# CRAWFORD COUNTY

## APPEARANCE DOCKET

# BOOK 286
# Vol. 2

# JUN 1989

PIRRELLO ENTEPRISES INC.
Scanned June 2017

# 1989

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

551.

Thomas, Truax, Spada-
fore, Vardaro & Walker
William L. Walker

SPAULDING'S, INC.

vs.

GRAPHIC TECHNOLOGY, INC.

Filed June 20, 1989
@ 11:33 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 ✓ |
| Sheriffs costs | 40.00 |

SUMMONS IN CIVIL ACTION

Issued (sheriff)

July 26, 1989, Writ Returned. The above document was served on the defendant as per information listed above in the County of Montgomer, Com. of Pa.
Defendant: Graphic Technology
Served: Summons
Individual Served: Kelly Reed
Relationship to Dft: PIC
Date and prevailing time 6/29/89 1225
Location: 251 W. DeKaLb Pike, Suite c-103, King of Prussia, Pa.
So answers, Frank P. Lalley, Sheriff
JOhn Donovan, Dep. Sheriff

SERVED: Graphic Technology, Inc. by deputizing the Sheriff of Montgomery County, Pa. as per his affidavit of service attached. Served: June 29, 1989
So answers, Howard N. Stewart, Sheriff

Apr. 24, 1990 Complaint filed.

June 15, 1990, Answer to complaint filed.

Bozic and Thomas
R. Charles Thomas

552.

ALICE M.JOHNSON, EXECUTRIX OF THE ESTATE OF EMERSON C. ELMEN

vs.

ROBERT F. GOODRICH

Filed June 20, 1989
@ 1:00 p.m.

Tax & entry Paid $50.50
Pro Co pd 8/14/89 6.00

SUMMONS IN A CIVIL ACTION

Issued (atty)

July 10, 1989 Petition For Settlement Of Wrongful Death And Survival Action and Order filed. AND NOW, this 10 day of July, 1989, upon consideration of the foregoing Petition For Settlement of Wrongful Death and Survival Actions in the above-entitled case, this Court hereby approves the settlement of said action for the gross amount of $100,000.00 and further orders and decrees that the proceeds of said settlement shall be distributed as follows:

a. $84,000.00 under the Survival Action to be distributed as follows:

i. $21,000.00 to the Virm of Bozic & Thomas and R. Charles Thomas, Esquire and Prather, Prather and Pineo and Mark D. Prather, Esquire, as attorneys' fees;

ii. $56.00 to the firm of Bozic & Thomas and R. Charles Thomas by way of reimbursement for costs advanced;

iii. $62,944.00 to the Estate of EMERSON C. ELMEN:

b. $16,000.00 under theWrongful Death Action to be distributed as follows:

i. $4,000.00 to the law firm of Bozic & Thomas and R. Charles Thomas, Esquire and Prather, Prather and Pineo, and Mark D. Prather, esquire, as attorneys' fees

ii. $12,000.00 to be distributed as follows:

To Bernice D. JOhnson - 1/4 thereof or $3,000.00
To Virginia Johnson - 1/4 thereof or $3,000.00
To Margaret Cupples - 1/4 thereof or $3,000.00
To Chalres Elmen - 1/12 thereof or $1,000.00
To James Elmen - 1/12 thereof or $1,000.00
To Marcie Elmen - 1/24 thereof or $500.00
To Melissa Elmen - 1/24 thereof or $500.00

Upon payment of all moneys due under this Order the Court authorizes counsel for the laintiff-Petitioner to mark the case at No. A.D. 1989 - 552 in the Court of Common Pleas of Crawford County, Pennsylvania settled and discontinued of record and, further, authorizes ALICE M. JOHNSON, Executrix of the Estate of EMERSON C. ELMEN, to sign any and all necessary Releases and other documents necessary to complete this settlement.

BY THE COURT,
P. Richard Thomas

( 2 copies atty)

Aug. 14, 1989 Upon praecipe of Plaintiff Attorney the above captioned case is marked settled and discontinued of record.

# 1989

R. Charles Thomas
Bozic and Thomas

553.

FERGUSON, SPATARO & ROWDEN
Douglas W. Ferguson

PATRICK K. HUMES

vs.

SUSAN K. HUMES

Filed June 20, 1989
@ 1:04 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Pro Co. Pd 12/7/89 | 9.00 |
| State Surcharge Pd. | 10.00 |

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

June 30, 1989 Appearance of Ferguson, Spataro & Rowden by Douglas W. Ferguson, Esq. for Defendant filed.

Dec. 7, 1989 Affidavit of Service filed.
R. Charles Thomas, Esq., being duly sworn according to law, deposes and says that on June 21st, 1989, he sent a true and correct copy of the Complaint In Divorce, to the Defendant, Susan K. Humes, by Certified Mail No. P966069680, Postage Prepaid, Restricted Delivery, REturn Receipt REquested, at his/her last known address, 205 Lincoln Ave., Meadville, PA, further that there is attached hereto a duly executed return receipt card showing date of delivery as June 23, 1989.
R. Charles Thomas, Atty.

Dec. 7, 1989 Affidavit of Consent of Plaintiff filed.
Dec. 7, 1989 Affidavit of Consent of Defendant filed.
Dec. 7, 1989 Upon Praecipe of Plaintiff Attorney For Review under Section 201(c) of Divorce Code, this case is moved to Court.

Dec. 12, 1989 **DIVORCE DECREE FILED.**

And now, December 12, 1989, it is ordered and decreed that Patrick K. Humes, plaintiff and Susan K. Humes, defendant, are divorced from the bonds of matrimony.
BY THE COURT,
Robert L. Walker, J

Spadafore, Vardaro
& Walker
William L. Walker

554.

JONATHAN H. HAWKINS AND
CHERITH L. HAWKINS,
HUSBAND AND WIFE

vs.

THE HUSBAND OF ELLEN WALTER,
a/k/a ELLEN WALTERS, ALEXAN-
DER GRUDZENSKI, AND
ADELA GRUDZENSKI, THEIR HEIRS,
SUCCESSORS AND ASSIGNS

Filed June 20, 1989
@ 2:51 p.m.

Tax & entry Paid $50.50
Pro Co Pd 3/19/90 9.00

COMPLAINT - ACTION TO QUIET TITLE

June 21, 1989 Motion To Permit Service By Publication Pursuant To P.A.R.C.P. 430 and Order filed. AND NOW, this 21st day of June, 1989, upon consideration of the foregoing Motion and the attached Affidavit, the Court hereby direct Service by Publication in the above captioned action as follows:
1.) Plaintiff shall publish a synopsis of the complaint against the above captioned Defendant in the Crawford County Leal Journal and in the Newspaper for 1 consecutive weeks.

BY THE COURT,
Robert L. Walker, J

June 21, 1989 Copy of order put in William Walker's box.

Feb. 15, 1990 Motion For Default Judgment, Affidavit and Order filed. AND NOW, this 13 day of February, 1990, upon consideration of the foregoing Motion and the attached Affidavit and proofs of publication, the Court hereby enters judgment for the Plaintiffs and against the Defendants in the above-captioned action.

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

ALL that certain piece or parcel of land situate in the Borough of Cambridge Springs, Crawford County, Pennsylvania, bounded and described as follows, to-wit:
BEGINNING at a post on the west side of Center Street at the corner of land formerly of Brawley Beach and Hyatt; THENCE westerly by said land, 180 feet to an alley; THENCE south 50 feet to land formerly of Beach Brawley and Hyatt, now or formerly Frank Hyatt; THENCE east by the said land 180 feet to Center Street; THENCE northerly by the said Center Street 50 feet to the place of beginning, a frame house erected thereon. Being Lot No. 2, Block E of the Brawley Beach and Hyatt addition to Cambridge Springs.
ALSO, ALL that certain pice or parcel of land situate in the Borough of Cambridge Springs, Crawford County, Pennsylvania, bounded and described as follows, to-wit:
On the north by land now or formerly of S.M. Shafer; on the east by Center Street; on the south by land now or formerly of Winifred Johnson Birchard (property above described); and on the west by an alley.

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

BY THE COURT,
P. Richard Thomas,J

Feb. 22, 1990 Copy of order put in William Walker's box.

Mar. 19, 1990, at 3:01 p.m., And nOw, upon praecipe of plaitniff attorney, FINAL JUDGMENT is hereby entered in this case, in favor of the palintiff and agaist the defendants, pursuant to the foregoing Order of Court.

judgment entered 3/19/90
W - 51, 14, 51, 14
G - 14, 14

FINAL JUDGMENT
James F. Simmons,
Prothonotary

# 1989

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

555.

VENANGO FEDERAL SAVINGS &
LOAN ASSOCIATION, NOW
AMERICAN FEDERAL SAVINGS

vs.

FRANCIS N. JEWELL AND
CONSTANCE L. JEWELL

Filed June 20, 1989
@ 3:38 p.m.

| | |
|---|---|
| Pro Simmons paid | $15.00 |
| plff on orig | 6.50 |
| sat. paid | 3.00 |
| Sheriff's costs | 32.00 |

So answers.

WRIT OF REVIVAL

of

DSB 509 May Term 1979

Revival of Judgment indexed by Prothonotary in favor of plaintiffs and against the defendants in the amount of Eleven Thousand Five Hundred Twenty Eight and 17/100 Dollars with int. from 6/18/79.

Debt.....$11,528.17
Int. from..June 18, 1979
J - 61, 31....REVIVAL OF JUDGMENT
James F. Simmons, Pro

Issued (sheriff)

Nov. 22, 1989 Sheriff's Return filed. SERVED Constance L Jewell personally on July 7, 11989 at 3:34 PM by handing copy of Writ of Revival to her at her residence, R.D.# 2, Flaugh Rd. Saegertown, Crawford Co., Pa.
SERVED Francis N. Jewell on July 7, 1989 at 3:35 PM by handing copy of Writ of Revival to his wife, Constance L. Jewell at their residence, R.D.# 2, Flaugh Rd., Saegertown, Crawford Co.Pa.
Edgar D. Householder, Chief Deputy
Howard N. Stewart, Sheriff

July 20, 1994 This Judgment satisfied (see paper filed).

# 1989

Kathleen R. Nelson

556.

FLORINE KOLESAR

vs.

DAVID KOLESAR

Filed June 21, 1989
@ 10:11 a.m.

Tax & entry Paid $50.50

Pro Co Pd 8-6-90 9.00
State Pd 8-6-90 10.00

COMPLAINT UNDER SECTION 201(c) OF DIVORCE CODE

1 copy (atty)

Aug. 4, 1989, Complaint Reinstated.

Aug 14, 1989 Affidavit of Service filed: LEE A. EVANS, being duly sworn according to law, deposes and says that she is an adult over the age of eighteen (18) years; that she served the Complaint in Divorce filed in the above matter on DAVID KOLESAR, Defendant in the above action, by personally handing to him a true and correct copy thereof and informing him of its contents at Lakeside Square, Conneaut Lake, Pennsyvlania, on August 10, 1989, at approximately 3:30 o'clock p.m. The said DAVID KOLESAR having first identified himself to the deponent.
Lee A. Evans

July 9, 1990 Affidavit Of Consent of Defendnat filed.

August 2, 1990 Affidavit of Consent of Plaintiff filed.

Aug 6, 1990 Upon Praecipe of Plaintiff's Attorney for Review Under §201(c) of the Divorce Code, this case is moved to Court

Agu. 13, 1990 **DIVORCE DECREE FILED.**

AND NOW, August 13, 1990, it is ordered and decreed that Florine Kolesar, pl aintiff, and David Kolesar, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J

# 1989

Kincaid & McGrath, PC
James F. Grenen

557.

William T. Molczan
Stonecipher, Cunningham
Beard & Schmitt

THE SAVINGS & TRUST COMPANY
OF PENNSYLVANIA

vs.

WILLIAM M. GOSNELL

Filed June 21, 1989
@ 10:44 a.m.

Tax & entry Paid $50.50 ✓
Pro Co Pd 8-15-89 9.00 ✓

COMPLAINT IN MORTGAGE FORECLOSURE

July 13, 1989, Acceptance of Service filed. And Now, this 12 day of July 1989, service of a true and correct copy of the above civil action issued at above number is hereby acknowledged and accepted by William T. Molczan, Atty. for the defendant.

Atty. for defendant certifies that he has received authorization from dft. to execute this stipulation.

William T. Molczan Esq.

AND NOW, Aug 15, 1989 @ 10:33 A.M., with Affidavit of Non-Military Service & Notice of Intention to Take Default Judgment attached, judgment is hereby entered in favor of the Plaintiff and against the defendant in tha amount of Two Million Seven Hundred Eighty-two Thousand Nine Hundred and 69/100 Dollars which is itemized as follows:

| | |
|---|---|
| Principal | $2,554,769.03 |
| Interest through 6/15/89 | $ 228,131.66 |
| TOTAL | $2,782,900.69 |

with interest on the principal sum at the rate of $892.42 per diem from June 16, 1989, plus costs, attorneys' fees, and foreclosure and sale of the mortgaged premises.

G-173

Debt....$2,782,900.69 + Int., Atty Fee & cost.
JUDGMENT
James F. Simmons
Prothonotary

Aug 15, 1989 Notice of Judgment mailed defendants.

EX/1989.92

# 1989

558.

CHERYL A. LOJEK

vs.

JACK L. LOJEK

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plaintiff)

8/11/89 Recd $19.00 from Defendant.
8/11/89 Paid $19.00 to Howard Stewart, Sheriff
Ck #5214

Filed June 21, 1989
@ 1:28 p.m.

| | | |
|---|---|---|
| Tax & entry 8/11/89 | $50.50 | ✓ |
| Sheriff's costs | 19.00 | |
| Pro Cole 8/11/89 | 9.00 | ✓ |

TEMPORARY ABUSE ORDER:

And now this 21 day of June 1989, upon review of the petition of the 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 remian in full force and effect until modified or terminated by further order of this court. Liability for payment of fees and costs will be determined by final court order.

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

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

Hearing is hereby set for June 30, 1989 at 3:00 p.m. in C. R. No. 1 or 2 of the Crawford CountyCourthouse.

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

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

June 26, 1989 Petition For Relief and Order filed. AND NOW, this 26th day of June, 1989, in consideration of the within petition, this court orders that custody of Krystle and Chelsea Lojek be with defendant, Jack Lojek, with reasonable visitation rights granted to plaintiff, Cheryl Lojek, and, further that during visitation plaintiff shall not expose the children to male persons to whom she is not related by blood or marriage and neither party may remove the children from Crawford County. Subject to review at hearing scheduled June 30, 1989.

BY THE COURT,
P R Thomas, J

3 copies ( atty )

June 26, 1989 Sheriff's Return filed SERVED Jack L. Lojek personally on June 21, 1989 at 3:23 PM by handing copy of Protection From Abuse, Petition and Order to him at Sheriff's Office, Crawford County Courthouse, Meadville, PA.
So answers,

Catherine I. Allen, Deputy Sheriff
Howard N. Stewart, Sheriff

July 6, 1989 Order filed: AND NOW, June 30, 1989, at the time set for hearing on the abuse petition, the parties through their counsel advise the Court the matter has been amicably resolved as follows:

1. The defendant will not threaten, harass, annoy or assault the plaintiff/wife in any manner.

2. The husband may have exclusive possession of the marital home and the wife will make no claim thereto except for the contents provision noted below.

3. Primary custody of the parties two minor children Krystle and Chelsea is awarded to the wife, with weekly weekend visits with the father from Friday at 7:00 p.m. until Sunday at 7:00 p.m. It shall be the obligation of the father to pick up and return the children for said visits.

4. Neither parthshall consume alcoholic beverages while the children are in their custody and the mother shall not be in the company of a Mr. Kevin Bleutge while the children are in her custody.

5. The father may call the residence of the mother each Wednesday night between the hours of 7:00 p.m. and 8:00 p.m. for the purpose of talking a reasonable length of time with his children.

6. The wife is awarded exclusive custody of an Oldsmobile automobile for the months of July, August and September. The husband agrees to pay any insurance to keep said car covered. at the end of three months, this condition may be agreement of both parties.

7. The mother may go to the family residence on Saturday, July 1, 1989, between the hours of 10:00 a.m. and 12:00 Noon for the purpose of gathering together the children's clothes and personal possessions. The mother is accorded another visit to the home at a date of her choice for the purpose of gathering her own personal effects or additional clothing or articles needed by the children.

8. It appears that the wife's brother recently died in Kansas City and she anticipates a visit to her mother in Kansas City between the dates of July 11 and August 1 and the husband agrees taht she may make said visits and have the children in her company and any visitation rights accorded the father during said period of time are suspended. While the children are in Kansas City, the father shall have the right to call every other night before 9:00 p.m. Meadville time for the purpose of having a reasonable-length conversation with the two children.

9. The parties realize the presently the husband is working in New York State and conditions of work or weather may prevent him from picking up the children in a timely fashion on Friday evenings. The father shall make every effort to call the residence of the wife and advise her that he will be late in picking up the children; but if he cannot pick them up by 9:30 on Friday evening, the visit for Friday evening will be cancelled and he can pick up the children at 9:30 Saturday morning.

10. The defendant/husband agrees he will not only abstain from annoying, harassing or threatening the plaintiff, but he will also abstain from encouraging or procuring others to do so on his behalf.

11. This Order shall remain in effect for a period of one (1) year unless the parties mutually agree to cancel the same sooner.

11. This Order shall remain in effect for a period on one (1) year unless the parties mutually agree to cancel the same sooner.

12. Any Police Officer having reasonable grounds to believe the abuse provisions of this Order have been

Continued in margin.....

.....

violated, may apprehend the defendant, deliver him forthwith for arraignment before a District Justice of the Peace for prompt commitment to the Crawford County Jail for violation of the Order and request an immediate hearing before the Court.

13. The defendant is directed to pay costs in this case within fifteen (15) days of receipt of a bill from the Prothonotary for the same.

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

July 10, 1989 Copies of order put in Attys. Lindsay and Eglinton's boxes and copy to County Control.

# 1989

Ely and Smith
Edwin W. Smith

559.

STATE FARM FIRE AND CASUALTY
A PENNSYLVANIA CORPORATION

vs.

