service, filed. Gregory A. Keenan, Esquire, being duly sworn according to law, deposes and says that on Juy 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, Billie R. Phillips-Sowry, at Defendant's last known address of 212 Pine Street, Edinboro, Pa. 16412, by Certified Mail No. P 899 093 385 postage prepaid, return receipt requested, restricted delivery and that attached hereto is a duly executed return receipt card showing date of delivery as July 25, 1994.

Dec. 7, 1994 Affidavit of Consent of Plaintiff filed.

Dec. 8, 1997 Amended Complaint in Divorce filed.

Dec. 8, 1997 Plaintiff's Affidavit under Section 3301(c) of the Divorce Code filed.

Dec 23, 1997 Petition Rising Economic Claims, filed.

Dec 23, 1997 Defendant's Counteraffavit Under Section 3301(c) or (d) of the Divorce Code, filed.

Dec 23, 1997 Appearance of Shapira, Hutzelman, Berlin & May by Joseph M. Walsh, III, Esquire, on behlaf of Defendant, filed.

Feb. 17, 1999 Affidavit of Consent and Waiver of Notice of Intention to request entry of a Divorce Decree under 3301(c) of the Divorce Code Filed (David A. Sowry)

Feb. 17, 1999 Affidavit of Consent and Waiver of Notice of Intention to request entry of a divorce Decree under 3301(c) of the Divorce Code Filed (Billie R. Phillips-Sowry)

Feb. 17, 1999 Social Security Number Disclosure Filed.

Feb. 17, 1999 Upon Praecipe of DEnnis G. Kuftic Esq. Attorney for David A. Sowry Pltf This Case is moved to Court

DIVORCE DECREE FILED

March 1, 1999 AND NOW, March 1, 1999, it is ordered and decreed that DAVID A. SOWRY, Plaintiff, and BILLIE R. PHILLIPS-SOWRY, Defendant, are divorced from the bonds of matrimony.

All duties, rights and claims of the parties in regard to each other as a result of their marriage are hereby terminated, except for those duties, rights and claims specifically enumerated in a Postnuptial Agreement executed by the parties and dated February 2, 1999, the terms of which are hereby incorporated by reference as if fully set forth herein.

BY THE COURT:
Gordon R. Miller

March 12, 1999 Notice of Election to retake maiden name Filed. Billie R. Phillips-Sowry to be known as Billie R. Leonheart .

1994

William L. Walker

718.

DONALD L. BORTNICK AND
JUDY A. BORTNICK, HIS WIFE

vs.

FRANCIS BARNES, HIS HEIRS
AND ASSIGNS, FRANK E.
TANNER AND DELLA TANNER,
HIS WIFE, THEIR HEIRS AND
ASSIGNS

Filed July 21, 1994
@ 10:52 a.m.

Tax & entry paid $50.50
state paid 5.00
Pro Co pd 1-5-95 9.00

COMPLAINT IN ACTION TO QUIET TITLE

Aug. 31, 1994 Motion for Leave to Serve by Publication and ORDER filed. AND NOW, this 31 day ofAugust, 1994, upon Motion of William L. Walker, Esquire,attorney for Plaintiffs in the above-matter, leave is hereby granted toserve Franics Barnes, his heirs and assigns, Frank E.Tanner and Della Tanner, his wife, their heirs 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.

8-31-94 Faxed to Atty.,Walker

Nov. 17, 1994 Motion For Judgment or Order Pursuant to pa. R.C.P. 1066 and Order filed. AND NOW, this 16th day of November, 1994, upon consideration of the foregoing Motion and the attached Affidavit of Service, the court hereby orders that the Defendants 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 withthe interest, claim or rights of the Plaintiffs in this action, unless the Defendant files an Answer to the Complaint within thirty (30) days from 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 final judgment. BY THE COURT,
B-64;T-63-43 Gordon R. Miller, J

Nov. 17, 1994 Faxed Atty. Walker

Dec. 29, 1994 Please enter final judgment in the above-captioned action pursuant to the previously entered Court Order.
B - 64
T - 43, 63

1994

Specter Law Offices
Robert A. Sambroak, Jr.

719.

MARLENE DORAN AND
RICHARD DORAN, HER HUSBAND

vs.

FISHER'S BIG WHEEL,
A CORPORATION

Filed July 21, 1994
@ 11:40 a.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	20.00
Pro Pd 7/11/95	6.00

COMPLAINT

2 copies (atty)

JURY TRIAL DEMANDED

Aug. 10, 1994 Sheriff's Return filed. SERVED the within Complaint on august 1, 1994, at 12:40 PM, upon Fisher's Big Wheel a Corporation at 102 Nesbitt Road, New Castle, Penna. by handing to Sandy Hanna, Director of Accounts Payable, 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 I hereby deputize the Sheriff of Lawrence County, Pennsylvania to serve the within Complaint according to law.

Robert M. Stevens, Sheriff

July 11, 1995, appearance of Glenn D. Dolfi, attorney for Plaintiffs filed.

July 11, 1995, Upon praecipe of plaintiff attorney, this above captioned case is hereby settled and discontinued of record.

1994

Bette J. Peterson-Muth

720.

GLENN E. WRIGHT

vs.

JULIE ANN WRIGHT

Filed July 21, 1994
@ 1:34 p.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro Co pd 11/4/94	9.00
Pro Co pd 1-19-95	5.00

COMPLAINT IN DIVORCE

2 copies (atty)

Oct. 26, 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, Glenn E. Wright, and that she did serve a true and correct copy of the Complaint in Divorce filed in the above-matter on July Ann Wright by mailing a copy of said complaint on July 26, 1994, by Certified Mail, Restricted Delivery, Return Receipt Requested, to her last known address at R.D. #3, Box 182, Meadville, PA 16335. Julie Ann Wright signed the mail receipt on July 27, 1994. The signed receipt is attached hereto and marked as Exhibit "A".

Bettie J. Peterson-Muth

Nov. 2, 1994 Affidavit of Consent of Plaintiff filed.

Nov. 2, 1994 Affidavit of Consent of Defendant filed.

Nov. 2, 1994 Upon praecipe of Plaintiff To Transmit Record, this case moved to court.

DIVORCE DECREE FILED

November 14, 1994, AND NOW November 10, 1994, it is ordered and decreed that GLENN E. WRIGHT, plaintiff, and JULIE ANN WRIGHT, defendant, are divorced from the bonds of matrimony.

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

BY THE COURT,
Anthony J. Vardaro, J.

Jan. 18, 1995 Notice of Election to Retake Maiden Name, filed. **Julie A. Wright** to be known as **Julie A. Henry.**

1994

Kevin W. Barron
Eckert, Burke, Hunter,
Barron & Begel

721.

CONNIE SUE KNOBEL

vs.

KURTIS ARTHUR KNOBEL

Filed July 21, 1994
@ 1:35 p.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro. Co. pd 11/23/94	5.00

COMPLAINT IN DIVORCE

3 copies (atty)

Aug. 11, 1994, Affidavit of Service filed. Kevin W. Barron being duly sworn according to law, deposes and states thathe did send a cert. copy of divorce complaint upon the dft. by cert mail on July 22, 1994 by sending same to address at R. D. #1, Box 554, New Castle, Pa. 16105 and that the cert. copy was received on July 23, 1994 as indicated by cert. mailing receipts attached
Kevin w. Barron

Nov. 23, 1994 Motion for Terminate Divorce Action, filed.

722.

KIMBERLY S. ZAPATKA

vs.

STEPHEN ZAPATKA

Filed July 21, 1994
@ 3:30 p.m.

Tax & entry	$50.50
state	5.00
Sheriff's costs	30.00
Pro Co	9.00

9-13-94 Rec'd from Plff for costs 44.50 in envelope

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy (plff)
3 copies (sheriff)
faxed to SPD

ORDER:

And now, this 21st day of July , 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 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 August 1, 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.

Jul. 28, 1994 Sheriff's Return filed. served Stephen J. Zapatka personally on July 27, 1994 at 4:00 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,

Barbara J. Bernoski, Deputy Sheriff
Robert M. Stevens, Sheriff

Aug 2, 1994 ORDER filed. AND NOW, August 1, 1994 at the time set for hearing on this abuse case, the parties appear in Court pro se and the case is reviewed. The wife desire to drop the charges and bothparties seem willing to discuss their differences and determine whether or not to reconcile. Accordingly, at the request of the wife, the petition is DISMISSED.

Costs in this case in the amount of $94.50 will be paid by the Plaintiff on or before September 1 1994.

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

Aug. 2, 1994 Faxed PaSP, given Co Control, Plf. & Dft.

1994

Joseph W. Tinko

723.

RONALD O. BARNARD

vs.

THE SAEGERTOWN BOROUGH
ZONING HEARING BOARD

Filed July 21, 1994
@ 4:22 p.m.

Tax & entry paid	$50.00
state paid	5.00
Pro Co pd 8-22-96	5.00

NOTICE OF APPEAL

2 copies (atty)

(July 22, 1994 Certiorari mailed to Don Wood, Borough of Saegertown Municipal Building, P.O. Box 558, Saegertown, Pa. 16433, by certified mail)

Aug. 8, 1994 Writ of Certiorari Returned.

Aug. 8, 1994 Transcript of Proceedings, filed.

Nov. 4, 1994 Motion For Remand and Order filed. And Now, this 4th day of November, 1994, upon consideration of the wtihin Motion, it is hereby ordered that the zoing appeal be remanded to the Zoning Hearing Board of Saegertown Borough for further hearing in accordance with the requirements of Section 908 of the Pennsylvania Municipalities Planning Code, 53 P.S. 10908, and other applicable law. The hearing shall be held at a time that is Mutually agreeable to these parties with their argument to no be unreasonably withheld. The hearing shall be open to all matters that may properly come before such a hearing.

BY THE COURT
Gordon R. Miller, J

Nov. 4, 1994 Faxed Shaddinger & Tinko

Aug 22, 1996 Upon praecipe of plaintiff attorney pleas mark this suit discontinued of record.

pro se

724.

JULIA M. WERMLINGER

vs.

TROY DAWAYNE MIKLOVIC

Filed July 21, 1994
@ 4:25 p.m.

Indigent filing
William Pineo, mediator 77.00
Sheriff's Costs 23.00
Pro Co 9.00

CUSTODY COMPLAINT

1 copy (sheriff)
1 copy (mediator)
1 copy (plff)

NOTICE AND ORDER TO APPEAR:

Order:

You, Troy Dawayne Miklovic , have been sued in Court to obtain custody of Seth .

You are ORDERED to appear in person at such time and place as will be determined by the Mediator, WILLIAM PINEO for a mediation conference.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

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

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

Dated: July 19, 1994 Gordon R. Miller, J.

ORDER:

AND NOW, this 19 day of July , 19 94, 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, J.

July 21, 1994, Petition to Proceed IN Forma Pauperis filed.

AND NOW, July 19 , 199 4 , upon consideration of the petition filed by the plaintiff in this action, and supported by an affidavit attached thereto, all being pursuant to Pa. R.C.P. 240, the plaintiff is granted leave to proceed in forma pauperis at this time.

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

BY THE COURT:
Gordon R. MIller, J.

July 21 ,1994, copies to sheriff, mediator and plff.

Aug. 15,1994 SERVED Troy Dawayne Miklovic by Certified Mail at his last known address of 2541 Elray Apts., Apt. #6, Westover Avenue, Roanoke, VA 24015. Signed Return Receipt is attached. Served on August 8, 1994.
So answers, Robert M. Stevens, Sheriff

Oct. 12, 1994 TEMPORARY ORDER, filed. AND NOW, this 12 day of OCTOBER, 1994, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator.

IT IS HEREBY ORDERED AND DECREED THAT:

1. Legal and physical custody of the subject minor child, SETH TROY MIKLOVIC, is hereby awarded to the Plaintiff mother.

2. The parties shall share with each other any and all information which each may have regarding the health, educatiion, 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.

CONTINUED ON PAGE 274A

1994 TERM

Julia M. Wermlinger
vs.
Troy D. Miklovic

CONTINUED FROM PAGE 274
of Record
A. D. 1994 - 724

****

3 a. The mother shall have primary physical custody of the subject minor child. The father shall have temporary physical custody and visitation during the month of October each year and for one month, to be taken in the spring of each year. The father has indicated that he wishes visitation during trhe month of May, 1995, and in subsequent years will notify the mother by the end of January, of the springtime month he wishes to select.

b. When the child shall have learned to talk, the party not having physical custody shall have the right to telephone him at reasonable times and for reasonable lengths of time and such conversations will not be unreasonably monitored by the parent having physical custody.

5. The 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 father shall provide all transportation necessitated by teh exercise of his reights under this order. Any person transportign the child shall make sure that the seat belts or other restraints are use din 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 bb 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.

10. When the child shall have reached school age, either party may request a review of this order to make any necessary adjustments.

11. Costs and fees of this Mediatiion, are fixed at $77.00. The Mediator advises the Court that the mother is proceeding in forma pauperis and that the father has a very low income and, therefore, these are assessed to Crawford County.

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.

Oct. 19, 1994 Faxed Pineo, sent Plf. & Dft.

274

-6-

1994 TERM

1994

Gerald Sullivan

725.

10-3-94 Rec'd from Deft Sheriff Costs 20.00
10-3-94 Pd Sheriff Chk #5586 20.00

RITA DALE MATTY

vs.

MARIO A. HOUSTON

Filed July 22, 1994
@ 9:57 a.m.

Tax & entry Pd 10-3-94 $50.50
state Pd 10-3-94 5.00

Sheriff's Costs 20.00
Pro Co Pd 10-3-94 9.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy (plff)
3 copies (sheriff)
faxed to CSPD

TEMPORARY ABUSE ORDER:

ORDER:

And now, this 22nd day of July , 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 or place of work.

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

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

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

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

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

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

Hearing is hereby set for August 1, 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.

July 22, 1994 Copy to Pltf., copies distributed to Sheriff, Faxed to CSPD.

Jul. 25, 1994 Sheriff's REturn filed. SERVED Mario A. Houston personally on July22, 1994 at 10:40 AM at his residence, 219 North Street, Cambridge Springs, Crawford County, PA. Served by Officer John Yanc of the Cambridge Springs Police Department.
So answers, Robert M.Stevens, Sheriff

Aug. 2, 1994 ORDER filed. AND NOW, August 1, 1994, at the time set for hearing, the parties and counsel advise the Court the matter has been amicably resolved along the following lines:

Without admission to commission of the acts alleged in the petition, the Defendant agrees that an abuse order be entered. Accordingly, the Defendant shall not threaten, assault, harass or abuse the Plaintiff in any fashion, nor will he stalk her, follow her or annoy her or procure others to do any of the aforesaid on his behalf.

The Defendant will not go to the Plaintiff's residence for any purpose or to her place of employment for any purpose.

This order shall remain in full force and effect for a period of 1 year and any police officer having reasonable grounds to believe that the terms and conditions of this order have been violated and who believes the safety or welfare of the Plaintiff to be in danger may apprehend the Defendant without a warrant after having reasonable garounds to believe the welfare or life of the Plaintiff is in danger and confine the Defendant for violation of the order and request an immediate court hearing.

The Defendant agrees to pay costs in this case in the amouont of $84.50 to the Prothonotary's Office of Crawford County, and said costs shall be paid without fail on or before September 1, 1994.

This order shall remain in full force and effect for a period of 1 year.

It shall be an additional term and condition of this order that the Defendant will not go to the working address of the Plaintiff during her working hours on the Edinboro Campus.

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

Aug. 2, 1994 Faxed CSPD, given Sullivan & Dft.

276

1994

John P. Gagliotti

726.

ODELL POWELL

vs.

ANNIE RUTH POWELL

Filed July 22, 1994
@ 10:39 a.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro Co pd 3-30-95	9.00

COMPLAINT IN DIVORCE

2 copies (atty)

Mar. 27, 1995 VERIFICATION OF SERVICE, filed. I, John P. Gagliotti, Esq., attorney for the Plaintiff in the above-captioned action, verify that I mailed to the above named Defendant, on July 22,1994, a true and correct copy of a Divorce Complaint, a copy attache dhereto; and that on Aug 2, 1994, the return receipt card was signed and returned to me as evidenced by copy attache dhereto; and tha on Feb 28, 1995, I sent a Counter-Affidavit under Section 3301(d) of the Divorce Code to the Defendant at her residence at Rt. 6, Box 75-A, Oxford, MS 30655, a copy attache dhereto.

Mar. 27, 1995 Notice to the Defendant, Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code, filed.

Mar. 27, 1995 Notice of Intention to Request Entry of Divorce Decree, filed.

Mar. 27, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

April 4, 1995 AND NOW, March 30, 1995, it is ordered and decreed that ODELL POWELL, plaintiff, and ANNIE RUTH POWELL, 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

Jorden and White
William T. Jorden

727.

JOHN W. ENGLISH, JR.

vs.

JEAN CRAIGE PEPPER ENGLISH

Filed July 22, 1994
@ 10:39 a.m.

Tax & entry paid $50.50
state paid 10.00
state paid 5.00
Pro Co pd 10-27-94 9.00
Pro Lb Pd 2-20-95 9.00

COMPLAINT IN DIVORCE

1 copy (atty)

Oct. 28, 1994 Acceptance of Service filed. AND NOW, this 22 day of July, 1994, comes the defendant, Jean Craige Pepper, and swears that she accepted service of a Divorce Complaint Under Section 3301(c) of the Divorce Code and a Notice to Defendant and Claim Rights on the 22 day of July, 1994, with the full force and effect of service under the Divorce Code of Pennsylvania.

Jean Craige Pepper

Oct. 24, 1994 Affidavit of Consent of Defendant, filed.

Oct. 24, 1994 Affidavit of Consent of Plaintiff, filed.

Oct. 24, 1994 Upon Praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Nov. 4, 1994 AND NOW, November 3, 1994, it is ordered and decreed that JOHN ENGLISH, JR., plaintiff, and JEAN CRAIGE PEPPER, 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.

Dec. 2, 1994 Petition to Rescind Divorce Decree and Brief in Support of Petition,filed.

Dec. 16, 1994 ORDER filed. AND NOW, this 15th day of December, 1994, upon consideration of the foregoing Petition, the Divorce Decree in the above captioned matter is hereby vacated and the Plaintiff is permitted to amend his complaint, to include a count of equitable distribution.

BY THE Court,
Gordon R.Miller, J.

12-19-94 Faxed to Atty. Jorden & mailed deft.

Jan. 16, 1995 Amended Divorce Complaint filed. (1 copy Atty.)

Jan. 30, 1995 Praecipe of Plaintiff Attorney To Transmit Record, this case moved to court.

DIVORCE DECREE FILED

Feb. 17, 1995 AND NOW, Feb. 16, 1995, it is ordered and decreed that JOHN ENGLISH, JR., plaintiff, and JEAN CRAIGE PEPPER, 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. 17, 1995 QUALIFIED DOMESTIC RELATIONS ORDER filed. AND NOW, this 16th day of Feb., 1995, based upon the findings set forth below in items #1 through #15, it is ordered, adjudged and decreed in items #1 through #15;

1. The paraties hereto were husband and wife and a divorce action has been completed in this court at the above number.

2. Jean Craige Pepper, date of birth 1/17/55, social security number 260-74-2167, here and after referred to as "participant" has been employed by Merrill Lynch and Company, Inc. and is a participant in a 401K plan, account number 260-74-2167-ML.

3. The current mailing address of the participant is 333 W. Ninth St., Erie, PA, 16502.

4. John English, Jr., date of birth 4/20/43, social security number 203-32-7910, here and after referred to as "alternate payee, has raised claims for inter alia, equitable distribution of marital property pursuant to the Pa. Divorce Code.

5. The current and last known mailing address of the alternate payee is 2050 S. Shore Drive, Erie, PA., 16505.

6. The plan to which this Order applies is the plan named in item #2 hereof.

7. A portion of the participant's account in the plan is marital property subject to distribution by this court.

8. As soon as administratively feasible, the participant's account shall be segregated for accounting and record keeping purposes into two accounts, one for the participant and one for alternate payee. The amount of the account established for John English, Jr. shall be in the amount of $25,000.00. Participant's account shall be the balance left in th eplan and account described in item #2 above after deduction of the $25,000.00 amount for the alternate payee. These two accounts shall thereafter be credited pro rata with actual earnings (interest, dividends, gain or loss, etc.) or charged with actual losses and allowable administration expenses in amounts proportionate to the balances of their respective accounts during the period the earnings accrued. Alternate payee's account shall nto be increased by any further contributions subsequent to the effective division date. A physical segregation of assets is not required.

9. Benefits shall be payable as a distribution to the alternate payee on the earliest practical date, though not prior to the plan's earliest payment date to the participant and providing that:

RECORD CONTINUED ON PAGE 485.....

278

1994

pro se

728.

JAMES H. ANDERS

vs.

JEFFREY AND KATRINA SMITH

Filed July 22, 1994
@ 10:39 a.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	25.00
Pro Co. pd 8/29/94	9.00

COMPLAINT

2 copies (plff)

July 26, 1994 Sheriff's Return filed. SERVED Jeffrey Smith personally on July 22, 1994 at 11:30 AM by handing a copy of the Complaint to him at his temporary place of custody in the Crawford County Jail, 360 Center Street, Meadville, Crawford County, PA. SERVED Katrina Smith personally on July 25, 1994 at 1:15 PM by handing a copy of the Complaint to her at the residence, Lamont Drive, Meadville, Crawford County, PA.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Aug. 16, 1994 Notice of Default filed.

Aug. 29, 1994 Upon Praecipe of Plaintiff, Default Judgment, filed.

EXECUTION NO. 1994 - 55

1994

Mason and Mason
Joan D. Mason

729.

Kathleen R. Nelson

LAURA E. GOGOGNE

vs.

DENNIS J. GIGOGNE

Filed July 22, 1994
@ 1:30 p.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro Co. pd. 3/23/95	20.00
Master Pd 1-28-99	250.00

8-12-99 Rec'd from dft Master 50.00

9-16-99 Pd dft Master Refund 50.00

COMPLAINT IN DIVORCE

2 copies (atty)

Nov. 4, 1994 Complaint Reinstated.

Nov. 14, 1994 Affidavit of Consent of Plaintiff, filed.

Nov. 21, 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 November 9, 1994, mail to the above Defendant, Dennis J. Gigogne, by certified mail #Z 727 903 624, return receipt requested deliver to addressee only, a complaint in the above divorce action Said ntoice was received by Dennis J. Gigogne on November 10, 1994, as indicated by the return receipt card which was returned to the office of the Plaintiff's attorney and is attached hereto.
Joan D. Mason

Dec. 9, 1994 Affidavit of Consent of Defendant, filed.

March 17, 1995 Petition for Additional Remedies on behalf of plaintiff filed.

Feb. 4, 1998 Appearance of Kathleen R. Nelson, Esq., on behalf of Defendant, filed.

Jan. 22, 1999 Waiver of Notice of Intention to Request Entry of a Divorce Decree Under 3301(c) of the Divorce Code of defendant, filed.

Jan. 27, 1999 Inventory of Defendant, filed.

Jan. 27, 1999 Motion to Appoint Master, filed.

Jan. 27, 1999 Motion To Appoint Master and Order filed. AND NOW, this 1 day of February, 1999, David W. Pickens, Esquire, is appointed Master in respect to the following claims: Eq. distribution. If not filed already the parties are ordered to file their prehearing statements within twenty (20) days from this date. The Plaintiff shall file her inventory within 30 days.
Per Curiam,
Anthony J. Vardaro, J

2-2-99 Faxed Nelson, J. Mason & Pickens

Feb. 5, 1999, Notice of Scheduled Pre-Hearing conference filed.

Feb. 24, 1999 Motion for Withdrawal and Order filed. And Now, this 23 day of Feb. 1999 the herein Motion is granted.
By the Court
Anthony J. Vardaro

March 9, 1999 Motion to continue Master's Hearing and order filed. And Now, March 9, 1999 upon presentation and consideration of the foregoing Motion, this matter is granted and the Pre-hearing conference shall be rescheduled by the divorce Master at a later date.
By the Court
Dave Pickens Master

3/10/99 Faxed DeVore & Mason

Mar. 19, 1999 Notice of Reschedule Pre-Hearing Conference filed.

May 6, 1999 ntoice of Re-Scheduled Pre-hearing Conference Filed.

July 12, 1999 Summary of Pre-Hearing Conference and Scheduleing Order filed.

July 30, 1999 Notice of Scheduled Master's Hearing Filed.

August 26, 1999 Separation and Property Settlement Agreement Filed.

Aug 30, 1999 Motion to Withdraw and Order filed. And Now, Aug 27, 1999 upon presentation and consideration of the foregoing Motion, this matter is granted. If any monies remain on account for the defendant to be refunded, then the Prothonotary is directed to refund same to his counsel.
By the Court
Anthony J. Vardaro, J.

8/30/99 Faxed J. Mason and DeVore

FOR FURTHER DOCKET ENTRIES SEE COMPUTER 1994 30729 AD 1994 729

1994

Blystone & Blystone
Peter E. Blystone

730

Kemp C.Scales

FREDERICK L. NOSKO,
DANIEL H. JUMP, AND
SANDRA JUMP

vs.

STEPHEN S. TITUS, a/k/a
STEVE TITUS

Filed July 22, 1994
@ 2:14 p.m.

Tax & entry paid	$50.50
state paid	5.00
sheriffs costs	25.00
Pro Co pd 5-5-95	5.00

COMPLAINT IN CIVIL ACTION

1 copy (sheriff)

Aug. 10, 1994, Sheriffs Return filed. SERVED Stephen s. Titus persoanlly on Aug. 4, 1994, at 1:20 p.m. by handing a copy of the complaint to him at his residence, R. d. #4, Johnson Rd., Titusville Pa. Crawford County.
So answers, Dale a. collins, ch. Dep.
Robert M. Stevens, sher.

Nov. 16, 1994 Answer, New Matter and Counterclaim, filed.

Dec. 2, 1994 Notice to Complete Discovery

Dec. 2, 1994 Answer/Reply To New Matter And Counterclaim, filed.

Feb. 23, 1995 Certificate of Readiness, filed.

ON TRIAL LIST FOR April 1995

Apr 11, 1995 AND NOW, this 7 th day of April, 1995, non-jury trial is scheduled for May 1, 1995 at 9:15 A.M. in Courtroom 1 or 2. FOR THE COURT,
Ann A. Walker, Crt. Adm.
Apr 11, 1995 copies dist by Ct Adm.

Apr. 21, 1995 Petition for Leave to Withdraw Representation filed.

Apr. 25, 1995 ORDER filed. AND NOW, April 21, 1995 upon receipt and considerationof the attached petit, and hearing an objection by counsel for the Plaintiffs to the effect that this petition should not interfere with the trial date, and counsel for the Plaintiff's strenuously objects to this continuance, it is ordered as follows:

1. A true and correct copy of this order shall be served upon the Defendant by his present counsel forthwith and an appropriate return of service filed of record.
2. Counsel for the Defendant may withdraw his apperance on April 27, 1995 if the Defendant has not fully and completely cooperated with him in the meantime, it is absolutely necessary that the Defendant cooperate with his counsel so that his counsel is able to represent him appropriately,m ethically and professionally. We do not intend to require counsel to represent parties who are uncooperative. We are giving the Defendant one final opportunity to fully and completely cooperate with his attorney and, if so, the representation shall continue and there shall be no withdrawal. If the Defendant does not cooperate with his attorney, the attorney may withdraw by the time indicated above
3. Under no circumstances will this case be continued, so the Defendant will have,in essence, three choices, to wit:
   (A) Cooperate with his attorney immediately so this case can be tried as scheduled on May 1, 1995; or
   (B) Be prepared to represent himself on May 1, 1995; or
   (C) Obtain other counsel, who must be available and ready for trial on May 1, 1995.

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

4-25-95 Faxed Attys. SCales & Blystone

Apr. 28, 1995 Return of service filed. I certify that I served this day a copy of the Court's April 21, 1995 Order on Stephen S. Titus, a/k/a Steve Titus, Defendant, by personal service at his residence at R.D.4 Box 28B, Titusville, PA 16354
Date: April 25, 1995 Kemp C. Scales

May 3, 1995 Upon praecipe of Plaintiff attorney the above-captioned matter have been settled and dtermined, of record.

May 9, 1995 Certificate of Service filed.

1994

Christopher Brode

731.

9-2-94 Rec'd from dft Sheriff's Costs 48.00
9-2-94 Pd Sheriff Ck# 8537 48.00

LAURA PETERSON

vs.

KENNETH PETERSON

Filed July 25, 1994
@ 9:03 AM

Tax & entry Pd 9-2-94 50.50
User's Fee Pd 9-2-94 5.00
Sheriff's Costs 48.00
Pro Co Pd 9-2-94 9.00

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

Order:

And now, this 25th day of July , 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 Plaintiffs 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 August 2, 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

Aug. 5, 1994 Sheriff's Return filed. SERVED Kenneth Peterson by deputizing the Sheriff of VEnango County, PA, as per his Affidavit of Service attached. Served on July 27, 1994 at 10:32 AM at his employment, Prenatts Manufacturing, Pleasantville, PA.
So answers, Robert M. Stevens, Sheriff

Aug 3, 1994 ORDER filed. AND NOW, August 2, 1994, at the time fixed for hearing in this matter, the plaintiff appeared with counsel. The defendant did not appear, although the record shows he was served on July 27, 1994. ACCORDINGLY, the hearing was held in his absence. The Court finds that the defendant has engaged in abuse as prohibited by the Act and enters the following Order:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff.
2. The defendant shall not contact the plaintiff in any way except in writing. He shall not call the plaintiff nor go to her residence. He may write her from time to time provided the writing is not threatening or harassing. In fact, he should not be within 100 yards of the plaintiff's residence.
3. This Order may be enforced without a Warrant of Arrest by any law enforcement officer having reasonable ground to believe that it has been violated.
4. A copy of this Order shall be delivered to the Titusville Police Department and to County Control. A copy of the Order shall be sent to the defendant in care of Prenatt's Manufacturing in Pleasantville, Pennsylvania.
5. This Order shall remain in full force and effect for one (1) year from this date; that is, until August of 1995. This Order may be modified or terminated in the meantime by appropriate petition and Court Order.
6. The defendant shall pay record court costs in the amount of $112.50 by paying the same to the Prothonotary in the Crawford County Courthouse no later than September 2, 1994. If he fails to pay, he may be held in contempt of court and punished further.
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 (6) months.

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

Aug. 3, 1994 Faxed TPD, Co Control given Brode
Aug 11, 1994 sent to Dft.

1994

Ferguson & Spataro
Douglas W. Ferguson

732.

Watts & Pepicelli PC
Alan L. Pepicelli

BILL BRAGG, d/b/a/ BILL BRAGG & ASSOCIATES

vs.

SUGAR CREEK PACKING

Filed July 25, 1994
@ 2:25 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co pd 1-26-95	9.00
Pro Co pd 4-3-95	6.00

filed.

COMPLAINT IN CIVIL ACTION
2 copies atty.

Aug. 3, 1994 Affidavit of Service filed. I, DOUGLAS W. FERGUSON, ESQUIRE, the undersigned, being duly sworn according to law, depose and say that I served a true and correct copy of the Complaint filed by the Plaintiff and certified by the Prothonotary of Crawford County, Pennsylvania, on the Defendant by certified mail, return receipt requested, dated July 26, 1994. The defendant acknolwedged service on July 28, 1994, by accepting deliveryon that date as evidenced by the attached, signed return reciept. Douglas W. Ferguson

Aug. 26, 1994 Preliminary Objections, filed.

Oct. 12, 1994 Upon praecipe of plaintiff's attorney, this case placed on next available Argument List.

ON NOVEMBER 1994 ARGUMENT LIST

Nov. 3, 1994 Affidavit of Steve Shutte on behalf of Defendant,

Nov. 3, 1994 Defendant's Motion to Dismiss Plaintiff's Complaint for Lack of Personal Jurisdiction and Memorandum in Support, filed.

Nov. 23, 1994 Notice of Taking Deposition of Steve Shutte, filed.

Nov.23, 1994 Motion to Continue and ORDER filed. AND NOW, this 23 day of November, 1994, upon consideration of the foregoing Motion for Continuance,it is hereby ordered and decreed that said Argument on theDefendant's Preliminary Objections scheduled for November 28, 1994, is hereby continued until January 30, 1995 Argument List and be rescheduled at a time set by Ct.Administrator.

BY THE COURT:
Anthony J.Vardaro, J.

11-23-94 Faxed to Attys. Ferguson, & A.Pepicelli & given to Ct. Adm.

ON JANUARY 30,1995 ARGUMENT LIST

Jan. 5, 1995 Plaintiff's Petition for Sanctions Pursuant to Rule of Civil Procedure 4019, filed.

Jan.5, 1995 ORDER filed. AND NOW,this 3rd day of January, 1995,upon consideration of the foregoing Petition forSanctions,a Rule to Show Cause is placed on the Defendant to show cause if any he should have why sanctions prayed for in the within Petition should not be granted. Returnable for hearing and/or argument on January 5, 1995 at 2:30 p.m.in Courtroom #2.

Service of this Petition and Order shall be made upon the Defendant's counsel of record, AlanPepicelli, Esquire,by regular mail.

BY THE COURT:
Gordon R. Miller, J.

1-5-95 Faxed to Atty. Alan Pedpicelli & Ferguson.

And now, January 24, 1995 upon stipulation entered by attorneys for plaintiffs and Defendant, judgment is entered against defendant Sugar Creek Packing and the same is liquidated at the sum of Seven Thousand Five Hundred and 00/100, plus interest at 6% per annum.

Entered 1-24-95 Debt: $7,500.00 plus interest
S - 184 JUDGMENT
Barbara H. King, Pro.

ORDER: AND NOW, this 23rd day of January, 1995, judgment is entered in the above-captioned case in favor of the Plaintiff and against the Defendant in the total sum of $7,500.00. No interest shall accrue on said judgment amount until after 90 days of the entry of this judgment and then interest shall accrue at the rate of 6% per annum.

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

Jan. 26, 1995 copy to Ferguson

Mar. 28, 1995 Upon praecipe of plaintiff attorney the above-captioned case is satisfied of record.

1994

JURTY TRIAL DEMANDED

Watts & Pepicelli
Alan L. pepicelli

733.

Robert T. McDermott

ROBERT L. WATTS, JR.

vs.

COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF TRANSPORTATION I A CONSTRUCTION CORPORATION, A corporation; CRENSHAW BROTHERS CONSTRUCTION, INC.: and CRENSHAW & BURKE CONSTRUCTION, INC. a corporation, individually and t/a/d/b/a CRENSHAW BROTHERS CONSTRUCTION, INC.

Filed July 25, 1994
@ 3:07 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	183.50
Pro Co pd 5-11-95	6.00

WRIT OF SUMMONS
Issued Sheriff

Aug. 30, 1994 Appearance of Robert T. McDermott, Deputy Attorney General for defendatn, Commonwealth of Pennsylvania Dept. of Transportation, filed.

Aug. 30, 1994 Praecipe For Rule To File Complaint. filed. (issued atty)

Sept. 12, 1994 Affidavit of Service of Rule to File Complaint, filed.

Oct. 6, 1994 SHERIFF'S RETURN, filed. SERVED Commonwealth of Pennsylvania by deputizing Sheriff of Dauphin County, PA, as per his Affidavit of Service attached. Served on August 5, 1994 at 16th Floor, Strawberry Square, Harrisburg, PA.

SERVED Department of Transportation by deputizing the Sheriff of Dauphin County, PA, as per his Affidavit of Service attached. Served on Agust 5, 1994 at 2:15 PM at 909 Green Street, Harrisburg, PA.

SERVED I A Construction Corporation by deputizing the Sheriff of Philadelphia County, PA, as per his Affidavait of Service attached. Served on August 15, 1994 at 1635 Market Street, Philadelphia, PA.

SERVED Crenshaw & Burke Construction, Inc., a Corp., i/t/d/b/a Crenshaw Brothers Construction, Inc. by deputizing the Sheriff of Erie Cofunty, PA, as per his Affidavit of Service attached. Served on August 5, 1994 at 1273 East 38th Street, Erie, PA.

SERVED Crenshaw Brothers Construction, Inc. by deputizing the Sheriff of Erie County, PA, as per his Affidavit of Service attached. Served on August 5, 1994 at 1273 East 38th Street, Erie, PA.

So answers, Robert M. Stevens, Sheriff

SERVED the within Summons upon Attorney General on Aug 5, 1994 at 1:45 p.m. personally handing to Gail Gastrock, Sec'y and person in charge at time of service a true and attested copy fo the original Summons and making known to Her the contents thereof at 16th Floor, Strawberry Square, Harrisburg, Dauphin County, Pa.

And Now: August 5, 1994 at 2:15 PM served the within SUMMONS upon Department of Transportation by personally handing to Marian Vanhorn, Sec'y and person in charge at time of service a tarue attested copy of original SUMMONS and making known to her the contents at 909 Green St., Harrisburg Dauphin County, Penna. So answers,

William H. Liningston, Sheriff Dauphin Co.
Fred F. Malon, Deputy Sheriff

SERVED AND MADE KNOWN TO I A Construction Co c/o C T Cogs by handing a true and attested copy of the within Complaint, issued in the above captioned matter on 8-15-94, at 1:00 o'clock, p.m. at 1635 Market St., in the County of Philadelphia, State of Pennsylvania, to Rita S , Clerk, person in charge.

John D. Green, Sheriff Philadelphia Co.

SERVED the within Writ of Summons on Aug. 5, 1994, at 1515 HRS, UPON Crenshaw Brothers Construction, Inc. and Crenshaw & Burke Construction, Inc. & Corp. t/d/b/a Crenshaw Brothers Construction, Inc., at 1273 East 38th Street, Erie County, Erie, Pennsylvania by handing to Donald Crenshaw, Owner, a true and correct copy thereof and made known to him the contents therein.

Robert N. MIchel, Sheriff Erie Co.
John Loomis, Deptuy Sheriff

May 9, 1995 Upon praecipe of plaintiff attorney the above-captioned case is marked settled and discontinued of record.

1994

Watts & Pepicelli
Alan L. Pepicelli

734.

Culbertson, Weiss,
Schestroma & Schug
E.Max Weiss
~~FOR Kathryn M.~~ Jesberger
Marianne C. Mnich

Thomas, Truax,
spadafore, Walker &
Keenan
EMil M. Spadafore, Jr.
Barbara Midkiff

MARGARET V. TAYLOR and
JAMES L. TAYLOR, her husband

vs.

KATHRYN M. JESBERGER

vs.

~~Barbara Midkiff~~, discontinued
~~Additional Defendant~~
Filed July 25, 1994
@ 3:23 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff Costs	37.44
Sheriff's Costs	28.00
Discontinue & Cert.	6.00

pd 9-23-97

WRIT OF SUMMONS
Issued Sheriff

August 11, 1994 Complaint, filed.

Aug. 15, 1994 SHERIFF'S RETURN, filed. I hereby deputize the Sheriff of Cuyahoga County, Ohio to serve the within Summons according to law. The defendants alleged address is 20440 Westport Avenue, Euclid, Ohio 44119 Robert M. Stevens, Sheriff, Crawford Co.
SERVED the within Summons on Aug. 5, 1994, at 8:00 a.m. upon Kathryn M. Jesberger at 20440 Westport, Euclid, Ohio, by handing her a true and correct copy thereof and made known to the contents therein. James Sands, Sheriff, Cuyahoga Co.

Aug. 17, 1994, Notice of Service of Interrogatories and Original Requests for production filed.

Sep. 19, 1994 Praecipe to Issue Writ of Summons to Join Additional Defendant, Barbara Midkiff, filed. (issued Atty.)

Appearance of Marianne C. Mnich, Esq. on behalf of Kathryn M. Jesberger, filed.

Sept. 19, 1994 Answer, New Matter and New Matter 2252(d), filed.

Oct.5, 1994 Reply to New Matter, filed.

Oct. 18, 1994 Writ Reissued. (issued Sheriff)

Oct. 28, 1994 SHERIFF'S RETURN, filed. SERVED Barbara Midkiff on October 25, 1994 at 2:40 PM by handing a copy of the Writ to Join Additional Defendant and Complaint to William Midkiff, her Husband, at their residence, R.D.#8, Box 719, Meadville, Crawford County, PA.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Nov. 16, 1994, Appearance of Thomas, Truax, Spadafore, Walker & Keenan, by Emil M. Spadafore Jr., attorneys for Barbara Midkiff, Additional Defendant filed.

No v. 1[illegible], 1994, Upon praecipe of Additional Defendant Attorney a Rule is hereby issued upon the Defendant to file a Complaint to Join Additional Defendant.

Dec. 1, 1994 Complaint To Join Additional Defendant, Barbara Midkiff on behalf of defendant filed.

Jan. 3, 1994 Answer To Complaint To Join Additional Defendant, Barbara Midkiff, filed.

Mar. 30, 1995 Notice of Service filed. Alan L.Pepicelli, Esquire, hereby certifies that the original Answers to Interrogatories and Responses to Requests for Production of Documents were served upon counsel for Defendant Jesberger, Marianne C. Mnich, Esquire, via regular first-class U.S. mail sent to her offices situate at Two Mellon Bank Center, Suite 405, 501 Grant Street, Pittsburgh,PA 15219, on the 30 day of March, 1995.
By Alan L.Pepicelli, Attorneys for Plaintffs

Mar. 6, 1996 Appearance of Culbertson, Weiss, Schetroma and Schug by E. Max Weiss,Esquire,Attorney for Defendant, Kathryn M.Jesberger, filed.

May 12, 1997 Upon praeicpe of dft, Kathryn M. Jesberger, the above case is marked discontinued as to add'l dft. Barbara Midkiff, based upon written consent of all parties.

Sept. 8, 1997 Praecipe to Settle and Discontinue by Plaintiff Attorney filed.

1994

Ann H. Gamble

735.

Edward J. Hatheway

7-17-94 Rec'd from Parties Sheriff's cost 18.00

8-18-94 Pd Sheriff 18.00 Ck # 8505

NANCY L. WILSON as mother of STEPHANIE WILSON, a minor

vs.

ALBERT WILSON

filed July 25, 1994
@ 3:14 PM

Tax & entry	Pd 8-17-94	50.50
User's Fee	Pd 8-17-94	5.00
Sheriff's Costs		18.00
Pro Co.	Pd 8-17-94	9.00

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

Order:

And now, this 25 day of July , 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 is excluded from 214 Prospect ST., Titusville, and may not go within 200 yards of the Plaintiff 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 August 3, 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 COURT,
Anthony J. Vardaro, J

July 28, 1994 Motion For change of Time and Order filed. AND NOW, this 28 day of July, 1994, the above motion is hereby granted, and the said hearing will be held at 10:00 a.m. rather than at 1:30 p.m. as previously order.

By Order of Court,
P. Richard Thomas, S.J.

July 29, 1994 Faxed Gambled, mailed dft.

Aug. 5, 1994 Sheriff's Return filed. SERVED Albert Wilson personally on July 25, 1994 at 5:07 PM by handing a copy of the Protection from Abuse to him by Titusville Police Officer John Elsey. Exact place of service is unknown.

So answers, Robert M. Stevens, Sheriff

Aug. 4, 1994 ORDER filed. AND NOW, August 3,1994 at the time set for hearing, the parties and their counsel advise the Court that the matter has been amicably resolved along the following terms and conditions:

1. The mother and daughter will have exclusive occupation of the home and father shall be excluded from visiting at the home or physical presence in the home for a period of 1 year.
2. The parties mutually agree that the father shall be accorded no visitation privileges or rights in relation to the minor child Stephanie.
3. The Defendant agrees athat he will not abuse, harass, annoy the mother or daughter in any fashion, but the parties agree that the mother and father may be in contact with each other, discussing mutual marital matters or problems. However, contact between the parents is not to be interpreted as direct or indirect contact with minor child Stephanie and the father agrees there will be no contact in any fashion with minor daughter.
4. While not directly relating to the abuse issue, the parties wish to make a matter of record the following situations:
   a. Wife agrees to pay household electric, water, cable, and phone bills, and in addition, be responsible for payment of life insurance premiums on family life insurance policies.
   b. Husband agrees to make car payments on boath cars, the household heating bill, and teh car insurance on all cars.
   c. Husband and wife will mutually agree to arrange a time for the husband to come to the household to remove his personal effects.
5. This order shall remain as far as the abuse portions thereof are concerned for a period of one year and any police officer that has been advised that husband has violated the abuse provisions relating to the minor child Stephanie may intervene and if he believes the welfare of said child is in immediate danger, may apprehend the Defendant and lodge him in the County Jail and request an immediate contempt hearing.
6. The parties mutually agree that costs due the Prothonotary's Office in the amounmt of $82.50 will be divided equally between the parties,and each shall pay their respective share on or before August 19,1994.

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

Aug 4, 1994 mailed Gamble, given to Hatheway
Aug. 12, 1994 sent to Plf. & Dft.

736.

JOY L. AZEVEDO

vs.

ANTHONY L. AZEVEDO

Filed July 25, 1994
@ 4:18 PM

Tax & entry Pd. 8-5-94 50.50
User's Fee Pd. 8-5-94 5.00

Sheriff's Costs Pd. 52.00
Pro. Co. Pd. 8-5-94 9.00

8-5-94 Rec from dft Sheriff's Costs 52.00

8-9-94 Pd Sheriff Ch#8479 52.00

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

ORDER:

And now, this 25 day of July , 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, R.D. #1, Sprnigboro, PA 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 August 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

Jul. 29, 1994 Sheriff's Return filed. SERVED Anthony L. Azevedo by deputizing the Sheriff of Erie County,PA. Per a telephone call received from Erie County Sheriff's Department, Anthony L. Azevedo was served on July 27, 1994. Affidavit of Service will be forthcoming.
So answers, Robert M.Stevens,Sheriff

Aug. 3, 1994 ORDER filed. AND NOW, August 2, 1994, both parties appeared at the hearing without counsel. The Court explained the nature of the proceeding to the defendant and he understood it. The defendant agreed to the entry of the following Order, but he does not admit that he engaged in the conduct alleged in the Petition.

ACCORDINGLY, it is ORDERED as follows:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff in any way.
2. The defendant shall not go to the plaintiff's residence or place of work unless she expressly invites him to do so. The defendant may contact the plaintiff in writing or over the telephone, provided said contact is not abusive, harassing or threatening and provided that the telephone contact is between the hours of 8 o'clock a.m. and 8 o'clock p.m.
3. The parties are married and own property together. The plaintiff claims that she has brought some of the defendant's belongings to the hearing and will give them to him after the hearing. The defendant shall receive those belongings. To the extent that one or both has the property of the other, no party shall destroy or damage property owned by the other, but shall keep it in safe-keeping until the parties are able to come to an agreement as to the division of this property or until there has been a proper Court Order entered in some litigation dividing up the property.
4. This Order may be enforced without or 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 Meadville and to County Control and to the defendant at 307 East 27th Street, Erie, Pennsylvania 16508.
6. This Order shall remain in full force and effect for 9 months from this date, unless modified or terminated by further Court Order.
7. The defendant shall pay record court costs in the amount of $116.50 no later than Friday, September 2, 1994. He shall make payment to the Prothonotary of Crawford County on the First Floor of the Courthouse. If he fails to make payment by then,he may be held in contempt of court and punished further.
8. The defendant is reminded that this is an Order of Court and 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.

8-3-94 Faxed to Pa. SPD,Co. Control, Pltf & Deft.

Aug. 10, 1994, Affidavit of Servcie from Erie County (see above) filed.

1994

737.

IN THE MATTER OF THE SELECTION OF PERSONS TO SERVICE AS JURORS FOR THE YEAR 1995

Filed July 26, 1994

ORDER

AND NOW, July 15, 1994, the jury commissioners are hereby directed to fill the jury wheel for the year 1995 with 1,200 names, said names to be selected in accordance with the provisions of the Jury Act (1980-78).

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

Dec. 14, 1994 Jury Wheel Filed.

1994

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

738.

Gregg & Nelson
Kathleen R. Nelson

Buchanan Ingersoll
Denise W.Ford

R. Charles Thomas

KENNETH R. CHALLENER

vs.

SHARON CHALLENER

Filed July 26, 1994
@ 4:05 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 9-19-96 John Spataro, Mediator	90.00 191.00
Pro Co Pd 2-10-98 John Spataro, Mediation	90
Pro Co Pd 7-21-98	90

4-25-96 Rec'd from Dft Med dep 150.00
6-7-96 Refund Dep 90.00
9-19-96 Pd #10713 240.00

7-16-97 Rec'd from dft med fee 200.00

2-10-98 Pd Co med #11658 191.00

5-7-98 Rec. from Dft med. dep. $200.00

7-21-98 Pd Co medfee 191.00

9-14-98 Rec'd Pltf medfee 49.00
Pd Co medfee 9-14-98 49.00

COMPLAINT IN DIVORCE UNDER SECTION 3301(c) or 3301(d), EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION, CHILD CUSTODY
1 copy atty.

Aug. 10, 1994 Petition For Exclusive Possession Of Marital Residence and Order, filed. AND NOW, this 10 day of August, 1994, a hearing is hereby scheduled to hear the issues raised in the Defendant's Petition for the 18 day of August, 1994, at 3:00 P.M., in Courtroom 1 or 2, at the Crawford County Courthouse, Meadville, Pennsylvania. BYS THE COURT:
Anthony J. Vardaro, J.
Aug 10, 1994 Faxed Irwin & Nelson

Aug. 5, 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 certiafied by the Prothonotary of Crawford County, Pennsylvania on the above named Defendant by certified mail, addressee only, return receipt requested, dated July 26, 1994. The Defendant acknowledged service on July 27, 1994 by accepting delivery on that date as evidenced by the attached signed return receipt.

Aug. 18, 1994 Stipulation and Order, filed. AND NOW, this 18th day of August, 1994, it is Ordered as follows with regard to Defendant's Petition for Exclusive Possession of the Marital Reesidence:

1. Beginning fifteen (15) days from the date of this Order,Plaintiff shall reside in the "guest house" on the parties' property, between teh hours of 11:00 p.m. and 6:00 a.m. each day.
2. Plaintiff shall be permitted to use the shower in the martial residence each day, and he shall obtain clothing from the marital residence the night before so as to not disrupt the house hold each morning..
3. Plaintiff may select and move any bed and bedding he wishes from the marital residence and agrees to help rearrange any existing beds, if necessary.
4. Exclusive possession of the marital residence ("main house") shall be in the Defendant, until the occurrence of the first of the followisng events:
   a. Defendant voluntarily relocates;
   b. December 1, 1994; or
   C. A Final Decree in divorce is entered, servering the parties' marriage.

BY THE COURT:
Anthony J. Vardaro, J.
Aug. 19, 1994 Faxed Irwin & Nelson

Apr. 18, 1996 Appearance of Buchanan Ingersoll by Denise W. Ford, Esquire for Sharon L. Challener, Defendant, filed.

April 19, 1996, Motion for Appointment of Custody Mediator for Defendant, Sharon Challener, and Order fo Court filed. ORDER OF COURT: AND NOW, this 14 day of April 1996 upon consideration of the within Motion for Appointment ofCustody Mediator, it is ORDERED, ADJUDGED AND DECREED that John Spataro, Esq. is appointed as custody mediator and both parties are ordered to appear in person at such time and place as will be determined by the mediator for a custody mediation conference. by the court,
Anthony J. Vardaro, J.
4/25/96 faxed to Irwin Nelson, and Spataro.

May 7, 1996, Affidavit of Consent of plaintiff filed.

May 7, 1996, Waiver of Notice of Intention to Request Entry of A. Divorce Decree filed.

June 10, 1996 Motion For Expedited Hearing De Novo and ORDER filed. AND NOW, this 10th day of June, 1996, upon consideration of the within Motion for Expedited Hearing De Novo, it is hereby ORDERED, ADJUDGED and DECREED that an expedited hearing is scheduled with the Court of Common Pleas of Crawford County, Pennsylvania, on the 15th of July, 1996 at 9 o'clock a.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania and on July 30, 1996 in the morning. BY THE COURT:
Gordon R. Miller, J.
6-7-96 FAXED Nelson, Ford & Irwin.

June 3, 1996 Order filed. AND NOW, this 30 day of May, 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 children, Ryan Challener, born on December 16, 1991 and Tristan Challener, born on May 7, 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 parties shall equally share physical custody of the children in accordance with the thems of a certain Separation and Property Settlement executed by and between the parties in the summer of 1994, which agreement calls for the parties to alternate having the children in their care and custody every other week beginning on Friday evening at 6:00 p.m. and continuing until the following Friday at 6:00 p.m. The parties shall maintain the current sequence.
(FOR MORE OF THE ORDER, PLEASE CHECK FILE)
BY THE COURT,
Anthony J. Vardaro, J.
6-5-96 FAXED ford, Apataro & Irwin

Continued on page 288-A

July 19, 1996, Transcript of Proceedings rEquested Testimony of Sharon L. Challener and Direct Examination of Kenneth R. Challener at time of DeNovo Custody Hearing, filed.

1994

Kenneth R. challener
vs.
Sharon Challener

Record continued from page 288
of record
A.D. 1994 - 738

****

Aug. 2, 1996 Memorandum and Order filed. AND NOW, August 1, 1996, it is ordered as follows:
1. The Order ofMay 30, 1996 is affirmed in all respects except as hereinafter modified.
2. Effective this date until September 1, 1996 every Monday through Thursday when the father has custody of his chidlren the mother shall have the right to pick up the children at 10:00 o'clock a.m. and return them to the father's home at 4:00 o'clock p.m. that same day. If the children normally take afternoon naps the mtoher shall make certain that the chilren take those naps while they are in her custody so that the children are not returned to the father in the state of not having their regular naps.

BY THE COURT,
Gordon R. Miller, J

Aug. 2, 1996 mailed Ford & Distributed Nelson & Irwin

Sept 13, 1996 Certificate of completion of the Seminar for Separating Parents for SHARON L. CHALLENER, filed.

Mar 12, 1997 Defendant's Answer and Counterclaim, filed.

Apr. 3, 1997 Plaintiff's Answer and New Matter to Defendant's Counterclaim filed.

Apr. 30, 1997 Defendants Reply to Plaintiffs New Matter field.

May 7, 1997 Petition for Extension of Custody Order and Order filed. AND NOW, this 6th day of May, 1997, upon presentation and consideration of the within Petition, a Rule is granted upon the Plaintiff to show cause, if any he has, why the relief requested by this Petition should not be granted.

RETURNABLE for hearing and/or argument on the 17th day of July, 1997, at 9:15 o'clock A.M., in Courtroom No. 1, Crawford County courthouse, Meadville, Pennsylvania.

A copy of this Petition and Order shall be served upon the Plaintiff by certified mail and upon Plaintiff's counsel by regular mail.

BY THE COURT:
Gordon R. Miller, J.

5-7-97 FAXED Irwin & Thomas

May 21, 1997 Motion to Continue by Plaintiff filed.

May 21, 1997 Order filed. AND NOW, this 21st day of May, 1997 upon presentation and consideration of the within Motion this hearing is rescheduled for the 27th day of June, 1997 at 2:30 O'clock P.m. in Courtroom No 1 of the Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT:
Gordon R. Miller, J.

5-211-97 FAXED Irwin & Thomas

June 16, 1997 Petition for Review and Clarification of Custody Relative to School Attendance of Minor Children and order filed. ORDER: AND NOW, this 13 day of June 1997 this matter is returned to John Spataro, Esq. Custody Mediator, for the purpose of conducting a mediation to review the matter set forth in this Petition and making recommendations to this court relative to the same. This matter may not be sent to mediation until a party makes the $200. deposit.

by the court,
Anthony J. Vardaro, J.

6/17/97 faxed to Thomas and Irwin.

July 3, 1997 ORDER: AND NOW, June 27, 1997, after a combined informal hearign and a formal hearing, the Court denies the mother's petition for an extension of the order entered in 1996. Gordon R. Miller, P.J.
July 3, 1997 Dist Thomas & Irwin
(FOR COMPLETE ORDER SEE PAPER FILED)

Aug 15, 1997 ORDER: AND NOW, this 15 day of August, 1997, after Mediation in the above referenced matter and upon the recommendatoins 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, Ryan Challener, born on December 16, 1991 and Tristan Challener, born on May 7, 1993.

11) The costs and fees of this Mediation, which are fixed at $191.00 ($60.00/hr. X 3.2 hrs.) and the $9.00 Court Order filing fee are to be divided equally between the parties with a share of each being assessed to him or her as costs in this case.

12) The mother has already paid the $200.00 necessary for the appointment of the child custody mediator. The entirety of said some shall be applied to the cost and fees of this case. The father shall, within thirty (30) days of the date of this Order pay toa the mother the sum of $100.00 representing his share of the costs of mediation.

(FOR COMPLETE ORDER SEE PAPER FILED)
Anthony J. Vardaro, J
Aug 18, 1997 Faxed Spataro, Irwin & Thomas
Aug 22, 1997 sent Plf & Dft

May 7, 1998 Petition For Review and Modification of Custody Order and Order: AND NOW, this 6th day of May, 1998, upon presentation and consideration of the within Petition, this matter is referred back to the Custody Mediator John Spataro, Esq., for further mediation in connection with the issues set forth in said Petition.

Gordon R. Miller, P.J.

May 7, 1998 Faxed Thomas, Irwin & Spataro

July 8, 1998 ORDER FILED. AND NOW THIS 7 day of July 1998 after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator, IT IS HEREBY ORDERED AND DECREED THAT:
1. The parties shall share legal and physical custody fo the subject minor children Ryan Challener bor 12/16/91 and Tristan Challener born 5/7/93.
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 teh subject minor child. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor child.
3. The parties shall share physical custody of the children as follows;
a. During the school year the father shall be the primary caretaker fo teh children with the mother to have partial custody on the firs, third, and fourth weekends of each month, with a weekend being defined as including a Friday. The mohter's period of partial custody shall begin at 3 pm. on Friday after noon and continue until 6 Pm on Sunday.
b. The mother shall be the primary caretaker of the children during the summer school vacation period, beginning with the tenth day following the close of school for summer and continuning until the tenth day prior to the commencement of the school year. During this period father shall be entitled to take the children into his care and custody every other weekend, beginning with the first weekend following the mother's acquisition of primary custody during the summer months, with said period of time to begin on Friday at 5 pm and continuing until Sunday at 6 pm.

CONTINUED ON PAGE 288 - B

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B

1994

Kenneth R. Challener
vs
Sharon L. Challener

Continued from page 288 - A
of Record
AD 1994 - 738

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4. For the holidays of Thanksgiving, Christmas New Year's and Easter and for Mother's Day and Fahter's day, the parties are encouraged to agree among themselves as to how best to share time with the children during the holidays. In the event that the parties are unable to reach agreement, the following provision shall govern:
a. Thanksgiving: the mother shall be entitled to have the children in her care and custody on Thanksgiving day, beginning at 3 pm and continuing until 6 pm the follwoing Monday.
b. Christams The Christmas holiday shall be divided into two segments with the first segment beginning at 4 PM on Christmas Eve and continuing until noon on Christmas Day and the second segment beginning at noon on Christmas day an continuing until noon the following day, Dec. 26. For 1998 and each even numbered year hereafter the mother shall have the first segment and the fahter shall have the second segment The parties shall alternate this arrngement for all subsequent years.
Beginning at noon on Dec. 26 if the mother does not already have custody of the children, the mother shall be entitled to take the children into her care and custody of the children, the mother shall be entitled to take the children into her care and custody every year beginning at noon on Dec. 26 nd continuing until 5 pm on Dec. 31.
c. New Year's; The New Year holiday shall be divided into two segments with the first segment beginning at 5 pm on Dec. 31 and continuing until non on Newyears day and the second segment beginning at noon on New Year's Day and continuing until 6 PM that evening. For 1998 and each even numbered year hearafter the father shall have the first segment and the mother shall have the second segment with the parties to alternate this arrangement for all subsequent years.
d. Easter; The Easter holiday shall be divided into two segments, with the first segment beginning at 6 PM the day before Easter Sunday and concluding at 3 pm on Easter Sunday itself and the second segment beginning at 3 pm on Easter Sunday and continuing until noon the following day For 1999 and each odd numbered year thereafter the mother shall have the fist segment and the father shall have the second segment. Notwithstanding this arrangement the mohter shall be entitled to take the children for a period of not more thana three hours on Sunday morning regardless of whether she would otherwise have the children so that she can attend religious services with her children on Easter Sunday. In the event of such participation in Ester Sunday services, the mother shall be responsible for all transportation.
e. Spring Break; Except for provisions relating to Easter which take priority mother shall have the children during the childrens' Spring Break, beginning at 5 pm the day after school lets out until 5 pm the day before the children are to return to school
f. the children shall spend Father's Day with their father from 9 to 7 pm and mother's day with their mother during the same hours.
g. The provisions of this paragraph shall take precedence over the other provisions of this Order relating to custody.
5. The children shall attend school within the Crawford Central Shcool Dist.
6. Except as otherwise provided the parties shall share 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 PA.
7. Each party shall teach said children to give to the other party that love and respect which is due a parent form this 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 teh subject minor children. The parties are cautioned that medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the children are being transported or in the bedroom of the child.
9. Neither party shall do or say anything to blacken the character of the other in the childrens' estimation. Each party shall treat the other in a polite and respectful manner when in the childrens' 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 chidlrens' estimation.
10. The parties are free to make addtional or alternative arrangements respecting the custodial and visitation periods an are strongly encouraged to do so if that would be porper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this order shall govern.
11. This order supercedes all previously entered child custoyd orders.
12. Eitehr party may request a review of this Order upon any material change in circumstances.
13. The 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 to be divided equally between the parties with a share of each being assessed to him or her as costs in this case.
14. The mother has already padi the $200.00 necessary for the appointment of the child custody mediator. The entirety of said sums hall be applied to the cost and fees of kthis case. The fahter shall within 30 days of the date of this Order pay to the mother the sum of $75.50 representing his share of the costs of mediation and he shall pay the Prothonotary the sum of $49.00 representing the balance due.
15. Either party may move the court for a hearing de novo within 10 days form the date hereof. If neither party so moves this Order shall be considered permanent.

BY THE COURT
ANTHONY J. VARDARO, J.

July 8, 1998 FAXED SPATARO, IRWIN & THOMAS

Aug. 14, 1998 Request for a Hearing and order filed. ORDER: AND NOW this 14 day of Aug. 1998 a de novo hearing is sc heduled for the 31st day of Aug. 1998 at 1:45 p.m. in c. r. No. 2, courthouse, Meadville, Pa.
A copy of this order shall be served upon the plff, by reg. mail and upon his counsel, James R. Irwin.
by the court,
Anthony J. Vardaro J.
8/14/98 faxed to Thomas, Irwin and Spataro.

September 9, 1998 MOTION FOR CONTINUANCE FILED
Sept. 9, 1998 Order filed. And Now, this 24th day of Augsut, 1998 upon presentation and consideration of the within Motion this hearing is rescheduled for the 10th day of December 1998 at 9 AM in Ct Room no. 1 of the CrawfordCounty Courthouse, Meadville, Pa.

By the Court
Gordon R. Miller, J.

9/9/98 Faxed Thomas & Irwin

Dec. 9, 1998 Motion to Withdraw DeNovo Hearing and Order Filed. And Now, this 9th day of December, 1998 the within Motion is granted.

By the Court, Gordon R. Miller, J.

19/9/98 Faxed Thomas & Irwin

Feb. 5, 1999, Plaintiff's aFfidavit Under 3301(d) of the Divorce Code filed.

Feb. 16, 1999 Counter-Affidavit Under Section 3301(d) of the Divorce Code Filed (Deft)

Feb. 22, 1999 Motion to Schedule Hearing and Order filed. And Now, this 19th day of Feb 1999 upon presentation and consideration of the within Motion, a hearing is scheduled on Count III of the Defendant's Answer and Counterclaim (Alimony Pendente Lite, Permanent Alimony Counsel Fees Costs and Expenses) for the 28th day of May 1999 at 1:15 PM in Court room No. 1 of teh Crawford County Court house Meadville, PA

By the Corut Anthony J. Vardaro, J

2/22/99 Faxed Thomas & Irwin

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(c)

1994

S30410

Kenneth R. Challener
vs
Sharon Challener

continued from page 288-B
of record
AD 1994 - 738

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Feb. 22, 1999 Petition for Bifurcation and Rule filed. And now, this 19th day of Feb. 1999 upon consideration of Plaintiff' Petition for Bifurcation a Rule is hereby entered upon the Defendant Sharon Challener to show cause why the relief requsted should not be granted.
Rule Returnable with hearing thereon the 28th day of May 1999 at 1:15 pm in courtroom no. 1 of the Crawford County Courthouse Meadville, pA

By the Court
Anthony J. Vardaro, J

2/22/99 Faxed Thomas & Irwin

June 1, 1999 Order filed. And Now, May 28, 1999 the parties have appeared in Court for a hearing on the Plaintiff's petition for bifurcation and the Defendant's request for alimony pendente lite, counsel fees costs and expenses. They have reached an agreement, which we accept, and order as follows:
1. THe Defendant's claim for alimony pendente lite is withdrawn.
2. The Defendant's claim for counsel fees, costs and expenses will remain at issue, will not be resolved at this time, and will be resolved either by agreement of the parties or by the Court in the future.
3. The Plaintiff withdraws his child support claim at DR 1999 - 00034, PASCES No. 188100647, and shall repay to the Defendant herein all amounts of support she has paid from the date the most recent Order was entered, which shall include any payments she makes or are made by reason of an attachment after this date.
A copy of this Order shall be delivered to the Domestic Relaitons Section and it shall adjust its records accordingly. The Plaintiff shall repay said sums no later than June 30, 1999 directly to the Defendant.
4. The Plaintiff's petition for bifurcation is withdrawn.
5. The parties shall expedite this matter to a conclusion as quickly as it is reasonably possible to do.
6. Any arreages that the Defendant owes to the Plaitniff under the current support order are hereby discharged and shall not be collected by the Domestic Relations Section.
7. The Defendant's request for a hearing de novo from the most recent support order is withdrawn.

BY ORDER OF THE COURT
Gorodn r. Miller, PJ

6/2/99 Dist Dom Rel, Irwin & Thomas

AS OF JUNE 14, 2001 PLEASE SEE COMPUTER FOR FURTHER ENTRIES.

1994

Ferguson & Spataro
Douglas W. Ferguson

739.
Thomas Dana Watson
Brian J. Lindsay

7/27/94 $150.00
deposited by plaintiff

10-4-94 Pd Plff Refund Ck# 8599 141.00

5-11-95 Rec'd from Atty med file 150.00

6-9-95 Pd Def's Refund Ck# 9262 150.00

7-19-95 Cash Bond deposited by Mathew Gen. Acct 500.00

7-31-95 Returned Bond #9347 500.00

8-11-95 Rec'd from Plff med def 150.00

9-19-95 Pd Plff med Refund #9466 31.00

10-12-95 Pd Co #9512 119.00

THOMAS R. ARMEL

vs.

DAWN M. ARMEL

Filed July 27, 1994
@ 9:29 AM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00
John Fuller, Mediator	200.00
Pro Co Pd 10-10-94	9.00
Pro Co Pd 4/25/95 -	9.00
John Fuller, Mediator	210.00
Pro Co Pd 10-12-95	9.00

John Fuller,Mediatior

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, CUSTODY
1 copy atty.
1 copy med.

Aug. 2, 1994 Motion To Appoint Custody Mediator and Order filed. AND NOW, this 3rd day of August, 1994, John Fuller, Esquire is hereby appointed Child Custody Mediator in regard to the above captioned action. A copy of this Order shall be served upon Dawn M. Armel by regular mail.

BY THE COURT:
Gordon R. Miller, J

Aug. 3, 1994 Order filed. You, DAWN M. ARMEL, Defendant, have been sued in court to obtain custody, partial custody or visitation of the child: Jonathan Armel.

John Fuller, Esq., has been appointed Child Custody Mediator and you are further ordered to bring wtih you the child if so required by the Child Custody Mediator.

If you fail to appear as provided by this Order or to bring the child, an order for custody, partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.

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

Court Administrator
Crawford County Courthouse
Meadville, Pennsylvania 16335
Telephone: (814) 333-7300

8/2/94

BY THE COURT,
Gordon R. Miller, J

Aug. 10, 1994, Answer to Complaint in Divorce filed.

Aug. 12, 1994 Order filed. AND NOW, August 10, 1994 this matter is before the Court in Motions Court on a request for special relief by the Defendant with respect to a custody matter.

Without going into great detail, essentially this involves a child that was born on July 8, 1994 at Children's Hospital in Pittsburgh. The child continues to have medical problems requiring medical attention on an ongoing basis.

The natural mother, after the birth of the child, stayed at Children's Hospital in Pittsburgh while the child was hospitalized and natural father remained working here in Crawford County, as would be expected.

Thereafter, when natural mother and the child returned to Crawford County, apparently the parties got into an argument resulting in assault charges against the Defendant with respect to the argument.

While the Defendant was being detained bythe police, the Plaintiff took custody of the child on or about August 2, 1994 and has refused to allow the Defendant to visit and wishes to remain in custody of the child.

Planitiff natural father has various concerns, particularly including that the Defendant will leave to go to the State of South Carolina pending a mediation conference in front of Attorney John Fuller o nSeptember 18, 1994.

After listening to both sides informally in Motions Court, the Court orders that custody of the minor child shall be shared between the parties pending a mediation conference with the natural mother having custody each Saturday from 9:00 a.m. until Tuesday at 5:00 p.m. and the natural father having custody from Tuesday at 5:00 p.m. until the following Saturday at 9:00 a.m.

The natural mother shall during this period of temporary custody pending the mediationlive with Jack and Marge McCrillis in Saegertown on Erie Street Extension and shall immediately supply that location information to natural father Plaintiff as well as a telephone number at which she can be reached.

No party shall remove the child form Crawford County at nay time without further order of Court pending the mediation conference on September 10, 1994.

At any time there is an exchange of the child, the parties shallmake such exchange as brief as possible and shall not confront one another nor assault, abuse, harass or in any way cause problems for one another nor shall they procure anyone else to do so.

This Order is not intended to give any guidance whatsoever to the meidator nor to any trier of fact with respect to custody but is only intended as a temporary order pending the mediation.

The Plaintiff shallimmediatley return to the Defendant the marital vehicle, a 1984 Nissan pending further hearing. Also pending further hearing, no party shall in any way damage, sell, dispose of or do anything of that nature with respect to either that vehicle or a Sunbird that is owned by the parties.

A hearing is set sclely for the purpose of determining finally the issue with regard to special relief concerning the behicles for September 27, 1994 at 3:30 p.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse.

The child is schedule for care at Children's Hospital in Pittsburgh on August 31, 1994 and notwithstanding the requirements of this order that the child not be taken form Crawford County, the child may be taken to that appointment and any other medical appointments outside of Crawford County pending the mediation confernece. The child shall be taken to such medical appointments by the father even if it is during a period normally that mother would have custody of the child. Mother shall be informed by father at least 72 hours before any such appointments so that she knows the child will be picked up and approximately when the child will be rreturned after the appointments, and she may attend such appointments in Pittsburgh or such toher place as the child is cared for but the child shall be returned to Crawford County by the father and then custody given back to the motehr if it is her period of custody.

In the event that the mother has to return to South Carolina with respect to pending criminal charges or for any other reason pending the mediation conference, the child shall be immediatley returned to the custody and care of the father while she is on such a trip, it being the Court's intention that the child not be left in the McCrillis home if the natural mother is out of the State since the father and his family are certainly willing to have the child in their care and custody.

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

Aug. 12, 1994 Copies dist. to Ferguson, Lindsay and Fuller

Continued on Pg. 452

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1994

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

740.

Mary Ann Kirkpatrick

JO MARIE GUSTAFSON

vs.

FRED W. GUSTAFSON

Filed July 27, 1994
@ 1:46 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00

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

July 27, 1994 Affidavit Under Section 3301(d) of the Divorce Code of Plaintiff filed.

Aug. 22, 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 August 16, 1994, she sent a certified copy of theComplaint in Divorce and an Affidavit under Section 3301(d) of theDivorce Code and Counter Affidavit to the Defendant by certified mail, restricted delivery return receipt requested, to Fred W. Gustafson, R.D.#1, Wayland Road, Meadville,PA 16335, the defendant's last known address. Ann Hansen Gamble

Aug. 31, 1994 Defendant's Counter-Affidavit Under Section 3301(d) of the Divorce Code, filed.

Sept. 19, 1994 Motion To Request Counseling and Order, filed. And Now, 9-16-94, Plaintiff and Defendant are ordered to attend 3 sessions of marriage counselling with DAVID GLENN who shall issue a report to counsel for both parties. Defendant shall pay for the counselling using marital funds. This divorce action is stayed pending receipt by the court of the report of the marriage counselor. By the Court:
Gordon R. Miller, P.J.
Sept. 20, 1994 Faxed Kirkpatrick & Gamble, mailed Glenn

Feb. 8, 1996, Affidavit Under Section 3301(d) of the Divorce Code filed. (Peff's)

May 21, 1998 Notice of death of Plaintiff (May 14, 1998), filed.

1994

Dallas W. Hartman, PC
Joanne M. Weber

741.

James W. Harvey dft.

Marsh, Spaeder, BAur,
Spaeder & Schaaf
Francis J. Klemensic
for Add'l Dft.

TODD BARRY

vs.

JAMES R. GRANDA JR.
Kerry A. Austin, Add'l Dft.

Filed July 27, 1994
@ 1:46 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Sheriff's Costs	53.00
Pro Co pd 5-16-95 Pro Co pd 12-6-96	9.00 6.00

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Aug. 10, 1994 Sheriff's Return filed. SERVED James R. Granda, Jr. on August 3, 1994 at 11:37 AM by handing a copy of the Complaint to Donna Granda, his Mother andAuthorized Agent, in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA. Signed Acceptance of Service attached.
So answers, Carole Stefanucci, Deputy Sheriff
Robert M.Stevens, Sheriff

Sep. 16, 1994 Appearance of James W. Harvey, Esquire for James R. Granda,Jr., Defendant, filed.

Dec. 5, 1994 Answer and New Matter, filed.

Dec. 15, 1994 Reply To New Matter filed.

Feb. 3, 1995 Complaint to Join Additional Defendant Kerry A. Austin, filed.
(1 copy Sheriff)

Feb. 6, 199s5 Notice/Certificate of Service of Discovery Requests, filed.

Feb. 24, 1995 Appearance of Marsh, Spaeder, Baur, Spaeder & Schaaf by Francis J. Klemensic, Esquire for Additional Defendant, filed.

Mar. 17, 1995 Sheriff's Return filed. SERVED the wtihin Complaint on February 13, 1995, at 0930 HRS., upon Kerry A. Auston at Erie County Sheriff's Department 140 West 6th Street, Erie County, Erie Pennsylvania by handing to Kerry A. Austin a true and correct copy thereof and made known to Kerry A. Austin the contents therein.
So answers, Robert N. Michel, Sheriff
John Loomis, Deputy Sheriff
I hereby deputize theSheriff of Erie County, Pennsylvania to serve the wthin Complaint to Join Add'l. Defendant according to law. Robert M. Stevens, Sheriff

Mar. 20, 1995 Preliminary Objections filed.

Mar.20, 1995 Upon Praecipe of Francis J. Klemensic, Esquire,Attorneys for Additional Defendant, Kerry A.Austin, the above captioned matter is placed on the next available Argument List.

ON APRIL, 1995 ARGUMENT LIST

Apr. 24, 1995, Defendant's Reply to Additional Defendant's Preliminary Objections filed.

Apr. 25, 1995 Order filed. AND NOW, April 24, 1995 counsel appeared in Court for argument on the preliminary objections filed by the Additional Defendant to the complaint of James R. Granda, Jr., joining him as an Additional Defendant. Counsel for the Defendant agreed that he did not obtain leave of Court and msut do so. He suggested that the complaint be withdrawn and that the argument become an agrument on whether or not he should be permitted to file late. In essence he would then be making an oral motion for Court approval of a late joinder.
Counsel for the Additional Defendant disagreed with that procedure, and the Court generally does, too, becuase there are no reasons of record as to why there was a late joinder. We would prefer that the complaint be dismissed as having been filed late, and that the original Defendant be given 10 days from this date to file a motionor petition with the Court seeking Court approval of a late joinder. Most likely, that would be in a petition form, if it avers facts, and then there would be facts of record that would form the basis of any decision we would make on this.
Accordingly, it is ORDERED Aas follows:
1. The complaint of the original Defendant to join the Additional Defendant filed February 3, 1995 is hereby stricken as having been filed outside of the 60 days and without leave of Court.
2. The Additional Defendant is given 10 days from this date to file a motion or petition seeking Court approval of a late joinder. If that is done, and if the Additional Defendant objects this matter shall be placed on theMay 1995 argument list and may be submitted to the Court by brief only, if the parties both agree in writing.
The parties shall follow the local rules with respect to the filing of briefs whethr there is an oral argument or whether the case is submitted on brief only.
BY ORDER OF THE COURT,
Gordon R. Miller, J

Apr. 25, 1995 copies to Atty's Weber, Harvey & Austin

May 10, 1995 at 11:46 a.m., And Now, upon praecipe of counsel for additional defendant, on order dated April 24, 1995 of Judge Gordon Miller, Judgment is hereby entered in favor of additional defendant Kerry A. Austin, and against the defendant James R. Granda Jr.
Judgment entered
5/10/95
G - 94
JUDGMENT
BARBARA H. KING,
Prothonotary

May 12, 1995, notice of entry of judgment mailed to attys. Harvey and Weber.