NADINE J. LYPSON, INDIVIDUALLY,
AND d/b/a NADINE'S PIZZA,
A SOLE PROPRIETORSHIP

Filed June 21, 1989
@ 2:11 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Sheriff's Costs | 68.30 |
| Pro Co Pd 11-6-89 | 9.00 |
| Pro Co Pd 3/5/90 | 5.00 |

COMPLAINT

2 copies (sheriff)

July 31, 1989 Sheriff's Return filed. Before me, the undersigned authority, personally appeared Mark D. London, Deputy Sheriff who being duly sworn according to law, deposes and says that on the 3rd day of July 1989, at 11:20 a.m., he served Notice to defend and Complaint-Civil Division-Law, filed at No. 559 Term, 1989, Crawford County Pennsylvania, upon defendnat Nadine J. Lypson at R.D.#3, Titusville, PA By making kno;wn the contents thereof to V. Algitta, adult in Charge (mother) an dhanding to and leaving with her the certified copy of the NOtice to defen and Complaint-Civil Division-Law received from Crawford County
So answers, Mark D. London, Deputy Sheriff
Gene Price, Sheriff

Before me, the undersigned authority, personally appeared Mark D. London, Deputy Sheriff who being duly sworn according to law, deposes and says that on the 3rd day of July, 1989, at 11:20 a.m., he served Notice to Defend and Complaint-Civil Division-Law, filed at No. 559 Term, 1989, Crawford County Pennsylvania, upon defendant Nadine's Pizza at R.D.#3 Titusville, PA By making known the contents thereo fto V. Aglitti, adult in charge (mother) and handing to and leaving with her the certified copy of the Notice to defend and Complaint Civil Division-Law received from Crawford County.
So answers, Mark D. London, Deputy Sheriff
Gene Price, Sheriff

SERVED Nadine J. Lypson by deputizing the Sher;iff of Venango County, PA as per his Affidavit of Service hereto attached. Served: July 3, 1989
SERVED Nadine's Pizza by deputizing the Sheriff of Venango County, PA as per his affidavit of Service hereto attached. Served: July 3, 1989
So answers, Howard N. Stewart, Sheriff

Nov 6, 1989 Upon Praecipe of Plaintiff's attorney, with Notice of Judgment attached, judgment is hereby entered in favor of the Plaintiff and against the defendants for failure to file an answer and the same is liquidated in the amount of Nine Hundred Twenty-four and 74/100 Dollars together with interest from September 15, 1988 at the rate of 6% per annum and costs of suit.
L-123; N-183

Debt.....$924.74 + int & costs
JUDGMENT
James F. Simmons
Prothonotary

Nov 6, 1989 Notice of Judgment mailed Defendants.

EX/1990-4

Feb. 28, 1990, UPon praecipe of plaintiff attorney, the above captioned case is hereby marked satisfied of record.

# 1989

Spadafore, Vardaro
& Walker
William L. Walker

560.

IN THE PETITION OF:

IRA JUNIOR OATES

Filed June 21, 1989
@ 3:12 p.m.

Tax & entry Pd 6/28/89-$50.50 ✓
Pro Co Pd 6/28/89- $5.00 ✓
Pro Co Pd 8/10/89 9.00 ✓

PETITION FOR CHANGE OF NAME

ORDER:

AND NOW, this 21st day of June 1989, upon presentation of the aforesaid Petition for Change of Name, a hearing on said Petition is set for the 3rd day of August, 1989, at 1:30 p.m. in Courtroom No. 1 of the Crawford CountyCourthouse, Meadville, Crawford County, Pa.

Notic eof the filing fo the within Petition in the aforesaid date of hearing shall be published inthe Meadville Tribune and the Crawford County Legal Journal 1 time.

BY THE COURT:
Robert L. Walker, J.

June 21, 1989 copy of order to Atty. Walker.

Aug. 3, 1989, ORDER filed. (with No Lien Certificate from Prothonotary's Office, Recorder's Certificate, and Proofs of Publication attached) ORDER: AND NOW, To-wit this 3 day of Aug. 1989, upon hearing of the within Petition and upon motion of William L. Walker, Esq. atty. for Petitioner, and upon presentation of Proof of Publication of Notice of Hearing as required by law and the Court's Order together with proof, there are no judgments, mortgages, or other liens of record, as evidenced by this certifications of Antoinette Allegretti, Recorder of Deeds and James Simmons, Prothonotary of Crawford County, Pa. or any other matter of like affect against the Petitioner and it appearing that there is no legal objection to the granting of the prayer of this Petition.

IT IS HEREBY ordered and decreed that hereafter and for all lawful and legal purposes, the name of the Petitioner will be and is hereby changed to IRA JOSEPH OATES.

BY THE COURT:
P. Richard Thomas, J.

Aug. 4, 1989, copy of order to atty. Walker.

# 1989

James W. Granat

561.

JEFFREY LYNN BRINK

vs.

CATHY LYNN BRINK

Filed June 22, 1989
@ 10:25 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Pro Co pd 3/23/90 | 9.00 |
| State pd 3/23/90 | 10.00 |

COMPLAINT IN DIVORCE

1 copy (atty)

Aug. 17, 1989 Affidavit filed. I ,JAMES W. GRANAT, ESQUIRE, after being duly sworn according to law, depose and say that I am the attorney of record for Jeffrey Lynn Brink, and that as such I am authorized to execute this Affidavit; that I did on the 22nd day of June, 1989, send by Certified Mail, Return Receipt Requested a true and correct copy of the Notice to Defend and Claim Rights and the Complaint for Divorce to Defendant, Cathy Lynn Brink, at her last known address of R.D.# 2, Box 258C, Venango, Pa. 16440

Aug. 17, 1989 Affidavit filed. I,JAMES W. GRANAT, ESQUIRE, after being duly sworn according to law, depose and say that I am the attorney of record for Jeffrey Lynn Brink, and that as such I am authorized to execute this Affidavit; that I did on the 22nd day of June,, 1989, send by Certified Mail, Return Receipt Requested, a true and correct copy of the Notice to Defend and Claim Rights and the Complaint for Divorce to Defendant, Cathy Lynn Brink, at her last known address of R.D.# 2, Box 258C, Venango, Pa. 16440, as evidenced by the attached sender's receipt No. P 135 705 735, and that on the 28th day of June, 1989, I did receive the duly executed return receipt dated the 26th day of June, 1989.

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

James W. Granat, Esq.

Mar. 22, 1990 Affidavit Of Consent of Defendant filed.

Mar. 22, 1990 Affidavit Of Consent of Plaintiff filed.

Mar. 22, 1990 Notice Of Intent To File Praecipe To Transmit Record filed.

Mar. 22, 1990 Upon praecipe of Plaintiff Attorney For Review Under §201(c) of the Divorce Code, this case moved to court.

April 11, 1990 **DIVORCE DECREE FILED.**

AND NOW, April 11, 1990, it is ordered and decreed that Jeffrey Lynn Brink, plaintiff and Cathy Lynn Brink, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J

Jack, Kookogey &
Felton
John S. Kookogey

562.

ROBERT J. POWELL

vs.

DANIEL VEITH, JR., HIS HEIRS, PERSONAL REPRESENTATIVES AND ASSIGNS

Filed June 22, 1989
@ 10:53 a.m.

Tax & entry Paid $50.50
Pro Co pd 9/13/89 9.00

COMPLAINT - ACTION TO QUIET TITLE

June 23, 1989 Motion for Leave to Serve by Publication and Order filed: AND NOW, June 22, 1989, on motion of John S. Kookogey, Attorney for Plaintiff in the above-captioned matter, leave is hereby granted to serve DANIEL VEITH, JR., and his respective heirs, personal representatives, and assigns, generally Defendants in said Action, by publication of a notice of the facts set forth in the Complaint in The Meadville Tribune, a newspaper of general circulation, one (1) time and requiring the said Defendants to plead within twenty (20) days from last date of publication thereof.

PER CURIAM,
P. Richard Thomas, J.

June 23, 1989 Copy of order mailed to Atty. Kookogey.

Aug. 8, 1989 Affidavit, Motion for Judgment and Order filed. AND NOW, this 8th day of August, 1989, upon presentation of the foregoing motion and due consideration thereof, it is hereby ORDERED AND DECREED that the Defendant, Daniel Veith, Jr., and his heirs, personal representatives, and assigns, are forever barred from asserting any right, title, lien or interest inconsistent with the claim of the Plaintiff, as set forth in the Complaint in this case, of, in, or nay way attacking the title of the Plaintiff in said property; from issuing or conveying the same or any part thereof; unless the Defendant, Daniel Veith, Jr., and his heirs, personal representatives, and assigns, take such action as is herein directed within thirty (30) days after the entry of this jdugment. It if further ORDERED AND DECREED that if no Petition to open this judgment or set aside this decree is presented by the Defendant, Daniel Veith, Jr., and his heirs, personal representatives, and assigns, within thirty (30) days from and after the entry of this Decree, the same shall be final. If such action is not taken within the said thirty day period, the Prothonotary, on praecipe of the Plaintiff, shall enter judgment.

PER CURIAM,
Robert L. Walker, J

V-45

Aug. 9, 1989 Copy mailed to John Kookogey

And Now, Sept. 13, 1989 at 10:59 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.

V-45

FINAL JUDGMENT
James F. Simmons
Prothonotary

# 1989

William B. Moore

563.

DANIEL BRAZALOVICS, A SINGLE, AND HENRY E. WETZEL, AND DOLORES M. WETZEL, HUSBAND AND WIFE

vs.

ANNA S. McCARTHY, BESSIE CAMPBELL, MARGARET DENNISON, MARTHA DENNISON, LUCY McELHANEY, MARY MURPHY, ANN ROBINSON, DOROTHY ROBINSON, CHRISTOPHER ROBINSON, GEORGE ROBINSON, ELIZABETH ROBINSON, JANE ROBINSON, ANNA RUDLER, THEIR HEIRS, ADMINISTRATORS, EXECUTORS, AND ASSIGNS

Filed June 22, 1989
@ 12:03 p.m.

Tax & entry Paid $50.50 ✓

Sheriff's costs 352.10

Pro Co Pd 1-12-90 9.00 ✓

COMPLAINT - ACTION TO QUIET TITLE

July 21, 1989 Motion For Leave To Serve By Publication and Order filed. AND NOW, to-wit, this 21 day of July, 1989, upon consideration of the foregoing motion, the Plaintiffs are granted leave, and the Sheriff of Crawford County is Ordered and Directed to make service of the foregoing Complaint upon the Defendants, their, executors, administrators, heirs and assigns, by publication once in the Meadville Tribune and once in the Crawford County Legal Journal. Per Curiam,
P. Richard Thomas, J

July 24, 1989 copy of order put in William Moore's box.

Oct. 11, 1989 Sheriff's Return filed. SERVED by publication in the Crawford County Legal Journal, Meadville, Pa. once only on Wednesday, Sept. 20, 1989. Proof of publication hereto attached. SERVED by publication in The Meadville Tribune, Meadville, Pa. once only on Wednesday, Sept. 20, 1989, Proof of publication hereto attached.
So answers, Howard N. Stewart, Sheriff

Dec. 6, 1989 Motion filed.

Dec. 6, 1989 Final Order filed. AND NOW, this 6 day of December, 1989, an Affidavit of Service of the Complaint with Notice to Plead having been filed and no answer having been made by the defendant, this Court now upon Motion of William B. Moore Esq., Attorney for the Plaintiffs, hereby Orders and decrees that the Defendnats above named, their successors and assigns be, and they are hereby, forever barred from asserting any right, lien, title, interest or claim in and to the certain pieces or parcels of land hereinafter described:

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

BEGINNING at point of the center line of a public road known as Porter Road at the southeast corner of land now or formerly of Eva Wood, formerly of James McClure; thence north 89° west a distance of Two Thousand Eighty Hundred Thirty (2,830) feet to a point on the east line of land of the Plaintiffs Henry E. Wetzel and Dolores M. Wetzel; thence south 1° west a distance or nine Hundred and Fifty (950) feet, to a point on the north line of land now or formerly of the Jolly sisters; thence south 89° east on the north line of land now or formerly of the Jolly sisters a distance of Two Thousand Eighty Hundred and Thirty (2,830) feet to a point in the center line of Porter Road; thence north 1° east a distance of Nine Hundred and Fifty (950) feet along the center of Porter Road to the point or place of beginning. Containing 57 acres of land more or less.

AND ALL that certain piece or parcel of land situate in Summit Township, Crawford County, Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a point in the center of a public highway known as Beagle Road, also known as Legislative Route 20044, at the southwest corner of land now or formerly of Stoneman, formerly of Offensend; thence south 1° west along the center line of said Beagle Road, a distance of Nine Hundred Fifty (950) feet, to a point at the northwest corner of land formerly of the JOlly sisters; thence south 89° east, a distance of Two Thousand Seven Hundred Five (2, 705) feet, to a point on the west line of the land described in the preceding paragraph, belonging to the Plaintiff Daniel Brazalovics; thence north 1° east, a distance of One Thousand Eight Hundred Forty (1,840) feet, by land aby the said Brazalovics, and land now or formerly of Chapman; thence north 89° west, a distance of One Thousand Three Hundred Thirty (1,330) feet, to point on the east line of land now or formeraly of Stoneman, formerly of Offensend; thence south 1° west along the east line of land now or formerly of said Stoneman, a distance of Eight Hundred Ninety (890) feet to a point, the southeast corner of land now or formerly of the said Stoneman; thence north 89° west along the south line of land now or formerly of said Stoneman a distance of One Thousand Three Hundred Seventy-five (1,375) feet to a point or place of beginning, containing 90 acres of land, more or less.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Defendants, their successors and assigns, be, and they are hereby, forever barred from asserting any right, lien, title or interest in the aforementioned premises, inconsistent with th einterests or claims of the Plaintiffs as set forth inthe Plaintiffs' Complaint; or from impeaching, denying, or in any way attacking the Plaintiffs' titles to said property; from issuing or maintaining any action attaching the same or any part thereof, unless the Defendnats shall enter an appearance and file an Answer to the Complaint, or Petition to open Judgment within thirty (30) days after the entry of this Order. Upon the expiration of said thirty (30) days, of no action or contest of these proceedings is entered on behalf of the defendants, the the Prothonotary of Crawford County, Pennsylvania, upon Praecipe of the Plaintiffs, shall enter a final judgment agains the said Defendants, their successors and assigns.
M-14; C-22; D-113-113; M-101-231; R-205-43-33-73-53-93-11 PER CURIAM
P. Richard Thomas

Dec. 7, 1989 Copy of order put in William Moore's box.

AND NOW, Jan 11, 1990 @ 11:23 A.M. Upon praecipe of plaintiff's attorney, final judgment is hereby entered in this case, in favor of the plaintiffs and against the defendants, pursuant to the foregoing Order of Court.
M-14; C-22; D-113, 113; M-101, 231;
R-205, 43, 33, 43, 53, 93, 73; R-11 FINAL JUDGMENT
James F. Simmons
Prothonotary

14

# 1989

Bruce L. Smith

564.

**Ann Hansen Gamble**

BARRY J. RIPPER, JR.

vs.

MELISSA B. RIPPER

Filed June 22, 1989
@ 12:08 p.m.

Tax & entry Paid $50.50 ✓
1 count pd 10/20/89 15.00 ✓
Pro Co Pd 1-29-90 9.00 ✓
State Pd 1-29-90 10.00
Pro Co Pd 2/22/90 5.00 ✓

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

June 28, 1989 Affidavit of Service filed. Bruce L. Smith, being duly sworn according to law, deposes and says that on the 23rd day of June, 1989, 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 her residence at 414 N. Petroleum St., Titusville, PA 16354, and that the Complaint and accompanying Notice to Defend and Claim Rights were received by the Defendant on June 26, 1989, as evidenced by return receipt No. P-620 656 389 attached hereto, all pursuant to PA. Rule of Civil Procedure No. 412.

Bruce L. Smith

Oct. 19, 1989, Petition for RElated Claims Under the Divorce code (Custody) filed.

**Jan. 3, 1990 Stipulation and Order filed. Order: AND NOW, this 3rd day of January, 1990, the parties hereto having stipulated and agreed, IT IS HEREBY ORDERED AND DECREED AS FOLLOWS:**

**1. The legal and physical custody of the child, Benjamin M. Ripper, date of birth, October 18, 1987, is and shall continue to be joint and shared between the parties hereto.**

**2. The primary physical custody of the child shall be with the mother, Melissa B. Ripper.**

**3. The father, Barry J. Ripper, Jr., shall have the right to take the child into his physical custody as follows:**

**a. On the child's birthday from 4:00 p.m. until 6:30 p.m. each year.**

**b. On Father's Day from 9:00 in the morning until 8:00 in the evening.**

**c. On December 24th from 5:30 p.m. to 11:00 p.m.**

**d. On Thanksgiving Day from 2:00 p.m. to 8:00 p.m.**

**e. On the holidays of Easter and the Fourth of July from 9:00 o'clock a.m. until 10:00 o'clock p.m. in even-numbered years and on Memorial Day and Labor Day from 9:00 o'clock a.m. to 10:00 o'clock p.m. in odd-numbered years.**

**f. Each and every Wednesday from 5:30 p.m. until 9:00 p.m., until such time as the child begins school at which time during the school year the Wednesday visitation shall conclude at 8:00 p.m.**

**g. On the second and fourth weekends of each month beginning Saturday morning at 9:00 a.m. and continuing until Sunday evening at 7:00 p.m. The weekend shall be deemed to begin on Saturday and a weekend shall be counted in the month only if Saturday is at least the first day of the month.**

**h. ?The holiday of Mother's Day shall be spent with the mother without regard to what weekend of the month that may be.**

**i. Holiday custody shall have priority over weekend visitation.**

**4. All transportation shall be provided by the father so long as the mother resides within a radius of twenty-five (25) miles of the City of Titusville, In the event that the mother relocated to a residence which is more than twenty-five (25) miles from the City of Titusville, either party hereto may request a modification.**

**5. At such time as the child reaches school age either party hereto may request a modification to this order without establishing any other change of circumstances.**

**6. Neith of the parties hereto shall blacken or impeach the character of the other parent and each shall encourage the child to the love and respect for the other parent which the child is entitled to have.**

**7. Neither shall subject the child to any circumstances or environment which may adversely affect his safety and well being.**

**8. This court shall continue to have jurisdiction over this child so long as either parent resides in Crawford County.**

**Gordon R. Miller, Judge.**

**Jan. 5, 1990 copies of order to Bruce Smith and Ann Hansen Gamble, esqs.**

Jan 24, 1990 Affidavit of Consent of Defendant filed.

Jan 24, 1990 Affidavit of Consent of Plaintiff filed.

Jan 24, 1990 Upon Praecipe of Plaintiff's Attorney for Review Under §201(c) of the Divorce code, this case is moved to Court.

Feb. 6, 1990 **DIVORCE DECREE FILED.**

AND NOW, February 6, 1990, it is ordered and decreed that Barry J. Ripper, Jr., plaintiff, and Melissa B. Ripper, defendant are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J

Feb. 22, 1990, Notice of Election ton Retake Maiden (or Prior ) Name filed.
TO BE KNOWN AS MELISSA RENE BEAUCHAT

# 1989

Joseph F. Kulwicki

565.

GARY WALLACE

vs.

KIM WALLACE

Filed June 22, 1989
@ 12:56 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Pro Co Pd 10/3/89 | 9.00 |
| State pd. 10/3/89 | 10.00 |

COMPLAINT UNDER SECTION201(c) OR 201(d) OF DIVORCE CODE

1 copy (atty)

June 28, 1989 Affidavit of Service filed: Brenda Withers, being duly sworn according to law, deposes and says that she is an employee of Joseph F. Kulwicki, Esquire, and as such, on June 23, 1989, she placed a certified copy of the Divorce Complaint in the matter above captioned, in the US Mail, certified mail, restricted delivery, being certified mail item number P724 954 510 addressed to the defendant, Kim Wallance, William Gill Village, Apt 208, Meadville, Pa 16335.
On June 27, 1989, the signature card for the said certified mail item number was returned to the office of Joseph F. Kulwicki, bearing the signature of Kim Wallage, as having received same on June 26, 1989. The receipt and signature card for certified mail item number P 724 954 510 are attached hereto and made a part hereof.
FURTHER AFFIANT SAITH NOT. Brenda Withers.