May 16, 1995 Notice/Certificate of Service of Response's To Discovery Requests, filed.

Dec 4, 1996 Upon praecipe of plaintiff attorney the above-referenced matter is settled, ended and discontinued of record.

1994

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

742.

ROLLO CARL SNYDER

vs.

PATRICIA L. SHAMP

Filed July 27, 1994
@ 1:46 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	38.40
Pro.Co. pd 5/10/95	6.00

WRIT OF SUMMONS
Issued Sheriff

Aug. 15, 1994 SHERIFF'S RETURN, filed. NOT FOUND as per an Affidavait of "Not Served" returned from Venango County Sheriff's Department. Affidavit attached. Address given of 32 First Avenue, Oil City, Pa., could not be located, no such address.
So answers, Robert M. Stevens, Sheriff

Sept. 30, 1994, Writ Reissued.

Oct. 14, 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 2901 Willow Wood Drive, Erie, PA 16506 Robert M. Stevens, Sheriff Cr. co.
SERVED the within Summons on October 10, 1994, at 1500, upon Patricia L. Shamp at 140 West 6th Street, Erie Sounty Sheriff's Department, Erie by handing to Patricia L. Shamp a true and correct copy thereof and made known to her the contents therein.
Robert N. Michel, Sheriff Erie Co.
William Parker, Dep. Sheriff

May 10, 1995 Upon Praecipe of Ann Hansen Gamble, Esquire Attorney for Plaintiff, this matter settled and discontinued of record.

1994

Culbertson, Weiss, Schetroma & Schug
David L. Hotchkiss

743.

DONALD J. FULTON and FRANCES E. FULTON, Husband and wife

vs.

IONE HYDE YOUNG and GEORGE YOUNG, her husband, MARTHA WICKHAM, VERNA MAZIARZ, PERRY TANNER, RAY E. TANNER, CHARLES TANNER, HAROLD DRACE and SUSAN MORSE, their unknown heirs, devisees, successors and assigns, and all persons claiming any right title or interest

Filed July 27, 1994
@ 4:04 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Pd 5/23/95	9.00

COMPLAINT IN ACTION TO QUIET TITLE
7 copies atty.

Oct. 24, 1994 Motion For Judgment and Modification of Time and Order filed. AND NOW, this 24th day of October, 1994, upon motion of the Plaintiffs and after having determined that no appearance has been entered onthe record on behalf of the Defendant Martha Whickham, Verna Maziarz, Perry Tanner, Ray E. Tanner, Charles Tanner, Harold Drace or Susan Morse, and no communication having been made to the Crawford County Bar Association Service to the Public Committee, by the said Defendants, or anyone on their behalf, it is hereby ordered and decreed, as follows:

1. The Plaintiffs are the owners of the subject premises described inthe Complaint in fee simple absolute as their respective interests may appear, free and clear of all claims of the Defendants Martha Wickham, Verna Maziarz, Perry Tanner, Ray E. Tanner, Charles Tanner, Harold Drace, and Susan Morse, their heirs and assigns generally by virtue of the open, notorious, continuous and adverse possession of the subject premises for a period of time in excess of 21 years.

2. The Defendants Martha Wickham, Verna Maziarz, Perry Tanner, Ray E. Tanner, Charles Tanner, Harold Drace, and Susan Morse, their heirs and assigns generally, are forever barred from asserting any right, lien, title or interest in the subject premises inconsistent with the interest or claim of the Plaintiffs as set forth in their Complaint, and from impeaching, denying, litigating or in any way attachking the Plaintiffs' title thereto.

3. The fee simple title of the Plaintiffs herein to the subject premises is confirmed, ordered and decreed, unless the Defendants Martha Wickham, Verna Maziarz, Perry Tanner, Ray E.Tanner, Charles Tanner, Harold Drace or Susan Morse or any one or some ofthem, file Exceptions to this Order within Ten (10) days from the filing hereof to the Prothonotary of this Court.

4. No notice of the filinf of this Order is required to be given to the Defendants or to any other person.

5. If no action is taken by the Defendants Martha Wickham, Verna Maziarz, Perry Tanner, Ray E. Tanner, Charles Tanner, Harold Drace, or Susan Morse, or any one of some of them, within the said ten-day period of time, this Order shall become absolute and final, upon Praecipe of the Plaintiffs

Y - 200 - 73; W - 112; M - 164 - 154; T - 133 - 143 - 33; D - 84

BY THE Court,
Gordon R. Miller, J

Oct. 28, 1994 Faxed to Atty. Hotchkiss

And Now, May 23, 1995 at 3:49 p.m., upon praecipe of plaintiff attorney, according to the Order of Court entered Oct. 24, 1994, FINAL JUDGMENT is hereby entered in the above captioned Quiet Title Action.

Y - 200, 73
W - 112
M - 164, 154
T - 143, 33, 84
D - 84

FINAL JUDGMENT
Barbara H. king,
Prothonotary

294

1994

744.

CLARA M. SWOGER

vs.

LELSIE L. SWOGER

Filed July 27, 1994
@ 4:05 PM

Tax & entry	Pd 8-1-94	50.50
User's Fee	Pd 8-1-94	5.00
Sheriff Costs	Pd 8-1-94	30.00
Pro Co	8-1-94	5.00

8-1-94 Rec from dft Sheriff's cost 30.00

8-1-94 pd Sheriff Ck# 8469 30.00

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

ORDER:

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

1. The defendant shall not assault, abuse, harass or threaten the Plaintiff ~~or any of the minor children named in the Petition.~~
2. Special Conditions: Defendant shall not contact Plaintiff in any way. Defendant shall not go to Plaintiff's residence or work place.
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 August 5, 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

Aug.5, 1994 Sheriff's Return filed. SERVED Leslie L.Swoger personally on August 1, 1994 at 11:20 AM 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,

Carole Stefanucci, Deputy Sheriff
Robert M.Stevens, Sheriff

Aug. 3, 1994 Motion toVacate Protection from Abuse Order and ORDER filed. AND NOW, this 1st day of August, 1994 upon receipt and review of the plaintiff's motion tovacate and terminate the Protection from Abuse Order of July 27, 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 Police Dept. and to County Control.

Any provisions of the Protection from Abuse Order of July 27, 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.

8-3-94 Faxed toMCPD & Co. Control

1994

Barrett & Dratler
Bruce A. Barrett

745.

THOMAS REGIONAL DIRECTORY COMPANY, INC.

vs.

SPECIALTY CASTING, INC.

Filed July 27, 1994
@ 4:29 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Aug. 10, 1994 Sheriff's Return filed. NOT FOUND as to Defendant Specialty Casting, Inc. at 764 Bessemer Street, Meadville, Crawford County, PA. They are out of business have been for approximately one year.

So answers, Robert M. Stevens,Sheriff

1994

746.

Paul E. Allen

KENNETH R. CHALLENER, M.D.

vs.

JOHN BENVENUTO

Filed July 28, 1994
@ 8:57 AM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro Co pd 9-12-94	9.00

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

July 28, 1994 Rule entered upon the Plaintiff to file a Complaint issued.

Aug.8, 1994 Proof of Service filed. Paul E. Allen, Esq. being duly sworn according to law deposes and says that he is the attorney for the Defendant in the above captioned case; that on July 28, 1994 he served Notice of Appeal from the decision of District Magistrate by Certified Mail upon Kenneth M. Challener, M. D., Appellee at his place of busines at 461 Pine Street, Meadville, PA 16335, Certified Mail No. Z 727 903 523 and upon William D. Chisholm, District Magistrate at his office at 984 Water Street, Meadville, PA 16335 by Certified Mail No. Z 727 903 524. Attached hereto and made a part hereof are the aforesaid receipts for Certified Mail and Return REceipts showing delivery to have been made July 29, 1994.
And further deponent saith not.
Date: August 8, 1994 Paul E. Allen, Esq.

Sept. 12, 1994 And now, upon praecipe of defendant attorney judgment is entered in favor of the Defendant and against the Plaintiff for failure to file his Complaint.
Entered 9-12-94 Barbara H. King, Pro.

1994

J. Gregory Moore

747.

Dennis G. Kuftic

NORMAN C. EASTMAN

vs.

JUDITH ANN EASTMAN

Filed July 28, 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 4-3-98	6.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy atty.

Aug. .10, 1994, Appearance of Dennis G. Kuftic, atty. for defendant, filed.

Aug. 17, 1994, Affidavit of Service filed. Before me, a notary public, in aforesaid Com. and County, persoanlly appeared J. Gregory Moore, Esq., who being first duly sworn deposes and says that he served true and attested copy of Complaint in Divorce on dft. by cert. mail, ret. rec. req., dated Aug. 5, 1994. Proof attached hereto.
J. Gregory Moore, Esq.

Mar. 12, 1998 Important Notice and Court Order filed. Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 8/17/94 . 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 26, 1998 Upon Praecipe of defendant attorney, the above record is settled, discontinued, Ended and costs paid, filed.

1994

Ferguson & Spataro
John F. Spataro

748.

TIMOTHY J. KELLER

vs.

DENISE A. KELLER

Filed July 29, 1994
@ 10:05 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 11-4-94	9.00

COMPLAINT IN DIVORCE
1 copy atty.

Nov. 3, 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 teh Prothonotary of Crawford County, Pennsylvania, on the above named Defendant by certifie mail, addressee only, return receipt requested, dated July 29, 1994. The Defendant acknowledged service on July 30,1994, by accepting delivery on that date as evidenced by teh attached signed return receipt.
John F. Spataro, Esq.

Nov. 3, 1994 Affidavit of Consent of Defendant, filed.

Nov. 3, 1994 Affidavit of Consent of Plaintiff, filed.

Nov. 3, 1994 Upon Praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Nov. 14, 1994 AND NOW, November 10, 1994, it is hereby ordered and decreed that TIMOTHY J. KELLER, plaintiff, and DENISE A. KELLER, 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

Joseph F. Kulwicki

749.

IN THE MATTER OF MONTANA JOHN HUDSON,a minor, by MALINDA E. HUDSON n/b/m MALINDA BRENIZER and CURTIS LEE BRENIZER, his parents and natural guardians

Filed July 29, 1994
@ 1:15 PM

Tax & entry paid 50.50
User's Fee paid 5.00

PETITION FOR CHANGE OF NAME
Faxed Atty.

Order;

AND NOW, to-wit July 29, 1994, upon motion of Joseph F. Kulwicki, III, Esquire, attorney for the petitioners above named and upon presentation of the within petition, it is ORDERED and DECREED that the within petition be heard on the 30 day of Aug. 1994, at 1:15 pm in Court room number 1 or 2 at the Crawford County Courthouse, Meadville, Pennsylvania and that notice of the filing of the within petition and of the aforesaid date of hearing will be published in the Meadville Tribune and Crawford County Legal Journal once.

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

Sep.9, 1994 Motion to Continue and ORDER filed. AND NOW, this 8 day of September, 1994, in consideration of the foregoing motion, the hearing originally set for August 30, 1994 is continued to November 9, 1994 at 1:00 p.m. in Courtroom 1 or 2. The rescheduled hearing shall be readvertised in accordance with the Court's order of July 29, 1994.

BY THE COURT,
Anthony J. Vardaro, J.

9-9-94 Faxed to Atty. Kulwicki

Nov. 9, 1994, Affidavit, Proofs of Publication and Order filed. Order; And Now this 9 day of NOv. 1994, upon hearing of the within Petition and upon Motion of Joseph F. Kulwicki, III, Esq. atty. for the Petitioner, and upon presentation of proof of publication of notice as required by law together with proof that there are no judgments or decrees of record or any other matter of like effect against the Petitioner, and it appearing that there is no legal objection to the granting of the prayer of the Petitioner,

IT IS HEREBY ORDERED AND DECREED THAT the name ofthe petitioner by and is hereby changed to Montana John Brenizer.

BY THE COURT,
Anthony Vardaro, Judge

Nov. 9, 1994, copy faxed to Atty. Kulwicki.

300

1994

Phillips & Galanter
Donald L. Phillips
Christopher B. Stern

750.

HALLIDAY & HALLIDAY
Michael Halliday
for Patricia Wagner

INTERNATIONAL STOCK FOOD CORPORATION

vs.

BERNARD R. WAGNER, PATRICIA J. WAGNER and DAVID L. WAGNER i/and as partners t/d/b/a WAGNERCREST FARMS

Filed July 29, 1994
@ 1:23 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	43.00
Pro Co pd 3-7-95	15.00
Ori oaud 4/8/96	5.00

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION
4 copies Sheriff

Aug. 11, 1994 Sheriff's Return filed. SERVED Bernard R. Wagner personally on August 4, 1994 at 9:25 AM by handing a copy of the Complaint to him at Wagnercrest Farms, R.D. #6, Meadville, Crawford County, PA.
SERVED Patricia J. Wagner personally on August 4, 1994 at 9:35 A AM by handing a copy of the Complaint to her at Wagnercrest Farms R.D.#6, Meadville, Crawford County, PA.
SERVED David L. Wagner onAugust 4, 1994 at 9:26 AM by handing a copy of the Complaint to Bernard Wagner, Adult in Charge at Wagnercrest Farms, R.D. #6, Meadville, Crawford County, PA.
SERVED Wagnercrest Farms on August 4, 1994 at 9:27 AM by handing a copy of the Complaint to Bernard Wagner, Owner, at Wagnercrest Farms, R.D. #6, Meadivlle, Crawford County, PA.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Aug. 18, 1994 Answer and Counterclaim of Defendants, filed.

Sep. 16, 1994 Appearance of Halliday & Halliday by Michael Halliday, ESquire for Defendant,Patricia J.Wagner, Indivi~~d~~iually only, filed.

Sept. 20, 1994 Answer and New Matter filed.

Sept. 22, 1994, Answer of plaintiff to Counterclaim filed.

Feb. 23, 1995 Upon praecipe of plaintiff attorney to appoint Arbitrators, the following Arbitrators have been appointed. ~~R. Charles Thomas, Chr.~~ ~~Alan Sahddinger,~~ Chr. ~~Bettie Muth~~ Theodore H. Watts
Derald Shuffstall
~~James R. Irwin~~ ~~Kenton o'Neill~~ -- Thomas Dana Watson

May 18, 1995, Arbitrators Take the Qualifying Oath.

May 26, 1995 Notice of Arbitration hearing, filed.

Feb 13,1996 Notice of Arbitration, filed.

Apr 22, 1996 Notice of Arbitrator, filed.

MAy 2, 1996 Upon Praecipe of defendants, the above Counterclaim is hereby withdrawn.

May 6, 1996, Upon praecipe of plaintiff attorney, to settle and discontinue, the above case is settled and discontinued of record.

1994

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

751.

Mary Ann Kirkpatrick

MARY K. HART

vs.

PAUL M. HART

Filed July 29, 1994
@ 3:16 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
John Spataro, Mediator	330.00
Pro Co. 10-13-97 pd	9.00
Pro Co pd 6-3-98	9.00

Pltf pd 12-11-98 90.00

COMPLAINT IN DIVORCE, ALIMONY PENDENTE LITE,
COUNSEL FEES & COSTS
1 copy atty.

Oct. 2, 1995 Petition for Related Claims Under Divorce Code, filed.

Nov. 6, 1995, Inventory of Defendant filed.

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

Nov. 6, 1995, Appearance of Mary Ann Dirkpatrick, attorney for defendant filed.

Nov. 6, 1995 ORDER filed. AND NOW, November 6, 1995, at the time the matter is before the Court on Plaintiff's Petition for Related Claims Under the Divorce Code, the Court notes that an appearance has been entered this date for the defendant.

Both parties agree no hearing is necessary and both parties agree that after this Order, the plaintiff and the defendant are permitted to proceed on all counts of the original Divorce Complaint and on those additional counts added by the Petition for Related Claims filed October 2, 1995. BY THE COURT,
P. Richard Thomas S.J.

Nov. 6, 1995 Copy in Attys. R.C. Thomas Kirkpatrick mailbox.

Jan. 3, 1996 Inventory and Appraisement filed.

Jan. 3, 1996 Income and Expense Statement filed.

Nov. 21, 1996 Motion for Appointment of Custody Mediator, Notice and Order to Appear, and Order and Notice filed. You, Paul M. Hart, have been sued in court to (obtain) (modify) custody, partial custody or visitation of the child(ren) _____.

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. BY THE COURT
Gordon R. Miller, J.

11-22-96 FAXED Thomas, Spataro, Kirkpatrick

ORDER AND NOTICE: AND NOW, this 21st day of November, 1996, a complaint in divorce being filed herewith which avers that there are children of the marriage under the age of 18 years it is ORDERED and DECREED that the parties shall comply with Crawford County Civil Rule L1930 and shall attend and complete the Seminar for Separating Parents. Applications for the seminar may be obtained at the Center for Family Services, Inc., 213 Center Street, Meadville, Pennsylvania 16335; the Office of the Prothonotary in the Crawford County Courthouse; the Court Administrator's Office in the Crawford County Courthouse. BY THE COURT
Gordon R. Miller, J.

11-22-96 FAXED Thomas, Spataro & Kirkpatrick

Feb 3, 1997 Certificate of completion of the Seminar for Separating Parents for Paul M. Hart, filed.

Feb 13, 1997 Motion For Appointment of Master in Divorce and Order: AND NOW, February 12, 1997, David Pickens, Esquire is appointed Master in respect to the following claims:

If not filed already the parties are ordered to file their prehearing staements within twenty (20) days from this date.

The Defendant shall file his income and expense statement within 30 days.
Anthony J. Vardaro, J.

Feb 13, 1997 Faxed Thomas, Kirkpatrick & Pickens

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

March 3, 1997 Income and Expense Statement of Defendant, filed.

Mar 7, 1997 ORDER: AND NOW, this 6th day of MARCH, 1997, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediataor.

IT IS HEREBY ORDERED AND DECREED THAT:

1) The parties shall share legal and physical custody of the subject minor children, Vanessa Hart, born on May 28, 1981; Michael P. Hart, born on October 7, 1985 and William J. Harat, born on October 18, 1989.

3) The mother shall retain physical custody of William J. Hart, subject to the partial custody rights of the father as set forth below. The father shall retain primary physical custody of Vanessa Hart and become the primary custodial parent of Michael, subject to the partial custody rights of the mother as set forth below. etc. (see paper filed)

12) The mother, Mary K. Hart, and the child, Vanessa Hart, are directed to attend and complete the anger management course sponsored by the Center for Family Servics, Inc., 213 Center St., Meadville, PA 16335. They shall also secure a family assessment from Family Services and shall attend any additional counseling sessions which are either requested by the mother or are recommended by the counselor assigned to their case, which may include a referral to the Mental Health Unit of the Meadville Medical Center. The intent of this Order is that counseling and treatment will continue for as long as it is necessary to bring about a reconciliation of the differences which separate the mother from her daughter. The first $150.00 of any uninsured portion of such counseling shall be paid by the father, with any excess over said amount to be shared equally by the parties.

13) The costs and fees of this Mediation, which are fixed at $330.00 ($60.00/hr. x 5.5 hrs.) and the $9.00 Court Order filing fee are to be paid as follows:

a. The mother has paid the $150.00 for the appointment of the child custody mediator. The entirety of said amount shall apply to the costs and fees of tis case.

b. This Order requires that the mother and daughter receive counseling and that the first $150.00 of those counseling sessions be paid by the father. Accordingly, the balance

2-13-97 Rec'd from Pltf
master deposit 250.00
11-23-96 Rec'd from Pltf
Med Fee 150.00

8-21-97 Pd Gr Master 141.00
7-11-97 Rec'd from Pltf $50.00 Masters Fee
9-5-97 Rec'd from Deft Master Fee 300.00
7-17-98 Pd & Rep Waller 180.00
8-17-98 Rec'd from Pltf 260.00
11-2-98 Rec'd from Deft 300.00
11-6-98 Rec'd from Pltf Med Dep. 200.00
12-11-98 Pd Co. 90.00
12-11-98 Rec'd from Pltf 101.00

due on the costs and fees of this case are to be paid by Crawford Co. for the reason that the income of these parties is modest and the father will be paying the first $150.00 of all mandatory counseling.
Gordon R. Miller, P.J.
Mar 10, 1997 faxed Spataro, Thomas & Kirkpatrick
Mar 13, 1997 sent Plf & Dft

Cont on Pg. 507

1994

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

752.

James R. Irwin

SHARON R. GODFREY

vs.

CRAIG R. GODFREY

Filed July 29, 1994
@ 3:16 PM

Tax & entry paid	50.50
User's Fee paid	20.00
3 Add'l counts paid	45.00
State paid	10.00
master's Fee Pd 8-2-96	250.00
Pro Co pd 12-23-96	9.00
Pro Co Pd 4/28/97	9.00

2-18-97 Rec'd from Pltf master fees #11115 25
5-6-97 Rec'd from def't master fees 260.25
12-8-97 Pd Ct Rep #11456 900.00
12-4-97 Pd Comm #11457 781.50

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, ALIMONY PENDENTE LITE, COUNSEL FEES & COSTS, PERMANENT ALIMONY
1 copy atty.

Aug. 9, 1994, Appearance of James R. Irwin, attorney for defendant filed.

Nov. 18, 1994 Petition For Special Relief and Stipulation and Order filed. AND NOW, this 18th day of November, 1994, pursuant to the Stipulation of the Plaintiff and Defendant attached hereto, this Court directs that the aforesaid Stipulation is and shall be form this date forward an Order of this Court and may be enforced as such.
BY THE COURT,
Gordon R. Miller, J

Nov. 18, 1994 Faxed to Irwin & Thomas

Feb. 13, 1995 Motion to Schedule Hearing and ORDER OF COURT filed. And now,February 10, 1995 upon presentation and consideration of the within Motion, a hearing on this matter is scheduled for the 6th day of March, 1995 at 9:15 o'clock A.M. in Court Room No. 1 or 2 of the Crawford County Court HOuse, Meadville, Pennsylvania.
BY THE COURT,
Gordon R. Miller, J.

2-14-95 Faxed to Attys.Irwin & Thomas

Mar. 1, 1995 Motion for Continuance and ORDER OF COURT filed. And now, February 27, 1995 this hearing is continued tothe 10th day of March, 1995 at 9:00 o'clock A.M. in Court Room 2 of the Crawford County Court House, Meadville,Pennsylvania.
BY THE COURT,
Anthony J.Vardaro, J.

3-1-95 Faxed to Attys. Irwin & Thomas

Mar. 9, 1995 Plaintiff's Income and Expense Statement filed.

March 10, 1995 Affidavit of Consent of Defendant filed.

Mar. 15, 1995 ORDER filed. AND NOW, March 10, 1995, upon oral motion of the attorney for the Plaintiff, it appearing that Plaintiff's counsel has just received new information in this case which he needs to review, this matter is continued until May 25, 1995, at 9:15 A.M. in Courtroom No. 2, Crawford County Courthouse. BY THE COURT:
Anthony J. Vardaro, J.

Mar. 15, 1995 dist to Thomas & Irwin

May 17, 1995, Motion for Continuance and order filed. ORDER: AND NOW, this 17 day of May 1995, upon presentation and consideration of the within Motion, the hearing in the above captioned matter is continued to the 11 day of July 1995 at 9:15 a.m. in C. R.No. 2 of the Crawford County Court House, Meadville, Pa. BY THE COURT,
Gordon R. Miller, J.

5/17/95 faxed to Irwin and R. C. Thomas.

Jun. 2, 1995 Inventory of Craig R.Godfrey, Defendant, filed.

July 13, 1995, Motion for Protective Order Under Rule 401.12(A) filed.
ORDER: AND NOW, Julyll, 1995 after consideration some matters have been resolved and others will be ruled on by the court as we proceed. BY THE COURT,
Anthony J. Vardaro, J.

faxed 7/13/95

July 13, 1995, ORDER filed. AND NOW, Julyll, 1995 this matter is before the court for alimony pendente, counsel fees and costs hearing. After one-half day of testimony, it is clear that we cannot complete this matter this day, and accordingly, it is rescheduled to begin at 9 a.m. on Aug. 10, 1995 in C. R. No. 2 before the undersigned.

Insofar as the testimony of a physician, being either Dr. Christopher Thomas or some other Physician associated with the defendant will be necessary, it is specifically directed that that testimony will commence at 1 p.m. on Aug. 10, 1995, and any other testimony will be interrupted in order for that witness to testify.
by the court,
Anthony J. Vardaro, J.

7/13/95 faxed to Thomas and Irwin

Aug. 17, 1995, Transcript of Proceedings REquested Testimony of Douglas Braham and Craig R. Godfrey as on Cross at Time of Hearing on count III filed.

Sept. 12, 1995, Motion to Reopen Testimony and Rule filed RULE TO SHOW CAUSE: AND NOW, this 11 day ofSept. 1995, upon consideration of defendant's Motion to Reopen Testimony, said Motion is granted and the record in said case is hereby reopened for the limited purpose of taking testimony in regard to the plaintiff's income. Said hearing to be reconvened on the 22 day of Sept. 1995 at 10:30 a.m. in C. R. No. 2 of the Crawford County Courthouse, Meadville, Pa.
by the court,
Anthony J. Vardaro, J.

9/12/95 faxed to Irwin and Thomas.

Sept. 14, 1995, Affidavit of Service of Notice to Produce filed.
Oct. 12, 1995 Exhibits, filed.

Continued on Page 471

1994

Halliday & Halliday
Michael Halliday

753.

MARTHA A. ABBONDANZA

vs.

MARC J. ABBONDANZA

Filed July 29, 1994
@ 4:23 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co. Fd. 11-21-94	9.00

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

July 29, 1994 General Appearance filed. Enter my General Appearance in the above-captioned divorce action. I hereby accept service of and acknowledge receipt of a certified copy of the Complaint filed in this action.

Marc J. Abbondanza

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

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

Nov. 21, 1994 Upon praecipe of plaintiff attoreny to transmit record, case moved to Court.

DIVORCE DECREE FILED

Nov. 28, 1994 AND NOW, November 23, 1994, it is ordered and decreed that MARTHA A. ABBONDANZE, plaintiff, and MARC J. ABBONDANZA, 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.

March 31, 2004 - See Computer for further entries.

1994

754.

MICHELLE LEE LYDA

vs.

JESSE JEROME COOPER

Filed August 1, 1994
@ 2:14 PM

Tax & entry	pd. 8/11/94	50.50
User's Fee	pd 8/11/94	5.00
Sheriff's Costs	pd. 8/11/94	25.00
Pro Co pd 8-9-94		5.00

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

ORDER:

And now, this 1 day of Aug. , 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 not to 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 Aug. 11, 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.

Aug. 5, 1994 Sheriff's Return filed. SERVED Jesse Jerome Cooper personally on August 1, 1994 at 2:35 PM by handing a copy of the Protection from Abuse to him 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

Aug. 11, 1994, Motion To Vacate Protection From Abuse Order and Order filed. ORDER: AND NOW, this 10 day of Aug., 1994, upon receipt and review of the p laintiffs motion to vacate and terminate the protection from abuse order of 8/1/94 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 proper police agency and to county control.

Any provisions of the Order of 8/1/94 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 apy the costs.

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

8/11/94 copies to MCPD and county control.

1994

Peters, Lindsay,
Lewis & Hatheway
Brian J. Lindsay

755.

Aug. 1, 1994 $150.00
deposited by Plaintiff

Sept. 6, 1994 Refunded
$150.00 to Kathleen C. Hatch
CK # 8540

KATHLEEN C. HATCH

vs.

NANCY J. HATCH

Filed August 1, 1994
@ 4:21 PM

Tax & entry paid	50.50
User's Fee paid	5.00
John Fuller, Mediator	200.00
Pro Co	9.00

COMPLAINT FOR CHILD CUSTODY and SPECIAL RELIEF
1 copy atty.
1 copy mediator

You, NANCY J. HATCH, Defendat, have been sue din court to obtain custody, partial custody or visitation of the c hild: Jeromy Allen Hatch.

You are ordered to appear in person at such time and place as will be determined by the Mediator, John Fuller (See attached Order), 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 TKAE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE,, GC TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator
Crawford County Courthouse
Meadville, PA 16335
814/336-1151, ext. 298

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

AND NOW, this 1 day of Aug., 1994, upon consideration of the allegations of Plaintiff's Complaint this Court hereby grants primary physical custody of child, Jeromy Allen Hatch to his maternal grandmother, Kathleen C. Hatch until further Order of Court.

The custodial rights of Kathleen C. Hatch are subject to the reasonable vistiation and telephone rights of the Defendant herein John Fuller appointed mediator.

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

Aug. 5, 1994 Affidavit filed. I, Leon J. Hatch, do hereby verify that I did personally serve a true and correct copy of the Complaint for Child Custody filed at the above term and number on the above-named Defendant, Nancy J. Hatch, at Oil City 40 Pearl St. on the 3 day of August, 1994.
August 3, 1994
Leon J. Hatch

Sept. 6, 1994 ORDER filed. AND NOW, September 1, 1994 after mediation conference before John Fuller, Esquire, IT IS OSRDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Jeromy Allen Hatch 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 Jeromy Allen Hatch shall be with his grandmother, Kathleen C. Hatch, subject to the following conditions:

A. The mother, Nancy J. Hatch, shall be entitled to visit and take the child into her custody every weekend from 10:00 o'clock a.m. on Saturday to 6:00 o'clock p.m. on Susnday, beginning September 3, 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 grandmother 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 1995, the child shall be in the custody of the mother for a period of two (2) weeks. The mother shall give the grandmother at least thirty (30) days notice of the dates of the Summer visit.

D. Transporation of the child on weekends, holidays and Summer visits shall be provided by the mother.

E. Neither mother nor grandmother shall say or do anything in an attempt to turn the child agaisnt the other party, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the child towards both parties.

F. Neither mother nor grandmother shall expose the child to any person or situation which may be harmful to the child's health or well being.

G. Both parties 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 b epaid by Crawford County. The Prothonotary of Crawford County is hereby directed to refund the deposit paid in advance by the Plaintiff.

Gordon R. Miller, P.J.

Sept. 6, 1994 Faxed to Lindsay, Sullivan & Fuller
Sept. 8, 1994 sent to Plf. & Dft.

Oct. 18, 1996 ORDER filed. AND NOW, October 17, 1996, we decline to sign the proposed consent custody order presented by the parties.

Essentially, the are attempting to modify the custody order of September 1, 1994, and in Order to do so they must file a Petition to Modify and comply with the Local Rule regarding the Seminar for Separating Parents.

BY THE COURT:
Anthony J. Vardaro, J.

10-18-96 DISTRIBUTED Lindsay

1994

Blystone & Blystone
Peter E. Blystone

756.

IN RE: CHANGE OF NAME OF
BENJAMIN ARRON RITCHEY

Filed August 1, 1994
@ 4:23 PM

Tax & entry paid 50.50
User's Fee paid 5.00

PETITION FOR CHANGE OF NAME

Order:

AND NOW, this 1st day of August, 1994, upon consideration of the foregoing petition, it is ORDERED and Decreed that a hearing be held onthe 30th day of August, 1994 at 11:30 o'clock A.M. in Courtroom No. 1, Crawford County Courthouse , Meadville, Pennsylvania. Notice of the filing of the within Petition and of the aforesaid date and time shall be published once in the Meadville Tribune and once in the Crawford County Legal Journal.

Gordon R. Miller, J

Aug. 2, 1994 Ckopy to Blystone

Aug. 30, 1994 Affidavit, Proofs of Publication and Order, filed. AND NOW, August 30, 1994, upon petition and hearing thereon, and after presentation of Proofs of Publication as required by law together with proof that there are no judgments or decrees of record or any other matters of like effect against BEnjamin Arron Ritchey, and in appearing that there are no legal objections to the granting of the prayer of the petition.

IT IS ORDERED AND DECREED that the name of Benjamin Arron Ritchey (child of Kimberly Ann Ritchey, nee Kimberly Ann Brown) who was born March 16, 1988 in Dickson County, Tennessee, be and the same is hereby changed to Benjamin Arron Hoover. It is further Ordered and Decreed that Ronald Allen Ritchey is not the father of Benjamin Arron Ritchey, hereafter Benjamin Arron Hoover, and that petitioner, William James Hoover, Jr. of R.D. #3, Box 32A, Saegertown, Pennsylvania is the biological father of said child. This Order shall constitute full authority for the correction of the birth record at the Office of Vital Records, Tennessee Department of Health, to reflect the change of name of the child and the identity of the father as herein provided.

Gordon R. Miller, P.J.

Aug. 30, 1994 Copies dist. to Blystone.

Nov. 4, 1994 Exhibits filed.

1994

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

757.

AMERICAN FEDERAL SAVINGS and LOAN ASSOCIATION, now by merger NORTHWEST SAVINGS ASSOCIATION

vs.

MARK B. ZIMMERMAN and
DONNA M. ZIMMERMAN, his wife

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies Sheriff

Aug. 15, 1994 SHERIFF'S RETURN, filed. SERVED Mark B. Zimmerman personally on August 11, 1994 at 8:51 AM by handing him a copy of the
Complaint in Mortgage Foreclosure in the Sheriff's Office, Crawford County Courthouse, Meadville, Pa.
SERVED Donna M. Zimmerman on August 11, 1994 at 8:50 AM by handing a copy of the Complaint in Mortgage Foreclosure to Mark B. Zimmerman, her Husband and Authorized Agent, in the Sheriff' Office, third Floor,Crawford County Courthouse, Meadville, Pa.
Signed Acceptance of Service attached.
So answers, Diane Brittain, Deputy Sheriff
Robert M. Stevens, Sheriff

Filed August 2, 1994
@

Sept. 12, 1994 Upon praecipe of plaintiffs attorney the above captioned matter is discontinued of record.

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	31.00
Pro Co pd 9-14-94	5.00

1994

Wililam E. Barney 758.	CORRY SAVINGS BANK, formerly CORRY SAVINGS AND LOAN ASSOCIATION vs. CYNTHIA PISANI now, CYNTHIA G. DINGFELDER Filed August 2, 1994 @ 11:06 AM Tax & entry paid 50.50 User's Fee paid 5.00 sheriffs costs 25.00 Pro Co pd 10-14-94 5.00	COMPLAINT IN MORTGAGE FORECLOSURE 2 copies a tty. Aug. 11, 1994, Sheriffs Return filed. SERVED Cynthia Pisani now Cynthia G. Dingfelder, personally on Aug. 5, 1994, at 8:32 a.m. by handing a copy ofthe complaint to her in the sheriffs Office, Third Floor, Crawford County Courthouse, Meadville, Pa. So answers, Diane Brittain, Dep. sher. Robert M. stevens, sheriff Oct. 11, 1994 Upon praecipe of Plaintiffs attorney the above captioned case is marked settled and discontinued of record.

1994

759.

LARETHEA HARRIS

vs.

KENNETH T. ELEY, JR.

Filed August 2, 1994
@ 3:20 PM

Tax & entry	50.50
User's Fee	5.00
No Sherriff's Costs Per Carol	
Pro Co	9.00

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

Order:

And now, this 2nd day of August , 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: Defendnat shall not contact Plaintiff in any way. Defendant shall not go to Plaintiffs residence or place or work. Custody of the Child 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 August 12, 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

Aug. 16, 1994 ORDER filed. AND NOW, August 14, 1994, this matter is before the Court on Plaintiff's Petition for Relief under the Protection From Abuse Act.

The parties appear boath without counsel and the Defendant having been advised of his right to counsel indicates that he wishes to proceed without counsel.

The parties have reached an agareement, and accordingly, we enter the following Order:

1. The Defendant shall not assault, abuse, harass or threatena the Plaintiff or any minor child named in the Petition.
2. The residence at 1235 Elm Street in Meadville shall be exclusively the Plaintiff's. The Defendant shall not go to that residence other than to viist the parties' child each Monday, Wednesday and Friday evening at around 7:30 to 8:00 p.m. until approximately 11:00 p.m. to 12:00 p.m. Essentially, he shall viist until the Plaintiff indicates that she wishes to go to bed and that it is time for him to leave. If the Defendant wishes he may remove the child during these visits from the home as long as he returns the child no later than 11:00 p.m. on the same evening.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
4. A copy of this Order shall be delivered by the Prothonotary to County Control and Meadville City Police Department. Additionally, a copy shall be mailed to the Plaintiff at 1235 Elm Street in Meadville and to the Defendant at 1057 Chancery Lane, Meadville, both by regular mail.
5. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishaable 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 $64.50 for the Prothonotary and such additional amount as is determined for Sheriff's costs since Sheriff service just occurred this day. These costs shall be paid on or before August 25, o1994 in the Office of the Prothonotary of Crawford County on the first floor of the Crawfor dCounty Courthouse. The Defendant may check with the Prothonotary's Office beginning August 15, 1994 or any date thereafter to determine what the total amount of court costs are including the Sheriff's costs.
7. This Order shall remain in full force and effect through August 11, 1995.

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

Aug. 16, 1994 Faxed MCPD & Co Control, mailed Plf. & Dft
Aug 19, 1994 sent bill to Dft.

Oct. 19, 1994 RE: Complaint For Indirect Criminal Contempt For Violation Of Protection From Abuse Order, Assignment of Hearing Date filed. AND NOW, Oct. 19, 1994, hearing in the above captioned matter has been scheduled for Oct 20, 1994 at 3:00 PM in Courtroom No. 1 or 2 at the Crawford County Courthouse, Meadville, PA.

BY ORDER OF THE COURT,
Ann A. Walker, Ct. Administrator

Oct. 19, 1994 Copies distributed by Ct. Adm. to Plf., Dft., Sheriff, Warden.

Oct. 19, 1955 Notice of Hearing Form filed.

RECORD CONTINUED ON PAGE 453.....

1994

Pepicelli, Youngs
& Youngs
Christopher J. Youngs

760.
Mary Ann Kirkpatrick

Aug. 3, 1994 $150.00
deposited by Plaintiff
10-27-94 Pd Atty
Counsel # 8633 141 00

ELONA M. FREE

vs.

DAVID B. FREE

Filed August 3, 1994
@ 9:34 AM

Tax & entry paid	50.50
User's Fee paid	5.00

Praecipe Pd 12-16-94 9 cf

PETITION FOR CUSTODY
1 copy med.
2 copies atty.

ORDER:

You, DAVID B. FREE, Defendant, have been sued in Court to obtain custody of the child: Samantha N. Free.

You are ordered to appear in person fr 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,
P. Richard Thomas, S.J.

Date: 8-3-94

AND NOW, this matter is referred to William Pineo, Esquire as Mediator. The mediator shall hold a mediation conference and submit recommendations in accordance with Laocal and Pennsylvania Rules of Civil Procedure.

Until further Order of Court, primary physical custody of Samant Samantha N. Free shall be the Plaintiff, Elona M. Free. Defndant David D. Free shallhave partial custody of the child, Samantha N. Free, every weekend per month from Saturday at 9:30 o'clock a.m. until Monday at 12 noon o'clock p.m.

Party receiving custody to furnish transportation. Neither party shall remove the c hild from the Crawford County without the written consentof the other pa rty, until further Order of Court.

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

Sep. 30, 1994 Appearance of Mary Ann Kirkpatrick,Esquire, Attorney for Defendant,David B. Free, filed.

Oct. 12, 1994 Motion To Return Custody Mediator's Fee and ORDER filed. AND NOW, this 12 day of October, 1994, the Prothonotary of Crawford County is directed to return the sum of One Hundred Fifty and no/100 ($150.00) Dollars to Plaintiff's counsel, Pepicelli, Youngs and Youngs PC. less $9.00 for Prothonotary's costs.

BY THE COURT,
Anthony J. Vardaro, J.

Oct. 12, 1994 Order FAXED to Attys. C. Youngs, Kirkpatrick; modified court order FAXED 10-14-94.

Oct. 12, 1994 Stipulation, CONSENT CUSTODY ORDER, filed.

1. The parties shall share legal custody of the child.
2. The child shall reside at the home of the father until such time as mother shall move into a two-bedroom residence. While the child resides with father, she shall have frequent visits with mother.
3. When mother lives in a residence with at least two bedrooms, the parties shall share physical custody of the child so that the child resides with each paretn for one-half of each week.
4. During the sumemr months of June, July and August, each parent shall have the right to take the child into his and her custody for two-ininterrupted three-week periods. The parties shall discuss and agree upon the dates for these periods before May 15th each year. The parent not having custody shall when practicable have the right to reasonable, brief visits with the child during such three week periods. Such brief visits shall be as mutually agreed between the parents.
5. Each parent will keep the other advised of the child's whereabouts at all times.
6. In the event that either parent desires to relocate more than twenty-five (25) miles from the home of the other, that parent shall give the other at least sixty (60) days advance notice. If the parties do not agree as to a revised custody schedule, the parent desiring to relocate shall promptly schedule mediation.
7. Each parent shall have the right to telephone the child at reasonable times when the child is in the custody of the other parent.

By the Court:
Anthony J. Vardaro, J.

Oct. 12, 1994 Order FAXED to Attys. C. Youngs and Kirkpatrick.

1994

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

761.

JEFFREY S. DIETZ

vs.

JACKIE POGHEN

Filed August 3, 1994
@ 9:49 AM

Tax & entry paid 50.50
User's Fee paid 5.00

COMPLAINT FOR CUSTODY
2 copies atty.

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 8/3/1994. 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.

Nov. 5, 1998ORDER 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

Barbara J. Walton

762.

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

8-3-94 Rec from Plff Med. deposit 150.00

9-29-94 Pd Plff Ck#8580 Refund 60.00 & waiver

10-10-94 Pd Comm #8601 75.00

10-18-94 Rec'd from Plff med fee 75.00

12-15-94 Pd Med Fee #8732 75.00

8-14-95 Rec'd from Plff med dep. 150.00

10-4-95 pd plff Refund #9501 36.00

12-15-95 pd Dft 105.00 #9625

RONALD FRANTZ

vs.

LORI ANN BEERS
(Harrison)

Filed August 3, 1994
@ 3:01 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co Pd 10-10-94	9.00
John Fuller, Mediator,	150.00

Pro Co Pd 12-15-95 9.00

COMPLAINT FOR CUSTODY
2 copies atty.
1 copy med.

ORDER:

You, LORI ANN BEERS, have been sued in Court to obtain shared custody of Jenn Brad, and Sara Frantz.

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.

Untim the time of the above hearing neither party shall remove the chidlren from the state of Pennsylvania.

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

Court Administrator
Crawford County Courthosue
Meadville, PA 16335
(814) 336-1151, ext. 298

BY THE COURT,
Gordon R. Miller, J

Date

Aug. 9, 1994 Affidavit of Service filed. And Now, August 8, 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 August 5, 1994

2. That the Defendant signed the return card on August 6, 1994 and in accordance with Pa. R.C.P? 412, service of the Complaint was made as is evidenced by the Untied States Postal Service Return Receipt (Certified No. Z070383647) attached hereto as Exhibit "A".

I VERIFY that the statements 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

Aug. 15, 1994 Amended Complaint for Custody, filed.

Aug. 16, 1994 Appearance of Thomas, Truax, Spadafore and Walker by R. Charles Walker for Defendant Lori Ann Beers, filed.

Sept. 27, 1994 ORDER filed. AND NOW, September 23, 1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Jennie Frantz, Brad Frantz and Sara Frantz 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 childrn.

II. Physical custody of Jennie Frantz, Brad Frantz and Sara Frantz shall be with their mother, subject to the following conditions:

A. The father shall be entitiled to visit and take the children into his custody every other weekend from 6:00 o'clock p.m. on Friday to 6:00 o'clock p.m. on Sunday, beginning September 16, 1994.

B. Holidays shall be defined as Christmas, Easter and aThanksgiving. Custody of the children shall be shared on the aforesaid holidays and in the absence of an agareement to the contrary, the children shall be in the custody of the mother on the aforesaid holidays until 1:00 o'clock p.m. and in the custody of the father on the aforesaid holidays from 1:00 o'clock p.m. until 7:00 o'clock p.m.

C. Beginning with the Summer of 1995, the children shall be in the custody of the father for a period of four (4) consecutive weeks. 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 equally divided with the paent receiving custody providing transportation.

E. Neither mother nor father shall say or do anything in an attempt to turn the children against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the children towards both parents.

F. Neither mother nor father shall expose the children to any person or situation which may be harmful to the children's health or well being.

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

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

IV. Cost of the mediation conference shall be equally divided between the parties. The Prothonotary of Crawford County is hereby directed to refund one-half (½) of the deposit paid in advance by the Plaintiff, less the cost of the custody order. Gordon R. Miller, P.J.
Oct. 5, 1994 Faxed to Walton, Thomas & Fuller, sent to Plf. & Dft.

Aug. 14, 1995 Petition to Modify and NOTICE AND ORDER TO APPEAR filed. YOU, LORI ANN BEERS HARRISION, have been sued in Court to obtain shared custody of:

Jennie Frantz
Brad Frantz
Sara Frantz

You are ORDERED to appear in person at such time and place as will be determined by the Mediatotor John Fuller, Esq. for a mediation conference.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

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) 336-1151ext. 298

BY THE COURT:
Anthony J.Vardaro,J.

Date:
8-14-95 Faxed Thomas,given Walton & Fuller

Continued on Page 312A.

Continued from Page 312. A.D. 1994-762

Ronald Franz
VS
Lori Ann Beers Harrison

A.D. 1994-762

CIVIL ACTION-LAW

****

ORDER

AND NOW, October 2, 1995 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT: I. Legal custody of Jennie Frantz, Brad Frantz and Sara Frantz 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 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 Jennie Frantz, Brad Frantz and Sara Frantz 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 6:00 o'clock p.m. on Friday to 6:00 o'clock p.m. on Sunday, beginning September 23, 1995. The first weekend of the month shall be deemed to 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 to the contrary, the children shall be in the custody of the mother on the aforesaid holidays until 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 father for two periods of three (3) weeks. The father shall give the mother 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 receiving custody providing transportation.

E. Neither mother nor father shall say or do anything in an attempt to turn the children against the other parent, buy 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 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 therto are filed by either party within twenty (20) days of the date hereof. In the event either party requests a further mediation conference within one year of the date hereof, the parents shall arrange for, and share the costs of, a custody evaluation by a mutually acceptable professional.

IV. Cost of the mediation conference shall be equally divided between the parties. The Prothonotary of Crawford County is hereby directed to refund a portion of the deposit paid in advance by the Plaintiff, less the cost of the custody order.

Anthony J. Vardaro, J.

Copy To: Barbara J. Walton, Esquire; R. Charles Thomas, Esquire
FAXED 10/11/95 Walton, Thomas & Fuller

1994

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

763.

PHILLIP DARNLEY

vs.

MARIA A. DARNELY

Filed August 4, 1994
@ 2:06 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 3/6/95	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy atty.

Aug. 11, 1994 Affidavit of Service filed. Gregory A. Keenan, Esquire, being duly sworn according to law, deposes and says that on August 4, 1994, he sherved a true and correct copy of a Complaint In Divorce, properly endorsed with the Notice To Defend field in the above action, on the Defendant, Maria A. Darnley, by personally handing the Complaint to the Defendant at a custody mediation on that date. Gregory A. Keenan

Jan. 20, 1995 Affidavit of Consent of Defendant filed.

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

Mar. 6, 1995 Upon Praecipe of Gregory A. Keenan, Esquire, Attorney for Plaintiff to transmit record, Case moved to Court.

March 17, 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 fo 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.

March 16, 1995

March 17, 1995 Order FAXED Atty. Keenan.

Oct. 20, 1995, Motion to Withdraw Counte 2, Equitable Distribution from Divorce complaint and order filed. ORDER: AND NOW, this 20 dayof Oct. 1995, upon consideration of plaintiffs' Motion to Withdraw count 2, fromthe div. action, it having been represented to the court that the parties have reached anagreement relative to Equit. Dist. of property, and the defendant has notice of presentation of the motion to withdraw Count 2, said motionis hereby granted and count 2 of the Div. Complaint is hereby withdrawn. BY THE COURT,
Anthony J. Vardaro, J.

10/25/95 copy to Atty. Keenan

Apr. 10, 1996 Certificate of Service of Notice of Intention to Request Entry of Divorce Decree filed.

Apr. 10, 1996 Notice of Intention To Request Entry of Divorce Decree filed.

June 5, 1996, Upon praecipe of plaintiff attorney, to transmit the record, this case is resubmitted to the court. (notice of intention to request attached)

DIVORCE DECREE FILED

June 14, 1996 AND NOW, the 13th day of June, 1996, it is ordered and decreed that PHILLIP DARNLEY and MARIA A. DARNLEY are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J.

Ferguson & Spataro
John F. Spataro

764.

ROBERTA J. DEANE

vs.

MARTIN MALONEY, a/k/a H. M. MALONEY, MARY MALONEY, MARGARET MALONEY, HESTER ANN MALONEY, a/k/a HESTER DEREMER and MATTHIAS DEREMER, her husband, MICHAEL MALONEY and HARRIET MALONEY, a/k/a HARRIET BEEMAN and GIDEAN H. BEEMAN, her husband their heirs, executors, administrators and successors in interest.

Filed August 4, 1994
@ 2:06 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co Pd 10-21-94	9.00

COMPLAINT IN ACTION TO QUIET TITLE
1 copy atty.

Aug. 10, 1994 Motion for Publication and ORDER FOR PUBLICATION filed. AND NOW, this 9 day of August, 1994, upon consideration of the foregoing Motion, the Plaintiff is granted leave to make service of the complaint on the Defendants, by publication once in the Crawford County Legal Journal and once in a newspaper of general circulation in the County of Crawford. Defendants shall answer said complaint within twenty days of the latest publication. Plaintiff shall serve the aforesaid complaint in compliance with Pa.R.C.P. 1009(f).
Anthony J.Vardaro,J.
8-10-94 Faxed to Atty.Spataro

Sept. 19, 1994 Motion for Judgment and Order filed. AND NOW this 16th day of September, 1994, an affidavit of service of the Complaint with notice to plead having been filed, and no Answer having been made by the Defendants, the Court, upon motion of JOhn F. Spataro, Esq., Attorney for Plaintiff, hereby orders that, the Defendants be forever barred form asserting any right, lien, title or interest inconsistent with the interestor claims of the Plaintiff in the premises of the Plaintiff, more particularly described as follows:

ALL that certain piece or parcel of land situate in East Mead Township, Crawford County, Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a point in the center of Topwnship Route 517, said point being the northeast corner of a parcel of land described as an excpetion in a Deed recorded in Crawford County Deed Book 465, page 104; thence in a southerly direction along the eastern boundary of the above described parcel and along other land of the Grantor a distance of four hundred ninety (490) feet, more or less, to a point; thence in an easterly direction by other land of the Grantor a distance of two hundred sixty-six (266) feet, more or less, to a point in the center of Township Route 674; thence in a northerly direction along the center line of the said Township Route 674 a distance of five hundred (500) feet more or less to the point of ifntersection of the center of Township Route 674 and the center line of Township Route 517; thence in a westerly direction along the center line of the said Township Route 517 a distance of one hundred twenty-five (125) feet, more or less, to the point or place of beginning. Containing one and one-half acres of land more or less.

Provided, however, that the Defendants shall have thirty days form the date of this order to file iwth the Prothonotary of Crawford County a responsive pleading (answer or preliminary objections as provided by the Rules of Civil Prodecure) to the complaint of the Plaintiff before this order becomes final. IF such action is not taken within the thirty (30) day period, the Prothonotary on praecipe ofthe Plaintiff, shall enter final judgment.

Gordon R. Miller, J

Sept. 26, 1994 Faxed Atty. Spataro

Sept. 19, 1994 Affidavit filed. John F. Spataro, Esq., being duly sworn according to law, deposes and says that he is Attorney for the Plaintiff and makes this affidavit on behalf of the Plaintiff, being authorized to do so; that a Complaint in action to quiet title, endorsed with notice to defend within twenty (20) days form service thereof was served on the Defendants in accordance with the Order of this Court dated August 9, 1994; and that Defendants have not filed an Answer thereto, although the timein which to do so has expired. Attached hereto and made a part hereof are the true and correct proof of publication notices as obtained from the Meadville Tribune and the Crawford County Legal Journal. John F. Spataro,

Oct. 18, 1994 Praecipe of John F. Spataro, Esq., filed. Please enter final judgment in favor of the Plaintiff and agaisnt the Defendants in accordance with Judge Anthony J. Vardaro's Order of September 16, 1994.

Date: 10-17-94
D - 72, 84, 114, 282
M - 81, 282, 283

JUDGMENT
Barbara H. King, Pro.

1994

765.

KIMBERLY PATTERSON

vs.

STACY PATTERSON

Filed August 5, 1994
@ 11:54 AM

Tax & entry	50.50
User's fee	5.00

CERTIFIED COPY OF PROTECTION FROM ABUSE ORDER FROM
ERIE COUNTY, PENNSYLVANIA
Faxed Co. Control

Order:
AND NOW, this 4 day of Aug., 1994, upon consideration of the Petition for Protection From Abuse, and a final hearing upon said Petition having been heard on this 4 day of Aug., at 9:00 a.m. in Courtroom No. C, it is hereby ORDERED, ADJUDGED and DECREED that;

1) Temporary custody is granted to the Petitioner of the parties' 1 child for a period of one year from the date of this Order. (Notice: Prior to the expiration of the one-year period, it is recommended that either party file a separate action requesting a hearing before the Child Counselor to obtain custodial rights of a more permanent nature) Richael Patterson 5 mos.

2) Possession of Petitioner's present residence and any other residence that he/she may reside, is granted to the Petitioner for the exclusive occupancy by her/him and her/him children for a period of one year from the date of this ORDER. Respondent Stacy Patterson, is completely excluded from said residence for the same one year period and shall hav eno license to be present on the premises.

3) Respondent is prohibited from striking, hitting, threatening harassing or abusing the Petitioner or theminor child at any location including but not limited to the Petitioner's residence, his/her place of employment and the children's school.

4) Telephone contact will be permitted for the limited purpose of communication with the minor child or for arranging vistiation with the minor child. The Respondent shall stay at least one hundred (100) yards away fromthe Petitioner.

5) That the Sheriff's Department, or any other police agency within the area of the residence of the Petitioner, including the STate Police, are instructed to enforce this ORDER.

6) Should the Respondent violate this Order, he/she is to be arrrested and then cited for Indirect Criminal Contempt before a District Justice. An arrest for violation of this Order may be without warrant based soley on probable cause, whether or not the violation is committed in the presence of a police officer.

7) Petitioner is advised not to invite, entice or encourage the Respondent to violate this Order in any fashion.

8) Consent to entry of this as an Order is not an admission to the allegations.

9) Defendant was served.

10) This Order shall expire on Aug 4, 1995 unless extended by the Court. Otherwise, this case will be closed.

11) This Order shall be a warrant for arrest of the Respondent upon probable cause of a violation.

Jess Jullianti

1994

Murovich & Stump
Harry Stump

766.

DAVID WILCOX and MARY WILCOX

vs.

MARGARET ARMSTRONG

Filed August 5, 1994
@ 11:54 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro Co Pd 9/28/94	6.00

WRIT OF SUMMONS
Issued Sheriff

Aug. 22, 1994 Sheriff's Return filed. SERVED Margaret Armstrong personally on August 15, 1994 at 10:45 AM by handing a copy of the Summons to her in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.
So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

Sept. 23, 1994, Upon praecipe of plaintiff attorney, the above captioned action is hereby settled and discontinued of record.

1994

Lewis, Stockey & Bua
Dominic D. Salvatori

767.

Thomas Truax
Spadafore, Walker and Keenan
R. Charles thomas
for M. Parello & Win-Par, Inc.

Peters,Lindsay,Lewis & Hatheway
Brian Lindsay,for
Susanne Winters and
Robert C. Winters

CYNTHIA MARIE BROWN

vs.

ROBERT C. WINTERS and SUSAN WINTERS, his wife, t/d/b/a THE CARRIAGE SHOP, MICHAEL J. PARELLO, and WIN-PAR, INC.

Filed August 5, 1994
@ 2:49 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	43.00

COMPLAINT IN CIVIL ACTION
6 copies atty.

Aug. 15, 1994 SHERIFF'S RETURN, filed. SERVED Robert C. Winters personally on August 11, 1994 at 10:05 AM by handing him a copy of the Complaint in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Pa.

SERVED Susan Winters on August 11, 1994 at 10:06 AM by handing a copy of the Complaint to Robert Winters, Husband and Authorized Agent, in the Sheriff's Office, Third Floor, Crawford County Courlthouse, Meadville, Pa. Signed Acceptance of Service attached.

SERVED Michael J. Parello personally on August 11, 1994 at 10:17 AM by handing a copy of the complaint to him in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville,Pa.

SERVED Win-Par, Inc. on August 11, 1994 at 10:07 AM by handing a copy of the Complaint to Robert Winters, Partner, in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Pa.

So answers, Barbara J. Bernoski, Deputy Sheriff
Robert M. Stevens, Sheriff

Aug. 29, 1994 Appearance of Thomas, Truax, Spadafore and Walker by R. Charles Thomas for Michael J. Parello and Win-Par, Inc., filed.

Aug. 29, 1994 Appearance of Peters, Lindsay, Lewis & Hatheway, By Brian J. Lindsay, attorney for Susan Winters, filed.

Aug. 29, 1994 Appearance of Peters, Lindsay, Lewis & Hatheway, By Brian J. Lindsay, attorney for Robert C. Winters, filed.

Sep.12, 1994 Preliminary Objections, filed. (2 copies Atty.)

Sept. 20, 1994 Preliminary Objections filed.

Feb 6, 1997 Motion To Compel Discovery, filed.

Feb 6, 1997 Praecipe for Argument, filed.

ON ARGUMENT LIST FOR March 1997

Mar 14, 1997 ORDER: AND NOW, March 12, 1997, upon receipt of Plaintiff's Brief received by the Prothonotary's Office for scheduling of argument during March, it is hereby ordered and directed that this matter will be heard during the regular session of Argument Court on Mondlay, March 31, 1997, at 10:30 a.m. CR #2, Crawford County Courthouse.

Ann A. Walker, C.A.

Mar 14, 1997 Faxed Salvatori, Lindsay & Thomas Copy to Eric

Apr. 2, 1997 Order filed. After argument with regard to this matter, it is Ordered and Directed that the defendants, Robert Winters and Susan Winters appear for a deposition at a designated time sometime after the first week of June, 1997, and they shall bring with them any records or other items in their possession which are requested pursuant to a subpoena duces tecum issued by the plaintiff with regard to those scheduled depositions.

The defendant, Michael Parello shall appear for a deposition and likewise bring with him any records and items for which a subpoena duces tecum has been issued with said deposition to occur within the next sixty (60) days.

Apparently, at this time, Michael Parello has filed Chapter 7 bankruptcy and has been discharged as of February 11, 1997. Therefore, there is no current bankruptcy impediment to him being deposed.

Win-Par, Inc., however is in Chapter 11 bankruptcy on an ongoing basis and if that corporation objects to Mr. Parello, Mr. Winters, or Mrs. Winters being deposed as officers of that corporation, the plaintiff shall seek relief from the automatic stay and the bankruptcy court prior to those depositions taking place.

Finally, counsel for all parties indicate that no party has the information regarding the whereabouts of the four potential witnesses, Ed Smith, Ken Bucheck, Robert Smith and Cindy Lynn and after the above depositions have been completed, it that information does still not seem to be available through those witnesses, this Order is without prejudice to the plaintiff to seek further relief.

Finally, at the time of argument, it was noted that an accountant in Saegertown, Al Oldakowski may have records with regard to those four individuals and this Order is without prejudice to the plaintiff to schedule a deposition of Mr. Oldakowski.

BY THE COURT,
Anthony J. Vardaro, J.

4-3-97 DISTRIBUTED All Counsel.

June 2, 1997 Notic eof Deposition of Robert C. Winters and Susan Winters, field.

1994

William A. Kuhar, Jr.
The Prather Law Firm
Ross C. Prather

768.

COMMONWEALTH OF PENNSYLVANIA

vs.

MICHAEL W. JEWELL

Filed August 5, 1994
@ 4:04 PM

Tax & entry paid 50.50
User's Fee paid 5.00

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

Order:

AND NOW, this 9 day of August, 1994, upon consideration of the foregoing Petition and upon Motion of Ross C. Prather, Esq., attorney for Petitioner, a hearing is hereby scheduled to determine whether the Department of Transportation in suspending the operating privileges of the Petitioner should be set aside.

The above matter is set for hearing on the 10th day of November, 1994, at 10:00 a.m. at the Courthouse at Crawford County, Pennsylvania, in Courtroom No. 1 or 2.

Petitioner's operating privileges are hereby reinstated in accordance with law pending a final decision of the above appeal.

A true and correct copy of the within Petition and Order shall be served upon the Department of Transportation, Bureau of Driver Licensing, Room 103, Transportation and Safety Building, Harrisburgh, Pennsylvania, 17120, by Certified Mail, return receipt requested, at least sixty (60) days prior to the aforesaid hearing date.

By the Court,
Anthony J. Vardaro, J

Aug. 11, 1994 Faxed R. Prather

Nov. 15, 1994 ORDER filed. AND NOW, November 10,1994, at the time fixed for hearing on the appellant's appeal of his driver's suspension, it appears that he was permitted to take an appeal nunc pro tunc of his conviction for reckless driving under Section 75 Pa. C.S.A. 3736 and that at the time that appeal was heard, he pled guilty to a lesser-included offense of careless driving under Section 3714 of and another summary offense under Section 3102. We assume that those convictions will be received by the Department of Transportation in due course and it would act accordingly.

In view of the fact that the underlying conviction was changed since the suspension was entered in this case, we here remand this matter back to the Department of Transportation for further proceedings consistent with the facts and the law, as well as to revise, correct or amend the appellant's driving record and to take an appropriate action that is required by the facts and the law.

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

Nov. 15, 1994 copies dist to Kuhar and Casenza
Nov. 18, 1994 copy sent to Dft. Also, put copy in box for R. Prather.

1994

Robert J. Felton

769.

IN RE: SUSPENSION OF
VEHICLE REGISTRATION
PRIVILEGE OF JOHN A. MADDEN

Filed
@

Tax & entry paid	50.50
User's Fee paid	5.00
Pro. Co. pd 2/13/95	$5.00

APPEAL FROM NOTICE OF SUSPENSION

Order:

AND NOW, this 9 day of August, 1994, upon the presentation and consideration of the within Appeal, a hearing on the matter is scheduled for the 10th day of November, 1994, at 9:15 o'clock a.m. in Court Room 1 or 2 of the Crawford County Court House, Meadville, Pennsylvania. Counsel for Appellant is directed to give notice by certified mail.

BY THE COURT,
Anthony J. Vardaro, J

Aug. 11, 1994 Faxed Felton

Feb. 13,1995 Motion for Withdrawal of Appeal on the behalf of the Appellant and ORDER OF COURT filed. And now, February 10, 1995, Motion Granted.

Gordon R.Miller, J.

2-13-95 Faxed to Attys.Felton & Kuhar

320

1994

Fuller, Kinnunen,
Petruso, Gamble,
Fabian & Hall
Stephen E. Hall

770.

Kathleen R. Nelson
Gregg and Nelson

JOCK T. MILLER

vs.

MARIA A. MILLER

Filed August 8, 1994
@ 11:33 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 12-13-94	9.00

COMPLAINT UNDER SECTION 3301(c) or 3301(d) of the DIVORCE CODE
1 copy atty.

SEpt. 28, 1994, Answer and Counter-Claim to Complaint in Divorce filed.

Oct. 5, 1994 Appearance of Kathleen R. Nelson for Maria a. Miller, filed.

Oct. 5, 1994 ACCEPTANCE OF SERVICE, filed. I accept service of the foregoing complaint. Maria A. Miller

Nove. 15, 1994 Affidavit of Consent of Defendant, filed.

Dec. 12, 1994 Affidavit of Consent of Plaintiff, filed.

Dec. 12, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Dec. 15, 1994 STIPULATION and DECREE. AND NOW, this 15th day of December, 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 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.

2. PERSONAL PROPERTY AND HOUSEHOLD GOODS: The parties hereto shall each retain those items of personal property such as jewelry, clothing and personal effects, and those household godos, as the separate property of each.

3. DEBTS:

A) Plaintiff's Obligation:

Plaintiff shall be solely responsible for the following marital debt and obligation, and shall hold Defendant harmless in regard to same: Loan with First National Bank of PA., in the principal amount of $8,000.00 and secured by sileage wagons currently in the possession of Plaintiff.

B) Defendant's Obligations:

Defendant shall be solely responsible for the following marital debt and obligation, and shall hold Plaintiff harmless in regard to same: Loan with Frist National Bank of PA., in the principal amount of $12,000.00 and secured by a 1993 Cutlass Sierra automobile currently in the possession of the Defendant.

BY THE COURT,
Gordon R. Miller, J.

1994

Shapira, Hutzelman,
Berlin & May
Michael J. Koehler

771.

~~Robert S. Andrews, Jr.~~

William A. Dopierala,
Dep. Atty. General

MICHAEL F. MERRITT

vs.

PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL RESOURCES, BUREAU OF FORESTRY and GARY P. SHAFFER

Filed August 8, 1994
@ 2:06 PM

Tax & entry paid	50.50
User's Fee paid	5.00
sheriffs costs	25.00
Pro Co pd 8-14-95	15.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Aug. 11, 1994, Sheriffs Return filed. SERVED Gary P. Shaffer personally on Aug. 10, 1994 at 4:11 p.m. by handing a copy of the complaint to him in the sheriffs Office, third floor crawford County courthouse, Meadville, Pa.
So answers, Carole Stefanucci, Dep. Sher.
Robert M. Stevens, Sher.

Aug. 31, 1994, Certificate of Service filed. I, Michael J. Koehler, esq. hereby certify that on the 8 dayof Aug. 1994, a copy of the Complaint was served upon Pa. Dept. of Envionmental Resources Bur. of Forestry. Michael J. Koehler, Esq.

Sept. 1, 1994, Appearance of Robert S. Andrews, Jr., atty. for defendants filed.

Sept. 30, 1994 Answer and New Matter, filed

Oct. 18, 1994 Response to New Matter, filed.

Dec. 7, 1994 Notice of Serving Interrogatories and Request for Production of Documents filed. I, Michael J. Koehler, Esquire, hereby certify that on this 7thday of December, 1994, a copy of these First Set of Interrogatorties and Requests for Production of Documents were served upon the following by regular U. S.Mail, postage pre-paid:
Robert S.Andrews. Jr., Esquire
Deputy Attorney General
4th Floor, Manor Complex, 564 Forbes Avenue
Pittsburgh, PA 15219
By Michael J.Koehler,Esquire

Mar. 8, 1995 Notice of Service of Answer to plaintiff's First Set of Interrogatories and Request for Production of Documents Directed to Defendants, filed.

Jul 19, 1995 Waiver of Mediation, filed.

Aug 4, 1995 Upon praecipe of plaintiff attorney to appoint Arbitrators, the following Arbitrators have been appointed. ~~Joan Mason~~, Chr. Theodore Watts
William Gorman
Tamera Rothschild

Aug. 24, 1995, Arbitrators Take theQualifying Oath.

April 22, 1996 Appearance of Robert S. Andrews, Jr., Deputy Atty. General withdrawn and William A. Dopierala, Deputy Atty. General appearance filed on behalf of defendants.

May 31, 1996 Praecipe to put Motion for Leave to Amend Answer to Include Counterclaim on the Argument List filed.

May 31, 1996 Motion for Leave to Amend Answer to Include Counterclaim filed.

May 31, 1996 Brief in Support of Motion to Amend Answer to Include Counterclaim filed.

Aug. 12, 1996 MEMORANDUM and ORDER filed. AND NOW, August 6, 1996, defendants Motion for Leave to Amend Answer to Include a Counterclaim is granted. The Defendants must do so within twenty (20) days of the date of this Order.
BY THE COURT:
Anthony J. Vardaro, J.
Aug. 12, 1996 Order Mailed Attys. May and Dopierala.

Aug. 26, 1996 Amended Answer and New Matter on behalf of Defendant filed.

Sept. 9, 1996 Response to Amended Answer and New Matter by Plaintiff filed.

Oct. 29, 1996 Notice of Arbitration Scheduled.

1994

Barbara J. Walton

772.

Douglas W. Ferguson

WILLIAM BRUCE BABBITT

vs.

BARBARA E. BABBITT

Filed August 8, 1994
@ 3:09 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 3/1/95	$9.00 ✓

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

Aug. 16, 1994 Appearance of Douglas W. Ferguson for Barbara E. Babbitt, filed.

Aug. 16, 1994 Affidavit of Service, filed. And Now, August 15, 1994, comes Barbara J. Walton, and avers as follows:

1. A ture and correct copy of the Complaint for Divorce was mailed to the Defendant via Certified Mail, return receipt on August 11, 1994.

2. That the Defendant signed the return card on August 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. Z070383650) attached herto as Exhibit "A".

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

Feb. 8, 1995 ORDER filed. AND NOW, February 6, 1995, the Court refuses to sign the Property Settlement Agreement that was presented pursuant to the Stipulation and Consent of the parties because theCourt is not now entering a final decree and there has not been a bifurcation of the issues.

A trial court may not enter a final order disposing of economic or property claims prior to the entry of a divorce decree. A decree of divorce is a prerequisite to obtaining other relief allowed by the Divorce Code. Verdile v. Verdile, 370 Pa. Super 475, 536 A.2d 1364 (1988), Syno v. Syno, 389 Pa. Super 505, 567 A.2d 717 (1989).

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

2-8-95 Faxed to Atty. Ferguson, given Atty.Walton

Feb. 9, 1995 Affidavit of Consent of Defendant, filed.

Feb. 9, 1995 Affidavit of Consent of Plaintiff, filed.

Mar. 1, 1995 Upon Praecipe of Barbara J.Walton, Esquire to transmit record, Case moved to Court.

DIVORCE DECREE FILED

March 10, 1995 AND NOW, this 9 day of March, 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, WILLIAM BRUCE BABBITT and Defendant, BARBARA E. BABBITT, are dissolved because the marriage is irretrievably broken. Plaintiff and Defendant are divorced from the bonds of marriage.

AND IT IS FURTHER ORDERED, DIRECTED AND DECREED, that the terms, provision and conditions of the Property Settlement Agreement between the parties herein dated Jan. 30, 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 marital home located at RD #4 Box 125, Cochranton, PA. shall become the exclusive property of the Wife. Husband shall execute a Quit claim deed transferring all of his rights of ownership to Wife.

2. The Wife shall retain the 1988 Ford F-150 Truck and the Husband shall retain the 1984 Ford Ranger. Each party agrees to cooperate in executing any document required to transfer titles of said vehicles.

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 home located at RD #3, Box 35, Cochranton, PA. shall become the exclusive property of the Husband. Wife shall execute a Quit Claim deed transferring all her rights of ownership to Husband.

6. All other portions of the Property Settlement Agreement signed by the parties Jan. 30, 1995 are incorporated herein and the parties are directed to comply with said agreement.

7. This Honorable court shall retain jurisdiction over this matter.

By the Court:
Anthony J. Vardaro, J.

1994

773.

COMMONWELATH OF PENNSYLVANIA

vs.

BEVERLY FAY MYERS

Filed August 8, 1994
@ 4:00 PM

Tax & entry paid 50.50
User's Fee paid 5.00

APPEAL FROM NOTICE OF SUSPENSION

ORDER: AND NOW, this 9 day of August, 1994, upon the prepsentation of the foregoing Petition, IT IS ORDERED that a hearing is set to hear the Defendant's appeal of the suspension of her operator's license on November 10, 1994, at 10:45 a.m. A copy of this shall be sent to the Pennsylvania Department of Transportation.* By the Court:
Anthony J. Vardaro, J.

* Defendant must serve a true and correct copy of the Petition and Order shall be served upon the Department of Transportation by certified mail, return receipt requested, at least sixty (60) days prior to the hearing date.

Oct. 18, 1994 sent copy to Kuhar

Nov. 15, 1994 ORDER filed. AND NOW, NOvember 10,1994, at the time fixed for hearing on appellant's appeal from an Order of the Department of Transportation suspending her driver's license, the appellant having due notice of the time, place and date of this hearing, failed to appear after the Court waited approximately one-half hour for her.

ACCORDINGLY, the appeal is DISMISSED and the action of the Department of Transportation is reinstated.

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

Nov. 15, 1994 copies mailed to Kuhar
Nov. 18, 1994 copy sent to Dft.

774.

Watts & Pepicelli
Christopher D. Ferry

JAMES H. ANDERS

vs.

DOROTHY DOTT

Filed August 9, 1994
@ 1:14 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00

JURY TRIAL DEMANDED

COMPLAINT FOR BREACH OF CONTRACT
1 copy Pltf.

Aug. 24, 1994 Sheriff's Return filed. SERVED Dorothy Dott personally on August 23, 1994 at 1:20 PM by handing a copy of the Complaint to her at her residence, 453 C, Rogers Ferry Road, Meadville, Crawford County, PA.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Scott D.Young, Deputy Sheriff
Robert M.Stevens,Sheriff.

Sep. 14, 1994 Default Judgment filed.

Sept. 21, 1994 Appearance of Watts & Pepicelli by Christopher D. Ferry for Defendant filed.

Sept. 21, 1994 Defendant's Answer to Plaintiff's Complaint filed.

Nov. 22, 1994 Demand For Jury Trial, filed.

Nov.23, 1994 Notice to Complete Discovery (Local Rule 302A 2) filed.

Jan. 31, 1995 Praecipe For Jury Trial List, filed.

ON TRIAL LIST FOR APRIL 1995

Mar. 8, 1995 Motion to Strike Certificate of Readiness and Order, filed. AND NOW, March 8, 1995 Defendants motion to Strike Certificate of Readiness is deemed as not timely pursuant to L302A(5). The Court reserves the right to determine this matter shall be arbitrated if it is within the arbitration limits. (See L1301A(1)). Anthony J. Vardaro, J.
Mar. 8, 1995 Faxed Ferry, mailed Plf.

Apr. 4, 1995 ORDER filed. AND NOW,april 3, 1995 at the time set for a Pretrial Conference in this matter, we have reviewed the pretrial narrative filed by the Defendant; and we note that the Plaintiff has not filed a pretrial narrative and therefore, has not complied with our local rules.

We have however read the entire file and the matter in controversy in this case is $30; and this matter is stricken from the civil trial list as either a jury or a nonjury case and is remanded back to the Prothonotary as an arbitration case.

Either parties may praecipe to list this matter for arbitration and in a normal manner pursuant to our local rules. BY ORDER OF THE COURT,
Anthony J.Vardaro,J.

4-4-95 Copies dist. to Pltf. & Ferry

1994

pro se

775.

Christopher J. Youngs

YVONNE REESE

vs/

CLINTON OAKES

Filed August 9, 1994
@ 3:43 PM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro Co pd 9-30-94	9.00

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

Aug. 9, 1994 Rule entered upon the Plaintiff to file a Complaint issued.

Aug. 11, 1994 Proof of Service filed. I certify that the Notice of Appeal and Praecipe To Enter Rule to File Complaint and Rule to File filed inthe above-captioned action was mailed to the Defendant, Yvonne Reese, R.D. #1, Box 133-A, Cochranton, PA 16314, by Certified Mail No. P 100 650 681, on August 9, 1994, and was received by Defendant on August 10, 1994, and to Hon. George W. Herzberger, III, 106 South Franklin Street, Cochranton, PA 16314, by Certified Mail No. P 100 650 680, on August 9, 1994, and was received by same on August 10, 1994, as evidenced by Certified Mail Receipts and Domestic Return Receipts, attached hereto as Exhibits A and B, respectively. Christopher J. Youngs

Sept. 27, 1994, ANd now, at 9:29 p.m., upon praecipe of defendant attorney, JUDGMENT OF NON PROS is hereby entered against the plaintiff-Appellee, in favor of defendant, for plaintiff's failure to file a complaint.
Judg. entered
9/27/94
R - 176 JUDGMENT OF NON PROS
Barbara H. King,
Prothonotary
Sept. 30, 1994, notice of judgment mailed to plff.

326

1994

Specter Law Office
Robert A. Sambroak, Jr

776.

JENNIFER GLEASON, a minor by and through her parent and natural guardian, VIRGINIA GLEASON

vs.

DALE PROVOST

Filed August 10, 1994
@ 9:14 AM

Tax & entry paid	50.50
User's Fee paid	5.00

PETITION TO SETTLE MINOR'S CLAIM

Order:

And now, this 10 day of August, 1994 the court approves the settlement of all claims held by Jennifer Gleason, a minor, relating to the incident of April 15, 1994 upon the receipt of $30,000.00, and authorizes and directs the mother and natural guardian of Jennifer Gleason to execute a Release on behalf of the minor in the form attached hereto to the Petition as Exhibit "C", releasing from all liability Dale Provost, Arthur Provost and Roseann Provost.

The representative of the Respondent Dale Provost will issue a check inthe amount of $30,000.00, pauble to Virginia Gleason, Parent and Natural Guardian of Jennifer Gleason, a minor, and Specter Law Offices. The check will deposited into the trust account of Specter Law Offices and distributed as follows:

Specter Law Offices	
Attorneys Fees	$10,000.00
Expenses/Costs	44.41
Jennifer Gleason	
Trust Fund	$19,955.59
TOTAL	$30,000.00

The amount of $19,955.59 be placed into a savings account in the name of the minor, Jennifer Gleason, which account is to be insured by the Federal Deposit Insurance Company or other appropriate government agency with the account structured so that no withdrawals of principal and interest can be made from it until Jennifer Gleason has reached the age of her maturity on August 26, 1995, at which time withdrawals of part or all of said account may be made without limitation Jennifer Gleason.