Sept. 25, 1989 Affidavit of Consent of Plaintiff filed.

Oct. 2, 1989 Affidavit Of Consent of Defendant filed.

Oct. 3, 1989, Upon praecipe of plaintiff attorney, for review under 201(c) of thedivorce code, this case moved to court.

Oct. 4, 1989 **DIVORCE DECREE FILED.**

And now, October 4, 1989, it is ordered and decreed that Gary Wallace, plaintiff, and Kim Wallace, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
P. Richard Thomas, J

# 1989

Shafer, Swick, Bailey
Irwin & Stack
James R. Irwin
~~Watts, Pepicelli,~~
Youngs and Youngs PC
Alan L. Pepicelli

566.

~~Kathleen R. Nelson~~
withdrew 1-19-98

2/12/90 Recd. 68.50 From Plaintiff
Recd 3-1-90
$68.50
Vivian Stalty

12/7/90 Recd 68.50 from plaintiff
Recd 12-31-90
$68.50
Vivian Stalty

7/18/91 Recd $137.00 From Defendant.
Aug. 1, 1991 paid Co. Comm
$137.00

11-19-97 Rec'd from Dept/Master Med Dep
200

MARK J. SLADICK

vs.

DEBORAH L. SLADICK

Filed June 22, 1989
@ 3:45 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| 2 counts paid | 30.00 |
| William Pineo, mediator | |
| Pro Co Pd 10/23/89 | 9.00 |
| State Pd 10/23/89 | 10.00 |
| Mediation Cost | 137.00 |
| Pro Co Pd 2/12/90 | 9.00 |
| Pro Co Pd 12/7/90 | 9.00 |

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

1 copy (atty)

July 5, 1989 Certificate of Service filed: ALAN L. PEPICELLI, Esquire, hereby certifies that he is the Attorney for the Plaintiff in the within Action and that a certified copy of the Complaint in Divorce was sent by certified mail, return receipt requested, addressee only, to the Defendant, Deborah L. Sladick, R.D.#1, box 248, Springboro, Pennsylvania 16435 on June 22, 1989 and was received by the same on June 23, 1989. The receipt for certified mail and the return receipt are attached hereto marked Exhibit "A". Watts, Pepicelli, Youngs & Youngs PC
Alan Pepicelli

July 20, 1989 Appearance of Kathleen R. Nelson for the defendant filed.

Sept. 25, 1989 Motion For Appointment Of Custody Mediator and Order filed. AN DNOW, September 25, 1989, Wm. Pineo is hereby appointed Child Custody Mediator in the above-captioned matter. Robert L. Walker, J

Sept. 25, 1989 1 copy atty. 1 copy mediator

Oct. 20, 1989 Affidavit of Consent of plaintiff filed.

Oct. 20, 1989 Affidavit of Consent of defendant filed.

Oct. 20, 1989, Upon praecipe for Review Under 201(c) of the Divorce Code, this case moved to court.

Oct. 20, 1989 MOtion To Withdraw Second Count and Cause of Action and Order filed. AND NOW, this 27th day of Oct., 1989, upon consideration of the within Motion, leave is granted to Plaintiff to withdraw his second County and Cause of Action regarding equitable property distribution and the same is deemed withdrawn and of no futher effect. BY THE COURT,
Robert L. Walker, J

Oct. 30, 1989 Copies of order put in Alan Pepicelli and Kathleen Nelson's box.

Oct. 27, 1989 **DIVORCE DECREE FILED.**

And now, October 27, 1989, it is ordered and decreed that MARK J. SLADICK, plaintiff, and DEBORAH L. SLADICK, defendant, are divorced from the bonds of matrimony.
It is noted that the Complaint in this case includes a claim for custody which has been referred to a custody mediator but the mediation conference has not yet been held. The Court therefore reserves for further decision the issues of custody and visitation.
BY THE COURT,
Robert L. Walker, J

Nov. 16, 1989 Temporary Order filed. AND NOW, this 15 day of NOvember, 1989, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator, IT IS HEREBY ORDERED AND DECREED THAT:
1. The parties shall share legal and physical custody of the subject minor children.
2. The parties shall share with each other any and all information wich each may have regarding the health, education, and the major event sin 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 parties shall share physical custody of the subject minor children. The mother shall have physical custody of the chidlren each week from Tuesday at 6:00 p.m. through Friday at 1:00 p.m. and the father from Friday at 1:00 p.m. through Tuesday at 6:00 p.m.
4. The parties shall make the actual arrangements for the transfer of the care of their chidlren, based upon their day care arrangements and so forth.
5. Holiday visitation shall be arranged as follows:
The Christmas holiday period shall be divided intwo with the first visitation period beginning on noon of Christmas Eve and ending noon or Christmas Day and the second period beginning noon of Christmas Day and ending at 8:00 p.. of Christmas Day. For Christmas, 1989, the mother shallhave the first period and the father the second, and the aprties shallin years thereafter alternate the two periods. Thanksgiving shall be divided into two visitation periods, the first beginning at 7:00 p.m. of the evening preceding Thanksgiving and ending at 2:00 p.m. Thanksgiving Day and the seocnd period beginning at 2:00 p.m. Thanksgiving Day and ending at 8:00 p.m. Thanksgiving Day. For Thanksgiving 1989, the father shallhave the first period and the mothr shallhave the second, andthe parties shall thereafter alternate the periods. Other major holidays are defined as New Years Day, Easter, Memorial Day, Independence Day, Labor Day. The vistiation periods shall begin at 9:00 a.m. and end at 8:00 p.m. The father shallhave visitation with the subject minor children on New Years Day and the parties shall thereafter alternate the holidays. The subject minor children will spend Father's Day with her father and Mothers Day with her mother between the hours of 9:00 a.m. and 8:00 p.m. Holiday visitation shall take precedence over the other provisions of this Order relating to the custodial and visitation periods.
6. The parties shall split responsibility for transportation with the party receiving the chidlren in the exercise of his or her rights picking up the children at the home ofthe other.
7. Each par ty shall teach said children to give to th eother party that love, respect and abedience which is due a parent form 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 childrne.
9. Any person transporting the children shall make sure that the seat belts or other restraints are used in accordance with the law of Pennsylvania.
10. Neither party shall do or say anything to blacken the character ofthe other in the children's estimation. Each parent shall trat the other in a polite and respectful manner when the children's presence and each parent shall instruct his or her relatives and friends to do likewise and also not to disparage the other parent in the children's estimation.
11. Neither par ty shall send messages to each other by way of the children nor shall either party interrogate the children with respect to the lifestyles or living arrangements or private lives of the other party.
12. Neither aprty shall expose the children to the company of persons of the opposite sex between the hours of 9:00 p.m. and 8:00 a.m.
13. The parties are gree to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

CONTINUED ON THE NEXT PAGE

16
A

Mark J. Sladick

vs.

Deborah L. Sladick

record continued from page 16

of record

A.D. 1989 - 566

**********

14. Either party may request a review of this Order in the summer of 1990 since they live in difference school districts and Meghan will be attending kingergarten in September.

15. Costs and fees of this Mediation, which are fixed at $137.00, are divided equally between the parents with a share of each being assessed to himor her as costs in this case. Payment shall be made to the Prothonotary of Crawford County.

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

By the Court,
P. Richard Thomas, J

Nov. 17, 1989 Copies of order put in Alan Pepicelli, Kathleen Nelson and William Pineo's box and copies mailed to plaintiff and defendant.

Aug. 17, 1990 Motion for Review of Temporary Order and Order filed. ORDER: AND NOW, this 17th day of August, 1990, upon consideration of the within Motion, an Order is hereby entered referring this case to William Pineo , Esq. for further mediation hearing. Both parties are ordered to appear in person at the time and place selected by said Child Custody Mediator.

If either party fails to appear as provided by this Order, an Order for custody , partial custody or visitation may be entered against such party, or the Court may issue a warrant for said party's arrest.

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

Crawford County Bar Association , c/o Prothonotary
Crawford County Courthouse, Meadville, Pa. 16335
(814) 724-4636

BY THE COURT,
Gordon R. Miller, J.

Aug. 20, 1990 Copies of order put in Alan Pepicelli, Kathleen Nelson and William Pineo's box and copies mailed to plaintiff and defendant.

Oct 10, 1990 Temporary Order filed: AND NOW, this 9 day of Oct., 1990, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. The provisions of the order of November 15, 1989, are continued subject to the changes set out below.

2. The parties shall arrange for counseling for themselves and for the subject minor children through a reputable counseling agency. Said arrangements shall be made within 30 days of the date of this order and the parties shall report to the mediator the name and address of the counselor, which they have selected. Counseling shall be made with a view toward evaluating the parental skills and maturity of the parties and attempting to help them adjust to their status as separated parents and to see if there is any prospect for their cooperation in the rearing of their children.

3. Paragraph 3 of the order of November 15, 1989 is amended so that the father shall primary physical custody of the children, and the mother shall have temporary physical custody and visitation with her children every weekend from Friday at 4:00 p.m. to Sunday at 6:00 p.m. The mother shall arrange to have the children continue their religious education at St. Peters Church in Conneautville and shall provide transportation.

4. Further Mediation shall be scheduled during the month of May 1991 to review the situation.

5. In all other respects, the provisions of the order of November 15, 1989 are continued and reaffirmed.

6. Costs and fees of this mediation, which are fixed at $137.00 are divided equally between the parties with a share of each being assessed to him/her as costs in this case. Payments shall be made to the Prothonotary of Crawford County.

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

By the Court,
Robert L. Walker, S.J.

Oct 18, 1990 Copies of order put in Attys. Pineo, Pepicelli, Nelson's boxes and copies mailed to Plaintiff and Defendant.

Oct. 31, 1990 Motion for Hearing do novo and Order filed. And now, October 31, 1990 The hearing is scheduled for Thursday, December 13, 1990 at 9:30 o'clock a.m. in Court Room 1 or 2.

Gordon R. Miller, J

Nov. 1, 1990 Copies of order put in Alan Pepicelli and Joan Mason's box.

Dec. 4, 1990 Appearance of Shafer, Swick, Bailey, Irwin & Stack by James R. Irwin for Pla intiff filed.

Dec. 6, 1990 Motion for Continuance and Order filed. AND NOW, this 6th day of December, 1990 upon presentation and consideration of the within Motion this hearing is rescheduled for the 29th da of January, 1991 at 1:30 o'clock p.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse.

For The Court,
Imogene Yetman, C.A.

Dec. 7, 1990 Copies of order put in James Irwin and Joan Mason's box.

Jan. 11, 1991 Petition For Contempt Under PA Rule Of Civil Procedure 1915.12 filed.

Jan. 11, 1991 Order filed. AND NOW, this 11th day of January, 1991 it is hereby ORDERED, ADJUDGED AND DECREED that a Rule to Show Cause is hereby entered upon Respondent, Deborah Sladick to show cause why she should not be held in contempt of Court.

Respondent shall immediately disclose the children's whereabouts to the father.

said Rule is returnable on the 29th day of January, 1991 in Courtroom N. 1 or 2 of the crawford County Courthouse, Meadville, Pennsylvania at 1:30 o'clock p.m.

BY THE COURT,
Gordon R. Miller, J

Jan. 11, 1991 Copies of order put in James Irwin and Joan Mason's box.

Jan. 18, 1991 Motion To Withdraw Appearance and Order filed. AND NOW, this 18th day of January, 1991, upon consideration ofthe within Motion, leave is granted for Alan L. Pepicelli, Esquire to withdraw as counsel for Mark J. Sladick, the above-captioned Plaintiff.

BY THE COURT,
Gordon R. Miller, J

Jan. 18, 1991 Copies of order put in Alan Pepicelli, James Irwin and Joan Mason's box.

Jan. 18, 1991 Petition To Restore Status Quo Pending Mediation Conference filed.

Continued on the next page

16
B

# 1989

Mark J. Sladick

vs.

Deborah L. Sladick

Record continued from page 16a

of record

A.D. 1989 - 566

**********

Jan. 18, 1991 Order filed. AND NOW, January 18, 1991, on presentation of the Plaintiff's motion to restore the status quo, said mtoion is denied and it is ORDERED as follows:

1. The natural father shall have the right to take his minor children into his custody on Saturday, January 19, 1991 at 10:00 o'clock a.m. and return the children to the mother at 6:00 o'clock p.m., January 20, 1991 to the home of the mother. He shall have a similar visitation with the children on Saturday and Sunday, January 26 and 27, 1991.

During the period of time that the children are in his custody, he shall have absolutely no contact with his father. He shall not take the children into his father's home nor shall he permit his father to come into his home.

During the period of time, the father shall make no disparaging comments about the mother and sahll say or do nothing to adversely affect the health, safety, morals and welfare of his children.

2. The mother, who currently has custody of the children in violation of a prior Court Order, is ORDERED and DIRECTED to immediately return Meghan, age five, to her kindergarten at the Conneaut Valley elementary School.

3. all other matters raised at this time shall be deferred until the Court has an opportunity to grant the parties a full hearing which is now scheduled for January 29, 1991.

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

Jan. 18, 1991 2 copies each atty.

Jan. 31, 1991 Order filed. AND NOW, January 29, 1991, at the close of the Court day, in the middle of the hearing, the Court hasnot heard all of the testimony and evidence regarding the matters now before it, to wit: The defendatn's petition for hearing de novo and the Plaintiff's petition for ocntempt, and accor dingly, the Court is not now able to make a final determination. The children will continue to reside where they presently reside, subject to the following terms and conditions:

1. The natural father shall have the right to take his minor children into his custody at 4:00 p.m. on Friday, february 1, 1991 and return the children to their mtoher at 6:00 p.m. on February 3, 1991.

2. During the period of time that the children are in the father's custody, he shallhave absolutely no no contact with his father. He shall not take the children into his father's home, nor permit his father to come into his home.

3. Neither party shall make disparaging comments about the other, nor shall they say or do anything to effect the health, safety, morals, and welfare of the children, nor say anything that would directly or indirectly turn the children against theother.

4. The mother is ordered and directed to take Meghan, age 5, to her kindergarten classes on January 30, 31, february 1 and February 4, 1991 without fail, being excused form doing so only if she has a certificate from a physician that Meghan is not physically or medically able to attend kindergarten.

5. All other matters raised shall be deferred until the Court has had an opportunity to hear all of the evidence in this case.

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

Feb. 4, 1991 Copies of order put in James Irwin and Joan Mason's box.

Feb. 7, 1991, ORDER filed. AND NOW, Feb. 6, 1991, Children & Youth services of Crawford County is ordered and directed to make available to the court any and all reports made pursuant to the Child Protective Services Act, 11 P.S. 201 et seq. including all matters and information referred to 11 P.S. 2215 (a) with respect to Meghan Sladick and Alyssia Sladick. The court shall hold said records and materials in safe keeping until this matter is concluded. The court will not divulge the contents of any of those materiasl without a hearing on motion for petition of any interested party at which hearing Children & Youth Services of Crawford County shall be present with counsel. Any such motion or petition shall be accompanied by appropriate facts and reference to relevant and applicable principles of law.

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

Feb. 7, 1991, copies in boxes of attys.

Feb. 8, 1991, ORDER filed. AND NOW, Feb. 5, 1991 the hearing in this matter is continued to Tues., Apr. 2, 1991 at 1:00 p.m. in C. R No. 2 of the Crawford County Courthouse.

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

Feb. 8, 1991, copies of order to Attys. J. Irwin and J. Mason.

Feb. 8, 1991 Order filed. AND NOW, February 5, 1991 after the Court has heard nearly one day of testimony on t wo separate occasions in this case, and the Plaintiff's case in chief is not yet completed so that the Court is still not able to amke a final decisionon the Defendant's request for hearin de novo, and the Plaintiff's petition for contmpet; and unfortunately, the next opportunity to hear the balance of this case will not be for two months. The Court has made inquiry as to the evidence that the Defendant will be presenting on abuse. The Court believes that the prior order, even though temporary, must remain in full force and effect until there are extraordinary circumstances such as abuse. At the moment, the Court questions whether the Defendant will be able to prove abuse, but passes no judgment on that because all we've heard are allegations of counsel, and we believe that the sanctity of the prior order requires us to abide by it and return the children to the conditions set forth in the prior order with some exceptions either agreed to by the parties or that the Court is now imposing in the best interest of the children.

Accordingly, it is Ordered as follows:

1. The temporary order of October 9, 1990 continued as a temporary order which the parties shall abide by and any orders entered since that time permitting the Defendant to have custody of the children pending the outcome of these proceedings are hereby terminated.

2. The children shall be returned to the natural father forthwith in accordance with the order of October 9, 1990.

3. While the children are in the custody of the father, he shall have no overnight guests or persons in his home between 9:00 p.m. and 9:00 a.m. if said persons are of the opposite six, unless he is not sleeping in the home that evening because he is at work, or unless the person of the opposite sex is a blood relative ofhis, particularly his mother.

4. While the father has custody of his minor daughters, he shall be permitted to take them to the home ofhis father and he shall be permitted to have his father in his home, but his father shall under no circumstances be alone with the girls at any time until further order of Court.

5. Until further Order of Court, the moterh is relieved of the responsibility mandated in the second sentence of paragraph 3 of the order of October 9, 1990 and any other mandates of that order or prior order that require her to continue the religious education of her daughters at St. Peter's Church in Conneautville, PA. BY ORDER OF THE COURT, Gordon R.+Miller, P.J.

Feb. , 1991 Copies of order put in James Irwin and Joan Mason's box

16 C

Mark J. Sladick

vs.

Deborah L. Sladick

Record continued from page 16B

of record

A.D. 1989 - 566

**********

Feb. 13, 1991 Exhibits filed.

Feb. 19, 1991 Order Resetting Hearing filed. AND NOW, February 19, 1991, hearing in the above matter heretofore set for April 2, 1991, is hereby reset bythe court for March 1, 1991, at 9:00 a.m. in Courtroom 2.

FOR THE COURT,
Imogene Yetman, C.A.

Feb. 19, 1991 Copy put in Atty's box.

Feb 26, 1991 Order filed: AND NOW, February 26, 1991, upon presentation of the within petition, the prayer of said petition is denied without further proceedings. The Court Order which the defendant claims the plaintiff violated has been changed by a subsequent order which the court is not reviewing on the defendant's request for hearing de novo.

In view of this order the petition to declare plaintiff in contempt is being returned to counsel for the defendant and is not being filed with these papers.

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

Feb 26, 1991 Copy of order put in Attys Mason and Irwin's boxes.

Mar 4, 1991 Exhibits filed with papers.

Mar. 4, 1991, ORDER filed. AND NOW, Mar. 1, 1991 the hearing in this matter is continued to Apr. 25,1991 at 9:30 a.m. in C. R. NO. 2 of the Crawford County Courthouse. The testimony and evidence in this case shall be completed at that time and the parties shall be prepared to do so.

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

Mar. 4, 1991, copies to Attys. J. Irwin and J. Mason.

Apr. 26, 1991 Exhibits filed.

Apr 25, 1991 Petition to Declare Father in Contempt, Under Pennsylvania Rule of Civil Procedure 1915.12 filed.