A copy of account passbook or document creating account to be filed within 30 day.

Anthony J. Vardaro, J

Sept. 6, 1994 Proof of Deposit, filed.

Apr. 24, 1995, Petition for withdrawal of Funds and Order filed. (1 copy atty) ORDER OF COURT: AND NOW, this 24 day of Apr. 1995 upOn the Petition of Jennifer gleason for an order seeking permission to withdraw funds from the trust account in this case and good cause appearing, it is hereby ordered that Jennifer Gleason is permitted to withdraw the sum of $5000. from her trust account. ANTHONY J. Vardaro, J.

July 21, 1995 Order filed. AND NOW, July 21, 1995 Jennifer Gleason appears without a written petition but orally asks the Court to allow her to withdraw the remainder of the funds on deposit fo rher use. We allowed a partial withdrawal of $5,000 on or about April 24th of 1995 in light of the fact that Jennifer Gleason is emancipated.

She, in requesting to be allowed to withdraw the remaining sums of excess of $14,000, indicates this day that she continues to be emancipated, will be 18 years of age on August 26, 1995, and is currently expecting twins.

In light of all of this and particularly inlight of the fact that she will be 18 in apprixmiately a month anyway, it is ORDERED and DIRECTED that the First National Bank of Pennsylvania in Conneautville shall release any remaing funds held for the benefit of Jennifer Gleason directly to Jennifer Gleason forthwith.

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

July 21, 1995 2 copies given Jennifer Gleason

1994

Joseph F. Kulwicki

777.

STACEY E. ERVIN

vs.

FRED S. ERVIN

Filed August 10, 1994
@ 11:44 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro. Co. pd 12/6/94	9.00

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

Aug. 10, 1994 Plaintiff's Affidavit Under Section 3301(d) of the divorce code filed.

Aug. 30, 1994 AFFIDAVIT OF SERVICE, filed. Carrie A. Davis, being duly sworn according to law, deposes and says that she is an adult individual, sui juris, an employee of Joseph F. Kulwicki III, Attorney for Plaintiff, that as such, on Wednesday, August 10, 1994, she mailed a certified copy of the Divorce Complaint and Plaintiff's Affidavit under Section 3301(d) of the Divorce Code to the Defendant, Fred S. Ervin, 2114 McGuffey Road, Youngstown, Ohio 44505, by certified mail, restricted delivery, being certified mail item #P724954506. Said receipt and signature card bearing for the signature of the Defendant as having received same on August 13, 1994. The receipt and signature card for certified mail item #P724954506 are attached hereto and made a part hereof.

Dec. 6, 1994 Affidavit of Consent by Stacey E.Erivn, Plaintiff filed.

Dec. 6, 1994 Affidavit of Consent by Fred S. Ervin,Defendant,filed.

Dec. 6, 1994 Upon Praecipe of Joseph F.Kulwicki,III,Esquire,Attorney for Plaintiff to transmit record,case moved to Court.

DIVORCE DECREE FILED

Dec. 13, 1994 AND NOW, December 12, 1994, it is ordered and decreed that STACEY E. ERVIN, plaintiff, and FRED S. ERVIN, 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 withdarwn by the party making the claim.

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

1994

Gregory A. Keenan

778.

DENISE A. CALLOWAY

vs.

ROBERT E. CAMPBELL

Filed August 10, 1994
@ 3:07 PM

Tax & entry Pd 8-31-94 50.50
User's Fee Pd 8-31-94 5.00
Sheriff's Costs 44.40
Pro Co Pd 8-31-94 9.00

8-31-94 Recd from
Left Sheriffdept 44.40
8-31-94 Pd Sheriff
Ch # 85536 44.40

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 Copies Sheriff
1 copy Plaintiff
1 copy Jamestown Police

ORDER:

And now, this 10th day of August , 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. He shall not go to her residence or place of work. He shall not be within 100 yards of those places.
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 August 17, 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

Aug. 17, 1994 Sheriff's Return filed. SERVED Robert E. Campbell by deputizing the Sheriff of Mercer County, PA, as per his Affidavit of Service attached. Served on August 11, 1994 at 5:10 PM at 154 Halfway Road,Jamestown, PA.
So answers, Robert M. Stevens, Sheriff

Aug 19,1994 ORDER filed. AND NOW, August 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 to his right to counsel, he wishes to proceed without an attorney.

The parties have reached an agreement without admission of the allegations of the petition on the part of the Defendant. Accordingly, we will enter the following ORDER:

1. The Defendant shall not assault, abuse, harass, or threatena the Plaintiff at any time or any place. He shall not in any way harass her, even on the streets of any locatiion, including Jamestown, nor shall he procure anyone else to do so. He shall not go to her residence nor shall he contact her by telephone or procure anyone else to do so.
2. The Defendant shall not go to the Plaintiff's place of employment at the Fireman's Club in Jamestown when she is working. Either party may go there at other times to socialize, except that when a party enters and sees that the other party is already there, the party entering last shall immediately leave the Fireman's Club. This shall also apply to any other establishment where the parties shall socialize, it being the Court's Intention that the first one at the location may remain and the other one should leave.
3. The Defendant will transport a Cub Cadet lawn tractor to Mike Frye's house this day and the Plaintiff may pick the lawn tractor up from that location anytime within the next seven days.
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 Pennsylvania State Police, Meadville Barracks, and to Crawford County Control. Additionally, sicne the Defendant is unrepresented, a copy shall be sent ato him at 154 Halfway Road in Jamestown, Pennsylvania, by regular mail by the Prothonotary.
6. The Defendant is reminded that this is an order of Court and violation of this order may be punishable by a fine of up to $1,000 and a jail sentence of up to six months.
7. The Defendant will pay court costs in this matter in the amount of $108.90 by the close of business of the Prothonotary's Office on the first floor of the Crawford County Courthouse on August 29, 1994.
8. This order shall remain in full force and effect through August 16, 1995.

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

Aug. 19, 1994 Faxed copy to Pa. SPD & Co. Control, mailed to Dft & given Keenan

1994

Culbertson, Weiss,
Schetroma & Schug
Glenn A. W. Thompson

779.

IN RE CHANGE OF NAME OF
SHARRI L. FREE

Filed August 10, 1994
@ 3:17 PM

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

PETITION FOR CHANGE OF NAME

Aug. 10, 1994 Order for Publication filed. And Now, to wit this 9 day of August, 1994, upon motion of Glenn A. W. Thompson Esquire, attorney for the petitioner above named, it is Ordered and Decreed that the within petition be heard onthe 8th day of September, 1994 at 1:00 o'clock p.m. in Courtroom 3 and that notice of the filing of the wtihin Petition and of the aforesaid date of hearing be published once in the Meadville Tribune and the Crawford County Legal Journal.

By the Court:
Anthony J. Vardaro, J

Aug. 12, 1994 Faxed Thompson

Sep. 8, 1994 Proof of Publication of Notice in Crawford County Legal Journal, filed.

Sep.8, 1994 Proof of Publication of Notice in The Meadville Tribune, filed.

Sep.8, 1994 Certificate of Liens Against Sharri L.Free, filed.

Sep. 8, 1994 Decree for Change of Name filed. And Now, this 8th day of September, 1994,upon hearing of the within Petition and upon motion of Glenn A. W.Thompson, Esquire,attorney for the petitioner, and upon presentation of proof of publication of notice as required by law together with proof that there are no judgements or decrees of record or any other matter of like effect against the petitioner, and it appearing that there is no legal objection to the granting of the prayer of the petition.

It Is ORDERED and DECREED that the name of the petitioner be and is hereby changed to SHARRI LYNN RICKEL.

By The Court:
P. Richard Thomas, S.J.

9-8-94 (1) Certified copy given to Atty.Thompson

1994

R. Christopher Brode

780.

Christine D.Chase

John Mir

PATRICIA ANN CHAUNCEY

vs.

ARTHUR OSCAR CHAUNCEY

Filed August 10, 1994
@ 3:37 PM

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

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies Sheriff
1 copy Plaintiff
Faxed 911 7 PSP

ORDER:

And now, this 10 day of August , 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: Pending the hearing in this matter Plaintiff shall have sole custody of the minor child.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment 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 August 22, 1994 , at 2:30 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

Aug. 17, 1994 Petition Requesting Exception to the Custody Portion of Temporary Abuse Order Regarding Visitation and RULE TO SHOW CAUSE filed. AND NOW, to-wit, this 17 day of August, 1994, it is hereby ORDERED, ADJUDGED, and DECREED that a Rule be entered upon the respondent/plaintiff to show cause why the relief requested in the foregoing PETITION REGARDING VISITATION should not be granted. Said Rule returnable this 22nd day of August, 1994, at 2:30 p.m. in Courtroom 1 or 2 of the Crawford County Courthouse.

Anthony J. Vardaro, J.

8-17-94 Faxed copy to Atty.Brode. Given Chase.

Aug. 17, 1994 Sheriff's Return and AFFIDAVIT OF SERVICE filed. SERVED the within PETITION FOR PROTECTION FROM ABUSE AND COURT ORDER on August 11, 1994, at 1605 hrs, upon Arthur Oscar Chauncey at 1280 East 41st Street, Erie County, Erie, Pennsylvania by handing to Arthur Oscar Chauncey a true and correct copy thereof and made known to her the contents therein.

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

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

So Answers,

Robert M.Stevens,Sheriff, Crawford County, PA

Aug. 23, 1994 ORDER filed. AND NOW, August 22, 1994, this matter is before the Court for a scheduled hearing with respect to the Plaintiff's Request for Relief Under the Protection From Abuse Act and with respect to a Petition Requesting Exceptions to the Custody Portion or the Temporary Abuse Order Regarding Visitation filed by the defendant.

It appears that a formal hearing will be necessary with respect to the abuse petition and the Court cannot accommodate that hearing this date due to scheduling problems.

ADDORDINGLY, this matter is continued until September 19, 1994, at which time, it will be scheduled in front of Senior Judge P. Richard Thomas at a time to be determined. Counsel will call the Court Administrator's Office no later than close of business on Tuesday, August 23, 1994 so that a time may be determined on that date when both counsel are available. The Court Administrator shall schedule two to three hours for the hearing.

Pending that hearing of September 19, 1994, the Temporary Order dentered by the undersigned on August 10, 1994 shall remain in full force and effect except that the special condition setting forth that "Pending a hearing in this matter, plaintiff shall have the sole custody of the minor child" is immediately deleted from that Temporary Order. The parties agree that the Temporary Order may remain in full force and effect through that date, with the understanding that the defendant is not conceding that any portion of the allegations occurred by such agreement.

The parties further agree that effective immediately, the Custody Order entered in Erie County by President Judge John Bozza, which is dated March 11, 1994 shall immediately come back into effect, with the agreement that the only modificatiions shall be as follows:

1. When exchanges of the child occur from this date forward, the party who is either picking up the child or returning the child shall stop in their vehicle at the end of the other party's driveway and sound their horn so that the other party may send the child out to the car, or else the child may be sent to the other party waiting at that party's home, it being the Court's intention and the agreement of the parties that there shall be no need for them to go into each other's house.

2. On Wednesday, Aug. 24, 1994, the father's period of visitation shall be extended so that it occurs from 9 a.m. until 9 p.m., with the father doing all transporting of the child. This Wednesday visitation shall only be for Aug. 24, 1994, and thereafter, the Order entered by Judge Bozza shall take precedence.

BY THE COURT, Anthony J. Vardaro, J.

8-23-94 Faxed Pa.SPD & Co. Control. Mailed Mir. Given Brode & Ct. Adm.

Continued on Page 330A

1994

Patricia Ann Chauncey
vs.
Arthur Oscar Chauncey

CONTINUED FROM PAGE 330
of Record
A. D. 1994 - 780

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Aug 25, 1994 ORDER filed. AND NOW, August 25, 1994, the Court Administrator having been directed by the Court to schedule further hearing in the above matter for September 19,1994 before Senior Judge P. Richard Thomas at a time to be determined, said hearing on September 19th shall be at 9:15 A.M., Courtroom No. 3, Crawford County Courthouse, Meadville, Pa.

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

Aug. 26, 1994 copeis dist. to Mir & Brode

Sep. 20, 1994 ORDER filed. AND NOW, September 19, 1994 after lengthy hearing, the Court is satisfied that the Plaintiff failed to present evidence to convince the Court by the fair weight of the evidence that an assault meeting the definitions elicited inthe Abuve Statute occurred on or aboutAugust 9, 1994 and accordingly, the Court dismisses this abuse petition. In view of the fact the Plaintiff apparently meets idigency requirements and is represtented by Crawford County Legal Services, the Court directs that costs in this case by paid by the County.

It is obvious to this Court that the parents of the child both have great concern and love for the child,but that when they are inthe presence of each other, there is a clash of personaltities and it is in the best interest at this time that when the parents have limited opportunities to be together in the presence of the minor child Isaac, that the parents conduct themselves in such a manner that would indicate to the child that each as a respect for the other parent.

While theCourt cannot directly amend the Erie County Custody order entered by Judge Bozza March 11, 1994 the Court recommends most strongly that in the exchanges of the child, for visitations between parents, that the parent attempt to follow the guidelines set down by Crawford County Judge Anthony J. Vardaro ina temporary order entered August 22, 1994 in subparagraph 1 which spells out in some detrail how the parents should arrange for transfer of custody of minor child Isaac so that there be minimum opportunity for derogatory confornatations between the parents in the presence of the minor child.

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

9-20-94 Copies dist.to Mir & Brode Faxed to Pa.SPD & Co. Control

330
-b-

1994

1994

Barrett & Dratler
Bruce A. Barrett

781.

Aug. 10, 1994 $150.00
deposited by Plaintiff

12-19-94 Pd plff; #8734
refund #102.50
Pd 12-30-94 Def. 38.50
mail fee #8769
Apr. 24, 1995 Rec'd
$38.50 from Dft
5-9-95 Pd Def mail fee 38.50
#9166

BRIAN D. SMITH

vs.

GEORGETTE F. SMITH

Filed August 10, 1994
@ 3:50 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro Co Pd 12-30-94	9.00
William Pineo, Mediator	77.00

COMPLAINT UNDER SECTION 3301(c) OF THE DIVORCE CODE, CUSTODY
1 copy atty.
1 copy Mediator

Order:

You, Georgette F. Smith, Defendant, have been sued in Court to obtain custody and/or visitation of the minor child.

You are ordered to appear in person for a conference at such time and place as may be set by Wm. Pineo, 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.

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.

Barrett & Dratler
965 South MainStreet
Meadville, PA 16335
(814) 336-5521

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

8/12/94

By Order of Court,
Anthony J. Vardaro, J

Pro.Co. Pd 3/22/95 9.00
Add'l Ct. pd 6/26/95 15.00
User's Fee pd 6/26/95 5.00

Sept. 12, 1994 Complaint reinstated.

Oct. 21, 1994 Complaint reinstated.

Nov. 4, 1994 SHERIFF'S RETURN, filed. I hereby deputize the Sheriff of Trumbull County, Ohio to serve teh within Complaint-Divorce & Custody according to law. The defendants alleged address is 1350 Miller St. Lot #38, Warren, OH 44485 (Believed to work at Walmart, Warren, OH). Robert M. Stevens, Sheriff

SERVED the within Complaint-Divorce & Custody on Oct 26, 1994 at 7:20 P.M., upon Georgette Smith at 1350 Miller St., Warren, Ohio 1by handing to her a true and correct copy thereof and made know to the contents therein. T. L. Altiere, Sheriff Trumbull Co.

Dec. 6, 1994 TEMPORARY ORDER, filed. AND NOW, this 5 day of December, 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, Kia Christine 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 regardign 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 Tuesday from 2:00 p.m. until 9:00 p.m. and alternate weekends, beginning with the weekend of December 9th, from Friday at 5:00 p.m. until Sunday at 8:00 p.m.

b. The father shall have the right to telephone the child at reasonable times and for reasonaable lengths of time and such conversations will not be uneasonably monitored by the parent having physical custody. The parties shall exchange telephoen numbers. The father shall have the right of temporary physical custody with his daughter each summer for a period of 30 days. He shall give the mother 30 days notice of the period he wishes to select.

4. Holiday visitation shall be arranged a follos:

a. There shall be two Christmas visitation periods, the first beginning at noon of Christmas Eve and ending 1:00 P.M. on Christmas Day and the second, beginning Christmas Day at 1:00 P.M. on December 26th. In even numbered years, the father shall have visitation and temporary physical custody durign the second period, and in odd numbered years, during the first period.

b. In even numbered years the father shall have visitaion, and temporary physical custody on Thanksgiving from 5:00 p.m. on the Wednesday preceding Thanksgiving until 8:00 Thanksgiving Day.

c. In odd numbered years the father shall have visitation on Easter from 5:00 p.m. of Holy Saturday until 8:00 of Easter.

d. 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.

c. 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 visitation as set out in this Order or as previously arranged, the party seeking cancellation ormodification 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 b eproposed 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.

6. The parties shall split responsibility for transportation with the party receiving the child in the exercise of his or her rights picking up the child at the home of the other.

7. The father shall provide all transportation necessary for carrying out the terms of 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. 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 apolite and respectful manner when in the child's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the child's estimation.

CONTINUED ON PAGE 458

1994

Joseph F. Kulwicki

Peters, Lindsay, Lewis & Hatheway
Edward J. Hatheway

782.

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

TIMOTHY L. MANROSS and VICKI L. MANROSS, husband and wife

vs.

JOAN O. STAUDT

Field August 10, 1994
@ 4:08 PM

Tax & entry paid 50.50
User's Fee paid 5.00

AMENDED COMPLAINT IN CIVIL ACTION
2 copies atty.

Sept. 12, 1994 Answer Containing New Matter, filed. (1 copy atty)

Oct. 3, 1994 Certificate of Service filed. I Certify that a true and correct copy of the Interrogatories was served upon counsel for the Plaintiff, Joseph F. Kulwicki, Esquire, Edward Hatheway, Esquire, 891 Grove Street, Meadville, PA 16335, by United States first-class mail,postage prepaid.
Date: 10/3/94 Emil M. Spadafore, Jr. Esquire

1994

783.

LEANNE MARIE VROMAN

vs.

ANDREW SCOTT WHITESIDE

Filed August 11, 1994
@ 2:06 PM

Indigent Filing

John Fuller, Mediator 179.58

CUSTODY COMPLAINT
1 copy Plaintiff
1 copy Sheriff
1 copy Mediator

Order:

You, Andrew Whiteside, Jr., have been sued in Court to obtain custody of Alicia & Andrew.

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: 8/10/94 Anthony J. Vardaro, J

AND NOW, this 9 day of August, 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 planitiff is ordered and directed to immediately go to the Sheriff's Office to give the Sheriff written instructions on when and where the defendant may be served.

4. The Sheriff of Crawford County is ordered and directed to serve a true and correct copy of the complaint or petition and order uponthe defendant and make an appropriate return of service as required by the law. The Sheriff shall indicate the cost of service which said cost shall be paid by Crawford County and which said cost may be taxed as record costs and imposed as costs by the Court.

BY ORDER OF COURT,
Anthony J. Vardaro ,J

August 11, 1994 Petition To Proceed In Forma Pauperis Pursuant to Pa. R.C.P. 240 and Order filed. AND NOW, August 9, 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 pay the costs incurred in this action and shall be rresponsible for doing so upon an improvement of financial condition.

BY THE COURT:
Anthony J. Vardaro, J

Aug. 30, 1994 SHERIFF'S RETURN, filed. I hereby deputize the Sheriff of Erie County, Pennsylvania to serve the within Custody Complaint according to law. The defendants alleged address is 155 E. 29th St., Erie, Pa. 16509 or emploment c/o Bill Gamble Electric, West 8th St., Erie, Pa. Robert M. Stevens, Sheriff Crawford County

SERVED the within Custody Complaint on August 24, 1994, at 0851 hrs., upon Andrew Scott Whiteside at 140 West 6th Street, Erie County Sheriff Dept., Erie County, Erie, Pa. by handing to Andrew Scott Whiteside a true and correct copy thereof and made known to him the contents therein. Robert N. Michel, Sheriff Erie County

Nov. 1, 1994 ORDER filed. AND NOW, October 31, 1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Alicia Lee Whiteside and Andrew Scott Whiteside, 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 educatiion, medical treatment and religious instruction of the subject children.

II, Physical custody of Alicia Lee Whiteside and Andrew Scott Whiteside, 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 7:00 o'clock p.m. on Friday to 7:00 o'clock p.m. on Sunday, beginning October 28,1994.

B. Holidays shall be defined as Christmas, Easter and Thanksgiving. Custody of the children shall be shared on the aforesaid holidays and in the absence of an agreement to the contrary, the children shall be in the custody of the mother on the aforesaid holidays until 1:00 o'clock p.m. and in the custody of the father on the aforesaid holidays from 1:00 o'clock p.m. until 8:00 o'clock p.m. The children shall be in the custody of the mother on Mother's Day and in the custody of the father on Father's Day.

C. Beginning with the Summer of 1995, the children shall be in the custody of the father for a period of one week. The father shall give the mother at least thirty (30) days notice of the dates of the Summer visit.

D. Transportation of the chidrenon weekends, holidays and Summer visits shall be provided as follows: The parents shall meet and exchange custody of the children at the Burger King Restaurant in Edinboro, Pennsylvania.

CONTINUED TO PAGE 454

1994

The Prather Law Firm
Mark D. Prather

784.

BERNARD C. DAHLHAUSEN and
JULIA R. DAHLHAUSEN

vs.

TIMOTHY J. HICKS and
CANDY L. HICKS

Filed August 11, 1994
@ 2:18 PM

Tax & entry paid	15.00
Pltf. on orig.	9.50
Sheriff's Costs	37.00
Sat paid 9/1/94	5.00

WRIT OF REVIVAL

of

DSB 1994 - 755

Writ of Revival indexed against the defendants in favor of Bernard C. Hadlhausen and Julia R. Dahlhausen the plaintiffs, in the sum of One Thousand Five Hundred Dollars with interest form December 9, 1991 and cost of suit.

Debt---------- $1,500.00
H-166-36
Barbara H. King, Pro

Issued Sheriff

Aug. 22, 1994 Sheriff's Return. SERVED Timothy J. Hicks personally on August 17, 1994 at 12:30 PM by handing a copy of the Writ of Revival to him in the Sheriff's Office, Third Floor, Crawford County Courthouse, 903 Diamond Park, Meadville, PA.

SERVED Candy L. Hicks on August 17, 1994 at 12:31 PM by handing a copy of the Writ of REvival to Timothy J. Hicks, her Husband and Authorized Agent, in the Sheriff's Oddice, Third Floor, 903 Diamond Park, Meadville, PA. Signed Acceptance of Service attached.

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

Sept. 1, 1994, Upon praecipe of plaintiff attorney, this judgment is marked satisfied of record.

1994

Peters, Lindsay,
Lewis & Hatheway
Brian J. Lindsay

785.

Dennis G.Kuftic

TIMOTHY HENRY MAYNARD

vs.

CAROL JANE MAYNARD

Filed August 11, 1994
@ 3:14 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Ad'l Count paid	15.00
State paid	10.00
Add'l Ct. pd 5/17/95	15.00
User's Fee pd 5/17/95	5.00
Pro Co pd 7-26-95	9.00
Pro. Co. pd 8/14/95	5.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy atty.

Aug. 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 11th day of August, 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 15th day of August, 1994, receive a duly executed return receipt dated August 12, 1994.
August 24, 1994 Brian J. Lindsay, Esquire

May 17, 1995 Notice to Defend and Claim Rights, filed.

May 31, 1995, Acceptance of Servcie filed. I, Timothy Henry Maynard, the plff. in the above matter, hereby certify that on the 25 day of May, 1995, I was duly served a copy of the Claim of Right filed at above number.
Timothy Henry Maynard.

Jul 24, 1995 Affidavit of Consent of Plaintiff, filed.

Jul 24, 1995 Affidavit of Consent of Defendant, filed.

Jul 24, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCED DECREE FILED

July 28, 1995 AND NOW, July 27, 1995, it is ordered and decreed that TIMOTHY HENRY MAYNARD, Plaintiff, and CAROL JANE MAYNARD, Defendant, are divorced from the bonds of matrimony.
All duties, rights and claims of the parties in regard to each other as a result of their marriage are hereby terminated, except for those duties, rights and claims specifically enumerated in a Postnuptial Agreement executed by the parties and dated May 26, 1995, the terms of which are hereby incorporated by reference as if fully set forth herein.
BY THE COURT:
Gordon R. Miller, J.

Aug. 14, 1995 Notice of Election to Retake Maiden Name of Carol Jane Maynard to be known as CAROL JANE CONSLA, filed.

Aug. 15, 1997 Motion for Approval ofQualified Domestic Relations Order and order filed.
ORDER: it is so ordered this 14 day of Aug. 1997.
Anthony J. Vardaro, Judge
8/18/97 faxed toLindsay and Kuftic

1994

786.

KATHLEEN I. BURCH

vs.

WILLIAM COULTER

Filed August 11, 1994
@ 3:34 PM

Tax & entry paid	50.25
User's Fee paid	5.00

APPEAL OF DEFENDANT FROM DECISION OF
DISTRICT JUSTICE WAYNE HANSON

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

Aug. 12, 1994 Proof of Service filed.

1994

787.

Stephen E. Hall

11-21-96 Pd Sheriff #10363 32.00

LIZA MARIE LAYDEN

vs.

MERRILL ALLEN LAYDEN

Filed August 12, 1994
@ 9:54 AM

Tax & entry Pd 11-21-96 50.50
User's Fee Pd 11-21-96 5.00
Sheriff's Costs Pd 32.00
Pro Co Pd 11-21-96 9.00

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: The Plaintiff shallhave exclusive possessio of themarital home pending further order of court. The Defendant shall forthwtih return to Plaintiff all keys to a 1985 Camaro automobile

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 August 18, 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

Aug. 16, 1994 RE: Complaint For Indirect Criminal Contempt Fro Violation Of Protection From Abuse Order - ASSIGNMENT OF HEARING DATE filed. AND NOW, August 16, 1994: Hearing in the above captioned matter has been scheduled for August 18, 1994 at 3:30 P.M., in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pa.

FOR THE COURT,
Ann A. Walker, Court Administrator

Aug. 16, 1994 Copies distributed by Court Adm. to Plf., Dft, Sheriff, Warden.

Aug. 17,. 1994 Sheriff's Return filed. SERVED Merrill Allen Layden personally at his temporary place of custody in the Crawford County Jail, 360 Center Street, Meadville, PA. Served on August 15, 1994 at 4:10 PM.

So answers,

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

Aug 22, 1994 Order filed. AND NOW, August 18, 1994 two matters were before the Court for disposition; a petition for relief under the Protection from Abuse Act and a complaint for indirect criminal contempt for violation of a temporary protection from abuse order. The Plaintiff appeared without counsel and was advised as to the nature of theproceedings and she understood it. The Defendant appeared with counsel. The parties agareed to a settlement of this matter and based upon that agreement, it is ORDERED as follows:

1. The Defendant shall not abuse, assault, harass, threaten or stalk the Plaintiff.

2. The Plaintiff shall have exclusive possession of the marital home. The Defendant shall not go to that marital home or the Defendant's place of work. In fact, he shall not be within 100 yards of that home or her place of work.

3. The Defendant shall not contact the Plaintiff in any way except through friends, attorneys and other persons for the purpose of dealing with their marriage and any domestic relations matters connected with their marriage.

4. The Plaintiff shall not invite the Defendant to come out to her house or to have contact with her. The Defendant is advised that if the Plaintiff does invite him to come to the house or to contact her, he should not do that until the Court order is modfied. The Court order may be modified by the Plaintiff and the Defendant signing a stipulation or a agreement and filing it of record in the Prothonotary's Office using the forms provided and following the Rules of Civil Procedure.

5. The Defendant may have some belongings at the Plaintiff's home. The Plaintiff shall not destroy or dispose of any of those items. She shall hold them in safekeeping for at least three months. The Defendant may acquire those items by asking his parents to pick those items up at the Plaintiff's home. If there is a dispute over what items the Defendant is entitled to, the Plaintiff shall keep those items in safekeeping for the three month period indicated to allow the Defendant to bring an appropriate replevin action or ask for some equitable distribution of marital property in a divorce.

6. The Defendant is also charged with criminal charges arising out of his alleged activities with the Plaintiff. He shall not pursue a bond reduction in those criminal charges. If he does, that shall be a aviolation of this order.

7. When the Defendant is released from jail, he shall go with his parents back to the State of Virginia. Until further order of Court, he may only return to Crawford County for purposes connected to the criminal charges, including but not limited to visits with his lawyer and appearances at court matters. He may also return to Crawford County if there is a divorce action filed or any other lawsuit filed between the parties and he must come here in order to conduct his affairs and to properly prosecute or defend that action.

CONTINUED TO PAGE 500

338

1994

788.

Edward Hatheway

DAWN E HEIM

vs.

THOMAS J. RICH

Filed August 12, 1994
@ 12;08 PM

Tax & entry	Pd. 8-23-94	50.50
User's Fee	Pd. 8-23-94	5.00
Sheriff's Costs	Pd.	25.00
Pro. Co.	Pd. 8-23-94	9.00
~~Pro Co~~		~~9.00~~
Pro Co	pd 10-11-94	5.00

8-23-94 Recd from dfft. Sheriff's Cost 25.00

8-24-94 Pd Sheriff Ck# 8512 25.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies Sheriff
1 copy Plaintiff
Faxed MPD & PSP

ORDER:

And now, this 12th day of August , 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 go to Plaintiff's residence. He shall move out. Possession of the home is awarded to Plaintiff. 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 August 19, 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

Aug. 16, 1994 Sheriff's Return filed. SERVED Thomas J. Rich personally on August 12, 1994 at 1:55 PM by handing a copy of the Protection from aBuse to him in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA. Served by Constable Randy Detzel.
So answers, Robert M. Stevens, Sheriff

Aug. 23, 1994 ORDER filed. AND NOW, August 19,1994, this matter is before the Court on a petition for Protection from Abuse filed by the Plaintiff. She appears without counsel and the Defendant appears with counsel and the Defendant appears with counsel and the Defendant agrees to the entry of an Order against him without admission of 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 Plaintiff shall have exclusive possession of the residence at 133 Russett Drive in Meadville pending further Order of Court. Except as herein after set forth in this Order, the Defendant shall not go to that residence at any time even if he is invited. If he is at that residence any police agency called will presume that he is in violation of this Order. In the event that the parties wish for the Defendant to be able to go to the residence they should seek a modification of this Order prior to him doing so.
3. Notwithstanding the provision above, the Defendant may go to the residence at 133 Russett Drive for the purpose of removing various items of personal property which are set forth on the attached list which are not X'd out. In doing so, he shall not in any way assault, abuse, harass or threaten the Plaintiff and shall make every effort to promptly remove the items.

At the time he appears to remove those items he shall immediately supply to the Plaintiff the keys to the residence and teh remote control for the garage door opener that he has in his possession.

4. With rspect to the minor child of the parties and pending any further Order of Court in this proceeding or any other proceeding, the Defendant shall have visitation each Saturday from 2:00 p.m. to 7:00 p.m. beginning on Saturday, August 20, 1994 provided he has a neutral party with him when he picks up the child and during each such visit. He may go to the residence at 133 Russett Drive with the neutral party for the prupose of picking up the child.
5. A copy of this Order shall be delivered by the Prothonotary to County Control and West Mead Township Police Department and teh Pennsylvania State Police Barracks. Additionally, since the Plaintiff is unrepresented, the Prothonotary shall mail a copy by regular mail to her at 133 Russett Drive in Meadville.
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. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000.00 and a jail sentence of up to six (6) months.
8. The Defendant shall pay record court costs to the Prothonotary of Crawford County on the first floor of the Crawford County Courthouse no later than 4:30 p.m. on August 26, 1994.
9. This Order shall remain in full force and effect through August 18, 1995.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.
Aug 23, 1994 Faxed Pa.SP, WMPD, Co Control. Given Hatheway, Plf. & Dft.

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 August 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
Anthony J. Vardaro
10-12-94 Faxed to MCPD, Pa. SPD, Hatheway, Co. Control, mailed Plf.

Oct. 11, 1994 Motion To Vacate Protection From Abuse Order and Order, filed. AND NOW, this 7 day of October, 1994 upon receipt and review of the plaintiff's motion to vacate and terminate the Protection from Abuse Order of August 12, 1994, said motion is granted and the Protection from Abuse Order is hereby vacated and terminated.

CONTINUED ON MARGIN

1994

Elizabeth Anne Smith

789.

Barbara Walton

BERNARD TOBIN

vs.

CAROLE ANN TOBIN

Filed August 12, 1994
@ 1:18 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. Add'l count pd 9/20/94	15.00
User's Fee pd 9/20/94	5.00
Pro Pd 6/17/96	9.00

COMPLAINT IN DIVORCE
1 copy atty.

Sep. 20, 1994 Petition for Additional Remedies filed.

Nov 8, 1995 Affidavit of Consent of Defendant, filed.

Nov. 15, 1995 Petition to Withdraw Grounds 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 is Withdrawn. By the Court:
Gordon R. Miller, J.
11-15-95 FAXED Attys. Walton, Eliz. Smith.

May 14, 1996 Plaintiff's Affidavit of Consent filed.

June 12, 1996, UPon praecipe of defendant attorney, to transmit the record, with notice of intention to request entry of divorce decree attached, this case moved to court.

June 20, 1996, ORDER filed. This divorce matter has been referred to the courot for review and decree. A final decree will not be entered at this time because:

A proper return or proof of service has not been filed.

There is no showing that the proper notice required by 1920;42 (d) (1) in the form required by 1920.73 was mailed or delivered to a partywho is unrepresented or to counsel of a represented party; and or no copy of said notice is attached to the praecipe to refer or submit; and the parties have not executed and filed with the Prothonotary a waiver of notice substantially in the form set forth in Rule 1920.72(c).

Plaintiff has counsel of record so the notice must go to counsel. If the notice goes to plaintiff the wrong form was used.

Either party amy file a praecipe to refer the mater back to the court when the record is in such a state that the parties are entitled to a final decree.

by order ofthe court,
GordonR. Miller, J.

6/20/96 costs in custody action have not been paid
faxed to B. Walton, mailed to E. Smith.

July 10, 1996, Proof of service filed. And now, this 8 day of July 1996 I hereby certify that on the 23 day of Aug. 1994 I mailed a true and correct copy of divorce complaint filed in above matter to dft. at Old R. D. 1, Box 57-A Guys Mills, Pa. 16327, by cert. Restricted Del. as evidenced by attached ret. rec. card. Elizabeth A. Smith Esq.

Aug 28, 1996 Amended Praecipe To Transmit The Record, filed.

DIVORCE DECREE FILED

Sept. 6, 1996 AND NOW, this 4th day of September, 1996, it is ordered and decreed that BERNARD TOBIN, Plaintiff, and CAROLE ANN TOBIN, 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.

1994

Russell D. Karl

790.

Shafer, Swick, Bailey
Irwin and Stack
Paul D. SHafer, Jr.
Louis J. Stack
for dft.

ELEANOR R. MYERS

vs.

345 ROGERS FERRY ROAD, INC.
(formerly SPAULDING'S, LTD)
and CLAIRMONT SUMMERS

Filed August 12, 1994
@ 1:18 PM

Tax & entry paid 50.50
User's Fee paid 5.00

COMPLAINT IN CIVIL ACTION

Sept. 15, 1994 Defendant, Clairmont Summers, Preliminary Objections, filed.

Sept. 15, 1994 Praecipe for Argument, filed.

ON ARGUMENT LIST FOR October 1994

Sept. 22, 1994, Answer to Complaint filed.

Oct. 5, 1994 Amendment to Complaint, filed. (5 copies aatty)

Oct.14, 1994 Preliminary Objections filed on Behalf of 345 Rogers Ferry Road,Inc., filed.

Oct. 14, 1994 Preliminary Objections filed on Behalf of Clairmont Summers, filed.

Oct. 19, 1994 Amended Complaint, filed.

Nov.7, 1994 Preliminary Objections filed.

Nov.9, 1994 Certificate of Service for Preliminary Objections filed. AND NOW, on this 7th day of November, 1994, I do hereby certify that I have mailed, by United States, postage prepaid, Mail,First Class Mail, a copy of Defendants;, 345 Roger Ferry Road, Inc.'s, and Clairmont Summers', Preliminary Objections to Plaintiff's Complaint which has been filed with the Court on this date in the above captioned matter.

By: Paul D.Shafer,Jr., Esquire

Jan. 24, 1995 Upon praecipe of Defendants Attorney the above Preliminary Objections are placed on the next available argument list.

1995 FEBRUARY ARGUMENT LIST

Mar. 24, 1995 memorandum and Order filed. AND NOW, March 22, 1995, based on the findings, and conclusions set forth inthe attached memorandum, the preliminary objections filed by the defendants are disposed of as follows:

1. The defendants' preliminary ojbeciton in the natur of a demurrer to Count II of the Complants sounding in fraud is granted, and Court II of each Complaints is dismissed.
2. The plaintiffs are given twenty (20) days to file Amended Complaint setting forth with specificity inter alia the following matters:
a.) The breach of contract shall specify which defendant allegedly breached which agreement.
b.) Claims based on different contracts and claims against different defendants shall be set forthin separate counts.
c.) The duration of the plaintiffs' employment ans when and how the claimed liftetime benefits were denied shall be specified.
3. In all other respect, the defendants' prelimlinary objections are denied.

BY THE COURT,
Gordon R. Miller, J

Apr 11, 1995 Amended Complaint, filed.

May 1, 1995 Defendants', Clairmont Summers and 345 Rogers Ferry Road, Inc., Preliminary Objections to Amended Complaint filed.

Jan. 8, 1996 Motion to Dismiss Defendants Preliminary Objections and ORDER filed. AND NOW, to-wit, this 8th day of January,1996, it is hereby ORDERED, ADJUDGED and DECREED, that said motion is denied. Gordon R.Miller, J.
1-8-96 Faxed Karl& Swick

Jan.8, 1996 Upon Praecipe of Russell D.Karl, Esquire, Attorney for Plaintiff, the above captioned matter is placed on the next available Argument List.

ON FEBRUARY, 1996 ARGUMENT LIST

April 19, 1996 MEMORANDUM AND ORDER filed. AND NOW, April 19, 1996, it is ordered as follows:

1. The demurrer to Court 1 is denied.

2. The demurrers to Counts 2 and 4 are granted. The plaintiffs are granted leave of court to file an amended complaint as to Counts 2 and 4 if they desire to do so and if they are able to state a cause of action under the Wage Payment and Collection Law against either or both defendants. Plaintiffs shall have twenty (20) days from the date of this order to file said amended complaint.

BY THE COURT
Gordon R. Miller, PJ.

Mailed 4-19-96 Karl
Distributed Shafer

ORIGINAL filed at A.D. 1994 - 1044

Continued on Page 474

1994

791.

LILLIAN CHATMAN

vs.

FRED JENKINS

Filed August 12, 1994
@ 2:10 PM

Tax & entry Pd. 9-23-94 50.50
User's Fee Pd. 5.00
Sheriff's Costs Pd. 25.00
Pro Co Pd. 9-23-94 9.00

9-26-94 Rec'd from Deft Sheriff's Costs 25.00
9-27-94 Pd Sheriff Chk # 8596 25.00

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

Order:

And now, this 12th day of August , 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 have contact with Plaintiff. Defendant may reside 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 August 22, 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 COURT,
Anthony J. Vardaro, J

Aug. 17, 1994 Sheriff's Return filed. SERVED Fred Jenkins personally on August 16, 1994 at his place of employment, Warren Industries, Dunham Road, Meadville, Crawford County, PA.
So answers,
Shawn E. Ashbaugh, Deputy Sheriff
Scott D. Young, Deputy Sheriff
Robert M.Stevens, Sheriff

Aug 23, 1994 ORDER filed. AND NOW, August 22, 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 indicates that he understands his right to counsel, but does not wish to have counsel. The parties continue to live together as was permitted in Judge Gordon R. Miller's Temporary Abuse Order of August 12, 1994.

They agreed to the entry of an Order without admission of the allegations of the Petition on the part of the plaintiff.

ACCORDINGLY, it is ORDERED as follows:

1. The defendant shall not assault, abuse, harass, threaten, or stalk the plaintiff at any tifme or any place.
2. The parties shall continue to reside together at 1024 ½ South Main Street, Meadville, Pennsylvania, 16335.
3. This Order may be enforced without a Warrant of Arrest by any law enforcement officer having reasonable grounds to believe that it has been violated.
4. A copy of this Order shall be delivered to the Police Departments in the jurisdiction where the plaintiff resides; i.e., the Meadville City Police Department and to County Control.
5. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000 and a jail sentence of up to six (6) months.
6. The defendant shall pay the court costs in this matter to the Prothonotary of Crawford County on the First Floor of the Crawford County Courthosue in full in the amount of $89.50 within 30 days of the date of this Order. If he wishes, he may make installment payments to the Prothonotary, just so the entire amount is paid within 30 days.
7. The Prothonotary shall send a copy of this Order by Regular Mail to each of the unrepresented parties at 1024½ Main Street, Meadville, Pennsylvania, 16335.
8. This Order shall remain in full force and effect through August 21, 1995.

BY THE COURT,
Anthony J. Vardaro, J.

Aug. 23, 1994 Faxed MCPD & Co. Control. Mailed Plf. & Dft.

342

1994

William J. Gregg	WILLIAM COULTER	APPEAL OF PLAINTIFF FROM DECISION OF DISTRICT JUSTICE WAYNE E. HANSON
792.	vs.	Aug. 15, 1994 Proof of Service of Notice of Appeal and Rule to File Complaint, filed.
	PAUL HAMILL, SHARON L. KEARNS	
	Filed August 12, 1994 @ 3:11 PM	
	Tax & entry paid 50.25 User's Fee paid 5.00	

1994

Bruce A. Barrett

793.

John F. Spataro

LONNI D. CLARK and DONNA J. CLARK, his wife

vs.

MICHAEL MARUSKA, JR. and KATHLEEN MARUSKA, his wife

Filed August 12, 1994
@ 2:55 PM

TRANSFER OF EQUITY 1994 - 5 TO THE LAW SIDE OF THE COURT

Aug. 12, 1994 Memorandum and Order filed. AND NOW, August 11, 1994, the Defendants' preliminary objections in the nature of a motion to strike off pleading because of lack of conformity to law and motionfor more specific pleading are granted.

The Prothonotary of Crawford County is directed to transfer this matter to the law side of the Court and the Plaintiffs are afforded 20 days form this date to file an amended complaint consistent with this Memorandum and Order on the law side of the Court.

BY THE COURT,
Anthony J. Vardaro, J

Aug. 12, 1994 Copies circ. by Ct.

EQUITY ENTRIES:

Mar. 24, 1994 Complaint in Equity filed.

Mar. 29, 1994 Preliminary Objections- Motion to Strike Off Pleadings Because of Lack of Conformity to Law and Motion for More Specific Pleadings filed.

Mar. 29, 1994 Acceptance of Service filed.

Apr. 12, 1994 Praecipe for Next Available Argument list filed.

May 18, 1994 Motion To Continue and Order filed.

1994

Gerald Sullivan

794.

Dana Watson

8-31-94 Read from Dept Sheriff Cost 25.00
8-31-94 Pd Sheriff Ck# 8527 25.00

JODI R. KARG

vs.

RONALD J. KARG

Filed August 15, 1994
@ 2:00 p.m.

Tax & entry	Pd 8-31-94	50.50
User's Fee	Pd 8-31-94	5.00
Sheriff's Costs		25.00
Pro Co	Pd 8-31-94	9.00
Pro Co pd 8-31-94		5.00

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

ORDER:

And now, this 15 day of August , 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 marital home pending further order of court and Defendant may not go to that residence. The Plaintiff shall have sole custody of the minor children with visitation to Defendant at her discretion 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 August 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 THE COURT,
Anthony J. Vardaro, J

Aug. 16, 1994 Sheriff's REturn filed. SERVED Ronald Karg personally on August 15, 1994 at 1:57 PM by handing a copy of the Protection From Abuse to him at his temporary place of custody in the Crawford County Jail,360 Center Street, Meadville, Crawford County, PA.
So answers,
Scott D. Young, Deputy Sheriff
Robert M.Stevens, Sheriff

Aug. 25, 1994 ORDER filed. AND NOW, August 23, 1994 after a formal hearing where the only witness who testified was the Plaintiff, the Court is satisfied that she has carried her burden of proof and therefore grants her relief

This shall have absolutely no effect on any potential criminal proceedings or any future custody or visitation actions.

It is ORDERED as follows:

1. The Defendant shall not assault, abuse, harass, or threaten the Plaintiff in any manner.
2. Sole possession of 648½ Park Avenue, Meadville, Pennsylvania is granted to the Plaintiff. The Defendant shall not go to the Plaintiff's residence or place of work.
3. The Defendant shall be permitted to go along with at least one other responsible adult individual to the Plaintiff's home on Saturday, August 27,1994 at a time to be arranged by teh parties in order to pick up any of his personal belongings if there is a dispute as to what belongings are his, the belongings that are disputed shall remain. If the Defendant is unable to pick up all of his belongings, the balance of his belongings that he does not take shall remain.

The Plaintiff shall do nothing to destroy or dispose of any belongings that are in dispute or any belongings that are clearly the Defendant's. She shall hold them in safekeeping pending a final resolution between the parties either by way of reconcilation or equitable distribution, or to give the Defendant an opportunity to bring a replevin action to get what is lawfully his.

4. Temporary custody of the parties minor children is awarded to the Plaintiff, subject to the right of the Defendant to visit with his children and take them into his custody every weekend from Friday night at 6:00 o'clock p.m., returning the children on Sunday night at 6:00 o'clock p.m. Transportation shall be provided by the Defendant. The Defendant shall bring a responsible adult with him who shall go to the house to pick up the children and who shall exit the car to see that the children get to the house safely. If he cannot bring a responsible adult with him, then he may get out of the car to see that the chidlren get to the house safely but he may not go into the house or even on to the steps or porch.

If the Defendant does not arrive by 6:30 o'clock p.m. on Friday evening, that particular visitation shall be canceled and no substitute time shall be granted therefore.

This custody and visitation order shall be in full force and effect only so long as there is no other custody or visitation order entered by another Court or this Court. This is subject to modification as provided for in the Abuse Act by a Court of competent jurisdiction in a custofy or visitation action.

We take no position on who should be the primary physical custodian of these children. We simply enter this custody and visitation order now to keep the parties at peace, to prevent abuse, to give some order to the lives of the children, and to grant the Defendant reasonable visitation privileges pending a further resolution.

5. Neither party shall consume alcoholic beverages, intoxicating liquors, beer or wine nor controlled substances or illegal drugs while the children are in his or her custody. The parties shall be sober at all times and unipaired at all times when the children are in the custody of either party.

CONTINUED ON PAGE 344A

Jodi R. Karg
vs.
Ronald J. Karg

CONTINUED FROM PAGE 344
of Record
A. D. 1994 - 794

****

6. In the event that the Plaintiff has medical expenses as a result of the August 12, 1994 incident, the Defendant shall pay all portions of the Plaintiff's bills that are not covered by insurance or other benefits. He shall pay the same within 30 days after the bills have been submitted to the Defendant by the Plaintiff. The Plaintiff shall supply appropriate evidence that the bills she is asking him to pay have not been covered by insurance and why.

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 a period of six months from this date unless modified or terminated by further order of court.

10. The Defendant shall pay record court costs in the amount of $89.50 by paying the same to the Prothonotary no later than September 23, 1994. If he fails to pay the Court costs, he may be held in contempt of Court adnd punished further.

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 6 months.

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

Aug. 25, 1994 Faxed Co Control & MCPD. Given Sullivan & Watson w/bill

Aug. 31, 1994, Motion to Vacate Protection From Abuse order and Order fled. AND NOW,this 31 day of Aug. 1994 upon receipt and review of plff's motion to vacate and terminate of aug. 23, 1994, said motion to granted and the Abuse order is hereby vacated and terminated.

A true and correct copy of this order shall be delivered by Prothonotary to proper police agency and to County Cont.

Any provision of the order of Aug. 23, 1994 assessing court costs shall remina in full force and effect without change or modification and the party against whom costs were assessed shall remain obligated to pay the costs.

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

Aug. 31, 1994, faxed to MCPD and County control.

Sept. 6, 1994, copies to plff and dft.

344
-6-

1994

1994

~~Barbara J. Walton~~ Withdrawn

795.

DANIEL J. ACKER, JR.

vs.

SHERRY L. ACKER

Filed August 15, 1994
@ 2:03 PM

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

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

Nov. 14, 1994 Complaint reinstated.

Nov. 30, 1994 Affidavit of Service filed. And Now, November 29, 1994, comes Barbara J. Walton, and avers as follows:

1. A true and correct copy of the Reinstated Complaint for Divorce was mailed to the Defendant via Certifeid Mial, return receipt on Nov. 18, 1994.

2. That the Defendant signed the return card on Nov. 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. Z070232978) 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.

Sep. 19, 1995 Motion to Withdraw Appearance of Barbara J. Walton, Esquire, for Plaintiff, and ORDER filed. ORDER. And Now,September 13, 1995, the motion for withdrawal of appearance is granted.

By the Court:
Anthony j.Vardaro, J.

9-19-95 Dist. to 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 9/19/95. We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonable delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

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

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

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

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

By the Court,
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

Mary Ann Kirkpatrick

796.

VICTORIA MARY HUTCHBY DRUMMER

vs.

KENNETH L. DRUMMER

Filed August 15, 1994 @ 10:53 AM

Indigent Filing

PETITION FOR LEAVE TO PROCEED IN FORMA PAUPERIS
(Divorce)
Faxed Kirkpatrick

Order:
And Now, August 12, 1994, Plaintiff is permitted to proceed without payment of costs in this divorce. In the event the Plaintiff's financial status improves during course of litigation she must advise the court. By the Court:
Anthony J. Vardaro, J

Aug. 19,1994 Divorce Complaint, filed.
1 copy atty IFP

Aug. 19,1994 Plaintiff's Affidavit Under Saection 3307(d) of the Divorce Code, filed.

Sept. 9, 1994 Acceptance of Service, filed. I accept servic eof the Complaint in Divorce field on behalf of Victoria Mary Hutchby Drummer. Kenneth L. Drummer, Dft.

Oct. 12, 1994 Upon praecipe of Plaintiff's attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

October 25, 1994 AND NOW, Oct. 21, 1994 it is ordered and decreed that VICTORIA MARY HUTCHBY DRUMMER, plaintiff, and KENNETH L. DRUMMER, 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

Pepicelli, Youngs,
& Youngs
Christopher J. Youngs
Kenton R. O'Neil

797.

Michael T.Pepke

Marsh, Spaeder, Bauer,
Spaeder & Schaaf
Francis J. Klemensic
for Westbend Eq. Co. and
Westbend Eq. Corp.

JAMES J. LASEK and ANNA L. LASEK

vs.

WEST BEND EQUIPMENT COMPANY and WEST BEND EQUIPMENT CORPORATION

Filed August 15, 1994
@

Tax & entry paid 50.50
User's Fee paid 5.00
Pro Co pd 10-6-98 6.00

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION
3 copies atty.

Aug. 26, 1994 Proof of Service, filed. I hereby certify that a copy of Complaint in Civil Action was served upon the Defendant, West Bend Equipment Corporation by mailing the same to the President of West Bend Equipment Corporation at 515 Schoenhaa Drive, PO Box 497, West Bend, WI, 53095, by Certified Mail, Return Receipt Requested, Number P100 650 652. Complaint was received on August 18, 1994, signed receipt attached hereto as Exhibit "A". Christopher J. Youngs, Esq.

Aug. 29, 1994 Proof of Service filed. I hereby certify that a copy of Complaint in Civil Action was served upon the Defendant, West Bend Equipment Compnay by mailing the same to the President of West Bend Equipment Corporation at 515 Schoenhaar Drive, P.O.Box 497, West Bend, WI, 53095, by Certified Mail, Return Receipt Requested,Number P 100 650 653. Complaint was received on August 18, 1994, signed receipt attached hereto as Exhibit "A". Date: August 29, 1994 By Christopher J. Youngs
Attorneys for Plaintiffs

Sep. 12, 1994 Defendants' Acceptance of Service filed. I, Michael T.Pepke, Esquire, being authorized to do so, hereby accept service of the Complaint in the above-captioned action on behalf of the Defendant West Bend Equipment Corporation.
Michael T.Pepke, Esquire

Sep. 12, 1994 Defendants' Acceptance of Service filed. I, Michael T.Pepke, Esquire, being authorized to do so, hereby accept service of the Complaint in the above-captioned action on behalf of the Defendant West Bend Equipment Company.
Michael T.Pepke, Esquire

Sept. 14, 1994 Appearance of Marsh, Spaeder, Baur, Spaeder & Schaaf by Francis J. Klemensic for Westbend Equipment Company and Westbend Equipment Corporation, filed.

Sep. 29, 1994 Answer and New Matter, filed.

Oct. 11, 1994 Preliminary Objections to New Matter, filed.

Oct. 26, 1994 Praecipe for Argument, filed.

ON ARGUMETN LIST FOR November 1994

Nov. 15, 1994 Notice of Service of Interrogatories and Requests for Production of Documents to Plaintiffs, filed.

Nov.23, 1994 Motion to Continue Argument and Hearing and ORDER filed. AND NOW, November 16, 1994, the Plaintiffs' Motion to Continue is granted. The argument and hearing originally scheduled for November 28, 1994 at 9:15 a.m., is continued to the December, 1994 Argument List to be scheduled bythe Court Administrator.
BY THE COURT,
Gordon R. Miller,J.
11-29-94 Faxed to Attys. Youngs & Klemensic

ON JANUARY 3, 1995 ARGUMENT LIST

Dec. 1, 1994 Certificate of Service of Interrogatories and Requests for Production filed.

Jan. 4, 1995 Certificate of Service of Answers to Interrogatories and Requests for Production filed. I do hereby certify that Answers to Interrogatories and Requests for Production were sent by first class United States Mail, postage pre-paid on January 4,1995, to the following:
Francis J.Klemensic, Esquire
Marshal, Spaeder Baur, Spaeder & Schaaf
Suite 300, 300 State Street
Erie,PA 16507
By Kenton R.O'Neil, Attorneys for Plaintiff

Feb. 27, 1995 Memorandum and Order, filed. AND NOW, February 27, 1995, upon consideration of the Plaintiffs' preliminary objections to the new matter of the Defendants, we decline to starike Paragraph 39 in its entirety but we will strike Subparagaphs 39(a), (b), (j), (m), (n) and (o) as being too vague without prejudice to the Defendants to replead their new matter within 20 days of the date of this order.
We will strike Paragraph 50 of the Defendants' new matter as improperly raising a "state of the art" defense. BY THE COURT:
Anthony J. Vardaro, J.
Feb. 27, 1995 copies dist to Youngs & Klemensec

Mar. 2, 1995 Notice of Service of Responses to Requests for Production of Documents Directed to Defendant, West Bend Equipment Company,filed.

Mar. 2, 1995 Notice of Service of Answers to Interogatories Directed to Defendant,West Bend, Equipment Company, filed.

Mar. 22, 1995 Amended Answer and New Matter filed.

Mar. 27, 1995 Plaintiffs' Reply to New Matter filed.

Continued to Page 464

348

1994

Thomas, Truax,
Spadafore & Walker
David P. Truax

798.

COMMONWEALTH OF PENNSYLVANIA

vs.

NATHEN J. DUDLEY

Filed August 15, 1994
@ 4;05 PM

Tax & entry paid 50.50
User's Fee paid 5.00

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

Order:
AND NOW, August 16, 1994, upon consideration of the foregoing Petition and upon Motion of David P. Truax, Equire, attorney for Petitioner, a hearing is hereby scheduled to determine whether the Department of Transportation in suspending the operating privileges of the Petitioner should be set aside.
The above matter is set for hearing on the 10th day of November, 1994,, at 1:30 p.m. at the Courthouse at Crawford County, Pennsylvania in Courtroom No. 1 or 2.
Petitioner's operating privileges are hereby reinstated in accordance with law pending a final decision of the above appeal.
A true and correct copy of the within Petition and Order shall be served upon the Department of Transportation, Bureau of Driver Licensing, Room 103, Transportation and Safety Building, Harrisburg Pennsylvania, 17120 by Certified Mail, return receipt requested at least sixty (60) days prior tothe aforesaid hearing date.

By the Court:
Ankthony J. Vardaro, J

Nov. 14, 1994, ORDER filed. AND NOW, Nov. 10, 1994, after hearing, and argument with respect to the defendant's appeal from the order of the Dept. of Trans. suspending his driver's license, said appeal is DISMISSED and the suspension imposed by the department is AFFIRMED.

BY ORDER OFTHE COURT,
Anthony J. Vardaro, J.

Nov. 14, 1994, copies mailed to Attys. Kuhar and Truax.

1994

Mary Ann Kirkpatrick

799.

KANDI ANN MOOK KETCHAM

vs.

JAMES STEVEN KETCHAM

Filed August 16, 1994
@ 1:18 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00

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

Aug. 23, 1994 Affidavit of Service, filed. And Now, August 22, 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 Kandi Ann Mook Ketcham, Plaintiff in the above-captioned matter.

2. That on information furnished her by teh Plaintiff, she caused a certified copy of the Complaint in Divorce to be forwarded by Certified Mail, P 100 657 060; postmarked August 16, 1994, to the last known address of the Defendant, James Steven Ketcham, RD 8, Cole Rd., Meadville, Pa. 16335.

3. That the Defendant, James Steven Ketcham, on August 19, 1994, personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attache dhereto.

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

Mar. 12, 1998 Important Notice and Court Order filed. Out court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 8/3/94 . 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)

350

1994

Watts & Pepicelli
Alan L. Pepicelli

800.

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

MARCEL J. AMRHEIN, JR. and KAYBERTA M. AMRHEIN, his wife

vs.

KATHLEEN MARIE RENDULIC and RICHARD RENDULIC, her husband

Filed August 16, 1994
@ 1:18 PM

Tax & entry paid	50.50
User's fee paid	5.00
sheriffs costs	31.00
Pro Co pd 12-19-94	6.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Aug. 23, 1994, Sheriffs Return filed. SERVED Kathleen Marie Rendulic personally on Aug. 18, 1994 at 8:44 a.m.by serving her in the Sheriffs Office, third Fl. Crawford County Courthouse, Meadville, Pa.

SERVED Richard Rendulic on Aug. 18, 1994 by serving Kathleen Rendulic his wife and authorized agent, in the sheriff's office, Third Fl. Crawford County Courthouse, 903 diamond Park, meadville, Crawford County Pa. Signed Acceptance of Service attached.
So answers, Barbara J. Bernoski, Dep. Sher.
robert M. stevens, Sheriff

Sept. 7, 1994 Appearance of Fuller, Kinnunen, Petruso, Gamble Fabian & Hall by John D. Petruso for defendants, filed.
(1 copy atty)

Dec. 16, 1994 Upon praecipe of of plaintiff attorney the above-captioned case is settled and discontinued of record.

1994

Northwestern Legal Serv.
R.Christopher Brode

801.

Edward J. Hatheway

LORI BURROWS

vs.

STEVE MARVIN

Filed August 16, 1994
@ 2:17 PM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	37.00

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

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 any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for August 24, 1994 , at 2 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

✓Aug. 17, 1994 Sheriff's Return filed. SERVED Steve Marvin personally on August 16, 1994 at 4:05 PM by handing a copy of the Protection from Abuse to him at his place of employment, Keystone Station, Spring Street, Titusville, Crawford County, PA.
So answers,
Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

✓Aug. 25, 1994 ORDER filed. AND NOW, August 24, 1994, after a full formal hearing where both parties were represented by counsel, the Court finds that most likely abuse occurred as defined by the Protection From Abuse Act, but the Court is not satisfied that the parties are intimate partners as required in order to entitle a victim to a Protection From Abuse Order. The parties meet none of the definitions of family or house hold members. The Plaintiff testified that she and the Defendant were intimate partners but that was a conclusion. She did not give any specifics. There was one moment of intimacy, but the Court does not believe that one moment of intimacy makes persons intimate partners as the Legislature intended in the act. The Petition is dismissed and the costs shall be paid by Crawford County.

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

8-25-94 Faxed to Titusville PD & Co. Control. Given to Attys, Brode & Hatheway

✓SEpt. 26, 1994, Plaintiff Burrows' Motions for Post Trial Relief/Reconsideration, filed.

✓ Sept. 26, 1994, Motion to Quash and Motion for Counsel's Fees filed.

✓Sept. 26, 1994 ORDER filed. ORDER: AND NOW, September 23, 1994, the plaintiff at motion court presents a motion for Post-Trial Relief/Reconsideration in this protection from abuse matter previously heard before Judge Gordon R. Miller.

At the same time, the attorney for the defendant presents a Motion to Quash and Motion for Counsel fees with respect tothe Plaintiff's post-trial motions.

We will direct that pursuant to the plaintiff's post-trial motion, the transc ript of the proceedings held Judge Miller be transcripbed without cost tot he plaintiff insofar as she is proceeding in forma pauperis and further direct that once that transcript has been filed, the court administrator shall then schedule this matter for the next available argument list. Prior to hearing the plaintiff's motion for post-trial relief/reconsideration, the court will hear the defendant's motion to quash and motion for counsel fees with respect to the same.

The parties are directed to file their briefs in accordance with the local rules once an argument date has been scheduled.

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

9/26/94 copies dist. to Brode, Hatheway and Ct. Adm. (copy to Ct. Reporters)

✓Sep. 29, 1994 Transcript of Proceedings Taken at Time of Protection From Abuse Hearing, filed.

✓Oct.10,1994 Praecipe toProceed in Forma Pauperis, filed.

✓ Oct. 27, 1994 Memorandum and Order filed. AND NOW, October 26, 1994, the plaintiff's motion for reconsideration is denied and the defendant's request for counsel fees and costs is denied.

BY THE COURT,
Gordon R. Miller, J

Oct. 27, 1994 Copies dist. to Brode and Hatheway

✓Nov. 23, 1994 Notice of Appeal of Plaintiff from Order of October 26, 1994 to Superior Court of Pennsylvania filed.

Record Continued on Page 487.....

352

1994

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

802.

Rosen, Rosen & Bloom
Bruce T. Rosen

ROBYN J. SYE

vs.

JAMES R. SYE

Filed August 16, 1994
@ 2:34 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Count paid	30.00
State paid	10.00

COMPLAINT IN DIVORCE UNDER SECTION 3301(c) or 3301(d)
EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION,
CHILD CUSTODY
1 copy atty.

Aug. 22, 1994, Affidavit of Service filed. I, James r. Irwin, Esq. being duly sworn according to law, depose and say that I am atty. of record, and as such say that I served a true and correct copy of the Complaint in divorce cert. by the Prothonotary of Crawford County, Pa. on the above named dft. by cert. mail addressee only, ret. rec. req., dated Aug. 17, 1994. The dft. acknowledged service on Aug. 19, 1994 by accepting delivery on that date as evidenced by attached signed ret. rec. James R. Irwin, Esq.

Aug. 30, 1994 Appearance of Rosen, Rosen & Bloom by Bruce T. Rosen for Defendant, James R. Sye, filed.

Apr. 3, 1997 Notice to the Defendant and Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code filed.

June 9, 1998 Motion To Withdraw Count from Divorce Complaint and Order filed. AND NOW, this 9 day of June, 1998, upon presentation and consideration of the within Motion, Count 3 of Plaintiff's Complaint in Divorce is hereby withdrawn.
Anthony J. Vardaro,, J

6/10/98 Faxed Irwin & Rosen

1994

Watts & Pepicelli
Christopher D. Ferry

803.

PATRICK N. BRADLEY

vs.

CINDY M. BRADLEY

Filed August 16, 1994
@ 4:21 PM

Tax & entry paid	50.50
User's Fee paid	20.00
3 Add'l Counts paid	45.00
State paid	10.00
Pro Pd 9/27/96	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, CUSTODY, PARTIAL CUSTODY, AND/OR VISITATION
1 copy atty.

Oct. 6, 1994 Complaint reinstated.

Oct. 17, 1994 Affidavit of Service filed. Christopher D. Ferry, Esquire, being duly sworn according to law, deposes and states that he served a true and correct copy of the COMPLAINT IN DIVORCE, NOTICE TO DEFEND AND CLAIM RIGHTS, and COUNSELING NOTICE, upon Cindy M. Bradley, defendant in the above-captioned matter, by mailing a true and correct copy of same by U.S. Certified Mail, return receipt requested, Article Number P 899 098 530, postage prepaid, on October 7, 1994 to the following address: Cindy M. Bradley, R.D.#2, Box 321 A, Linesville, PA 16424. Defendant personally received said documents on October 11, 1994, as evidenced by her signature on the certified mail return receipt card which is attached hereto and marked Exhibit "A".
Christopher D. Ferry

Mar. 17, 1995 Motion For Special Relief and Order filed. It is hereby ordered that beginning the weekend of March 18, 1995 the Plaintiff is granted visitation of his daughter, Jessica Bradley, to be continued on alternate weekends until a final custody/visitation order is entered.
Plaintiff and Defendant shall exchange the child at the residence of Defendant. Plaintiff shall pick up the child at 10:00 AM on each alternate Saturday and return the child to the same location at 6:00 PM on Sunday.
Both counsel have appeared in motion court w/ consent to the order.
3/17/95
BY THE COURT
Anthony J. Vardaro, J

Mar. 17, 1995 Faxed Ferry

Aug. 4, 1995 Stipulation and Consent and Order for Shared Custody filed. AND NOW, this 4 day of August, 1995, it is hereby: ordered, adjudged and decreed that Plaintiff, Patrick N. Bradley, and Defendant, Cindy M. Bradley, are awarded shared legal and physical custody of their minor child, Jessica Bradley; and it is further ordered that:
1. The parties are to share decision making concerning eduction, religious training and medical care, except in an emergency.
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 child.
2. 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 child.
4. All routine decisions regarding the child shall be made by the parent then having custody.
5. The Defendant shall have primary physical custody of the child. The Plaintiff shall have physical custody of the child on alternate weekends beginning August 12, 1995. Plaintiff and Defendant shall exchange the child at the residence of Defendant's mother. Plaintiff shall pick up the child at 10:00 am on each alternate Saturday and return the child to the same location at 6:00 pm on Sunday.
6. Plaintiff shall have the right to designate a three week period each summer beginning in 1996 when the child shall reside with him during which time no visitation needs to be according to the Defendant. Plaintiff shall make his designation by May 31st of each year.
7. The parties shall alternate custody of the child on the following holidays, the times to be in accordance with past practices of the parties; New Year's Day, Easter, Memorial Day, July 4, Labor Day, Thanksgiving, Christmas Eve, Christmas, New Years Eve and the child's birthday.
8. The parent not having physical custody of the child shall have the right to telephone the child for reasonable times and for reasonable lengths of time and such conversations will not be unreasonably monitored by the parent having physical custody.
9. Each party shall teach the child to give to the other party that love and respect which is due a parent from his or her child.
10. Neither party shall do or say anything to blacken the character of the other in the child's estimation. Each party shall treat each other in a polite and respectful manner when in the child's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the child's estimation.
11. The parties are free to make additional or alternative arrangements with respect to the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. The arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

By the Court,
Anthony J. Vardaro, J

Aug. 4, 1995 Faxed Ferry & Lindsay

Sept. 19, 1996, Affidavit of Consent of defendant filed.

Sept. 19, 1996, Waiver of notice of intention to request entry of divorce decree filed. (dft)

Sept. 19, 1996, Affidavit of consent of plff. filed.

Sept. 19, 1996, Upon praecipe of plaintiff attorney, to transmit the record, this case moved to court.

DIVORCE DECREE FILED

Sept. 30, 1996 AND NOW, this 30 day of September, 1996, upon presentation and consideration of the foregoing Stipulation, this Court hereby directs that: an absolute divorce is hereby gratned to the above named parties on the groudns that the marriage is irretrievably broken.
The issue of custody has already been resolved separately through the entry of a Court Order on April 4, 1995. (SEE PAPERS FILED).

BY THE COURT:
Anthony J. Vardaro

Sept. 30, 1996 Order FAXED Attys. Lindsay and Ferry.

R. Christopher Brode

804.

9-22-94 Rec'd from dft Sheriff's Costs 25.00
9-23-94 Pd Sheriff Ck# 8570 25.00

DETRA GRAY

vs.

TROY OGDEN

Field August 16, 1994
@ 4:25 PM

Tax & entry	Pd. 9-22-94	50.50
User's Fee	Pd.	5.00
Sheriff's Costs	Pd.	25.00
Pro Co	Pd. 9-22-94	9.00

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

ORDER:

And now, this 16 day of August , 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 her residence. he shall not be within 100 yards of her residence.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment 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 August 24, 1994 , at 2:00 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

Aug. 18, 1994 Sheriff's Return filed. SERVED Troy Ogden personally on August 17, 1994 at 9:30 AM by handing a copy of the Protection from Abuse to him at 243 Grandview Avenue, Meadville, Crawford County, PA.

So answers,

Shawn E. Ashbaugh, Deputy Sheriff
Dale A. Collins, Chief Deputy
Robert M.Stevens, Sheriff

Aug. 25, 1994 ORDER filed. AND NOW, August 24, 1994, this matter is before the Court on Plaintiff's Petition for Relief Under the Protection From Abuse Act.

The parties appear, the plaintiff represented by counsel and the defendant without counsel. He is advised of his right to counsel and indicates that he wishes to proceed without counsel.

The defendant agrees to the entry of the following Order, with the admission of the allegations of the Petition on his part:

1. The defendant shall not assault, abuse, harass, threaten, or stalk the plaintiff.
2. The defendant shall not go to the plaintiff's residence, place of employment or training at any time. He is ordered not to go to the plaintiff's residence even if he is invited to that residence since any police agency shall presume that if he is at plaitniff's residence, he is in violation of this Order. In the event that the parties wish for the defendant to go to plaintiff's residence, they should seek a modification of this Order prior to him doing so.
3. The defendant shall not contact the plaintiff by telephone or otherwise nor shall he procure any third party to do so.
4. Likewise, he shall not have contact with the plaintiff's children, Lakeisha Pratt or Delbone Burnett.
5. The defendant currently reside with the plaintiff's grandmother, adn if the plaintiff and her children intend to go to her grandmother's, the plaintiff shall call her grandmother to advise her of that and the defendant will leave plaintiff's grandmother's residence if requested during the time period the plaintiff and her children will be there.
6. In the event the parties are in the same public place, the defendant, upon realizing that plaintiff is present, shall immediately leave that public place. While they are in the same public place, he shall not assault, abuse, harass or threaten the plaintiff in any way.
7. This Order may be enforced without a warrant of Arrest by any law enforcement officer, having reasonable grounds to believe that it has been violated.
8. A copy of this Order shall be delivered to the Meadville City Police and to Crawford County Control. Additionally, the Prothonotary shall send a copy by Regular Mail to the defendant at 357 Willow Street in Meadville, due to the fact that he is not represented 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 defendant will pay court costs in this matter to the Prothonotary of Crawford County on the First Floor of the Crawford County Courthouse in Meadville in the amount of $89.50 within 30 days of this date.
11. This Order shall remain in full force and effect through August 23, 1995.

BY THE COURT:
Anthony J. Vardaro, J.

Aug. 25, 1994 Faxed MCPD & Co. Control
Aug 30, 1994 Faxed Brode, mailed to Dft. w/bill.

1994

Swanson, Bevevino,
& Millin
Timothy R. Bevevino

805.

FIRST DEPOSIT NATIONAL BANK

vs.

CYNTHIA R. PEDROSO

Filed August 17, 1994
@ 11:47 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro Co. pd 10/12/94	9.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Aug. 24, 1994 Sheriff's Return filed. SERVED Cynthia R.Pedroso personally on August 23, 1994 at 9:52 AM by handing her a copy of the Complaint 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

Aug 26, 1994 Praecipe for attachment to Complaint, filed.

Oct. 12, 1994,1:35 p.m., AND NOW upon Praecipe of Plaintiff attorney, with copy of Notice of Intention to file default judgment attached, judgment is hereby entered in favor of Plaintiff and against Defendant for failure to file an answer and damages are assessed as follows:

Principal:	$6,738.97
Interest:	392.21
Attorney's Fees:	1,347.00
TOTAL	$8,478.18

P-34 Debt $8,478.18
Judgment entered - 10/12/94
Judgment
Barbara H. King, Pro.
10-19-94 Notice of entry of Judgmt. mailed defendant.

356

1994

Shapiro & Kreisman
carolee berasi

806

CHASE MANHATTAN MORTGAGE CORPORATION f/k/a CHASE HOME MORTGAGE CORPORATION

vs.

RONALD F. HILES, AUDRA D. HILES, OCCUPANTS

Filed August 17, 1994
@ 11:47 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	31.00
Sheriff's Costs	44.50
Pro Co Pd 11/14/94	9.00
Sheriff's Costs	50.00

COMPLAINT IN EJECTMENT
3 copies Atty.

Aug. 24, 1994 Sheriff's Return filed. NOT FOUND as to Defendants Ronald F. Hiles and Audra D.Hiles at address given of R.D.#6, Franklin Pike, Meadville, Crawford County, PA. The property appears to be vacant as of August 19, 1994.
So answers, Robert M. Stevens, Sheriff

Sep. 12, 1994 Complaint reinstated. (Copy Sheriff)

Oct. 14, 1994 SHERIFF'S RETURN, filed. SERVED Ronald F. Hiles personally on October 7, 1994 at 9:20 PM by handing a copy of the Complaint in Ejectment to himn at the residence, R.D.#6, Franklin Pike, Meadville, Crawford County, PA.
NOT FOUND as to Defendant Audra D. Hiles or any other occupants at the residence. The Defendants have separated and Audra D. Hiles has moved out.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, Nov. 14, 1994 at 1:23 p.m., upon praecipe of plaintiff attorney, with affidavit of non military service, certification of mailing notice under Rule 237.1, Notice of intention (default notice) and service of notices attached, Judgment for Possession of the premises at R. D. 6, Franklin Pike, Meadville Pa. 16335, is hereby entered in favor of the plaintiffs and against the defendants, due to failure to answer complaint in ejectment.
Judgment entered
11/14/94
H - 141
O - 11

JUDGMENT FOR POSSESSION
Barbara H. King,
Prothonotary

Nov. 17, 1994, Notices of entry of judgment mailed to dfts.

Ex 1994-74

Dec. 8, 1994 Writ Return filed. SERVED Ronald F. Hiles personally on December 6, 1994 at 5:00 PM by handing a copy of the Writ of Possession to him at the residence, R.D. #6, Franklin Pike, Meadville, Crawford County , PA.
So answers,
Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

1994

807.

GARY A. GUSTAVSON

vs.

KAREN A. GUSTAVSON

Filed August 17, 1994
@ 1:41 PM

Tax & entry paid	50.25
User's fee paid	5.00
Pro Co pd 9-13-94	9.00

APPEAL OF DEFENDANT FROM DECISION OF
DISTRICT JUSTICE RONALD COLE, SR.

Aug. 17, 1994 Rule entered upon the Plaintiff to file a Complaint issued.

Aug. 17, 1994, Proof of Service filed.

Sept. 9, 1994 And now, 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 to do so.

Entered 9-9-94
G - 75

JUDGMENT NON PRO
Barbara H. King, Pro.

358

1994

Barbara J. Walton

808.

DIANE D. TURNER

vs.

MELVIN KEITH TURNER

Filed August 17, 1994
@ 1:56 PM

Tax & entyr paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co. pd 11/9/94	9.00

COMPLAINT IN DIVORCE UNDER SECTION 3301(d)
1 copy atty.

Aug. 17, 1994 Affidavit of Consent under Section 3301(d) of Planitiff filed.

Sept. 15, 1994 Affidavit of Service, filed. And Now, September 15, 1994, comes Barbara J. Walton, and avers as follows:

1. A true and correct copy of the Complaint for Divorce under Section 3301(d) and Plaintiff's Affidavit of Consent Under Section 3301(d) were mailed to the Defendant via Certified Mail, return receipt on September 8, 1994.

2. That the Defendant signed the return card on September 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. Z070383648) attached hereto as Exhibit "A".

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

Oct. 12, 1994 Affidavit of Service filed. And Now, October 11, 1994, comes Barbara J. Walton and avers as follows:

1. A true and correct copy of the Notice of Intention to Request Entry of Divorce Decree was mailed on October 5, 1994 Certified Mail, returnr receipt.

2. That the Defendant signed the return card on October 7, 1994, and in accordance with Pa. R.C.P. 412, service of thatComplaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No. Z070232950) 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 authroities.

Barbara J. Walton

November 4, 1994 Upon praecipe of plaintiff attorney for review Under Section 3301(d) of the Divorce Code, this case moved to Court.

DIVORCE DECREE FILED

Nov. 17, 1994 AND NOW, this 16th day of November, 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 DIANE D. TURNER, Plaintiff, and MELVIN KEITH TURNER, 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.

1994

809.

BARBARA A. BUTLER, now by divorce BARBARA A. GILL

vs.