Apr 25, 1991 Petition to Allow Filing of Petition for Contempt Nunc Pro Tunc filed.

Apr 30, 1991 Order filed: AND NOW, April 29, 1991, after formal hearing we enter the following order. In the event of an appeal we will make a thorough analysis, give specific reasons and write a more comprehensive opinion in support of this order.

1. Plaintiff shall have primary physical and legal custody of the parties' minor children.

2. The defendant shall have the right to visit with, and take, her children into her custody for the following periods of time:

a. During the children's school year on the first, second and fourth weekends of each month from Friday at 4:00 o'clock p.m. to Sunday at 6:00 o'clock p.m.

b. During the children's summer school break at 4:00 p.m. on the day after the last day of school until 6:00 o'clock p.m. on the third day before the first day of school at the end of the summer school break subject to the right of the plaintiff to take the children with him on the first, second and fourth weekend of each month from Friday at 4:00 p.m. to Sunday at 6:00 o'clock p.m.and for three weeks during the summer when the plaintiff is on vacation. Said three weeks shall be selected by the plaintiff and he shall give the defendant at least eight (8) weeks prior notice of the three weeks he will be using with the children for vacation purposes.

c. For the purpose of this order the first weekend of a month is hereby defined as the first weekend where Saturday and Sunday both occur in the same month.

3. Holiday visitations shall occur as follows: The holiday visitation schedule shall prevail over all other visitation schedules except where the holiday occurs on a weekend in which case the weekend visitation schedule shall prevail so that the children do not spend most of that weekend traveling.

In odd numbered years, beginning with 1991, the defendant shall be permitted to take her children into her custody on Memorial Day and Christmas Day both beginning at 6:00 o'clock p.m. on the day preceding the holiday and returning the children at 6:00 o'clock p.m. on the day of the holiday.

In even numbered years, beginning with 1992, the mother shall have the right to take her children into her custody on Easter Day and Thanksgiving Day beginning at 6:00 o'clock p.m. on the day before the holiday and returning them at 6:00 o'clock on the day of the holiday.

The children shall spend Father's Day with their father and Mother's Day with their mother between the hours of 9:00 o'clock a.m. and 8;00 o'clock p.m. Visitations on Father's Day and Mother's Day shall take precedence over all other provisions of this Order.

In the event that any of the above specified holidays is celebrated on a Monday and in the further event that the defendant has custody of her children on the weekend preceding that Monday, then the defendant need not return the children until 6:00 o'clock p.m. on the Monday that the holiday is celebrated on.

4. The defendant's right to visit her children and take her children into custody are contingent upon her having a suitable place for the children which shall include, among other things, a separate bedroom for each child or a separate bedroom where both children sleep.

5. 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.

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

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

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

Continued on page 16d

16
D



Mark J. Sladick

vs.

Deobrah L. Sladick, (Now Deborah L. Chevette)

Record Continued from Page 16C

of

AD 1989-566

**********

11. Neither party shall send messages to each other by way of the chidlren nor shall either party interrogate the children with respect to the lifestyles or living arrangements or private lives of the other party.

12. Neither party shall expose the chidlren to the company of persons of the opposite sex between the hours of 9:00 o'clock p.m. and 8:00 o'clock a.m.

13. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

14. In the event that a party having visitation rights does not appear within one hours after the time scheduled for the pick up said visitation period is cancelled by reason of late pick up no other time for visitation shall be substituted therefore.

15. The defendant is ordered and directed to pay the outstanding balance of the custody mediation fees which are long overdue no later than June 1, 1991.

BY THE COURT,
Gordon R. Miller, P.J.
Apr 30, 1991 Copies of order put in Attys. Mason and Irwin.

June 19, 1991 Petition For Contempt Under PA Rule Of Civil Procedure 1915.12 filed.

June 19, 1991 Order filed. AND NOW, this 19 day of June, 1991, it is hereby ORDERED ADJUDGED AND DECREED that a Rule to Show Cause is hereby entered upon Respondent, Deborah Chevette, to show cause why she should not be hold in contempt of Court. Said Rule is returnablve on the 9 day of July, 1991, in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania at 3:00 o'clock p.m.

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

June 20, 1991 Copies of order put in James Irwin and Joan Mason's box.

June 28, 1991 Letter of Contempt filed by Deborah Chevette filed.

June 28, 1991 Order filed. AND NOW, June 28, 1991 at motions court, the Defendant appeared in motions court pro se and submitted a sworn statement dated June 27, 1991 to the Court setting forth various transactions and discussions and difficulties the parties have had since the last court order. Although that letter is not a propert petition or a motion and does not specifically contain a request for relief, the Court is treating the letter as a petition to hold the Plaintiff in contempt of Court for violating the prior order.

Accordingly, a rule to show cause is her eby entered and directed to the Plaintiff show cuase if any he has why he should not be hold in contempt of Court. Said rule is returnable for hearing and/or argument on Tuesday, July 9, 1991 at 3:00 p.m. in Courtroom No. 2 of the Crawford County Courthouse.

A true and correct ocpy of the Defendant's letter and this order shall be forwarded to the Plaintiff at his address given on the pleadings forthwith by the Prothonotary.

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

June 28, 1991 Copy put in box for Atty. Irwin and cpy of order and letter mailed to Plaintiff and copy of order mailed Defendant.

July 11, 1991 Order filed. AND NOW, July 9, 1991, after formal hearing on cross petitions for contempt, it is ordered as follows:

1. The Court finds that neither party is in contempt of court because the court is not satisfied that either party willfully violated the prior Court Order, although the Court believes that more could have been done by both parties, especially the plaintiff, with respect to the two incidents that gave rise to the cross petitions.

2. The Court Order of April 29, 1991 remains in full force and effect except that for the summer of 1991, the plaintiff shall have two (2) weeks of vacation rather than three (3) weeks of vacation, the third week of vacation being a substitute for the fact that he had his child Meghan in June and July of 1991 when she should have been with her mother.

3. The parties are admonished by the Court to follow the letter as well as the spirit of the Order of April 29, 1991. That includes a peaceful, calm and orderly delivery of the children during the periods of time when they are being delivered from one parent to th eohter. ACCORDINGLY, the plaintiff is ordered that Debbie Molnar shall not be present during those exchanges. Debbie Molnar may be in the plaintiff's vehicle when he picks up the children, but she shall not get out of the vehicle during those exchanges.

4. Each party shal pay his or her own costs.

5. It has come to the Court's attention that the defendant has violated Paragraph 15 of the April 29, 1991 Court Order in that she still has not paid the custody mediation fees which are long overdue. She shall pay the custody mediation fees without fail no later than July 23, 1991. If she fails to do so, the Court, on notification from the Prothonotary, shall reinstate the plaintiff's righ tto have his children for the third week of summer vacation in 1991.

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

July 15, 1991 Copy of order put in James Irwin's box and copy copy to Debbie Chevette

aug. 9, 1991 Order filed. AND NOW, August 9, 1991, at the request of Children & Youth Services of Crawford County the order of February 6, 1991 is vacated and the Court shall return to Children & Youth Services the copy of its file on Alyssa Sladick. Children & Youth services shall be permitted to hold, dispose or expunge saidl file in accordance with any applicable laws, regulations or internal procedures governing the keeping and disposition of said files.

This orde rshall be effective August 21, 1991. If either of the parties in this case, or their counsel, object to this order they shall file a motion for hearing and/or argument which said motion shall be filed before August 21, 1991.

BY THE COURT,
Gorodn R. Miller, J

Aug. 14, 1991 Copies of order to James Irwin, Joan Mason and Deborah Chevette

Continued on the next page

Mark J. Sladick

vs.

Deborah L. Sladick a/k/a
Deborah L. Chevette

Record continued from page 16D

of record

A.D. 1989 - 566

**********

Aug. 21, 1991 Petition To require Retnetion Of Entire Children and Youth Services Filed REgarding Alyssa Sladick and Order filed. AND NOW, this 20th day of August, 1991, upon considerationof the attached Petition, hearing/argument is set for the 3rd day of September, 1991, at 11:00 o'clock a.m., Courtroom #2, Crawford County Courthouse, Meadville, Pennsylvnaia. BY THE COURT,
Gordon R. Miller, J

Aug. 28, 1991 Copies of order put in box for Atty's Irwin and Mason

Aug. 30, 1991 Motion to POstpone Hearing and Order filed. And now, August 30, 1991 Continued to September 23, 1991 at 2:30 pm in Courtroom 2.
Gordon R. Millerl, J

Aug. 30, 1991 Copies of orde rto Atty's Irwin and Mason

Sept. 24, 1991 Order filed. AND NOW, September 23, 1991, the Court this date is returning the file that Children & Youth Services of Crawford County delivered to the Court pursuant to the Order of February 6, 1991, to be held, disposed of, expunged, released or otherwise, as the law is applicable and as the regulations provide. This since it was not used as evidence in matter nor considered by the Court in any of its prior Orders nor that the Court has jurisdiction over the distrubution, release or other matters regarding the file. BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Sept. 25, 1991 Copies of order put in box for Atty's Irwin, Mason and Fuller

Feb. 6, 1992 Order filed. AND NOW, February 5, 1992, the defendant appears in Motions Court pro se and presents a signed statement dated February 5, 1992 setting forth various difficulties that have arisen between the parties since the last Court Order. The Court also received some brief verbal explanation at Motions Court and ascertains that the Defendant has in no way served a copy of this filing upon the Plaintiff nor his attorney and has likewise not notified them of the presentation of this document.

Although the document is not a proper petition or a motion and does not specifically contain a request for relief, the Defendnat verbally advises the Court that she wishes for it to be considered as a petition to hold the Plaintiff in contempt of Court for violating the prior custody order.

Accordingly, a rule to show cause is hereby entered and directed to the Plaintiff to show cause if any he has why he should not be held in contempt of Court. Said rule is returnable for hearing and/or argument on the 27th day of March, 1992, at 1:30 o'clock p.m. in Courtroom No. 1, Crawford County Courthouse, Meadville, Pennsylvania.

A true and correct copy of the Defendant's document and this Order shall be forwarded to the Plaintiff as his address given on the pleadings forthwith by the Prothonotary and shall also be placed in the box in the Prothonotary's Office of James Irwin, Esquire, who is the las tknown attorney for the Plaintiff. Additionally, a true and correct coy of this Order shall be forwarded to the defendant at her address which would currently appear to be 672 Crystal Drive, Mt. Lebanon, PA 15228.

After review of this file, the Court notes that the Defendant still owes mediation costs inthe amount of $137 which she has previously been ordered to apy no later than June 1, 1991 by Order dated April 29, 1991 and not later than July 23, 1991 by Order dated July 9, 1991. The Defendant is advised that if she has not paid those fees prior to the above hearing date the Court may enter an appropriate Order concerning the payment of those fees when it considers Defendant's contempt petition at that time.

BY THE COURT,
Anthony J. VArdaro, J

Feb. 7, 1992 Copies of order given to plft. dft. & Atty. Irwin

Feb. 7, 1992 Defendant's Contempt Petition filed.

Feb. 7, 1992 Petition For Contempt Under PA Rule Of Civil Procedure 1915.12 filed.

Feb. 7, 1992 Order filed. AND NOW, this 7 day of February, 1992, it is her eby ORDERED, ADJUDGED and DECREED that a Rule to Show Cause is hereby entered upon Respondent Deborah L. Chevette, to show cause why she should not be held in contempt of Court. Said Rule is returnable on the 27th day of March, 1992, in Courtroom No 1 or 2 of the Crwaford County Courthouse, Meadville, Pennsylvania at 1:30 o'clock p.m.

BY THE COURT:
Anthony J. Vardaro, J

Feb. 7, 1992 Copies of order given to pltf., Dft. and Atty. Irwin

Mar. 31, 1992, ORDER filed. AND NOW, March 27, 1992, at the time fixed for cross contempt petitions, the court has conducted an informal discussion and it appears that there remain, potentially, two issues which are disputed, and on which testimony must be taken.

Accordingly, the hearing in this matter is continued to Wednesday, May 6, 1992 at 9:30 a.m. in Courtroom NO. 1 of the crawford Countycourthouse. The court will schedule the entire day for this hearing. Hopefully that wont be necessary. However, the parties are advised that they must complete the presentation of evidence that day.

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

Mar. 31, 1992, copies distributed to J. Irwin and James Richardson. Esqs

April 1, 1992 Amendment to Petition For Contempt Under PA Rule of Civil Procedure 1915.12 filed.

Apr. 1, 1992 MOTION FOR LEAVE TO AMEND PETITION FOR CONTEMPT and ORDER filed. ORDER: AND NOW, this lst day of April 1992 Petitioner is hereby granted permission to file the attached Amendment to the original Petition for Contempt filed in the above matter on Feb. 5, 1992. A hearing on this matter is set for the 6th day of May, 1992 in Courtroom No. 1 of the Crawford County Courthouse commencing at 9:30 a.m. BY THE COURT:
Gordon R. Miller, P.J.

Apr. 7, 1992 copy in box for J. Irwin & K. Nelson

Record Continued on Page 16 F.....

16
F



Mark D. Sladick
vs,
Deborah L. Chevette, nka
Deborah L. Chason

Record Continued from Page 16 E

OF

AD 1989 - 566

**********

May 7, 1992 ORDER filed. AND NOW, May 6, 1992, during th hearing and presentation of testimony on cross-contempt requests filed on April 1,1992 and Feb. 7, 1992, the parties have agreed to a resolution of all matters raised in those petitions generally with the hearing to be rescheduled in the event that the terms of their settlement are not carried out.

The hearing terminated after Deborah L. Chason had presented her case in chief, rested and Mark Sladick was part way through direct examination. He was about to testify concerning the events of Feb. 3, 1992. He was the first witness that he called in his case in chief.

Accordingly, it is ORDERED as follows:

1. The contempt matters and other issues raised by the contempt petitions filed Feb. 7, 1992 and April 1, 1992 are continued generally to be rescheduled on motion of either party filed in accordance with Local Motions practice.

If no such motion is filed by Jan. 6, 1993, these contempt petitions shall be dismissed with prejudice.

2. The Order of April 29, 1991 shall remain in full force and effect except as herein after changed.

3. Paragraph 5 of the Order of April 29, 1991 shall remain in effect with the following provisions added thereto:

When the Plaintiff receives school photos, notices of parent/teacher conferences generally or specifically involving these children, report cards or other official reports relating to the performance or conduct of the children in school and schedules of any extra-curricular or non-school activities in which the children are regularly participating, he shall notify the Defendant that he has these materials and shall upon request furnish photocopeis to the Defendant.

He shall notify the Defendant of these matters within five (5) days after he receives them.

In the event that either child is treated by any health care provider while in the custody of either parent, that parent shall orally and briefly report that fact to the other as soon after the child is treated as possible and shall furnish and submit photocopies of any documents evidencing that care, visits, treatments or bills that that parent has.

The purpose and intent of Paragraph 5 is that a parent shall voluntarily share information described in that paragraph with the other without being asked, but also gies the other parent certain authority to obtain certain information on his or her own.

4. The parent with whom the children are living or visiting shall permit the other parent to telephone the children every Wednesday evening at 7:00 o'clock p.m. Those phone calls shall last no more than fifteen (15) minutes for both children rather than each child, unless the parent receiving the phone call agrees to a longer period of time.

During those telephone conversations no one in the receiving parent's home shall be on the other line intercepting or intruding in the phone call in any way and shall not be recording that phone call.

The purpose of this is to allow the parent who does not have visitations and custody on that particular Wednesday to have an uninterrupted, private opportunity to talk with his or her daughters for at least fifteen (15) minutes.

The parent receiving the call shall not be in the close proximity of the child nor shall that parent attempt to hear the conversation or interfere or direct the conversation. That parent has a right to be in the same room where the phone call is being received and to listen to what the child says.

The calling parent shall not have a right to make these phone calls if the parent having visitation or custody of the children is legitimately away from home on such things as including but not limited to vacations, parent/teacher open houses, activities that the children are regularly engaged in, et cetera. In the event that a call cannot be placed because the children or custodial parent is away for a Wednesday evening for a few hours, the parties shall agree on a substituted time that a phone call could be made during that week, such as on Monday or Tuesday or Thursday or Friday.

5. The parties shall endeavor to have dealings between themselves involving the children take place between themselves and shall do everything within their power and ability to minimize contact between their new spouses and the other party.

The Court understands, however, that the Plaintiff may be working at 4:00 o'clock p.m. on Friday afternoon when the Defendant picks up the children for a weekend visitation, and therefore, of necessity, must transfer custody of the children with the Plaintiff's current wife.

For instance, the Court desires and DIRECTS, except in emergency or unusual situations, that the exchange of custody and possession of the children take place between the partis themselves not their new spouses.

6. Paragraph 10 of the Order of April 29, 1991 is amplified by adding the following:

Neither party shall permit any relative by blood or marriage to blacken the character of the other parent in the presence of the children and in the presence of a parent.

The point of this is that while Paragraph 10 prohibits the parties from blackening the character of the other in the children's estimation, they shall not permit others to whom they are related do the same thing and suffer possible contempt of court proceedings if they allow it to take place knowingly without stopping it to the best of their ability.

The Court will assume they know about it if the statements are made in the presence of a parent, who should have stopped those comments once they started.

Neither party shall do or say anything to blacken the character of the other's spouse or the other's relatives including but not limited to the other's parents.

7. As a condition of this continuance, the parties are ORDERED and DIRECTED to seek and engage in counseling that will address their abilities and problems interacting with each other. It is important that they develop ways and attitudes to get along with each other better, to relate to each other better, to avoid conflict, especially petty and unnecessary conflict and to resolve disputes large and small.

The Court cannot develop a recipe for the kind of counseling they should undergo or how long they should undergo it, believing that to be more appropriately addressed by a qualified professional. Threfore, the parties are ORDERED and DIRECTED to schedule a joint meeting and conference with Doctor K. Anderson.

Doctor Anderson shall meet with the parties either together or separately as she determines in an effort to make an assessment of the kind of counseling that they should receive and whether or not she is capable of furnishing that counseling or whether she would recommend someone else.

If Doctor Anderson recommends someone else the parties shall follow that recommendation and establish a relationship with another counselor recommended by Doctor Anderson.

If Doctor Anderson believes she is capable of counseling the parties, then she or the counselor to whom she refers them shall make an assessment as to the problems these parties present and an appropriate way of resolving them quickly and cheaply. That counselor shall determine the number of sessions that the parties must attend and participate it. Counseling shall continue until the counselor terminates the parties or until the parties amicabl agree to terminate the counseling or until one of the parties unilaterally terminates counseling, which would possibly result in the resumption of the contempt proceedings and certainly should result in the other party terminating counseling, too.

Joint counseling sessions shall be paid for by the parties on a 50/50 basis. Individual counseling sessions shall be paid for by the party undergoing that individual counseling. The counselor shall keep appropriate time records so that the billings can be sent in accordance with this Order.

8. Paragraph 12 of the Order of April 29, 1991 is completely deleted and stricken and in its place the following shall appear:

Neither party shall use profanity or swear in the presence of the children.

9. The partis shall confer with each other and make a good-faith, hones effort to understand and respect the views of others and to reach harmony and a consensus on major matters affecting the children.

Major matters shall include, but not limited to, education, health and religions.

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

May 7, 1992 Copy of Order given to Attys. James Irwin and Elizabeth Kelly.

**Oct. 21 1997, ORDER filed. And now, Oct. 21, 1997 upon receipt and review of dfts motion for modification it is ordered as follows:**

**1. The court will not act on ths motion until the dft.makes the required deposit as required bythe Craw. County civil Rules or is excused from doing so by an IFP pet. and affidavit.**

**2. Once the dft. accomplishes the foregoing the matter shall be referred to the undersigned Judge for further action.**

**by the court, Gordon R. Miller, P.J.**

**10/22/97 faxed toNelson, Irwin, and A. Pepicelli, mailed to dft.**

MARK D. SLADICK
vs
Deborah L. Chevette, n/k/a
Deborah L. Chason

RECORD CONTINUED FROM 16F
of record
AD 1989 - 566

**********

January 9, 1998 MOTION FOR CUSTODY MODIFICATION FILED
January 9, 1998 ORDER FILED. AND NOW, January 9, 1998, the defendant has filed a Motion for Custody Modivication and in that document makes factual allegations which should actually be in a petition form and should be verifeid.
Accordingly, we will decline to appoint a custody mediator in this case until the defendant, at minimum, verifies the allegations she has made.

BY THE COURT
ANTHONY J. VARDARO

**SEE BELOW

*
Jan. 23, 1998 Defendant's Verification filed.

* January 19, 1998 MOTION FOR WITHDRAWAL AND ORDER FILED. AND NOW, this 15th day of January, 1998, comes Kathleen R. Nelson, Esq, and hereby moves the Court for permission to withdraw as counsel for the Defendant, Deborah Chason. Defendant has long ago secured other counsel and it has been several years since the undersigned has performed any legal services for her.

Respectfully submitted,
Kathleen R. Nelson, Esq.

ORDER: AND NOW, this 16th day of January 1998, the herein Motion is granted.

BY THE COURT
Gordon R. Miller, J.

** Jan. 9., 1998 ORDER AND NOTICE filed. AND NOW, this 27 day of January, 1998, it is ordered and decreed that the parents in this matter shall satisfactorily complete the Seminar for Separating Parents in accordance with Crawford Co. Civil Rule L1930. Applications for the seminar may be obtained at the Center for Family Services, Inc., etc. (SEE PAPER FILED).

BY THE COURT
Anthony J. Vardaro, J.

Feb. 11, 1998 Order FAXED Attys. Pineo, Irwin; mailed Defdt.

**Jan. 9, 1998 ORDER OF COURT filed. You, Mark J. Sladick, have been sued in court to modify custody of the children: Megan Sladick and Alyssa Sladick.
You are ordered to appear in person at such time and place as will be determined by the mediator, William Pineo, Esq., for a mediation conference. The mediator shall send you a notice of the hearing by mail to the address listed on the complaint or petition that has been filed recently.
(SEE PAPERS FILED)

BY THE COURT
Anthony J. Vardaro, J.

Feb. 11, 1998 Order FAXED Attys. Pineo, Irwin; mailed Defdt.

March 19, 1998 CERTIFICATE FOR THE COMPLETION FOR THE SEMINAR FOR SEPARATING PARENTS FOR MARK J. SLADICK AND DEBBIE SLADICK FILED.

As of August 31,2000 any filings involving this case can be found in the computer.

# _____TERM

# 1989

Bozic and Thomas
R. Charles Thomas

567.

JILL LOUISE CONSLA

vs.

JAMES GARY GOFF

Filed June 23, 1989
@ 10:30 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| 1 count paid | 15.00 |
| Pro.Co. pd 7/6/92 | 19.00 |

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

1 copy (atty)

**Feb. 6, 1990 Affidavit of Consent of plaintiff filed.**

**Feb. 6, 1990, Plaintiff's Income and Expense statement filed.**

Feb. 9, 1990 Petition For Alimony Pendente Lite and Counsel Fees and ORDER filed. AND NOW, this 9 day of Feb., 1990, upon presentation and consideration of the within Petition, a Rule is granted upon the Defendant to show cause if any he has why the Plaintiff shaould not be awarded alimony pendente lite, counsel fees and costs. Returnable and for hearing on the 9 day of March, 1990, at 1:30 o'clock, p.m., in Court Room No. 2, Crawford County Court House, Meadville, P. A copy of this Petition to be served upon the Defendant by Certified Mail at his last known address, PO Box 141053, Minneapolis, MN 55414, c/o Sara Goff, and also by regular mail.

BY THE COURT,
P. Richard Thomas, Judge

Feb. 9, 1990 Copy of Order to Atty. R. Charles Thomas.

Mar. 13, 1990 ORder filed. AND NOW, March 9, 1990, after an informal hearing, the Plaintiff and her attorney appeared, bu the Defendant did not, the Plaintiff sent notice of this hearing and a copy of her petition for alimony pendente lite and counsel fees to the Defendant at his last known address as cntainted in the petition. Apparently the Defendant received notice of these proceedings and of this hearing, becuase he wrote to this Court by letter dated March1, 1990, indicating that he knew about the hearing.

He specificially stated that he could not attend the hearing, because of late notice, but "more important" that he did not have funds. In addition, he gave his correct address at P.O. Box 11967, St. Paul Minnesota, 55111. The Court might have been inclined to continue this hearing and requiring new notice to the Defendant's new mailing address, but in his letter he indicated he only picked his mail up two or three times a month.

This Court does have jurisdiction over the subject matter of this case and over the person of the defendant, an dthe Defendant cannot make it difficult or impossible for this Court to exercise its power within its jurisdiction over him by picking up his mail so infrequently.

Therefor, we enter the following Order giving the defendant an opportunity to request a hearing for reconsideration, which said request must be filed within twenty (20) days from this date, in which said request must contain a representation by the Defendan tthat he will appear in person or through counsel at the hearing that would be scheduled at his request, and further-more, that if he appears by counsel, that counseil will bring with him satisfactory information concerning the Defendant's earnings and expenses, which shall include copies of his latest Federal and State income tax returns, any W02 forms or any 1099 forms or other forms that perons who pay him compensation are required to file with the Federal government with copies to the defendant.

This Court must have satisfactory cooperation from the defendant as well as satisfactory information upon which to base its decisions and Orders: IT IS HEREBY ORDERED AS FOLLOWS:

That the defendant shall pay the sum of $250.00 as counsel fees incurred by the Plaintiff, which said payment shall be made to R. Charles Thomas, Attorney for the Plaintiff, no later than April 10, 1990.

That the Defendant shall pay alimony pendente lite to the Plaintiff in the amount of $240.00 per month four four (4) months commencing with the month of March, 1990, which said monthly payment shall be mad eon or before the last day of each month, commencing with the last day of Marhc, 1990 and continuing throughte last day of June, 1990.

This award of alimony pendente lite is based upon the testimony of the Plaintiff where she represented her expenses and income to the Court. Her present income is $102.00 per week from unemployment compensation since she was laid off by her employer by reason of a large fire destroying her employer's place of business.

The Court has attributed a net monthly income of $1,000.00 per month to the Defendant based upon the Plaintiff's testimony that the Defendant has a college degree, attended law school, has been known to make upwards of $2,500.00 per day as a political consultant.

The Court reserves the right to make any further Orders regarding the matters raised inthis petition at the conclusion of this divorce case.

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

Mar. 14, 1990 Copy of order put in R. Charles Thomas' box and copy mailed to Defendant.

July 22, 1991 Amended Complaint Under Section 201(c) or 201(d) of the Divorce Code filed.

July 22, 1991 Plaintiff's Affidavit Under Section 201(d) of the Divorce Code filed.

Apr. 27, 1992 Motion For Service By Publication PUrsuant To Special Order of Court and Order filed. AN DNOW, this 27 day of April, 1992, upon presentation and consideration of the within Motion and the Affidavit attached thereto, it is ordered an ddecreed that the Pl aintiff is authorized and directed to serve the Divorce Complaint by publication in the Tribune Newspaper and Crawford County Legal Journal on one (1) occastion and the filing of Proof of pUblication; and is further directed to serve a copy of the Complaint by Certified Mail and regular mail at the Defendatn's las tknown addresses to-wit P.O. Box 11967, St. Paul, Minnesota 55111-0967 and P.O. Box 1±0240, Minneapolis, Minnesota 55458-3240.

BY THE COURT,
Gordon R. Miller, J

May 4, 1992 Copy of order put in box for Atty. Thomas

Apr. 27, 1992 Complaint Reinstated.

July 6, 1992 Affidavit of Service filed. R. Charles Thomas, Esquire, being duly sworn according to law, deposes and says that pursuant to Order ofCourt dated April 27, 1992 he did:

1. Serve the Divorce Complaint upon the Defendant by publication in the Tribune Newspaper and that attached to this Affidavit is a Proof of Publication with regard to said service;
2. Serve the Divorce Complaint upon the Defendant by publication in the Crawford County

Continued of Record to Page 658.

SEE VOL. 3

# 1989

Stephen H. Hutzelman

568.

Christopher J. Youngs
Watts, Pepicelli, Youngs and Youngs PC

BENEFICIAL CONSUMER DISCOUNT COMPANY

vs.

WALTER K. LeMESTER

Filed June 23, 1989
@ 11:03 a.m.

TAx & entry Paid $50.50 ✓
Sheriffs costs 24.20

COMPLAINT IN REPLEVIN

1 copy (sheriff)

JUly 19, 1989, Amended Complaint in REplevin filed.

July 21, 1989, Appearance of Watts, Pepicelli, Youngs and Youngs PC by Christopher J. Youngs, attorneys for defendant filed.

Aug. 1, 1989, Sheriffs Return filed. SERVED Walter K. LeMester personally on July 7, 1989 at 12:02 p.m. by handing a copy of complaint to him at his residence, Rt. 18, Atlantic, Crawford County, Pa.
So answers, Edgar D. Householder, Ch. Dep. Sheriff
Howard N. Stewart, Sheriff

Aug. 3, 1989 Affidavit Of Service filed. Stephen H. Hutzelman, being duly sworn, deposes and says that he is the Attorney for the Plaintiff in the above matter and that on the 17th day of July, 1989, he send a copy of the Amended Complaint in Replevin by regular and certified mail to Mr. Walter K. LeMaster, at his last known address of Lot #15, Route #18, Atlantic, PA 16111, and the same was received as proof by the certified mail card which is attached. Stephen H. Hutzelman

# 1989

Douglas G. Linn II
and Associates
Raymond G. Swan

569.

NORTH AND SOUTH SHENANGO
JOINT MUNICIPAL AUTHORITY

vs.

FRED E. BAXTER, JR.

Filed June 23, 1989
@ 11:30 a.m.

| | |
|---|---|
| Tax & entry paid | $50.50 |
| Sheriff's Costs | 33.00 |

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

July 25, 1989 Writ Reissued.

Aug. 9, 1989 Writ Return filed. Before me, the undersigned authority, personally appeared Gail Carter who being duly sworn according to law, deposes and says that on the 18 day of July, 1989, at 11:22 a.m. he served Summons, filed at No. 569 Term, 1989 Crawford County, Pennsylvania, upon defnedant Fred E. Baxter at 3 Gateway Center By making known the contents thereof to Barbara Watkins - sec. and handing to and leaving with her the certified copy of the received from Crawford.
So answers, Gail L. Carter, Deputy Sheriff
Eugene L. Coon, Sheriff

SERVED Fred E. Baxter, Jr. by deputizing the Sheriff of Allegheny County, PA as per his Affidavit of Service attached. Served: July 18, 1989.
So answers Howard N. Stewart, Sheriff

# 1989

Ferguson, Spataro
& Rowden
Douglas W. Ferguson

570.

Fuller, Kinnunen, Petruso
& Gamble
Ann Hansen Gamble

DENNIS L. LAGAN

vs.

SHERYL M. LAGAN

Filed June 23, 1989
@ 3:09 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Pro Co pd Rl 7/26/91 | 9.00 |
| Pro Co Pd 2/12/91 | 15.00 |
| state paid 2/12/91 | 5.00 |

David Pickens, master
STATE Rl 6/18/91 10.00

COMPLAINT IN DIVORCE

1 copy (atty)

July 14, 1989 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 29, 1989. The Defendant acknowledged service on Juane 3, 1989 by accepting delivery on that date as evidenced by the attached signed return receipt. FERGUSON, SPATARO & ROWDEN
Douglas M. Ferguson,
Attorney for Plaintiff

July 18, 1989 Appearance of Fuller, Kinnunen, Petruso & Gamble by Ann Hansen Gamble, Attorney for defendant filed.

Nov. 15, 1990, Defendant's Monthly Income and Expenses filed.

Feb. 15, 1991 Petition For Bifurcation filed.

Feb. 15, 1991 ORDER AND DECREE FILED.

ORDER

The parties hereto haveing appeared before the court by their respective counsel Douglas W. Ferguson, on behalf ofthe Plaintiff Dennis L. Lagan and Ann Hansen Gamble, on behalf ofthe Defendant Sheryl M. Lagan, having stipulated and agreed, the remaining economic issues which have been raised are hereby bifurcated from the action in divorce, reserving those economic issues for decision at a later time.

DECREE

AND NOW,February 15th, 1991, it is ordered and decreed that Dennis L. Lagan, Plaintiff, and Sheryl M. Lagan, Defendant, are divorced from the bonds of matrimony. All remaining issues inthe pleadings are reserved for future disposition.

BY THE COURT,
Gordon R. Miller, J

Feb. 13, 1991, Notice to the Defendant on the counterclaim filed.

Feb. 13, 1991, affidavit of Service of Above Notice filed.

Feb. 12, 1991, Inventory and Appraisement of Defendant filed.

Feb. 12, 1991, Counterclaim in Divorce under Divorce Code Count I filed. (equitable distribution)

Feb. 12, 1991 Motion For Appointment Of Master and Order filed. AND NOW, 2/19/91, David Pickens is appointed Master in the above matter to hold a hearing and made report upon claims involving: Equitable Distribution. Deposit required: By Plaintiff $500 By Defendant $500

PER CURIAM,
P. Richard Thomas, S.J.

Feb. 28, 1991 Copies of order put in David Pickens and Douglas Ferguson's box and copy mailed to Ann H. Gamble.

July 19, 1991, Inventory and Appraisement of plaintiff filed.

July 19, 1991 Income and Expense Statement of plaintiff filed.

Sept. 13, 1991 Notice Of Scheduled Master Hearing filed.

Sept. 13, 1991 Notice Of REscheduled Master Hearing filed.

Sept. 13, 1991 Notice Of Filing Master's Report filed.

Sept. 13, 1991 Certificate of Service of Master's Report filed.

Sept. 13, 1991 Master's Report filed.

Sept. 23, 1991, Application for Master's fee and Order filed. ORDER: AND NOW, UPON RECEIPT AND review of the master's petition for payment of fees filed Sept. 23, 1991 and without objection of the parties who where notified of the presentation of the petition on that date, it is ordered as follows:

1. A master's fee of $1,176.50 is approved and awarded to the Master based upon 18.1 hr. of time legitimately devoted to this case, as represented by the master in his petition at $65.00 per hr.
2. Ea ch of the parties shall be responsible for ½ of this fee. that division, which the court independently believes is appropriate, was recommended by the master and neither party has noted an objection thereto.
3. The court reporter's fee of $70.00 shall also be paid by the parties on the basis of 50% each.
4. Each party has deposited $500.00 with the Prothonotary with a balance remaining for each party of $123.25.
5. Each party shall make a payment of $123.25 forthwith to the prothonotary, but in no event will it be paid later than Oct. 23, 1991.
6. The prothonotary is directed to pay the master $1000 forthwith and the remaining $246.50 after that total amount is received by the Prothonotary
7. The master is directed to pay the reporter's fee from the funds first paid him by the Prothonotary.

BY THE COURT,
Gordon R. Miller, J.

Sept. 24, 1991, copies of order to Attys. Pickens, Ferguson and Gamble.

Oct. 4, 1991 Upon praecipe of plaintiff attorney, for final decree, this case moved to court.

3/5/91 Recd. $500.00 from Defendant
3/14/91 Recd. $500.00 from Plaintiff
9/23/91 Paid $1000.00 To David W. Pickens Master Fee Ck # 6411
10/10/91 Recd $123.50 From Plaintiff
10/15/91 Recd $123.25 From Defendant
10/15/91 Paid $246.25 To David W Pickens Bal. Master Fee Ck #6456

Record continued to Page 20a.

DENNIS L. LAGAN

VS.

SHERYL M. LAGAN

Record Continued from Page 20

of

AD 1989-570

**********

Oct 16, 1991 Order of Distribution filed: AND NOW, this 15th day of October, 1991, upon consideration of the Master's Report and Recommendation, with no exceptions thereto haviang been filed within the statutory period, it is hereby ORDERED AND DECREED:

1. The master's recommendation is adopted in full.
2. Attached hereto is a listing of the parties' marital and non-marital property, with designation as to the current possession of same.
3. Each party is entitled 50% of the marital property.
4. Each party shall retain the property that is designated to be in his or her possession.
5. Plaintiff is directed to pay over to the Defendant $2,890.50 forthwith.
6. This court retains jurisdiction of this matter for the purposes of calculating the value of the wife's share of the husband's pension at such time as any payment is made therefrom or distribution is made thereof, for any reason. The calculation shall be based on the wife receiving 30.9% of that portion which is attributable to contributions with a value of $138,985 on January 23, 1989.

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

Oct 18, 1991 Copies of order put in attys. Ferguson and Picken's boxes and copy mailed to Atty. Gamble.

20
-b-

# 1987

# 1989

Hayt, Hayt & Landau
By: Arthur Lashin

571.

FORD MOTOR CREDIT COMPANY
One American Road
Dearborn, Michigan 48122
vs.

THOMAS S. BOCCHINE
1226 Penna. Avenue
Meadville, Pennsylvania
16335

Filed June 26, 1989
@ 10:50 a.m.

| | |
|---|---|
| Tax & entry paid | $40.50 ✓ |
| Bal Pd 7-10-89 - | 10.00 ✓ |
| Sheriff's Costs | 19.00 ✓ |
| Pro Co pd 7/31/89 | 9.00 ✓ |

Satisfaction Pd. 7/9/97 $5.00 ✓

COMPLAINT

1 copy (sheriff)

July 19, 1989 Sheriff's Return filed: SERVED Thomas S. Bocchine personally, on June 26, 1989 at 3:20 P.M. at his residence, 1226 Penna Ave., Meadville, Crawford Co., Pa 16335.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

And Now, July 31, 1989 at 3:52 p.m. upon praecipe of plaintiff's attorney, with Notice of Intention to File Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendant for failure to file an answer and the damages are assessed at the sum of Three Thousand Thirty-three and 03/100 plus interest, and cost of suit.