LARRY E. BUTLER

Filed August 17, 1994
@ 2:45 PM

Tax & entry paid 10.50
User's Fee paid 5.00

CERTIFIED CONSENT CUSTODY ORDER FROM ERIE COUNTY, PENNSYLVANIA

AND NOW, to-wti, this 6th day of December, 1993, the parents having appeared in a conference with the Custody Conciliation Supervisor, Frances Rectenwald, an dhaving reached an agreement concerning an appropriate arrangement for the custody of their childre, it is hereby ORDERED, ADJUDGED and DECREED that:

1. the parents, Barbara A. Butler, now by divorce Barbara A. Gill, and Larry E. Butler, shall share the legal and physical custody of their chidlren. The named and birthdates of the children are as follows: Christina L. Butler, born February 7, 1979 Lawrence W. Butler, born January 22, 1981.

2. The chidlren shall reside with their mother at P.O. Box 102, Cemetary Raod, Harmonsburg, Pennsylvania 16422, except that the father shall have partial custody of the children as follows:

(a) The children shall be with the father every other Friday from 6:00 p.m. until Sunday at 6:00 p.m. The exception will be that on the weekend of December 11th the parents will meet on Saturday in Franklin at the McDonald's on Route 322 at 1:00 p.m. until Sunday at 6:00 p.m.

(b) During the summer months, the father is entitled to two weeks (14 days) of uninterrupted vacation upon 30 days notice to the mother. This vacation period will also be coordinate with the soccer and softball schedules of the children.

(c) The children shall be with the father the Wednesday before Thanksgiving Day at 6:00 p.m. until Friday at 6:00 p.m. The Thanksgiving weekend will always be spent with the mother.

(d) If Easter Sunday falls onthe father's weekend, he will return the children to the mother at 3:00 p.m.

(e) The children shall be with the mother on Christmas Eve at 12:00 noon until Christmas Day at 3:00 p.m. and with the father on Christmas Day at 3:00 p.m. until December 27th at 3:00 p.m.

(f) The non-festive holidays of Memorial Day, July Fourth, and Labor Day shall be alternated, beginning with Memorial Day 1994, with the mother. The hours on the non-festive holidays shall be from 10:00 a.m. to 6:00 p.m. unless mutually agreed to do otherwise.

3. The children shall be with the mother on Mother's Day and with the father on Father's Day.

4. Each parent shall keep the other informed of the children's health, progress in school, and general welfare and shall consult the other parent concerning major decisions affecting the children.

5. Each parent is entitled to receive directly from schools, health care providers, or other relevant sources, information concerning their children.

6. Neither parent shall engage in any conduct which presents to the children a negative or hostile view of the other.

7. Each parent shall encourage the children to comply with the custody arrangement and foster in the children a positive view of the other.

8. This custody arrangement may be modified by an agreement of the parties when required for the best interest of the children.

9. The parents agree, as a condition of this consent order, to attend the "Children Cope With Divorce" seminar.

10. VIOLATION OF THIS ORDER BY ANY PERSON MAY RESULT IN CIVIL AND CRIMINAL PENALTIES, INCLUDING PROSECTION, PURSUANT TO SECTION 2904 OF THE PENNSYLVANIA CRIMES CODE, INTERFERENCE WITH CUSTODY OF CHILDREN.

By the Court,
John A. Bozza, J

Sep. 19, 1994 ORDER filed. AND NOW, this 12 day of September 1994, the Court hereby Orders that the above action filed at No. 3939 - A - 1994 shall be transferred to the Crawford County Court of Common Pleas as Erie County Court of Common Pleas no longer has jurisdictionor venue over this matter. The Erie County Prothonotary is directed to transfer all records in this matter to the Prothonotary of Crawford County for the Court of Common PLeas, and both parties shall be responsible for payment of any costs and expenses incurred by the Erie County Prothonotary for the Court of Common Pleas in transferring this matter.

BY THE COURT,
John A. Bozza, J.

9-20-94 Copy of Order mailed to Pltf & Deft.

810.

JANET KELLY

vs.

STEVE KELLY

Filed August 17, 1994
@ 3:29 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 MPC

ORDER:

And now, this 17th day of August , 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. Possession of the residence is awarded to Plaintiff. Defendant shall not go to Plaintiffs home. He will not contact Plaintiff.

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

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

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

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

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

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

Hearing is hereby set for the August 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,
Gordon R. Miller, J

Aug. 18, 1994 Sheriff's Return filed. SERVED Steve Kelly personally on August 17, 1994 at 3:52 PM at his residence, 383 Poplar Street, Meadville, Crawford County, PA 16335

So answers,

Dale A. Collins, Chief Deputy Sheriff
Scott D. Young, Deputy Sheriff
Robert M. Stevens,Sheriff

Aug. 30,1994 ORDER filed. AND NOW, August 25, 1994, at the time fixed for hearing in this matter, the Plaintiff came and desired to drop the charges. She indicated that the Defendant has left her alone since she got the Order and that she may move out of town and does not want any further protection. Accordingly, it is ORDERED as follows:

1. The Petition is dismissed.
2. The temporary ABuse Order of August 17, 1994 is hereby vacated.
3. A copy of this Order shall be delivered by the Prothonotary to the Meadville City Police Department and to County Control, and shall be sent to the Defendant at Box 390, Meadville, Pennsylvania.
4. Costs shall be paid by Crawford County. BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Aug. 30, 1994 Faxed MCPD & Co. Control. Mailed Plf. & Dft.

1994

pro se

811.

Mary Ann Kirkpatrick

RICHARD HOWARD OWENS

vs.

AUDREY BELLE OWENS

CUSTODY COMPLAINT

1 copy (sheriff)
1 copy (mediator)
1 copy (plff)

Filed Aug. 17, 1994
@ 3:41 p.m.

Indigent filing
~~Bruce L. Smith, mediator~~ withdrawn
Sheriff's Costs 20.00
William Pineo, Mediator

Order:
You, Audrey Owens, , have been sued in Court to obtain custody of Anna Belle Owens .
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 Administrator
Courthouse
Meadville, PA 16335
(814) 336-1151, ext. 298

Anthony J. Vardaro, J.

Date: 8/16/94

ORDER:

AND NOW, August 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 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, J.

ORDER:

AND NOW, this 17 day of August , 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
Anthony J. Vardaro, J.

Sept. 14, 1994 RETURN: I hereby deputize the Sheriff of Brunswick County, North Carolina to serve the within Complaint for Custody according to law. The defendants alleged address is near intersection of Kingstown Rd. & Ash Rd. Highway 130 Map attached. (Mailing address, PO Box 281 Ash, N.C. 28420) Robert M. Stevens, Sheriff Crawford County

SERVED the within Custody Complaint on 8-30-94, at 11:51 AM upon Audrey Belle Owens at 1422 Kingstown Rd, by handing to Audrey Owens a true and correct copy thereof and made known to Audrey Owens the contents therein. J. Davis, Sheriff Brunswick Co. N.C.

Continued on Page 451

pro se

812.

MARY KATHRYN WEAVER

vs.

TIMOTHY PAUL WEAVER

CUSTODY COMPLAINT

1 copy (sheriff)
1 copy (plff)
1 copy (mediator)

Filed Aug. 17, 1994
@ 3:41 p.m.

Indigent filing
Bruce L. Smith, mediator 152.58
Sheriff's Costs 25.00

Order:

You, Timothy Paul Weaver , have been sued in Court to obtain custody of Paul and Christopher .
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 Administrator
Courthouse
Meadville, PA 16335
(814) 336-1151, ext. 298

Anthony J.Vardaro, J.

DAte: 8/16/94

ORDER:

AND NOW, August 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 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, J.

ORDER:

AND NOW, this 17th day of August , 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
Anthony J. Vardaro, J.

Aug. 30, 1994 SHERIFF'S RETURN, filed. SERVED Timothy Paul Weaver personally on August 26, 1994 at 11:35 AM by handing a copy of the Custody Complaint, Notice and Order 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

Continued on Page 362A

1994

813.

8-29-94 Rec'd Sheriff's Costs from Atty 25.00
8-29-94 Rec'd Ck# 8525 Sheriff Costs 25.00

HARRIET POWELL

vs.

OTT POWELL

Filed August 17, 1994
@ 4:03 PM

Tax & entry	Pd. 8/29/94	50.50
User's Fee	Pd.	5.00
Sheriff's Costs	Pd.	25.00
Pro. Co.	Pd. 8/29/94	9.00

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

Order:

And now, this 17 day of August , 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 remain in marital home but may not come home drunk.
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 August 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,
Anthony J. Vardaro, J

Aug. 18, 1994 Sheriff's Return filed. SERVED Ott Powell personally on August 18, 1994 at 9:50 AM at corner of Water and Center Streets, Meadville, Crawford County, PA 16335.
So answers,
Shawn E. Ashbaugh, Deputy Sheriff
Dale A. Collins, Chief Deputy Sheriff
Robert M. Stevens, Sheriff

Aug. 30, 1994 ORDER filed. AND NOW, August 26, 1994, the parties appeared in court, each without counsel. We explained the Protection From Abuse proceeding to the defendant and he understood it. He is willing to have the Court enter a Protection From Abuse Order against him, although he does not admit that he engaged in the activities and conduct can still live with her and that he need not be put out of the house now so long as he does not abuse her verbally physically or sexually.

Based on this, it is ORDERED as follows:

1. The defendant shall not assault, abuse, harass, or threaten the plaintiff verbally, physically or sexually.
2. The defendant may remain in the marital home. If he becomes intoxicated, he may return to the home, provided that he does not assault, abuse, harass, or threaten the plaintiff in any way. If he is intoxicated and cannot comply with Paragaraph 1, then he should not return to the home until he is sober.
3. This Order may be enforced without a Warrant of Arrest by any law enforcement officer having reasonable ground to believe that it has been violated.
4. A copy of this Order may be delivered to the Meadville Police Department and to County Control and shall be sent to the defendant at PO Box 1267, Meadville, Pennsylvania.
5. This Order shall remain in full force and effect for one (1) year from this date, unless modified or terminated by further Order of this Court.
6. The defendant shall pay record court costs in the amount of $89.50 no later than 4:30 p.m. on Monday, August 29, 1994.
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 (6) months.

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

Aug. 31, 1994 Faxed Co Control & MCPD, given Plf. & Dft. by mail.

1994

Thomas, Truax,
spadafore & Walker
R. Charles Thomas

814.

MARLENE C. CONSIDER

vs.

DAVID P. CONSIDER

Filed August 18, 1994
@ 9:46 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 2-28-95	9.00

COMPLAINT IN DIVORCE
1 copy atty.

Nov. 4, 1994 Complaint Reinstated.

Dec. 30, 1994 Acceptance of Service filed.

Feb. 15, 1995 Affidavit of Consent of Plaintiff, filed.

Feb. 15, 1995 Affidavit of Consent of Defendant, filed.

Feb. 15, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

March 8, 1995 AND NOW, March 2, 1995, it is ordered and decreed that MARLENE C. CONSIDER, plaintiff, and DAVID P. CONSIDER, defendant, are divorced from the bonds of matrimony.

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

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

1994

pro se

815.

JANE E. HOLZER

vs.

ANTHONY E. BABCOCK

Filed Aug. 18, 1994
@ 11:40 a.m.

Tax & entry	Pd. 11-21-96	$50.50
state	Pd. 11-21-96	5.00
Sheriff's Costs	Pd.	25.00
Pro Co	Pd. 11-21-96	9.00
Pro Co	Pd. 11-21 96	5.00

11-22-96 Pd Sheriff
10368 25.00

PETITION FOR RELIEF UNCER PROTECTION FROM ABUSE ACT

1 copy (plff)
3 copy (sheriff)
faxed to SPD

ORDER:

And now, this 18 day of August , 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 approach the plaintiff on this street anytime or place.

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

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

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

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

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

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

Hearing is hereby set for August 29, , at 3:00 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, J.

Aug.19, 1994 Sheriff's Return filed. SERVED Anthony E. Babcock, personally on August 19, 1994 at 9:15 AM at his place of employment, Investment Castings, BAldwin Street Extension, Meadville, Crawford County, PA.
So answers,

Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Aug. 30, 1994 ORDER filed. AND NOW, August 29, 1994, at the time fixed for hearing in this matter where the Defendant had been served, the Plaintiff appeared in court and indicated a desire to withdraw the Complaint. Accordingly, it is ORDERED as follows:

1. The Plaintiff shall go to the Prothonotary's Office immediately to sign a settlement and discontinuance.

2. The Plaintiff shall pay court costs in the amount of $89.50 in the following manner. She shall pay $25.00 on or before Thursday, September 1, 1994, and shall pay the balance on or before Thursday, September 8, 1994. If she does not pay the costs, she may face contempt of court proceedigns for failure to comply with this Court Order.

3. A copy of this Order shall be sent by the Prothonotary to teh Meadville City Police Department, to county Control, and to the Defendant at R. D. #3, Box 708, Meadville, Pennsylvania.

4. This action is discontinue don paraecipe of Plaintiff. BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Aug. 20, 1994 Faxed MCPD & Co. Control
Sept. 8, 1994 sent Plf. & Dft.

Aug 29, 1994 Upon praecipe of Plaintiff this case is marked discontinued of record.

1994

Edward Hatheway

816.

MARIE TAGLIAFERRI

vs.

LEORA HARTLEY

Filed Aug. 18, 1994
@ 1:11 p.m.

Tax & entry paid $50.25
state paid 5.00

APPEAL OF PLAINTIFF FROM ENTRY OF JUDGMENT OF D.J. WILLIAM CHISHOLM - 30 - 2- 01

Aug. 29, 1994 Complaint, filed. (1 copy Atty)

Sept. 22, 1994 Affidavit of Service filed. I, Edward J. Hatheway, Esq. after being duly sworn according to law, do hereby certify that I am the atty of record and that as such I am authorized to marke this verification; that I did on Aug. 30, 1994, send to defendant by cert. Mial Ret. Rec. req. a true and correct copy of Complaint filed at above number; and that I did on 5th day of sept. receive a duly executed ret. rec. dated Sept. 3, 1994.
Edwary J. Hatheway, Esq.

Oct. 3, 1994 Notice of Praecipe for Entry of Default Judgment, filed.

1994

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

817.

$150.00 mediation fee paid by plaintiff on 8/19/94

9-15-95 Pd Mediator 9459 10.00

9-15-95 Pd Plaf 9560 131.00

MARK J. MAURANA

vs.

DENISE M. MAURANA

Filed Aug. 19, 1994
@ 9:10 a.m.

Tax & entry paid $50.50
state paid 5.00
William Pineo, mediator
Pineo Pd 10-12-95 9.00

COMPLAINT FOR CUSTODY

1 copy (atty)
1 copy (mediator)

Order:

You, Denise M. Maurana, , have been sued in Court to obtain custody of Jennifer Lynn Maurana. You are ORDERED to appear in person at such time and place as will be determined by the Mediator, William Pineofor 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: Aug. 19, 1994

BY THE COURT:
Gordon R. Miller, J

Aug. 25, 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. On August 19, 1994, he had deposited in the United States Mail by certified mail, return receipt requested, Certified Mail No. P 384 611 448 as evidenced by Certified Mail Receipt No. P 384 611 448 attached hereto and made a part hereof, a true and correct copy of a Complaint in Custody and Order Appointing a Child Custody Mediator addressed to Denise M. Maurana said Complaint naming Denise M.Maurana as the defendant in the above-captioned matter.
4. Service was obtained upon the defendant, Denise M. Maurana on August 22, 1994, as evidenced by Return Receipt for Certified Mail No. P 384 611 448 attached hereto and made a part hereof, said receipt being signed by Denise M. Maurana.

FURTHER, DEPONENT SAYETH NOT.

August 24, 1994 Gary A. Fabian

Sep 12, 1995 Stipulation and Order, filed. AND NOW, this 11 day of September, 1995, pursuant to stipulation and agareement of the parties in the above-captioned matter.

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor child, Jennifer Lynn Maurana.
2. The parties shall share with each other any and all information which each may have regarding the health, education and the major events in the life of the subject minor child. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regrding the subject minor child.
3. The parties shall share physical custody of the subject minor child. The parties shall alternate weekly custodial periods beginning and ending at 7 p.m. on Sunday.
4. The parent not having physical custody shall have the right to telephone the child at reasonable times for reasonable lengths of time, and such conversations will not be unreasonably monitored by the parent having physical custody.
5. Holiday visitation shall be shared equally by the parties and arrangements for such visitations shall occur as the parties from time to time shall so agree.
6. During any period in which a party has physical custody of the said child, and if such party shall be away from his or her home for more than twenty-four (24) consecutive hours, be more than one hundred (100) miles away from his or her home, or shall be out of the state, then such party shall first obtain written approval of the other party to do so and shall provide to the other party a general schedule of when such party shall return together with a name, address and telephone number of where such party can be located and/or where the said child may be located if the child, although in the custody of such party, may not actually be physically located with such party.
7. Should it be necessary for either party to cancel or modify a custodial period or modify a 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 compels 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 custodial periods or to make alternative arrangements.
8. 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 a seat belt or other restraint is used in accordance with the laws of Pennsylvania.
9. Each party shall teach said child to give to the other party that love and respect which is due a parent from his or her child.
10. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor lchild. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health or growing children. Therefore, neither party shall smoke tobacco or permit others to do so in 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 468

1994

Roeder & Rothschild
Tamera Ochs Rothschild

818 A

Wayne H. Hundertmark

SUSAN E. POPENEY

vs.

ROBERT I. POPENEY

Filed Aug. 19, 1994
@ 1:51 p.m.

Tax & entry pd 9-16-94 $50.50 ✓
state pd 9-15-94 10.00
1 Add'l Count pd 9-15-94 15.00 ✓
State pd 9-15-94 10.00
Add'l Count pd 6-4-97 15.00
State pd 6-4-97 5.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

Aug. 19, 1994, Petition to Proceed In Forma Pauperis in a div. action Pursuant to Pa. R.C.P. 1920.62, Affidavit in Support of the Petition and Order of Court filed.
ORDER: AND NOW, August 18, 1994, this motion is denied as the plaintiff has adequate income to pay the costs in this matter.
Anthony J. Vardaro, J.
Aug. 19, 1994, copy faxed to Rothchild with bill for plff.

Aug. 19, 1994, Certification in Support of Petitioner's Petition for Leave to Proceed In Forma Pauperis filed.

Sept. 23, 1994, Affidavit of Return of Service by Mail filed. On Sept. 16, 1994, I mailed a true copy of the divorce complaint in above matter by cert. mail NO. P 236 793 160 restricted delivery to the defendant. Dft. signed a ret. rec. upon delivery Sept. 21, 1994. The receipt attached hereto and marked as Exhibit "A" was returned by the post office on Sept. 22, 1994. Tamera Ochs Rothsc hild, Esq.

Nov.30, 1994 Motion to Withdraw Count II of Complaint and ORDER OF COURT filed. AND NOW,this 30th day of November, 1994, upon presentation of the foregoing Motion, it is hereby ORDERED that Count II-Equitable Distribution of Marital Property of the divorce complaint is hereby withdrawn.
Gordon R. Miler, Judge
11-30-94 Faxed Atty.Rothschild

May 14, 1997 Motion For Leave To Amend Complaint and Order filed. AND NOW, this 14 day of May, 1997, upon consideration of Plaintiff's Motion For Leave To Amend Complaint, it is hereby; ORDERED that said Motion is granted and Plaintiff shall be permitted to amend the Complaint consistent with Exhibit A to the Motion.
BY THE COURT,
Anthony J. Vardaro, J

5/14/97 Faxed Rothschild mailed dft.

May 16, 1997 Appearance of Wayne H. Hundertmark for Defendant filed.

May 28, 1997 Amended Complaint - addition of Equitabel Distribution of Marital Property, filed.

Aug. 8, 1997 Acceptance of Service filed. I, Wayne H. Hundertmark, Esq., hereby accept service of the Amended Complaint on behalf of Defendant, Robert I. Popney.
Date: 07-09-97 Wayne H. Hundertmark

Sept. 9, 1997 Inventory of Susan E. Popney, Plaintiff filed.

1994

368A

818

SALLY L. BILICH

VS.

JAMIE M. BILICH

Filed August 19, 1994
@ 10:51 a.m.

Tax & Entry Pd	10.50
User fee Pd	5.00
Pro Co Pd	5.00

Erie Co. Divorce Decree

AND NOW, April 20, 1994, it is ordered and decred that Plaintiff and Defendant are divorcedfrom 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. As of the date hereof, neither party has raised any such claim.

By the Court
Gordon J. Daghir, J.

August 19, 1994 Notice of Election to Retake Maiden Name filed (To be known as Sally L Rider)

368b

1994

1994

819.

REDEVELOPMENT AUTHORITY OF THE CITY OF MEADVILLE

vs.

CECIL OVERTON (DECEASED)
c/o/ GEORGE OVERTON, SR.
(POA)

Filed Aug. 19, 1994
@ 3:21 p.m.

Pro King paid	$9.00
plff on orig	9.50

AGREEMENT TO REVIVE

of

DSB 1989 - 62

The undersigned hereby agrees that the judgment be revived and the lien continued; prothonotary has indexed the judgment of revival in favor of plaintiff and against the defendant in the amount of Six Hundred Eighty Five and 00/100 Dollars plus costs.

Debt.....$685.00
Dated:.....8/19/94
O - 34, 74 _ JUDGMENT
Barbara H. King,
Prothonotary

1994

820.

REDEVELOPMENT AUTHORITY
OF THE CITY OF MEADVILLE

vs.

CECIL OVERTON (DECEASED)
c/o GEORGE OVERTON, SR. (POA)

Filed Aug. 19, 1994
@ 3:21 p.m.

Pro King paid	$9.00
plff on orig	9.50

AGREEMENT TO REVIVE

of

DSB 1990 - 382

The undersigned hereby agrees thatthe judgment entered be revived and the prothonotary indexes the judgment of revival in favor of the plaintiff and against the defendant in the amount of Two Hundred Fifty Eight and 00/100 dollars plus costs.

Dated.....8/19/94
Debt.....$ 258.00
0 - 34, 74 - JUDGMENT

Barbara H. King,
Prothonotary

1994

821.

REDEVELOPMENT AUTHORITY OF
THE CITY OF MEADVILLE

vs.

CECIL OVERTON (DECEASED)
c/o/ GEORGE OVERTON, SR. (POA)

Filed Aug. 19, 1994
@ 3:21 p.m.

Pro King paid $9.00
plff on orig 9.50

AGREEMENT TO REVIVE

Of

DSB 1990 - 218

The undersigned hereby agrees tha the judgment entered on Apr. 26, 1990 be revived and the prothonotary has indexed the judgment revival in favor of the plaintiff and agaisnt the defendant in the amount of One Thousand Nine Hundred and 00/100 Dollars plus costs.

Dated.....8/19/94
Debt.....$1,900.00
O - 34, 74 - JUDGMENT

Barbara H. King,
Prothonotary

1994

822.

REDEVELOPMENT AUTHORITY OF THE CITY OF MEADVILLE

vs.

VICTOR KRESS
KAREN DRESS

Filed Aug. 19, 1994
@ 3:21 p.m.

Pro King paid	$9.00
plff on orig	9.50
Pd 12/9/1999	7.50✓

AGREEMENT TO REVIVE

of

DSB 1989 - 224

The ungersigned hereby agrees thatthe judgment be revived and the lien continued and the prothonotary has indexed the judgment in favor of the plaintiff and agaisnt the defendant in the amount of Seven Thousand Five Hundred and 00/100 plus costs.

Dated.....8/19/94
Debt $7,500.00
K - 164, 104 - JUDGMENT

Barbara H. King,
Prothonotary

FOR FURTHER DOCKET ENTRIES SEE COMPUTER 1994 30822 AD 1994-822

1994

823.

REDEVELOPMENT AUTHORITY OF
THE CITY OF MEADVILLE

vs.

FRANK FURNO
ANGELINE FURNO

Filed Aug. 19, 1994
@ 3:21 p.m.

Pro King paid $9.00
plff on orig 9.50
Pro Sat Pd. 7/12/96 5.00

AGREEMENT TO REVIVE

OF

DSB 1988 - 558

The undersigned hereby agrees that the judgment entered on Oct. 4, 1988 be revived; the prothonotary has indexed the judgment in favor of the plaintiff and against the defendants in the sum of Six Thousand Three Hundred Fourteen and 00/100 plus costs.

Dated.....8/19/94
Debt.....$6,314.00
F - 64, 14 - JUDGMENT
Barbara H. King,
Prothonotary

July 12, 1996 This Judg. Satisfied
(see Paper filed)

1994

824.

REDEVELOPMENT AUTHORITY OF
THE CITY OF MEADVILLE

vs.

PETER ZUCCARO

Filed Aug. 19, 1994
@ 3:22 p.m.

Pro King paid	$9.00
plff on orig	9.50

AGREEMENT TO REVIVE

of

DSB 1988 - 559

The undersigned hereby agrees that the judgment entered on Oct. 4, 1988 be revived; and the prothonotary has indexed the judgment in favor ofthe plaintiff and against the defendant in the amount of seven Thousand and 00/100 Dollars plus costs.

Dated.....8/9/94
Debt.....$7,000.00
Z - 134 - JUDGMENT

Barbara H. King,
Prothonotary

Revived to AD1999-837

1994

825.

REDEVELOPMENT AUTHORITY OF
THE CITY OF MEADVILLE

vs.

VARGHESE NALPATHANCHIL
ROSY NALPATHANCHIL

Filed Aug. 19, 1994
@ 3:22 p.m.

Pro King paid	$9.00
plff on orig	18.50

AGREEMENT TO REVIVE

Of

AD 1988 - 823

The undersigned hereby agrees that the judgment entered on Sept. 16, 1988 be revived and the lien continued; the prothonotary has indexed the judgment in favor of the plaintiff and against the defendant in the sum of Four Thousand Eight Hundred Eighty Six and 00/100 dollars plus costs.

DATED.....8/19/94
Debt.....$4,886.00
N - 161, 141 - JUDGMENT

Barbara H. King,
Prothonotary

Revived & AD1999-843

376

1994

826.

REDEVELOPMENT AUTHORITY
OF THE CITY OF MEADVILLE

vs.

ERMA RAGO

Filed Aug. 19, 1994
@ 3:22 p.m.

Pro King paid $9.00
plff on orig 18.50

AGREEMENT TO REVIVE
of

AD 1988 - 904

The undersigned hereby agrees tha the judgment be revived and the lien continued; the prothonotary has indexed the judgment in favor of the plaintiff and against the defendant in the amount of Six Thousand and 00/100 dollars plus costs.

Dated.....8/19/94
Debt $6,000.00
R - 56 - JUDGMENT
Barbara H'. King,
Prothonotary

Revived to AD1999-838

1994

827.

REDEVELOPMENT AUTHORITY OF
THE CITY OF MEADVILLE

vs.

ALTON HILLS (DECEASED)
MARY HILLS

Filed Aug. 19, 1994
@ 3:22 p.m.

Pro King paid	$9.00
plff on orig	18.50
Pro County pd. 5/15/96	5.00

AGREEMENT TO REVIVE

of

AD 1988 - 836

The undersinged hereby agrees thatthe judgment entered on Sept. 20, 1988 be revived and the lien continued; the prothonotary has indexed the judgment in favor of the plaintiff and against the defendants in the sum of Two Thousand One Hundred Sixty Five and 00/100 dollars plus costs.

Dated.....8/19/94
Debt.....$2,165.00
H - 11, 209 - JUDGMENT
Barbara H. King,
Prothonotary

May 15, 1996 Judgment Satisfied.

1994

828.

REDEVELOPMENT AUTHORITY OF
THE CITY OF MEADVILLE

vs.

DONALD LEFFINGWELL
Loretta Leffingwell

Filed Aug. 19, 1994
@ 3:22 p.m.

Pro King paid	$9.00
plff on orig	18.50

AGREEMENT TO REVIVE

of

AD 1988 - 837

The undersigned hereby agrees that the judgment entered on Sept. 20, 1988 be revived and the lien continued; prothonotary has indexed the judgment in favor of the plaintiff and against the defendant in the sum of Two Thousand Nine Hundred Ninety and 60/100 dollars plus costs.

Dated.....Aug. 19, 1994
Debt.....$2,990.60
L - 43, 103 - JUDGMENT
Barbara H. King
Prothonotary

Revived to AD 1999-842

1994

829.

REDEVELOPMENT AUTHORITY OF
THE CITY OF MEADVILLE

vs.

DAVID M. SIMONETTE

Filed Aug. 19, 1994
@ 3:22 p.m.

Pro King paid	$9.00
plff on orig	18.50

AGREEMENT TO REVIVE

of

AD 1988 - 822

The undersinged hereby agrees that the judgment be revived and the lien continued; the prothonotary has indexed the judgment of revival inthe amount of Two Thousand Six Hundred EightySeven and 49/100 dollars plus costs, in favor of plaintiff and against the defendant.

Dated.....Aug. 19, 1994
Debt.....$2,687.49
S - 42 - JUDGMENT
Barbara H. king,
Prothonotary

Revived to AD 1999-833

1994

830.

REDEVELOPMENT AUTHORITY OF THE CITY OF MEADVILLE

vs.

MARGARET SIMPSON (McHALE)

Filed Aug. 19, 1994
@ 3:22 p.m.

Pro King paid $9.00
plff on orig 18.50

Pro Pd. 5/15/98. 5.00

AGREEMENT TO REVIVE

of

AD 1988 - 903

The undersinged hereby agrees that the judgment entered Oct. 11, 1988 be revived and the lien continued; the prothonotary has indexed the judgment in the amount of Six Thousand One Hundred Seventy One and 65/100 Dollars plus costs, in favor of plaintiff and agains the defendant.

Dated.....8/19/94
Debt.....$6,171.65
S - 112
M - 111 JUDGMENT

Barbara H. King,
Prothonotary

April 15, 1998 This judgment Satisfied. (see paper filed)

1994

831.

REDEVELOPMENT AUTHORITY
OF THE CITY OF MEADVILLE

vs.

WILLIAM S. HALL
ANNE L. HALL

Filed Aug. 19, 1994
@ 3:22 p.m.

Pro King paid $9.00
plff on orig 43.50

AGREEMENT TO REVIVE
of
AD 1988 - 933

The undersigned hereby agrees that the judgment entered Oc.t 20, 1988 be revived and lien continued; the prothonotary has indexed the judgment in favor ofthe plaintiff and against the defendants in sum of eight Thousand Eight Hundred Twenty Three and 02/100 dollars plus costs.

Dated.....8/19/94
Debt.....$8,823.02
H - 171, 256 - JUDGMENT

Barbara H. King,
Prothonotary

FOR FUTURE RECORDS AS OF APRIL 30, 2003 - SEE COMPUTER.

382

1994

832.

REDEVELOPMENT AUTHORITY
OF THE CITY OF MEADVILLE

vs.

RICHARD A. WOOD
JOYCE WOOD

Filed Aug. 19, 1994
@ 3:22 p.m.

Pro King paid $9.00
plff on orig 9.50

AGREEMENT TO REVIVE

of

DSB 1989 - 226

The undersinged hereby agrees that the judgment entered on April 7, 1989 be revived and lien continued; the prothonotary has indexed the judgment of revival in favor of plff. and against the dft. in the sum of Seven Thousand and 00/100 dollars plus costs.

Dated.....8/19/94
Debt.....$7,000.00
W - 297, 96 - JUDGMENT

Barbara H. King,
Prothonotary

Revived 6 AD1999-832

1994

833.

REDEVELOPMENT AUTHORITY
OF THE CITY OF MEADVILLE

vs.

MARY TERREGINO

Filed Aug. 19, 1994
@ 3:22 p.m.

Pro king paid	$9.00
plff on orig	14.50

AGREEMENT TO REVIVE

of

DSB 1989 - 228

The undersigned hereby agrees that the judgment entered on Apr. 17, 1989 be revived and line continued; the prothonotary has indexed the judgment against the defendant and in favor of the plff. in the sum of Seven Thousand Dollars plus costs.

Dated.....Aug. 19, 1994
Debt $7,000.00
T - 114 - JUDGMENT
Barbara H. King,
Prothonotary

Revived & AD 1999-831

1994

834.

REDEVELOPMENT AUTHORITY
OF THE CITY OF MEADVILLE

vs.

JOAN BUCCI

Filed Aug. 19, 1994
@ 3:22 p.m.

Pro King paid $9.00
plff on orig 9.50

AGREEMENT TO REVIVE

of

DSB 1989 - 57

The undersigned hereby agrees that the judgment be revived and lien continued - the prothonotary has indexed the judgment of revival in favor of the plff. and against the dft. in the sum of Five thousand Three Hundred Thirty and 00/100 dollars plus costs.

Dated.....8/19/94
Debt.....$5,330.00
B - 96 - JUDGMENT
Barbara H. King,
Prothonotary

Revived to AD 1999-836

1994

835.

REDEVELOPMENT AUTHORITY OF
THE CITY OF MEADVILLE

vs.

ANTHONY MOTTILLO
JEANNE E. MOTTILLO

Filed Aug. 19, 1994
@ 3:22 p.m.

Pro King paid	$9.00
plff on orig	23.50

AGREEMENT TO REVIVE

Of

AD 1989 - 68

The undersinged hereby agrees that the judgment entered on Jan. 24, 1989 be revived and line continued; prothonotary has indexed the judgment of revival in the amt. of Four Thousand Three Hundred Ninety and 00/100 dollars plus costs, in favor of plff. and against the defendants.

Dated.....Aug. 19, 1994
debt.....$4,390.00
M - 15, 95 - JUDGMENT
Barbara H. King,
Prothonotary

Revived to AD 1994-830

1994

836.

REDEVELOPMENT AUTHORITY OF
THE CITY OF MEADVILLE

vs.

JOSEPH MULLIGAN
IRENE MULLIGAN

Filed Aug. 19, 1994
@ 3:22 p.m.

Pro King paid	$9.00
plff on orig	14.50

AGREEMENT TO REVIVE

of

DSB 1989 - 56

The undersigned hereby agrees that the judgment be revived and the lien continued and the prothonotary has indexed the jdugment in favor of the plff. and against the dft. in the sum of Ten Thousand Fourt hUndred Ninety One and 00/100 Dollars plus costs.

Dated.....Aug. 19, 1994
debt.....$10,491.00
M- 91, 81 - JUDGMENT

Barbara H. King,
Prothonotary

Revived & AD1499-841

1994

837.

REDEVELOPMENT AUTHORITY OF
THE CITY OF MEADVILLE

vs.

DOROTHY FRAMPTON

Filed Aug. 19, 1994
@ 3:22 p.m.

Pro King paid	$9.00
plff on orig	18.50
Satisfaction fd. 11/17/97	$5.00

AGREEMENT TO REVIVE

of

AD 1989 - 66

The undersigned hereby agrees that the judgment be revived and the prothonotary has indexed the judgment in favor ofthe plff. and against the dft. in the sum of One thousand Eight Hundred seventy and 00/100 dollars plus costs.

Dated.....8/19/94
Debt.....$1,870.00
F - 44 - JUDGMENT
Barbara H. King,
Prothonotary

Nov. 12, 1997 This Lien satisfied (see paper filed)

1994

838.

REDEVELOPMENT AUTHORITY OF
THE CITY OF MEADVILLE

vs.

FRANK REICHART
JUDY REICHART

Filed Aug. 19, 1994
@ 3:22 p.m.

Pro King paid	9.00
plff onorig	14.50
Pro Co pd 4-10-97	5.00
Pro Co pd 11/18/98	5.00
Pro Co pd 3/15/99	7.50

AGREEMENT TO REVIVE
of
DSB 1989 - 152

The udnersigned hereby agrees that the jdugment entered on Mar. 20, 1989 be revived and the lien continued; the prothonotary has indexed in favor of plff and against the dft. in the sum of Fourteen Thousand and 00/100 Dollars plus costs.

dated.....Aug. 19, 1994
debt.....$14,000.00
R - 64, 94 - JUDGMENT
Barbara H. King,
Prothonotary

Apr 2, 1997 Writing filed wherein plaintiff postpones the lien of the above stated judgment in favor of certain mortgage given by the said PNC Bank, National Association, to Frank and Judy Reichart dated Apr 2, 1997, in the sum of Fourteen Thousand Dollars. This postponement to affect the lien and collection of said judgment out of the following described property: Craw. Co. Record Book 38, Page 281; Book 96, Page 577; Book 570, Page 233 and Book 266, Page 1010.

Oct. 7, 1998 Writing filed wherein Plaintiff releases from the lien of the above entitled judgment the following property, to-wit: Land situated in the Township of Cambridge Springs (See paper filed for more complete description of property)

March 15, 1999 Subordination Agreement Filed. March 15, 1999 Writing filed wherein plaintiff postpones the lien of teh above stated judgment in favor of certain mortgage given by the said National City Bank to Frank Reichart and Judy Reichart dated March 5, 1999 in the sum of $47600.00 and recorded in Record Book 426 Page 878. (See Paper filed)

9/19/03 See computer for entry

1994

839.

REDEVELOPMENT AUTHORITY OF
THE CITY OF MEADVILLE

vs.

DELORES M. EASTON

Filed Aug. 19, 1994
@ 3:23 p.m.

Pro King paid $9.00
plff on orig. 9.50

AGREEMENT TO REVIVE

of

DSB 1989 - 225

The udnersigned hereby agrees that the judgment entered on April 17, 1989 be revived and lien continued; the prothonotary has indexed in favor of plff and against the dft. in the sum of SevenThousand dollars plus costs.

dated.....8/19/94
Debt.....$7,000.00
E - 45 - JUDGMENT
Barbara H. King,
Prothonotary

Revoked to AD 1999-840

1994

840.

REDEVELOPMENT AUTHORITY OF
THE CITY OF MEADVILLE

vs.

MARIE FAIRCHILD

Filed Aug. 19, 1994
@ 3:23 p.m.

Pro King paid $9.00
plff on orig 9.50

AGREEMENT TO REVIVE

Of

DSB 1989 - 65

The undersigned hereby agrees that the judgment be revived and lien continued and the prothonotary has indexed a judg. of revival in favor of the plff and against the dft. in sum of Seven Hundred Sixty Five and 00/100 dollars plus costs.

Dated.....8/19/94
Debt.....$765.00
F - 114 - JUDGMENT
Barbara H. King,
Prothonotary

Revived to AD1994-835

1994

841.

REDEVELOPMENT AUTHORITY OF
THE CITY OF MEADVILLE

vs.

WILLIAM S. HALL

ANNE L. HALL

Filed Aug. 19, 1994
@ 3:23 p.m.

Pro King paid	$9.00
plff on orig	23.50
Sat. Pd. 8/30/95	5.00

AGREEMENT TO REVIVE

of

AD 1988 - 932

The udnersigned hereby agrees that the judgment be revived and lien continued; prothonotary has indexed in favor ofthe plff. and against the dft. in the amount of Eight Hundred Forty and 00/100 dollars plus costs.

dated.....8/19/94
debt.....$840.00
H - 171, 256 - JUDGMENT
Barbara H. King,
Prothonotary

Aug. 30, 1995 This Lien Satisfied
(see paper filed)

1994

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

842.

PENNWEST FARM CREDIT, ACA

vs.

THOMAS J. SANDERSON AND
CAROLYN A. SANDERSON,
HIS WIFE

Filed Aug. 22, 1994
@ 11:11 a.m.

Tax & entry paid	$50.50
state paid	5.00
Pro Co 9-20-94	5.00
Sheriff's Costs	33.00

COMPLAINT IN MORTGAGE FORECLOSURE

3 copies (sheriff)

Sept. 14, 1994 Upon praecipe of Plaintiff's attorney the above-captioned matter is discontinued without prejudice to the Plaintiff's right to refile the action.

Sept. 16, 1994 SHERIFF'S RETURN, filed. SERVED Thomas J. Sanderson on August 26, 1994 at 4:10PM by handing a copy of the Complaint in Mortgage Foreclosure to Steve Sanderson, Son and Adult in Charge at the residence, RD 2, Conneaut Lake, Crawford County, PA.

SERVED Carolyn A. Sanderson on August 26, 1994 at 4:11 PM by handing a copy of the Complaint in Mortgage Foreclosure to Steve Sanderson, Son and Adult in Charge at the residence, RD 2, Conneaut Lake, Crawford County, PA.

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

1994

Gerald Sullivan

843.

SANDRA HOLLABAUGH

vs.

JOHN BLANKENSHIP

Filed Aug. 22, 1994
@ 1:18 p.m.

Tax & entry pd 9-6-94	$50.50
state pd 9-6-94	5.00
Sheriff's Costs	28.00
Pro Co pd 9-6-94	9.00

Sept 6, 1994 Recd from Dft. $28.00

Sept 6, 1994 paid Robert M Stevens $28.00 CK 8539

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy (plff)
3 copies (sheriff)
faxed to TCPD

ORDER:

And now, this 22 day of August , 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 verbally harass plaintiff nor procure anyone else to verbally harass plaintiff.

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

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

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

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

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

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

Hearing is hereby set for August 29, 1994 , at 3:30p 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.

Aug. 24, 1994 Sheriff's Return filed. SERVED John Blenkenship personally on August 22, 1994 at 3:00 PM by handing a copy of the Protection from Abuse to him at his place of employment, AMA Lumber Company, R.D.#3, Guys Mills, Crawford County, PA.

So answers,

Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens,Sheriff

Aug. 30, 1994 ORDER filed. AND NOW, August 29, 1994, the parties appeared in open court. The Plaintiff was represented by consel and the Defendant was not. The Court briefly explained PFA proceedings to the Defendant and he understood it. We also advised him as to his right to counsel. The parties have reached an agreement, and based upon that agreement the Court ORDERS as follows. By agreeing to this Order the Defendant does not admit that he engaged in the conduct alleged in the Petition.

Accordingly, it is ORDERED as follows:

1. The Defendant shall not assault, abuse, harass or threaten or stalk the Plaintiff in any manner.

2. The Defendant shall not go to the Plaintiff's residence which is now 106 Beechwood Drive, Titusville, Pennsylvania or any future residence she may have. In fadt, he may not be within one hundred (100) yards of her residence.

3. This Order may be enforced withosut a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.

4. A copy of this Order shall be delivered by the Prothonotary to County Control, Titusville Police Department and to the Defendant at R.D. $4, Titusville, Pennsylvania 16354.

5. This Order shall remain in full force and effect for one (1) year from this date, that is August 28, 1995, unless modified or terminated by further Court Order.

6. The Defendant shall pay record court costs in the amount of $92.50 no later than Tuesday, September 6, 1994 by paying the same to the Prothonotary on the first floor of the Crawford County Courthouse.

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

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

Aug. 30, 1994 Faxed TVPD & Co. Control.
Sept. 6, 1994 Faxed Sullivan & mailed to Dft.

394

1994

Brian Lindsay

Thomas A. Testi

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

844.

Joseph F. Kulwicki,III

Christopher Brode

NORMAN G. MALLIARD

vs.

TAMMY L. MALLIARD

Filed Aug. 22, 1994
@ 1:34 p.m.

Tax & entry paid	$50.50
1count paid	15.00
state paid	10.00
state paid	10.00
3 Add'l Counts pd 9-21-94	45.00
State pd 9-21-94	15.00
Pro Co pd 8-7-95	9.00
Wm. Pineo Mediator	212.00
Pro Co Pd 12-20-95	9.00

8-22-95 Ref from Bailey 150.00 medley.
10-12-95 Pd Bailey refund #19515 35.00
12-20-95 Pd Co #9625 106.00
11-3-95 Ref from deft 106.00 med fee
12-20-95 Pd Co #9625 106.00

COMPLAINT IN DIVORCE, CHILD CUSTODY

2 copies (atty)

Sept. 6, 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 Complaitn in Divorce certified by the Prothonotary of Crawford County, Pennsylvania on the above named Defendant by certified mail, addressee only, return receipt requested, dated August 22, 1994. The Defendant acknowledged service on September 1, 1994 by accepting delivery on that date as evidenced by teh attached signed return receipt.

Sep. 19, 1994 Notice of Intention to Request Entry of Divorce Decree and Plaintiff's Affidavit Under Section 3301 (d) of the Divorce Code, filed.

Sep. 20, 1994 Appearance of Joseph F.Kulwicki,III, Esquire for Tammy L. Malliard, Defendant, filed.

Sept. 23, 1994, Answer and Counterclaim filed.

Nov. 15, 1994 Motion For Continuance and Order, filed. AND NOW, this 14th day of November, 1994 upon presentation and consideration of the within Motion this hearing is continued until the 8th day of December, 1994 at 10:45 o'clock a.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania.

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

Nov. 15, 1994 Faxed to Irwin & Kulwicki

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

Jul 31, 1995 Appearance of Thomas A. Testi, ESquire, for Plaintiff, Norman g. Mailliard, filed.

Jul 31, 1995 Affidavit of Consent of Plaintiff, filed.

Jul 31, 1995 Affidavit of Consent of Defendant, filed.

Jul 31, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

Aug 2, 1995 Motion To Withdraw Claims for Equitable Distribution and Order, filed. AND NOW, this 1st day of August, 1995, granted.

BY THE COURT,
Anthony J. Vardaro, J.

Aug. 2, 1995 Faxed Kulwicki & Irwin
Aug. 7, 1995 mailed Testi

Aug. 10, 1995, ORDER filed. This divorce matter has been referred to court for review and decree. The court has reviewed the record and is returning the record to Prothonotary. A final decree will not be entered at this time becuase:

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

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

BY THE COURT,
Anthony J. Vardaro, J.

8/10/95 faxed to Teste and Kulwicki.

Aug. 17, 1995, Petition to Modify Custody/Special Relief and Order filed. ORDER: AND NOW, this 18 day of Aug. 1995, upon consideration of the Petition to Modify/Special Relief, this court hereby orders and directs as fillows:

1. That minor child Nicole Malliard shall not be removed from Crawford County, Pa. by either of the parties until further order of court.
2. That physical custody of Nicole Malliard shall be with her mother, Tammy Malliard, while Tammy Malliard is in Crawford County and , otherwise, physical custody of Nicole Malliard shall be with her father, Norman Malliard if Tammy Malliard relocates out of the Crawford County area.
3. This order shall be considered Temporary and shall not be construed by a child custody mediator as any indication of the court's position regarding a permanent order but is intended solely for the purpose of maintaining the status quo.
4. In the event the respondent mother, Tammy Malliard, objects to or disputes the temporary Order, she is entitled to petition the court for a hearing.

BY THE COURT,
Gordon R. Miller, J.

8/22/95 faxed to Testi, Kulwicki and Irwin, given to Pineo and Lindsay

(continued)

CONTINUED ON PAGE 470

1994

Roeder & Rothschild
Tamera Ochs Rothschild
Bruce L. Getsinger

845.

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

DANNY A. MANROSS

vs.

GLORIA F. MANROSS

Filed aug. 23, 1994
@ 8:50 a.m.

Tax & entry paid	$50.50
1 count paid	15.00
state paid	10.00
state paid	10.00
Pro Co pd 6-12-96	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

1 copy (atty)

Sept. 13, 1994 Affidavit of Service, filed. I hereby certify that a true and correct copy of the Complaint in Divorce was served upon gloria F. Manross, Defendante, by certified U.S. mail, restricted delivery, return receipt requested, on September 2, 1994, as evidenced by the return receipt attached hereto as Exhibit A.

Mar.2, 1995 Appearance of Roeder and Rothschild by Tamera Ochs Rothschild, Esquire for Danny A.Manross, Plaintiff, filed.

May 16, 1996 Affidavit of Return of Service by Mail filed

June 4, 1996 Affidavit of Consent of Plaintiff, filed.

June 4, 1996 Affidavit of Consent of Defendant, filed.

June 4, 1996 Agreement, filed.

June 4, 1996 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

June 14, 1996 AND NOW, this 13 day of June, 1996, after review of the above-captioned case, and upon consideration of the pleadings and other documents filed therein, it is

ORDERED, ADJUDGED AND DECREED that:

1. The Plaintiff, DANNY A. MANROSS, and Defendant, GLORIA F. MANROSS, 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 May 8, 1996, 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.

Anthony J. Vardaro, Judge

1994

pro se

846.

LARENA BIRKMIRE

vs.

JOHNNY COLE

Filed Aug. 23, 1994
@ 12:51 p.m.

Indigent filing

CERTIFIED FROM THE COURT OF COMMON PLEAS OF ERIE COUNTY, PENNA.
PETITION FOR PROTECTION FROM ABUSE

(see paper filed for Notice of Hearing and Order setting hearing on Aug. 23, 1994 at Erie County Courthouse)

Aug. 23, 1994 ORDER filed.

AND NOW, this 23 day of Aug. 1994, upon consideration of the Petition for protection from Abuse and a final hearing upon said Petition having been heard on this 23 day of aug. 1994, at 9:00 a.m. in C. R. No. C, it is hereby ORDERED, ADJUDGED AND DECREED that:

2. Possession of Petitioners present residenca and any other residence that she may reside is granted to the petitioner for exclusive occupancy by her and her children for a period of one year from date of this order. Respondent Larena Birkmire is completely excluded from said residence for the same one year period and shall have no license to be present on premises. ← error by Erie Court?

3. Respondent is prohibited from striking, hitting threatening, harassing or abusing the Petition or the minor children at any location including but not limited tothe petitioners residence, her place of employment and the hcildrens school

4. Telephone contact will be permitted for the limited purpose of communication with the minor chldren or for arranging visitation with the minor children. The respondent shall stay at least one hundred yards away from the petitioner.

5. That the sheriffs dept., or any other police agency within the area of the residence of the petitioner, including the state police, are instructed to enforce this order.

6. Should the respondent violate this order he is to be arrested and then cited for indirect criminal contempt before a D. J. An arrest for violation of this order may be without warrant, based solely on probable cause, whether or not the violatin is committed inthe presence of the police officer.

7. Petitioner is advised not to invite, entice or encourage the respondent to violate this order in any fashion.

8. Consent to entry of this as an order is not an admission to the allegations.

9. Defendant was served but failed to appear.

10. This order shall expire on Aug. 23, 1995 unless extended by the court. Otherwise, this case will be closed.

11. This order shall be a warrant for arrest of the respondent upon probable cause of a violation..

JESS S. JULIANTE, JUDGE

1994

Phillips and Galanter
Donald L. Phillips

847.

Yukevich, Blume & Zangrilli
Albert J. Zangrilli, Jr.

R.E. MICHEL COMPANY, INC.

vs.

A & D MECHANICAL, INC. AND DONNA G. LUKE, INDIVIDUALLY

Filed Aug. 23, 1994
@ 1:13 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	33.00
Arb pd 9/30/94	15.00

1-9-95 Rec from deft Arb appeal #220.00
1-9-95 Pd Comm #8754 220.00

COMPLAINT

2 copies (sheriff)

Sept. 13, 1994 Answer, New Matter and Counterclaim, filed.

Sept. 16, 1994 SHERIFF'S RETURN, filed. SERVED A & D Mechanical, Inc. on August 29, 1994 at 2:04 PM by handing a copy of the Complaint to Donna G. Luke, Adult in Charge at the business, RD 1, Oakmont Drive, Conneaut Lake, Crawford County, PAk.

SERVED Donna G. Luke personally on August 29, 1994 at 2:04 PM by handing a copy of the Complaint to her at A & D Mechanical, Inc., RD 1, Oakmont Drive, Conneaut Lake, Crawford County, PA.

So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Sept. 23, 1994, Reply to New Matter and Answer to Counter= claim filed.

Sept. 23, 1994, Upon praecipe of plaintiff attorney, for reference to the arbitrators, the following arbitrators are appointed:

Paul Allen, Ch.
F. C. Kiebort
William Peters

Oct. 11, 1994 Arbitrators take qualifying oath.

Dec. 9, 1994 Decision of Arbitrators filed in which they find in favor of the Plaintiff and against the Defendant, A & D Mechanical, Inc. in the sum of $4,092.11 plus interest of $613.80, plus attorney fees of $1,176.47 or a total of $5,882.38.

DECISION OF ARBITRATORS
Barbara H. King
Prothonotary

A-186;
12/9/94 Faxed Atty. Phillips & Mailed Deft.

Dec. 21, 1994 Appearance of Yukevich, blume & Zangrilli by Albert J. Zangrilli, Jr. for Defendants, filed.

Jan. 9, 1995 Notice of Appeal From Award of Board of Arbitrators, filed.

398

1994

Kuhn and Kuhn
Daniel J. Kuhn

848.

LYNDA A. KNAUFF

vs.

MELVIN KNAUFF

filed Aug. 24, 1994
@ 11:08 a.m.

Tax & entry paid $50.50
state paid 5.00

COMPLAINT FOR CUSTODY

1 copy (atty)

Aug. 25, 1994 Stipulation for An Agreed Order of Custody filed.

Aug. 25, 1994 Motion for Order of Court and ORDER filed. AND NOW, this 24 day of August, 1994, upon presentation of the foregoing Motion and Stipulation for An Agreed Order of Custody attached, the said Stipulation between Lynda A.Knauff and Melvin Knauff, Jr. as to the custody of their minor children, Keith J. Knauff and Joshua R. Knauff, is hereby made an Order ofCourt as per Pennsylvania Rule of Civil Procedure 1915.7.

Anthony J.Vardaro, J.

8-25-94 Faxed to D. Kuhn

1994

LAWRENCE C. Bolla

849.

NATIONAL FUEL GAS
DISTRIBUTION CORPORATION

vs.

ROBERT A. BILTZ AND
JOAN BILTZ

Filed Aug. 24, 1994
@ 12:01 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	35.00

COMPLAINT

2 copies (sheriff)

Sept. 16, 1994 SHERIFF'S RETURN filed. NOT FOUND as to Defendants Robert A. Biltz and Joan Biltz at address of RD 3, Box 76, Dutch Hill Road, Titusville, Crawford County, Pa. This address is located in Venango County, PA.
So answers, Robert M. Stevens, Sheriff

400

1994

Erin P. Dyer

850.

SECURITY PACIFIC FINANCIAL SERVICES

vs.

DEBRA VARNER

Filed Aug. 24, 1994
@ 1:36 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	27.00
Pro Co pd 10-6-94	9.00

COMPLAINT IN CIVIL ACTION - REPLEVIN

1 copy (sheriff)

Sept. 16, 1994 SHERIFF'S RETURN, filed. SERVED Debra Varner personally on August 29, 1994 at 2:15 PM by handing a copy of the Complaint in Replevin to her at her residence, 1344 Doral Estates, Lot 44, Conneaut Lake, Crawford County, PA.
So answers Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Oct. 6, 1994 And Now, upon praecipe of Plaintiff's attorney judgment is hereby entered in favor of the plaintiff and agaisnt the defendant for want of an answer and is liquidated as follows: 1991 Skyline Knollwood manufactured home, Serial Number 14390287GAB.
Entered 10-6-94 Debt: 1991 Skyline Knollwood manufactured home
V - 44 Serial Number 14390287GAB
10-13-94 Notice of entry of Judgment sent to Dft.

Ex 1994 - 66

1994

Thomas, Truax, Spadafore and Walker
david p. Truax

851.

LARRY LEONARD AND LAURA L. LEONARD,HIS WIFE

vs.

CLIFFORD D. KLINKO, LARRY PETERSON AND LARRY PETERSON, t/d/b/a PETERSON'S AUTO SUPPLY

Filed Aug. 24, 1994
@ 2:23 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	36.00
Pro Co. pd 10/6/94	6.00 ✓

COMPLAINT

2 copies (atty)

Sept. 16, 1994 SHERIFF'S RETURN, filed. SERVED Clifford D. Klindo on August 29,1994 at 10:15 AM by handing a copy of the Complaint to Clara Klinko, his Wife, at their residence, RD 2, Route 77, Saegertown, Crawford County, Pa.

SERVED Larry Peterson t/d/b/a Peterson's Auto Supply, on August 29,1994 at 9:55 AM by handing a copy of the Complaint to Larry Stiles, Adult in Charge at the business, 406 Main Street, Saegertown, Crawford County, Pa.

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

Oct. 6, 1994 Upon praecipe of plaintiffsattorney the above case marked settled and discontinued of record.

402

1994

Northwestern Legal Serv.
Gerald Sullivan

pro se

852.

ELIJAH R. BOYD

vs.

TIFFANY A. OGDON

Filed Aug. 24, 1994
@ 2:52 p.m.

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

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy (plff)
3 copies (sheriff)
faxed to MCPD

ORDER:

And now, this 24th day of August, 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:

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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 Sept. 1, 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
Judge

Aug. 30, 1994 Sheriff's Return filed. SERVED Tiffany A. Ogdon personally on Aug. 25,1994 at 12:50 PM by handing her a copy of the Protection from Abuse to her at her residence, 299½ Poplar St., Meadville, Crawford County, PA.
So answers,

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

Sep.8, 1994 ORDER filed. AND NOW, September 1, 1994, at the time fixed for hearing in this matter, the plaintiff appeared with counsel. The defendant appeared without counsel. The Court advised the defendant as to the nature of a PFA action and she understood it. She agreed to the entry of the following Order:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff. The plaintiff shall not go to the plaintiff's place of residence, which at the present time is 432 Fairmont Avenue, Meadville, Pennsylvania.
2. The plaintiff shall do nothing to cause the defendant or to encourage the defendant to violate this Order. If he truly wants a Protection From Abuse Order against this defendant,he shall make a reasonable effort to avoid contact with her.
3. This Order may be enforced without a Warrant of Arrest by any law enforcement officer having reasonable ground to believe that it has been violated.
4. A copy of this Order shall be delivered by the Prothonotary to the Meadville City Police Depart ment, to County Control and to the defendant at 299½ Poplar Street, Meadville, Pennsylvania.
5. This Order shall remain in full force and effect for one year from this date, unless modified or terminated by further Order of Court.
6. Costs shall be paid by Crawford County since the defendant is on disability.
7. The defendant is reminded that this is an Order of Court and violation of this rder may be punishable by a fine of up to $1,000 and a jail sentence of up to 6 months, or both.

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

9-8-94 Faxed to MCPD & Co. Control, Mailed Plft & Deft.

1994

Ferguson & Spataro
Douglas W. Ferguson

853.

David L. Hotchkiss
for Aardvark Assoc., Municipal & Private Servs. and Thelma J. and Ronald A. Neilson

M. Dan Mason
for Thomas A.Dubowski, indiv.,d/b/a Alexander Associates

PHILIP G. MARLEY, d/b/a MARLEY ASSOCIATES

vs.

THOMAS A. DUBOWSKI, INDIVIDUALLY, d/b/a ALEXANDER ASSOCIATES, AND AARDVARK ASSOCIATES, INC., AND MUNICIPAL AND PRIVATE SERVICES, INC., AND THELMA J. NEILSON AND RONALD A. NEILSON, INDIVIDUALLY AND COUNTY LANDFILL INC.

Filed Aug. 24, 1994
@ 3:00 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	55.00
Pro Pd 7/12/96	5.00

COMPLAINT IN ACTION FOR DECLARATORY JUDGMENT

3 copies (sheriff)

Aug. 26, 1994 Appearance of Dvid L. Hotchkiss for Aardvark Associates, Inc., Municipal and Private Services, Inc. and Thelma J. and Ronald A. Neilson, filed.

Aug. 26, 1994 Acceptance of Service, filed. The undersigned, David L. Hotchkiss accepted service of the certaified copy of Action for Declaratory Judgment.

Sept. 16, 1994 SHERIFF'S RETURN, filed. I hereby deputize the Sheriff of Erie County, Pennsylvania to serve the within Action for Declaratory Judgment according to law. The defendants alleged address is 2711 German St., Erie, Pa. 16504

SERVED the within ACTION FOR DECLARATAORY JUDGEMENT on September 6, 1994 at 1140 HRS. upon Thomas Dubowski dba Alexander Associates at Erie County Sheriff Department, 140 West 6th Street, Erie, Pennsylvania by handing to Thomas Dubowski a true and correct copy thereof and made known to him the contents therein.

Robert N. Michel, Sheriff Erie County
Paul McStraw, Deputy Sheriff

Sept. 21, 1994 Appearance of Mason and Mason, by M. Dan Mason, Attorney for Thomas A. Dubowski, individually, d/b/a Alexander Associates, Defendant, filed.

Oct. 18, 1994 Answer and New Matter filed.

July 5, 1996, Upon praecipe of plaintiff attorney, the above captioned case is settled and discontinued of record with prejudice on behalf of the plaintiff against the defendants.

1994

Apple and Apple James S. Alter 854.	TEXTRON FINANCIAL CORPORATION vs. BRUCE BOOR AND RUSSELL GOETTINGER, t/a/a/p/t/a/d/b/a PARK AVENUE TIRE a/t/a BOORS TIRE AND AUTO Filed Aug. 25, 1994 @ 2:31 p.m. Tax & entry paid $50.50 state paid 5.00 Sheriff's Costs 31.00 Pro Pd 9/30/94 5.00	COMPLAINT IN REPLEVIN AND CONTRACT 2 copies (sheriff) Sept. 16, 1994 SHERIFF'S RETURN, filed. SERVED Bruce Boor on August 29, 1994 at 9:30 AM by handing a copy of the Complaint in Replevin and Contract to Joe Luciano, Adult in Charge at his place of business, Boor's Tire and Auto, Conneaut Lake Road, Meadville, Crawford County, Pa. SERVED Russell Boettinger personally on August 29, 1994 at 9:20 AM by handing him a copy of the Complaint in Replevin and Contract at his place of business, Park Avenue Tire, 1182 Park Avenue, Meadville, Crawford County, Pa. So answers, Shawn E. Ashbaugh, Deputy Sheriff Dale A. Collins, Chief Deputy Robert M. Stevens, Sheriff Sept. 27, 1994, Upon praecipe of plaintiff attorney, the above captioned case is marked settled and discontinued of record.

1994

Robert J. Felton

855.

ALBERT E. DEAN

vs.

REBECCA J. DEAN

Filed Aug. 25, 1994
@ 2:32 p.m.

Tax & etnry paid	$50.50
state paid	10.00
state paid	5.00
Pro Co pd 11-14-94	9.00

COMPLAINT UNDER SECTION 3301(d) OF DIVORCE CODE

1 copy (atty)

Aug. 25, 1994, Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code filed.

Nov. 10, 1994 AFFIDAVIT OF SERVICE, filed. I, Robert J. Felton, Esquire, Attorney at Law, 116A West Spring Street, P.O. Box 648, Titusville, Pennsylvania, do hereby certify that, in my capacity as attorney for the plaintiff in the above-captioned matter, served a certified coopy of the Divorce Complaint in this matter on Wednesday, August 31, 1994, by sending defendant the same by certified mail no. P 066 499 399, return receipt requested. A complaint was mailed to the defendant on Tuesday, August 30, 1994, as reflected in the copy of the receipt for mailing and the return receipt attached hereto.

Nov. 10, 1994 Upon Praecipe of Plaintiff's attorney to transmit record, case moved to Court.

Nov.16, 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 indication that the 3301(d) affidavit was properly served on the respOonding 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.

X Other: The original complaint filed on August 25, 1994 lacks a verification. Pa.R.C.P 1920.72(a) sets forth the form that a complaitn in an action for divorce under Section 3301(d) should substantially follow and includes a verification. Additionally, Pa. R.C.P. 1920.1(b) specifically says that "except as other wise provided in this chapter, the procedure in the action shall be in accordance with the rules relating to a civil action."

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

BY THE COURT:
Anthony J. Vardaro, J.

Nov. 16, 1994 copies mailed Atty Felton

Dec. 21, 1994 Amended Complaint Under Section 3301(d) of the Divorce Code filed.

Feb. 13, 1995 Affidavit of Service filed. I,Robert J. Felton, Esquire,Attorney at Law, 116A West Spring Street, P.O.Box 648, Titusville, Pennsylvania, do hereby certifythat, in my capacity as attorney for the plaintiff inthe above-captioned matter, served a certified copy of the Amended Divorce Complaint in this matter on Thursday, December 22, 1994,by sending defendant the same by certified mail no. P 066 499 361, return receipt requested. A complaint was mailed to the defendant on Wednesday, December 21, 1994, as reflected in the copy of the receipt for mailing and the return receipt attached hereto.

Feb. 9, 1995 Robert J. Felton, Esquire

Feb. 13, 1995 Upon Praecipe of Robert J. FElton, Esquire, Attorney for Plaintiff to transmit record, Case moved to Court.

Mar. 2, 1995 Memorandum filed.
Mar. 3, 1995 copies dist to Felton

May 2, 1995 AFFIDAVIT OF SERVICE, filed. I, Robert J. Felton, Esquire, Attorney at Law, 116A West Spring Street, P.O. Box 648, Titisville, Pennsylvania, do hereby certify that in my capacity as attorney for the plaintiff in the above-captioned matter, I served a certified copy of the Amended Divorce Complaint in this matter on Thursday, December 22, 1994, by sending defendant the same by Certified Mail No. P066499361, return receipt requested. An Amended Complaint was mailed to defendant on Wednesday, December 21, 1994, as reflected in the copy of the receipt for mailing and the return receipt attached hereto. I further certify that I served a copy of plaintiff's affidavait under Sectiion 3301(d) of the Divorce Code, together with the Notice of Intention to Transmit Record, on April 7,1995, by sending defendant the same by Certified Mail No. Z011043637, return receipt requested. Said affidavit was mailed to defendant on April 6, 1995 as reflected in the copy of the receipt for mailing and the return receipt attached hereto.

May 2, 1995 Plaintiff's Affidavit Under Section 3301(D) of the Divorce Code **AND** Defendant's Counter-Affidavit Under Section 3301(d) of the Dovorce Code, filed.

May 2, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

May 17, 1995 AND NOW, May 16, 1995, it is hereby ordered and decreed that ALBERT E. DEAN, Plaintiff, and REBECCA J. DEAN, Defendant, are divorced from the bonds of matrimony.

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

BY THE COURT:
Anthony J. Vardaro, J.

1994

Lawrence C. Bolla

856.

NATIONAL FUEL GAS DISTRIBUTION CORPORATION

vs.

JAMES R. SYE AND ROBYN SYE

Filed Aug. 25, 1994
@ 2:32 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	24.00
Pro Co pd 10-6-94	9.00
Sheriff's costs	20.00
Pro.Co. pd 11/29/94	$9.00
Exemp.of Record pd 11/29/94	$10.00
Pro Co pd 3-21-95	5.00

COMPLAINT IN CIVIL ACTION

2 copies (sheriff)

Sept. 16, 1994 SHERIFF'S RETURN, filed. NOT FOUND as to Defendant James R. Sye at 108 West Bloss Street, Titusville, Crawford County, PA. Defendants are getting a divorce and he has moved to 740 McDonald Street, Sewickley, PA.

SERVED Robyn Sye personally on August 31, 1994 at 11:55 PM by handing her 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

Sept. 23, 1994, Complaint Reinstated.

Oct. 6, 1994, And Now, upon praecipe of plaintiff's attorney judgment is hereby entered in favor of the plaintiff and agaisnt the defendant in the sum of One Thousand One Hundred Ninety-three and 78/100 plus interest from August 25, 1994 and all costs of suit for failure to answr or otherwise plead, against Robyn Sye only.

Entered 10-6-94 Debt: $1,193.78 plus interest & costs
S - 146 JUDGMENT
Barbara H. King, Pro.

Nov. 1, 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 740 McDonald St. Sewickley, PA. Robert M. Stevens
Sheriff, Crawford County

SERVED the within Complaint on 10-13-94 at 11:40 a.m. upon Jame sR. Sye at above by handing to Shirley Sye, mother a true and correct copy thereof and made known to the contents therein.
Sheriff Allegheny County

And Now, Nov. 29, 1994 at 11:34 A.M. Upon Praecipe of Plaintiff's attorney, with notice of Intention to file Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the Deft. James R. Sye, for want of an answer and the same is liquidated at the sum of One Thousand One Hundred Ninety-three and 78/100 plus interest from August 25, 1994 and costs of suit.

S-96
Entered 11/29/94
Atty.Bolla

Debt $1,193.78
Int. from August 25, 1994
Judgment
Barbara H.King
Prothonotary

EX 1995-13

Mar. 15, 1995 Upon praecipe of plaintiffs attorney the above captioned matter is satisfied in full of this judgment, debt, interest and costs and hereby discharge the samem of record.

1994

Lawrence c. Bolla

857.

NATIONAL FUEL GAS
DISTRIBUTION CORPORATION

vs.

DELBERT G. VARGASON AND
CHRISTINE E. VARGASON

Filed Aug. 25, 1994
@ 2:32 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	31.00
Pro Co pd 10-12-94	9.00

COMPLAINT IN CIVIL ACTION

2 copies (sheriff)

Sept. 28, 1994 Writ Return filed. SERVED Delbert G. Vargason on September 7, 1994 at 1:01 PM by handing a copy of the Complaint to Christine Vargason, his Authorized Agent, in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA. Signed Acceptance of Service attached.

SERVED Christine E. Vargason personally on September 7, 1994 at 1:00 PM by handing her a copy of the Complaint in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.

So answers, Carle Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

Oct. 12, 1994 And Now, upon praecipe of plaintiff's attorney judgement is hereby entered against the defendants above captioned, in the sum of One Thousand Three Dollars and 11/100, plus interest from August 26, 1994 and all costs of suit for failure to answer or otherwise plead, against all defendants.

Entered 10-12-94 Debt: $1,003.11 plus int. and costs
V - 34, 44 JUDGMENT
Barbara H. King, Pro.

10-19-94 Notice of entry of Judgment sent to Dfts.

1994

Barbara J.Walton

859.

Edward Hatheway

SHERI L. SHAW

vs.

JOSEPH R. SHAW

Filed August 26, 1994
@ 9:19 AM

Tax & entry paid 10.50
User's Fee paid 5.00

CERTIFIED COPY OF DIVORCE DECREE FROM MONTGOMERY COUNTY, OHIO

This cause came on for Hearing this 6th day of February, 1992, upon the Complaint of the Plaintiff and the evidence, Defendant having withdrawn his Answer and Counterclaim. The Parties have agreed that the matter proceed, accordingly. Upon due consideration thereof, the Court finds that the Plaintiff has been a resident of the State of Ohio for more than six months immediately preceding the filing of the Complaint and a resident of the County of Montgomery for more than ninety day preceding the filing of the Complaint. The Court further finds that the Parties were married on 24 May 1986 in Greenville, Pennsylvania, as alleged, and that two childrenhave been born an issue of the marriage, namely; Kayla Marie Shaw, born 12 February 1988; and Joseph Charles Shaw, born 25 December 1989.

The Court further finds that the Parties have lived separate and apart for more than one year prior to the date of filing of the Complaint in this matter, and that by reason thereof, Plaintiff is entitled to a divorce as prayed for.

The Court further finds that Plaintiff Wife and Defendant Husband have entered into an in-Court voluntary agreement with reference to all matters relating to the marriage which agreement was reflected inthe Court Reporter's notes and duly initialed by both Parties. This Court, after proper examination and full consideration thereof, finds it fair, just and equitable, and by reason thereof, said in-Court agrement is approved and made an Order of this Court in its entirety

The Court further finds that Defendant is currently in arrears on child support as provided in the Temporary Order filed 3 October 1991 in the amount of $2,098.00 which he is hereby Ordered to pay as hereinafter set forth.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, as follows: Plaintiff be and is hereby granted a Divorce from Defendant and the marriage contract heretofore existing between the Parties be and is hereby dissolved and set aside.

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

1. Custody: The care, custody and control of the minor children of the Parties is awarded to Plaintiff, who is hereby designated Residential Parent and Legal Custodian, until further Order of this Court.

The following Notices are hereby incorporated into the Judgment entry and Decree of Divorce and made an ORDER of the court:

A) Relocation Notice: Pursuant to RC 3109.051(g), the Parties hereto are hereby notified as follows:

If the Residential Parent, namely Sheri L. Shaw, intends to move to a residence other than the residence specified in the Parties' JUdgment entry and Decree of Divorce, said Residential Parent shall file a notice of intent to relocate with this Court. Except as provide din RC 3109.051(g)(2), (3) and (4) a copy of such notice shall be mailed by the Court to Joseph R. Shaw. On receipt of the NOtice, theCourt, on its own Motion or the motion of Joseph R. Shaw, may schedule a Hearing with Notice to both Parties to determine whether it is in the best interest of the children to revise the visitation or parenting schedule for the children.

b) Records Access Notice: Pursuant to RC 3109.051(h) and RC 3319.321 (B)(5)(a), the Parties hereto are hereby notified as follows:

Excepting as specifically modified or otherwise limited by the Parties' Judgment Entry and Decree of Divorce, and subject to R.C. 2301.35(G)(2) and and RC 3319.3212(f), the NOn Residential Parent, namely Joseph R. Shaw, is entitled to access, under the same terms and conditions as the Residential Parent, namely Sheri L. Shaw, to any record that is related to the children and to which said Residential Parent of the children legally is provided access, including school records. Any keeper of a record, public or private, who knowingly fails to comply with this Order, is in content of Court.

C)Day Care Center Access Notice: Pursuant to RC 3109.05(I), the Parties hereto are hereby notified as follows: Excepting as specifically modified or otherwise limited by Court Order, and in accordance with RC 5104.011, Joseph R. Shaw, the parent who is not the Residential Parent, is entitled to access to any day care center that is or will be attended by the Child and whom visitation is granted, to the same extent that Sheri L. Shaw, the Residential Parent, is granted access to the center.

D) School Activities Notice: Pursuant to RC 3109.051(J), the Parties hereto are hereby notified as follows: Excepting as specifically modified or otherwise limited by the Parties' Judgment Entry and Decree of Divorce, and subject to RC 3319.321, the Non Residential Parent, namely Joseph R. Shaw, is entitled to access, under the same terms and conditions as the Residential Parent, namely Sheri L. Shaw, to any student activity that is related to the children and to which the Residential Parent of the children legally is provided access.

2. Visitation: Defendant, as Non-Residential Parent, is hereby granted visitation rights as follows: A) One week per month consisting of seven continuous days. B) One months during the summer school recess. Transportation will be as agreed upon consistent withthe Parties previous practices. Visitation on holidays shall be in accordance with the Standard Order of Visitation. This visitation schedule shall remain until further Order of the Court.

Defendant shall have access to all school, medical, and psychological records relating to the children and shall be consuslted by Plaintiff in all matters affecting major life decisions for the children, such as their health and education.

3. Child Support:The Parties agree that there is an arrearage of $2,098.00 as of 6 Feb. 1992. The parties further agree that the Defendant/Obigor shall pay current support in the amount of $237.00 per month, per child for the Parties' two minor children, and an additional amount of $50.00 per month on the arrearage hereinabove set out until said arrearage is paid in full, plus service charge of 2%, payable through the Montgomery County Child Support Enforcement Agency. Said support as to each child shall continue until said child is eighteen (18) years of age or no longer a full time student in a regularly accredited high school, is married, or otherwise emancipated.

The Obligor is employed. An Order to withhold shall issue to Leland Aerostar, Inc., 1200 Parkway, Erie, PA 16531, or the the attention of other appropriate authority.

4. Medical insurance: Plaintiff currently carries medical insurance for the children through her employer, while Defendant, likewise, has similar medical insurance coverage for the children. Planitiff's insurance coverage shall be primary, Defendant's insurance coverage shall be secondary.

IT IS THEREFORE ORDER that obligor and Obligee shall provide group health insurance coverage for the dependent children pursuant to the Dependent Health Care Orders filed herewith.

IT IS THEREFORE ORDERED that Obligor and Obligee shall take notice of the Standard Order of Health Care Needs for Dependent Children attached hereto and incorporated herein by reference.

Costs of uninsured ordinary and extraordinary medical, dental, optical or psychological expenses, including co-payments and/or deductibles under the health insurance plan for the dependent children shall be shared equally by the Parties (50%/50%).

5. Taxes: The parties shall file their tax returns for the calendar year 1991 separetly. Plaintiff shall be entitled to claim the minor children as exemptions for income tax purposes.

6. Spousal Support: Both parties being in good health and employed, each waive any right to spousal support from the other.

7. Marital Obligations: Other than a possible obligation of $1,000.00, the Parties appear to have no marital obligations extant. Should there be a collectible obligation of the $1,000.00, the Parties will share equally in satisfaction thereof.

8. Real Estate: The Parties are not the owners of any real property.

9. Personal Property: The parties' have divided their property, including any entitlement to resideement benefits, to their mutual satisfaction and agree that each may retain any property now in his or her possession.

IT IS FURTHER ORDER that Obligor shall pay all arrearages due on the Temporary order as hereinabove set forth in Paragraph 3.

IT IS FURTHER ORDERED that Obligor is restrained from making said payments directly to the Obligee and the Obligee is enjoined from accepting direct payments from the Obligor. Any payments of suppport not made through the Support Enforcement Agency shall be deemed a gift.

IT IS FURTHER ORDERED that the Obligor and Obligee immediately notify the Support Enforcement Agency in writing of any change in mailing and/or residential address. This duty to notify the Court of any change in either address shall continue until further notice of the Court.

IT IS FURTHER ORDERED that the Obligor shall immediately notify the Support Enforcement Agency in writing of any change in employment status or employer. This duty to notify the Support Enforcement Agency shall continue until further notice of the Court, and a failure to provide such notification may make the Obligor liable for retroactive support that would have been ordered.

IT IS FURTHER ORDERED that both parties shall take notice of the Obligee's Rights and Remedies for Enforcement of Support, attached hereto, available to the Obligee in the event Obligor fails to make payments of support as ordered herein.