B-163 Debt $3,033.01
judgment entered 7/31/89 Judgment
notice of entry mailed 8/1/89 James F. Simmons
Prothonotary

EX 1989-98

July 9, 1997 This Judgment marked satisfied. (see paper filed)

# 1989

| | | |
|---|---|---|
| Barrett & Dratler<br>Bruce A. Barrett | OHIO CASUALTY INSURANCE CO.<br>COMPANY | COMPLAINT |
| 572. | vs. | 1 ocpy (sheriff) |
| | DeVORE TOOL COMPANY, INC. | July 25, 1989 Sheriff's Return filed. SERVED DeVore Tool Co. on June 27, 1989 at 2:35 PM by handing a copy of Complaint to Robert DeVore, owner, at the place of business, 136 Smith Street, Cochranton, Crawford County, PA.<br>So answers, Robert M. Stevens, Deputy<br>Howard N. Stewart, Sheriff |
| | Filed June 26, 1989<br>@ 11:31 a.m. | Aug. 29, 1989, Upon praecipe of plaintiff attorney, the above captioned action discontinued of record. |
| | Tax & entry Paid $50.50 ✓<br>Sheriff's Costs 22.28<br>Pro Co. Pd. 8/29/89 5.00 ✓ | |

# 1989

573.

LYLE B. STEVENS AND/OR
VIRGINIA STEVENS
8818 Essex House
Meadville, Pa. 16335

vs.

CLARK S. DUNCAN
ELAINE A. DUNCAN

Filed June 27, 1989
@ 9:52 a.m.

Pro Simmons Paid $9.00 /
plff on orig 9.50
Sat Pd 1/11/91 5.00 ✓

AGREEMENT TO REVIVE

of

DSB 1984 - 555

The undersigned hereby agrees that the judgment be revived and prothonotary indexes said judgment in favor of the plaintiff and against the defendants in the sum of Three Thousand Six Hundred Eighteen and 33/100 Dollars plus costs.

Debt---------$3,618.33
Dated------ July 27, 1989
D - 33, 53-----REVIVAL OF JUDGMENT

James F. Simmons,
Prothonotary

Jan 11, 1991 This Judgment Satisfied.
(See Paper filed)

# 1989

574.

MARINE BANK, FORMERLY FIRST NATIONAL BANK OF COCHRANTON

vs.

RICHARD J. WILLIAMS AND SANDRA E. WILLIAMS

Filed June 27, 1989
@ 11:22 a.m.

Pro Simmons paid $9.00 ✓
plff on orig 9.50
Sat. Pd 9/27/90 - 5.00 ✓

AGREEMENT TO REVIVE

of

DSB 1984 - 567

The undersigned hereby agrees that above judgment be revived and Prothonotary has indexed said judgment of revival in the amount of Six Thousand Six Hundred Eighty Five and 16/100 Dollars.

Dated.....June 26, 1989
Debt.....$6,685.16
W - 206, 151....JUDGMENT

James F. Simmons,
Prothonotary

Sept. 27, 1990 This judgment Satisfied. (See paper filed)

# 1989

Knox McLaughlin
Gornall & Sennett PC
Patricia K. Smith

575.

GENERAL MOTORS ACCEPTANCE CORPORATION

vs.

THOMAS H. ARBUCKLE

Filed June 28, 1989
@ 11:22 a.m.

| | |
|---|---|
| Ta x & entry Paid | $50.50 |
| sheriffs costs | 42.70 |
| Pro Co Pd 9-7-89 | 9.00 |

COMPLAINT

1 copy (atty)

Aug. 10, 1989, Sheriffs Return filed. Before me, the undersigned authority personally appeared Douglas R. Long, Dep. Sheriff who being duly sworn according to law, deposes and says that on the 27 day of July 1989 at 4:38 p.m. he served complaint filed at 575 AD 1989 Crawford County, Pa. upon defendant Thomas Arbuckle at R. D. #1, Hadley, Pa. by making known the contents thereof to Lyle Turner, adult in charge of residence and handing to and leaving with him the cert. copy of complaint for deft. received from Crawford CountySheriff.
So answers Douglas R. Long, dep. Sheriff
William H. Romine, Jr. Sheriff
SERVED Thomas H. aRbuckle by deputizing the Sheriff of Mercer County, Pa. as per his affidavit of service attached.
Served: July 27, 1989
So answers Howard N. Stewart, Sheriff

Aug. 29, 1989, Notice of Intention to File Default Judgment and Certificate of Service of Notice, filed.

AND NOW, Sept 7, 1989 @ 10:50 A.M., upon praecipe of Plaintiff's attorney, with Notice of Judgment attached, judgment is hereby entered in favor of the Plaintiff and against the defendant for failure to file an answer and damages are assessed as follows: Principal, Three Thousand Three Hundred Ninety-six and 62/100 Dollars; Interest, Four Hundred Fifteen and 44/100 Dollars; Costs: Complaint, Fifty and 50/100 Dollars; Service, Forty-two and 70/100 Dollars; Praecipe, Nine Dollars; TOTAL Three Thousand Nine Hundred Forteen and 26/100 Dollars.
A-164

Debt.....$3,914.26
JUDGMENT
James F. Simmons
Prothonotary

Sept 7, 1989 Notice of Judgment mailed defendant.

# 1989

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

576.

Knox, McLaughlin,
Gornall & Sennett, P.C.
Timothy M. Sennett

G. RONALD ANCHAK AND
VIVIAN ANCHAK,
HUSBAND AND WIFE

vs.

FORD MOTOR COMPANY

Filed June 28, 1989
@ 11:45 a.m.

Tax & entry Paid $50.50

Sheriff's costs 36.59
Pro for Co.pd 12/5/89 6.00

COMPLAINT

1 copy (sheriff)

Aug. 21, 1989 Sheriff's Return filed. Marilyn L. Sheldon,. being first duly sworn deposes and says: That he/she is a Deputy Sheriff for the County of Wayne, State of Michigan, and not a party to the within action: That on the 19th day of July, 1989 he served the within Notice to Defend upon Ford Motor Company at City of Dearborn, Wayne Co., Michigan, the Defendant named in said above stated documents, by then and there at the place and on the date above mentioned, delivertin to Marilyn Taulbee, Authorized to Accept at 1:25 P.M. a true copy of said above stated documents.
AND FURTHER DEPONENT SAYETH NOT. Marilyn L. Sheldon
SERVED Ford Motor Company by deputizing the Sheriff of Wayne County , Michigan as per his Affidavit of Service attached.
Served: July 19, 1989
So answers, Howard N. Stewart, Sheriff

Sept. 18, 1989 Appearance of Knox, McLaughlin, Gornall & Sennett, P.C. by Timothy M. Sennett for Defendant filed.

Oct 3, 1989 Answer filed.

Dec. 5, 1989 Upon Praecipe of Plaintiff's attorney the above case is marked settled and discontinued of record.

# 1989

Shafer, Swick Bailey
Irwin & Stack
James R. Irwin

577.

Steven J. Gilford

LAURIE M. McFARLAND

vs.

DANIEL LEE McFARLAND

Filed June 28, 1989
@ 11:53 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| 3 counts | 45.00 |
| Pro Co. Pd. 3/28/90 | 9.00 |
| State Surcharge Pd. | 10.00 |

COMPLAINT IN DIVORCE UNDER SECTION 201(c) OR 201(d) 201(a), EQUITABLE PROPERTY DETERMINATION, DISTRIBUTION, COUNSEL FEES, ALIMONY, ALIMONY PENDENTE LITE, MAINTENANCE OF INSURANCE POLICIES AND RETIREMENT PROGRAMS

1 copy (atty)

July 25, 1989, Complaint Reinstated.

July 31, 1989, Verification filed. I, James R. Irwin Esq. do hereby verify that I am the atty. of record for plaintiff and that as such, I am authorized to execute this Verification; that I did, on the 26 day of July 1989 send by Cert. mail, REt. Rec. Req. addressee Only, to Daniel Lee McFarland a true and correct copy of the divorce complaint, (reinstated July 25, 1989), filed at the above no. and term at his last known address of R. D. #1 Box 55E, Tionesta, Pa. 16353, as evidenced by the attaCHED senders receipt No. P 724 954 439 and that on the 31st day of july 1989 I did receive the duly executed ret. rec. dated July 28th 1989.
James R. Irwin, Esq.

Oct. 31, 1989 Income and Expense Statement of Plaintiff filed.

Nov. 1, 1989 Request For Hearing and Order filed. AND NOW, 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 3 day of NOv., 1989 at 1:30 o'clock p.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania.
BY THE COURT,
P. Richard Thomas, J

Nov. 1, 1989 copy of order put in James Irwin's box.

Nov 6, 1989 Order filed: AND NOW, November 3, 1989, the following Order is entered in part by agreement and stipulation of the parties and in part after informal hearing regarding the parties income and expenses:

1. The Defendant shall pay the sum of $300.00 toward Plaintiff's counsel fees within thirty (30) day of this date. Said payment to be deposited with his own counsel for transmission to Plaintff's counsel.

2. The Defendant shall contribute the sum of $125.00 toward payment of a real estate expert for appraisal of the marital residence within thirty (30) days of this date, to be handled in the same manner as counsel fees.

3. The Defendant shall continue to maintain hospital and medical insurance as it now exists with coverage afforded to his wife and his child to this marriage.

4. Defendant shall continue until final decree to designate the Plaintiff as beneficiary on any existing life insurance policies or pension benefit programs.

5. The Court finds as a fact that the Defendant is paying $200.00 in child support for twon (2) children to a former marriage, and that that must be taken into consideration in arriving at payments of alimony pendente lite or child support in this case. Defendant is ORDERED to pay the sum of $500.00 per month as a combined payment of alimony pendente lite and child support for a period that shall terminate as of the grant of a final decree in divorce or as of six (6) months from this date, whichever shall first occur. Payments to be made through the Domestic Relations Section of Crawford County.

Any termination of this Order as to spousal and child support shall be subject to an ongoing requirement of child support to be calculated at that time if not agreed upon by the parties.

In the event the Plaintiff should obtain appropriate full time employment, that fact shall be reported to the Defendant's counse, so that a re-examination of the figures in this case can be made if appropriate.

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

Nov 6, 1989 Copies of order mailed to Atty Gilford and Copy put in Atty Irwin's box.

Nov 6, 1989 Defendant's Income and Expense Statement filed.

Mar 22, 1990 Affidavit of consent of Plaintiff filed.
Mar 22, 1990 Affidavit of Consent of Defendant filed.

March 28, 1990 Agreement filed.

March 28, 1990 Upon Praecipe of Plaintiff Attorney For Review Under Section 201(c) of Divorce Code, this case is moved to Court.

Apr. 10, 1990 **DECREE FILED.**

!. Divorce; Upon consideration of the pleadings and affidavits filed in the above captioned case, this Court hereby grants an absolute divorce form the bonds of matrimony to the above named parties, on the grounds that the marriage is irretrievably broken and NInety (90) days have elapsed form the date of filing of the Complaint and an affidavit has been filed by each of the parties evidencing that each of the parties consents to the entry of a divorce decree, pursuant to Section 201(c) of the Pennsylvania Divorce Code.

2. Equitable Property Determination and Distribution: It is ordered an decreed that the marital prpoerty of the abovenamed parties shall be divided in accordance with the Separation and Proper ty Settlement Agreement dated March 22, 1990, executed by the parties and filed in the Court of Common Pleas of Crawford County, Pennsylvania at the abovecpationed number and term.

Further, it is ordered and decreed that the division of marital owned real property shall be made in accordance with Paragraph 13 of the Separation and Property Agreement dated March 22, 1990.

a) The Defendant shall be the sole and exclusive owner of the real property located in Tionesta, Forest County, Pennsylvania.

b) The Defendant shall be the sole and exclusive owner of the 1987 Ford F-150 Pick-up Truck, automobile.

Continued on page 626
SEE VOL. 3

# 1989

Jorden & White
Harry Faber White II

578.

LYNN U. CORNELL

vs.

DEBRA A. CORNELL

Filed June 28, 1989

| | |
|---|---|
| Tax & entry paid | $50.50 |
| Pro Co Pd 2/21/90 | 9.00 |
| State pd 2/21/90 | 10.00 |

COMPLAINT IN DIVORCE UNDER SECTION 201(c)
OF DIVORCE CODE

1 copy (atty)

July 6, 1989 Affidavit Of Service filed. HARRY FABER WHTE, II, ESQUIRE, attorney for plaintiff in the above captioned matter, being duly sworn according to law, deposes and says that he served the Notice to Plead and Complaint under Section 201(c) of the Divorce Code upon the defendant, Debra A. Cornell, by certified mail, return receipt requested, on June 30, 1989, at the defendant's address, C/O Ronald Kuntz, 615 Main Street, Saegertown, Pennsylvania, 16433. The defendant's acceptance of the same is attached hereto. Harry Faber White, II

Feb. 13, 1990 Affidavit of Consent of plaintiff filed.

Feb. 13, 1990 Affidavit of Consent of defendant filed.

Feb. 16, 1990, UPon praecipe of plaintiff attorney, to transmit the record, this case moved to court.

Mar. 7, 1990 **DIVORCE DECREE FILED.**

AND NOW, March 7, 1990, it is ordered and decreed that Lynn U. Cornell, plaintiff, and Debra A. Cornell, defendant, are divorced form the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J

In Error Oct 16, 1992 Reply to New Matter, filed.

# 1989

Watts, Pepicelli, Youngs and Youngs PC
Christopher Youngs

579.

) Joan D. Mason

JANET E. JENNES

vs.

GARY D. JENNES

Filed June 28, 1989
@ 4:20 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| 1 count paid | 15.00 |
| Pro Co pd 5/7/90 | 15.00 |
| Pro Co pd 5/31/90 | 9.00 |
| State pd 5/31/90 | 10.00 |

Pro Co Pd 2/20/91 #54

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

1 copy (atty)

July 27, 1989, Affidavit of Service filed. I, Janet E. Jennes, hereby certify that I served a copy of the divorce complaint to defendant, Gary D. Jennes at this address, R. D. #3, Box 251, Saegertown, Pa. on July 5, 1989 at 9:40 a.m. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. 4904 relating to unsworn falsification to authorities.
Date: July 14, 1989 Janet E. Jennes.

Feb. 21, 1990, Appearance of Joan D. Mason, attorney for defendant filed.

May 1, 1990 Petition For Additional Remedies filed. (Child Support)

May 23, 1990 Affidavit Of Consent of Plaintiff filed.

May 23, 1990 Affidavit of Acceptance of Service filed. I, Janet E. Jennes, being duly sworn according to law, do hereby state that I accepted service of Defendant's Petition for Additional Remedies (relating to child support and additional matters) on May 1, 1990, at 363 Chestnut ST., Meadville, PA
Janet E. Jennes

May 29, 1990 Affidavit of Consent of Defendant filed.

May 30, 1990 Upon praecipe of Plaintiff ATTorney For Review Under §201(c) of the Divorce Code, this case moved to court.

June 1, 1990 **S T I P U L A T I O N A N D D E C R E E F I L E D .**

AND NOW, this 1st day of June, 1990, the court orders and decrees as follows:
1. DIVORCE: Upon consideration of the pleadings and affidavits filed in the above-captioned case, this court hereby grants an absolute divorce from the bonds of matrimony to the above-named parties, on the grounds that the marriage is irretrievably broken and ninety (90) days have elapsed from the date of the filing of the complaint, and an afffidavit has been filed by each of the parties, evidencing that each of the parties consents to the divorce pursuant to Section 201(c) of the Pennsylvania Divorce Code.
2. REAL ESTATE: The parties hereto jointly owned real estate located at Bradford Road, Saegertown, Crawford County, Pennsylvania, which proeprty has been sold, and the proceeds of which are in escrow. The entire net proceeds shall be paid to the Pl aintiff, after payment of the mortgage to Farmers Home Administration, the balance due on the second mortgage in f avor of First National Bank, any outstanding real estates taxes, any applicable real estate commission, and the seller's share of closing costs and seller's attorney fees.
Pl aintiff shall be responsible for any ca ptial gains consequences on the sale of said property, which capital gains she shall claim on her applicable tax returns. Both parties shall cooperate in gathering the necessary documentation relative to any improvements, during the time they have owned this property.
Said excrow proceeds shall be released to Plaintiff at the time of her signature on the stipulation attached hereto, and provided she has filed her affidavit of consent to the divorce, and further with the understanding that she will, at her expense, have her attorney draw a qualified domestic relations order satisfactory to Greenleaf Corporation and in accordance with this decree, to accomplish transfer of $6,600.00 as her equitable distribution share of Defendant's 401K retirement plan (see paragraph 6 of this decree).
3. TANGIBLE PERSONAL PROPERTY: The parties hereto have distributed to their mutual satisfaction, all the contents and personal property utilized in connection with th emarital home. Each pa rty shall retain those items of furniture, household furnishings, and appliances, that he or she now has in his or her possession.
4. DEBTS: Defendant shall assume full responsibility for the first National Bank Cash Reserve account, titled in his name alone, which has a present balance of approximately $1,000.00 (date of separation balance of approximately $800.00)
5. VEHICLES: Defendnat shall transfer all of his right, interest and title in the 1987 Dodge K Car stationwagon, to thePlaintiff, at such time as the debt owed to First National bAnk is paid off. Plaintiff agrees to pay off said remaining debt (interest and principal of approximately $5,700.00) at such itme as she receives distribution from Defendant's Greenleaf Savings and Retirement Plan, or at such time as she receives the sale proceeds from the real estate, whichever shall first occur.
Plaintiff shall transfer all of her irhgt, interest and title in the 1989 F-350 Ford pickup truck, to the Defendnat, at such time as Defendant requests she do so, by comoing to Greenleaf Corporation to transfer her interest in the vehicle to the Defendant. The Defendant shall remain soley responsible for the remaining debt owed to Greenleaf Credit Corporation, for the purchase of said ford pickup truck, the original debt having been $17,000.00, incurred in 1989.
Each party shall indemnify th eother, and save him or her harmless, in regard to the debt incurred in connection with the purchase of the vehicles he or she is retaining, as noted above.
The parties agree that the 1973 Bravo Fifth Wheel Travel Trailer was purchased after the date of the parties' final separation, and without the use of any assets that were marital property, and that said Travel Trailer shall beong to Defendant alone, without any lcaim from the Plaintiff.
6. PENSION AND RETIREMENT BENEFITS: During the course of the marriage, the Defendnat has acquired pension and retirement benefits through his employer, greenleaf Corporation. Plaintiff her eby relinquishes any right, title and interest she may otherwise have had in the Traveler's Insurance Company annuity contact #GR 13127, which will become payable to Defnedant in the amount of $413.00 a month, beginning with the month following his 65th birthday (August, 2013), which annuity is payable only provided he lives to that date.
Pl aintiff has been supplied with the Defendant's Participant Statement as of June 30, 1989, revealing his interest in the Greenleaf Corporation Savings and Retirement Plan (401K) to be a grand total of $5,934.91. The parties seperated for the final time in April, 1989. Defendant agrees to allocate to the Plaintiff, as her share of said savings and retirement plan, the sum of $6,600.00 gross (which includes increase in the date of seperation amount), payable to her immediately following the granting of this divorce. If said distribution shall not be rolled over by the Plaintiff, and if it is to be recognized as income, or subject to any withdrawal penalty, she shall be responsible for payment of the smae as to $5,600.00 of said amount, and shall hold him harmless regarding said liability and payment. Any penalty or tax on the remaining $1,000.00 shall be Defendant's sole responsibility.
An ancillary decree (qualified domestic relations order) shall be prepaid by plaintiff's attorney, and in accordance with Greenleaf guidelines and as shall be acceptable to Greenleaf Corporation, and submitted to the court, and to greenleaf, as soon as possible. The Court retains jurisdiction for the purpose of entering such a qualified domestic relations order acceptable to Plaintiff, Defendant and greenleaf Corporation.
7. CHILD SUPPORT: Beginning with the first full month following the granting of the divorce, defendant shall commence paying to the Plaintiff, the sum of $760.00 per month child cupport for three minor children, through May, 1992. beginning with Juen, 1992, said child support payment will reduce to $550.00 a month through May, 1993 for two minor children. beginning with June, 1993 said child support payments shall reduce to $340.00 a month, and shall continue through the month of June, 1998 for one minor child. In the event of emancipation of any child before attaining eighteen years of age and graduating from high school, support would reduce in accordance with the applicable sum for the remaining number of children.
Said payments shall be made by the Defendnat to the Plaintiff in semi-monthly payments and not through the Domestic Relations Offic eof the Court.
Said child support shall not be deemed modifiable except in the event of the death of either party, or the total disablitiy (permanent or temporary for at least six months in duration) of either par ty hereto. MOdified payments shall take effect upon occurrence of disability with reimbursement to be made if the disability is under six months in duration.

Continued on page 632

See Vol. 3

Gerald Sullivan

580.

Joan D. Mason

WILNA BASS

vs.

JOSEPH BASS, JR.

PETITION FOR PROTECTION FROM ABUSE - ORDER

3 copies (sheriff)
1 copy (plaintiff)

Filed June 29, 1989
@ 10:44 a.m.

Tax & entry fd 7/31/89 $50.50 ✓
Sheriff's costs 19.00
bro & fd 7/31/89 9.00 ✓

7/31/89 RECD. $19.00 FROM DEFENDANT

7/31/89 PAID $19.00 TO HOWARD STEWART, SHERIFF
CK # 5194

TEMPORARY ABUSE ORDER:

And now, this 29 day of June 1989 upon review of the petition of plaintiff, the court enters the following temporary order.

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

2. Special Conditions: Wife awarded exclusive possession of 449 Pine St and exclusive custody fo children, husband may not go to home, contact wife in any fashion or threaten, abuse, harass or annoy wife in any manner. Wife granted exclusive possession of family car.

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

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

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

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

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

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

Hearing is hereby set for July 3, 1989, at 9:15 a.m. in C. R. No. 1 or 2 ofthe Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

June 29, 1989 Sheriff's Return filed. SERVED Joseph Bass, Jr. personally on June 29, 1989 at 11:45 AM at his residence, 448 Randolph St., Meadville, Crawford County, PA.
So answers,

Edgar D. Householder, Chief Deputy
Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

July 6, 1989 Order filed. AND NOW, July 3, 1989, at the time set for hearing on an abuse petition, the parties and their counsel appear before the Court and advise the Court the matter has been amicably resolved as follows:

1. The Defendnat will refrain from physically abusing or threatening to physically abuse his wife.
2. The parties agree to reconcile.
3. The parties shall have joint use of the family care.
4. The parties agree to mutually attend marital and family counseling and cooperate fully with any recommendations in that regard.
5. Defendant will pay costs within ten (10) days of a receipt of a billk from the Prothonotary for the same.

This Order shall remain in force and effect for a period of three (3) months. Any police officer having been violated as it relates to abuse may apprehend the Defendant, have him arraigned before the District Justice of the Peace on a contempt citation and if committed to jail, request the Court for an immediate hearing.

This Order is entered without an admission or denial by the Defendant that he committed the acts alleged in the inital petition.

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

July 10, 1989 Copies of order put in Gerald Sullivan, Joan Mason and County Control's box.

# 1989

581.

RHONDA J. SWOGER

vs.

LESLIE L. SWOGER, JR.

Filed June 29, 1989
@ 10:57 a.m.

Tax & entry Pd 4/6/90 $50.50
Sheriff's costs 23.00
Sheriff's Rec & Pd costs 4/6/90 9.00
23.00

4/6/90 Recd. $46.00 From Defendant. 4/6/90 Rec'd $46.00 To Howard Stewart, Sheriff Chk # 5545

PETITION FOR PROTECTION FROM ABUSE

3 copies (sheriff)
1 copy (plaintiff)

TEMPORARY ABUSE ORDER:

And now, this 29 day of june 1989, upon review of the petition of Plaintiff, the court enters the following order.

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

2. Special Conditions: Defendant shall not threaten, contact, harass or annoy plaintiff in any manner. Weife may return to 1074 Market St. to retrieve medicine or personal property of her own.

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

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

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

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

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

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

Hearing is hereby set for July 5, 1989 at 10:30 a.m. in C. R. No. 1 or 2 of the Crawford County courthouse

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

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

July 5, 1989 Order filed. AND NOW, July 5, 1989, at the time this abuve matter is set for hearing, the Plaintiff appears but the Defendant apparently has not been served. The Sheriff appears and advises they have made several attmepts to serve the Defendant but have been unsuccessful and they believe, as does the Plaintiff/Wife, that the Defendant is deliberately attempting to secrete himself to avoid service. Accordingly, this hearing is continued generally with a future hearing to be set at such time as the Sheriff makes service and reports to the Court.

In the meantime, the wife advises that the locks have been changed at 1079 Market Street and she has personal possessions therein. Presentation of a copy of this Order to the landlord shall be sufficient authority for the landlord to permit the wife to enter said house and to unlock the doors for her so that she may reclaim her own personal property from the premises.

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

July 5, 1989 Copy given to P laintiff and County Control, 7/6/89 Two (2) copies given to Sheriff's Office.

July 11, 1989 Order Setting Hearing Date filed: AND NOW, July 11, 1989, the Sheriff having served the Defendant in the above captioned case, and the Defendant having advised the Court that his address was 1079 Market Street, Meadville, Pennsylvania, in accordance with the Order entered July 5, 1989, hearing in this matter is hereby reset for July 17, 1989, at 3:00 p.m. in Courtroom No. 1.

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

July 11, 1989 Copies of order mailed to Plaintiff and Defendant and copy given to Co. Control.

July 11, 1989 Sheriff's Return filed. SERVED Leslie L. Swoger, Jr. personally on July 5, 1989 at 3:45 PM by handing copy of the Protection From Abuse, Petition and Order to him at his place of employment, 305 W. College Street, Meadville, Crawford County, PA.
So answers,
Robert M. Stevens, Deputy Sheriff
Edgar D. Householder, Chief Deputy
Howard N. Stewart, Sheriff

July 20, 1989 Order filed. AND NOW, July 17, 1989, the parties are before the Court with their counsel and advise the Court that the matter has been amicably resolved along the following lines:

The Defendant will pay costs in this case by July 24, 1989, at 4:30 p.m. Likewise, the Defendant will pay one-half of an emergency room bill at Meadville Medical Center in the amount of $56.00 with the Plaintiff/Wife paying th eother half, with the husband's share to be paid by July 24, 1989.

The wife may go to the residence where the husband will admit her without argument or threat or harassment on July 18, 1989, at noon for thepurpose of picking up her clithing and her personal effects.

The court is advised the Defendant contemplates a move in early August to the State of South Carolina and, accordingly, this case is continued generally under the original temporary Order with the agreement of the parties that if costs and the aforesaid bill are paid and counsel for the Defendant/Husband assures counsel for the Wife/Plaintiff that residence has been established in South Carolina, then the case will be dismissed on praecipe of either party.

Upon the Defendant's move to South Carolina, he will notify his attorney immediately of his address and his attorney will communicate it to Plaintiff's attorney.

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

July 20, 1989 Copies put in Atty's box and County Control

Continued on Page 613
SEE VOL. 3

# 1989

582.

DANIEL SCHMIDT

vs.

JUANITA M. SCHMIDT

Filed June 29, 1989
@ 11:36 a.m.

Tax & entry Paid $10.50 ✓

CERTIFICATION OF ORDER MODIFYING ORDER FROM THE FAMILY COURT OF THE STATE OF NEW YORK, COUNTY OF ERIE - DOCKET NO. F-1893-82

ORDER:

The Petitioner having filed a petition in this court to seek to modify order dated 10-1-81, and awarding custody, made by Supreme Ct. of State of New York, Erie County, Action for Divorce, Index No. H 2273; and

Matter having duly come on to be heard before this court and it appearing that under the terms fo the Supreme Court,, and

It further appearing to the satisfaction of this court that there has been a change of circumstances since the entry of the decree which makes the modification of the decree necessary or proper; it is therefore

ORDERED that the decree of the Supreme Court be and the same is modified in the following respects:

By consent of the respondent, custody of the child, Daniel Michael Schmidt, Jr., is given to the Petitioner.

(see paper filed for completion of order)

Dated: June 21, 1982

Peter J. Notaro,
JUDGE

1 copy (plff)

# 1989

Narcy Hughes
Attorney for Com.

583.

IN RE:

ONE THOUSAND TWENTY-FIVE, DOLLARS AND EIGHTY-ONE CENTS, ($1,025.81); TWENTY-SIX (26) BOTTLES OF ASSORTED LIQUOR; EIGHT HUNDRED SIXTY-FIVE (865) CANS OF BEER AND ASSORTED GAMBLING PARAPHERNALIA

Filed June 29, 1989
@ 2:07 p.m.

Tax & entry 6/29/89 $50.50

PETITION FOR FORFEITURE OF SEIZED PROPERTY

June 29, 1989 Petition For Forfeiture and Condemnation Decree and Order filed. AND NOW, this 29 day of June, 1989 the Court having declared the items in within Petition to be unlawful contraband and having declared the same forteited, the Pennsylvania State Police, Bureau of Liquor Control Enforcement, are hereby directed to destroy the following items:

Twenty six (26) assorted bottles of liquor; Eight Hundred sixty-five (865) 12 ounce cans of assorted brands of beer; one (1) wood change box; two (2) cigar boxes; one (1) ashtray; two (3) plastic buckets; one (1) Folger's coffee can; one (1) coin counter brand Kwick Koin; one (1) white glass bowl; one (1) El erso cigar box with rip tab tickets; one (1) Marine Bank money bag zipper type; one (1) plastic salad dressing jar with numbered chips; one (1) gray color metal drawer; one (1) cigar box R.G. Dunn with rip tab tickets; nineteen (19) boxes rip tab tickets; one (1) clipboard with names on sheet paper from lottery drawing; one (1) roll numbered tickets green color; one (1) plastic case with dice; one (1) sign listing brands of beer; one (1) case rip tickets; one (1) box of glasses and assorted bar supplies, one (1) stamp machine; sixty-five (65) cans of Coke soda-pop.

The Pennsylvania State Police, Bureau of Liquor Control Enforcement, are directed to release the forfeited One Thousand Twenty-five dollars and Eighty-One cents ($1,025.81) to the District Attorney for use in prosecution expense and/or capital improvements to enhance law enforcement.

BY ORDER OF COURT,
P. Richard Thomas,

July 5, 1989 Copy of order given to Nancy Hughes

# 1989

Altomare & Barnhart
Joseph C. Barnhart

584.

Margaret Eglinton

ALBERT F. BEACH

vs.

PAMELA J. KNAPP

CUSTODY - VISITATION COMPLAINT

1 copy (mediator)

Filed June 29, 1989
@ 3:26 p.m.

Indigent filing
Bruce Smith, Mediator 204.95
9.00

ORDER OF COURT:

You, Pamela J. Knapp, defendant, have been sued in court to obtain custody or partial custody of the children: Aaron F. Beach, Shawn C. Beach, Chad D. Beach, and Scott M. beach.

BRUCE SMITH is appointed custody mediator and is hereby directed to hold such custody mediation conferences as the mediator deems appropriate and to make recommendations thereafter to this court. The parties are ordered to appear before the custody mediator at such times as the mediator shall direct and to bring with them the children, the subject of this a ction.

If you fail to appear as provided for by this order, an order for custody, partial cusotdy or visitation may be entered agaisnt you or the court may issue a warrant for your arrest.

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

Crawford CountyBar Assoc. SEr. to the pub Comm. c/o Prothonotary, Crawford County Courthouse Meadville, Pa. 16335, 814 724-4636.

Date: 6/29/89

BY THE COURT,
P. Richard Thomas, J.

June 29, 1989, Motion on Behalf of plaintiff to Proceed In Forma Pauperis filed.

June 29, 1989, ORDER filed. AND NOW, this 29 day of june 1989, upon consideration of the Plaintiff's Motion to Proceed in Forma Pauperis, said Motion is granted and the costs in the above matter shall be paid by Crawford County.

BY THE COURT,
P. Richard Thomas, J.

Aug. 2, 1989, Complaint Reinstated.

Aug. 10, 1989 Affidavit Of Service filed. Before me, the undersigned officer, personally appeared JOSEPH C. BARNHART, ESQ., who did depose and say that he is the attorney for the Plaintiff in the above-captioned matter and that he did serve a certified copy of a Complaint for Custody and Order of Court as filed June 29, 1989 and reinstated August 2, 1989 upon the Defendant, at her address by United States certified mail, restricted delivery. Delivery of same being evidenced by postal return receipt #P 620 643 139 dated August 7, 1989 attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, I hereunto set my hand and seal this 9th day of August.

Joseph C. Barnhart

Nov 8, 1989 Temporary Order of Court filed: AND NOW, this 8 day of November, 1989, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Aaron F. Beach, age fourteen, Shawn C. Beach, age eleven, Chad D. Beach, age eight, and Scott M. Beach, age seven, 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 elective surgery.

2. Primary physical custody of the child shall remain with the natural mother, Pamela J. Knapp. Supervised visitation shall be arranged out of the presence of the mother, but in the presence of an unbiased third party adult (possibly the Reverend John Snyder of the Bethel United Methodist Church) prior to any unsupervised visits. The supervised visits shall be four in number and shall take place during weekdays or evening hours by the adult supervisor and the plaintiff father. The adult supervisor is encouraged to notify the Child Custody Mediator involved in this case in writing if the visitations are other than uneventful. Beginning on the second Sunday of the month, after four supervised visitations have occurred, the father shall have the right to take all four children into his temporary custody every Sunday for a period of two complete hours between the hours of 2:00 p.m. and 7:00 p.m., prevailing time. The children and the defendant mother are encouraged to report any incidents believed to be other than ordingary to the Mediator. If these visits are uneventful after two consecutive months, the father shall be entitled to have the children in his custody and control on he second weekend of each month beginning Friday at 5:00 p.m., prevailing time, and ending on Sunday at 6:00 p.m., prevailing time. After two months of one weekend per month visitation, the visitation shall be expanded to the second and fourt weekends of each month during the same hours from Friday through Sunday. The father shall be responsible for picking up the children at the beginning of visitation, and the mother shall be responsible for picking up the children at the end of visitation. The mother shall be responsible for seeing that the children are present during the initial four supervixed visitations at a place designated by the adult supervisor. If all of the above visitations with the father are without incident, the twice a month visitations as last described shall continue.

3. In the event that all visitations have been without incident, the children shall be in the father's home for one full week from Saturday at noon, prevailing time, until the following Saturday at noon, prevailing time, beginning the summer 1990 and each year thereafter.

4. Holiday visitation shall take priority over other scheduled visitation. The parties are encouraged to agree as to holiday visitation; however, in the event that they cannot, during the even-numbered years, beginning in 1990, the mother shall have the children on Easter and the 4th of July of each year and the father shall have the children on Memorial Day and Labor Day of each year. These days shall begin at 9:00 a.m., prevailing time, and shall end at 7:00 p.m., prevailing time. These days shall be reversed in odd numbered years. The children shall spend Thanksgiving Day of each year in the mother's home; beginning in 1990, the children shall spend the day following Thanksgiving in the father's home. With regard to Christmas each year, including the Christmas of 1989, the children shall be available to spend that holiday in the father's home from 2:00 p.m. to 7:00 p.m., prevailing time.

5. 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 chldren requiring medical treatment.

4. Neither of the parents nor the stepparents, Howard Knapp, shall take the children into any environment which might be commonly thought of as detrimental to their environment or to the development of their characters or which would be commonly thought of as dangerous to their physical persons.

5. The parents are encouraged to discuss arrangements for physical custody of the children; and, if the parties mutually agree to alternative arrangements to accommodate themselves and/or the children's schedules, they may

Continued on Next page . . .

1/17/90 Recd $20.00 from Plaintiff

Recd 2-1-90 $20.00 Vivian Stoltz

3/2/90 Recd $5.24 From Defendant Recd 4-2-90 $5.24 Vivian Stoltz

Received from Plf 11-92 30cv med fee

Paid Comm. Med Fee from Plf 30cv Ch# 7046 9-30-92

Received from Plf mediator $ 5.00 10-12-92

Pd Comm Med Fee Plf 5.00 Ch# 7106

8-6-93 Rec from Plf med fee 10.00 9-27-93 plf 10.00

11-29-93 Rec from Plf - med fee 10.00 Pd Comm Ch# 7983 30.00

Albert F. Beach

vs.

Pamela J. Knapp

RECORD CONTINUED FROM PAGE 34

of

AD 1989-584

**********

adjust the physical custody arrangements accordingly and are encouraged to do so by mutual consent and agreement. Both parents are encouraged to adjust visitation in orde to accommodate each other and so as not to infringe upon the children's involvement in school activities.

6. Each of the parents and any stepparents will teach the children that love and respect due a parent or a stepparent from his or her child or stepchild, and neither of the parents or the stepparents in the eyes of the children.

7. This Order shall not prejudice the right of either party to request further Mediation if there are circumstances which would affect the best interest of the children. Failure of the plaintiff father to take any medication prescribed by a medical doctor for treatment of his emotional condition shall automatically offer the other party an opportunity to request further Mediation.

8. Neither the parents nor the stepparents shall become intoxicated or take any mind-altering drugs or chemicals not prescribed by a medical doctor at any time while having custody of the children.

9. The Court of Common Pleas of Crawford County, Pennsylvania, shall retain jurisdiction of this matter so long as either parent or any of the children resides in the Court's jurisdiction and for a least six months from the date of this Temporary Order.

10. The fee for the Child Custody Mediator shall be paid 75% by the plaintiff father and 25% by the defendant mother.

11. This Order shall be a Temporary Order, but shall become a permanet Order unless exceptions are filed by either party within thirty (30) days from the date of this Temporary Order.

BY THE COURT,
P. Richard Thomas, President Judge

Nov 13, 1989 Copies of order mailed to Attys Barnhart, and Smith and Plaintiff and Defendant and copy put in Atty. Eglinton's box.

34 B.

# 1989

# 1989

Bozic and Thomas
David P. Truax

585.

ADA JANE HOLLABAUGH

vs.

ARTHUR FRANK HOLLABAUGH

DIVORCE COMPLAINT UNDER SECTION 201(c)

1 copy (atty)

July 13, 1989 Affidavit of Service of Complaint in Divorce filed: DAVID P. TRUAX, Esqurie, being duly sworn according to law, deposes and says that on July 7, 1989, he sent a true and correct copy of the Complaint in Divorce, properly endorsed with a Notice to Defend and Claim Rights, field in the above action to the Defendant, Arthur Frank Hollabaugh, at Defendant's last known address at R.D.#1, Cochranton, Crawford County, Pennsylvania, by Certified Mail No. P 966 069 696, postage prepaid, restricted delivery, return receipt requested, and that attached hereto is a duly executed return receipt card showing date of delivery as July 12, 1989.