IT IS FURTHER ORDERED that Obligee shall immediately notify the Support Enforcement Agency, in writing, of any change in the status of the minor children of the Parties which would terminate the duty of Obligor to pay child support.

Costs paid.

Judge Charles A. Lowman, III

See AD1994-858 on page 409

Record Continued on Page 495

1994

858.

CORANN S. SNYDER

vs.

MELVIN J. SNYDER, JR.

Filed August 25, 1994
@ 2:45 PM

Tax & entry Pd 9-1-94 50.50
User's Fee Pd 9-1-94 5.00
Sheriff's costs 15.00
Pro Co Pd 9-1-94 9.00

9-1-94 Rec'd from deft 15.00 Sheriff's Cost
9-2-94 Pd Sheriff 15.00 Ch # 8536

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

Order:

And now, this 25 day of August , 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 sole custody ofthe minor children with visitation by Defendant at her descretion 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 September 1, 1994, at 10 a. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Aug. 30, 1994 Complaint for Indirect Criminal Contempt for Violation of Protection From Abuse Order filed. Notice of Hearing. 1. You are hereby ORDERED to appear for hearing on:
1. X Date: 1 September, 1994 Time 10:00 A.M., Place: Crawford County Court House
3. Your bail has been set at $2000.00.

To protect your rights you should have a lawyer represent you at this hearing. If you do not have a lawyer, the Crawford County Lawyers' Referral Service will give you information about finding one.

Contact: Court Administrator, Courthouse
Meadville,PA 16335
Telephone No. (814) 336-1151, ext.298

Aug. 30, 1994 Sheriff's Return filed. SERVED Melvin J. Snyder, Jr., personally on Aug. 26, 1994 at 9:00 AM by handing a copy of the Protection from Abuse to him at 131 Federal St., Cambridge Springs, Crawford Co., PA. Served by Plaintiff Corann S. Snyder at her mother's residence.

So answers, Robert M. Stevens, Sheriff

Sept. 8, 1994 AND NOW, September 1, 1994, the parties appeared in court on the original Petition and Contempt Complaint. The plaintiff desires an Order to protect her from further physical abuse, but she does want the defendant to live with her and she does want to try to work out any marital problems they have.

ACCORDINGLY, it is ORDERED as follows:

1. The defendant shall not assault, abuse, harass, or threaten the plaintiff in any manner.
2. The parties may live together.
3. The Complaint for Indirect Criminal Contempt is hereby DISMISSED.
4. This Order may be enforced without a Warrant of Arrest by any law enforcement officer having reasonable ground to believe that it has been violated.
5. A copy of this Order shall be delivered to the Cambridge ?Springs Police Department and to County Control.
6. The bond posted in the contempt action shall be returned to the defendant since the contempt proceedings have been dismissed.
7. This Order shall remain in full force and effect for 6 months from this date, unless modified or terminated by further Order of Court.
8. The defendant shall pay record court costs in the amount of $79.50 forthwith.
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.

Sept. 9, 1994 Faxed CSPD & Co. Control
Sept. 9, 1994 sent to Plf. & Dft.

1994

Peters, Lindsay,
Lewis & Hatheway
Brian J. Lindsay

860.

Gerald M. Sullivan

Dimitra Massey

JONATHAN J. HOUT

vs.

DIANA LYNN HOUT

Filed August 26, 1994
@ 9:09 AM

Tax & entry paid	50.50
User's Fee paid	5.00
William Pineo, Mediator	202.00
Pro Co Pd 12-15-94	9.00
John Fuller, Mediator	

COMPLAINT FOR CHILD CUSTODY
1 copy atty.
1 copy Mediator

You,, DIANA LYNN HOUT, Defendant, have been sued in court to obtain custody, partial custody or visitation of the child JESSICA LYNN HOUT.

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 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

8/26/94

BY THE COURT:
Gordon R. Miller, J

AND NOW, this 26th day of August, 1994, upon consideration of the verfieid allegations contained in Plaintiff's Complaint, in particular those alleged in support of special relief, it is hereby Ordered and decreed that the status quo of the custody and partial custody arrangements between the parties be maintained.

Accordingly, your Plantiff is here by granted partial custody rights to be exercised every other weekend from Friday at 5:00 P.M. until Sunday at 5:00 P.M. beginning August 26, 1994 and continuing thereafter until further Order of Court.

Defendant/Mother, Diana Lynn Hout, shall transfer physical custody of Jessica Lynn Hout to either Jonathan J. Hout or Kathleen F. Weiss according to the terms of this Order.

Plaintiff shall verify this Complaint within 3 business days.

BY THE COURT,
Gordon R. Miller, J

Aug. 29, 1994 Affidavit filed. I, Kathleen F. Weiss, do hereby verify that I did personally serve a true and correct copy of the Complaint for Child Custody filed at the above term and number on the above named Defendant, Diana Lynn Hout at Pin Oak Village, Apartment 3A, Seneca,PA. 16342, on the 26th day of August, 1994.

Kathleen F. Weiss

Aug. 29, 1994 Verification filed.

Nov. 15, 1994 TEMPORARY ORDER, filed. AND NOW, this 10th day of November, 1994, after Mediation in the above referenced matter and upon the recommendations of teh 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 Lynn Hout.

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 parties shall share physical custody of the subject minor child. The father shall have physical child of the subject minor child each week from Friday at 5 P.M. through Monday at 5 P.M. and the mother shall have physical custody of the subject minor child from Monday at 5 P.M. through Friday at 5 P.M.

b. The party not having physical custody shall have the right to telephone the child at the home of the other party at reasonable times and for reasonable lengths of time.

4. Holiday visitation shall be arranged as follows:

a. Christmas: There shall be two Christmas visitation periods, the first beginning on Christmas Eve at 4 P.M. and ending Christmas Day at 1 P.M. and the second beginning Christmas Day 1 P.M. and ending on Christmas Day at 5 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: Each year the father shall visitation and temporary physical custody from 5 P.M. of the Wednesday preceding Thanksgiving until 1 P.M. of Thanksgiving Day.

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 Daty and the mother for Easter and Independence Day. In odd numbered years the father shall have visitation on Easter and Independence Day, and the mother on Memorial 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.

d. 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.

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

5. Should it be necessary for either party to cancel or modify the visitations as set out in this Order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

6. For one year from the date of this Order, the father provide all transportation necessary for the carrying out of this Order. The mother shall make all reasonable efforts to provide herself with a driver's license. Starting one year from the date of this Order, 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 ata the home of the other. Any person transporting the child shall make sure that the seat elts or other restraints are used in accordance with the laws of Pennsylvania.

CONTINUED ON PAGE 410A

Aug. 26, 1994 $150.00
deposited by Plaintiff

Nov 16, 1994 Paid Plaintiff $40.00 mediation refund Ck# 8672

12-15-94 Pd Co. Med fee #8732 10/a

9-18-97 Refund from Pltf Med. Fee 200a

Johnathan J. Hout
vs.
Diana Lynn Hout

CONTINUED FROM PAGE 410
of Record
A. D. 1994 - 860

****

&. 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.

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 conveninet. 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 a substantial change of the circumstances of either party or of the child. Either party may also request a review of this Order after May of the year in which the child becomes eligible to enter Kindergarten in Pennsylvania.

12. Costs and fees of this Mediation, which are fixed at $202.00, are divided equally between the parties.

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 Mediator notes for the Court that the mother is indigent and wasrepresented by Northwest Legal Services, Inc. Her share is therefore 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 mvoes, this Order shall be considered permanent.

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

Nov. 16, 1994 Faxed to Pineo, Lindsay & Sullivan.
Nov. 18, 1994 copy sent ot Plf. & Dft.

Sept. 10, 1997 Jonathan Hout's Verification to Petition to Modify Custody Order filed. September 4, 1997 filed.

Sept 17, 1997 Petition to Modify Custody Order and Orders: ORDER: You, Diana Lynn Hout, have been sued in Court to obtain custody, partial custody or visitation of: Jessica Lynn Hout and Samantha Lynn Hous.

You are ORDERED to appear in person at such time and place as will be determined by the Child Custody Mediator John Fuller, Esquire, for a mediation conference. The Mediator shall send you a notice of the hearing by mail to the address listed on the complaitn or petition that has been filed recently.

Gordon R. Miller, P.J.

Sept 15-97
Sept 18, 1997 Faxed Lindsay, Fuller, Sullivan
AND

ORDER: AND NOW, this 15 day of Sept. 1997, a Complaint in Divorce being filed herewith which avers that there are children of the marriage under the age of 18 years. It is ORDERED and DECREED that the parties shall comply with Crawford County Civil Rule L1930 and shall attend and complete the Seminar for Separating Parents.

Application must be made by the Plaintiff within fifteen (15) days after he/she filed the Complaitn in this action; and the application must be made by the Defendant within fifteen (15) days after he/she was served with the Complaint.

Each party is required to complete the seminar within forty-five (45) days after he/she makes application.

Gordon R. Miller, P.J.

Sept 18, 1997 Faxed Lindsay, Fuller & Legal Services

Oct 7, 1997 Petition To Intervene Under Rule 2327 (3) and (4) of The Pennsylvania Rules of Civil Procedure and Order: AND NOW, upon consideration of Petitioner's request to Intervne, this Court hereby sets the 27th dayof October, 1997, at 2:30 p.m. in Courtroom 2, to hear testimony and argument on Intervention.

Gordon R. Miller, P.J.

Oct 8, 1997 Faxed Lindsay, Pineo & Sullivan & Mailed Diana Hout

Oct 10, 1997 Motion To Consolidate/Join Custody Actions and Order: AND NOW, this 9 day of October, 1997, upon consideration of the Motion to Consolidate the same is hereby granted and the child custody actions at A.D. 1994-860 and at A.D. 1997-975 are hereby consolidated and all further proceedings in either case shall be docketed as A.D. 1994-860.

Anthony J. Vardaro, J.

Oct 10, 1997 Faxed Massey & Lindsay
Oct 21, 1997 Faxed Fuller

Oct. 9, 1997 Petition To Waive Seminar Attendance and Order filed. AND NOW, this 7 day of October, 1997, upon consideration of the Petition to Waive Attendance filed by the Plaintiff father this Court hereby ordered and directs that Jonathan J. Hout is excused form attending the mandatory seminar and his requirements to attend that seminar is waived.

BY THE COURT,
Anthony J. Vardaro, J

10-10-97 Faxed Massey & Hatheway

Oct. 13, 1997 AffidavitTo Proceed In Forma Pauperis Pursuant To Pa. R.C.P. 240 filed

Oct 22, 1997 Motion To Withdraw Intervention and Order: AND NOW, this 22nd day of October, 1997, upon consideration of the Motion To Withdraw Intervention the same is hereby granted and this Court's hearing on the Motion To Intervene which has been set for the 27th of October, 1997, is hereby canceled. Gordon R. Miller, P.J.
Oct 22, 1997 Faxed Lindsay, Massey & Fuller

Oct 22, 1997 ORDER: AND NOW, this 22nd day of October, 1997, upon presentation of the foregoing Agreement, IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal custody of the subject minor children, Jessica lynn Hout and Samantha Lynn Hout.

2. The parties shall share any and all information which each may have regarding the health, education, and major events in the lives 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 minor children.

3. The mother shall have primary physical custody of the subject monor children. The father shall have partial physical custody consisting of the following: (see paper filed)

k4. Costs and fees, are divided equally between the parties. The mother is indigent and is represented by Northwestern Legal Services. The mother's share is therefore assessed to Crawford County. Gordon R. Miller, P.J.
Oct 23, 1997FaXED Lindsay
Oct 24, 1997 Faxed Massey & Fuller

Nov. 5, 1997 Certificate of Completion of Seminar for Separating Parents of defendant filed.

APRIL 11, 2001, PLEASE SEE COMPUTER FOR FURTHER ENTRIES.

410

-6-

1994 **TERM**

1994

861.	IN THE MATTER OF THE OCTOBER, 1994 CIVIL TRIAL TERM Filed August 26, 1994 @ 11:06 AM	ORDER: AND NOW, August 23, 1994, the Jury Commissioners are directed to summon a panel of 100 jurors for the October 1994 civil term of Court, said panel to serve from October 10-21, 1994 BY ORDER OF THE COURT, Gordon R. Miller, J Nov. 30, 1994 Venire Returned.

The Prather Law Firm
Mark D. Prather

862.

IN RE: Proposed Private Sale of Tax Claim Lands of RICHARD J. DENNE and ELLEN J. DENNE

Filed August 26, 1994
@ 1:57 PM

Tax & entry paid 50.50
User's Fee paid 5.00

PETITION FOR DISAPPROVAL

Order:

NOW, this 24 day of August, 1994, upon consideration of the within petition, a rule is granted upon the Crawford County Tax Claim Bureau to show cause if any it has why the proposed sale of real estate to Charles G. Newell should not be disapproved. This rule is returnable for September 20, 1994 at 11;00 a.m., in Courtroom 3, at the Crawford County Courthouse, Meadville, Pennsylvania, petitioner to notify all parties hereto furthwith and provide proof of service at time of hearing.

Per Curiam,
Anthony J. Vardaro, J

Sept. 20, 1994 Proof of Service, filed.

Sep. 21, 1994 ORDER filed. AND NOW, September 20, 1994 at the time set for hearing, the court notes that proof of service upon Charles G.Newell is filed, giving him notice of the time and place of the public hearing and sale of this property. Newell fails to appear. No one appears except William W. Cleland,Jr. and his counsel Mark D. Prather,Esq. The matter is discussed with the county treasurer, also in appearance, and it appears the subject matter property is a dilapidated building in the Village of Espyville and there exists a questionable mortgage lien against said property of approximately $16,000. Costs incurred in treasurer advertising amount to approximately $185.

Brief evidence is heard relating tosome potential environmental problems and the Court believes that an established price of $1,700for the property is appropriate. William W. Cleland, Jr., acting through his counselagrees to pay the same for the property forthwith and accordingly, the sale to Cleland is approved by the Court and the treasurer of Crawford County is directed to issue a quit claim deed for the property in question in North Shenango Township to William W. Cleland, Jr. forthwith.

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

9-21-94 copies dist. to Mr. Prather & Treasurer 9-27-94 Mailed to Newell

1994

863.

JEANETTE R. WILSON

vs.

RICHARD A. MORTENSEN

Filed August 26, 1994
@ 2:52 PM

Tax & entry Pd. 9-30-94 50.50
User's Fee Pd. 9-30-94 5.00
Sheriff's Costs Pd. 27.00
Pro Co pd. 9-30-94 9.00

9-30-94 Rec'd from dept Sheriff's Costs 27.00
10-3-94 Pd Sheriff 27.00 Chk 8585

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

Order:

And now, this 26th day of August , 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 opf the home is awarded to Plaintiff. Defendant shall not contact 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 September 1, 1994 , at 10:30 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,
Gordon R. Miller, J

Sep. 1, 1994 Sheriff's Return filed. SERVED Richard A.Mortensen personally on August 26. 1994 at 3:50 PM by handing a copy of the Protection From Abuse to him at his place of employment, Thompson Lumber, Center Road, Linesville, Crawford County,. PA.
So answers,
Dale A. Collins, Chief Deputy
Robert M.Stevens, Sheriff

Sept. 8, 1994 ORDER filed. AND NOW, September 1, 1994, the parties appeared in open court, both with counsel, and entered into an agreement to resolve this matter. Based upon that agreement the Court orders as follows, and by agreeing to this settlement, the defendant does not admit that he engaged in the conduct alleged in the Petition.

ACCORDINGLY, it is ORDERED as follows:

1. The defendant shall not assault, abuse, harass, threaten, or stalk the plaintiff.
2. The defendant shall not go to the plaintiff's residence except as hereinafter provided.
3. The parties have agareed to a number of mattersthat this Court believes are outside the scope of a Protection From Abuse action, and therefore, we will not order the defendant to do these things, but we will indicate by this Order that she has verbally agreed to them.

A) The defendant shall remove his name from the title to the mobile home that the plaintiff live sin. The parties shall take all reasonable and necessary steps by September 9, 1994, to have title transferred to the plaintiff solely.

B) The defendant shall return the furnace that was taken out of the mobile home and install it in a good and workmanlike manner and pay all of the costs of that installation, all of which shall b eaccomplished by September 10, 1994.

C) The defendant agrees to pay one-half of the parties' electric bill for services rendered to the parties' residence for July and August, 1994 within 30 days after the bill is submitted to them.

D) The defendant shall have a right to go to the plaintiff's home on September 11, 1994 at 11 o'clock a.m. to pick up his personal effedts and he shall have two mature adults with him; to wit, Edward Yoder and Steve Giles.

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 fo this Order shall be delivered by the Prothonotary to the State Police at Meadville and to County Control.
6. This Order shall remain in full force and effect for one year from this date, unless modified or terminated by further Order of Court.
7. The defendant shall pay record court costs in the amountof $91.50 within 30 days from this date by paying the same to the Prothonotary on the First Floor of the Crawford County Courthouse. The defendant is advised that tif he fails to pay the court costs as ordered, he may b eheld in contempt fo court and punished.
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 6 months.

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

Sept. 8, 1994 Faxed Pa.SPD & Co. Control, given Sullivan & Lindsay
Sept. 12, 1994 sent to Plf. & Dft

1994

Watts & Pepicelli
Alan L. Pepicelli

864.

CHERYL L. FOUTE

vs.

ERNEST GUSHARD and/or
ERNEST GUSHARD, a/k/a E.
JOHN GUSHARD

Filed August 26, 1994
@ 3:39 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro Co pd 10/31/95	6.00

WRIT OF SUMMONS
Issued Sheriff

Sept. 16, 1994 SHERIFF'S RETURN, FILED. SERVED Ernest Gushard personally on September 1, 1994 at 10:50 AM by handing a copy of the Summons to him in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Crawford County, PA.
So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

Oct. 31, 1995, Upon praecipe of plaintiff attorney, the above captioned case is marked settled and discotninued of record.

1994

Edgar Snyder &
Associates, PC
Michael H. Rosenzweig

865.

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.

ERIE INSURANCE GROUP

Filed August 29, 1994
@ 9:30 AM

Tax & entry paid	50.50
User's Fee paid	5.00

PETITION FOR APPROVAL OF SETTLEMENT OF A THIRD-PARTY LIABILITY CLAIM AND UNDERINSURED MOTORIST CLAIM ON BEHALF OF THE ESTATE OF PATRICIA J. HERSHELMAN, DECEASED
1 copy atty.

AND NOW, to with this 29 day of August, 1994, it is DECREED that the claim against Patricia A. Pechin may be settled by payment by Erie Insurance Group of $25,000.00 in exchange for the nion pro-rata release attached to the within Petition and the underinsured motorist claim against Erie Insurance Group may be settled by payment by Erie Insurance Group of $50,000.00; the law firm of Edgar Snyder & Associates attorney's fee of $25,000.00 and reimbursement of expenses in the amount of $5,388.08 (total of $30,388.08) are approved. After deduction of the $10,129.36 pro-rata share of attorney's fees and expenses form the $25,000.00 liability limit by Erie Insurance Group, the $14,870.64, representin the net amount of the $25,000.00 liability settlement to be distributed, shall be approtioned 10% to the survival action i. e., $1,487.06 and 90% to the wrongful death action, i.e. $13,383.58. After deduction of the $20,258.72 pro-rata share of attorney's fees and expenses form the $50,000.00 underinsured motorist claim by Erie Insurance Group, the $29,741.28, representing the net amount of the $50,000.00 underinsured motoris settlement to be distributed shall be apportioned 100% to the wrongful death action.

BY THE COURT,
Anthony J. Vardaro, J

Aug. 29, 1994 Certification and Notice of Service filed.

1994

Specter Law Offices
Robert A. Sambroak, Jr

866.

GLENN DAVIS

vs.

STATE FARM INSURANCE COMPANIES

Filed August 29, 1994
@ 2;03 PM

Tax & entry paid	50.50
User's Fee Pd 8-31-94	5.00
Sheriff's Costs	25.00
Sheriff's Costs	25.00
Pro Co pd 4/26/95	7.00

IN ERROR
SEE DOCKET
PAGE -
AD 1992-1197

COMPLAINT IN CIVIL ACTION
1 copy atty.

Sept. 28, 1994 Sheriff's Return filed. SERVED STate Farm Insurance Companies on September 6, 1994 at 1:20 PM by handing a copy of the Complaint, Interrogatories, and Request for Production of Documents to Soe Abbott, Adult in Charge at the business, R.D. #4, Box 3, Meadville, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Oct. 3, 1994, Complaint reinstated.

Oct. 13, 1994 SHERIFF'S RETURN, filed. SERVED State Farm Insurance Companies on October 5, 1994 at 9:13 AM by handing a copy of the Complaint to Rose Abbott, Receptionist at the place of business, R.D.#4, Box 3, Meadville, Crawford County, PA.
So answers, Dale A. Collins,s Chief Deputy
Robert M. Stevens, Sheriff

Jan. 31, 1995 Motion For Continuance and Order, filed.
ORDER: Upon Motion of Plaintiff and it appearing that this is the first continuance by either party and further appearing that the defendant has consented to the Motion:
IT IS HEREBY ORDERED THAT THE JURY TRIAL IN THIS MATTER BE CONTINUED UNTIL APRIL, 1995 AND THAT THE CASE BE REMOVED FROM THE FEBRUARY, 1995 CIVIL TRIAL LIST.
Dated Jan. 27, 1995 Gordon R. Miller, P.J.
Jan. 31, 1995 Faxed Thomas & Sambroak

Apr. 18, 1995, Upon praecipe of plaintiff attorneys, the above captioned case is hereby marked discontinued of record.

1994

Apple & Apple, PC
James S. Alter

867.

STONEY HOLLOW TIRE, INC.

vs.

THOMAS NESBIT and KATHY NESBIT i/a/a/p/t/a/d/b/a TK TIRE SERVICE

Filed August 29, 1994
@ 2:03 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro. Co. pd 9/30/94	5.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Sept. 16, 1994 SHERIFF'S RETURN, filed. NOT FOUND as to Defendants Thomas Nesbit and Kathy Nesbit d/b/a TK Tire Service, RD 3, Box 429,Conneaut Lake, Crawford County, PA. TK Tire Service is out of business and teh Defendants now reside in Millageville, Mercer County, PA.
So answers, Robert M. Stevens, Sheriff

Sep. 30, 1994 Upon Praecipe of James S.Alter, Esquire, Attorneys for Plaintiffs, the above-captioned matter is settled and discontinued of record.

1994

Blystone & Blystone
Curtis E. Blystone

868.

JESSIE L. PETERSON a/k/a
JESSICA L. PETERSON

vs.

RONALD C. PETERSON

Filed August 29, 1994
@ 3:29 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro. Co. Pd 3/1/96	9.00

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

Oct. 4, 1994, complaint reinstated.

Oct. 7, 1994 AFFIDAVIT OF SERVICE, filed. 1. The undersigned, Curtis E. Blystone, is attorney for Jessie L. Peterson, a/k/a Jessica L. Peterson, plaintiff in the above-captioned civil action.

2. On October 4, 1994, affiant mailed a true and correct copy of the Complaint, endorsed with Notice to Defend and Claim Rights, to the defendant, Ronald C. Peterson, by certified mail, restricted for delivery to the addressee, posted at the Meadville, Pennsylvania, United States Post Office, and bearing Article No. P 100 658 467 as indicated by the attached receipt for certified mail.

3. The aforesaid certified mail araticle was delivered to the defendant, Ronald C. Peterson, on October 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.

Feb. 8, 1996, Affidavit Under Section 3301(d) of the Divorce Code filed.

Mar. 1,1996 Upon Praecipe of Curtis E.Blystone, Esquire,Attorney for 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 JESSIE L. PETERSON, a/k/a JESSICA L. PETERSON, plaintiff, and RONALD C. PETERSON, defendant, are divorced from the bonds of matrimony.

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

869.

Bruce A. Barrett

CHARLES O. INGRAM

vs.

DARLA A. INGRAM

Filed August 29, 1994
@ 3:36 PM

Tax & entry paid	50.50
User's Fee paid	5.00
John Fuller, Mediator	182.52
Pro Co Pd 5-8-95	9.00

2-6-95 Rec'd from Plf
med dep 4/500

3-28-95 Pd Plf
Refund #2055 49.74
+2795 Rec'd from Plf 91.26
med fee

5-8-95 Pd to mediator
#2166 182.52

COMPLAINT FOR CUSTODY

Feb. 6, 1995 Motion To Appointment Child Custody Mediator and Order filed. AND NOW, this 3rd day of Feb., 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 Fuller, 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.

BY THE COURT,
Gordon R. Miller, J

Feb. 6, 1995 Faxed Irwin, Fuller, Barrett

Mar. 28, 1995 ORDER filed. AND NOW, March 27, 1995 afater mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Brittany Ingram and Amanda Ingaram shall be shared between the mother and the father, the plaintiff and defendant herin, 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 parat fully in important decisions affectign the children such as the education, medical treatment and religious instruction of the subject children.

II. Physical custody of Brittany Ingram and Amanda Ingram shall shared by their parents, under the following conditions:

A. Beginning March 27, 1995 the children shall be in the custody of their father from 3:30 o'clock p.m. on Monday to 3:30 o'clock p.m. on Tuesday; in the custody of their mother from 3:30 o'clock p.m. on Tuesday to 3:30 o'clock p.m. on Wednesday; in the custody of their father from 3:30 o'clock p.m. on Wednesday to 3:30 o'clock p.m. on Thursday; in the custody of their mother from 3:30 o'clock p.m. on Thursday to 3:30 o'clock on Friday; in the custody of their father from 3:30 o'clock p.m. on Friday until 11:00 o'clock a.m. on Sunday, and in the custody of their mother from11:00 o'clock a.m. on Sunday to 3:30 o'clock p.m. on Monday.

B. Holidays shall be defined as Christmas, Easter, Thanksgiving and the child's birthday. Custody of the children shall be shared on the aforesaid holidays and in the absence of an agreement to the contrary, the children shall be in the custody of the mother on the aforesaid holidays from 8:00 o'clock a.m. 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 6:00 o'clock p.m.

C. Transportation of the children on week ends and holidays shall be equally shared by teh parents with the parent receiving custody providing transpsortation.

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. Specifically, their shall be no arguing between the parents during custody exchanges.

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. In addition neither mother nor father shall consume alcoholic beverages or use illegal drugs when the children are in their custody. Nor shall either parent smoke, or permit others to smoke in the same house where the children are present. Neither mother nor father shall permit a member of theopposite sex, not related by blood or marriage, to be present in their respective homes after 9:00 o'clock p.m. whenm the children are in their custody.

F. Both pasrents 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.

G. Both parents shall participate in counseling to resolve their conflicts and to assist them in parenting.

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. This order is entered, however, without prejudice to the right of either parent to request a further mediation conference at any time after October 1, 1995.

IV. Cost of the mediation conference will b divided as follwos: One-half (½) father; one-half mother. The Prothonotary of Crawford County is hereby directed to refund a portion of the deposit paid in advance by the Plaintiff, less the cost of the custody order.

Gordon R. Miller, P.J.

Mar. 31, 1995 Faxed Irwin, Barrett & Fuller, sent Plf. & Dft.

420

1994

Jorden & White
William T. Jorden

870.

Elderkin, Martin
Kelly & Messina
Kenneth G. Vasil

CHARLES SHAW and BARBARA SHAW, his wife

vs.

MARK W. WILLIAMS

Filed August 29, 1994
@ 4:22 pM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro.Co.pd 1/26/95	$6.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Sept. 28, 1994, Appearance of Elderkin Martin, Kelly & Messina by Kenneth G. Vasil, attorneys for defendant filed.

Oct. 5, 1994 SHERIFF'S RETURN, filed. SEERVED Mark W. Williams on September 13, 1994 at 12:25 PM by handing a copy of the Complaitn to Wanda Bowser, his Secetary, at his place of business where he is a partner, Hill, Barth & King, 1566 Conneaut Lake Road, Meadville, Crawford County, PA.
So answers, Shawn E. Ashbaugh,Deputy Sheriff
Robert M. Stevens, Sheriff

Jan. 26,1995 Upon Praecipe of William T. Jorden, Esquire, the above captioned action is marked settled and discontinued of record, with prejudice.

1994

Pepicelli, Youngs
& Youngs
Christopher J. Youngs

871.

FIRST NATIONAL BANK OF PENNSYLVANIA

vs.

DAVID W. DITCH and DORIS D. DITCH

Filed August 30, 1994
@ 3:36 pM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	31.00
Pro Co. pd 10/20/94	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies atty.

Aug. 30, 1994 Affidavit of NOn-Military Service of Defendants filed.

Sep. 27, 1994 Sheriff's Return filed. SERVED David W.Ditch on September 14,1994 at 2:18 PM by handing a copy of the Complaint in Mortgage Foreclosure to Doris D.Ditch,his Wife, at their residence, 734 Locust Lane, Meadville, Crawford County, PA.

SERVED Doris D.Ditch personally on September 14, 1994 at 2:17 PM by handing a copy of the Complaint inMortgage Foreclosure to her at the residence, 734 Locust Lane, Meadville, Crawford County, PA.

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

Oct. 20, 1994, 4:00 p.m., AND NOW upon Praecipe of Plaintiff Attorney, with Notice of Intention to file default judgment attached, judgement is hereby entered in favor of Plaintiff and against Defendant for failure to file an answer and damages are assessed as follows:

A.	Unpaid principal balance:	$19,129.35
B.	Unpaid interest through 4/26/94:	932.49
C.	Attorney's fees for collection:	950.00
D.	Title Search Expense:	170.00
E.	Late charges/penalties:	65.80
	Total:	$21,247.64

F. Plus mortgage interest at nine (9%) percent per annum from Aug. 16, 1994, and at all applicable times thereafter in accordance with the aforesaid mortgage and note, plus costs of suit.

D-45 Debt $21,247.64
Judgment entered -
10/20/94 Judgment
Barbara H. King, Pro.
10-26-94 Notice of judgment mailed defendants.

EXECUTION NO. 1994 - 69

1994

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

872.

LAURIE A. VANDERSTAPPEN

vs.

HANS VANDERSTAPPEN

Filed August 31, 1994
@ 10:12 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co. pd 3/11/96	9.00
Pro Co pd 3/27/96	5.00

COMPLAINT IN DIVORCE
1 copy atty.

Sep. 15, 1994 Acceptance of Service filed.I, Hans Vanderstappen, accept service of the Complaint for Divorce properly endorsed with a Notice to Defend this 6 day of Sept. 1994.
Hans Vanderstappen, Defendant

May 3, 1995 Affidavit of Consent by Hans Vanderstappen, Defendant, filed.

June 16, 1995 Affidavit of Consent of Plaintiff, filed.

Mar 4, 1996 Waiver of Notice of Intention to Request Entry of a Divorce Under Section 3301(c) of the Divorce Code, filed by Defendant.

Mar 4, 1996 Waiver of Notice of Intention to Request Entry of a Divorce Under Section 3301(c) of the Divorce Code, filed by Plaintiff.

March 11, 1996 Upon praecipe of plaintiff's attorney for review Under Section 3301(c) of Divorce Code, this case moved to Court.

DIVORCE DECREE FILED

March 15, 1996 AND NOW, this March 12, 1996, it is Ordered and Decreed that LAURIE A. VANDERSTAPPEN, Plaintiff, and HANS VANDERSTAPPEN, Defendant are divorced from the bonds of matrimony.

BY THE COURT:
Gordon R. Miller, J.

Mar. 27, 1996 Notice of Election To Retake Maiden Name filed. Laurie A. Vanderstappen TO BE KNOWN AS: Laurie A. Bahurinsky

1994

Mayerson, Munsing,
Corchin & Rosato, PC
Hy Mayerson

873.

CHRISTINA PATTERSON, a minor by her parents and natural guardians, JAMES & VICKY PATTERSON

vs.

CASSANDRA PATTERSON

Filed August 31, 1994
@ 10:49 AM

Tax & entry paid	50.50
User's Fee paid	5.00

PETITION FOR MINOR'S COMPROMISE AND APPROVAL OF SCHEDULE OF DISTRIBUTION PURSUANT TO PA. R.CIV.P. 2039

Order:

AND NOW, this 31 day of August, 1994, upon consideration of the foregoing Petition, the above matter for Sixty Thousand Dollars ($60,000), it is hereby approved and distribution is ordered as follows:

To: Mayerson, Munsing, Corchin & Rosato, PC- Reimbursement of Costs	399.27
To: Mayerson, Munsing, Corchin & Rosato, PC- Counsel Fee (25%)	15000.00
To: Christina Patterson - to purchase a car	5000.00
To: Christina Patterson, to be placed in an interest bearing trust account, and marked not to be withdrawn until she reaches the age of eighteen (18) years, or by further order of the court. Within 30 days a copy of account rrcord shall be filed.	39600.73
Total Vale	$60000.00

BY THE COURT:
Anthony J. Vardaro, J

Aug. 31, 1994 Faxed Mayerson

424

1994

Roeder & Rothschild
Tamera Ochs Rothschild

874.

MARY K. WEAVER

vs.

TIMOTHY P. WEAVER

Filed August 31, 1994
@ 1:25 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 3-8-95	9.00
Pro pd 10/30/96	5.00

COMPLAINT NO FAULT DIVORCE
2 copies atty.

Sept. 13, 1994 AFFIDAVIT OF RETURN OF SERVICE BY MAIL, filed. On September 7, 1994, I mailed a true copy of the Divorce Complaint in the above captioned matter by Certified Mail No. P 236 793 161, Restricted Delivery to the Defendant, Timothy P. Weaver. Defendant signed a return receipt upon delivery September 8, 1994. The receipt, attached hereto and marked as "Exhibit A" was returned by the post office on September 9, 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

Feb. 27, 1995 Affidavit of Consent of Timothy P.Weaver, Defendant, filed.

Mar. 2, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

Mar. 2, 1995 Affidavit of Consent of Plaintiff, filed.

DIVORCE DECREE FILED

March 14, 1995 AND NOW, this 9 day of March, 1995, it is ORDERED, ADJUDGED AND DECREED that MARY K. WEAVER, Plaintiff, and TIMOTHY K. WEAVER Defendant, are divorced from the bonds of matrimony. No claims have been raised by the parties to this action for which a final order has not yet been entered.

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

Oct. 22, 1996, Notice of Resumption of Maiden Name upon divorce filed. TO BE KNOWN AS MARY KATHRYN MANDAVILLE.

1994

Elderkin, Martin,
Kelly & Messina
Elizabeth K. Kelly

875.

KAREN M. MATTERA

vs.

MICHAEL P. MATTERA

Filed August 31, 1994
@ 1:25 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
1 Add'l Count pd 9-7-94	15.00
User's Fee pd 9-7-94	5.00
Pro Co pd. 12-19-94	9.00
Pro Co. pd 1-16-95	5.00

COMPLAINT UNDER DIVORCE CODE, EQUITABLE DISTRIBUTION OF MARITAL PROPERTY
3 copies atty.

Sept. 27, 1994, Affidavit of SErvice filed. I, Elizabeth K. Kelly being duly sworn according to law, depose and state that I have served a copy of the complaint in diovrce on defendant by depositing the same inthe US mail, cert. mial, ret. rec. req. restricted del., with sufficient postabe prepaid and addressed to the dft. at his last known address, 126 Pearl St. Box 105, Springboro, Pa. 16435. Said service was made on Sept. 8, 1994 as is evidenced by senders receipt attached hereto. Said process received by dft. on Sept. 12, 1994 as is evidenced by ret. rec. attached.
Elizabeth Kelly.

Dec. 15, 1994 Affidavit of Consent of Plaintiff, filed.

Dec. 15, 1994 Affidavit of Consent of Defendant, filed.

Dec. 15, 1994 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Dec. 20, 1994 AND NOW, to-wit: This 20th day of December, 1994, the Court hereby ORDERS and DECREES that KAREN M. MATTERA, Plaintiff and MICHAEL P. MATTERA, Defendant, are hereby divorced from the bonds of matrimony.

It is further ordered that the provisions of an Agreement dated Oct. 4, 1994 are incorporated by its attachment hereto and are enforceable through all of the powers of a Court of competent jurisdiction.

BY THE COURT:
Gordon R. Miller, J.

Jan. 12, 1995 Notice Of Intention To Resume Prior Surname, filed. **KAREN M. MATTERA** to be known as **KAREN M. RYAN.**

426

1994

Marsh, Spaeder, Baur,
Spaeder & Schaaf
John P. Eppinger

876.

MARGUERITE ANN GILLIAND

vs.

RICHARD GILLIAND

Filed August 31, 1994
@ 1:25 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co od 10-27-94	9.00

COMPLAINT UNDER THE DIVORCE CODE
1 copy atty.

Aug. 31, 1994 Plaintiff'sAffidavit Under Section 3301(d) of the Divorce Code filed.

Sep. 9, 1994 Affidavit of Service filed. Before the undersigned notary public for the said County and Commonwealth, personally appeared JOHN P. EPPINGER, who first being duly sworn according to law deposes and states that he has served a true and correct copy of the Divorce Complaint for the Defendant at his residence located in Meadville, Pennsylvania. Further that service was effected by certified mail, return receipt number P 205 069 799 as evidenced by the attached card and receipt number,showing service on defendant on the 6th day of September.
Sept.8th By: John P. Eppinger, Attys.for P'tf.

Oct. 21,1994 Notice of Intention Request Entry of Divorce Decree, filed.

Oct. 21, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

Oct. 28, 1994 ORDER filed. This divorce matter has been referred to the Court for review and decree. The Court has sreviewed the record and is returnign the record to the Prothonotary. A final decree will not be entered at this tme because:

X As to a 3301(d) divorce:

X 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.

Oct. 31, 1994 Faxed Eppinger

Nov. 2, 1994 Affidavit of Service filed. Before the undersigned notary public for the said County and Commonwealth, personally appeared JOHN P. EPPINGER, who first being duly sworn according to law deposes and states that he has served a true and correct copy of the Divorce complaint and Plaintiff's Affidavit under 3301(d) of the Divorce code at his residence located in Meadville, Pa. Further that service was effected by certified mail, return receipt number P 2025 069 799 as evidenced by the attached card and receipt number, showing service on defendant on the 6th day of September, 1994.

By John P. Eppinger, Atty.

Nov. 4, 1994 Upon praecipe of plaintiff attorney for Review Under Section 3301(d) of Divorce Code, this case moved to court.

DIVORCE DECREE FILED

Nov. 14, 1994 AND NOW, to-wit, this 10 day of November, 1994, it is hereby ORDERED and DECREED that MARGUERITE ANN GILLIAND, plaintiff, and RICHARD GILLIAND, defendant, are divorced from the bonds of matrimony.

BY THE COURT:
Anthony J. Vardaro, J.

1994

Gifford, Lay & Johnson
Wayne G. Johnson

877.

J. Douglas Murphy

MARY BAGLEY

vs.

JOHN W. HARRISON, D.M.D.

Filed Sept. 1, 1994
@ 11:10 a.m.

TAX & entry paid	$50.50
state paid	5.00
Sheriff's Costs	28.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Sept. 28, 1994, Appearance of J. Douglas Murphy, attorney for defendant filed.

Sept. 28, 1994, Upon praecipe of defendant attorney, Rule to File Complaint issued. (Issued -atty)

Oct. 4, 1994 SHERIFF'S RETURN, filed. SERVED John W. Harrison, D.M.D. on September 7, 1994 at 3:45 PM by handing a copy of the Summons to Paulette Harrison, his Wife, at his place of business, 766 Liberty Street, Meadville, Crawford County, PA.
So answers, Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

Dec. 6, 1994 Complaint filed.

Jan. 30, 1995 Answer and New Matter, filed.

Aug. 26, 1996 Praecipe for Entry of Appearance by Marsh, Apaeder, Bauer, Spaeder & Schaaf by Thomas M. Lent for Defendant filed.

Aug 28, 1996 Notice of Service of Plaintiff's Interrogatories and REquest for Production (First Set), filed.

March 13, 1998 Plaintiff's Motion to Compel Discovery Responses filed on behalf of Plaintiff, filed.

July 1, 1998 Notice of Serving Requests for Admissions filed.

June 15,1 999 Notice of Serving Answers to Interrogatories and reqeusts For Production of Documents Directed to Defendant John W. Harrison, DMD (First Set)

9/21/2000 - See Computer for further entries.

1994

Bruce L. Smith

878.

DOROTHY A. ROSE

vs.

JAMES D. ROSE

Filed Sept. 1, 1994
@ 1:19 p.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro.Co. pd 12/7/94	9.00

COMPLAINT IN DIVORCE

1 copy (atty)

Sept. 12, 1994 AFFIDAVIT OF SERVICE, filed. BRUCE L. SMITH, an Attaorney at Law, being duly sworn according to law, deposes and says that on the 6th day of September, 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 R.D. #1, Box 158, Titusville, Pennsylvania, 16354, and that the Complaint and accompanying Notice to Defend and Claim Rights were received by the Defendant on September 7, 1994, as evidenced by Return Receipt No. P-038 552 661 attached hereto, all pursuant to Pennsylvania Rule of Civil Procedure No. 412.

Dec. 7, 1994 Affidavit of Consent by James D. Rose, Defendant, filed.

Dec. 7, 1994 Affidvit of Consent by Dorothy A. Rose, Plaintiff,filed.

Dec.7, 1994 Upon Praecipe of Bruce L. Smith, Esquire, Attorney for Plaintiff to transmit record, Case moved to Court.

DIVORCE DECREE FILED

Dec. 15, 1994 AND NOW, December 15, 1994, it is hereby ordered and decreed that DOROTHY A. ROSE, Plaintiff, and JAMES D. ROSE, 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

Terry Toomey

879.

~~Bruce A. Barrett~~ withdrawn

ROBERT E. DRAUDT

vs.

PAUL H. JENKIN AND NANCY E. JENKIN, HUSBAND AND WIFE

Filed Sept. 1, 1994
@ 1:56 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	36.00
Pro Co pd 7-11-95	15.00
Pro Co. pd 3-12-96	9.00
Pro Co pd 10-7-96	5.00

COMPLAINT

@ COPIES (atty or sheriff)

Sept. 21, 1994, Preliminary Objections to Plaintiff's Complaint filed.

Sept. 28, 1994 Sheriff's Return filed. SERVED Paul H. Jenkin personally on September 2, 1994 at 11:20 AM at his place of employment, Fibro Tool & Gage, 652 Arch Street, Meadville, Crawford County, PA.
SERVED Nancy E. Jenkin personally on September 6, 1994 at 3:54 pM by handing a copy of the Complaint to her at the residence, R.D. 1 Cambridge Springs, Crawford County, PA.
So answers, Robert J. O'Shea, Deputy Sheriff
Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Oct. 10, 1994 Amended Complaint, filed.

Dec. 14, 1994 AnswerTo Complaint filed.

Jul 6, 1995 Upon praecipe of plaintiff attorney to appoint Arbitrators, the following Arbitrators have been appointed.
~~Peter Blystone~~, Chr. Mark Prather
~~Karen Johnson~~ Edward J Hatheway
Ann H. Gamble

Jul. 20, 1995 Letter from Peter E. Blystone, Esquire, Withdrawing from the Board of Arbitraors, filed.

Jul. 28, 1995 Arbitrators take Qualifying Oath.
7-28-95 Faxed Toomey, Barrett & Prather

Nov. 3, 1995 Motion to Withdraw Appearance of Bruce A.Barrett, Esquire filed. AND NOW, this 3rd day of November, 1995, the above Motion is allowed.
Gordon R.Miller,J.
11-6-95 Faxed Attys.Toomey &Barrett

Dec 13, 1995 Decision of Arbitrators, filed. And now, the 13th day of December, 1995, we the undersigned Arbitrators chosen in this case, after having been duly sworn and having heard the evidence and allegations of the parties find in favor of plaintiff and agaisnt defendants in the amount of $6000.00 and costs.
Mark Prather
Edward J. Hatheway
Ann H. Gamble

March 8, 1996 Upon praecipe of plaintiff attorney, judgment is entered against the defendants, Paul H. Jenkin and Nancy E. Jenkin, on the December 13, 1995 Award of the Board of Arbitrators in the monetary amount of six thousand dollars ($6,000.00) plus costs.

Debt $6,000.00

Judgment
Barbara H. King, Pro.

J-133,123
Judgment entered -
March 8, 1996

March 12, 1996 Notice of entry of judgment mailed defendants.

Oct 1, 1996 Upon praecipe of plaintiff attorney the above appearance docket is marked "satisfied" of record.

430

1994

Terry Toomey

880.

UGOLINA YOHE

vs.

CLP MANAGEMENT, INC.

Filed Sept. 1, 1994
@ 1:59 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	27.00

CIVIL COMPLAINT

1 copy (atty)

Sept. 28, 1994 Sheriff's Return filed. SERVED CLP Management Inc. on September 7, 1994 at 1:45 PM by handing a copy of the Complaint to Chana Hopkins, Adult in Charge of Sales, at the business, Conneaut Lake Park Office, Conneaut Lake, Crawford County, PA.
So answers, Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

Oct. 19, 1994 Defendant's Answer To Civil Complaint, filed.

1994

881.

APPLICATION FOR EXTENDED INVOLUNTARY TREATMENT

of:

MARGARET A. YOUNG

Filed Sept. 1, 1994
@ 3:16 p.m.

APPLICATION FOR EXTENDED INVOLUNTARY TREATMENT
Mental Health Procedures Act of 1976
(Section 303)

1994

Peters, Lindsay,
Lewis and Hatheway
Edward J. Hatheway

882.

William Kuhar

ANTHONY W. MIEHL

vs.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Filed Sept. 2, 1994
@ 8:42 a.m.

Tax & entry paid $50.50
state paid 5.00

PETITION TO APPEAL DRIVERS LICENSE AND TO GRANT
A STAY OF EXECUTION OF DRIVING PRIVILEGES

1 copy (atty)

Sep. 2, 1994 Petition to Appeal Drivers Licens Suspension and to Grant a Stay of Execution of Driving Privileges and ORDER filed. AND NOW, this 7th day of September, 1994, upon presentation and consideration of the foregoing Petition to Appeal Drivers License Suspension and to Grant a Stay of Execution of Driving Privileges, hearing is set for November 10, 1994 at 3:00 p.m. in Courtroom 1 or 2 of the Crawford County Courthouse, Meadville, PA. Appellant shall serve the Commonwealth with notice of the appeal and hearing date as required by law and/or rule.

Gordon R.Miller, J.

9-9-94 Copy to Attys. Hatheway & Kuhar

Nov. 14, 1994, ORDER filed. AND NOW, Nov. 10, 1994, upon consideration of the appeal with regard to the appellant's driver's license suspension by the Dept. and after hearing the facts as presented, said appeal is DISMISSED and the revocation imposed by the Dept. is AFFIRMED.

We believe this factual situation is controlled by the dept. of Trans., bur. of Traffic Safety vs. Bishop, 102 Pa. Comm. 483, 518 A. 2d 897.

BY ORDER OFTHE COURT,
Anthony J. Vardaro, J.

Nov. 14, 1994 copies given to attys.

1994

R. Charles Thomas Thomas, Truax , Spadafore Walker & Keenan 883. pro se	COCHRANTON VETERINARY CLINIC vs. GARY AND LINDA ZIEGLER Filed Sept. 2, 1994 @ 9:46 a.m. Tax & entry paid $50.~~35~~ state paid 5.00	APPEAL OF DEFENDANTS FROM JUDGMENT OF GEORGE HERZBERGER, DISTRICT JUSTICE OFFICE 30-3-04 Sept. 2, 1994, Rule entered upon plaintiff to file complaint issued. Sep. 8, 1994 Proof of Service of Notice of Appeal and Rule to File Complaint, filed. Sept. 22, 1994, Complaint filed. 1 copy (atty)

1994

Rosen, Rosen & Bloom
Bruce T. Rosen

884.

SHARON RENEE HART

vs.

RANDY ALLEN HART

Filed Sept. 2, 1994
@ 1:32 p .m.

Tax & etnry paid	$50.50
state paid	10.00
2 counts paid	30.00
state paid	15.00

COMPLAINT IN DIVORCE, CUSTODY, ALIMONY PENDENTE LITE, PERMANENT ALIMONY, COSTS, COUNSEL FEES

1 copy (atty)

Sept. 15, 1994 AFFIDAVIT OF SERVICE, filed. BRUCE T. ROSEN, being first duly sworn according to law, deposes and says that he did, on September 6, 1994, forward a true and correct copy of the Complaint in Divorce filed at the above number and term, to RANDY ALLEN HART, the above named defendant, which Complaint in Divorce was properly enveloped and addressed to said defendant at RD 4, Box 205, Titusville, PA, 16354, delivered to the Postmaster at Oil City, Pennsylvania, on said date, as will appear by reference to Postal Receipt No. P 292 181 977, marked Exhibit "A" and made a part hereof; attached hereto and made apart hereof is the return receipt issued by the Postal authorities purporting to be signed by said defendant on September 7, 1994, which return receipt is marked Exhibit "B".

Feb 7, 1997 Affidavit of Consent of Plaintiff, filed.
and Waiver of Notice of Intention to Request Entry of Divorce Decree Under Section 3301(c) of the Divorce Code, filed. (Plaintiff)

433A

1994

Edward J. Hatheway

Peters, Lindsay, Lewis and Hatheway

883A.

William Kuhar

WILLIAM EDWARD RIDDLE

vs.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Filed Sept. 2, 1994
@

Tax & entry paid $50.50
state paid 5.00

PETITION TO APPEAL DRIVERS LICENSE SUSPENSION AND TO GRANT A STAY OF EXECUTION OF DRIVING PRIVILEGES

Sep. 2, 1994 Petition to Appeal Drivers License Suspension and to Grant a Stay of Execution of Driving Privileges and ORDER filed. AND NOW, this 7th day of September, 1994, upon presentation and consideration of the foregoing Petition to Appeal Drivers License Suspension and to Gray a Stay of Execution of Driving Privileges, hearing is set for December 15, 1994 at 9:15 a.m. in Courtroom 1 or 2 of the Crawford County Courthouse, Meadville, PA. Appellant shall serve the Commonwealth with notice of the appeal and hearing date as required by law and/or rule.

Gordon R. Miller, J.

9-8-94 Copy to Atty. Hatheway. 9-9-94 Copy to Atty. Kuhar

Oct. 11, 1994 Motion For Transfer and Order filed. AND NOW, to-wit: this 7 day of October, 1994, upon consideration of the foregoing motion, it is ordered that the above-captioned matter is transferred to the Court of Common Pleas of Erie County, Pennsylvania.

BY THE COURT:
Anthony J. Vardaro, J

Oct. 11, 1994 Faxed copies to Atty.s Hatheway and Kuhar

433B

1994

1994

885.

SHIRLEY G. ELLIOTT

vs.

WAYNE R. ELLIOTT

Filed Sept. 2, 1994
@ 1:39 p.m.

Tax & entry	$50.50
state	5.00
Sheriff's Costs	21.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff
1 copy FAXED PSP
1 copy FAXED Vernon Twp Pd

ORDER:

And now, this 2nd day of September , 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 may go to the Lake Road Motel with the Sheriff to remove her belongings when the Sheriff goes to serve Defendant.

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

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

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

6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment 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 September 8, 1994 , at 3 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.

Sep. 7, 1994 Sheriff's Return filed. NOT Found, the room #2, at Lake Road Motel, Conneaut Lake Road, Meadville, Crawford County, PA was found empty on September 2, 1994. He may have gone back to Maine.
So answers, Robert M.Stevens, Sheriff

1994

Ferguson & Spataro
Douglas W. Ferguson

886.

JOHN H. PINCH

vs.

IVASUE L. PINCH

Filed Sept. 2, 1994
@ 3:54 p.m.

Ta x & entry paid	$50.50
state paid	5.00
state paid	10.00
Pro Co pd 2-7-95	9.00

COMPLAINT IN DIVORCE

2 copies (atty)

Oct. 3, 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 September 6, 1994. The Defendant acknowledged service on September 9, 1994, by accepting delivery on that date as evidenced by the attached signed return receipt.

By:Douglas W. Ferguson, Esquire

Dec. 5, 1994 Affidavit of Consent of Plaintiff, filed.

Feb. 2, 1995 Affidavit of Consent of Defendant, filed.

Feb. 2, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Feb. 9, 1995 AND NOW, February 8, 1995, it is ordered and decreed that JOHN H. PINCH, plaintiff, and IVASUE L. PINCH, 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

William J. Gregg 887. Culbertson, Weiss, Schetroma & Sc hug PC John B. Brautigan	DOUGLAS COULTER vs. GARY HORNE Filed Sept. 6, 1994 @ 10:00 a.m. Tax & entry paid $50.25 state paid 5.00 Pro.Co. pd 2/22/96 5.00 Pro.Co. pd 2/26/96 1.00	APPEAL OF DEFENDANT FROM JUDGMENT OF HUBERT E. VOGAN, DISTRICT JUSTICE OFFICE 30-3-02 Sept. 6, 1994, Rule entered upon plaintiff to file Complaint issued. Sep.7, 1994 Proof of Service of Notice of Appeal and Rule to File Complaint, filed. Sept. 20, 1994 Complaint filed. Oct. 17, 1994 Preliminary Objection filed. FEb. 22, 1996 Upon Praecipe of William J.Gregg, Esquire,Attorney for Plaintiff, the above captioned action is settled and discontinued with prejudice.

438

1994

Culbertson, Weiss,
Schetroma & Schug, P.C.
Glenn A. W. Thompson

888.

Douglas W. Ferguson

DENNIS E. YOUNG t/a YOUNG"S
DERAMIC TILE

vs.

H. R. HUDSON t/a HUDSON
CONTRUCTION

Filed September 6, 1994
@ 2:09 PM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro Co pd 1-5-96	9.00
Pro. Co. pd 3/20/96	6.00

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

Sept 6, 1994 Rule entered upon the Plaintiff to file a Complaint issued.

Sep. 9, 1994 Proof of Service of Notice of Appeal and Rule to File Complaint, filed.

Sept. 29, 1994 Complaint filed. (1 copy atty)

Nov. 2, 1994 Acceptance of Service filed. I accept service of the Complaint filed at the above-captioned number on behalf of H. Russell Hudson and certify that I am authroized to do so.
Date: October 26, 1994 Douglas W.Ferguson, Atty.for Deft.

Sep 25, 1995 Appearance of Culbertson,m WEiss,Schetroma and Schug,P.C. by Glenn A.W. Thompson, Esquire for Dennis E. Young, t/a Young's Ceramic Tile, filed.

And Now, January 4, 1996, upon praecipe of plaintiff attorney judgment is hereby entered against the Defendant for failure to file an Answer within twenty (20) days of service of the Complaint. Please assess damages in the sum of Ten Thousand Six Hundred Twenty-nine and 30/100 Dollars.
H - 183, 218 Debt: $10,629.30
JUDGMENT
Barbara H. King, Pro.

1-8-96 notice mailed defts.

EX 1996-8

Mar. 20, 1996 This Judgment satisfied. (See paper filed.)

1994

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

889.

BABE J. SHELBY

vs.

ROBERT G. DEMARS

Filed September 6, 1994
@ 3:50 PM

Tax & entry paid	65.50
Users' Fee paid	10.00
State paid	10.00
Pro.Co. pd 12/13/94	9.00

COMPLAINT IN DIVORCE UNDER SECTION 3301(c) or 3301(d), EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION
2 copies atty.

Sept. 12, 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 September 6, 1994. The Defendant acknowledged service on September 9, 1994 by accepting delivery on that date as evidenced by the attached signed return receipt.

Dec. 13, 1994 Affidavit of Consent by Babe J.Shelby, Plaintiff, filed.

Dec. 13, 1994 Affidavit of Consent by Robert G.DeMars, Defendant, filed.

Dec. 13, 1994 UponPraecipe of James R.Irwin, Esquire,Attorney for Plaintiff to transmit record, case moved to court.

DIVORCE DECREE FILED

Dec. 15, 1994 AND NOW, this 15 day of December, 1994, it is ordered and decreed that BABE J. SHELBY, Plaintiff, and ROBERT G. DEMARS, Defendant, are divorced from the bonds of matrimony.

It is further ordered that the parties' Separation and Property Settlement Agreement dated Nov. 3, 1994, is incorporated herein and made a part hereof and shall be fully enforceable under the provisions of the Divorce Code.

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

1994

Joseph C. Barnhart

890.

REBECCA A. KOONTZ

vs.

ROBERT G. KOONTZ, JR.

Filed September 7, 1994
@ 11:58 AM

Tax & entry paid	65.50
User's Fee paid	10.00
State paid	10.00

COMPLAINT IN DIVORCE, CUSTODY
no copies

Jan. 6, 1995 Complaint reinstated.

Jan. 23, 1995, Affidavit of Servcie filed. Before me, the undersigned officer, personally appeared Jos. Barnhart, Esq. atty for the plaintiff who being duly sworn id depose and say that he did serve a cert. copy of Complaint in Divorce upon the above named dft. at his mailing address at R. d. #1, Box 48, c/o Freda Kootz, Cranberry, Pa. 16319, by US Cert. mail, restricted del., evidenced by postal REt. Rec. #P 038 552 646, singed by dft. and dated Jan. 11 1995 attached hereto and incorporated herein by reference.
Joseph C. Barnhart, Esq.

Mar. 12, 1998 Important Notice and Court Order filed.
Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 1/23/95 . 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

C. Brode

891.

Thomas, Truax,
Spadafore, Walker
& Keenan
Gregory a. Keenan

LINDA D. BUTLER

vs.

DOUGLAS L. SHOPE

Filed September 7, 1994
@ 1:46 PM

Tax & entry Pd. 9-23-94 50.50
User's Fee Pd. 5.00
Sheriff's Costs Pd. 25.00
Pro Co. Pd. 9-23-94 5.00

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

Order:

And now, this 7 day of September , 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 sole custody of Garrett pending further order of court withthe Defendant to have such visitation as plaintiff deems appropriate.

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 September 14, 1994 at 3 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

Sep. 9, 1994 Sheriff's Return filed. SERVED Douglas L. Shope personally on September 7, 1994 at 3:10 PM at the Sheriff's Office, Crawford County Courthouse, Meadville, PA 16335.
So answers, Diane Brittain, Deputy Sheriff
Robert M. Stevens, Sheriff

Sept. 13, 1994 Motion To Continue Hearing and Order, filed. AND NOW, this 12th day of September, 1994, comes the Defendant, Douglas L. Shope, by and throug his attorneys, THOMAS, TRUAX, SPADAFORE, WALKER & KEENAN, and Gregory A. Keenan, Esquire, and respectfully requests the Court to continue the Protection From Abuse hearing currently set in the above matter for September 14, 1994, at 3:00 p.m., for the reason that counsel for Defendant is scheduled to be in mediation on the above date and is not available to attend said hearing.

ORDER: AND NOW, this 13th day of September, 1994, upon consideration of Defendant's Motion to continue the Protection From Abuse hearing currently set for September, 14, 1994, at 3:00 p.m., said Motion is Granted.

This matter shall be heard on the 26th day of September, 1994, at 11:00 a.m. in Courtroom No. 3.

The current Order shall remain in full force and effect until this matter is heard on the above date and time.
By the Court:
Gordon R. Miller, P.J.

Sept. 13, 1994 Faxed to Keenan & Brode.

Sept. 27, 1994, Motion to Vacate Protection From Abuse Order and Order filed.
ORDER: AND NOW, this 23 dayof Sept. 1994, upon receipt and review of the plaintiffs motion to vacate and terminate the Protection from Abuse Order of 9/7/94 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 Prothontary to PSP Meadville and to county control.

Any provisions of the order of 9/7/94 assessing court costs shall remainin full force and effect without change or modification and the party or parties against whom costs were assessed shall remian obligated to pay costs. BY ORDER OF COURT,
Gordon R. Miller, J.

9/27/94 copies to PSP, Co. Control, Keenan and Brode.

1994

Gregg & Nelson
Kathleen R. Nelson

892.

SHEILA E. LUGIBILL

vs.

MARK LUGIBILL

Filed September 7, 1994
@ 3:47 PM

Tax & entry paid	50.50
Users' Fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00
Pro Co pd 5-10-95	9.00

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

Sept. 28, 1994 Affidavit of Service filed. AND NOW, this 28th day of September, 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, mark Lugibill on September 21, 1994.
3. That the Defendant received said certified mail on September 23, 1994. Said return receipt card Z 727 826 062 is attached hereto, signed byMark Lugibill and made a part hereof.

Kathleen R. Nelson

May 9, 1995 Affidavit of Consent of Plaintiff, filed.

May 9, 1995 Affidavit of Consent of Defendant, filed.

May 9, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

May 15, 1995 STIPULATION and DECREE filed. AND NOW, this 12th day of May, 1995, the Court orders and decrees as follows:

1. DIVORCE:

Upon consideration of the pleadings and Affidavits filed in the above-captioned case, this Court hereby grants an absolute divorce from the bonds of matrimony to the above named parties upon the grounds that the marriage is irretrievably broken and ninety days have elapsed from the date of filing 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 PA. Divorce Code.

2. DISTRIBUTION OF PROPERTY:

a. PERSONAL PROPERTY - All of the marital property in the possession of the Plaintiff shall become her sole and separate property and all of the marital property in the possession of the Defendant shall become his sole and separate property.

b. EMPLOYMENT BENEFITS - Plaintiff waives any and all claim and entitlement she may have to Defendant's employment benefits with meadville Forge and S.M.B. of North Carolina, and Defendant waives any and all claim and entitlement he may have to Plaintiff's employment benefits with First National Bank of PA. and PNC Bank.

3. DISTRIBUTION OF DEBT:

A. Plaintiff's Obligations - Plaintiff shall be solely responsible for the following marital debts and obligations, and shall hold Defendant harmless in regard to same: Credit Line with First National Bank of PA. in the joint names of the parties and the Mastercard Account in the joint names of the parties.

b. Defendant's Obligations - Defendant shall be solely responsible for payment of the following marital debts and obligations, and shall hold Plaintiff harmless in regard to same: PNC Bank Credit Line and any and all expenses incurred from the date of this Decree in regard to dance instruction received by the parties' minor child, Elena M. Lugibill.

4. CUSTODY:

Legal custody of the minor children, Adam W. Lugibill and Elena M. Lugibill, shall be shared by the parties, with the Plaintiff to have primary physical custody of both chidlren. The Defendant shall enjoy liberal visitations with the minor children at such times as shall be mutually agreeable between the parties.

BY THE COURT:
Gordon R. Miller, J.

1994

James M. Lemieux

893.

Andrews & Wagner
David P. Andrews
Lisa M. Passarello

JUDY ANN WIANT and LEE F. WIANT

vs.

SHEETZ, INC.

Filed September 8, 1994
@ 11:47 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro Co Pd 5/24/95	5.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Sept 29, 1994 Defendant's Answer To Complaint And New Matter, filed.

Sept. 29, 1994 Appearance of Andrews & Wagner by David P. Andrews, Esquire and Lisa M. Passarello, Esquire for Defendant, filed.

Oct. 4, 1994 SHERIFF'S RETURN, filed. SERVED Sheetz, Inc. on September 12, 1994 at 10:21 AM by handing a copy of the Complaint to Renee Campbell, Manager and Adult in Charge at the business, Route 285 and Route 6, Conneaut Lake, Crawford County, PA.
So answers, Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

Mar. 29, 1995 Notice of Submission of Answers to Discovery, filed.

May 24, 1995, Upon praecipe of plaintiff attorney, the claim against the above defendant is hereby dismissed and discontinued, with prejudice.

444

1994

Murray A. Felder,
Lori L. Nolan

894.

PNC NATIONAL BANK

vs.

CHARLES L. FULMER, JR. and
MARCELLA M. FULMER

Filed September 8, 1994
@ 11:47 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	36.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Oct. 5, 1994 SHERIFF'S RETURN, filed. SERVED Charles L. Fulmer, Jr. on September 15, 1994 at 3:31 PM by handing a Copy of the Complaint to Marcella Fulmer, Wife and Authorized Agent, in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA. signed Acceptance of Service attached.

SRVED Marcella M. Fulmer personally on September 15, 1994 at 3:30 PM by handing her a copy of the Complaint in the Sheriff's Office, third Floor, Crawford County Courthouse, Meadville, PA.

So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

1994

Peters, Lindsay, Lewis & Hatheway
Brian J. Lindsay

895.

LEETA IRENE BUSH PERTILLA

vs.

SAMUEL M. PERTILLA

Filed September 8, 1994
@ 3:33 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co p d10-24-94	9.00
Pro Co pd 6-20-95	9.00

COMPLAINT IN DIVORCE
1 copy atty.

Sep. 19, 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 8th day of September, 1994, send to the above named Defendant, by Certified Mail, Return REceipt Requested, a true and correct copy of the Complaint, Return REceipt Requested, a true and correct copy of the Complaint in Divorce with Plaintiff's Affidavit of Separation attached to the Complaint 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 15th day of September, 1994, receive a duly executed return receipt dated September 12, 1994.
September 19, 1994 Brian J. Lindsay,Esquire

Sep. 19, 1994 Defendant's Counter-Affidavit Under Section 3301(D) of the Divorce Code filed.

Sep. 19, 1994 Acceptance of Service filed.I, Samuel M. Pertilla the above named Defendant, hereby verify that I accept service of the Complaint in Divorce in the above action.
Date: 9-12-94 Samuel M. Pertilla

Oct. 18, 1994 Upon praecipe of Plaintiss's attorney to transmit record, case moved to Court.

Oct. 27, 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 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 represeted 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,
Date: October 26, 1994 Gordon R. Miller, J

June 15, 1995 Affidavit of Consent of Defendant, filed.

June 16, 1995 Affidavit of Consent of Plaintiff, filed.

June 20,1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

June 27, 1995 AND NOW, June 27, 1995, it is ordered and decreed that LEETA IRENE BUSH PERTILLA, plaintiff, and SAMUEL M. PERTILLA, 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

Gregg & Nelson
William J. Gregg

896.

RAYMOND E. ANTHONY

vs.

TRUDY ANN ANTHONY

Filed September 9, 1994
@ 9:18 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 1-4-95	9.00

COMPLANIT UNDER SECTION 3301(c) and 3301(d) OF THE DIVORCE CODE
1 copy atty.

Sept. 16,1994 Affidavit of Service, filed. AND NOW, this 15th day of September, 1994, William J. Gregg, Esquire, being duly sworn according to law, deposes and says that the following facts in support of his Affidavit of Service are true and correct to the best of his knowledge, information and belief:

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, Trudy Ann Anthony, on September 9, 1994.

3. That the Defendant received said certified mail on September 13, 1994. Said Return Receipt Card Z 727 826 058 is attached hereto, signed by Trudy A. Anthony and made a part hereof.

Dec. 28, 1994 Affidavit of Consent of Plaintiff, filed.

Dec. 28, 1994 Affidavit of Consent of Defendant, filed.

Dec. 28, 1994 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

January 10, 1995, it is ordered and decreed that RAYMOND E. ANTHONY, Plaintiff, and TRUDY ANN ANTHONY, 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

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

897.

NATIONAL FUEL GAS DISTRIBUTION CORPORATION

vs.

TIM J. ROCKWELL and CHERYL A. ROCKWELL

Filed September 9, 1994
@ 1:22 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	36.00
Pro Co. pd 12/6/94	9.00
Pro. Co.pd 12/9/94	5.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Oct. 5, 1994 SHERIFF'S RETURN, filed. SERVED Tim J. Rockwell on September 21, 1994 at 3:20 PM by handing a copy of the Complaint to Cecilia Gonzales, Adult in Charge at the residence, R.D. #2, Box 387, 1703 Water Street, Conneautville, Crawford County, PA.
SERVED Cheryl A. rockwell on September 21, 1994 at 3:21 PM by handing a copy of the Complaitn to Cecilia Gonzales, Adult in Charge at the residence, R.D.#2, Box 387, 1703 Water Street, Conneautville, Crawford County, PA.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Dec. 1, 1994 , 1:32 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 the Defendant in the sum of Nine Hundred thirty-nine and 98/100 Dollars plus interest from Sept. 7, 1994 and all costs for failrue to file an answer.

R-161,31
Judgment entered -
12/1/94

Debt $939.98
Interest from 9-7-94
Judgment
Barbara H. King, Pro.

Dec. 6, 1994 Notice of judgment entry mailed to Defendants.

Dec. 9, 1994 Upon Praecipe of Lawrence C.Bolla, Esquire,Attorney for the Plaintiff, the above case marked satisfied in full of this judgment, debt, interest and costs and hereby discharge the same of record.

1994

Northwestern Legal Serv.
Christopher Brode

898.

KIM RADER

vs.

PHILLIP RADER

Filed September 9, 1994
@ 1:24 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 MPD

ORDER:

And now, this 9 day of September , 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 go to Plaintiff residence. He shall not contact Plaintiff in any way. Sole possession of 310 Randolph Street is awarded to Plaintiff. Sole 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 0-19-94 , 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 THE COURT,
Gordon R. Miller, J

** 9. Plaintiff shall not discontinue this action
10. Defendant shall not go to the building where planitiff lives. He shall not be within 100 yards (1 Football Field) of Plaintiffs home.

Sept. 14, 1994 SHERIFF'S RETURN, filed. SERVED Phillip Rader personally on September 9, 1994 at 1:50 PM by handing him a copy of the Protection from Abuse to him on Vernon Street, Meadville, Crawford County, Pa.
So answers, Robert M. Stevens, Sheriff

Sept. 16, 1994 Complaint For Indirect Criminal Contempt FromViolation Of Protection From Abuse Order, filed.

Sept. 16, 1994 Assignment of Hearing Date, filed. AND NOW, September 16, 1994, hearing in the above captioned matter has been scheduled for September 19, 1994 at 3:30 PM in Courtroom No. 3 of the Crawford County Courthouse, Meadville, Pa. BY ORDER OF THE COURT,
Ann A. Walker, Crt. Adm.

Sep. 20, 1994 ORDER filed. AND NOW, September 19, 1994 at the time set for hearing on the alleged contempt of a temporary abuse order dated September 9, 1994 the Defendant admits to a violation of the order and admits he committed the acts complained of.

The parties mutually agree that the Defendant can be released from confinement in default of the posting of$25,000 bond and the Defendant admits he will have no further contact direct or indirect with the Plaintiff or with her children. He agrees he will comply with the conditions set forth in the temporary order entered September 9, 1994 and in addition thereto, if he and the Plaintiff appear at the same time in any public place, he will immediately leave the area and not contact the Plaintiff in any fashion.

He will also not contact the minor children and if he appears in any public place where said children are located,it shall be his obligation to leave without contacting the children.

The parties admit the Plaintiff has some tools and personal property of the Defendant and have agreed what the items are. The Plaintiff shall get together said items and personal property belonging to the Defendant and the Defendant's mother will apppear at noon at the residence of the Plaintiff on September 20, 1994 to pick up said items for delivery to her son.

Court costs in this case in the amount of$89.50 are assessed against the Defendant and shall be paid in cash at the Prothonotary's Office within 30 days of this date.

The Warden of the County Jail is authorized to release the Defendant from confinement forthwith and the Defendant is cautioned that any violation of this order will likely result in harsh penalties for contempt.

This order shall remain in full force and effect for a period of one year.

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

9-20-94 Faxed Co. Control, Jail, City Police, given to Atty. Brode, mailed deft. w/Bill

Jan. 16, 1995 Motion to Amend or Modify a Protection From Abuse Order and Order, filed. AND NOW, this 16th day of January, 1995, upon receipt and review of the within motin to amend the Protection from Abuse Order of , 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 Meadvile PD and to County Control.

Any paragaraphs of the original Order assessing costs on either party shall remain in full force and effect without change or modification. Gordon R. Miller, P.J.

Jan. 16, 1995 Faxed Brode, Co Control & MCPD

1994

Eckert, Burke, Hunter, Barron & Segel
Kevin W. Barron

899.

Elderkin, Martin, Kelly and Messina
Kenneth G. Vasil

WILLIAM A. MILLER, a minor by KATHLEEN MILLER, his Guardian, and in her own rights

vs.

NEAL WEILACHER

Filed September 9, 1994
@ 1:32 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	37.00
Sheriff's Costs	37.00
Pro Co Pd 10/19/95	5.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Oct. 6,1994 SHERIFF'S RETURN, filed. SERVED Norman E. Weilacher personally on September 29, 1994 at 10:20 AM by handing him a copy of the Complaint at his residence, R.D.#2, Pasture Road, Union City,Crawford County, PA.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Oct. 28, 1994 Amended Civil Complaint filed.

Nov. 14, 1994 SHERIFF'S RETURN, filed. SERVED Norman e. Weilacher personally on November 4, 1994 at 11:42 AM by handing a copy of the Amended Complaint to him at his residence, R.D.#2, Pasture Road, Union City, Crawford County, PA.
So answers, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Dec. 2, 1994 Notice of Default Judgment filed.

Dec. 8, 1994 Appearance of Elerkin, Maartin, Kelly and Messina by Kenneth g. Vasil for Defendant Neal Weilacher, filed.

Dec. 8, 1994 Preliminary Objections to Plaintiffs Amended Complaint, filed.

Dec. 12, 1994 Second Amended Civil Complaint, filed.

Dec. 14, 1994 Certificate of Service filed. I, KEVIN W. BARRON,Esquire, hereby certify that a true and correct copyof the foregoing Second Amended Complaint has beenserved this 13th day of December,1994, by United States mail,postage prepaid,upon the following counsel of record:
Kenneth Vasil,Esquire, 150 East 8th St. P.O.Box 1819,Erie,PA 16507
Date: December 13, 1994 By: Kevin W. Barron,Attorney for Plaintiffs

Dec. 22, 1994 Notice of Serving Interrogatories and Request for Production of Documents, filed.

Jan. 6, 1995 Defendant's Answer and New Matter to Plaintiffs' Second Amended Civil Complaint.

Jan. 6, 1995 Notice of Service of Interrogatories and Request for Production of Documents directed to Plaintiffs (First Set), filed.

Jan. 11, 1995 Notice of Taking Deposition on Oral Examination of William A. Miller filed.

Jan. 25, 1995 Notice of Deposition of Neil Weilacher filed.

Feb. 2, 1995 Notice of Service of Defendant's Answers to Plaintiffs' Interrogatories, (First Set), filed.

Feb. 8, 1995 Reply to New Matter, filed.

Mar. 3, 1995, Notice of Servcie of Answers to Interrogatories and Request for Production of Documents Directed to Plaintiffs (First Set) filed.

Apr. 7, 1995 Sixty (60) Day Notice filed.

Apr. 13, 1995, Sixty (60) Day Notice filed.

July 17, 1995 Certificate of Readiness filed.

ON OCTOBER 1995 JURY TRIAL LIST

Oct. 10, 1995, Motion in Limine filed.

Oct. 10, 1995 PRE-TRIAL ORDER filed.

Oct. 19, 1995, Upon praecipe of plaintiff attorney, this case discontinued of record.

Barbara J.Walton

900

Barrett & Dratler
Sylvia L.Dratler

ADAM M. DONOVAN by TAMMY S. DONOVAN, his mother and natural guardian

vs.

JAMES E. DONOVAN, JR.

Filed September 9, 1994
@ 3:31 PM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	18.00

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

ORDER:

And now, this 9th day of September , 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 Adam M. Donovan ~~or any of the minor children named in the Petition.~~

2. Special Conditions: Defendant shall not contact Adam Donovan or be in his company till further order of court.

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

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

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

6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment 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 September 21, 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

Sept. 14, 1994 SHERIFF'S RETURN, filed. SERVED James E. Donovan, Jr. personally on September 9, 1994 at 5:05 PM by handing him a copy of the Protection from Abuse at a4 Lafayette Place, Titusville, Crawford County, Pa. Served by Ben Walters, III, the Plaintiff Tammy Donovan's brother. So answers, Robert M. Stevens, Sheriff

Sept. 23, 1994 Order filed. AND NOW, September 21, 1994, at the time fixed for hearing in this matter both parties appeared with counsel and agreed to a general continuance of the case pending the results of an investigation or investigations currently being taken by Crawford County CYS and/or the Pennsylvania State Police. Accordingly, it is ORDERED as follows:

1. This matter is continued generally to be rescheduled upon motion of any interested party.

2. The temporary abuse Order of September 9, 1994 shall remain in full force and effect until further Order of Court or until there is a voluntary settlement and discontinuance of this action.

3. In the event that the CYS investigation results in a finding that the allegations are unfounded, then the Defendant shall be entitle to make up all of the vistiations he lost as a result of the tempoary abuse Order within a reasonable period of time after the CYS report is made. The Court would believe that the lost time should be made up on weekends and similar periods of time rather than all at once.

4. If the CYS investigation results in a finding of founded or is inconclusive, thenthe Defendant willnot automatically be entitled to make up lost visitation tine but the Court will consider that either in this action or in the custody action.

5. a copy of this Order shall be delivered by the Prothonotary to county control and to the Titusville Police Department.

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

Nov. 23, 1994 PetitiontoDismiss Temporary Order under Protection From Abuse Act and ORDER filed. AND November 23, 1994 hearing set with respect to whether PFA Order shall be permanent in Ct.Room 1 or 2 on November 29, 1994 at 4P.M. Crawford County Courthouse.

Anthony J.Vardaro, J.

11-23-94 Faxed to Atty.Dratler & Atty. Walton

Continued on page 450A

1994

Tammy S. Donovan

vs.

James E. Donovan

Record continued from page 450.

of record

A.D. 1994 - 900

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Dec. 1, 1994 Order filed. AND NOW, November 29, 1994, this matter is before the Court for a final hearing with respect to a Protection From Aubse Petition filed by the Plaintiff on behalf of the minor child Adman M. Donovan. This matter was continued by Order of President Judge Gordon R. Miller on September 21, 1994 to be rescheduled upon m otion of either party. We rescheduled this hearing upon motion ofthe Plaintiff.

Since the time of the continuance on September 21, 1994, a CYS investigation concluded that the allegations of secual abuse were unfounded, and having heard testimony this day we, likewise, conclude that we are not satisifed that the allegations of secual abuse which are the basis for this Petition have been provenby the Plaintiff by a fair preponderance of the evidence.

Accordingly, the Petition for Protection From Abuse action is dismisses and the temporary Abuse Order of September 21, 1994 is forthwith dismissed.

Keeping in the spirit of Judge Miller's Order of September 21, 1994, the Plaintiff is ORDERDED and DIRECTED to allow the Defendant to resume his normal periods of temporary physical custody with Adam M. Donovan and to the extent that this Order may have affected such periods of temporary physical custody with Jacob J. Donovan, likewise, those periods of temporary physical custody shall resume.

Likewise, with respect to Judge Miller's Order of September 21, 1994, the parties shall make arrangements for the Defendant to have make-up vistiations or periods of tempoary physical custody on weekends to make up all vistiations or periods of temporary physical custody which he has lost since the August 26, 1994 period of temporary physical custody which was his last.

It is the Court's understanding that there is a mediationscheduled with respect to custody, and in the event that those periods of temporary physical custody are not made up or if the Plaintiff does not permit them to do make up, that issued may be addressed at that hearing, it being this Court's intention that in fact the Defendant should be entitled to make up each and every one of those periods of tmeporary physical custody which he lost as a result ofthe temporary Order entered in this matter.

Crawford county shall pay costs, and the Prothonotry is DIRECTED to provide a copy of this Order to Craford County Control and to the Titusville Police Department.

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

12/1/94 Faxed TCPD & Co. Control 12/6/94 Faxed to Walton and Dratler

FEb. 17, 1995 Exhibits filed.

450
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1994

FRONT

Richard Howard Owens
vs.
Audrey Belle Owens

CONTINUED FROM PAGE 361
of Record
A. D. 1994 - 811

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Sept. 29, 1994 Motion To Reassign Custody Case To Different Mediator and Order, filed. And, Now, September 28, 1994, this matter is reassigned to William Pineo, Esquire, child custody mediator, who shall schedule mediation.

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

Sept. 29, 1994 Faxed Kirkpatrick, Smith & Pineo

Oct 17, 1994 Petition to Transfer Child Custody Case to North Carolina and ORDER filed. And Now, October 17, 1994, upon presentation of Defendant's Petition to Transfer Child Custody Case to North Carolina, a hearing is hereby scheduled for Wednesday, November 9, 1994 at 3:30 p.m. to decide this matter.

By the Court:
Gordon R. Miller, J.

Oct. 17, 1994 Order FAXED to Atty. Kirkpatrick, copy mailed Pltf.

Oct. 27, 1994 Proof of Service of Notice to Produce filed.

Nov. 16, 1994 Memorandum and ORDER filed. ORDER. AND NOW, November 14, 1994, upon consideration of the Defendant's petition totransfer child custody to North Carolina and after hearing oral argument from the parties, said petition is denied.

BY THE COURT:
Anthony J.Vardaro,J.

11-16-94 Copies dist. to Pltf & Kirkpatrick

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 11/16/1994. 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.

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.

Thomas R. Armel
vs.
Dawn M. Armel

CONTINUED FROM PAGE 289
of Record
A. D. 1994 - 739

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Sept. 29, 1994 ORDER filed. AND NOW, September 27, 1994 after an informal hearing on the Defendant's request for special relief asking that she be given possession of a 1986 Sunbird instead of 1984 Nissan, it is ORDERED as follows:

1. The Defendant's request for the 1986 Sunbird is denied.
2. The Defendant shall have sole possession of the 1984 Nissan. In the event that the Nissan becomes inoperable for mechanical or inspection reasons, the Plaintiff shall make certain that the Defendant has the 1986 Sunbird on a temporary basis until the parties can resolve their differences with respect to a vehicle or until a further Court Order.
3. It is the Court's intention that at all times the Defendant has a running automobile. It will be the 1984 Nissan until it becomes inoperable and tehn it will be the 1986 Sunbird.

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

Sept. 29,m 1994 copies dist to Ferguson & Lindsay

Oct. 4,1994 ORDER filed. AND NOW, October 4, 1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Jonathan Armel 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 Jonathan Armel shall be shared between the parents under the following conditions:

A. The mother shall be entitled to take the child into her custody each Saturday from 9:00 o'clock a.m. until 5:00 o'clock p.m. on Tuesday, beginning October 1,1994.

B. The father shall be entitled to take the child into his custody each Tuesday at 5:00 o'clock p.m. until the following Saturday at 9:00 o'clock a.m., beginning October 4, 1994.

C. The parents shall share custody of the child on Thanksgiving and Christmas and, in the absence of an agareement to the contrary, the child shall be with mother on these two holidays from 8:00 o'clock a.m. to 1:00 o'clock p.m. and in the custody of father from 1:00 o'clock p.m. to 6:00 o'clock p.m.

D. Transportation of the child shall be shared with the party receiving custody providing transportation.

E. Neither mother nor father shall say or do anything in an attempt to turn the child against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the child towards both parents.

F. Neither mother nor father shall expose the child to any person or situation which may be harmful to the child's health or well being.

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

H. No party shall remove the child from the Commonwealth of Pennsylvania without prior court order.

I. The parties shall cooperate in securing a custody evaluation from the Mental Health Center of Meadville Medical Center. Copies of the evaluation shall be furnished the Court and counsel for the parents.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party with 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 a custody evaluation has been received.

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

Anthony J. Vardaro, J

Oct. 7, 1994 Faxed Fuller, Ferguson, Lindsay, sent Plf. & Dft.

Oct. 19, 1994 Request For De Novo Hearing and Order, filed. AND NOW, this 18 day of October, 1994, in consideration of the foregoing motion, a special hearing is hereby scheduled on the 9th day of November, 1994, at 11:00, A.M. at the Crawford County Courthouse in Court Room 1 or 2 or 3, for the purposes of determining whether and when a custody evaluation shall be performed, who shall perform such evaluation, and who shalll pay for such evaluation. At the time of that hearing, the court shall set a date for a further de novo custody hearing.

BY THE COURT:
Anthony J. Vardaro, J.

Oct. 19, 1994 Faxed Ferguson & Lindsay
Oct. 25, 1994 Faxed Fuller

Nov. 10, 1994 ORDER filed. AND NOW, November 9, 1994 after an informal hearing in which both parties were present and represented by counsel, the parties agreed that the mediator was correct in requiring a custody evaluation. They each had different views as to why this is necessary and who was causing the problems, but they both agree that there is a need for a thorough custody evaluation. They do not agree on who will pay for it. The father is currently unemployed from Silgan Containers in Cambridge Springs and has just begun receiving $290 per week unemployment compensation benefits. He does show nearly $1,000 in monthly expenses, some of which the wife disputes. The wife is not employed. She has recently been employed by Kelly Temporary Service, earning approximately $167 per week but is no longer working there because the assignment was completed. The father clearly has a higher earning capacity than the mother but both have an earning capacity. Accordingly, it is ORDERED as follows:

1. If the parties are unable to obtain an appropriate custody evaluation from an approved evaluator at no cost to them, then they are ORDRED and DIRECTED to secure a custody evaluation as soon as possible from Cathy Berkey. They both shall contact Miss Berkey independently within 10 days from this date to introduce the subject to Miss Berkey and to find out about her payment plan and payment requirements and to find out the manner in which she intends to proceed. Both parties shall make sure that Miss Berkey receives a copy of the order of October 4 entered by Judge Vardaro as well a a copy of this order.
2. The custody evaluation process with Miss Berkey shall commence as soon as Miss Berkey is able to comment it. If Miss Berkey is not able to comment it because of the lack of payment, then the Court will hold a hearing on motion of either party to determine how to proceed after that and to possibly punish one or both of them for contempt of Court if they do not comply with this order.
3. Payments to Miss Berkey shall be split between the parties, with the father paying two thirds and the mother paying one third.
4. Once the custody evaluation is completed, Miss Berkey shall deliver a copy to Brian J. Lindsay,m Esq., attorney for the mother and to Douglas W. Ferguson, Esq., attorney for the father. Hopefully that custody evaluation will also contain recommendations as to how the parties should conduct themselves with respectto each other and with respect to the best interests of the child. Hopefully thereafter the parties will comport to any such recommendations.
5. If after receiving the custody evaluation either party desires modificatiion, then that party obviously has the ability and right to commence custody modification proceedings. If either party believes that the other is in contempt of any court order, either party obviously has a right to file a petition for contempt.
6. A hearing on the request for hearing de novo shall be scheduled at any time on motion of either party. If no such motion to schedule the hearing is filed within the next 3 months, then the Court will not conduct a hearing de novo but will requie any party interested in changing the order to commence the mediation process over again by petition to modify.
7. The parties shall sign any and all consents and documents reasonably required by Miss Berkey that she believes are necessary and appropriate to conduct and complete the custody evaluation.

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

Nov. 10, 1994 Faxed & dist to D. Ferguson & B. Lindsay

Continued to Page 459

LORETHA HARRIS

vs.

KENNETH ELEY, JR.

RECORD CONTINUED FROM PAGE 309

OF

AD 1994 - 759

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Oct. 21, 1994 ORDER filed. AND NOW, October 20, 1994, after a formal hearing the Court finds as a fact that the Defendant did commit a violation of the Protection From Abuse Order dated Aug. 14, 1994 by going to the Plaintiff's residence in the early morning hours of Oct. 17, 1994. Fortunately he did not engage in any physical abuse or threatened physical abuse at that time but nonetheless violated the Order.

Accordingly, it is ORDERED as follwos:

1. As punishment for contempt the Defendant is sentenced to undergo imprisonment in the Crawford Co. Jail until 9:00 o'clock a.m. on Monday, Oct. 31, 1994 as a minimum term and a maximum term of one (1) month. He shall automatically be entitled to parole on on this Order at 9:00 o'clock a.m. on Monday, Oct. 31, 1994 if his jail conduct is perfect between now and then. That is the time when he will be appearing before Judge Vardaro on a parole violation. We have no control over what Judge Vardaro does at that time. We do believe that approximately twelve (12) days in jail is enough punishment on this PFA.

2. The PFA Order of August 14, 1994 is hereby amended. Paragraph 2 of that Order permitting the Defendant certain visitation rights in his minor child Kenneth, III, shall occur as set forth in Paragraph 2 of the Order but the place for the visitations shall not be at the Plaintiff's home but shall be at the home of the maternal grandmother, Linda Harris, 1103, Liberty St., Meadville, PA. at 7:30 o'clock p.m. Monday and Wednesday and Friday evening. Because the child is so young he shall not be removed from the grandmother's house unless the grandmother goes along. The grandmother shall have the final word on whether or not the child is removed temporarily with her being present. The visitations shall last until approximately 10:00 p.m. unless the grandmother permits later visitations.

3. In all other respects the Order of August 14, 1994 shall remain in full force and effect without change or modification.

4. Court costs on this PFA action of $64.50 shall be paid by the Defendant.

5. A copy of this Order shall be delivered to the Crawford County Adult Probation Dept. so that it is aware of what this Judge did on this PFA action. A copy shall also be delivered to Judge Vardaro, and we would hope that the court costs that are mandated by this civil action shall be collected in the criminal action and be part of his parole conditions.

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

Oct. 21, 1994 Order FAXED MCPD, Co. Control, Jail; copy given Vardaro, Adult Probation, Pltf.,& Deft. w/bill.

Feb. 7, 1997 Petition For Contempt and Orders filed. Legal proceedings have been brought against you alleging you have wilfully disobeyed an order of court for the payment of costs.

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

Whether or not you file in writing with the court your defenses or objections, you must appear in person in court on Fri. April 11, 1997, at 1:30 PM in Courtroom 1; Crawford County Court
House, Meadville, Pennsylvania 16335.

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

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

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

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

BY THE COURT,
Anthony J. Vardaro, J

AND NOW, this 6th day of February, 1997, the within Petition having been presented and duly consiered, the prayer of the Petitionis granted and a Rule is issued on said Plaintiff/Defendant to show cause, if any she/he has, why she/he should not be held in contempt of this court.

Said Rule returnable and to be heard on the 11th day of April, 1997 at 1:30 o'clock P.M. in Courtroom 1 or 2, Crawford County Courthouse, Meadville, Pennsylvania.

The Plaintiff/Defendant shall be present.

The Prothonotary is directed to mail a certified copy of the Petition, Rule and order to the Palintiff/Defendant by certified mail. If Service cannot be made by certified mail, the Sheriff of Crawford County shall forthwith serve or have served a copy of the Petition, Rule and Order upon the Plaintiff/Defendant.

BY THE COURT,
Anthony J. Vardaro, J

2/10/97 Distributed Dft.

Apr 22, 19997 ORDER: AND NOW, April 11, 1997, this matter comes before the Court on a Petition for Contempt filed by teh Prothonotary for the Defendant's failure to pay costs. The Defendant was served by Certified Mail and by regular mail and the regular mail did not return to the Prothonotary and the Certified Mail was returned unclaimed.

Accordingly, the Court Administrator is directed to reschedule this hearing for a later date and the Prothonotary is directed to arrange for personal service of notice of that hearing as well as a copy of the original petition by the Sheriff upon the Defendant.

Anthony J. Vardaro, J.

Apr 22, 1997 Dist Ct. Adm. Apr 30, 1997 sent to Plf

Apr 23, 1997 HEARING ORDER: AND NOW, April 23, 1997, having been directed by the court to reset the above hearing from April 11, 1997, due to Defendant's failure to appear, this matter is hereby reset for Monday, July 14, 1997, at 9:00 a.m. in Courtroom #2, Crawford County Courthouse. By Judge Vardaro's Order of April 11, 1997, the Prothonotary is directed to arrange for service of the Defendant personally by the Sheriff with Notice of the new hearing date as well as a copy of the original Petition For Contempt.

Ann A. Walker, C.A.

Apr 23, 1997 Dist Sherrif for service on Dft.
Apr 24, 1997 Sheriff to hold Cert copy for service at later date.
Apr 30, 1997 Sent to Plf

July 15, 1997 ORDER: AND NOW, July 14, 1997, at the time set for hearing regarding the alleged contempt of the Defendant, it appears that the Defendant could not be personally served pursuant to our Order of April 11, 1997 and, accordingly, this hearing is continued generally to be reset at such time as the Prothonotary notifies the Court Administrator's Office that the Defendant can now be found so that he may be served with notice of this hearing as well as a copy of the original Petition. At that time, a new hearing will be set by the Court Administrator.

Anthony J. Vardaro, J.

July 16, 1997 Distributed Ct Adm and Mailed Plf. & Dft.

1994

Leanne Marie Vroman
vs.
Andrew Scott Whiteside

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A. D. 1994 - 783

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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. There shall be no angry words between the parents or others during custody transfers.

F. Neither mother nor father shall expose the children to any person or situation which may be harmful to the children's health or well being.

G. Both parents agree to inform the other immediately of any illness or injury regarding the children and both parents agree to furnish the other with a current telephone number. Telephone contact with the father shall be made by either calling father's parents or father's wife at work.

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.

Nov. 4, 1994 Faxed to Fuller, sent to Plf. & Dft.

10.11.04 See computer for entries

1994

Robert William Preston Seeley
vs.
Janice Ruth Seeley

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12. 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.

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 mvoes, this Order shall be considered permanent.

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

Oct. 7, 1994 Faxed to Pineo & Lindsay, sent to Plf. & Dft.

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 transportation in the exercise of his custodial rights. 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 esitmation. 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 in the living circumstances of either party or the child.

12. Costs and fees of this Mediation, which are fixed at $102.00, are divided equally between the parties with a share of each being assessed to him or her as costs in this case.

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

14. Either party maymove teh 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.

Nov. 14, 1994 Faxed to Barrett & Pineo
NOv. 17, 1994 sent copy to Plf. & Dft.

Aug. 22, 1995, Appearance of Peters, Lindsay, Lewis, & Hatheway, by Brian J.Lindsay, attorneys for plaintiff, filed.

Nov. 15, 1995 PETITION FOR CONTEMPT and NOTICE AND ORDER TO APPEAR filed. Legal proceedings have been brought against you alleging you have willfully disobeyed an order of court for partial 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 objection.

Whether or not you file in writing with the court your defenses or objections, you must appear in person in court on Dec. 8, 1995, at 3:30, P.M. in Courtroom 1, at the Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT:
Gordon R. Miller, J.
11-15-95 FAXED Attys. Lindsay, Pineo.

Dec. 5, 1995 Affidavit of Consent by Rhonda Whitling, Defendant, filed.

Dec. 15, 1995 O R D E R filed. AND NOW, December 8, 1995, the parties appeared in court on the father's petition for contempt that was filed November 15, 1995 with the Prothonotary, and they came to an amicable resolution of this matter and based upon their agreement it is ordered as follows:

1. The mother, Defendant, shall comply with the order of November 3, 1994 without fail.
2. The mother shall pay to Brian J. Lindsay, Esquire the sum of $100 no later than February 8, 1996.
3. If the mother complies with the November 3, 1994 order and pays Mr. Lindsay $100 as aforesaid, this contempt proceeding automatically is dissolved as of the date of payment; otherwise, the father may file a motion with the Court to reschedule this hearing.

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

12-15-95 FAXED Lindsay, Barrett & Pineo.

Feb 22, 1996 Affidavit of Consent of Plaintiff, filed.

Mar. 12, 1996 Waiver of Notice of Intention to Request Entry of A Divorce Decree Under Section 3301(C) of the Divorce Code by Rhonda M.Whitling, Defendant, filed.

Mar. 13, 1996 Upon Praecipe of Brian J.Lindsay, Esquire, Attorney for Plaintiff totransmit record, Case moved to Court.

Mar. 21, 1996 Divorce Decree filed.

AND NOW, March 20, 1996, it is hereby ordered and decreed that STEPHAN R. WHITLING, Plaintiff and RHONDA M. WHITLING, 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

Kevin L. Smith
vs.
Sunshine Louise McKinney

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Dec. 12, 1994 Motion To Request Hearing De Novo and Order, filed. AND NOW, this 9 day December, 1994, the above Request for Hearing De Novo is hereby granted and shall be scheduled for the 5th day fo January 1995, at 1:30 o'clock, p.m. at the Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT:
Anthony J. Vardaro, J.

Dec. 12, 1994 Faxed Rosen & Lindsay

Dec. 30, 1994 Motion to Continue and ORDER filed. AND NOW, this 30th day of December, 1994, upon consideration fo Plaintiff's Motion to Continue the hearing currently set for the 5th day of Jan., 1995, at 1:30 P.M., said Motion to Granted.

This matter is hereby rescheduled for the 26th day of January, 1995, at 1:30 P.M., in Courtroom No. 1, 2, or 3.

BY THE COURT:
Gordon R. Miller, J.

Dec. 30, 1994 Order FAXED Attys. Rosen and Lindsay.

Feb. 2, 1995 Notice of Mediation Conference, filed.

Brian D. Smith
vs.
Georgette F. Smith

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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 Mediatiion, which are fixed at $77.00, are divided equally between the parties with a share of each being assessed to him or her as costs in this case.

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 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.

13. Either party may request a hearing de novo within ten (10) days from date hereof. If neither party so moves, this order shall be considered permanent.

14. Costs and fees of this Mediation, which are fixed at $77.00, are divided equally between the parties with a share of each being assessed to him or her as costs in this case. Payment shall be made to the Prothonotary of Crawford County.

15. The deposit required for the appointment of the Custody Mediator was made by teh 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.

16. 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.

Dec. 20, 1994 Faxed to Pineo & Barrett, mailed to Plf. & Dft.

Dec. 28, 1994 Motion For Leave to File Answer Instanter filed.

Jan. 10, 1995 ORDER filed. AND NOW, Jan. 6, 1994, after having reviewed the defendant's motion for leave to file Answer Instanter, Answer and Countervlaim for Divorce including a "Counter Complaint for Custody", affidavit under 3109.27 of the Ohio Revised Code, and objection to report and recommendation of child custody mediator and request for hearing de novo, all of which were filed with the Prothonotary on Dec 28, 1994, a rule to show cause is hereby entered and directed to the plaintiff to show cause, if any he has, why the defendant should not be given leave to file her Answer and Counterclaim late and why she should not be permitted to request a hearing de novo late.

Said rule is returnable for hearing and/or argument on the 23rd day of January, 1995 at 1:30 o'clock p.m. in Courtroom No. 1 of the Crawford Co. Courthouse.

The defendant has not only filed these documents late but she had not complied with the Crawford Co. Civil Rules regarding the filing of petitions and motions and motions practiced generally. She is advised that:

1. She must follow the PA. Rules of Civil Procedure and the Crawford Co. Civil Rules without exception whether or not she is represented by counsel. A copy of the PA. Rules of Civil procedure and the Crawford Co. Civil Rules may be reviewed during regular business hours at the Crawford Co. Law Library on the second floor of the Crawford Co. Law Library on the second floor of the Crawford Co. Courthouse. A copy of the PA. Rules of Civil Procedure may be purchased from the West Publishing Co. and a copy of the Crawford Co. Civil Rules may be purchased from the Prothonotary of Crawford Co.

2. She is required to be present at the hearing set on the rule to show cause. If she fails to appear her motion and request may be denied in her absence.

3. If she is unable to obtain counsel on her own she may attempt to obtain free legal services through Northwest Pa. Legal Services Corp., 231, Chestnut St., Meadville, PA 16335, 814-724-1040.

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

Jan. 11, 1995 Order FAXED Attys. Barrett, Pineo; copy mailed to defdt.

Jan. 24, 1995 Answer and Counterclaim for Divorce filed.

Jan. 24, 1995 Objection to Report and Recommendation of Child Custody Mediator and Request for Hearing De Novo filed.

Jan. 24, 1995 Petition For Contempt filed.

Jan. 24, 1995 Order filed. AND NOW, January 23, 1995, the Court considered the mother's assorted filings, to-wit: Objection to report and recommendation of child custody mediator, and request for a hearing de novo; answer and counter-claim for divorce; and the father's Petition for contempt that was received by the Court Administrator onJanuary 23, 1995 and apparently has already been served upon the mother.

The mother's filings are not in keeping with the Rules of Civil Procedure and the Crawford County Civil Rules. Nonetheless, we hereby ORDER as follows:

1. The mother's request for hearing de novo is granted.

2. A hearnig on the mother's request for hearing de novo and on the father's petition for contempt shall be held on Wednesday, March 1, 1995, at 9:30 a.m. in Courtroom No. 1 of the Crawford County Courthouse. The Court is setting aside the entire morning for this case, and urges the parties to be efficient so that the case may be completed by noon.

3. In the meantime, the temporary Order of December 5, 1994, remains in full force and effect. The following notice is given to the mother.

NOTICE AND ORDER TO APPEAR

Legal proceedings have been brought against you alleging that you have wilfully disobeyed an Order of Court for custody.

If you wishe to defend against the claim set forth on the Petition, which you were served with, you must appear in person in court, on Wednesday March 1, 1995 at 9:30 o'clock a.m. in Courtroom No. 1 of the Crawford County Courthouse, Meadville Pennsylvania.

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

If the Court finds that you have wilfully failed to comply with its order for custody, you may be found to be in contmept of court and committed to jail, find, 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 OFFICER OF THE COURT ADMNISTARTOR OF CRAWFORD COUNTY AT THE CRAWFORD COUNTY CHOURTHOUSE (814) 333 - 7498.

A true and correct copy of this Order has been hand delivered to the mother at this hearing.

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

Jan. 24, 1995 copies dist. to Drater & Barrett & deft by Ct.

Mar. 3, 1995, Motion to Continue and Order filed. ORDER: AND NOW on this 3 day of March 1995 the foregoing Motion is allowed. (continued generally) Anthony j. Vardaro,
Judge

Mar. 3, 1995, Faxed to Barrett and Brode.

Mar. 22, 1995 Motion to Discontinue request for a De Novo Custody Hearing, filed.

Mar. 22, 1995 Motion toDiscontinue the Contempt Petition, filed.

Mar.22, 1995 Affidavit of Consent by Georgette F.Smith, Defendant, filed.

Mar. 22, 1995 Affidavit of Conssent by Brian D.Smith,Plaintiff, filed.

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Thomas R.Armel
vs
Dawn M. Armel

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Dec. 8, 1994 Petition for Contempt and RULE TO SHOW CAUSE filed. AND NOW, December 8, 1994, upon presentation and consideration of the foregoing Petition for Contempt, a Rule is entered upon the Plaintiff to show cause, if any he has, why the prayer of the Defendant should not be granted.

THIS RULE IS RETURNABLE for hearing & argument on December 22, 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.

12-8-94 Faxed to Attys. Lindsay & Ferguson

Dec. 12, 1994 Petition for Special Relief and RULE TO SHOW CAUSE filed. AND NOW,December 9, 1994, upon presentation and consideration of the foregoing Petition for Special Relief, a Rule is entered upon the Plaintiff to show cause, if any he has, why the prayer of the Defendant should not begranted.

THIS RULE IS RETURNABLE for hearing & argument on December 22, 1994 in Courtroom No. 1 or 2 of theCrawford County Courthouse,Meadvile, Pennsylvania at 2:30 o'clock p.m.

BY THE COURT:
Anthony J. Vardaro, J.

12-12-94 Faxed to Attys. Lindsay & Ferguson

Dec. 28, 1994 Order filed. AND NOW, December 22, 1994 after an informal hearing onthe Mother's petition for special relief, said petition is GRANTED under the following conditions:

1. The child shall remain with the father until 12:00 p.m. on December 25, 1994 at which time the mother shall pick the child up and the child shall be in the mother's custody until she returns from South Carolina on January 10, 1995. She shall notify the father when she will be returning. She shall notify the father when she does return. She shall return the child to the father by 10:00 a.m. on January 10, 1995. The father shall then have the child in his custody from January 10, 1995 until 9:00 a.m. on Saturday, January 21, 1995 when the regular vistiations shall resume.

2. The mother shall do nothing to adversely effect the health, safety, morals and welfare of this child. In the event that the child becomes ill for any reason, she shall immediately notify the father. She shall not consume or possess alcoholic beverages, intoxicating liquors, beer or wine or any non-prescribed or uncontrolled substances or illegal drugs during the time she has the child with her in South Carolina.

3. In the event that the mother does not return the child by January 10, 1995 she faces possible contempt or court proceedings and modification of the custody order, which may include depriving her of the right to visit and see her child unless under controlled circumstances. If she fails to return, then the father shall have the right to withhold support payments due in January and February of 1995 and to use those payments to his own use and benefit in approaching the courts of this Commonwealth or the courts of South Carolina or wherever the child is to obtain relief in cases involving violation of custody orders by parents.

A copy of this order shall be filed with the Domestic Relations Section at 1994-525.

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

Dec. 28, 1994 Copies dist. to Lindsay & Ferguson

Dec. 28, 1994 Order filed. AND NOW, December 22, 1994 the Court held an informa hearing with both parties present with counsel on the Defendant's petition for contempt dated december 6, 1994 wherein she essentially claims that the Nissan automobile whcih was to be used by her leaked, had tires that were not satisfactory, and stalled as a result of which she does not believe she has adequately safe transportation for herself and her children. The Court is unable to determine whether or not all of that is accurate. The Defendants calims that he did look at the car a while ago and put new spark plugs in it and it ran all right. We will not go back and forth between these parties as to whether this car works or not. We adlpt the same position that we did a while ago when we dealt with the care and that is that this Defendant must have a reasonably safe automobile during the pendency of this lawsuit for herself and her children, especially the child born of this marriage.

We will entertain further petitions with respect to the automobiles only if the parties are able to present live testimony or sworn statements from duly qualified automobile repairmen and mechanics that sets forth among other things the conditionof the car, the manner in which it operates and runs, and items that need to be repaired or replaced. We will then make a decision. We don't thing the Defendant should be driving a care that leaks or has tires that will not adequately traverse the normal snow fall and normal road conditions in the wintertime.

Having said all of that, it is ORDERED as follows;

1. The Defendant's contempt petition is DISMISSED.

2. The Defendant shall operate the 1984 Nissan until 12:00 noon on December 25, 1994 when she does to the Plaintiff's home to pick up the child for a trip to South Carolina. At that time, she shall deliver the Nissan to the Plaintiff.

3. when the Defendant returns from South Carolina, the Plaintiff shall either give the Defendatn the 1986 Sunbird to drive until further order of Court or until a further agreement of the parties, or he shall return the 1984 Nissan to her in good operating condition, which shall include but not be limited to no leaks, no stalling, missing or running poorly; and new tires. The Court might excuse the Defendant form putting new tires on the car if he obtains a written opinion from a qualified mechanic or automobile repairment that indicates that there is enough tread on those tires to sately operate that motor vehicle with appropriate traction in the typical winter weather that comes to this area. If he has such an opinion, he shallgive that to the Defendant at the time he delivers the Nissan to her. If she believes that the tires are not satisfactory, then she may obtain her own opinion together with photographs of the tires and file another petition with the Court and the Court will receive evidence and look at photographs to determine whether or not she should operate the care with the tires that are on it.

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

Dec. 28, 1994 copies dist. to Lindsay and Ferguson

Feb. 7, 1995 Affidavit of Consent of Plaintiff filed.

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 Continued from page 459.

February 15, 1995, Acceptance of Service Filed. The Undersigned, Brian J. Lindsay, Esq, Attorney for the Defendant in the above case, does hereby accept service of the certified copy of the complaint in Divorce and Motion to Appoint Custody Mediator in the above-captioned matter on begalf of the Plaintiff, and certify that I am authorized to do so for the Defendant, Dawn M. Armel. The certified copy of the Complaint in Divorce and Motion to Appoint Custody Mediator was served by hand delivery to me on the 9th day of August, 1994.

Brian J. Lindsay, Esquire
Attorney for Defendant

Feb. 15, 1995 Affidavit of Consent of Defendant, filed.

Mar. 31, 1995 Plaintiff's Petition To Enforce Divorce Settlement and Order filed. AND NOW, this 31 day of March, 1995, upon consideration of the foregoing Motion, it is hereby ordered and decreed that a Rule to Show Cause is placed upon the Defendant, Dawn M. Armel, to show cause, if any she should have, why the Court's Order of February 6, 1995, should not be enforced and the Defendant ordered to execute the Stipulation to obtaina Final Decree at the above-captioned number and term in divorce. Returnable for hearing April 24, 1995 at 3:30 p.m. in Ct. Rm. 3. Service of the within Petition shall be made by the Plaintiff upon the defendant through her attorney of record, Brian J. Lindsay, Esquire.

BY THE COURT:
Anthony J. Vardaro, J

Mar. 31, 1995 Faxed Lindsay & Ferguson

Apr. 3, 1995 Motion to Withdraw Appearance and Order filed. AND NOW, this 3rd day of April, 1995, upon presentation and consideration of the within Motion, Defendant's counsel, Brian J. Lindsay, Esquire, is hereby authorized to withdraw his appearance on behalf of the Defendant in the above captioned case.

Gordon R. Miller, J

Apr. 3, 1995 Faxed Ferguson, given Lindsay

Apr. 10, 1995 Petition to Modify filed.

Apr. 10, 1995 Order filed. AND NOW, April 6, 1995 after receipt and review of the defendant's petition to modify it is ordered as follows:

1. The defendant shall pay $150 to the Prothonotary, beofre this matter proceeds any further.
2. The matter is referred back to John Fuller, Esquire, custody mediator for proceedings consistent with the local rules.
3. The defendant shall send a copy of Ms. Berkey's evaluation to Mr. Fuller as soon as possible.

BY THE COURT,
Gordon R. Miller, J

Apr. 11, 1995 Faxed Lindsay, Ferguson & Fuller

Apr. 24, 1995 Appearance of Thomas Dana Watson, Esquire for Dawn M.Armel, Defendant, filed.

Apr. 25, 1995, Upon praecipe of plaintiff attorney, to transmit the record, this case moved to court.

Apr. 26, 1995 ORDER filed. AND NOW,April24, 1995,the petitioner plaintiff Thomas Armel withdraws his Petition to Enforce the Divorce Settlement since Mrs. Armel has signed the necessary stipulation to obtain a Final Decree in Divorce with a slight modification included by her present attorney,Dana Watson, Esquire.

The matters relating to the custody count in the divorce action remain unresolved and either party may file a motion relating to the custody count.

BY THE COURT,
P.Richard Thomas, Senior Judge

4-26-95 Copies dist. Ferguson & Watson

DIVORCE DECREE FILED

May 5, 1995 STIPULATION AND FINAL DECREE. AND NOW, May 3, 1995, it is Ordered, adjudged and decreed as follows:

1. The parties hereto are divorced from the bonds of matrimony.
2. Wife shall receive all personal property currently in her possession and in addition shall receive all right, title and interest in a certain 1986 Pontiac Sunbird.
3. Husband shall receive all personal items currently in his possession and all right, title and interest in a certain 1984 Nissan automobile.
4. Husband shall assume responsibility for bills from Montgomery Wards, Pitts Radiological Assoc., Heilig Meyers and Value City debts and hold wife harmless for the same.
5. The parties shall file a tax return for the calendar year 1994 and any refund therefrom shall be divided equally between the parties.

COUNSEL FEES, COSTS AND EXPENSES

6. Each party shall be solely responsible for their own respective counsel fees, costs and expenses without contribution to the other.

MISCELLANEOUS

7. Husband shall pay to wife all sums owed pursuant to a certain Domestic Relations Order at D.R. 1994-525 among the records of Crawford Co. for the support of wife through May 6, 1995, at which time the spousal support obligation of husband shall terminate absolutely. All other provisions of the support obligation for the parties minor child, Jonathan Armel, shall continue in full force and effect.
8. The parties will execute any and all documents necessary to effectuate this decree.

BY THE COURT:
Gordon R. Miller, J.

June 7, 1995 ORDER filed. AND NOW, June 5, 1995 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Jonathan Armel shall be shared between the mother and the father, the plaintiff and defendant herin, 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 Jonathan Armel 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 otlher weekend from 5:00 o'clock p.m. on Friday to 6:00 o'clock p.m. on Sunday, beginning Juen 9, 1995. Visits shall take place at the home of father's parents.

B. The father shall be entitled to visit and take the child into his custody every Wednesday from 12:00 noon to 6:00 o'clock p.m., beginning June 7, 1995.

C. Holidays shall be defined as Christmas, Easter and Thanksgiving. Custody of the child shall be shared on the aforesaid holidays and in the absence of an agreement to the contrary, the child shall be in the custody of the mother on the aforesaid holidays 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.

D. Transportation of the child on weekends, Wednesdays and holidays shall be provided as follows: The parent recieving custody shall provide transportation.

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Julie Ann King Petrick
vs
Dale Eugene Petrick

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3.a. The children shall reside with their mother from 6 P.M. of theday preceding the opening of school for theFallsessionuntil 5 P.M.of the dayafter the children's school shallhave closed for the Summer vacation. The children shall reside with their father from 5 P.M. of the day after the children's schoolshall have closed for the Summer until 5 P.M. of the day preceding the reopening of school for the Fall session. Each party shall have the right todesignate a two week period or two one week periods as each may prefer each Summer whenthe children shall reside with himor her and during which time no visitation needs to be accorded tothe other party. Themother shall make her designation by May 15th of each year and the father shall make his designation by May 31st of each year. The party not having physical custody of the subject minor children under the stated schedule shall have temporary physicalcustody and visitation on the first three full weekends of each monthfrom Friday at 6 P.M. to Sunday at 6 P.M. During the mother's custodial period,the father shall have visitationand temporary physical custody with the children each Wednesday from 4 P.M. to 7 P.M. During the father Summer custodial period,the mother shall have visitation and temporary physical custody each Wednesday from 5 P.M. to 8 P.M.

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

4.a. There shall be two Christmas visitation periods,the first beginning on Christmas Eve at Noon and ending on Christmas Day at 1 P.M. and the second beginning on Christmas Day at 1 P.M. and ending on December 26th at 1 P.M. For Christmas, 1995, the mother shall have the first period and the father, the second,and the parties shall thereafter alternate. The father shall have physical custody of the children each year from 5 P.M. of December 28th through 5 P.M. of January 1st.

b. Thanksgiving: There shall be two Thanksgiving visitation periods, the first beginning on the Wednesday preceding Thanksgiving at 5 P.M. and ending on Thanksgiving Day at 2 P.M. and the second beginning on Thanksgiving Day at 2 P.M. and ending on the day after Thanksgiving at 5 P.M. For Thanksgiving, 1995, the father shall have the first period, and the mother, the second, and the parties shall thereafter alternate.

c. Easter: The father shallvisitation and temporary physical custody each Easter period from 4 P.M. of the Thursday preceding Easter until Noon of Holy Saturday each year, and the mother shall have visitation and temporary physical custody from Noon of Holy Saturday until 7 P.M. on Easter Sunday each year.

5. Should it be necessaryfor either party to cancel or modify the visitations as set out in this Order or as previously arranged,the party seeking cancellationor modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellationor modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

6. The parties shall split responsiblity for transportation with the party receiving the children in the exercise of his or her rights picking up the children at the home of the other. Any person transporting the children shall make sure that the seat belts or other restraints are used in accordance with the laws of Pennsylvania.

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

8. Neither party shall use illegaldrugs or 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 thechildren, 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 inthe children's presence and each party shall instruct his or her releatives and friends to do likewise and also not to disparage the other party inthe children's estimation.

10. Neither party shall expose the children to persons of the opposite sex by whom he or she is not related by blood or marriage between the hours of 9 P.M. and 8 A.M. nor shall either party make a disply of his or her affection toward said person when he or she is in the company of the children.

11. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

12. 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.

13. The deposit required for the appointment of the Custody Mediator was made by the mother. The deposit shall first be applied against the mother's share of costs and the 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 with thirty (30) days of the date of this Order,by the Prothonotary deducting defendants share from the deposit he made in June 1994 then refunding the balance of that deposit to defendant.

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

By theCourt,
Gordon R. Miller, J.

2-15-95 Copies to Attys.Kirkpatrick, Irwin & Pineo.

March 13, 1995 ORDER filed. AND NOW, March 7, 1995, after lengthy custody de novo hearing, the Court believes the Temproary Order entered by the Custody Mediator January 30, 1995 is an appropriate Order in this case under all of the circumstances and the testimony heard this date.

ACCORDINGLY, we adopt as the Final Order of this Court in this Custody Order the Temporary Order of Jan. 30, 1995, with the following exception:

Under Paragraph 3(a) of said Order, the last sentence on Page 1 is changed to read as follows:

"The parent not having full custody of the minor children under the stated schedule shall have temporary full custody and visitation on the first full weekend and the third weekend of each month from Friday at 6 p.m. until Sunday at 6 p.m."

BY THE COURT,
P. Richard Thomas, Senior Judge

March 13, 1995 Copies distributed to Atty. Kirkpatrick, Irwin; copy placed in Atty. Pineo's box.

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Terry Moore
vs.
Robert Moore

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Apr. 4, 1995 ORDER filed. AND NOW, March 31, 1995, after a formal hearing, preceded by disclosure to the defendant outlining the nature of the proceedings, including his right to cunsel and free counsel if he could not afford it, the defendant understood all of that and waived his right to counsel and proceeded to a hearing. We gave the defendant an opportunity to a continuance if he was not prepared and he declined that.

We find as a fact that the defendant did violate the Protection FRom Abuse Order of June 15,1994. There may have been some occasions when he went to the plaintiff's home, either with her consent or at least not with her opposition, but there were also times when he was asked to leave and he did not leave. All of this would be a violation because Paragraph 5 of the June 15, 1994 Order cations him that he should not go to that residence, even if he is invited.

ACCORDINGLY, it is ORDERED as follows:

1. As punishment for this contempt of court, the defendatn is sentenced to undergo imprisonment in the Crawford County Jail for a minimum period of 2 months and a maximum period of 6 months, with credit from Monday, March 27, 1995.

2. If the defendant's jail conduct is perfect, he shall automatically be paroled at the expiration of the minium sentence without any further proceedings, and the Warden shall notify the plaintiff when he is released.

3. The Protection From Abuse Order of June 15, 1994 is hereby extended to December 31, 1995.

4. The defendant shall fully and completely comply with the June 15,1994 Order and this Order through December 31, 1995. He is, once again, cautioned that he shall not go to the plaintiff's residence under any circumstances, whether he is invited or not. The plaintiff does not have the authority to invite him to her place once we enter this Court Order. The only way the defendant can go to the plaintiff's residence is if this Court Order is vacated.

5. The defendant shall pay all costs in these proceedings no later than June 1, 1995. FUTHERMORE, he shall pay the costs of $64.50, which are still outstanding on the old PFA case at 1994 - 563. These costs shall also be paid by June 1, 1995. If the defendant fails to pay the costs as ordered, another contempt proceeding will take place.

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

Apr. 4, 1995 copy to Plf. Apr. 21, 1994 copy to Dft.

Apr. 20, 1995 ORDER filed. AND NOW, April 17, 1995, it has come to the Court's attention that there are additional outstanding costs on a prior PFA action which we did not address in our order of March 31, 1995. The defendant is ordered and directed to pay outstanding costs of $89.50 on an old PFA at 1993-937 no later than June 1, 1995. If he fails to pay these costs and other costs imposed in the order of March 31, 1995, appropriate contempt of court proceedings will be commenced by the Prothonotary.

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

Apr. 21, 1995 copy to Plf. & Dft.

Apr. 20, 1995, Motion to Vacate Orotection from abuse Order and Order filed. And Now, this 18 day of Apr. 1995 upon receipt and review of the plaintiff's motion tobacate and terminate order of June 15, 1994 said motion is granted and the Order is herby vacated and terminated.

A true and correct copy of this order shall be delivered by Prothonotary to appropriate agency and to county control.

Any provisions of the Protections from Abuse Order of June 15, 1995 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 THE COURT,
Anthony J. Vardaro, J.

4/21/95 faxed toco. Control and MCPD. 6-2-95 Sent Plf & Dft

IN ERROR - SEE DOCKET A.D 1994-496
Jul. 28, 1995 Affidavit of Consent by Terrie A. Moore, Plaintiff, filed.

1994

	Mary M. Herdering (Luce-Hawk) vs. David P. Herdering Sr.	CONTINUED FROM PAGE 35 of Record A. D. 1994 - 485

Apr 3, 1995 SHERIFF'S RETURN, filed. SRVED David P. Herdering, Sr. personally on March 28, 1995 at 11:13 AM by handing a copy of the Visitation Modification to him in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA. So answers,

Diane Brittain, Deputy Sheriff
Robert M. Stevens, Sheriff

James J.Lasek and
Anna L.Lasek
vs
West Bend Equipment Company
and West Bend Equipment
Corporation

Continued from Page 347

of Record

AD 1994 - 797

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May 26, 1995 Motion toCompel Pursuant to Pa.R.C.P. 4019, filed.

May 26, 1995 Upon Praecipe of Kenton R. O'Neil, Esquire, Attorney for Plaintiffs, the Plaintiffs' Motion to Compel Pursuant to Pa.R.C.P. 4019 is placed on the June Argument List.

ON JUNE, 1995 ARGUMENT LIST

June 26, 1995 ORDER filed. AND NOW, this 26 day of June,1995, it is hereby ORDERED that Defendant West Bend Equipment Corporation serve on Plaintiffs full and complete answers to Interrogatories Directed to Defendant West Bend Equipment Corporation (First Set) and to Request for Production of Documents Directed to Defendant West Bend Equipment Corporation (First Set) within 30 days from the date of this Order. Further, it is hereby ORDERED that Defendant West Bend Equipment Company serve on Plaintiffs full and complete answers to Interrogatories Directed to Defendant West Bend Equipment Company (First Set), Numbers 14, 19, 20, 21, 24, 26, 27, 30, 31, 32, 34, 35, 39, and 40 and to Request for Production of Documents Directed to Defendant West Bend Equipment Company (First Set), Numbers 1, 3, 4, 5, and 8 within 30 days from the date of this Order.

Anthony J. Vardaro, J.

June 26, 1995 Faxed Klemensic & C. Youngs

Aug. 9, 1995 Notice of Service of Responses to Request for Production of Documents Directed to Defendant,Westbend Equipment Corporation,filed.

Aug. 9, 1995 Notice of Service of Answers to Interrogatories Directed to Defendant, Westbend Equipment Corporation, filed.

Aug. 9, 1995 Notice of Service of Supplemental Answers to Interrogatories on Behalf of Defendant, Westbend Equipment Company, filed.

Aug. 9, 1995 Notice of Service of Supplemental REsponses to Requests for Production of Documents to Defendant, Westbend Equipment Company, filed.

Oct. 27, 1995, Motions for Sanctions Pursuant to Pa. R.C.P. 4019 filed.

Oct. 27, 1995, Upon praecipe of plaintiff attorney, THis Motion placed on next argument list.

ON ARGUMENT LSIT FOR NOVEMBER 1995

Nov.22, 1995 Motion to Continue Argument and Hearing and ORDER filed. AND NOW, November 21, 1995, the Plaintiff's Motion to Continue is granted. The argument and hearing originally scheduled for November 27, 1995, at 10:15 a.m., is continued to the January, 1995 Argument List.

BY THE COURT,
Anthony J.Vardaro, J.

11-22-95 Faxed Attys. O'Nel, C.Youngs, Klemensic, 12-4-95 Mailed M. Pepke

Jan. 29, 1996 ORDER filed. AND NOW,January 29, 1996, at the time set for argument with regard to the plaintiffs' Motion for Sanctions, said motion is dismissed insofar as the defendant through counsel sent a letter to plaintiffs' counsel on October 27, 1995, in responded to the discovery in question,although in some cases objecting prior to the full response.

Counsel for the defendant certifies this day that while he does not waive the objections he raised, the responses made in the October 27, 1995, letter to plaintiffs' counsel are complete responses despite the existing objections and defendant's counsel further agrees that the verification previously signed with the original response to that discovery shall also be applicable to the responses given in the letter of October 27, 1995, from him to plaintiffs' counsel.

Despite the full responses given, the defendant does not waive any objection made and the court will not make a determination withrespect to those objections at this time but will do so in the future if that becomes necessary.

BY THE COURT:
Anthony J. Vardaro, J.

1-29-96 Mailed Klemensic & Youngs

Oct. 18, 1996, Notice of Service of Plaintiffs' Supplemental Interrogatories and REquest for Production filed.

Apr 9, 1997 Notice of Service of Defendant Paradise Mutual Insurance Company Answers to Interrogatories and Request for Production of Documents, filed.

June 17, 1997 Notice of Intention to Complete Discovery filed.

July 16, 1997 Notice of Depositions of William Campbell-Pitt, Richard A. Klumb and Carl E. Klumb filed.

Feb. 3, 1998 Certificate of Readiness Pursuant to Crawford County Local Rule L302A, filed.

Feb. 13, 1998 MOTION TO STRIKE CERTIFICATE OF READINESS AND TRIAL LISTING AND ORDER FILED. AND NOW, to-wit this 13th day of Feb. 1998, upon consideration of the foregoing Motion, it is hereby ORDERED, ADJUDGED AND DECREED that said Motion is Granted and this case to be placed on the October 1998 Trial List.

GORDON R. MILLER, J.

2/13/98 FAXED KLEMENSIC & C. YOUNG

July 28, 1998 Notice of Deposition of Brian E. Dalton, M.D., filed.

July 28, 1998 Notice of Deposition of Steven J. Heaney, M.D., filed.

July 30, 1998 Plaintiffs' Motion to Set a Date Certain for Trial and ORDER filed. AND NOW, July 28, 1998, upon presentation and consideration of the foregoing Motion to Set a date certain for Trial, it is ORDERED:

1. Jury selection shall take place on Oct. 12, 1998.
2. Trial shall begin on Oct. 13, 1998 unless there are one or two cases and then trial shall begin on Oct. 12, 1998.

BY THE COURT,
Gordon R. Miller, J.

July 30, 1998 FAXED Attys. C. Youngs, Francis Klemensic.

RECORD CONTINUED ON PAGE 464 -A- .....

Sept. 4, 1998 Plaintiffs' Motion in Limine for Determination of Successor Liability and ORDER filed. AND NOW, Sept. 2, 1998, Argument on Plaintiffs' Motion In Limine for Determination of Successor Liability shall be held on Sept. 28, 1998, in Courtroom 2, Crawford Co. Courthouse, Meadville, PA at 9:45 a.m., or immediately following the Call of the October Civil Trial List. Plaintiffs shall file a Memorandum no later than 15 days before Argument. Defendants shall file a Memorandumin opposition no later than 5 days before Argument.

BY THE COURT,
Gordon R. Miller, J.

Sept. 4, 1998 FAXED Attys. C. Youngs and Klemensic.

September 10, 1998 DEPOSITION TRANSCRIPT OF RICHARD A KLUMB FILED.

September 28, 1998 Plaintiffs' Motion in Limine to Prohibit Evidence of Alleged Negligence Filed.

September 22, 1998 Plaintiffs' Notice to Produce Filed

September 22, 1998 Plaintiffs' Notice to Attend Filed.

September 25,1 998 Supplemental Answers to Interrogatories on behalf of Defednant, West BEnd Equipment Co. Filed.

September 25, 1998 Responses to Request for Production of Documents Directed to Defendant West Bend Equip Corp filed.

September 25, 1998 Stipulation Filed.

September 25, 1998 Supplemental Responses to Reqeusts for Production on Documents to Defendant West Bend Equipment Co. Filed.

September 25, 1998 Answers to Interrogatories Directed to Defendant, West Bend Equip Co. Filed.

September 25, 1998 Responses to Request for Production of Documents Directed to Defendant West Bend Edqup Co Filed.

September 25, 1998 Answers to Interrogatories Directed co West Bend Equip Co. Filed.

September 25, 1998 Responses to Interrogatroeis Directed to Defendant West Bend Equip. Corp. Filed.

Oct 2, 1998 Upon praecipe of plaintiff attoreney the above action is marked "Settled and Discontinued" of record.

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1994

Helen M. Deihl Garber, Adm.
of Est. of David F. Deihl,
deceased

vs/

Thomas St. John, Sr. and
Louise A. St. John

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of

AD 1994 - 565

May 26, 1995, STIPULATION BETWEEN COUNSEL filed.

May 26, 1995, ORDER filed. AND NOW, this 23rd day of May 1995, it is hereby ORDERED AND DECREED that Helen M. Deihl Garber, adm. of the Est. of David F. Deihl, deceased, is hereby authorized to settle this action for the sum of $170,000.00 and that the settlement proceeds are allocated as follows:

Wrongful Death Act	$161,500.00
Survival Act	8,500.00
total	$170,000.00

by the court,
Gordon R. Miller, Judge

May 26, 1995, copies mailed to Attys. Lent and Thornburg.

Jun. 14, 1995 Upon Praecipe of Bobbie Ann Thornburg, Esquire,Attorney for Plaintiff, the above-captioned matter is marked SETTLED, DISCONTINUED and ENDED of record.

John T.Range and
Letty Range
vs
Paul E.Yurtinus and
Stephanie E.Yurtinus

Cointinued from Page 253

of Record

AD 1994 - 703

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Jun. 2, 1995 Motion on Behalf of Plaintiffs toDetermine the Sufficiency of Defendants' Answers to Plaintiffs' First Request for Admissions from Defendants and to Require Response to Interrogatories and ORDER filed. And, Now,this 31st day of May, A.,D., 1995,upon consideration of Plaintiffs' foregoing Motion to dtermine the sufficiency of the Defendants' Answers to Plaintiffs' Request for Admissions and to require Response to Interrogatories, this matter is set for argument to be heard June 28, 1995 at 1:00 P.M. in Courtroom #2.

Gordon R.Miller,J.

6-5-95 Faxed Attys.Hotchkiss &Rudert

June 30, 1995, ORDER filed. AND NOW, June 29, 1995, after argument of the parties and after careful review of the plaintiff's first request for admissions from defendants including the introductory paragraph prior tot he four numbered requests and after having reviewed the defendants answers to plaintiffs' first request for admissions from defendants with respect tot he motion on behalf of plaintiffs to determine the sufficiency of defendants' answers to plaintiffs' first request for admissions, it is ordered and directed as follows:

1. The answer to No. 1 is sufficient.

2, 3, and 4. Sicne it appears that the defendants have admitted that Exhibit "A", the certificate of survey performed by Lynn S. Hofius, Professional Land Surveyor, on Nov. 30, 1993 depicts the bounsary line in question; the wood dock in question and the wood fence in question but otherwise essentially answered that they cannot make an admission regarding the authenticity or accuracy of that certificate of survey or the location of the indicated boundary line, wood dock and wood fence, it is ordered and directed pursuant to Pa. R.C.P. 4014(c) that the defendatns file an amended answer to Nos. 2, 3, and 4 which is in compliance with Pa. R.C.P. 4014(b).

Specifically, while the defendants indicated that they do not make any admission of the authenticity or accuracy of the original certificate of survey nor do they admit that the location of the boundary line; wood dock and wood fence depicted onthe cert. of survey, they do not set forth in detail the reasons why they cannot truthfully do so.

by the court,

Anthony J. Vardaro, J.

6/30/95 copies dist. to Hotchkiss and Rudert

June 30, 1995, ORDER filed. AND NOW June 28, 1995 upon the plaintiff's motion to determine the sufficiency of the defendant's answers to Plaintiff's first request for admissions from the defendants to require response to interrogatories after argument it is ordered and directed that the defendant's respond to the plaintiff's interrogatories of Mar. 16, 1995 within thrity days from the date of this order and the court will take the issue with respect to determining the sufficiency of the defendant's answers to plaintiff's first request for admissions from the defendant under advisement.

BY ORDER OF THE COURT,

Anthony J Vardaro, J.

6/30/95 copies dist. to Hotchkiss and Rudert.

Jul. 31, 1995 Certificate of Service filed. The undersigned hereby certifies that the original and one copy of each of the Defendant's Answers to Interrogatories and the Defendants' Amended Answers to Plaintiffs' First Request for Admissions from Defendants were served by United States First Class Mail on July 28, 1995 upon counsel for Plaintiffs as follows:

David L. Hotchkiss,Esquire
Colubertson, Weiss, Schetroma & Schug,PC
201 Arch Street, Suite 200, Meadville,PA 16335

By Evan C.Rudert, Esquire

Oct.2, 1995 Defendants' Reply to Plaintiffs' Motion to Schedule Non-Jury Trial filed.

Oct. 2, 1995 Plaintiffs Motion to Schedule Non-Jury Trial and ORDER filed. AND NWO, the 29 day of September, 1995,upon motion of the plaintiffs,trial in the above matter is set to be heard the 8th day of December, 1995,at 9:15 o'clock A.M., in Court Room No.2, at the Crawford County Court House, Meadville, Pennsylvania.

Anthony J.Vardaro, J.

10-2-95 Faxed Hotchkiss, &Rudert

Oct. 12, 1995, Certificate of service of Defendants Answers to Plaintiffs Request for ADmissions from Defendants filed.

Oct.13, 1995, Certificate of Service of Defendants Interrogatories, REquest for Production and Request for Admissions (first set) filed.

Dec. 15, 1995 O R D E R filed. **AND NOW, December 8, 1995**, it is ORDERED, DIRECTED and DECREED, based upon the agreement of the parties, that this litigation is resolved as follows:

1. The survey drawing performed by Lynn S. Hofius, Registered Land Surveyor, dated November 30, 1993, is attached hereto and incorporated as part of this Order, and the line depicted thereon as lying to the north of the road reserved property is adjudged and decreed to be the south boundary line of the land of the defendants, Lot 23 of the Danner plan of lots, at Bloomfield Township, Crawford County, Pennsylvania.

2. The defendants are ORDERED and DIRECTED that they shall entirely remove or move the dock built by them, which is shown on the referenced survey drawing, labeled "Wood Dock" to the level of the bed of Canadohta Lake approximately, by March 1, 1996, such that thereafter, no part of such dock shall lie to the south of the south line of Lot 23 as depicted in the survey drawing and extended in an easterly direction on a call south 82 degree, 30 minutes east.

3. No part of any dock constructed, moved or reconstructed by the defendants shall lie to the south of the south line of Lot 23 as depicted in the survey drawing and extended in an easterly direction on a call south 82 degrees, 30 minutes south.

4. If the defendants, or either of them, shall move, construct or reconstruct a dock in the future, and if such dock shall be located such that any part of a boat, when docked on the south side thereof, does or will extend and rest to the south of the line of Lot 23, extended in an easterly direction on a cull south 82 degrees, 30 minutes east, then the defendants, their heirs, successors and assigns and persons acting with their permission are and shall be personally enjoined from docking any boat on the south side of such dock.

5. When presented with a certified copy of this Order with the appropriate filing fee, the Recorder of Deeds is DIRECTED to record this Order and index the same in the name of the defendants as grantors and in the name of the plaintiff as grantees.

6. The parties will divide costs by the costs having been paid by any party being absorbed by that party and the defendants paying the $9 cost to enter the Order in this case.

BY THE COURT,
Anthony J. Vardaro, J.

12-15-95 Rudert & Hotchkiss

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 parent s.

F. Neither mother nor father shall expose the child to any person or situation which may be harmful tot he child's health or well being. Specifically, neither parent shall consume alcohol while the child is in his or her custody.

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

H. Neither parent shall remove the child from the Commonwealth of Pennsylvania without a Court order permitting such removal, or, the written consent of the other parent.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within twenty (20) days of the date hereof. However, this order is entered without prejudice to the right of the father to request a further mediation conference at any time after he has undergone a drug and alcohol evaluation at either "Serenity" or "Gateway" and they have determined that he does not have problem that requires treatment or after such evaluation he has undergone the recommended treatment.

IV. Cost of the mediation conference shall be paid by Crawford County. The Prothonotary of Crawford County is hereby directed to refund the deposit paid in advance by the Defendant. Anthony J. Vardaro, J.

June 14, 1995 Faxed Ferguson, Watson, Lindsay & Fuller, sent to Plf. & Dft.

Jul 14, 1995 Petition for Special Relief Pursuant to Custody Order and Order, filed. AND NOW, to-wit, this 14th day of July, 1995, upon consideration fo teh foregoing Petition for Special Relief Pursuant to Custody Order, it is hereby ORDERED, ADJUDGED, and DECREED that the Petitioner Mother, Dawn M. Armel is given permission to leave the Commonwealth and to travel with the said minor child of the parties Jonathan Armel, to and from South Carolina from Monday, July 24 through Tuesday, August 1, 1995, as set forth in the foregoing Petition.

IT IS FURTHER ORDERED, AJUDGED, and DECREED that the said Respondent Father shall have additional visitation with the child, upon the child's return, to compensate for the loss of visitation during the child's absence, said additional visitation to be as follow: for the Thursday after the 1st Wednesday after the return the father shall have 6 hours of visitation that day. The mother shall post a $500 cash bond. If she either fails to return on time or is incarcerated for any time the father may go to South Carolina to pick the child up. If he does so and has expenses related there to the bond shall be utilized for that purpsoe.

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

July 14, 1995 Faxed Watson & Ferguson
July 17, 1995 Faxed Lindsay & Fuller

Aug. 11, 1995 Plaintiff's Motion for Additional Mediation Conference and ORDER filed. AND NOW, this 11 day of August, 1995 John Fuller,Esq. is hereby appointed Child Custody Mediator to conduct a further mediation conference in the above captioned matter to determine legal and shared custody of the parties' minor child, Jonathan R.Armel.

Parties shall cooperate with Attorney Fuller in Scheduling and attendance of any hearings.

BY THE COURT,
Anthony J. Vardaro, J.

8-11-95 Faxed Lindsay, Watson, given Fuller & Ferguson

Aug. 15, 1995 ORDER filed. AND NOW, July 31, 1995 the Court having been advised by the Prothonotary that the mother has returned with the child asking for her cash bond, the Prothonotary is ordered and directed to return the cash bond to the mother.

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

8-18-95 Faxed Attys. Watson,Feguson, Lindsay &Fuller

Sept. 18, 1995 ORDER filed. AND NOW, September 15, 1995 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Jonathan Armel 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 Jonathan Armel shall be with his mother, subject to the following conditions:

A. The father shal be entitled to visit and take the child into his custody every other weekend from 5:00 o'clock p.m. on Friday to 6:00 o'clock p.m. on Sunday, in accordance with the present schedule.

B. The father shall be entitled to visit and take the child into his custody when mother is at college (currently Monday evening from 6:00 o'clock p.m. to 8:40 o'clock p.m. and Monday, Wednesday and Friday from 9:00 o'clock a.m. to 2:30 o'clock p.m.), provided father is not working during those hours. Father shall furnish mother his work schedule thirty (30) days in advance so that mother can arrange for a baby sitter during those times father is working. The custody rights set forth in this paragraph are to be exercised by father and not father's parents.

C. In addition, father and mother, are encouraged to facilitate visits between father and the child at mother's home as frequently as possible so that the child can better tolerate the weekend visits set forth in Paragraph A.

D. Holidays shall be defined as Christmas, Easter and Thanksgiving. Custody of the child shall be shared on the aforesaid holidays and in the absence of an agreement to teh 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.

E. Transportation of the child on weekends, holidays and other visits shall be shred as follows: The parent receiving custody shall provide transportation.

F. Neither mother nor father shall say or do anything in an attempt to turn the child against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the child towards both parents.

G. Neither mother nor father shall expose the child to any person or situation which may be harmful to the child's health or well being.

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

III. This order is a temporary order but shall become a permanent order unelss exceptions thereto are filed by either party within twenty (20) days of the date hereof.

IV. Cost of the mediation conference will be divided as follows: One-half (½) - father; one-half (½) - Crawford Co. The Prothonotary of Crawford Co. is hereby directed to refund a portion of the deposit paid in davance by the Plaintiff, less the cost of the custody order.

Gordon R. Miller, Judge

Sept. 22, 1995 Order FAXED Attys. Ferguson, Fuller, Watson; copy mailed plf., defdt.

Oct. 17, 1995 Plaintiff's Motion for Hearing De Novo and ORDER OF COURT filed. AND NOW, October 17, 1995, in consideration of plaintiff's request for de novo hearing, the hearing is set for December 8, 1995 at 1:30 o'clock p.m. in Courtroom #1.

BY THE COURT:
Anthony J. Vardaro, J.

10-17-95 Copy to Ferguson, Lindsay & Watson

Dec. 7, 1995, Plaintiff's Motion to Withdraw Request for De Novo Custody Hearing and order filed. ORDER OF COURT: AND NOW, Dec. 6, 1995, upon consideration fo the foregoing motion it is hereby ordered and decreed that the de novo hearing scheduled for Dec. 8, 1995 is hereby canceled. The plaintiff's request for a de novo hearing is withdrawn.

by the court,
Anthony Vardaro, J. 12/7/95 faxed Ferguson, Watson and Fuller.

1994

Mark J. Malurana
vs.
Denise M. Maurana

CONTINUED FROM PAGE 367
of Record
A. D. 1994 - 817

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11. Neither party shall do or say anything that will 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.

12. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and do so if that would be proper and convenient. Said arrangements shall, however, be by mutual consent only, in the absence of which, this Order shall govern.

13. The dependency exemption with regard to the said minor child for Federal Income Tax purposes shall be claimed by the mother. Father agarees to execute any and all documents for filing with Federal Income Tax Returns that are necessary to accomplish the provisions of this paragraph.

14. The Plaintiff father shall pay the mediataor's fees and costs which are in the amount of $10.00. The Prothonotary shall pay the sum of $10.00 from the Plaintiff's deposit to the mediator and refund the balance of the Plaintiff's deposit to the Plaintiff, after the Prothonotary has deducted $9.00 for Court Order Fee.

BY THE COURT
Anthony J. Vardaro, J.

Sept. 19, 1995 Faxed Fabian
Sept. 20, 1995 Faxed to Pineo, sent Dft.

August 3, 2004 - See Computer for further entries

1994

CHERYL SISK

VS.

THOMAS S. SISK

Record Continued from Page 235
of
AD 1994-685

Sept 22, 1995 Motion to Continue and Order filed: AND NOW, this 22nd day of September, 1995, the hearing set for September 25, 1995 at 10:15 a.,. is rescheduled to the 28 day of September, 1995, at 3 o'clock p.m. in Courtroom No. 1, 2 or 3 in the Crawford County Courthouse, Meadville, Pennsylvania

BY THE Court
Anthony J. Vardaro, j

9-22-95 Copies distributed to Gregg and Walton.

Sep. 25, 1995 Notice of Scheduled Master's Hearing filed.

Dec. 13, 1995 Notice of Filing Master's Report and Recommendation, filed.

Dec. 18, 1995 Exceptions To Master's Report and Recommendation filed.

Jan 17, 1996 Petition For Contempt and Order, filed. AND NOW, this 15th day of January 1996, upon consideration of the enclosed Petition for Contempt this matter is scheduled for a hearing on the 6th day of February, 1996 at 9:15 AM in Courtroom 1 or 2 in the Crawford County Courthouse located at 903 Diamond Park, Meadville, Pennsylvania.
Jan 17, 1996 dist Walton & Gregg

Jan. 25, 1996 Upon Praecipe of Barbara J. Walton, Esquire, the Exceptions to Master's Report filed by the Defendant on December 18, 1995 is placed on the next available Argument List.

ON FEBRUARY, 1996 ARGUMENT LIST

Feb 16, 1996 Motion to Continue and Order, filed. AND NOW, this 15 day of February, 1996, the hearing set for February 6, 1996 at 9:15 A.M. is rescheduled to the 26th day of February, 1996 at 1:30 P.M. in the Crawford County Courthouse, Meadville, Pennsylvania,at the same time previously set for argument on exceptions to Master's Report.
Feb 20, 1996 Faxed Walton & Gregg

DIVORCE DECREE FILED

March 11, 1996 MEMORANDUM AND FINAL DIVORCE DECREE filed. AND NOW, March 7, 1996, after argument and review of the briefs of counsel, we dismiss the Defendant's Exceptions to the Divorce Master's Recommendations and it is Ordered and Decreed that CHERYL SISK, plaintiff, and THOMAS S. SISK, defendant, are divorced from the bonds of matrimony.

The Court adopts the terms and conditions of the Master's Report and Recommendation as to valuations, counsel fees, alimony, marital property, equitable distribution and ancillary matters and incorporates the Master's Reprot and Recommendations as part of this Divorce Decree.

The contempt issue regarding non-payment of the last $200 payment of alimony pendente lite became moot upon the delayed payment of the same prior to argument on Exceptions. However, we grant plaintiff's request for supplemental attorney fees required to pursue this issue and hereby Order and Direct that plaintiff pay defendant an additional $100 for additional attorney fees with said payment to be made within 15 days of the filing of this Decree.

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

Mar. 12, 1996 Amended Memorandumand Final Decree filed. The Court's attention is directed to two errors in identifying the parties on Pages 1 and 4 of our Memorandum and Final Divorce Decree dated March 7, 1996.

This hotly contested divorce came before this Court on Exceptions to the Divorce Master's Report and Recommendation and a Contempt Petition by the Plaintiff-wife to require the husband to make the last $200 payment on an alimony pendente lite order plus $150 in attorney fees incurred in petitioning for contempt.

WE amend the Divorce Decree on Page 4 by amending the last paragraph to read as follows:

The contempt issue regarding non-payment of the last $200 payment of alimony pendente lite became moot upon the delayed payment of the same prior to argument on Exceptions. However,we grant plaintiff's request for supplemental attorney fees required to pursue this issue and hereby Order and Direct that Defendant pay Plaintiff an additional $100 for additional attorney fees with said payment to be made within 15 days of the filing of this Decree.

In all other respects, the Meorandum and Decree shall remain as originally stated.

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

3-12-96 Gregg & walton

May 10, 1996 Petition for Contempt and NOTICE AND ORDER TO APPEAR. Legal proceedings have been brought against Defendant alleging he has wilfully disobeyed an order of court. Defendant must appear in person in court on Tuesday, June 11, 1996, at 9:15 a.m. in Courtroom No. 3, Crawford Co. Courthouse, Meadville, PA. (SEE PAPERS FILED)

By the Court,
Gordon R. Miller, J.

May 10, 1996 Order Distributed Atty. Walton; FAXED Atty. Gregg.

May 31, 1996 Petition for Attempt and Notice and ORDER to appear filed. Hearing scheduled for June 11, 1996 at 9:15 A.M. in Courtroom Number 3.

By the Court
Gordon R. Miller,J.

June 26, 1996 ORDER filed. AND NOW, June 11, 1996 the matter is before the Court on two petitions for contempt. The matter is reviewed informally and it appears that the Defendant husband is no longer employed and is now receiving unemployment compensation in something in excess of $1200 per month, and is still occupying the marital residence.

It appears the former wife would be eligible for health benefits under the COBRA plan as it related to husband's former employment, by the Municipal authority of Conneaut Lake. Accordingly, the Defendant/Husband is directed to immediately apply for health benefits for former wife under said plan and pay the monthly expenses therefore to initiate the plan and monthly thereafter.

With regard to the COBRA health insurance, it shall be the responsibility of husband to pay the same for a period of 2 years, after which time it shall be the responsibility of the wife to procure her own coverage. In the event the wife procures employment that provides health coverage, the husband's responsibility shall terminate providing her employment coverage equates to the benefits received under husband's former plan.

The wife still maintains an equity in the real estate occupied by the Defendant in the amount of some $16,053.50. Said sum remains unpaid, and the Defendant offers no concrete proposals to pay the wife her equitable interest in the real estate which he occupies. Accordingly, said equity amount of $15,053.50 shall be paid in full on or before July 15, 1996. If the Defendant fails to meet said requirement, he shall immediately remove himself from the household and permit the wife to occupy exclusive possession of the household, and the wife will immediately list the property for sale. The court directs that when an appropriate buyer is secured, both spouses will sign the deed inorder that the equity awarded the wife may be procured, plus additional unpaid attorney fees in the amount of $1,000 plus an additiona

CONTINUED ON PAGE 477

NORMAN G. MALLIARD
VS.
TAMMY L. Malliard

CONTINUED FROM PAGE 394
OF RECORD
A.D. NO. 1994 - 844

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Oct. 12, 1995 TEMPORARY ORDER filed. AND NOW, this 12 day of October, 1995, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

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

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 mother shall have physical custody of the subject minor child from August 15th of each year through June 15th of the following, and the father shall have physical from June 15th of each through the following August 15th. In view of the distance between the parties households, the parties shall arrange the exact time of transfer.

b. The father shall have the right of visitation and temporary physical custody during the mother's custodial period for one weekend each month from Friday evening through Sunday evening. In even numbered months, the mother shall deliver the child to the father's residence for the visitation and pick her up there when the visitation is ended. In odd numbered months, the parties shall select a transfer point one-half way between Meadville and Albany and shall exchange the child there. The parties shall arrange the exact time for the meetings.

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

4. Holiday visitation shall be arranged as follows:

a. Christmas: In even numbered years, the father shall have visitation and temporary physical custody from Christmas Eve at 2 P.M. through New Year's Day at 2 P.M., and in odd numbered years, from December 27th at 2 P.M. through New Year's Day at 2 P.M.

b. Thanksgiving: In odd numbered years the father shall have visitation and temporary physical custody during the child's Thanksgiving vacation from school from 5 P.M. of the Wednesday preceding Thanksgiving through 5 P.M. of the Sunday after Thanksgiving.

c. Spring Vacation: If the school district permits a Spring break of 4 days or longer, then the father shall have visitation and temporary physical custody during one half of said Spring break. The parties shall arrange for the exact times of transfer.

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

5. Should it be necessary for either party to cancel or modify the visitations as set out in this Order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

6. Except as set out above, or as otherwise arranged, the parties shall split the responsibility for transportation, withe the party receiving the child picking her up at the home of the other.

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

8. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor child. The parties are cautioned that 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 are being trasported, 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 prty 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 prop3er and convenient. Said arrangements shall be by mutual conconsent only, in the absence of which this Order shall govern.

11. Costs and fees of this Mediation, which are fixed at $212.00, 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 make by the father. The deposit shall first be applied against the father's share of costs and the remainder, if any 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 days from the date hereof. If neither party so moves, this Order shall be considered permanent.

BY THE COURT,
Anthony J. Vardaro, J.
FAXED 10-12-95 Brode, Lindsay and Pineo

Oct. 16, 1995, Praecipe to Proceed in Forma Pauperis filed.

Oct. 26, 1995, Upon praecipe of defendant attorney, for review, this case moved to court.

Nov. 6, 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 Prothonotary. A final decree will not be entered at this time because;

Exonomic and other issues or counts have been raised in the pleadings or by petition whichare not being disposed of by stipulation, withdrawal or hearing. To grant adivorce 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 tothe court whenthe record is in such a state that the parties are entitled to a final decree. BY THE COURT,

11/6/95 copy mailed to Atty. Testi, Kulwicki's box. Anthony J. Vardaro, J.

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1994

Continued from page 302
OF RECORD
A.D. 1994-752

SHARON R. GODFREY, PLAINTIFF
VS.
Craig R. Godfrey, Defendant

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October 6, 1995 October 6, 1995

This matter is before the Court for a determination of alimony pendente lite based on a request by the Plaintiff to set hearing in this matter which was filed on February 13, 1995. Through various continuances and days of litigation in this matter, including a brief hearing on the Defendant's motion to re-open testimony, we are now in a position to decide this matter. We will also enter an order with respect to child support by the agreement of the parties noting that there is no current child support proceeding filed in the Domestic Relations Section and the Plaintiff will not be filing such a proceeding in the future. Instead, through our order in this matter, we will direct the Domestic Relations Section to open a file for the purposes of administering the collection of not only alimony pendente lite but also child support in this matter and, if any party in the future wishes to seek a modification of the child support, they may do so but no new child support action may be filed by the Plaintiff.

There is obvious bitterness between these parties and the testimony in this case was protracted with the Plaintiff making every effort to try to disclose additional income of the Defendant that simply isn't there. The matter was further complicated because the Defendant is a physician who had previously been practicing individually and then became part of a medical group effective January 1, 1995 resulting in an actual decrease in the amount of funds he has available for himself and for the support of his family.

In the end, despite the length of the testimony, our analysis will be quite simple.

First of all, we will discuss the Plaintiff. She is 44 years old and has a Masters in Elementary Education. She taught full-time until about 1981 or 1982 when the parties' first child was born. At that time, she stayed home with the children and did not work again until the parties separated in 1994. During the 1994-95 school year, she was employed at Little Peoples Preschool for three mornings a week earning about $33 per day and she also worked as a substitute teacher in various school districts on the two days per week she was available as well as some of the afternoon that she was available. Substitute teaching paid somewhere in the neighborhood of $50 per day.

As the hearings began, she was seeking full-time employment and ultimately obtained a half-time position with the Crawford Central School District at the beginning of the 1995-96 school year. We found that throughout these proceedingds, she was making every effort to attain employment and we believe at some point she will be fully employed to her capacity.

At the present time, in addition to working Monday through Thursday, five hours a day with her half-position teaching math, she is available at least to some extent on Fridays for substitute teaching in the Crawford Central School District although she indicated that is somewhat limited by the extra work she needs to do as a result of the math position.

Until she obtains full-time employment as we expect she will sometime in the future, her earning capacity has been somewhat limited to what she was previously doing and what she is doing now. At one point, the Defendant argued that the Plaintiff could be substitute teaching on a full-time basis and earn more income but, assuming that she was able to obtain a substitute assignment on each of the approximately 180 days school is in session, that would still limit her net income to be somewhere around $550 per month. Based on her pre-1995-96 school year situation, we find that her net earning capacity at that time was $500 per month.

Effective with the beginning of the 1995-96 school year, we find that she earns $448 bi-weekly over the course of 12 months or $11,648 net. From that, she will have to pay $281 in union dues so that her net monthly income after subtracting those union dues is about $950 per month. Since the Plaintiff has some potential for earning additional income through substitute teaching, we will add $50 per month net to her income and determine it to be $1,000 per month net at the beginning of the 1995-96 school year.

As we have indicated, the Defendant is a physician and in addition to his private practice, he has been employed by Rolling Fields Nursing Home. The income he earns from that employment is included in his medical office income prior to 1995 and effective January 1, 1995 it is included in his Pioneer Medical Associates income. Essentially, the Defendant's gross income form his medical gross income from his medical practice, prior to any expenses of that practice, has continued to average a little in excess of $19,000 per month in 1995 much the same as it was in 1994. The change, however, between 1994 and 1995 has occurred with respect to the Defendant's gross personal income after the expenses of the practice and the resulting net income funds available for the payment of his own expenses and for the support of his family. According to the 1994 income tax return of the parties, the gross business income for the Defendant was $147,898 or $12,324 per month. Taking that number into consideration along with some other income which was received, it would appear that the Defendant would have a net income of around $8,600 to $8,700 per month for 1994.

To the contrary, in 1995, since his association with Pioneer Medical Associates, it appears that, while his gross medical practice income is still the same, his gross salary from the medical practice including 1994 accounts that were receivable on December 31, 1994 and collected in 1995 has been reduced. Specifically, Pioneer Medical Associates has been paying the Defendant a gross salary of $4,153.85 every two weeks resulting in a net check to him of $2,413.36 every two weeks. Adding back in payments he is making to a 410 K plan and, taking into consideration income that he has received in 1995 for work performed from 1994, he concedes that his net monthly income now is $6,958 per month.

We are satisfied that the Defendant's reduction in net income is justified. He presented testimony from two other physicians in his medical group essentially indicating that, in order to survive in the upcoming medical climate, physicians will have to become involved in groups to be able to negotiate appropriate contracts with insurance companies which are tending to move toward a managed care arrangement rather than the traditional fee for service arrangement. We are satisfied that if the Defendant did no move toward becoming involved in such a group that his patient base may very well erode in a short period of time.

As a result of becoming involved in Pioneer, there have been increased expenses to the Defendant and we are satisfied his net monthly income is in fact around $7,000 per month for 1995.

We recognize that the Defendant is in a position to give himself a raise at any time, if the funds are available for him to do so, but the records clearly reflect that the funds just aren't available at this time and we do not believe that the Defendant is intentionally not giving himself a raise in order to keep the funds within the medical practice and therefore not benefit his wife and children.

We do, however, find that there are other funds available. Specifically, the Defendant had an Integra Bank account prior to his involvement in Pioneer Medical Associates and continues to have that account. It is apparent that, despite his decreased income, he has maintained a consistent balance in that account of around $39,000 to $42,000. Under the circumstances, we cannot allow him to just let those funds sit there while he has a decrease in income affecting his ability to pay alimony pendente lite and child support. Those funds should be used to supplement his income and to allow his family to live as near the previous syle as possible while his involvement in Pioneer Medical Associates develops and hopefully his monthly income increase to the point it previously was or beyond.

Accordingly, based on the fact that he has those funds available and based on his current net income, we find that he has funds available in the amount of $8,600 per month. Therefore, from February 3. 1995 through August 31, 1995, we will determine appropriate alimony pendente lite and child support for the two minor children based on Plaintiff's net income of $500 per month and the Defendant's net income of $8,600 per month, and effective September 1, 1995, we will determine alimony pendente lite and child support for the two children based on a net income of $1,000 per month for the Plaintiff and $8,600 per month for the Defendant. We make the following calculations:

For the initial period, the total income of the parties is $9,100 per month and therefore 19.7% should go toward support for the children. That would be $1,792.70. The Defendant is responsible for 94% of that or $1,685.13 per month.

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A.D. 1994-752

Sharon R. Godfrey
VS.
Craig R. Godgrey

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See paper for rest of Memorandum.

ORDER

and now, October 6, 1995, after formal hearing in this matter, consistent with the Memorandum we have filed this day, it is ordered and directed that from February 3, 1995 through August 31, 1995, the Defendant will pay child suport for the support of his two minor children in the amount $1,685.13 and alimony pendente lite in the amount of $1,924.46 per month for a total of $3,609.59 per month payable in weekly installments of $833.04.

Effective September 1, 1995, the Defendant shall pay child support for the support of his two minor children in the amount of $1,683.16 and alimony pendente lite in the the amount of $1,775.05 for a total of $3,458.21 payable in weekly installments of $798.10.

In addition, during both periods of time, the Defendant shall pay toward arrears at the rate of $300 per month payable in weekly installments of $69.23.

The Domestic Relations Section is directed to create a file with respect to this matter and all payments both for child support and alimony pendente lite shall be made through the Domestic Relations Section. With respect to child support, it shall be considered that this is the beginning of a child support action and any future action by the parties shall be in the nature of a petition to modify child support based on this original order and the Plaintiff shall not file a new child support action. The Defendant may only file a new child support action in the event one or both children comes into his custody at least on a 50/50 basis.

Over the course of this litigation, the record reflects that the Defendant made certain direct payments and indirect payments to the Plaintiff. Those payments will be credited against the amount of support as follows: for February, March and April of 1995, the Defendant will be credited for $2,000 each month for direct payment to the Pliantiff. For May, June and July of 1995, he will be credited with $1,500 for each month for direct payment to the Plaintiff and in each case one-half of the amount will go toward child support and one-half will go toward alimony pendente lite.

For each month from February, 1995 through July 1995, the Defendant will be credited with $856.02 which he paid toward the mortgage of the marital home in which the Plaintiff and the children reside and $312.45 which he paid toward an auto loan for the vehicle the Plaintiff drove for a total of $1,168.47 which amount will be credited toward alimony pendente lite.

We also had testimony that there may have been some other items paid by the Defendant including real estate taxes and auto, life, health and homeowner's insurance. We are not going to give the Defendant any additional credit with regard to those items since some of that may be considered at the time of equitable distruibution.

From August 1, 1995 through the time of this order, we do not have further information with regard to any direct payments made by the Defendant or whether he has continued to pay the mortgage and the auto loan. The parties through their counsel shall within a period of 30 days submit a document to the Domestic Realtions Section evidencing an agreement as to the amount paid directly by the Defendant to the Plaintiff since July 31, 1995 together with any mortgage payments or auto loan payments that have been made by the Defendant on the Plaintiff's behalf so that those amounts may also be credited to the Defendant.

If the parties cannot agree on that amount, they may request further hearing prior to the Domestic Relations Section giving any further credit.

The Defendant shall pay any costs involved in creating a file in the Domestic Relations Section within 30 days from when he is billed for that amount by the Domestic Relations Section.

The original motion for scheduling hearing in this matter dated February 3, 1995 asked for hearing with regard to alimony pendente lite, counsel fees and costs. As we have indicated, the parties agreed that this matter was with regard to alimony pendente lite and child support but we had not have hearing with regard to counsel fees or costs and this order is without prejudice to schedule such hearing in the future if it is needed.

BY THE COURT:
Anthony J. Vardaro, J.

10-9-95 dist by Ct

Oct. 11, 1995, AMENDMENT filed. AND NOW, oct. 9, 1995 we note that we have filed to place an ending date with espect to the alimony pendente lite order and, accordingly, our order of Oct. 6, 1995 is amended only tot he extent that alimony pendente lite will only be payable through Aug. 13, 1996 unless there is further order of court.

BY THE COURT,
Anthony J. Vardaro, J.

10/11/95 dist. to Thomas and Irwin and to dom. Rel by ct.

July 23, 1996 Defendant's Affidavit Under Section 3301(d) Of The Divorce Code filed.

July 23, 1996 Waiver of Notice of Intention To Request Entry of a Divorce Decree Under Section 3301(c) of the Divorce Code of Defendant filed.

July 25, 1996 Defendant's Income and Expense filed.

July 29, 1996 Petition for Bifurcation and Order filed. AND NOW,this 29th day of July, 1996, upon consideration of Defendant's Petition forBifurcation, a Rule is hereby entered upon the Respondent, Sharon R. Godfrey, to show cause why the relief requested should not be granted.
Rule Returnable with hearing thereon the 5th day of September, 1996 at 1:30 P.M. in the Crwaford County Courthouse, Courtroom No. 2.

FOR THE COURT,
Ann A. Walker, C.A.

7-29-96 Faxed Thomas & Irwin

Aug. 2, 1996 Motion To Appoint Master in Divorce and Order filed. AND NOW, July 29,1996, DAVID W. PICKENS, Esquire is appointed Master in respect to the following claims: Divorce, Alimony, Alimony Pendente Lite, Equitable Distribution, Counsel Fees, Costs & Expenses.
If not filed already, the parties are ordered to file their pretrial statements within thirty (30) days form this date.

PER CURIAM,
Gordon R. Miller, J

Aug. 2,1996 Faxed Irwin, Thomas & Pickens

Aug. 5, 1996 Notice of Scheduled Pre-Hearing Conference filed.

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1994

Dawn M. Lyons
vs.
John P. Lyons

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Feb. 2, 1996 Motion For Leave To Withdraw Appearance and Order of January 31, 1996, upon presentation and consideratio of the within Motion, Defendant's counsel, Brian J. Lindsay, Esquire, is hereby authorized and is given leave to withdraw his appearance on behalf of the Defendant in the above captioned case.
Feb 2, 1996 Faxed Lindsay & Keenan
Feb. 6, 1996 Faxed Fuller

Apr. 4, 1996 Notice of Intention to Request Entry of Divorce Decree by Dawn M.Lyons,Plaintiff, filed.

April 29, 1996 Upon praecipe of plaintiff attorney, to transmit the record, this case moved to court.

DIVORCE DECREE FILED

May 7, 1996 AND NOW, May 2, 1996, it is Ordered and Decreed that DAWN M. LYONS, Plaintiff, and JOHN P. LYONS, 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.

AS OF July 20, 2001, SEE COMPUTER FOR FUTURE ENTRIES

790.

ELEANOR R. MYERS
Plaintiff
VS.
345 ROGERS FERRY ROAD, INC.
(FORMERLY, SPAULDING'S, LTD.)
Defendant
and
CLAIRMONT SUMMERS
Defendant

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May 20, 1996 Defendant, Clairmont Summers' Answer and New Matter filed.

May 20, 1996 Defendant, 345 Rogers Ferry Road, Inc.'s Answer and New Matter filed.

June 10, 1996, Plaintiff, Eleanor R. Myers' Answer to New Matter filed.

July 30, 1996 Verification by Plaintiff filed.

Jan. 2, 1996 Notice of Service of First Set of Plaintiffs' Interrogatories and Request for Production of Documents Directed to Deefndant, Clairmont Summers filed.

Jan. 2, 1996 Notice of Service of First Set of Plaintiffs' Interrogatories and Request for Production of Documents Directed to Defendant, 345 Rogers Ferry Road, Inc. (Formerly Spaulding's Ltd.) filed.

May 5, 1997 Certificate of Service by Plaintiff Attorney filed. I hereby certify that a true and correct copy of the within Plaintiffs' Answers to Defendant's Request for Admissions and Interrogatories and Request for Production of documents was mailed postage pre-paid on this 2nd day of May, 1997 to the following counsel of record:
Louis J. Stack, Esq.
Shafer, Swick, Bailey, Irwin, Stack & Millin
360 Chestnut St.
P. Box 594
Meadville, PA 16335-0594

EDGAR SNYDER & ASSOCIATES, P.C.
Russell D. Karl, Esquire
Attorney for Plaintiff

May 13, 1997 Answers to Request for Admissions Directed to the above named Plaintiff for the Purposes of Discovery Pursuant to Pa. R.C.P. No. 4014 and Follow-Up Interrogatories and Request for Production of Documents, filed.

June 10, 1997 Plaintiff Eleanor R. Myers' Supplemental Answers to Defendants Request for Admissions and Interrogatories and Request for Production of Documlents filed.

June 10, 1997 Plaintiffs Joseph M. Leta and Gwenyth A. Leta's Supplemental Answers to Defendants Request fro Admissions and Interrogatories and Request for Production of Documents, filed.

Nov. 5, 1997 Request For Admissions Directed To the above-named Defendants For the Purposes of Disvoery Pursuant to Pa.R.C.P. 4014 and Follow-up Interrogatories and Request For Production of Documents filed.

May 24, 1998 Certificate of Readiness, filed.

Apr. 21, 1998 Plaintiffs' Petition for Consolidation for Purposes fo a Joint Trial and order filed. ORDER: RULE: And Now, this 17 day of april 1998 a arule is issued on the dft. to show cause why relief requested should not be granted. Rule returnable on the 1st day of June 1998 at 11:75 a.m. in C. R. No. 1 at Motions Court.
by the corut,
Anthony J. VArdaro, J.
4/21/98 faxed to SHafer, sent to Karl.

June 2, 1998 Order filed. AND NOW, June 1, 1998, the Petitioners for consolidation filed by each Plaintiff in each case are granted on the assumption there will be no jury trial in either case.
Therefore, these cases are consolidated for trial purposes.
We understand that there was no request for jury trial in one case and the request for jury trial in the other case was withdrawn when the amended complaint was filed.
BY ORDER OF THE COURT,
Gordon R. Miller, J

6/2/98 Distributed Karl & Shafer

June 24, 1998 Notice of Deposition of Clairmont Summers filed.

Aug. 6, 1998 Appearance of Russell D. Karl, attorney for plaintiff filed.

September 14, 1998 DEFENDANT CLAIRMONT SUMMERS' MOTION FOR SUMMARY JUDGMENT FILED.

December 7, 1998 Motion for December Argument List and Order filed. And Now, this 4 day of Dec. 1998 upon consideration of the Defendant Clairmont Summers' Motion, It is hereby Ordered that Clairmont Summers' Motion for Summary Judgment in this case shall be listed on December 1998 argument lsit with the companion case of leta v 345 Rogers Ferry Rdoad, Inc. as No. A.D. 1994 - 1044.
By the Court
Anthony J. Vardaro, J.

12/7/98 Faxed Stack and mailed Karl

December 22, 1998 Plaintiff's Answer to Defendants Motion for Summary Judgment Filed.

Dec/. 29, 1998 Defendant's Reply to Plaintiff's Answer to Dft's Motion for Summary Judgment filed.

Dec. 29, 1998, Defendant's Reply to Plaintiff's Answer to Defendant's Motion for Summary Judgment filed.

Jan. 25, 1999 ORDER SETTING NONJURY TRIAL DATE filed. AND NOW, this 25th day of January, 1999, nonjury trial in the above matter is hereby scheduled to commence Thursday, May 27, 1999, at 9:00 a.m., CR#1, and to continue for a helf-day on Friday, May 28, 1999, at 9:00 a.m., Crawford County Courthouse, Meadville, PA.
FOR THE COURT,
Ann A. Walker, Court Administrator

Jan. 26, 1999 Order FAXED Attys. Shafer, Stack, Karl.

(Continued on Page 474A)

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A

S30410

Feb. 5, 1999, MEMORANDUM AND ORDER filed. ORDER: AND NOW, Feb. 5, 1999, Defendant Summers' Motion for Summary Judgment is denied.

June 1, 1999 Order filed. And Now, May 26, 1999 during a pretrial conference the defendant, Clairmont Summers, filed an offer of proof of the testimony of Paul D. Shafer, Jr. Esq. The plaintiffs in these cases have objected to Mr. Shafer's ability to testify.

We see two categories of issues with respect to the subbestion that Mr. Shafer should be permitted to testify to-wit:
1. Whether or not Mr. Shafer's testimony in total would be barred by the Code of Professional Responsibility.
2. If Mr. Shafer is permitted to testify by the Code of Professional Responsibility whether or not there is a basis to object to his testimony on certain matters by reason of any rules of principles of evidence
3. Counsel for the palintiffs just received the offer of proof and is not adequately prepared to argue his objection and Mr. Shafer should not be permitted to testify at all by reason of the Code of Professional Responsibility.
Accordingly, it is ordered as follows:

1. The trial in this matter is continued to a date to be set by the Court Administrator. The parties believe that this case will take one day to try.
2. Oral argument on the plaintiffs' objections to Mr. Shafer's testimony by reason of the Code of Professional Responibility shall be held in Courtroom no. 1 during the July 1999 Argument Court at a time to be set by the Court ADministrator. We believe that this argument could be inserted in place of the Beverly Argument that will be continued.
3. Counsel for Clairmont Summers shall file a brief 15 days prior to the date of the argument. Counsel for the plaintifs shall file a responsive brief 5 days prior to the argument.

By the Court
Gordon R. Miller, PJ

6/2/99 Dist. Karl & Stack

Sept 2, 1999 Memorandum and Order filed. And Now, August 31, 1999 it si ordered as follwos: We will permit Mr. Shafer to testify at trial if his testimony is necessary so long as Mr. Stack is lead counsel form now on. As to the matter of privilieged communications, we will not permit Mr. Shafer to testify without his clients' waivers. The clients in this case would be Janet Nunn and Spaulding's Inc. As to other evidentiary principles such as hearsay we will wait for trial to rule.

By the Court
Gordon R. Miller, PJ

See papers filed ad AD 1994 - 1044

FOR FURTHER DOCKET ENTRIES SEE COMPUTOR. 1994 30790

474 B

1994

562.

MILDRED CONLEY
Plaintiff
VS.
LAKEWOOD ENGINEERING &
MANUFACTURING COMPANY, and
AMES DEPARTMENT STORE,
Defendants
VS.
MCMILLAN ELECTRIC COMPANY
Additional Defendant

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Nov. 20, 1995 Certificate of Service filed.

Nov. 8, 1996 Motion To Compel Discovery, filed.

Nov. 8, 1996 Upon Praecipe of Defendants attorney, this case placed on next Argument List.

ON DECEMBER 1996 ARGUMENT LIST

Dec. 16, 1996 Praecipe for Argument on behalf of McMillan Electric Company filed.

Dec. 16, 1996 Brief in Support of Motion to compel Discovery on behalf of McMillan Electric filed.

JURY TRIAL DEMANDED

Dec. 16, 1996 Motion to Compel Discovery by McMillan Electric Company filed.

May 19, 1997 Notice to Complete Discovery filed.

Sept. 10, 1997 Motion to Compel Plaintiff's Deposition and Order filed. AND NOW, this 10 day of September, 1997, upon consideration of Defendants' Motion to Compel Plaintiff's Deposition and for Extension of Discovery, it is hereby ordered that the Motion is granted and that Plaintiff Mildred Conley shall appear for a discovery deposition within 30 days of the date of this Order, or appropriate sanctions will be imposed upon further application to this Court. Additionally, discovery is extended until November 17,1997.

By the Court:
Anthony J. Vardaro, J.
9-10-97 FAXED Spadafore, Murphy, Magrak, Anderson

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June 9, 1998 Order filed. AND NOW, June 8, 1998, this matter comes before the Court on a motion to compel deposition filed bythe defendant Lakewood Engineering & Manufacturing and the Defendant Ames department Store.

After argument in Motions Court it is ordered and directed that Lakewood Engineering and Manufacturing Company and Ames Department Store, through their attorneys, amy take the deposition of Richard D. Brugger, who is Plaintiff's expert , but that deposition will be soely limited to observations made by Mr. Brugger when he went to the fire scene and any contacts he made there as a result of going to the fire scene. There shall be no effort to obtain any expert opinion nor the basis for any expert opinion in any form.

Insofar as this is an expert witness retained by the Plaintiff, if there is a cost for the hourly rate or any charnge by Mr. Brugger, it shall be borne by the Defendants Lakewood Engineering & Manufacturing and Ames Department Store.

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

6/10/98 Distributed Spadafore, Bax & Anderson

***

June 8, 1998 Motion To Compel Deposition filed.

FOR FURTHER DOCKET ENTRIES SEE COMPUTER 1994 30562 AD 1994 562

1994

Norman G.Malliard
vs
Tammy L. Malliard

Continued from Page 470
of Record
AD 1994 - 844

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Nov. 20, 1995 Upon Praecipe of Joseph F. Kulwicki, III, Esquire,Attorney for Defendant, to transmit record, case moved to Court.

Nov. 28, 1995 Motion to Withdraw Economic and Other Issues/Counts and ORDER filed. And Now, November 22, 1995, this motion is granted.

Gordon R. Miller, Judge

Nov. 28, 1995 Order FAXED Attys. Testi, Irwin, Kulwicki & Brode.

FINAL DIVORCE DECREE FILED.

AND NOW, december 8, 1995 it is hereby ordered and decreed that Norman G. Mailiard, plaintiff, and Tammy L. Malliard, defendant, are divorced from the bonds of matrimony.

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

by the court,
Anthony J. vArdaro, Judge

1994

685.

CHERYL SISK
VS.
THOMAS S. SISK

CONTINUED FROM PAGE 469
OF RECORD
A. D. 1994 - 685

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plus an additional amount of $200 for attorney fees incurred in bringing this matter before the Court.

Once a buyer is found for the property that will adequately pay marital interest of the wife, the property will be sold and both parties are directed to sign said deed and after payment of the equitable interest to the wife and the aforesaid attorney fees, any remaining balance, after payment of two mortgages, realtor's commission, and other ancillary expenses will be the exclusive possession of the husband.

BY ORDER OF THE COURT
P. Richard Thomas, S.J.
6-26-96 DISTRIBUTED Walton, Gregg

478.	ANDREW RODGERS AND BONNIE RODGERS, husband and wife, Plaintiffs VS. MICHAEL L. SMITH, DOING BUSINESS AS VERNON TOWING, Defendants	CONTINUED FROM PAGE 43 OF RECORD A. D. 1994 - 493

2. The plaintiffs shall return to the defendant certain axles which were used by the defendant to transport plaintiffs' mobile home to the defendant at the time the defendant makes payment to the plaintiffs as aforesaid.

3. All parties shall sign the settlement agreement and release of all claims that constitutes plaintiffs' Exhibit 4. The settlement agreement and a release of all claims as executed by the parties shall be delivered at the time the defendant makes payment as aforesaid.

The Prothonotary shall deliver a true and correct copy of this judgment to Stephen E. Hall, Esquire, attorney for the plaintiffs, by regular mail, postage prepaid to Michael L. smith, d/b/a/ Vernon Twoing Service, Rural route #1, box 178B, Atlantic, Pa. 16111 and a courtesy copy to Thomas D. Watson, Esquire, thedefendant's former counsel.

BY THE COURT,
Gordon R. Miller, P.J.
7-1-96 IDSTRIBUTED Hall. MAILED Deft. FAXED Watson.

1994

527	JULIE K. PETRICK, PLAINTIFF VS. DALE E. PETRICK, DEFENDANT	CONTINUED FROM PAGE 461 OF RECORD A. D. 1994 - 527

July 10, 1996 Affidavit of Consent by Defendant filed.

Jan 6, 1997 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

Jan. 24, 1997 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 but the agreement has not been filed of record.

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

BY THE COURT:
Anthony J. Vardaro, J

1-24-97 distributed Kirkpatrick & Irwin

March 3, 1997 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

March 10, 1997 And, Now, March 7, 1997, it is ordered and decreed that JULIE ANN KING PETRICK, Plaintiff and DALE EUGENE PETRICK, 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 Memorandum of Agreement filed of record herein is made a part hereof and shall be fully enforceable under the Divorce Code.

By the Court:
Anthony J. Vardaro, J.

June 25, 1997 Petition to Adopt QDRO, Motion to Set Hearing and Order filed. And, now, June 24, 1997, hearing on Plaintiff's Petition to Adopt QDRO is scheduled for **Tuesday, August 12, 1997**, in courtroom 1 or 2 of the Crawford County Court of Common Please in Meadville, PA at 1:15 P.M.

For the Court
Ann A. Walker, Ct. Admin.
6-25-97 FAXED Kirkpatrick & Irwin

Aug. 12, 19097 Qualified Domestic Relations Order filed. It is the intent of the court that the provisions of the Qualified Domestic Relations Order operate as an effective assignment of Dale E. Petrick's interest in the Boilermakers National Annuity Trust (hereinafter, the Plan) as set forth under both state and federal laws, for all purposes, and constitute a "Qualified Domestic Relations Order" in compliance with Section 414(p) of the Internal Revenue Code of 1986, as amended (hereinafter referred to as IRC) and Section 206(d)(3) of the Employee Retirement Income Security Action of 1974, as amended (hereinafter referred to as ERISA).

This Qualified Domestic Relations Order is dated this 12 day of August, 1997.

(SEE PAPERS FILED)

By the Court,
Anthony J. Vardaro, J.

AS OF APRIL 10, 2000 - ANY FILINGS INVOLVING THIS CASE MAY NOW BE FOUND ON THE COMPUTER

752 SHARON R. GODFREY
Plaintiff
VS.
CRAIG R. GODFREY
Defendant

CONTINUED FROM PAGE 472
OF RECORD
A. D. 1994 - 752

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Aug. 8, 1996 Motion for Continuance and ORDER filed. AND NOW, this 7th day of August, 1996, upon presentation and consideration of the within Motion this hearing is rescheduled for the 7th day of October, 1996, at 9:15 O'Clock A.M. in Courtroom No. 2 of the Crawford County Courthouse, Meadville, Pennsylvania. FOR THE COURT:
Ann A. Walker, Ct. Admin.

8-8-96 FAXED Thomas & Irwin

Aug. 8,1996 Petition for Special Relief and ORDER filed. AND NOW, this 7th day of August, 1996, upon presentation and consideration of the within Petition, a Rule is granted upon the Defendant to show cause, if any he has, why the relief set forth in said Petition should not be granted.

Returnable for hearing and/or argument on the 7th day of October, 1996 at 9:15 o'clock A.M. in Courtroom No. 2 of the Crawford County Court House, Meadville, Pannsylvania.
FOR THE COURT,
Ann A. Walker, Ct. Admin

8-8-96 FAXED Thomas & Irwin.

Aug. 8, 1996 Petition for Special Relief Extension of Alimony Award and ORDER filed. AND NOW, this 7th day of August, 1996, upon presentation and consideration of the within Petition, a Rule is hereby granted upon the Defendant to show cause, if any he has, why the alimony award heretofore entered by this Court should not be extended for a period of at least six (6) months.

Returnable for hearing and/or argument on the 7th day of October, 1996 at 9:15 o'clock A.M. in Court Room No. 2 of the Crawford County Court House, Meadville, Pennsylvania.
FOR THE COURT,
Ann A. Walker, Ct. Admin.

8-8-96 FAXED Thomas & Irwin

Sept. 30, 1996 Notice of Master's Hearing filed.

Oct. 11, 1996 Summary of Pre-Hearing Conference filed.

Nov 26, 1996 Supplemental Scheduling Order - concerning extension of time to file supplemental pre-trial narratives, filed.

Dec. 6, 1996, Notice to Produce filed.

Dec. 12, 1996 Motion to Quash/Limit Subpoena filed.

Dec. 12, 1996 Order filed. AND NOW, December 11, 1996, upon consideration of a Motion to Quash/Limit the subpoena filed on behalf of Douglas Braham representing the Rolling Fields Nursing Home with said motion being filed pursuant to rule 234.4, it is here by ordered and decreed that Douglas Braham acting for Rolling Fields Nursing Home Inc. shall not be required to produce at a hearing set for December 12, 1996 items subpoenaed by the Plaintiff with the exception however that the following items will be produced at the Hearing by Rolling Fields Nursing Home Inc.:

1. The agreements of the attending physician's services between rolling Fields and Craig R. Godfrey, D.O. for the years 1993, 1994, 1995, and 1996.
2. All IRS Form 1099s issued by Rolling Fields Inc. to the Internal Revenue Service and the Defendant for the calendar years 1993, 1994, 1995, and 1996.

We note that the Plaintiff has withdrawn her request that the witness produce the hard copy printout of Form HCFD-2540 which is a cost report but still requests certain other documents with regard to the allocations of the physician compensation.

The Plaintiff through counsel at the time of the hearing scheduled may explore with the witness or witnesses from Rolling fields Inc. whether there are any funds as a result of the allocation of physician compensation that are due or may be due to the Defendant Godfrey for any of the years in question and if so where those funds are. That examination may include exploring whether those funds are being deferred to another year or have been provided in another form of compensation that would not be obvious from the Form 1099 issued for each year.

In the event as a result of that questioning of any such witness the Plaintiff believes there are such funds available to the Defendant that will be in some manner paid to him or have been paid to him in any manner in the past, this Order is without prejudice to the Plaintiff to come again before the Court to ask for an Order allowing those items to be produced in whole or in part.
BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

12-12-96 DISTRIBUTED Thomas & Bailey

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Dec. 23, 1996 Waiver of Notice of Intention To Request Entry of A Divorce Decree Under SEction 3301(c) O F THE Divorce Code of DEfendant filed.

Dec. 23, 1996 Affidavit of Consent of Defendant filed.

Dec. 23, 1996 Waiver of Notice of Intention To Request Entry of A Divorce Decree Under Section 3301(c) of the Divorce Code of Plaintiff filed.

Dec. 23, 1996 Affidavit of Consent of Plaintiff filed.

Ded. 23, 1996 Upon praecipe of Defendant Attorney To Transmit Record, this case moved to court.

***

Dec. 17, 1996 Order filed. AND NOW,December 12, 1996, the oral motionof James R. Irwin, attorney for Dr. Godfrey and attorney for Kenneth R. Challener, M.D. to either Quash a subpoena issued to John McMahon or require a return by Mr. Thomas of the financial statements of December 31, 1995 of Pioneer Medical Associates P.C. to Mr. McMahon (which were brought to a divorce Master's Hearing this date pursuant to a subpoena duces tecum). This is a motion which the Court is considering as a Motion for Protective Order.

The motion is denied. Documents brought by a subpoenaed witness may be held by the attorney who subpoenaed that witness subject to the following protective order:

These documents involve revenues, expenses and salaries of persons who appear to be members of a professional corporation whoc are persons other than the parties to this litigation. Essentially, the statement of revenue and expenses of the professional corporation of which Dr. Godfrey is a member would be relevant as well as Dr. Godfrey's individual statement of revenues and expenses possibly but not quite so essential. The statement of revenues and expenses of other members of the coproation may also be relevant. We don't rule on the admissiblity of these documents at this itme. We do order and direct Attorney Thomas and his client to use these documents if at all solely for the purpose of this litigation. They may not disseminate or use the informlation they gain concerning theother members of the professional corporation in any other manner. They shall not make that information public except to the extent these documents are introducted into evidence inthis litigation.

They shall not disclose that information to any other parties except to the extent that is necessary or reasonable in this litigation. They shall not disseminate copies of the statement of revenues and expenses of other members of the Professional Corporation in any manner without further Order of Court.
BY ORDER OF THE COURT,
Gordon R. Miller, J

12-17-96 distributed Irwin & Thomas

Record Continued on PAGE 480 (a).....

Sharon R. Godfrey
vs.
Craig R.Godfrey

Record continued from page 480(c)
of record
A.D. 1994 - 752

****

6. Husband shall pay $2,602.25 and Wife will pay $1,115.25 forthwith to the Prothonotary. Of this, $900 will be paid to the Reporter and the remainder shallbe for the master and turned over to the Courty by the normal procedure. The reporter's fee shall be paid to Lorraine A. Dallas, 820 Ravine Street, Meadville, PA 16335.

7. Commencing with the entry of this decree, Husband shall pay wife $1,400 per month in alimony. Payment shall continue for a period of 13 years (156) months) and shall be subject to modification upon a change in circumstances.

8. Within 30 days of entry of this decree, Husband shall purchase a life insurance policy on his life form a company of good standing with a face amount of $200,00 and payable to Wife as beneficiary. The children should be named as alternate beneficiaries No terms of the insurance policy shall be subject to change wihtout the written consent of the principal beneficiary.

10. This is a final decree and resolves all claims between these parties for alimony alimony pendente lite (except to the extent either party has filed 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 claim still exists, the court retains jurisdictionof any claims raised bythe parties to this action for which a final order has not yet been entered. Any existing spousal support order shall hereafter bee deemed an order for alimony pendente lite if any economic claims remain pending.

BY THE COURT:
Anthony J. Vardaro, J

Oct. 20, 1997 STIPULATION AND ORDER filed. 2 copies (atty) having received and reviewed the stipulation and agreement entered to the distribution of the dft's SEP/IRA held by Parker-Hunter Inc. that his stipulation and Agreement entered into by and between the an order of this court.

by the court,
Anthony J. Vardaro, J.

ORDER: AND NOW, this 20 day of Oct. 1997 the court into by and between the plff. and the dft. relative under Acft. No. 05711242, hereby orders and decrees plff. and the dft. shall be and is hereby declared

480 D

CONTINUATION OF STOUGH VS STOUGH AD 1994 - 531 FROM PAGE 81

Apr 24, 1998 Motion to Withdraw Count II Said Count Being the Plaintiff's Claim for Equitable Distribution, filed.

Apr 24, 1998 Objection to Termination, filed.

Apr 24, 1998 Stipulation, filed.

Apr 24, 1998 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

May 18, 1998 AND NOW, May 15, 1998 it is ordered and decreed that, ALICIA M. STOUGH, Plaintiff and STEPHEN J. STOUGH, Defendant, are divorced from the bond of matrimony.

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

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

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

SHARON R. GODFREY

VS.

CRAIG R. GODFREY

RECORD CONTINUED FROM PAGE 480

OF

AD 1994 - 752

****

****SEE BELOW:

DIVORCE DECREE FILED

Dec. 24, 1996 AND NOW, December 23, 1996, it is ordered and decreed that SHARON GODFREY, Plaintiff, and CRAIG R. GODFREY, Defendant, are divorced from the bonds of matrimony. The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT:
Anthony J. Vardaro, J.

**** Dec. 23, 1996 Motion for Continuance and ORDER filed. AND NOW, this 19 day of December, 1996, upon presentation and consideration of the within Motion, Plaintiff's Petition for Special Relief, Extension of Alimony Award, shall be heard by this Court immediately following the hearing on Defendant's Bifurcation Petition which is scheduled for Monday, December 23, 1996 at 9:15 o'clock A.M.

BY THE COURT,
Anthony J. Vardaro, J.

Dec. 23, 1996 Motion to Continue and ORDER filed. AND NOW, this 19 day of December, 1996, upon presentation and consideration of the within Motion this hearing is rescheduled for the 23rd day of Dec., 1996, at 9:15 a.m. before the Honorable Judge Anthony J. Vardaro, In Courtroom No. 2 of the Crawford Co. Courthouse, Meadville, PA.

BY THE COURT:
Anthony J. Vardaro, J.

Dec. 27, 1996 Order filed. AND NOW, December 23, 1996, this matter comes before the Court on a Petition for Bifurcation filed by the DEfendant and Petitions for Special Relief and Special Relief in the nature of an extension of Alimony Pendente Lite award which have been filed on behalf of the Plaintiff.

Both parties appear with counsel and they have agreed to the entry of orders with regard to all of the outstanding petitions.

Accordingly, with the consent of both parties, it is ordered and directed that the Defendant's Petition for Bifucation is granted wtihout objection by the Plaintiff and the Plaitniff will this day file a 3301(c) Affidavit of Consent.

Additional, the Plaintiff will comply with any necessary requirements and eaive any deadlines so that a divorce may be c completed by the end of the calendar year 1996 with the understanding that all economic issues are preserved.

Additionally, ;the Defendant shall keep in full force and effect an American Medical AssocaitionLife Insurance P0licy in the amount of $300,000 and pending the disposition and completition of economic issues that policy shall remain in that full amount and the beneficiary shall be Sharon R. Godgrey without a designation as the Defendant's "wife". Proof of the existence of that policy in that amount with Sharon R. Godfrey as the veneficiary shall be provided by the Defendant though counsel to Plaintiff's counsel.

With respect to the Plaintiff's Peittion in the nature of a request for Special Relief for the extension of any Alimony Pendente Lite award commencing on December 30, 1996, until the entry of recommedaitions by the Master with regard to economic issues, the Plaitniff will receive alimony pendente litein the amount previously awarded by the Court in October of 1995 which amount is $1775.05 per month.

This Order is without prejudice to either party to request relief if a party files exceptions to the Master's recommendations, Additionally, it is without prejudice to either party to request relief if the Master's Hearing is not completed as anticiapted onJanuary 10, 1997.

Finally, with regard to the Petition for Special Relief filed by the Plaintiff, the parties agree that neither one will make a unilateral decision regarding any investments whether they be perceived as marital or non-marital pending further Order of Court or pending final disposition of the economic issues in this matter.

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

12-27-96 distributed Thomas & Irwin

Jan. 3, 1997 Notice of Second Master's Hearing filed.

Jan. 9, 1997 Order filed. AND NOW, January 8, 1997, an argument and/or hearing on the plaintiff's Motion for reconsideration of Order filed this date in Motions Court is hereby set for this date at 4:30 o'clock p.m. in courtroom No. 1 of the Crawford County Courthouse.

At that time counsel for the plaintiff shall be prepared to explain whether or not this motion was filed in accordance with local rules and if not, why not.

All counsel shall be prepared to cite the Court to the relevant sections of any statutes or regulations with respect to the payment of Part B Medicare Benefits, whether or not those benefits can be assigned by a physician to a provider or other entity, and whether or not there is any evidence in this case that an assignment has or has not been accomplished.

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

1-9-97 FAXED Thomas, Bailey & Irwin

Jan. 9, 1997 Motion for Reconsideration of Order filed.

Jan. 9, 1997 Order filed. AND NOW, January 8, 1997, after review of the Plaintiff's motion for reconsideration of an order entered by Judge Vardaro on December 11, 1996, said motion is denied because the Plaintiff has not satisfied the preconditions to reconsideration that were set forth by Judge Vardaro in the last two paragraphs of his order. We are not convinced that any witness or witnesses testified that the Defendant would be entitled to any additional funds including Part B Medicare Funds.

Furthermore, we don't view the Plaintiff's motion as a motion for reconsideration, we view it as a request of this Court to permit the Plaintiff to introduce forms 1994-1099-MISC and 1995-1099-MISC issued by Medicare payor to Rolling Fields Nursing Home into evidence.

We view Judge Vardaro's Order of December 11, 1996 as a response to Rolling Fields Motion to quash or limit a subpoena. Fields was required to produce pursuant to the subpoena. He did not make any indication as to whether or not any of the documents which Rolling Fields was not required to produce but which might be obtained by the Plaintiff by other means would or would not be admissible at the Master's Hearing.

The admissibility of these documents or exhibits is solely within the prerogative of the Master.

We do not change Judge Vardaro's Order in any respect. We are denying the motion because (a) the Plaintiff has not complied with conditions set forth in Judge Vardaro's Order and (b) it is not necessary for this Court to rule now on whether or not those documents are admissible for that in a matter for the Master.

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

Jan. 14, 1997 Transcript of Proceedings filed.

CONTINUED Pg 480B

752 | SHARON R. GODFREY VS. CRAIG R. GODFREY | CONTINUED FROM PAGE 480-A OF RECORD A. D. 1994 - 752

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Jan. 9, 1997 Order filed. AND NOW, January 8, 1997, an argument and/or hearing on the plaintiff's Motion for Reconsideration of Order filed this date in Motions Court is hereby set for this date at 4:30 o'clock p.m. in Courtroom No. 1 of the Crawford County Courthouse.

At that time counsel for the plaintiff shall be prepared to explain whether or not this motion was filed in accordance with local rules and if not, why not.

All counsel shall be prepared to cite the Court to the relevant sections of any statues or regulations with respect to the payment of Part B Medicare Benefits, whether or not those benefits can be assigned by a physician to a provider or other entity, and whether or not there is any evidence in this case that an assignment has or has not been accomplished.

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

Jan. 9, 1997 Motion for Reconsideration of Order filed.

Feb 7, 1997 Notice of Filing Master's Report.

Feb 7, 1997 Master's Report and Recommendation , filed.

Feb 13, 1997 Amended Master's Report and Recommendation, filed.

Feb 18, 1997 Defendant's Exceptions to Master's Report and Recommendations, filed.

Feb 18, 1997 Notice of Filing Amended Master's Report, filed.

Feb 20, 1997 Technical Amendment to Master's Report, filed.

Mar 17, 1997 Praecipe for Placement of Exceptions on Argument List, filed.

ON ARGUMENT LIST FOR April 1997

Mar 24, 1997 Petition to Reinstate Award of Alimony Pendente Lite and Order: AND NOW, this 24th day of March, 1997, upon presentation and consideration of the within Petition, a Rule is granted upon the Defendant, Craig R. Godfrey, to show cause, if any he has, why the relief requested in the within Petition should not be granted.

Returnable for hearing and/or argument on the 4th day of April, 1997 at 9:30 A.M. in Court Room No. 2 of the Crawford County Court House, Meadville, Pennsylvania. Ann A. Walker, C.A.
Mar 25, 1997 Faxed Irwin & Thomas

Apr 11, 1997 Motion to Withdraw Exceptions to Master's Report and REcommendations and Order: AND NOW, this 10 day of April, 1997, upon consideration of Defendant's Motion to withdraw his Exceptions to the Master's Report and Recommendations, said Motion is hereby granted. Anthony J. Vardaro, J.
Apr 11, 1997 Faxed Thomas, Irwin & Pickens

Apr. 18, 1997 Affidavit of Service of complaint in Divorce by Plaintiff filed.

Apr. 18, 1997 Praecipe for Review Under Section 3301(c) of the Divorce Code filed.

Apr. 28, 1997 Final Decree filed.

AND NOW, April 25, 1997, it is ordered, adjudged and decreed as follows:

1. As equitable distribution, the parties shall receive the property as set forth below, which consists of all of the marital property of the parties set forthin the Master's Report and Recommendation:

Wife:	
Marital residence	$ 77,991 (#131,500 less $59509 mortgage balance)
Personal property in possessionof Wife	6,251
1993 Buick ParkAvenue	16,000
Joint account at Parker/Hunder (p/h) Acct: 01028801	41,216
76/1% of Husband's SEP-IRA, P/H Acct: 05711242 worth $168,829	128,471
Wife's Integra Checking, Accts: 060411 & 6500-2321	3,164
National City Bank (N/C) IRA (wife), Acct: 3240040419	14,359
Craig for Brent, P/H Account 01028799	25,682
Criag for Drew, P/H Acct. 01030217	3,969
Sharon for Brent, P/H Acct: 01028804	4,154
Sharon for Drew, P/H Acct: 01000583	26,813
N/C, Sharon or Drew	3,100
N/C, Brent or Craig	2,000
Savings Bond, Drew	850
Savings Bond, Brent	900
Wife's PSERS pension	620
Total to Wife	$355,540 (50% of $711,080)
Husband	
CFGZ Realty, a partnership	80,588 (25% of $345,000 less debt of $222,649(
Husband's Medical Practive	136,000
Personal property in possessionof Husband	305
1993 Pontiac Bonneville	11,000
23.9% of Husband's SEP-IRA, P/H Acct: 05711242 worth $168,829	40,358
Business Check, N/C Acct: 15060726 and Northwest Savings Acct: 0016406	62,037
N/C IRA (Husband), Acct. 3240029052	25,252
Total to Husband	$355,540 (50% of $711,080)
Total property distributed	$711,080

2. Wife shall refinance the mortgage on the marital residence to convert the debt into her name alone. She shall be allowed 90 days in which to accomplish this, although additional time may be granted, for cause, She shall authorize any instititon or other entity from which she is attempting to obtain refinancing to communicate directly with Husband with respect to the status of any application she has made.

3. Within 90 days form the date of this decree or at such time as is reasonable to accomplishe the refinancing set forth inthe preceding paragraph, the parties shall sign all the necessary documents to transfer their title andinterest to real estate, motor behicles and any other assets as provied for hereunder. Wife shall retainthe right to reside at the residence until title is transferred, and she will continue to be rresponsible for payment of the mortgage, taxes and insurance on the residence until such transfer occurs.

4. From the date of entry of the decree as set forth above, husband shall assume full liability for, hold Wife harmless for and agree to indemnify against loss for any marital debts not otherwise provided for herein, including but not necessarily limited to the mortgage to PENNBANK (now National City Bank) from CFCZ Realty.

5. Husband shall pay Wife's attorney, $9,430 within 30 days of the date of the decree, of which $2,450 shall be paid to Wife's expert, Mr. Iwanyshyn.

Continued on page 480(c)

1994

STACEY DRUSKO

VS.

MATTHEW LOCKE

RECORD CONTINUED FROM PAGE 197

OF

AD 1994 - 647

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April 20, 1995 ORDER filed. AND NOW, April 17, 1995, at a contempt hearing, the defendant appeared without counsel, was advised as to the nature of the proceeding, was advised as to his right tocounsel of his own choice and free counsel if he could not afford it and he understood all of that. He agreed to proceed without counsel.

The plaintiff testified that the defendant came to her house without being invited, made some threats towards her and pushed her on at least three occasions. She also has testified that she wanted to drop this PFA action and that she pushed the defendant from time to time and also threatened him.

The Court is satisfied that the defendant has violated the PFA Order, but in ivew of the fact that the plaintiff wants this dropped and also may have abused the defendant, we are not imposing any punishment except as hereinafter ordered.

1. The plaintiff shall go to the Prothonotary's Office and sign a discontinuance and pay $5 within the next 24 hours. Whereupon, this matter will be discontinued.

2. The defendant shall be released from jail as soon as possible.

3. The defendant shall pay a fine of $100 to Crawford County within 30 days from this date. He shall pay that to the Prothonotary's Office. If he fails to do that, the Prothonotary may commence contempt of court proceedings against him.

4. A copy of this Order shall be sent to by the Prothonotary to County Control and to the Pennsylvania State Police at Meadville.

BY THE COURT,
Gordon R. Miller, President Judge

April 21, 1995 Order FAXED Co. Control and PSP.

1994

518 | CHARLES E. STILES, Plaintiff VS. THE PENNSYLVANIA STATE POLICE-TROOP "E", DEFENDANT | CONTINUED FROM PAGE 68 OF RECORD A. D. 1994 - 518

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✓Sept. 17, 1996 Answer to Complaint and New Matter on behalf of Defendant filed.

~~Sept. 17, 1996 Answer to Complaint and New Matter by Defendant filed.~~

✓Oct. 1, 1996 Reply to Defendant's New Matter filed.

✓Oct. 23, 1996, Reply to Defendant's New Matter filed.

✓Oct. 20, 1997 Upon praecipe of plaintiff, this case placed on next argument list.

ON NOVEMBER 1997 ARGUMENT LIST.

✓November 5, 1997 ORDER filed. AND NOW, November 3, 1997, the plaintiff filed a praecipe for oral argument on October 20, 1997 with the Prothonotary. The Prothonotary forwarded the praecipe to the Court Administrator because she did not know how to treat it. There does not appear to be anything pending before the Court that would justify an argument. The defendant's preliminary objections were ruled upon along time ago.

Accordingly said praecipe is stricken.

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

Nov. 5, 1997 DISTRIBUTED Tischuk & Stiles

✓December 18, 1997 OPINION SUR PA.R.A.P. 1925 FILED. The plaintiff represents himself and filed a Notice of Appeal with the Prothonotary recently. The Prothonotary apparently will not accept the Notice of Appeal since it is not an original.

Nonetheless in the event that an appeal is properly thaken we are writing this opinion.

The last order we entered was on Nov. 3, 1997. That order is as follows:

AND NOW, Nov. 3, 1997, the plaintiff filed a praecipe for oral argument on Oct. 20, 1997 with the Prothonotary. The Prothonotary forwarded the praecipe to the Court Administrator because she did not know how to treat it. There does not appear to be anything pending before the Court that would justify an argument. The defendant's preliminary objections were ruled upon a long time ago.

Accordingly said praecipe is stricken."

The last order entered before that was over a year ago on Aug. 28, 1996.

Both of these orders are interlocutory from which appeals cannot be taken.

We simply think the plaintiff does not know how to proceed and is taking an appeal that is improper

BY THE COURT
GORDON R. MILLER, P.M.

12/18/97 DISTRIBUTED STILES & Tischuk

✓Jan. 13, 1998 Petition for Permission to Interlocutory Appeal filed.

✓Jan. 13, 1998 ORDER: AND NOW Jan. 12, 1998 upon receipt and review of plaintiff's Pet. for Permission to Interlocutory Appeal" said petition is denied as this matter does not meet any of the requirements for an interlocutory appeal.

by the court,
Gordon R. Miller, P.J.

1/15/98 Dist. to Tischuk and plff.

✓Feb. 11, 1998 MOTION TO HEAR TESTIMONY FILED.

✓Feb. 11, 1998 CERTIFICATE OF SERVICE FILED.

✓FEb. 11, 1998 ORDER FILED. AND NOW, Feb. 10, 1998 it is ordered as follows:

1. The plaintiff's Motion to Hear Testimony is denied as it is not a proper motion.
2. It appears that the plaintiff is trying to schedule this matter for trial. He is not proceeding in accordance with the Rules.
3. The Crawford County Civil Rules govern these matters. More specifically Rule L302 governs the manner in which trial lists are prepared and how cases are placed on the trial list.
4. The Prothonotary sent a copy of the Crawford County Civil Rules to the library of the correctional institution where the plaintiff is housed.

BY THE COURT
Gordon R. Miller, J.

2/11/98 FAXED Tischuk and Dist. Stiles

✓Feb. 20, 1998 NOTICE OF INTENT TO COMPLETE DISCOVERY FILED.

✓Feb. 20, 1998 CERTIFICATE OF READINESS FILED.

✓Feb. 20, 1999 Certificate of Service ofComplete Discovery & Certificate of Readiness filed.

✓June 25, 1998 Petition for Habeas Corpus Ad Testificantum filed.

✓June 25, 1998 ORDER filed. And Now June 23, 1998 the plff's petition for habeas corpus ad testificandum is deferred until the case is actually set for trial at which time the court will grant the petition and direct the release of the plff. (if he is still incarcerated) tot heSher. of Crawford County for placement in the Crawford CountyJail and for transport to court during trial.

BY THE COURT,
Gordon R. Miller, J.

July 13, 1998 copy to stiles and Tischuk

✓September 21, 1998 Praecipe for Entry of Appearance and Substitiution of Counsel Filed. Please enter my appearance, Charles B. Schweitezer, Deputy Attorney General and withdraw the appearance of Gloria A. Tischuk Deputy Attorney General on behalf of the defendant.

✓FEb. 24, 1999 Memorandum and Order filed. And Now, Feb. 24, 1999 it is ordered as follows:

1. The defendant's motion for summary judgment is granted.
2. Summary judgemnt is granted in favor of the defednant and against the plaintiff.
3. This action is dismissed.

By the Court
Gordon R. Miller, PJ

2/24/99 Dist Stiles & Schweitzer

✓Mar. 24, 1999 Notice of Appeal of Plaintiff From Order of February 24, 1999 to Superior Court of Pennsylvania filed.

✓Mar. 23, 1999 Certificate of Service of Notice of Appeal filed.

✓Mar. 31, 1999 Notice of Appeal is being returned for the following defects: Complete name and address for all counsel and who they represent; trial court Judge and court reporter. If no testimony was taken it must be so notied filed.

Continued Pg. 482 A

Continuation of Charles E. Stiles Jr. vs. The Pa. State Police at AD 1994 - 518 from page 482

S30410

✓ Apr. 15, 1999, Notice of Appeal returned from the Superior Court of Pa.
4/15/99 Certified copy and returned to Superior Court with check for $55.00 by Pro

✓ Apr. 28, 1999 Superior Court of Pennsylvania Official Docket Deocket #00662WDA99 filed.

June 30, 1999 Appeal From the Order Dated o2-24-99 By the Hon Gordon Miller, PJ Court of Common Pleas Civil Divisions of the County of Crawford Certified from the Record Order The Court hereby Sue Sponet Transferes this appeal to Commonwealth Court of PA which has exclusive jurisdiction over the appeal by virtue of 42 Pa.C.S. 762(a). The briefing schedule is suspended. A new briefing schedule will be issued by the Commonwealth Court.
Date May 13, 1999 Per Curiam

Sept. 3, 1999 Order filed. Now, September 1, 1999 Appellant having failed to comply with the Order of the Court dated July 22, 1999, the above action isdismissed as of course. C.R. Hostutler, Chief Clerk

482 B

1994

Brian D.Smith
vs
Georgette F. Smith

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of Record
AD 1994 - 781

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Mar.22, 1995 Upon Praecipe of Bruce A.Barrett, Esquire, Attorney for Plaintiff 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 returning the record to the Prothonotary. A final decree will not be entered at this time because:

X The custody mediator fees have not been paid. Defendant still owes $38.50 for her share of December 6, 1994 court order.

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. Sec. 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.

Apr 5, 1995 dist to Barrett
Apr. 12, 1995 Faxed to Pineo

Jun. 20, 1995 Complaint for Equitable Division of Maritial Property, filed.

Nov. 9, 1995 Complaint for Equitable Distribution reinstated. (issued Atty.)

Dec. 21, 1995 Acceptance of service of Complaint filed. 1. The undersigned is Georgette F. Smith of 1350 Miller Street Lot 38, Warren, OH 44485.
2. I am the Defendant in a divorce action filed at the above number and term.
3. I hereby acknowledge receipt of, and accept service, of a Complaint for Equitable Division of Marital Property.

Georgette F. Smith

Date November 21, 1995

Dec. 21, 1995 Waiver Pursuant To Pennsylvania Rule of Civil Procedure 1003 filed.

Dec. 21, 1995 Upon praecipe of Plaintiff attorney the above action is moved to court for entry of a divorce decree.

DIVORCE DECREE FILED

Jan. 4, 1996 AND NOW, January 3, 1996 the Court hereby grants that BRIAN D. SMITH, Plaintiff, and GEORGETTE F. SMITH, Defendant, are divorced from the bonds of matrimony. (see papers filed).

BY THE COURT:
Anthony J. Vardaro, J.

1994

Roberta L. Scander

vs.

Joel P. Weilacher

RECORD CONTINUED FROM PAGE 265

OF

AD 1994 - 715

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Jan. 10, 1997 Petition for Contempt and ORDER filed. AND NOW, this 10 day of January, 1997, upon consideration of the foregoing Petition for Contempt, a rule to show cause is issued upon the Respondent to show cause why she should not be held in Contempt of the Court's order of Sept. 13, 1994.

The rule is returnable for hearing on 22 day of January, 1997, at 3:30 o'clock in Courtroom 1 or 2.

Anthony J. Vardaro, J..

Jan. 10, 1997 Order FAXED Attys. Lindsay and Barrett.

Jan. 24, 1997 Certificate of Completion for Divorcing/Separating Parents of Defendant, filed.

Jan 22, 1997 Motion To Continue and Order: AND NOW, Jan 22, 1997, the foregoing motion isallowed.

Anthony J. Vardaro, J.

Jan 23, 1997 Faxed Lindsay & Barrett
Jan 30, 1997 Faxed Fuller

Apr 7, 1997 ORDER: AND NOW, April 4, 1997, we decline to enter the Custody Consent Order presented to the Court insofar as the plaintiff has not taken the required Seminar For Separating Parents.

This Order is without prejudice to either party to present the Custody Consent Order again once the plaintiff has taken the appropriate seminar.

Anthony J. Vardaro, J.

Apr 7, 1997 Dist Barrett
Apr 10, 1997 Faxed Lindsay & Fuller

1994

JOHN W. ENGLISH, JR.

VS.

JEAN CRAIGE PEPPER ENGLISH

RECORD CONTINUED FROM PAGE 277

OF

AD 1994 - 727

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a) this Order does not provide for a benefit greater than the actuarial equivalent;
b) a previous Q.D.R.O. is not on file that provides conflicting benefits;
c) this Order applies to a plan under which the participant is entitled to benefits.

10. In segregating the participant's account and establishing an account for the alternate payee, as provided for in paragraph 8 above, the securities to be sold/transferred to fund the alternate payee's account must be sold/transferr from participant's account.

11. Also, in order to accomplish the intent set forth in paragraph 8 above, a direct rollover shall be made, in cash, to an existing Merrill Lynch I.R.A. account #811-58529.

12. The parties shall promptly notify the plan administrator of any change in their addresses from those set forth in this Order.

13. The parties shall promptly submit this Order to the plan administrator for determination of its status as a Qualified Domestic Relations Order.

14. The parties designate Attorney William T. Jorden, 966 South Main Street, Meadville, PA, 16335, as their representative for receipt of copies of notices.

15. It is intended that this Order shall qualify as a Qualified Domestic Relations Order under the Retirement Equity Act of 1984, P.L. 98-397. The court retains jurisdiction to amend this Order as might be necessary to establish or maintain its status.

BY THE COURT:
Gordon R. Miller, J.

Aug. 1, 1995 Affidavit of Service filed. And Now, August 1, 1995, comes Barbara J. Walton, and avers as follows:

1. A true and correct copy of the Complaint for Divorce under Section3301(c) and Motion to Appoint a Custody Mediator on the Count for Custody was mailed to the Defendant via Certified Mail, return receipt on July 27, 1995.

2. That the Defendant signed the return card on Juy 31, 1995, and in accordance with Pa. R.C.P. 412, service of the Complaint was made as is evidence dby the United States Postal Service Return Receipt (Certified No. Z410908243) attached hereto as Exhibit "A".

I VERIFY that the statements made in this Affidavit aretrue 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

Holly Jean Wofford

vs.

Toney woodrow Wofford

Record continued from page 155

of record

A.D. 1994 - 605

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Feb. 7, 1997 Petition For Contempt and Orders filed. Legal proceedings have been brought against you alleging you have wilfully disobeyed an order of court for the payment of costs.

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

Whether or not you file in writing with the court your defenses or objections, you must appear in person in court on Fri. April 11, 1997, at 1:30 PM in Courtroom 1; Crawford County Court
House, Meadville, Pennsylvania 16335.

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

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

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

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

BY THE COURT,
Anthony J. VardaroJ

AND NOW, this 6 day of Feb. , 199 , the within Petition having been presented and duly consiered, the prayer of the Petitionis granted and a Rule is issued on said Plaintiff/Defendant to show cause, if any she/he has, why she/he should not be held in contempt of this court.

Said Rule returnable and to be heard on the 11th day of April, 1997 at 1:30 o'clock P.M. in Courtroom 1 or 2, Crawford County Courthouse, Meadville, Pennsylvania.

The Plaintiff/Defendant shall be present.

The Prothonotary is directed to mail a certified copy of the Petition, Rule and order to the Palintiff/Defendant by certified mail. If Service cannot be made by certified mail, the Sheriff of Crawford County shall forthwith serve or have served a copy of the Petition, Rule and Order upon the Plaintiff/Defendant.

BY THE COURT,
Anthony J. VardaroJ

11-22-96 Distributed Dft.

Apr ORDER: AND NOW, April 11, 1997, this matter comes before the Court on a Petition for Contempt filed by teh Prothonotary in which she seeks the payment of costs previously ordered to be paid by the Defendant.

The Defendant was served with Certified and Regular Notice of this hearing but it was returned indicating that he is incarcerated.

The Court Administrator is directed to reschedule this hearing at a later date and the Prothonotary is ordered and directed to arrange for personal service upon the Defendant through the Sheriff. The Defendant should be served with Notice of the new hearing date as well as a copy of the original Petition fro Contempt.

Anthony J. Vardaro, J.

Apr 22, 1997 Dist. Ct. Adm. & Leg Serv.
Apr 30, 1997 sent to Plf & Dft.

1994

LORI BURROWS VS. STEVE MARVIN		RECORD CONTINUED FROM PAGE 351 OF AD 1994 - 801

✓Nov. 30, 1994 | Notice of Docketing Appeal at | Superior Court of Pennsylvania at Docket # 02038PGH94, filed.

July 13, 1995, | Certificate of Contents (orig. record, 1 transcript with Superior court Judg. Order and Opinion) of Remanded Record and Notice of Remand under | Pa. Rules of Appellate Procedure 2571 and 2572 filed.

July 13, 1995, MEMORANDUM AND JUDGMENT certified from Superior Court of Pa., Pittsburgh District, filed.
JUDGMENT: ON Consideration whereof, it is now here ordered and adjudged by this court that THE APPEAL IS QUASHED.
BY THE COURT:
Kelly, Ford Elliott and Brosky, JJ.

495.

DOREEN M. STATES

VS.

BRUCE E STATES

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of RECORD
A. D. 1994 - 495

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Since Mr. Hatheway has done nothing in this case to withdraw his appearance, we hereby withdraw his appearance by this Order.

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

Dec. 5, 1995 Motion to Amend Custody Contempt petition and ORDER filed. AND NOW, this ____ day of November 17, 1995 the attached motion to Amend is granted and the allegations raised on the attached motion may be raised at the hearing set for November 20, 1995 at 9:15 a.m. If the defendant is able to show that he cannot be prepared for these charges the court will consider a continuance of some or all of the hearing.

BY THE COURT:
Gordon R. Miller, J.

Dec. 5, 1995 Memorandum and ORDER filed. AND NOW, December 4, 1995, it is ordered as follows:

1. The defendant is held in contempt of court for the reasons set forth in the attached memorandum.
2. No punishment is imposed against the defendant at this point.
3. If the defendant complies with the relevant court orders on custody for the next six months, without fail, no punishment will be imposed.
4. In the event that the defendant does violate the relevant custody orders within the next six (6) months, the Court will, after hearing and further findings of contempt, impose punishment on the defendant.
5. The defendant shall disclose his telephone number to the plaintiff so that the plaintiff may exercise her telephone calls provided for in the last court order. In the event that the defendant changes his telephone number he shall notify the plaintiff of such change within 48 hours after the change is made.
6. The defendant shall notify the plaintiff, in writing, of any change of address within 48 hours after the change becomes effective. He shall keep a copy of that notice so that there will be evidence to present to the Court in the event that there is a dispute about this.
7. Daveen Stritzinger shall not be involved in any regular comminications with the plaintiff involving these children unless she happens to be present by accident. Daveen Stritzinger shall not be present in the same room with the children when the children are talking on the telephone with the plaintiff. Daveen Stritzinger shall not monitor or overhear any of those telephone conversations.
8. The parties are directed to contact Kathy Berkey or David Glenn within fifteen (15) days after the date of this Order to explore the possibility of counseling that is appropriate to them. If it turns out that the parties cannot afford the counseling then they are not now ordered to undergo such counseling. This Court hopes, but does not direct, that they do find a way to engage in such counseling because the next time they appear before the Court the Court will order tat, notwithstanding any inability they may have to finance such counseling. They are now given a chance to do counseling on their own.

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

12-5-95 Brode & Hatheway.

Feb 16, 1996 Petition For Contempt of Court, Modificaton and Attorney Fees and Notice and Order to Appear, filed. Hearing set for **March 5, 1996, at 10:30 a.m.** in Courtroom 1, 2 or 3, Crawford County Courthouse, Pa.
Feb. 20, 1996 Faxed Brode.
Feb. 22, 1996 Faxed Hatheway & Fuller

Feb. 21,1996 Proof of Service filed. I hereby certify that a copy of the Notice and Order toAppear was served upon Respondent Bruce E.states by certified U.S.Mail and first class regular U. S.Mail on February26,1996 to the Respoondent's address located at 9859 Cherry Stret Lot #42 Conneautville,PA 16406.
Date: 2-21-96

R.Christopher Brode,Esq.

Mar. 5, 1996 Proof of Service filed. I hereby certify that a copy of the Notice and Order to Appear was served upon Respondent Bruce E.States by certified U. S.Mail and first class regular U. S.Mail on February 26, 1996 to the Repondent's address located at 9859 Cherry Street Lot #42 Conneautville, Pa. 16406.
Date: 3-4-96

R.Christopher Brode, Esq.

March 8, 1996 ORDER filed. Defendant found in willful and deliberate contempt, and is required to pay the sum of $150 for attorney's services incurred by Northwest Legal Services with $50 to be paid to Northwest Legal Services on or before before the 30 of each month for March, April, and May. (see papers filed).

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

March 8, 1996 Order FAXED Atty. Brode; mailed defdt.

Feb. 13, 1997 Petition For Contempt and Order filed. AND NWO, this 7th day of Feb., 1997, upon presentation and consideration of the planitiff's petition for contempt, a rule is entered upon the defendant to show cause, if any, why the prayer of the petitioner for the imposition of sanctions for contempt should not be granted.
This rule is returnable on the 18th day of February 1997 at 2:30 o'clock in Courtroom number 1 or 2 of the Crawford County Couthouse Meadville, PA.
This peittion and rule to show cause shall be served upon the defenant/respondent and upon counsel of record, if any, by first class U.S. Mail.

FOR THE COURT,
Ann A. Walker, C.A.

Feb. 13, 1997 Defendant's Answer to Plaintiff's Contempt Petition; Defendant's Cotnempt Petition; and Petition to Modify Existing Custody Court Order filed.

Feb. 13, 1997 Order filed. AND NOW, this 11 day of February, the defendant having filed in one document an answer to the plaintiff's conteempt petition, his own petition for contempt and a petition to modify the existing custody order, the Court now sets the defendant's cross or counter peittion for contempt for hearing at the same date and time as planitiff's petition for contempt (See separate notice and order to appear), but will not hear, consider, or otherwise process a petition to modify unless and until the same is filed properly according to local rules, including, inter alia a notice and order ot appoint (or reappoint) a mediator, notice and order regarding attendance by both parties at the mandatory seminar for searating parents, and payment of the required deposit towards the mediator's fees.

BY THE COURT,
Anthony J. Vardaro, J

2/13/97 distributed Maurer & Hatheway

Cont on Pg. 492

1994

Darlene M. Brenot
vs
David A.Brenot

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of Record
AD 1994 - 535

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Sept. 22, 1994 Motion to Continue Contempt Hearing and ORDER filed. AND NOW,Sept. 19th, 1994, the above Motion is allowed.

By The Court,
Anthony J. Vardaro, J.

9-22-94 Copy to Plft & Deft.

Sep. 22, 1994 Motion to Reset Contempt Hearing and ORDER filed. AND NOW,Sept. 21st, 1994, hearing in the above is scheduled for Sept. 26th, 1994,at 10:30 A.M. in CR #1.

By The Court,
Ann A. Walker, Court Administrator

9-22-94 Copy to Plft & Deft. 9-22-94 Faxed to Atty. Keenan

Setp. 27, 1994 ORDER, filed. AND NOW, September 26, 1994, the defendant is before the Court for contempt of an Abuse Order. The defendant has been incarcerated approximately 14 days in the Crawford County Jail.

After discussion between the Court, c'ounsel for the defendant and the parties, the matter has been amicably resolved as follows:

1. In view of the time served in jail, no adjudication is made on whether the defendant was or was not inb contempt of a prior Abuse Order entered June 9, 1994, in this case.

2. The parties mutually agree that the children should have weekly visitations with their father and have mutually agreed that the threeminor children, ages 10, 11 and 12, will have regular Sunday visits with the father between the hours of 1 p.m. and 8 p.m. The parties live reasonably close together and it shall be the obligation of the mother to see that the children are properly attired and leave her residence in ample time each Sunday to go to the father's home for the above said Sunday visits.

3. The parties mutually agree that conditions 1, 2, and 3 of the Abuse order are continued in full force and effect. As far as enforcement of the aforesaid June 9, 1994 Abuse Order is concerned, conditions 4, 5, 6, 7 and 8 shall likewise remain in full force and effect.

4. The Court is advised that there is a mediation conference scheduled before Mediator John Fuller on October 25, 1994, buat there is some confusion as to whether this is a new custody action brought by David Brenot or whether this is a request for modification of the Custody Order filed at 1992 - 121. Pending the outcome of the mediation conference on October 25, 1994, the visitation conditions of this Order shall be in full force and effect with relation to the father's visitation with his minor children, subject, however, to the right of the Custody Mediator to make such modifications of change of custody as he deems appropriate after the mediation conference.

5. The Warden is authorized to release the defendant from confinement forthwith without the posting of bond and the defendant is cautioned that he is still responsible for complying with the Abuse Order entered in this case.

6. The defendant shall pay costs in this case in the amount of $89.50 within 45 days of this date, with said payment to be made at the Prothonotary's Office.

6. Attorney Gregg Keenan represented the defendant in this case as Public Defender, but in view of the fact that policy in the Public Defender's Office does not require that office to represent defendants in abuse cases or contempt of Abuse Orders, Attorney Keenan is relieved from further responsibility for representation of the defendant in any proceedings involving this abuse proceeding at this term and number.

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

Sept. 28, 1994 Faxed Co Control, MCPD, Jail, given Dft. w/bill, Keenan & Plf.
Oct. 4, 1994 Faxed to Fuller

CONTINUED FROM PAGE 116 - B
of RECORD
A. D. 1994 - 566

William G. Coulter
Plaintiff

566. VS.

TAMMY S. M. KEENO

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Nov. 30, 1995 ORDER filed. AND NOW, November 30, 1995, a bence warrant is hereby issued and directed to the Sheriff of Crawford County to apprehend Tammy S. M. Keeno and to place her in the Crawford County Jail to begin serving a sentence imposed by the Order of November 8, 1995 and August 2, 1995 in a timely fashion.

She attempted payment by making a check payable to Gordon Miller and the check was postdated December 1, 1995. That is not compliance with the Court Order.

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

11-30-95 mailed Keeno, given Keenan & Sheriff w/ warrant.

Dec. 5, 1995, Writ returned. (subpoena) No costs.
So answers, Robert M. Stevens, Sheriff

Dec. 20, 1995 Appearance of Law Office of Donald E.Lewis, Esquire by Mark D. Stevens, Esquire for Tammy Keeno, Defendant, filed.

Dec. 20, 1995 Petition To Reconsider Civil Contempt Sentence and Order filed. AND NOW, this 20th day of December, 1995, upon presentation and consideration of the foregoing Motion to Reconsider Civil Contempt Sentence, said Motion: is granted effective December 22, 1995 at 1:00 p.m. provided all sums due are paid in full in cash or its equivalent. $200 fine and $200 to Gregory Keenan

BY THE COURT,
Gordon R. Miller, J

Dec. 20, 1995 Faxed Stevens & Keenan

Dec. 20, 1995 ORDER filed. AND NOW,December 12, 1995, pursuant toa prior order of this Court, one-half of the cost of the psychological evaluation of Tammy Keeno shall be paid from County funds. It is therefore ordered that $140.00 shall be paid to Kathryn A. Anderson, Ph. D. from account no. 01-0460-021100.

A copy of this order shall be delivered to the County Treasurer. Payment should be made directly from himto Kathryn A.Anderson, at 402 Main Strteet, P.O.Box 704, Saegertown,PA 16433.

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

12-20-95 given Wagner, faxed Keenan & Stevens

Feb 13, 1996 Petition For Contempt, filed.

Feb. 13, 1996 ORDER OF February 12, 1996 stating the plaintiff's petition for contempt was denied.
Feb 13, 1996 Keenan, mailed Dft. (Backup)

Feb 20, 1996 Motion To Modify Custody Order and Order, filed. AND NOW, this 16 day of February, 1996, upon consideration of the Plaintiff's Motion to Modify the Custody Order in existence at the above case caption, a hearing is hereby scheduled for the 15th day of March, 1996 at 3:30 P.M. in Court Room #1 of the Crawford County Court House, Meadville, Pa
Feb 20, 1996 Faxed Keenan & mailed Keeno
Feb. 23, 1996 Faxed Stevens & Pineo

Mar 1, 1996 Petition For Civil Contempt For Disobedience of Custody Order and Order. ORDER: Legal proceedings have been brought against you alleging you have willfully disobeyed an Order of Court for partial custody.

Whether or not you file in writing with the Court your defenses or objections, you must appear in person in Court on May 2, 1996, at 1:30 p.m. in Courtroom 1 of the Crawford County Courthouse, Meadville, PA.
Mar 1, 1996 Faxed Keenan, mailed Keeno

Gordon R. Miller, P.J.

March 8, 1996 Motion To Withdraw and ORDER filed. AND NOW, this 7th day of March, 1996, upon presentation and consideration of the foregoing Motion to Withdraw, said Motion: is granted.

BY THE COURT,
Gordon R. Miller, J.

March 8, 1996 Order FAXED Atty. Stevens.

March 21, 1996 ORDER filed. AND NOW, March 15, 1996 both parties appeared with counsel and have reached an agreement that modifies current order. A hearing to hear this matter will take place on May 2, 1996. (SEE PAPERS FILED).

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

March 21, 1996 Copies given Attys. Hatheway and Keenan.

May 2, 1996 Exhibits filed. (in folder)

May 8, 1996 **ORDER FILED.** AND NOW, May 2, 1996, after a formal hearing on contempt, the Court finds as follows:

1. The mother willfully violated the Court Order without legal cause on September 13, 1995, when she failed to take the child to CYS after having been advised that she needed documentation if she was claiming that the child was too ill to go to the visitation.

2. The Court finds the mother in willful contempt for depriving the father of visitations on October 14 and 15, 1995.

3. The Court does not find the mother in contempt with respect to the ordered visits of September 20, 1995, September 30, 1995, October 1, 1995, November 25, 1995, November 26, 1995, December 9, 1995, December 10, 1995, April 28, 1996 and April 29, 1996.

4. The father shall receive two additional visitation periods to make up for the days that the mother has been held in contempt. Those visitation periods shall take place between now and August 1, 1996. Each one-day visitation shall be from 9:30 o'clock a.m. to 7:00 o'clock p.m. Counsel for the father shall contact counsel for the mother and indicate when those days will be and give at least 10 days advance notice. During those visitations, the father's children or some other responsible adult shall be with him for at least fifty percent of the time, in keeping with Paragraph 4 of our March 15, 1996 Order. The exchange of visitation on these extra days shall be at Sheetz in Conneaut Lake as is provided for in Paragraph 1 of the March 15, 1996 Order.

5. Some of the missed visitations that were discussed at this hearing centered around the mother's claim that the child was too sich to visit the father. We feel that reasonable people should be able to resolve these matters. There may be times when a child is sick and not feeling well, that he should be visiting with his father. We also feel that there are time when a child is sick and not feeling well and really should not go with the father, but should stay home because of the sickness. Because these people do not particularly trust each other, the visitations shall occur no matter how badly the child feels unless the mother has a written opinion from a health care provider that sets forth the child's condition at a particular date when a visitation should take place, and furthermore, that the

CONTINUED ON PAGE 490A

WILLIAM G. COULTER
PLAINTIFF

VS.

TAMMY S. M. KEENO, DEFENDANT

CONTINUED FROM PAGE 490
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health care provider gives a written opinion that in that health care provider's opinion, it would not be in the best interests of the child to leave home and visit with the father. The mother may give the health care provider a copy of this Order so that the health care provider understand what this Court will expect from the mother. This Court, therefore, is going to leave it to a health care provider to determine whether or not the child should miss a visitation with the father because of a medical or physical problem that is so severe that it would not be in the interests of the child to be with the father while that problem exists. We are trying to prevent a situation where the mother uses medical illness as a way to deprive the father of visitation. We are also trying to provide a method whereby the father shall be assured that if the child is not coming, the child does have a legitimate health care problem and in the eyes of a health care provider, the visitation should not occur. The father is an adult, has participated in the raising of three teenage daughters and is fully capable of administering cough medicine, aspirin and other remedies that may be prescribed for the child. He is also fully capable of taking the child to an emergency room or a physician if the child does become ill while in the father's custody.

The Court imposes no further sanctions at this point.

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

5/8/96 DISTRIBUTED to Keenan & Hatheway.

✓May 23, 1996 Petition for Civil Contempt for Disobedience of Custody Order and Petition to Modify Custody Order and ORDER filed. AND NOW, this 22nd day of May, 1996, upon consideration of the Plaintiff's Petition for Contempt and Petition to Modify Custody Order, a Rule is hereby granted upon Defendant to Show Cause, if any there be, why an Order should not be entered imposing sanctions for the failure to comply with the Court's Orders of August 17, 1995 and March 15, 1996 and why the Court's Orders of August 17, 1995 and March 15, 1996 should not be modified.

RULE RETURNABLE, the 16th day of July, 1996, at 9:15 A.M. in Court Room #1 of the Crawford County Court House, Meadville, Pennsylvania.

BY THE COURT:
Gordon R. Miller, J.

5-24-96 FAXED Keenan & Hatheway

✓July 24, 1996 ORDER filed. AND NOW, July 16, 1996, after a contempt hearing on joint petitions, the Court finds as a fact that both parties have violated the applicable Court Order by engaging in unseemly and improper conduct during the transfer of custody events on May 11, 1996 and May 12, 1996.

ACCORDINGLY, it is ORDERED as follows:

1. As punishment for this contempt finding, the plaintiff shall pay $200 to Edward J. Hatheway as his attorney fees in this case, which said sum shall be paid within 30 days from this date.

2. As punishment for this contempt finding, the defendant shall undergo imprisonment in the Crawford County Jail for a minimum term of 30 days and a maximum term of 6 months, which said term of imprisonment is suspended to give her one final opportunity to comply with all applicable Court Orders in this case in the next six months, she shall surrender herself to the Warden of the Crawford County Jail and begin serving the Sentence imposed by this Court.

3. All current Court Orders that are applicable shall remain in effect until further Order of Court except as hereinafter provided.

(FOR REMAINDER OF ORDER, PLEASE SEE FILED FOLDER)

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

✓Aug. 6, 1996 Order filed. AND NOW, August 6, 1996, in view of a letter that the Court has received from Kathryn A. Anderson, Ph.D., a copy of which is attached to this Order, that portion of the prior Court Order Requiring the parties to participate in counseling is vacated.

The Court believes that these parties should undergo counseling because their conduct towards each other is totally inappropriate, and the way they treat each other will have an impact on the welfare of the child. However, it appears that counseling is beyond hope and the Court does not hold any illusion that the parties would participate in conseling without a great deal of resistance. Therefore, the Court is giving up on this idea.

BY THE COURT:
Gordon R. Miller, P.J.
8-6-96 DISTRIBUTED to Dr. Anderson by Court, Keenan & Hatheway 2/ copies of Dr. Andersons Letter.

✓Aug. 28, 1996 ORDER filed. AND NOW, August 26, 1996, the psychological evaluations of William G. Coulter and Tammy S. Keeno ordered by teh Court sometime ago are now placed of record in a sealed envelope which the Prothonotary shall make "sealed by order of court August 26, 1996) and not to be opened without a specific order of court."

BY THE COURT
Gordon R. Miller, P.J.
8-28-96 FAXED Keenan & Hatheway

✓Sept. 23, 1996, Petition for Civil Contempt for Disobedience of Custody Order filed. NOTICE AND ORDER TO APPEAR Legal proceedings have been brought against you alleging you have willfuly disobeyed an order of court for partial custodyor visitation.

If you wish to defend against the claim set forth you may but are not required to file in writing your defenses o objections.

Whether or ot you file in writing with the court your defenses or objections, you must appear in person in court on Nov. 1, 1996 at 9:00 am in C. R. No. 1, 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 willfuly failed to comply with its order for partial custody or visitation you may be found to be in contempt of court and committed tojail, fined or both.

You should take this psper 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 Admin. office, courthouse, Meadville, Pa. 16335 814 333-7498

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

9/23/96 faxed to Keenan and Hatheway.

ORDER: AND NOW this 20 of Sept. 1996 upon consideration of the Plaintiffs Petition a rule is hereby entered upon the dft. to show cause, if any she may have, as to why an order should not be entered imposing sanctins for the dft's failure to comply with the court's orders of Aug. 17, 1996 andMar. 15, 1996 and July 16, 1996.

rule returnable the 1st day of Nov. 1996 at 9:00 am in C. R. No. 1 of the Courthouse, Meadville, Pa.

By the Court:
Gordon R. Miller, J.

9/23/96 faxed to Keenan and Hatheway.

CONTINUED ON PAGE 490-B.

566	William G. Coulter, Plaintiff VS. Tammy S.M. Keeno, Defendant	CONTINUED FROM PAGE 490-A OF RECORD A. D. 1994 - 566

✓ Cot. 1, 1996 Praecipe for Entry and Withdrawal of Appearance filed. Please enter by appearance on behalf of the Defendant in the above-captioned case. Lori A. Maurer, Esq.
9-30-96 Northwestern Legal Services
231 Chestnut St. 4th Floor
Meadville PA 16335

Please withdraw my appearance on behalf of the Defendant in the above-captioned case. Edward J. Hathaway, Esq.
311 Walnut Street
Meadville PA 16335

✓ Nov 6, 1996 Order of Nov 1, 1996 filed.
By the Court
Gordon R. Miller, PJ

Nov 7, 1996 Faxed Keenan, Maurer and Dist. to Deft. in Jail.

✓ Nov. 12, 1996, Notice of Appeal to Superior Court returned to Prothonotary's Office.

✓ Nov. 18, 1996, Above notice of appeal returned for reason of no $55.00 fee.

✓ Nov. 14, 1996, Petition for Reconsideration of Release Pending Appeal and Order filed. ORDER: AND NOW, this 13 day of November inconsideration of dft's Petition for Reconsideration of sentence and for Release Pending Appeal, it is hereby ordered that Reconsideration is denied. Release pending appeal is denied without prejudice. So far we have not received a notice of appeal. We will reconsider release pending an appeal once the appeal is actually taken.
BY THE COURT,
Gordon R. Miller, J.

11/14/96 faxed to Maurer and Keenan.

✓ Nov. 15, 1996, Petition for Reconsideration of Release pending Appeal and order filed. ORDER: AND NOW, this 15 day of Nov. 1996 in consideration of dft's petition for reconsideration of Release Pending Appeal, it is hereby ordered that Defendant's sentence of imprisonment ordered by this court on Nov. 1, 1996 is stayed pending the appeal of this case to the Superior Court of Pa. Dft. shall be released fromthe Crawford CountyJail pending this appeal on her own recognizance. In the event that the appeal is withdrawn the dft. and her counsel shall notify the court in writing immediately and the dft. shall surrender to the warden to serve the balance of the contrmpt sentence within 48 hours of the time the appeal is withdrawn.
BY THE COURT,
Gordon R. Miller, J.

11/15/96 faxed to Keenan and Maurer.

✓ Nov. 12, 1996, Petition to Proceed In Forma Pauperis , Affidavit to Proceed In Forma Pauperis and order filed. ORDER: ADN NOW, Nov. 22, 1996 upon consideration fot he Petition filed by dft. in this action, and supported by an AFFIDAVIT ATTACHED HERETO, ALL BEING PURSUANT TO Pa. RCP 240, the dft. is granted leave to proceed in forma pauperis at this time.
The dft. is directed toinform the Prothonotary's office or 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.

11/25/96 faxed to Maurer and Keenan.

✓ Dec. 10, 1996, Transcript of Proceedings Taken at time of Hearing on Contempt Petition filed.

✓ Dec. 19, 1996 Superior Court of Pennsylvania Official Docket, Docket # 02311PGH96 filed.

Feb 24, 1997 Petition For Payment of transcript Costs and Order: AND NOW, this 4 day of February, 1997, upon consideration of the Petition for Paymetn of Transcript Costs filed by the Defendant, it is hereby Ordered that the costs be paid by Crawford County pursuant to Pennsylvania Rule O fJudicial Administration 5000.2(h).
Anthony J. Vardaro, J.

Feb 24, 1997 Faxed Maurer & Keenan

Oct. 9, 1997 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 REVERSED. JURISIDCITON RELINQUISHED.
BY THE COURT
Eleanor R. Valesko
Deputy Prothonotary

DATED: August 29, 1997

Oct. 9, 1997 Certificate of Consents of Remanded Record and Notice of Remand under Pennsylvania Rules of Appellate Prccedure 2571 and 2572 filed.

Terry E.VanCise
vs
Amy J. Van Cise

Continued from Page 251
of Record
AD 1994 - 701

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

9. The fee for Child Custody Mediation shall be paid 75% by the plaintiff father and 25% by the defendant mother. Any amount in excess of the father's share of the cost of Mediation held by the Prothonotary under Local Rules shall be refunded to him.

10. This Order shall be a Temporary Order, but shall become a permanent Order unless exceptions are filed by either party within ten days from the date of this Tempoary Order.

BY THE COURT:
Gordon R. Miller, President Judge

9-12-94 GAve copy to FErguson w/check. 9-14-94 Copy to Atty. Smith & Deft.

Dec. 10, 1996 Opinion in Support of Lower Court Order filed.
12-10-96 DISTRIBUTED Keeman & Maurer

DOREEN M. STATES
VS.
BRUCE E. STATES

CONTINUED FROM PAGE 488
of Record
A. D. 1994 - 495

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Feb 20, 1997 ORDER: AND NOW, February 18, 1997, at the time fixed for hearing on the Plaintiff's Petition for Contempt filed Feb 13, 1997, and the Defendant's Petition for Contempt filed the same date, the parties have worked out a solution to this matter.

ACCORDINGLY, it is ORDERED as follows:

1. The mother shall have visitation on the weekend of March 14, 1997 as a substitute for missed and shortened visitations that are alleged in Paragraph 5 of her Feb 13, 1997 Petition.

2. The father shall provide to Northwest Legal Services documentation that he made payments on attorney's fees as previously ordered. Said documentation shall be provided within 30 days from this date.

3. The mother shall pay $5 to the father to apply on transportation costs on Feb 23, 1997.

4. If the parties fully and completely comply with this Order in a timely fashion without fail, the cross contempt petitions filed Feb 13, 1997 shall be automatically dismissed wtihout any further action. If either party fails to comply with this Order, then the Court will reschedule this matter on motion of either party filed with the Court Administrator.

Gordon R. Miller, P.J.

Feb 20, 1997 Dist Hatheway & Maurer
Feb 26, 1997 Faxed Fuller

Juen 2, 1997 Petition to Modify Existing Child Custody Order and Order: You Doreen M. States, have been sued in court regarding your daughters, Nichole States and Danielle States.

You are ordered to appear in person for a Child Mediation Conference at hte Crawford County Courthouse in Meadville, PA 16335 befor, **John Fuller, Esq.**, Child Custody Mediator. The date and time of the Child Custody Mediator. The Child Custody Mediator chosen in your cass will contact you and inform you of the date and tiem of the Child Mediation Conference.

Date: June 4, 1997

Gordon R. Miller, P.J.

June 5, 1997 Faxed Legal Services, Hatheway & Fuller
(FOR COMPLETE ORDER SEE PAPER FILED)

Aug. 12, 1997 Order filed. AND NOW, August 11, 1997 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Nichole States and Danielle States 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 Nicole States and Daniell State shall be with their father, subject to the following conditions:

A. The mother shall be entitled to visit and take the children into her custody the third weekend of each month from 9:00 o'clock a.m. on Saturday to 7:00 o'clock p.m. on Sunday, beginning August 16, 1997. The third weekend shall be the weekend on which the third Saturday falls. There may be additional visits if requested by either child.

The father has deposited with the Prothonotary the requested $200.00 which shall be partially applied toward the fees and costs. The Prothonotary is hereby directed to refund to father $90.50.

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

(SEE PAPERS FILED)

Gordon R. Miller, J.

8-12-97 FAXED Hatheway, Fuller & Maurer

Nov 24, 1998 Petition to Proceed in Forma Pauperis Pursuant to PA. R.C. P. 240 and Order: Legal proceedings have been brought against you alleging you have wilfully disobeyed an Order of Court for custody and visitation.

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 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 Tues. Dec 29, 1998, at 2:30 pm in Courtroom #1, Crawford County Courthouse, Meadville, PA.

Gordon R. Miller, P.J.

Nov 24, 1998 Faxed Louicki - copy to Dft

Nov 24, 1998 Petition For Civil Contempt For Disobedience of a Custody Order and Order: AND NOW November 20, 1998, upon consideration of the Petition filed by the Plaintiff in this action, and supported by an affidavit attached hereto, 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 dircted 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.

Gordon R. Miller, P.J.

Nov 24, 1998 Faxed Lowicki

Nov 24, 1998 Faxed Lowicki

Jan. 11, 1999 ORDER RESETTING HEARING filed. And Now, Jan. 11, 1999 hearing reset from Dec. 29, 1998 to Friday, Feb. 5, 1999, at 11:15 a.m. C. R. No. 1, Courthouse, Crawford County,

For the court, Ann Walker, Ct. Adm.

1/11/99 faxed to Lowicki, mailed to dft.

Feb. 9, 1999 Order filed. AND NOW, February 5, 1999, the parties appeared in Court, each with counsel, and entered tinoan agreement which we now make a Court Order. It is ordered as follows:

1. The Peition for civil contempt filed by the mother on November 24, 1998 is withdrawn.
2. The Custody Order of August 11, 1997 is modified as follows: II(a) is deleted and in its place, the following is substituted: A. The mother shall be entitled to visit and take her chidlren into her custody the first and third weekend of each month. For this purpose, the first weekend of each month shall be the first weekend when Saturuday and Sunday occur in the same month. If the father provides transportation, the visitation shalltake place between 8:00 a.m. on Saturday to 6:30 p.m. on Sunday. If the mother provides transportation, she shall notify the father of that fact 48 hour before the visitation. If she provides transportaiton, the visitation shall occur from Friday evening at 6:00 p.m. to Sunday evening at 6:30 p.m. If the mother provides transporation, then the parent receiving the chidlren shall provide the transportation that means, the mother shall pick up the children on Friday evening and the father shall pick up the childrenon Sunday evening.
3. The mother and children are encouraged to telephone each other at reasonable hours.
4. Except as hereinabove provided, the Order of August 11, 1997 shall remain in full force and effect as originally written.

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

2-9-99 Faxed Lowicki & Hatheway

Stephen T.Burger
vs
Renee D. Burger

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of record
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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 automboile 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 $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 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.
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, J.

9-13-94 Copy of Order toAtty. Walton& Mailed to Deft.

Oct. 10, 1994 Defendant's Nunc Pro Tunc Request for a De Novo Custody Hearing filed.

Oct. 10, 1994 Appearance of Peters, Lindsay,Lewis and Hatheway by Edward J. Hatheway,Esquire for Renee D.Burger,Defendant,filed.

Oct.12,1994 ORDER filed. AND NOW, October 12,1994,on receipt of the defendant's "Nunc Pro Tunc Request for De NovoHearing", we hereby set a hearing and/or argument for October 21,1994 at 11:00 a.m.inCourtrooml or 2 for the purposes of determing whether the determining whether the defendant should be permitted to file his request for de novo hearing after the expiration of the time period prescribed by the rules.

BY THE COURT,
Anthony J.Vardaro,J.

10-12-94 Faxed to Attys.Walton & Hatheway

Oct. 21, 1994, Motion to Cancel Hearing on Defendant's Nunc Pro Tunc Request for De Novo Custody Hearing and Order filed. ORDER: AND NOW, THIS @L DAY OF Oct. 1994, upon presentation and consideration of the defendants' Motion to Cancel Hearing on Defendant's Nunc Pro Tunc Request for a De Novo Custody Hearing: is granted.

BY THE COURT,
Anthony J. Vardaro, J.

Oct. 24, 1994, faxed to Hatheway and Walton.

Apr. 13, 1995 Consent Custody Order filed. CONSENT CUSTODY AGREEMENT. AND NOW, this 12 day of Apri, 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 Parties shall have shared legal custody of the minor children, STEPHEN BURGER AND STEPHANIE BURGER. 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 the minor children shall be with the Mother/Defendant. Father shall have temporary physical custody every other weekend from Friday at 6:30 p.m.until Monday at such time as he leaves for work. The Father shall also have temporary physical custody every other Wednesday from 6:00 p.m. until Thursday morning at the time of Father;s departure for work. The father or another responsible party shall pick up Stephanie on Wednesday and return her to Mother's home at the designated times.
In the event the Father does not work on a Monday and the children to no have shcool, the children may stay inhis custody until 10:00 a.m.
The Father shall have temporary physical custody each summer for a 2 week period. This summer visitation shall begin on Friday at 6:00 p.m. until the following 2nd Sunday at 6:00 p.m. Parties agree to allow for additional extended periods of visitationas time and their respective schedules permit.
3. The minor children shall have the right to telephone theparent not having physical custody at reasonable times and for reasonable lengths of time and these conversations will not be unreasonably monitored by the parent with physical custody.
4. Holiday visitation shall be as follows:
a. New Year's Day, Easter, Memorial Day, Fourth of July, Thanksgiving and Labor Day, shall be alternated between the parties beginning with the Father having temporary custody of the minor children for Easter, 1995.
b. Christmas shall be divided into two periods. The firsst will begin at noon on Christmas Eve Day and end at noon on Christmas Day; the second period shall begin at noon on Christmas Day and end at noon on December 26. These two periods shall be alsternated between the parties with the father having the first period in 1995.
4. Each child's respective birthday shall be shared between the parties. The respective birthday's shall be celebrated on the weekend following. If this would fall on the weekend that the Father has visitation then the Mother shall have the right of visitation from 2 p.m. until 8 p.m.
5. The children shall spend Mother's Day with the Mother and Father's Day with the Father.
6. 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 children's life.
7. Each party shall teach the children to give to the other party that love and respect which is due a parent from his/her children.
8. Neither party shall use illegal drugs or be under the influence of alcohol at any time whichsaid party has the care and custody of the subject minor children. Neither party shall expose the minor children to harmful situations or hamful people while having custody of the children.

CONTINUED TO PAGE 494

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 in the children's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the children's estimation.

10. The parties shall split responsibility for transportation with the parties receiving the children picking them up at the home of the other,.

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

Anthony J. Vardaro, J.

4-17-95 Faxed Hatheway, given Walton.

April 15, 199 notice adn Order To Appear and Pettion for Civil Contempt for Disobedience of Custody and/or Visitation Order Filed. Legal proceedings ahve been brought against you alleging you have wilfully disobeyed an Order of court for (custody)(partial custody)(visitation).
If you wish to defend against the claim set forth in the following pages, you may but are not required to file in writing with the court your defenses or objections.
Whether or not you file in writing with the ocurt your defenses or objections you must appear in person in court on Mon May 3, 1999 at 3:45 PM in Courtroom 1 or 2 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 have wilfully fialed 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.

Court Administrator, Courthouse
Meadville,PA 16335
Telephone No: (814)333-7498

By the Court
Anthony J. Vardaro, J

Date 4/7/99

4/15/99 FAxed Walton & Burger

April 28, 1999 Motion for Continuance and Order filed. And Now, this 28 th day of April 1999 upon presentation and consideration of the within Motion for continuance the hearing now scheduled for May 3,1999 is rescheduled for the June 4th 1999 at 3:45 o'clock AM in Courtroom No. 1 of the Crawford County Courthouse, Meadville, PA

BY THE COURT
Gordon R. Miller, J.

4/28/99 Faxed Irwin mailed pltf.

June 7, 1999 Motion For Withdraw Hearing Request and Order filed. AND NOW, June 4, 1999 this mtion is granted.

By The Court,
Gordon R. Miller, J

6/8/99 Faxed Walton, Hatheway and Irwin

1994

SHERI FUGATE

VS.

JOSEPH SHAW

RECORD CONTINUED ON PAGE 495

OF

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Sept. 7, 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 defend against the claim set forth in the following pages, you may but are not required to file in writing with the court your defenses or objections.

Whether or not you file in writing with the court your defenses or objections, you must appear in person in court on September 8, 1994, at 1:30 P.M., in Courtroom Number 3, 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 have wilfully failed to comply with its order for 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.

Court Administrator
Crawford County Courthouse
Meadville, PA 16335
Telephone: (814) 336-1151

Dated 9-6-94 Gordon R. Miller, Judge

Sept. 7, 1994 Order FAXED to Atty. Walton.

Sep. 2, 1994 Petition for Special Relief and RULE TO SHOW CAUSE ORDER filed. AND NOW, this 2nd day of September, 1994, upon consideration of the enclosed Petition for Special Relief, it is hereby entered ordering and directing the Defendant, Joseph Shaw, shall comply with the Ohio Order and return the child to the mother forthwith. We do this understanding that the fathers counsel will bring the matter before the Ohio Courts if he believes the child has been mistreated. We do not dispose of the mothers request for fees and expenses believing the Ohio Court may address that.

By the Court:
Gordon R. Miller, J.

9-2-94 Faxed to Attys. Walton & Hatheway

Sept. 9, 1994 ORDER filed. AND NOW, September 8, 1994, the matter comes before the Court on a Petition for Contempt of an Ohio Child Custody Order and a collateral Petitin for Special Relief.

After informal hearing and discussion, it is clear that the defendant father, while allegedly acting in the best interest of the 6-year-old child, admittedly did not comply with the Order of Judge Gordon R. Miller dated September 2, 1994, directing him to comply with Custody Orders and returning the child to the mother forthwith.

The Court is advised that Children's Services Bureau of Montgomery, Ohio has been investigating the alleged sexual molestation of the child by the stepfather and at least one written police report has been filed and is in the hands of the Ohio Children's Services Bureau. This Court finds no reason why the minor child Kayla should not be returned to the mother, subject to certain conditions, and accordingly,we hereby direct the defendant Joseph Shaw to immediately surrender custody of minor child Kayla to the custody of her mother and to see that her clothing, medication, toys, et cetera, are returned immediately to the mother.

It shall be the obligation of the mother, upon receipt of the child and return to Montgomery County, Ohio, to immediately notify the Children's Service Bureau of Montgomery County, Ohio, that she has physical custody of said child and comply with any directives or suggestions said Bureau makes regarding the temporary custody of said child pending the outcome of the completed investigation by the Children's Service Bureau into the alleged sexual molestation of said child. The Court leaves to the discretion of the Children's Service Bureau and the Court of Montgomery County, Ohio, as to the appropriate custodial arrangements of the child pending completion of the investigation or further Court hearign if required

This Court, while understanding the concerns of the father, is likewise concerned about his willful and deliberate refusal to comply with the Crawford County Court Order dated September 2, 1994, and finds him in contempt of court for failing to comply.

As punishment for this willful contempt, the defendant father is hereby sentenced to undergo imprisonment in the Crawford County Jail for a period of 30 days. Sentence of imprisonment will be postponed until 4:30 p.m., September 9, 1994, and if by said time, the defendant deposits the sum of $150 plus all accumulated Prothonotary costs for surrender to counsel for the plaintiff with the Prothonotary of Crawford County, the Sentence of imprisonment is suspended.

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

Sept. 9, 1994 copies dist to Walton & Hatheway

Doreen M. States
vs.
Bruce E. States

CONTINUED FROM PAGE 503
of Record
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Oct. 12, 1994 Contempt of of Custody Order, Modification, Special Relief and Motion For Attorney Fees, filed.

Oct. 25, 1994 Order filed. AND NOW, October 24, 1994, the Court Administrator having beendirected by the Court to schedule a hearing on Plaintiff's Petition for Contempt of Custody Order, Modification and Special Relief and Motion For Attorney Fees in the above case, hearing is set for November 21, 1994 at 1:30 P.M., in Courtroom No. 2, Crawford County Courthouse, Meadville, PA.

FOR THE COURT,
Ann A. Walker, C.A.

Oct. 26, 1994 Copies dist. to Brode & Hatheway

Nov 22, 1994 Petitiion For Contempt of Custody Order, filed.

Nov. 22, 1994 ORDER filed. AND NOW, November 21, 1994 the parties are before the Court with respect to the Plaintiff's petition to hold the Defendant in contempt of a custody order as well as a request for modification of a prior order, special relief, and attorney's fees. The Defendant has recently filed a petition for contempt of the custody order with respect to provisions in an order entered by Judge Miller on June 29, 1994. We do not set that matter precisely for hearing today, but we will deal with it insofar as we believe that that petition speaks to terms and condition of an order that is no longer in effect and therefore the Plaintiff could not be held in contempt for violating that order, even if we determine she did.

As a result of an informal hearing, we will dismiss the contempt requests of both parties, deny the request for special relief and attorney's fees set forth by the Plaintiff except to the extent that we modify the order of July 22, 1994 entered at mediation, and that modification is as follows:

1. With respect to paragraph IIA, the periods of temporary physical custody with the Plaintiff-mother which occur every other weekend shall now be from Friday at 5:00 to 5:30 p.m., whenever the Defendant gets out of work and is available to drop the children off, until 6:00 p.m. on the following Sunday when he picks up the children.

2. With respect to paragaraph IID, transportation shall be provided totally by the Defendant and at the time the Defendant picks up the children at the end of a visit to return to his custody, the Plaintiff shall send with a child $5 to pay the Defendant for gasoline money, for providing both shares of transportation insofar as normally he would only be responsible for providing one share of transportation. When the child gives the Defendant the $5, the Defendant shall provide to the child a receipt dated that day which shall then be returned to the Plaintiff prior to the Defendant leaving the Plaintiff's premises.

3. With respect to the telephone calls set forth in paragraph IIG, they shall continue to take place on Tuesdays, Thursdays, and Saturdays, with the mother calling the children some time between 4:00 and 5:00 p.m. on each of those days. The telephone calls shall last for a total of 15 minutes, uninterrupted, and the Plaintiff-mother may talk to both children during that time period. In the event the Defendant father and the children have plans on any such day, the children may call their mother in advance of the 4:00 to 5:00 p.m. time frame and talk to her for 15 minutes in lieu of the normal telephone call for that day. In addition, so long as it is not a day when the Plaintiff mother has custody or a normal telephone call day, she may call the children between 4:00 and 5:00 p.m. for a 15 minute telephone conversation on the birthday of each child and on the birthday of the Plaintiff-mother.

4. The provision contained in paragraph IIA with respect to an alternate visitation or temporary physical custody period during the summer depending on mother's work schedule, by agreement of both parties, is deleted as no longer applicable.

5. During the school year when the children go to visit their mother during a period of temporary physical custody, they may bring their homework and appropriate school books and Plaintiff-mother shall be responsible for making ssure that when they return, they have all such homework and school books with them prior to going to father's car.

6. When a party is with the children, that party shall not consume alcoholic beverages, intoxicating liquors, or use illegal controlled substances. Such party shall not, while the children are in that parties' custody, go to any establishment licensed for the sale of alcoholic beverages unless such place primarily sells food and they are going there for a purpose of eating a meal. In that event, however, the parties shall not consume alcoholic beverages while at that establishment. A party shall cease drinking alcoholic beverages at least 8 hours prior to beginning any period of temporary physical custody or physical custody with the children.

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

Nov. 22, 1994 copies to Fuller, Brode & Hatheway
Nov. 30, 1994 copy to Plf. & Dft.

Aug. 22, 1995, Petition for Contempt, Modification and Attorney Fees, and Order filed. NOTICE AND ORDER TOAPPEAR:

Legal proceedings have been brought against you alleging you have wilfully disobeyed an order of court for partial custody.

If you wish to defend against the claims set forth you may but are not required tofile in writing with the court your defenses orobjections.

Whether or not you file in writing with the court your defenses or objections, you must appear in person in court on 20th of Oct. 1995 at 2:30 p.m. in C. R. No. 1 or 2 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 have wilfully failed to comply with its order for partial custody, you may be found to be in contempt of court and committed to jail, fined or both and subject to attys. fees.

You should take this paper to your lawyer at once. If you do not have a lawyer and 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.

by the court,
Gordon R. Miller, J.

8/22/95 faxed to Brode, Hatheway and Fuller.

Oct. 4, 1995 ORDER RESETTING HEARING DATE filed. AND NOW,September 29, 1995,it appearing to the Court that because of a protracted civil jury trial the Court will be unavailable to hear the petition for contenmpt on October 20, 1995 at 2:30 p.m., said hearing is hereby reset for November 20, 1995 at 9:15 a.m. in Courtroom 1 or 2.

BY THE COURT,
Anthony J.Vardaro,J.

10-4-95 Faxed Brode & Hatheway 10-10-95 Faxed Fuller

Oct. 11, 1995, Proof of Service of Order Resetting Hearing date for Custody Contempt filed.

Nov. 21, 1995 O R D E R filed. AND NOW, November 20, 1995, at the hearing fixed in this matter on the contempt petition, the Defendant appeared without counsel indicating that he could not afford counsel and, therefore, Mr. Hatheway was not representing him.

Unfortunately, Mr. Hatheway has not withdrawn his appearance of record. To further complicate matters, counsel for the Plaintiff was not certain whether Mr. Hatheway did represent the Defendant or not, and has served papers on Mr. Hatheway, because he is counsel of record.

We are disappointed with Mr. Hatheway's conduct. Since he is counsel of record, he should be present at all proceedings in this matter. IF he is not representing the Defendant, then he should terminate his status as counsel of record by filing an appropriate motion, after appropriate notice to his client and the other side, that he wishes to withdraw his appearance. We cannot tolerate a situation where an attorney is still of record but doesn't participate. There are only two choices in this matter. Counsel of record either represents a party or withdraws.

Continued on Page 488

STACEY DAVIS

VS.

TIMOTHY DAVIS

RECORD CONTINUED FROM PAGE 87

OF

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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 child 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. Either party may request a review of this order upon a substantial change in their living circumstances.

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 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 Co. 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,
Anthony J. Vardaro, J.

July 13, 1994 Copy FAXED to Attys. Walton, Pineo, Ferguson; copy mailed to Plf. and Dft.

Jan. 4, 1995 Petition for Special Relief on behalf of plaintiff filed.

Jan. 5, 1995 ORDER filed. AND NOW, January 4, 1995, the Plaintiff appears with her counsel at motion court with a Petition for Special Relief with regard to this custody action. Essentially, by an Order dated July 5, 1994, which was entered after mediation and not appealed, primary physical custody of the two (2) minor children was placed with the Defendant with temporary physical custody for certain periods of time awarded to the Plaintiff.

The Plaintiff has had custody of the minor children for a period of time and alleges that the Defendant was to pick up the children on Dec. 31, 1994, but failed to do so, because he was involved in an automobile accident in Erie in which she alleges he was under the influence of alcoholic beverages.

She now indicates that she will be filing a Petition to Modify custody this week and she requests that the Court continue custody primarily with her pending the resolution fo that mediation after the Petition to Modify custody is filed.

The Defendant's attorney appears and indicates that he only received notice of the presentation of this Petition at 4:30 on Jan. 3, 1995, contrary to our Local Rules. He further indicates that there is nothing in the Petition to satisfy the Court that there is an immediate threat to the children and, therefore, the relief should be denied.

Since we do have some concern that if in fact the Defendant was intoxicated contrary to the provisions of our July 5, 1994 Order when he was going to pick up the children, we will allow the Plaintiff to keep primary custody of both minor children until motion court on Friday, Jan. 6, 1995, at which time we will hear argument from both paraties with respect to any further relief concerning the Plaintiff's Petition for Special Relief. Insofar as teh defense counsel has not had an opportunity to do so prior to that session of motion court so that this matter may be argued in a manner consistent with the intentions of our Local Rules of Court.

The Defendant should not make any effort to visit with the children or take them into his custody pending further argument on Jan. 6, 1995 at motion court.

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

Jan. 5, 1995 Order distributed to Attys. Sullivan and Ferguson.

Jan. 5, 1995 Petition to Modify Custody; Appoint Mediator and Order, filed. YOU, TIMOTHY DAVIS, have been sueed in Court to obtain shared custody of Nathan Davis and Andrew Davis.

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 Commonwealth of Pennsylvania. The minor children shall also remain in the primary physical custody of the mother with visitation by the father as mutually agreed upon by the parties.

Date: 1-4-95

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

Jan. 5, 1995 Faxed Ferguson, given Pineo & Walton

Jan. 9, 1995 ORDER filed. AND NOW, January 6, 1995, the attached Petition for Special Relief if DENIED.

HOWEVER, the Court cautions both parties that we insist that they both comply with the Court Order, including, but not limited to, Section 9, that indicates that neither party shall be under the influence of alcohol at any time while the children are in their custody. If there is any evidence that that has taken place, then either party has a right to file a Petition for Modification or seek special relief by an emergency petition which the Court will consider.

Since there are no allegations in the Petition that these particular children were at risk, the Court does not have the power to grant special relief. They were not at risk since they were not in the car at the time the father had his accident, even though he was on his way to pick up the children.

BY THE COURT,
Gordon R. Miller, President Judge

Jan. 9, 1995 Copies distributed to Attys. Ferguson and Walton.

Feb. 6, 1995 Motion to Withdraw Petition to Modify Custody and Order filed. AND NOW, this 2nd day of February, 1995, upon presentation ofthe Motion to Withdraw Petition to Modify Custody and Appoint Custody Mediator by the Plaintiff same is hereby granted and the Order of July 5, 1994 shall remain in effect.

By the Court,
Gordon R. Miller, J

Feb. 6, 1995 Faxed Pineo & Ferguson , given Walton

March 14, 1995 Motion to Refund Mediation Deposit and ORDER filed. AND NOW, March 14, 1995, this Court orders that the Prothonotary's Office refund to Plaintiff's attorney for Plaintiff the amount of $150.00 which is the unused amount of Plaintiff's mediation deposit.

BY THE COURT:
Gordon R. Miller, J.

March 15, 1995 Order FAXED Attys. Ferguson, Pineo; copy given Walton.

Record Continued on Page 500 (A) . . . .

Wilda A. Yakish
vs.
Charles G. Clark, et al

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a distance of nine hundred ninety-five (995) feet, more or less, to a point, the southeast corner of a lot which Bertha Sullivan, by deed dated January 13, 1956, and recorded in Crawford County Deed Book 380, page 67, conveyed to James Lamenskie, et ux; thence North eleven (11) degrees fifty-four (54) minutes East along the east line of said Lamenskie to the point where said line intersedcts the northerly line of a parcel which Bradford Supply company, INc., by deed dated February 23, 1944, and recorded in Crawford County Deed Book 378, page 205, conveyed to Herbert Sullivan, et ux; thence southeast along said Bradford Supply Company, Inc., line fifty-five (55) feet more or less, to a point, the southwest corner of the lot from A.J. thompson Estate, Inc., to Herbert P. Sullivan, et ux, first above mentioned; thence South fifty-seven (57) degrees thirty-one (31) minutes East, one hundred nineteen and fifteen one-hundredths (119.15) feet to the place of beginning.

ALSO, all and singular, all rights, liberties, privileges, hereditaments, appurtenances and right-of-way thereunto belonging, and particularly rights-of-way (recorded and unrecorded) over adjoining lands leading to said premises, (above recited) including, but not limitied to, right-of-way over lot No. 8 and 9 of E. H. Chase's Addition to Titusville, leading from Monroe Street to the land above described; and all the estate, right, title, interest, property, claim and demand whatsoever, of the said grantors,in law, equity or otherwise howsoever of, in and to the same and every part thereof.

EXCEPTING AND RESERVING those parcels of land previously conveyed and more particularly described in the following deeds:

(a) Deed to Lawrence A. Smith dated April 4, 1963, and recorded in Deed Book 409, page 81.

(b) Deed to Samuel E. Yakish, et ux, dated May 13, 1970, and recorded in Deed Book 447, page 468.

SUBJECT to righats-of-way heretofore granted to the Titusville Cambridge and Lake Erie Railroad Company and Pennsylvania Railroad Co., and other rithts and rights-of-way, if any, heretofore granted in, over and upon said premises, ehether or not the same appear of record.

Provided, however, that should the aforesaid railroar abandon its right-of-way, it is agareed by the parties hereto, their respective heirs and assigns that the Northerly and Northeasterly half of said right-of-way shall become the property of the grantees herein, their heirs ad assigns, and the Southerly and Southwesterly half of said right-of-way shall become the property of the grantors herein.

inconsistent with the interest or claim of the plaintiff set forth in the Complaint unless the defendants, their heirs or assigns, commence an Action of Ejectment within thirty (30) days of the date hereof. Anthony J. Vardaro, J.
Aug. 16, 1994 Faxed copy to Moran
Aug. 19, 1994 Faxed copy to Altomare

And Now, Sep. 16, 1994 at 11L:46 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.

C-205; A-201;T-12?; T-182; T-32?;
T-42, E-93; T-202; T-12;G-209; T-227;
T-207; T-32; S-105; C-73: T-227

FINAL JUDGMENT
Barbara H.King
Prothonotary

1994

KELLY GIERING VS. CHARLES GIERING record Continued from PAGE 501 OF AD 1994-541

4. The parties have agreed to change with respect to custody. The custody provisions of the original Order of June 10, 1994 shall remain in full force and effect with one change. The weekend visitations shall commence at 7:00 o'clock p.m. on Friday evening and terminate at 5:00 o'clock p.m. the following Sunday evening. The paternal grandparents shall pick the children up at 7:00 o'clock p.m. on Friday and the mother shall return the children by picking them up at 5:00 o'clock p.m. on Sunday evening.

5. The Protection From Abuse Order shall be extended until June 10, 1995.

6. The Prothonotary shall deliver a true and correct copy of this Order to the Linesville Police Department and to County Control.

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

Aug. 15, 1994 Copies of Order distributed to Co. Control, Jail, Linesville PD, Attys. Gagliotti and Sullivan.

Aug. 31, 1994 Motion to Modify Court Order of 8/11/94 and ORDER filed. AND NOW, this 31 day of August, 1994,upon motion of the Defendant tomodify the contempt order entered 8/11/94,regarding work release privileges and visitation provisions the Order is modified to reflect the following:

1. When the paternal grandparents are unavailable to pick up the children, an adult member of the Defendant's family other than the Defendant may pick the children up at the mother's residence for the weekend visitations.

2. In all other respect, the Orderof 8/11/94 shall remain binding and unmodified by this Order.

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

8-31-94 Faxed to Atty.Gagliotti & Mailed to Atty. Hetrick

Lisa Marie Layden
vs.
Merrill Allen Layden

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

9. A copy of this order shall be delivered to the Pennsylvania State Police at Meadville and to County Control. A copy of this order shall be sent to the Plaintiff at RD 1, Box 54, Springboro, Pa. A copy shall be delivered to the Defendant in the Crawford County Jail.

10. This order shall remain in full force and effect for a period of 1 year from this date; that is, until August 17, 1995, unless modified or terminated by further order of Court.

11. Record court costs in the amount of $96.50 shall be paid by teh Defendant no later than 4:30 o'clock p.m. on Friday August 19, 1994. The Defendant claims he has $100 in hi s jail account and he shall make arrangements to have that transferred to the Prothonotary by tomorrow evening at 4:30.

The contempt complaint is dismissed without any further proceedings in view of the foregoing order.

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

Aug. 22, 1994 Faxed MCPD & Co Control. Mailed Plf, given Dft & Hall

Aug 22, 1994 Order filed. AND NOW, August 22, 1994, the order setting bail is vacated in view of the Order of August 18, 1994.

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

Aug. 22, 1994 Faxed MCPD & Co. Control. Mailed Plf. Given Dft & Hall

Oct. 28, 1994 Re: Complaint for Indirect Criminal Contempt for Violation of Protection From Abuse Order. Assignment of Hearing Date. AND NOW, October 27, 1994,hearing in theabove captioned matter has been scheduled for October 31, 1994 at 3:00 P.M. in Courtroom No.1 or 2 at the Crawford County Courthouse, Meadville, PA.

FOR THE COURT,
Ann A.Walker, Ct.Administrator

10-28-94 Notification given to Pltf &Deft. by Court & DJ & Atty. Hall

Nov. 1, 1994 ORDER filed. AND NOW, Oct. 31, 1994, this matter is before the Court on a Complaint for indirect criminal contempt for violation of a Protection From Abuse Order.

The Defendant appears without counsel, is advised twice of his right to counsel and that a private attorney, Edward Hatheway, Esquire, called the Court and indicated that he represented the Defendant but would not be appearing.

The Defendant is also advised that he has a right to counsel through the Public Defender's Office free of charge if he qualifies for their services.

Having explained that to him twice he indicates that he wishes to represent himself.

After hearing on this matter we conclude that he is in violation of Paragraph 3 and Paragraph 7 of Judge Miller's Order of August 18, 1994.

Accordingly, he is sentenced to undergo imprisonment in the Crawford Co. Jail for a minimum term of ninety (90) days and a maximum term of one hundred eighty (180) days to be computed from this date.

We note that we will only entertain a motion for parole in this matter if it includes provisions that the Defendant undergo Mental Health counseling for the balance of his sentence and also only if it includes provisions that he is agreeable to an extension of this PFA Order for a period of time to make sure that he complies insofar as this is the second time that he has been in contempt of the Court's Orders with regard to this matter.

Additionally, in the event that he is paroled on our Order and a PFA remains in effect, Paragraph 2 of Judge Miller's Order of Aug. 18, 1994 is modified to include that the Defendant shall not go to any residence occupied by the plaintiff nor to the Plaintiff's place of work nor shall he at any time be within one hundred (100) yards of the Plaintiff under any circumstances.

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

Nov. 1, 1994 Order FAXED MCPD, Co. Control and Jail; copy given Attys. Brode and Hatheway.

Nov. 4, 1994 Exhibits filed.

Dec. 15, 1994 Motion Fro Parole and ORDER filed. AND NOW, this 15 day of December, 1994, upon presentation and consideration of the foregoing Motion for Parole, this Court enters the following Court Order: Motion denied. We will only entertain a motion to parole after the defendant has served his minimum and then only if he meets the conditions of the October 31, 1994 Order.

BY THE COURT,
Anthony J. Vardaro, J.

Dec. 15, 1994 Order FAXED Attys. Brode and Hatheway.

Mar. 16, 1995 Motion For Parole and Order, filed. AND NOW, this 16 day of March, 1995, upon presentation and consideration of the foregoing Motion for Parole, a hearing is set for March 27,1995 at 1:30 o'clock p.m. in Courtroom #2.

BY THE COURT:
Anthony J. Vardaro, J.

Mar. 16, 1995 Faxed Hatheway & Brode

Mar. 16, 1995 Motion in Opposition to Early Parole and Order, filed. AND NOW, this 16 day of March, 1995, the Court orders that a hearing e scheduled on the Defendant's Motion for Early Parole on the 27 day of March, 1995, at 1:30 p.m. in Courtroom 2 of the Crawford County Courthouse, Meadville, PA 16335.

BY THE COURT,
Anthony J. Vardaro, J.

Mar. 16, 1995 Faxed Hatheway & Brode

Mar. 28, 1995 PAROLE ORDER, filed. AND NOW, March 27, 1995 this matter is before the Court on a Motion for Parole with respect to a sentence of incarceration we imposed for a minimum term of 3 months and a maximum term of 6 months effective Oct. 31, 1994 for violation of a Protection from Abuse Order.

The Defendant has now served almost 5 months of that sentence; and accordingly, we will parole him effective April 4, 1995 subject to these terms and conditions:

1. He obey the Protection from Abuse Order entered on Aug. 12, 1994 which order shall be continued for a period of 6 months beyond its scheduled expiration date of Aug. 17, 1995.

2. The Defendant rturn immediately to live with his parents in Virginia and not return to Pennsylvania without specific permission from teh Court.

3. The Defendant upon returning to Virginia will make arrangements immediately to be evaluated at the Middle Penisula-Northern Neck Counseling Center and to undergo any counseling they deem appropriate and not discontinue the same without their prior consent.

4. The Defendant shall have absolutely no contact whatsoever with the Plaintiff in this matter nor shall he procure anyone else to do so.

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

Mar. 28, 1995 Faxed MCPD, Co Control, given Hatheway & Brode

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1994 TERM

Stacey Davis

vs.

Timothy Davis

RECORD CONTINUED FROM PAGE 497

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July 26, 1995 Petition To Modify Custody and Appoint Custody Mediator and NOTICE AND ORDER TO APPEAR filed. You, Timothy Davis, have been sued in Court to obtain custofy of Nathan and Andrew.

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 TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator
Coruthouse
Meadville, PA 16335
(814) 333-7498

Gordon R. Miller, J.

Date: 7/25/95
July 26, 1995 Order FAXED Atty. Ferguson, given Pineo and Ward.

Sep. 7, 1995 TEMPORARY ORDER filed. AND NOW, this 6 day of September, 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, Nathan Davis and Andrew Davis.

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. During the children's school session, the mother shall have physical custody of the children from Sunday at 6 P.M. through Friday at 6 P.M. each week, and the father from Friday at 6 P.M. through Sunday at 6 P.M. If the father should move his residence into the attendance area of the children's school, he shall have physical custody each week from Thursday at 6 P.M. through Sunday at 6 P.M. and the mother from Sunday at 6 P.M. through Thursday at P.M. During the children's Summer from school, the mother shall have physical custody from Sunday at 6 P.M. through Thursday at 6 P.M. and the father from Thursday at 6 P.M. through Sunday at 6 P.M.

4. Holiday visitation shall be arranged as follows:

a. Christmas: The mother shall have visitation and temporary physical custody of her children each Christmas from 12:30 P.M.to 8 P.M.

b. Thanksgiving: The mother shall have visitation and temporary physical custody with her children from 12:30 P.M. to 8 P.M. each Thanksgiving.

c. Easter: The mother shall have visitation and temporary physical custody each Easter Sunday from 121:30 P.M. to 8 P.M.

d. For the holidays of Memorial Day, Independence Day, and Labor Day, the mother shall have visitation on each holiday from 12:30 P.M. to 8 P.M.

e. The mother shall have visitation and temporary physical custody each Mother's Day from 12:30 P.M. to 8 P.M.

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

5. The parties are free to make additional arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shallbe 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 modifiction shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or mdofiication. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or mdofication be necessary, the parties shall attempt at once toarrange 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 picking up the children at the home of the other. Any person transporting the children shall make sure that the seat belts or other restraints are used in accordance with the laws of Pennsylvania.

8. Each party shall teach said children 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. Either party may request a review of this Order upona substantial change in their living circumstances.

12. Costs and fees of this Mediation, which are fixed at $122.00 and are divided equally between the parties with a share of each being assessed to him or her as costs in this case.

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

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

By the Court,
Anthony J. Vardaro, J.

9-11-95 Copy to Attys. Pineo, Ward & to Deft. w/bill

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1994 TERM

Luke George Schaberl

vs.

Gerald H. Carnes, Jr., et al

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cf record

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July 17, 1997 Notice of Intent To Close Discovery filed.

July 28, 1997 Notice of Deposition by MARY ANN LAKE, by Plaintiff Attorney filed.

July 28, 1997 Notice of Deposition of ANNE M. CARNES, by Plaintiff attorney filed.

July 28, 1997 Notice of Deposition of GERALD H. CARNES, JR. by Plaintiff Attorney filed.

September 22, 1998 Upon Praecipe of Dominic D. Salvatori, Esq. Atty for Plaintiff discontinuance to the following defendants only Gerald H. Carnes, Jr. Anne M. Carnes and James T. Cremonese ONLY.

Kelly Giering
vs
Charles Giering

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Jul. 5, 1994 Motion forContempt and RULE TO SHOW CAUSE filed. RULE TO SHOW CAUSE is hereby issued on the defendant to show cause why he should not be found in contempt of this Court order.
Rule returnable at a hearing scheduled on t he 14th day of July, 1994 at 3:00 o'clock p.m. in Courtroom 1 of the Crawford County Courthouse.
Counsel for Plaintiff shall properly serve Defendant.

By the Court,
Anthony J. Vardaro, J.

7-6-94 Copies dist. to Hetrick & Deft.

July 14, 1994 Complaint For Indirect Criminal Contempt For Violaiton Of Protection From Abuse Ordr filed.

July 20, 1994 Order filed. AND NOW, July 14, 1994, the parties appeared in open court with consel for a hearing on twO separate complaints for indirect criminal contempt for violation of a June 10, 1994, Protection From Abuse Order. The Plaintiff filed a Motion ofr contempt on July 5, 1994, and the Pennsylvania State POlice Trooper filed a Complaint under the Rules on July 13, 1994. Both Complaints were consolidated for hearing this date. The parties agreed to a resolution of the contempt matter by the defendant admitting that he violated the Protection From Abuse Order.
Based upon the agreement ofthe parties, it is ORDERED as follows:
1. The Court finds as a fact that the defendant is in contempt of court for a willful violation of a Protection From Abuse Order entered June 10, 1994.
2. As punishment for contempt, the defendant is sentenced to ungergo imprisoment in the Crawford County Jail for a minimum term of 30 days and a maximum term of 3 months, with Work Release Privileges provided his jail conduct is perfect.
3. The defendant shall be enttitled to automatic parole at the end of 30 days if his jail conduct has been perfect. If his jail conduct has not been perfect, then he shall not be entitled to automatic parole. In that event, he shall file an appropraite motion for parole and the Court will set a hearing to determine when and if he should be paroled.
4. The Court will consider an early parole or furlough on motion filed by the defendant with the appropriate notice given to counsel for the plaintiff and a hearing for the purpose of considering whether to parole or furlough the defendant to attend a training seminar or course required by his employer. If such a request is made to the Court, the defendant shall be prepared to submit information that satisfies the Court that the course or seminar is required for his employment and that it would not be given at any time after he would normally be paroled, thereby necessit-ating an early parole or furlough.
5. If the defendant is paroled at the expiration of his minimum sentence without further court action, he is remineded thathe must comply with the Order of June 10, 1994 in all respects until it is changed or modified and that another violation of that Order could result in a fine up to $1,000 and a jail sentence up to six (6) months.

BY THE COURT,
Gordon R. Miller, J

July 20, 1994 Faxed PSP, given Helrich, Gagliotti, Co. Control and Jail

Aug. 2, 1994 Complaint for Indirect Criminal Contempt for Violation of Protection From Abuse Order filed.

Aug.2, 1994 Re: Complaint for Indirect Criminal Contempt for Violation of Protection From Abuse Order. Assignment of Hearing Date. AND NOW, August 1, 1994: Hearing in the above captioned matter has been scheduled for August 4, 1994 at 11:15 A.M., inCourtroom No. 1.

FOR THE COURT,
Ann A. Walker

8-2-94 Copies dist. by Court.

Aug. 5, 1994 ORDER filed. AND NOW, August 4, 1994 at the request of the Plaintiff, this hearing is continued until Thursday, August 11, 1994 at 11:00 o'clock a.m. In the meantime, bond is reduced to $1 nominal bond and the Defendant is entitled to Work Release privileges until further order of Court.

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

Aug. 5, 1994 Copies distributed to Atty. Gagliotti, Jail, Co. Control, Work Release; copy mailed Atty. Hetrick by Court.

Aug. 15, 1994 ORDER filed. AND NOW, Aug. 11, 1994, the parties appeared in open court with separate counsel for hering on a second and subsequent contempt complaint, and the Court finds as a fact that the Defendant did violate the Protection From Abuse Order by going to the Plaintiff's place of work for no legitimate business purpose connected with the business where the Plaintiff works which is a clear ciolation of the Protection From Abuse Order. If there had been a further violation the contempt punishment would be more severe. Accordingly, it is ORDERED as follows:
1. As punishment for contempt the Defendant is sentenced to undergo imprisonment in the Crawford Co.Jail for an additional term of thirty (30) days to be computed from this date so that there may be some overlap between the prior Sentence and this Sentence by a day or two up to a maximum term of three (3) months with Work Release privileges, pro-vided his jail conduct is perfect and provided that he fully and completely complies with the Protection From Abuse Order. He is warned that if he violates the protection From Abuse Order again he will not get out of jail at the end of this (30) day minumum Sentence and Work Release privileges will be revoked with no chance to get back on Work Release during the period of this Sentence.
2. Furthermore, the Defendant shall pay a fine to Crawford Co. in the amount of $250.00, which fine shall be paid to the Prothonotary and the Prothonotary shall pay it over as a civil fine to Crawford Co. That shall be paid no later than Sept. 30, 1994. If he fails to pay that fine he may face additional contempt of court proceedings.
3. The Defendant shall be entitled to automatic parile at the end of thirty (30) days if his jail conduct is perfect and if he has complied with the Protection From Abuse Order in all respects. If his jail conduct has not been perfect, if he has violated any of the terms and conditions of the Work Release program or if he has violated any aspect of the Protection From Abuse Order he shall not be entitled to automatic parole. In that event he shall file an appropriat motion for parole and the Court will set a hearing to detrmine when and if he should be paroled.
If the Defendant is paroled at the expiration of the minimum Sentence without further Court action, he is reminded that he must comply with the Order of June 10, 1994 in all respects until it is changed or modified and that another violation of the Court Order could result in a fine up to $1,000.00 and a jail sentence up to six (6) months. The Court would be inclined depending upon the facts that if there is another violation of this Court Order to sentence him to the maximum period of this Court Order to sentence him to the maximum period of incarceration for then a third violation of a PFA order.

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1994

PATRICIA J. WAGNER
VS.
BERNARD R. WAGNER

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of Record
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2. The defendant shall not go to the residence where the plaintiff resides. In order to assist the parties and any Police Officer who may be enforcing this Order, the Court wishes to clarify this further. The reason for this is that apparently teh plaitiff's residence real estate is adjacent to property either owned by the defendant or owned or controlled by a partnership of which he is a partner and where he works to gain his livelihood. THEREFORE, we will not prohibit the defendant from being near the property where the plaintiff resides. We are prohibiting him from being on a parcelof land that is two hundred (200) feet by two hundred fifty (250) feet as described in the deed to Patricia J. Wagner, dated August 3, 1990, and recorded in Deed Book 9, Page 896.

3. The defendant may contact the plaintiff in writing only provided the writing is not threatening, abusive, or harassing. If he has counsel, other friends and relatives (but not including the children), he may attempt to communicate with the plaintiff through counsel, other friends and relatives, provided once again that that communication isnot abusive, harassing, or threatening. He shall not attempt to communicate with the plaintiff through the children in any matters involving property distribution or other business-type matters. He may communicate with the plaintiff through the children with respect to routine things involving the children such as, but not limited to, school schedules, school activities, academic performance, extracurricular activities, out of school activities, clothing, and matters of health, safety and welfae of the children.

4. This Order may be enforced without a Warrat of Arrest by any Law Enforcement Officer havign reasonable ground to believe it has been violated.

5. A copy of htis Order shall be delivered by the Prothonotary to County Control and the Pennsylvania State Police at Meadville.

6. This Order shall remain in full force and effect unless modified or terminated by further Court Order for a period of one (1) year from this date; that is, until July 19, 1995.

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 (6) months.

8. The defendant shall pay the record court costs in the amount of $89.50 within 30 days from this date.

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

July 21, 1994 Faxed Pa.SPD, Halliday, Dft, Co Control

Aug. 5, 1994 Transcript of Proceedings Hearing on Protection From Abuse Petitions. Part I and II of III, filed.

Nov. 18, 1994 Petition To Hold Defendant In Contempt Of Court And To Issue Sanctions Against Him and Order, filed. AND NOW this 16th day of November, 1994 upon consideration of the within Petition, a Rule is hereby issued upon the Defendant to show cause if any he has why he should not be held in contempt of court, violating the Order of July 20, 1994; further, why sanctions should not be imposed upon the Defendant for his violationof that Order.

Rule returnable for hearing and argumetn on the 12th day of December, 1994, at 1:30 o'clock p.m. in Courtroom No. 1.

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

Nov. 18, 1994 Faxed Halliday & Gray

Dec. 8, 1994 Petition to Hold Plaintiff in Contempt of Court and to Issue Sanctions Against her filed.

Dec.8, 1994 ORDER filed. AND NOW, December 6, 1994, the defendant's petition to hold the plaintiff in contempt for having violated a July 21, 1994 Protection from Abuse order is denied.

The July 21, 1994 Protection from Abuse order restricted the defendant's conduct not the plaintiff's. Even if the allegations in the petition are true they would not amount to violations of the Protection from Abuse order.

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

12-8-94 Copies dist.to Deft.& Halliday

Dec. 15, 1994 Order filed. AND NOW, December 12, 1994 the hearing inthis matter is continued until tuesday, January 24, 1995 at 1:30 o'clock p.m. in Courtroom No. 1. The Court will devote three hours to this case, and all testimony and arguments must be completed by 4:30 on that day.

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

Dec. 15, 1994 Dist to Gregg & Halliday

Jan. 24, 1995 EXHIBITS filed (photos)

Jan. 27, 1995 ORDER filed. AND NOW, January 24, 1995,after lengthy hearing in this matter, the Court is satisfied that the Defendant has violated the Order of July 20, 1994 in certain respects, but not in all the respects that the Plaintiff has alleged. We think that the Plaintiff allegations to some extent are trivial, we think that the Defendant's conduct is borderline. We are not satisfied as to the exact location of the 200 by 250 foot parcel since there no surveys, there don't appear to be any survey stakes, no exact measurements, and we find as a fact that many of the allegations the Plaintiff has made which we call to be trivial center around actions of the Defendant aimed towards Sabrina where the Plaintiff wasn't even present, and that cannot be a violation of our PFA Order, because we never entered a PFA Order in favor of Sabrina.

We find that there are certain allegations such as numbers 5, 6, 8, 11, 13, and 19 could well be violations of the Order if we can exactly locate the property that Patricia Wagner owns, but that is too vague.

We find as a fact, however, that the Defendant has wilfully violated the Order by violating Paragraphs 17, 18, 20, and 21. And since those, although technicalviolations, are not egregious violations, we decline to incarcerate the Defendant at this point. In view of this finding of contempt, it is ORDERED as follows:

1.The Order of July 20, 1994,is extended to December 31, 1995.

2. The Defendant is ORDERED and DIRECTED topay a civil fine of $250.00 to Crawford County and topay $250.00 to MichaelHalliday on account of his attorney's fees in this contempt proceedings, which said sums shall be paid within forty (40) days from this date.

3. In order to clarify the Order of July 20, 1994,especially since the exact location of the boundary of the Patricia Wagner property is not clear, and appears to be so important, we wish to modify Paragraph 2 of the July 20, 1994 Order to add the following language:

A. The Defendant shall not park any vehicles or obstruct the driveway that goes into the Patricia Wagner house, which we specifically define as a southerly extension of an east/west driveway that leads east from the Franklin Pike to the hospital barn and another barn, whether or not that is on her 200 by 250 foot parcel, as there are a great number of other places to park.

We do not hold the Defendant in contempt of court for where he parked the vehicle, we are simply defining more clearly for the futurewherehe may park his vehicle with respect to her driveway.

B. The Defendant shall not be within thirty (30) feet of the house that Patricia Wagner lives in or within the parcel described in the deed to Patricia J. Wagner, dated August 31, 1990, recorded in Crawford County Record Book 99, page 896, whichever is greater in distance from the nearest portion of the residential dwelling. The Defendant is not prohibited from being in the hospital barn as well as outside of the hospital barn within five (5) feet from the exterior dimensions of the hospital barn, and he is not prohibited from using the driveway or roadway that goes straight into the hospital barn to the extent that any of these areas are within the thirty (30) foot exclusion.

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

1-27-95 Copies mailed to Halliday, given Gray.

Doreen M. States
vs
Bruce E. States

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of Record
AD 1994 - 495

shall not go to any establishments licensed for the sale of alcoholic beverages, even if those places also sell food and that is the purpose for which she goes there. She shall not be permitted to do that while the children are with her. She shall not consume alcoholic beverages within 8 hours prior to any pick up for visitation.

4. Neither party shall do anything to adversely effect the health, safety, morals and welfare of these children. Neither the father nor anyone who he lives with shall make any negative comments of the plaintiff or to do anything to turn the children against their mother.

5. The father shall do everything within his power and encourage others who live with him to prepare the children for visitations with the mother and to make sure these visitations take place. Unless the mother shows up under the influence of alcoholic beverages or has done anything else that adversely affects the health, morals, safety or welfare of the children, the father shall make certain that the children go with the mother and shall physically put the children in the car if thatis necessary, unless the mother makes a decision that she will forego her particular visitation.

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

6-30-94 Copies dist. to Brode & Hatheway

July 12, 1994, Affidavit of plaintiff to Proceed In forma Pauperis and Praecipe to proceed informa pauperis filed.

Jul. 25, 1994 ORDER filed. AND NOW, July 22, 1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Nichole States and DAnielle States shall be shared betweeen 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 Nichole States and Danielle States shall be with their father, subject to the following conditions: (Which may be altered if both parties agree.)

A. The mother shall be entitled to visit and take the children into her custody every other weekend from 6:00 o'clock p.m. on Friday t o 6:00 o'clock p.m. on Sunday, beginning July 15, 1994. Provided, however,during the summers and depending on mother's work schedule, if mother gives 48 hours notice, the weekend schedule may be changed to Saturday, 9:00 o'clock a.m. to Monday at 6:00 o'clock p.m.

B. The holiday schedule set forth herein shall take precedence over weekend and other visits provided in this order.

On even numbered years the children shall be in the custody of the father on Labor Day, Memorial Day and the Fourth of July.

On odd numbered years the children shall be in the custody of the mother on Labor Day, Memorial Day and the Fourth of July.

The children shall spend Mother's Day with mother (9:00 o'clock a.m. till 6:00 o'clock p.m) and Father's Day with father, every year.

The children shall spend Thanksgiving Day with Father every year and Easter Sunday with mother every year.

The children shall be with their father every year Christmas Eve to 12:00 o'clock noon Christmas Day and with mother from 12:00 o'clock noon Christmas Day to 12:00 o'clock noon New Year's Day, every year.

C. Beginning with the Summer of 1994, the children shall be in the custody of the mother for a minimum period of four (4) weeks. In 1994 this shallbe the last two (2) weeks of July and last two (2) weeks of August. T he mother shall give the father at least thirty (30) days notice of the dates of the Summer visits in 1995 and subsequent years.

D. Transportation of the children on weekends, holidays andSummer visits shall be provided as follows: Mother shall provide transportation at the beginning of a visit and the father shall provide transportation at the end of a visit.

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 everying in the power of each to foster a favorable and loving attitude on the part of the children towards both parents.

F. Neither mother nor father shall expose the children to any person or situation which may be harmful to the children's health or well being.

G. Both parents agree to inform t he other immediately of any illness or injury regarding the children and both parents agree to furnish the other with a current telephone number. The children may have telephone calls from their mother on Tuesday, Thursday and Saturdays.

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 shallbe paid by Crawford County.

Gordon R. Miller,Judge

8-3-94 Faxed to Attys,. Brode & Hatheway & Fuller

Oct. 11, 1994 ORDER filed. AND NOW, October 6, 1994, upon consideration of the Plaintiff's Petition for Contempt of custody Order, Modification, Special Relief and Motion for attorney fees, the Court noting that counsel for the Defendant has not appeared, although he was notified pursuant to the Rules of Court that Plaintiff's counsel would be presenting this Petition we ORDER and DIRECT that the Court Administrator set this matter for hearing for approximately two (2) hours at a time to be determined by her.

Pending that hearing the parties shall comply with the Order entered as a result of mediation on July 22, 1994 with the following temporary modifications. Beginning with the next scheduled period of temporary physical custody for the Plaintiff, the Defendant shall provide transportation both for the children to be transported to the Plaintiff at the beginning of such period of temporary physical custody and for the children to be transported bac to the Defendant at the end of each such period of temporary physicalcustody.

This shall continue through the hearing set by the Court Administrator or until further Order of Court, whichever shall occur first.

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

Oct. 11, 1994 copies dist to Brode, Hatheway & Crt. Adm.
Oc. 17, 1994 Faxed to Fuller

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504

1994

Wilma J. Satterlee
vs.
Glenn E. Longenecker

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July 25,1994 Motion To Amend Or Modify A Protection From Abuse Order and Order,filed. AND NOW, this 21st day of July, 1994, upon receipt and review of the within motion to amend the Protection from Abuse Order of June 9, 1994, the amendmetn(s) and modification(s) set forth in said motion are hereby approved and made a Court Order.

A tarue and correct copy of this Order shall be delivered by the Prothonotary to Pa. State Police and to County Control.

Any paragaraphs 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.

July 26, 1994 Faxed Sullivan & Pa.SPD, given to Co. Control & Dft.

1994

Julie Petrick
vs
Dale Petrick

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of record
AD 1994 - 523

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Any provisions of the Protection from Abuse Order of June 6, 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.

7-21-94 Faxed to Pa. SPD, Kirkpatrick & Ir win.& Co. Control.

506

1994

Katarina L. Smith
vs.
Jeffrey S. Smith

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A.D. 1994 - 697

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July 28, 1994 ORDER filed. AND NOW, July 26, 1994 this matter is before the Court on a petition for relief under the Protection from Abuse Act filed by teh Plaintiff. Both parties appear without counsel and the Defendant, having been advised of his right to counsel, admists the allegations of the petition and proceeds without counsel.

Accordingly, we enter the following ORDER:

1. The Defendant shall not assault, abuse, harass, or threaten the Plaintiff nor shall he contact her in any way or at any time.

2. The marital residence at 860 Lamont Drive shall be in the exclusive possession of the Plaintiff pending any further order of Court. The Defendnat shall not go to that residence even if he is invited. If he is invited to the residence and the Plaintiff wishes to have him come to that residence, they should seek a modification of this order prior to the defendant doing so insofar as any police agency shall presume that the Defendant is in violation of this order if he is at the Plaintiff's residence at 860 Lamont Drive.

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 West Mead Township Police and the Pennsylvania State Police (Meadville Barracks), as well as to County Control. Additionally, the Prothonotary shall send by regular mail a copy of this order to the Plaintiff at 860 Lamont Drive and to the Defendant, c/o Crawford County Jail.

5. The Defendant is reminded that this is an order of court and violation of this order may be punishable by a fine of up to $1,000 and a jail sentence of up to 6 months.

6. The Defendant shall pay court costs in this matter in the amount of $89.50 within 60 days of the date of this order. Those shall be paid to the Prothonotary of Crawford County on the first floor of the Crawford County Courthouse.

7. This order shall remain in full force and effect through July 25, 1995.

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

July 127, 1994 Faxed WMPD & Pa.SPD, given Co Control, mailed Plf. & Dft.

MARY K. HART
VS
PAUL M HART

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

Mar 26, 1997 Petition for Stay Order and Order: AND NOW, this 26 day of March, 1997, upon presentation and consideration of the within Petition, said Motion is denied. Anthony J. Vardaro, J.
Mar 26, 1997 Faxed Thomas, Spataro & Kirkpatrick

Apr 7, 1997 Request for Hearing and Order: AND NOW, this 7th day of April, 1997, upon presentation and consideration of the within Request for Hearing, a de novo hearing is scheduled for the 2lst day of April, 1997 at 9:00 A.M. in Court Room No. 2 of the Crawford County Court House, Meadville, Pennsylvania. Ann A. Walker, C.A.
Apr 8, 1997 Faxed Thomas, Kirkpatrick, Spataro

Apr 18, 1997 Withdrawalof Request for De Novo Hearing, filed.

May 2, 1997 Summary of Pre-Hearing Conference and Sc heduling order filed.

May 2, 1997 Notice of Scheduled Master's Hearing on Thursday, July 10, 1997, at 9:30 o'clock, a.m. in the Green Room before David W. Pickens, Esq., Master, filed.

May 22, 1997 Notice of Re-scheduled Master's Hearing filed.

Aug. 18, 1997 Notice of Filing of Master's Report filed.

Aug,. 18, 1997, MASTER'S REPORT AND RECOMMENDATION filed.

Aug. 22, 1997 Defendant's Exceptions to Master's Report and Recommendations, filed.

Oct 7, 1997 Praecipe to Place Exceptions on Argument List, file.

ON ARGUMENT LIST FOR November 1997

Oct. 17, 1997 Motion to Proceed IFP or in the alternative for plff. to pay for transcript and court costs and order filed. and now, Oct. 17, 1997 hearing on dft's motion is scheduled forWed. Nov. 5, 1997 at 3:30 p.m. in Crawford County court, Meadvile, Pa. CR No. 2.
For the court, Ann Walker, ct. adm.
10/17/97 faxed tothomas and Kirkpatrick

Nov. 5, 1997 Answer to Dft's Motion to Proceed IFP or in the Alternative requiring payment of cost of Transcript bythe plff, filed.

Nov. 19, 1997 Order filed. AND NOW, November 18, 1997, after consideration of the Defendant's Motion To Proceed Informa Pauperis or In the Alternative for Plaintiff to Pay For Transcript and Court Costs and after hearing and argument, said motion is denied.
We are not satisfied that the defendant doe snot have the ability to raise the $750 necessary to purchase the transcript in this matter and to pay any incidental court costs.
BY THE COURT,
Anthony J. Vardaro, J

11-9-97 Distributed Kirkpatrick & Thomas

Nov. 19, 1997 Order filed. AND NOW, November 5, 1997, thismatter comes before the Court on the mtoion of the Defendant to proceed in forma pauperis or in the alternative for the Plaintiff to pay for transcript and court costs. This motion was filed on October 17, 1997, and the Plaintiff has not filed an answer which is timely but which raises new matter which the Defendant is not prepared to address this day. We note that the answer was filed and time stamped this day at 11:21 a.m.
Under thses circumstances, we will schedule this matter for evidentiary hearing for November 12, 1997, at 3:30 p.m. in Courtroom No. 2 before the undersigned. We note that after listening to the informal arguments of the parties, it appears that the only issue that will need to be addressed at that evidentiary hearing is whether or not the Defendant owns a mobile homewhich is now on the marital property and whether or not that mobile home is paid for or the general status of whether that is an asset that may allows him to pay the costs he has raised in this matter.
In light of the fact that this evidentiary hearing will be necessary, the argument scheduled for November 24, 1997 before Judge Miller is continued bythe Court to be scheduled before the undersigned at 3:45 p.m. on December 19, 1997.
BY ORDER OF THE COURT,
Anthony J.Vardaro, J

11-19-97 Distributed Kirkpatrick, Thomas Ct. Adm.

Dec. 22, 1997 MEMORANDUM AND ORDER filed. AND NOW, December 19, 1997, Plaintiff's Motion To Dismiss the Defendant's Exceptions to the Master's Report and to Grant a Decree In Divorce Pursuant to the Master's Recommendations is denied. The master is directed to arrange for a transcript of the proceedings at the master's hearing in this matter to be transcribed and filed with the court.
The cost of that transcript shall be billed to Crawford County without prejudice to this Court to ultimately allocate the payment of that transcript cost to one or both parties.
Once the transcript has been field, either party may praecipe to have this matter placed back on the next available argument list. When that occurs, we would expect compliance with the briefing requirements in our local rules.
BY THE COURT,
Anthony J. Vardaro, J.
Dec. 22, 1997 Order Distributed to Attys. Thomas, Kirkpatrick and Pickens.

January 22, 1998 TRANSCRIPT OF MASTER'S HEARING FILED

March 25, 1998 Upon Praecipe of plaintiff attorney, this case placed on next Argument List, filed.

ON APRIL ARGUMENT 1998 LIST

April 20, 1998 WITHDRAWL OF EXCEPTIONS AND ORDER FILED. AND NOW, April 20, 1998 Argument of Defendant's Exceptions to the Report and Recommendation of the master scheduled for May 6, 1998 is canceled.
BY THE COURT
Anthony J Vardaro, J.
4/20/1998 faxed Kirkpatrick & Irwin

APRIL 27, 1998 MOTION TO DISMISS THE DEFENDANT'S EXCEPTIONS TO THE MASTER'S REPORT AND TO GRANT A DECREE IN DIVORCE PURSUANT TO THE MASTER'S RECOMMENDATIONS FILED
CONTINUED ON PAGE 508

Mary K. HART
vs
Paul M. HART

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of record
AD 1994-751

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April 17, 1998 MEMORANDUM AND ORDER FILED. And now, April 23, 1998 the defendant, Paul M. Hart, shall within 30 days reimburse Crawford County through the Court Administrator's office, the sum of $786.50 for the transcript prepared in this matter by Lorraine Weber Dallas.
If he fails to do so within that time period the Court Administrator shall notify the Court so that we may schedule a contempt hearing.

BY THE COURT
Anthony J. Vardaro

Copies to Thomas & Kirkpatrick

May 8, 1998 Waiver of Notice of Intention to REquest entry of divorce (dft) filed.

May 20, 1998 Affidavit of Service: R. CHARLES THOMAS, Esquire,, being duly sworn accordingto law, deposes and says that on July 29, 1994 he mailed a true and correct copy of the Complaint in Divorce filed in the above captioned action to the Defendant, Paul M. Hart, by Certified Mail, Restricted Delivery, Return Receipt Requested, at his last known address of R.D.#3, Townline Road, Union City, Pennsylvania 16438, Return Receipt No. P 899 093 386; that attached hereto is the return receipt card showing date of delivery as July 30, 1994.

May 20, 1998 Affidavit of Consentl of Plaintiff, filed.

May 20, 1998 Waiver of Notice of Intention to Request Entry of Divorce Decree Under Section 3301(c) of the Divorce Code for Plaintiff, filed.

May 20, 1998 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

June 12, 1998 Court Reporter's Bill of $180.00 filed.

DIVORCE DECREE FILED

AND NOW, July 17, 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: (See papers filed).
3. Husband shall pay wife $34,041 within 90 days of entry of the divorce decree. Husband shall refinance the mortgage on the marital residence to converty the debt into his name etc. (see papers filed).
4. Within 90 days from the date of this Decree or at such time as is reasonable to accomplish the refinancing set forth in the preceding paragraph, the parties shall sign all the necessary documents to transfer their title and interest to real estate, motor vehicles and any other assets as provided for hereunder. Husband shall retain the right to reside at the residence until title is transferred, and he will continue to be responsible for payment of the mortgage, taxes and insurance on the residence until such transfer occurs.
5. Husband shall pay $300 and Wife shall pay $250 forthwith to the Prothonotary. Of this, $180 will be paid to the Reporter and the remainder shall be for the master and turned over to the county by the normal procedure. The reporter's fee shall be paid to Lorraine A. Dallas, 820 Ravine St., Meadville, PA 16335. No divorce decree will be issued until the costs have been paid.
6. 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 claim 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.

BY THE COURT:
Anthony J. Vardaro, J.

October 28, 1998 Petition for Civil Contempt and Order filed. And Now, this 27 day of October 1998, upon presentation and consideration of the within Petition a rule is granted upon the Defendant to show cause, if any he has, why the relief in the aforesaid Petition should not be granted. Returnable both for hearing and/or arguemnt on the 1st day of December 1998 at 3:45 PM in Courtroom 2, Crawford County Courthouse, Meadville, PA
A copy of this Petition should be served upon Defendant Paul M. Hart by Certified Mail return receipt requested and upon his counsel Mary Ann Kirkpatrick by regular mail.
The defendant is warned that his failure to appear at the time and clace of the heaing may result in the hearing proceeding in his absence and adjudication made holding teh Defendant in Contempt of the Order heretofore entered on July 17, 1998 and the imposition of sanctions upon him.

By the Court
Anthony J. Vardaro, J.

10/28/98 Faxed Thomas & Kirkpatrick

11/2/98 Certified Copy Paul M. Hart

November 6, 1998 Pettiion for Review and Modification of Custody Order and Order Filed. And Now, this 5th day of November 1998 upon presentation and cosnideration of the within Petition, this Order is created as follows:
1. That John F. Spataro, hereby appointed Custody Mediator in this case, to convene a mediation confeence and review the provisions of the Order heretofore entered on Marcy 6, 1998 especially as it related to the custody of the said Michael P. Hart, all for the purpose of determining whether or not said Order should be revised as requested by the Plaintiff mother in her Petition for mOdification.
2. That the Plaintiff shall deposit with the Prothonotary the sum of $200.00 which sum should be deposited immediately upon the signing and entry of this Order appointing the Custody Mediator.
3. That in the event that the Plaintiff and Defendant have not attended the Seminar for Separating Parents, they should be required to do so prior to the aforesaid mediation.

By the Court
Gordon R. Miller, Judge Common Pleas Court

11/6/98 Faxed Thomas Spataro & Kirkpatrick

Nov. 30, 1998 Defendant's Answer to Plaintiff's Petition for Civil Contempt filed.

December 4, 1998 Order Filed. And Now, this 2 day of December 1998 after Mediation in the above referenced matter and upon the recommendations of the child Custody Mediator. It is Hereby Ordered and Decreed That:
1. The entirety of the Order of March 6, 1997 shall remain in full force and effect without change.
2. Either party may move the Court for a hearing de novo within 20 days from the date hereof. If neither party so moves this order shall be considered permanent.
d. The Plaintiff shall pay $90 of the mediation cost together with 9.00 for Court Order County shall pay the other ½. Prothonotary may refund balance of Plaintiff's Deposit.

By the Court Anthony J. Vardaro, J.

12/8/98 Faxed Spataro, Thomas & Kirkpatrick

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1994

S30410

Homewood, Inc.
vs
Martin W. Mack and Sabina E. Mack, Indiv. and as partners t/d/b/a Mack and Company Hardwood Specialties

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AD 1994 - 499

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Nov. 4, 1998 Order filed. And Now, November 4, 1998 at the time set for trial of this nonjury case, counsel advises the Court that the matter has been amicably resolved by stipulation. The stipulation shall be filed as part of teh record in this case and signed by both counsel indication judgment shall be entered in favor of the plaintiff in the amount of $15,000 against only defendant Martin W. Mack, individually and Mack & Co Hardwoods Specialties. The stipulation will be forewarded to defendant Martin W. Mack and returned to counsel Jeffrey K. Millin on or before November 18, 1998.
Upon filing the aforesaid stipulation, counsel for both parties agree the filing of the same will result in an amicable settlement and termination of this case.

By the Corut
P. Richard Thomas, SJ

11/4/98 Dist. Youngs & Millin

November 16, 1998 Stipulation Filed.

December 1, 1998 Motion for Continuance and Order filed. And Now, this 30 day of October 1998 upon consideration of the Defendants motion to continue this matter, said Motion is denied. The Plaintiffs case in chief shall be presented on November 4, 1998 as scheduled. The Defendants case in chief shall be presented at a continued hearing to be held on _____. The defendants testimony may be presented by deposition. Any costs incurred by Plaintiff for the depositions shall be borne by Plaintiffs.

By the Court
Gordon r. miller, J.

Patricia D. JOnes
vs
Keith L. Jones

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Feb. 17, 1999 Affidavit of Consent Filed (Deft)

Feb. 17, 1999 Waiver of Notice of Intention to Request Entry of a Divorce Decree under Sec. 3001(c) of the Divorce Code Filed (Deft)

June 4, 1999 Certificate of completion of the Seminar for Separating Parents for Keith L. Jones, filed.

June 22, 1999 Marriage Settlement Agreement Filed.

June 24, 1999 Waiver of Notice of Intention to Request entry of A divorce Decree under Sec 3301(c) of the Divorce Code Filed. (Pltf)

June 24, 1999 Affidavit of Consent filed (Pltf)

June 24, 1999 Praecipe to Transmit the Record Filed. Upon Praecipe of Barbara Walton, Esq. Atty for Plaintiff to transmit the record, this case moved to Court.

DIVORCE DECREE FILED

July 5, 1999 AND NOW, this the 2 day of July, 1999 upon presentation of the Stipulation and Consent of the parties, and after consideration of the same, it is hereby ORDERED, DIRECTED AND DECREED that:

The bonds of marriage between Plaintiff, PATRICIA JONES and Defendant, KEITH JONES, are dissolved. Plaintiff and Defendant are divorced from the bonds of matrimony.

AND IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that the terms, provisions and conditions of the Marriage Settlement Agreement between the parties herein dated May 13, 1999, shall be incorporated in this decree and order by reference as fully as though the same were set forth herein, at length. Said agreement shall not merge with, but shall survive this decree and order.

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

BY THE COURT:
Anthony J. Vardaro, J.

508-A

1994

S30410

Mary K. hart
vs
Paul M. Hart

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And Now, December 1, 1998 this matter comes before the Court on a Petition for Civil Contempt filed by the Palintiff. A divorce decree was entered on July 17, 1998 which specifically required the husband, Defendant to pay to wife, Plaintiff the sum of $34,041 within 90 days from the entery of that decree. He tendered $22,000 of that amount through his attorney actually on June 18, 1998 prior to the entry of the divorce degree but in that tender requested further time to make payment of the additonal $14,041.

Taht was not acceptable to Palintiff, wife and desptie the fact there is language in the divorce decree to allow the Defenant, husband to come back to the Court for an additional tiem beyond the 90 days for good cause shown, he did not do that and this matter has ended up in Court on this contmept proceeding.

The Defendant husband has this day available the sum of $34,041 which he is prepared to pay to the palintff, wife this day and accordingly, based on all of this while we find taht he is in contempt for not complying with the decree as required by the decree dated July 17, 1998 or requesteing an appropriate extension for his contempt, it is ordered and directed he shall forthwith this day pay to the palintiff, wife, the sum of $34,041. Additionally, within 10 days from this date, he shall pay to Plaintiff wife the sum of $105 as simple interest on the amount he did not tender from the date it was due. and within 30 days from this date, he shall pay to Plaintiff wife's counsel the sum of $150 toward attorney's fees for the bringing of this action.

By order of the Court
Anthony J. Vardaro, J.

12/8/98 Dist. Kirkpatrick & Thomas