BOZIC AND THOMAS
David P. Truax
Attorney for Plaintiff

Filed June 29, 1989
@ 3:43 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Pro Co pd 3/14/90 | 9.00 |
| State pd 3/14/90 | 10.00 |

Mar. 13, 1990, Affidavit of Consent of plaintiff filed.

Mar. 13, 1990 affidavit Of Consent of Defendant filed.

Mar. 13, 1990 Upon praecipe of Plaintiff Attorney For Review Under Section 201(c) of the Divorce Code, this case moved to court.

Mar. 16, 1990 **DIVORCE DECREE FILED.**

AND NOW, March 16, 1990, it is ordered and decreed that Ada Jane Hollabaugh, plaintiff and Arthur Frank HOllabaugh, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J

# 1989

586.

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

vs.

CARLYLE ARTMAN

Filed June 30, 1989
@ 1:19 p.m.

Pro Simmons Paid $9.00 ✓
plff on orig 9.50

AGREEMENT TO REVIVE

of

DSB 1984 - 569

The undersgined hereby agrees that judgment be revived; Lien of Revival indexed in favor of plaintiff and against the defendant in the sum of $7,000.00 plus costs.

Debt -----$7,000.00
Dated-----June 29, 1989
A - 34-----JUDGMENT REVIVAL

James F. Simmons,
Prothonotary

6-22-94 Renewed AD1994-616

# 1989

587.

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

vs.

DALE RIGHT
ROSEMARIE V. RIGHT

Filed June 30, 1989
@ 1:19 p.m.

Pro Simmons paid $9.00
plff on orig 9.50

AGREEMENT TO REVIVE

of

DSB 1984 - 556

The undersigned hereby agrees that the judgment be revived and prothonotary enters judgment of revival in the sum of $7,000. plus costs.

Debt.....$7,000.00
Dated.....June 28, 1989
R - 45, 145...JUDGMENT REVIVAL

James F. Simmons,
Prothonotary

6-22-94 Revived to AD1994-618

# 1989

588.

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

vs.

DONNA HIGLEY

Filed June 30, 1989
@ 1:19 p.m.

Pro Simmons paid $9.00 ✓
plff on orig 9.50

AGREEMENT TO REVIVE

of

DSB 1984 - 629

The undersigned hereby agrees that the judgment entered on July 26, 1984 be revived; prothonotary indexed judgment in revival in the amount of Seven Thousand Dollars plus costs.

Debt..... $7,000.00
Dated.....June 28, 1989
H - 41.....JUDGMENT REVIVAL

James F. Simmons,
Prothonotary

6-22-94
Revived to AD1994-614

# 1989

Thomas, Truax, Spadafore, Vardaro & Walker
Anthony J. Vardaro
~~Jack E. Grayer~~ Dawn
Barbara Walton
589.

A. Gamble

DEBORAH L. HINKLE

vs.

JOHN B. HINKLE

Filed July 3, 1989
@ 8:37 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| 1 count paid | 15.00 |
| William Pineo, Mediator | |
| Sheriff's Costs | 38.60 |
| Mediation costs | 137.00 |
| Pro Co. Pd 12/6/89 - Mediator | 9.00 |
| Pro Co. Pd 1-4-90 | 9.00 |
| State Surcharge Pd. | 10.00 |

12/6/89 Rec'd $68.50 Mediation Costs from plaintiff
Rec'd 12-29-89 $68.50 Williamsburg
9-6-95 refund pltf. $35.00 ck 9429
10-4-95 Rec'd from dft for med fee 106.00
10-12-95 Med Pd 242.00 Co. #9512

Pro Co.
10-12-95 Pd 900

COMPLAINT FOR DIVORCE, CUSTODY AND VISITATION

2 copies (atty)

July 21, 1989 Sheriff's Return filed: SERVED John B. Hinkle, personally the within Divorce, on July 14, 1989 at 4:10 P.M., at his place of employment, Baillie Lumber, RD#4, Titusville, Pa.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Oct. 12, 1989 TEMPORARY ORDER filed. AND NOW, this 12th day of October, 1989, after Medition 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, Shawn Adam Hinkle.

2. The parties shall share with ach otehr any and all information which each may have regarding the health, education, and the major events in the life of the subject minor child. Health care, shcool personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor child.

3. The mother shall have primary physical custody of Shawn. The father shall have temporary physical custody and the right of visitation on alternate weekends from 9:00 a.m. Saturday to 6:00 p.m. Sunday. The weekends will be selected to be those when the mother is working. The father shall also have temporary physical custody and visitation each Tuesday and Thursday from 4:00 p.m. to 8:00 p.m. This arrangement shall end one year from the date hereof.

Following the passage of one year from date hereof, the partis shall share physical custody of Shawn. The father shall have physical custody for one week starting at 9:00 a.m. of the first Saturday in November and ending 9:00 a.m. on the following Saturday. The parties shall thereafter alternate the weeks.

4. Holiday visitation shall be arranged as follows:

The Christmas holiday period shall divided in two with the first visitation period beginning on noon of Christmas Eve and ending noon of Christmas Day and the second period beginning noon of Christmas Day and ending at 8:00 p.m. of Christmas Day... For Christmas, 1989, the mother shall have the first period and the father the second, and the parties shall in years thereafter alternate the two periods. Thanksgiving shall be divided into two visitation periods, the first beginning at 7:00 p.m. of the evening preceding Thanksgiving and ending at 2:00 p.m. Thanksgiving Day and the second period beginning at 2:00 p.m. Thanksgiving Day and the second period beginning at 2:00 p.m. Thanksgiving Day and ending at 8:00 p.m. Thanksgiving Day. For Thanksgiving, 1989, the father shall have the first period and the mother shall have the second, and the parties shall thereafter alternate the periods. Other major holidays are defined as New Years Day, Easter, Memorial Day, Independence Day, and Labor Day. The visitation periods shall begin at 9:00 a.m. and end at 8:00 p.m. The father shall have visitation with Shawn on New Years Day and the parties shall thereafter alternate the holidays. Shawn will spend Father Day with his father and Mothers DAy with his mother between the hours of 9:00 a.m. and 8:00 p.m. Holiday visitations shall take precedence over the other provisions of this Order relating to the custodial and visitation periods.

5. The parties shall split responsibility for transportation with the party receiving Shawn in the exercise of his or her rights picking up Shawn at the home of the other.

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

7. 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.

8. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

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

10. Costs and fees of this Mediation, which are fixed at $137.00, are divided equally between the parties with a share of each being assessed to him or her as costs in this case. Payment shall be made to the Prothonotary of Crawford County.

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

By the Court,
Robert L. Walker, J.

Oct. 12, 1989 Copy of Order mailed to Attys. Grayer and Gamble. Copies given to County Control and Atty . Pineo, Defendant and Plaintiff.

Dec. 7, 1989 Affidavit of Consent of Defendant filed.

Dec. 19, 1989, Appearance of Thomas, Truax, Spadafore, Vardaro & Walker, by Anthony J. Vardaro, attorney for plaintiff, filed.

Dec 27, 1989 Appearance of Jack E. Grayer, Esq for Plaintiff hereby withdrawn.

**Jan. 3, 1990 Affidavit of Consent of Plaintiff filed.**

Jan. 4, 1990 Upon Praecipe of Plaintiff Attorney For Review Under Section 201(c) of Divorce Code, this case is moved to Court.

Jan. 19, 1990 DIVORCE DECREE FILED

And Now, January 18, 1990, it is ordered and decreed that Deborah L. Hinkle, plaintiff, and John B. Hinkle, defendant, are divorced from the bonds of matrimony.

BY THE COURT,

P. Richard Thomas, J.

Continued on page 638

SEE VOL. 3

# 1989

590.

ROBIN L. TARR

vs.

GAROLD L. DAVIS

Filed July 3, 1989
@ 9:25 a.m.

| | |
|---|---|
| Tax & entry | $50.50 |
| Sheriff's Costs | 41.60 |

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plaintiff)

TEMPORARY ABUSE ORDER:

And now, this 3 day of July 1989, upon review of the petition of plaintiff, the court enters the following order;

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

2. Special Conditions: Wife to have exclusive possession of 708½ Walnut St, Titusville, Pa. Wife granted exclusive custody of both children until further order.

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

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

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

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

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

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

Hearing is hereby set for July 11, 1989 at 3:00 p.m. in C. R. 1 or 2 of the Crawford County Courthouse.

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

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

July 12, 1989 Order filed. AND NOW, July 11, 1989, at the time set for hearing on the abuse petition, the Plaintiff appears, but the Defendant fails to appear. The Sheriff's Office reports he cannot be served at his place of employment, but they now believe he is living at the residence of his mother and they will attempt service there. When the Sheriff secures service, they will notify the Court, and we will set another date for hearing. Notice to the Plaintiff of the ne whearing date will be mailed to her at 708 1/2 Walnut Street, Titusvlle, Pennsylvania.

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

July 13, 1989 Copies of order mailed to plaintiff and Defendant and 1 copy of order given to county control.

July 14, 1989 Sheriff's Return filed. SERVED Garold L. Davis, personally at his place of employment, Wyerhauser Lumber, Hydetown, PA 16328, on July 14, 1989 at 10:50 A.M. with Protection From Abuse, Petition and Order.

So answers,
Robert M. Stevens, Deputy
Edgar d. Householde, Chief Deputy
Howard N. Stewart, Sheriff

July 18, 1989 Re: Petition Under Abuse Act Order Setting Hearing filed. And now, July 17, 1989, the Sheriff's Office having advised the Court that they have now served Defendant and Defendant having called the Judge's Chambers concerning a hearing date and having ascertained Defendant's address, the Court hereby sets hearing in this matter for July 26, 1989, at 10:30 a.m., in Courtroom No. 1 or 2, of the Crawford County Courthouse.

FOR THE COURT,
Imogene Yetman, Ct. Adm.

July 19, 1989 copies mailed to plaintiff and defendant and copy put in County Control's box.

July 27, 1989 ORDER filed. AND NOW, July 26, 1989, the matter is before the Court on an abuse action resulting from a single assault admittedly inflicted by the Defendant upon the Plaintiff. The Plaintiff recites that in their two years of living together, this is the only incident of this kind. The Defendnat admits the assault contending he was intoxicated.

The Defendnat is directed not to threaten assault, or harass the Plaintiff in any fashion.

Regarding visitations with the two children, the parties mutually agree that on each Thursday, the Defendant may come to her apartmetn between the hours of 5:00 p.m. and 8:00 p.m. for the purpose of visiting the two chidlren. During said visits, he shall not abuse, assault, threaten, or make uncomplimentary remarks to or about the mother. The Plaintiff advises that she wishes a third adult party to be present during said visits and assumes the responsibility of arranging for said person to be present.

The Plaintiff works a varying work schedule and in the event she is working Thursdays during the visitation time set, she will arrange for another competent adult to be present in her absence to look after the children.

It appears the Defendnat still has a few personal possessions in the attic of the residence at 708½ West Walnut St., which apparently consists of clothing and a considerable amount of wood molding. The Plaintiff has no objection to his removal of these items. The Defendant states he will need a truck to move said items and will make the arrangements therefor. When the Defendant secures a truck, he shall give the Plaintiff at least twenty-four (24) hours notice of the date and time he will arrive at the residence to pick up said items.

This Order shall remain in force and effect for a period of six months. The Defendant is directed to pay costs in this case within twenty (20) days of the time a bill for the same is submitted to him at RD 4, Box 242B, Titusville, PA. 16354.

By Order Of The Court,
P. Richard Thomas, P.J.

July 31, 1989 Copy of Order to Plaintiff, Defendant, County Control.

# 1989

Thomas, Truax, Spadafore, Vardaro & Walker
Anthony J. Vardaro
~~Jack E. Grayer~~
(withdrawn)
591.

Ann H. Gamble

DEBORAH L. HINKLE

vs.

JOHN B. HINKLE

PETITION FOR PROTECTION FROM ABUSE

3 copies (sheriff)
1 copy ( plaintiff )

Filed July 30, 1989
@ 10:05 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 ✓ |
| Sheriff's Costs | 38.60 |
| Prothy Co Ctl 1/28/91 | 9.00 ✓ |

ORDER OF COURT:

AND NOW, towit this 3 day of July 1989, upon consideration of the Petition 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 13 day of July 1989 at 4:00 p.m. at the Crawford County Courthouse, C. R. No. 1, Meadville, Pa.

Pending said hearing it is ordered that:

a. possession of the premises at R. D. #1, Centerville, Crawford County, Pa. is granted to the Petitioner for her exclusive occupancy, and REspondent JOhn B. Hinkle is completely excluded from the residence. respondent shall hereinafter have no license to be present on the premises.

b. Respondent is directed to refrain from threatenind to abuse or physically abuse the petitioner by any act or actions, including both physically or vergally but not limited to those recited in Petition.

c. That the sheriff Dept. or any other police dept. within the area of residence of parties, including the State Police Dept. shall enforce this order by:

1. Serving a copy of this order on the respondent, where the respondent is now domiciled; and if he is present on the premises of petitioner, to escort him from that premises.

2. If the respondent is not located at the aforesaid, he is to be served at any other location where she may be found and is to be notified of the contents of this order.

3. Post the premises at R. D. #1, Centerville, Pa. Crawford County, with a certified copy of the petition and order, if the respondentis not on the said premises or if he cannot be served any other place.

4. If the respondent violates this order, he is to be arrested on the change of indirect criminal contempt. An arrest for violation of this order may be without warrant, based solely on probable cause, whether or not the violation is committed inteh presence of the sheriff or police aforesaid or not.

5. If the respondentis placed under arrest for violation of this order, he should be takenbefore the court. If the court is unAVAILABLE, the respondent shall be arraigned before the D. J., who shall fix security..

e. Exculsive custody of the chld Shawn Hinkly born 3 sept. 1988 shall be in Petitioner until further order of the court.

BY THE COURT,
P. Richard Thomas, J.

July 13, 1989, Motion for Continuance and order filed. ORDER: AND NOW, to wit this 13th day of july 1989 upon consideration ofthe motion of the petitioner for continuance, it is hereby ORDERED AND DECREED that hearing upon the petition in the above captioned matter is continued until July 25, 1989 at 9:00 a.m in C. R. No. 1, Crawford County Courthouse.

3 copies (atty)

P. Richard Thomas, J.

July 21, 1989 Sheriff's Return filed: SERVED John B. Hinkle, personally the within Protection from Abuse and Order, on July 14, 1989 at 4:09P.M. at his place of employment, Baillie Lumber, RD#4, Titusville, Pa

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

July 26, 1989 Order filed: AND NOW, July 25, 1989, the matter comes before the Court on an Abuse Petition, with both parties present, together with their respective counsel. The matter has been amicably resolved as follows:

1. Without an admission of the allegations of the Petition, the defendant consents that this Order be entered precluding him from threatening, assaulting or annoying the plaintiff/wife in any fashion. He will not go to her new residence at R.D.#1, Centerville for any purpose.

The issue regarding custody and visitation of the child is resolved as follows:

1. The father shall have exclusive custody of the minor child from 3:00 p.m., July 30, 1989 until Noon, July 31, 1989. Likewise, on the following weekend, the father shall have exclusive custody on Sunday from 9:00 a.m. until 6:00 p.m.

2. On alternating weekends thereafter, the husband shall likewise have exclusive custody of the minor child between the dates of 9:00 a.m. Saturday and 6:00 p.m. Sunday. The parties agree that the mother will make the child available at the home of the maternal grandmother, where the father will pick up and return the child for all of these visits.

3. There is a divorce action pending between the parties at 1989-589 containing a custody count, and on oral motion of counsel for the plaintiff, the court appoints William Pineo to act as Custody Mediator in this count under the Divorce complaint and to set a mediation conference by further notice to counsel for the parties. Once the Custody Mediator recommends a temporary order and the same is signed, that Order will supersede the custody provisions of this Abuse Order.

4. The defendant will pay costs in this case in the approximate amount of $87.50 within thirty (30) days of this date and pay the same to the Prothonotary's Office.

5. This Order shall remain in force and effect for a period of six (6) months from this date.

6. Any Police Officer having reasonable grounds to believe that the abuse portions of this Order have been viloated by the defendant my immediately apprehend the defendant and produce him forthwith before a District Justice of the Peace to determine whether an immediate commitment to the Crawford County Jail is in order for violation of the Court's Order. If the defendant is committed, the Court will be notified and a prompt hearing will be scheduled on the contempt matter.

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

July 27, 1989 Copies of order mailed to Attys. Grayer and Gamble and copies given to Co. Control and put in Atty. Pineo's box.

~~Oct. 12, 1989 Temporary Order filed. AND NOW, this 12th day of Octo ber, 1989, 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, Shawn Adam Hinkle.~~

~~Continued on page 605.~~

Dec. 19, 1989, Appearance of Thomas, Truax, Spadafore, Vardaro, and Walker, by Anthony J. Vardaro, attorney for plaintiff filed.

---Continued on Margin---

9/9/89 Recd. $75.00 From Defendant
10/5/89 Paid $75.00 To Jack E. Grayer, Esq
Filing Fee + Costs
Check 5279
Plaintiff Pennsylvania Lgo
1/28/91 Recd $68.50 From Plaintiff
Recd -2-1-91
$68.50
Julian Stoltz

Record Continued....
Dec. 27, 1989, Upon praecipe of atty. Jack E. Grayer, Appearance for plaintiff withdrawn of record.

IN ERROR.....

Record Continued on Page 638 Du Book 3

# 1989

Dillon, McCandless
& King
Donald p. Graham

592.

FEDERAL NATIONAL MORTGAGE ASSOCIATION

vs.

JOHN R. SIMS, JR. AND PRISCILLA SIMS, HIS WIFE, AND PATRICIA SIMS

Filed July 3, 1989
@ 11:15 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 ✓ |
| Sheriff's costs | 32.00 |
| Pro Co Pd 1/2/90 | 9.00 ✓ |

COMPLAINT IN CIVIL ACTION OF MORTGAGE FORECLOSURE

3 copies (atty)

Aug. 18, 1989, Complaint reinstated.

Oct. 11, 1989 Sheriff's Return filed. Before me, the undersigned authority, personally appeared Jeffrey Sheldon who being duly sworn according to law, deposes and says that on the 7 th day of Sept. 1989, at 7:58 P.M., he served Comp. filed at No. 592 , 1989 Crawford Co. Pa., upon defendant Priscilla Sims at 608 Hastings St. Pgh. By making known the contents thereof to Priscilla and handing to and leaving with her the certified copy of the ---- received from Crawford.

Jeffrey A. Sheldon # 114 Dep. Sher.
So answers, Eugene L. Coon , Sheriff Alleg. Co.

Before me, the undersigned authority, personally appeared Jeffrey Sheldon who being duly sworn according to law, deposes and says that on the 7 day of Sept. 1989 at 7:58 p.m., he served Complaint filed at No. 592, 1989, Crawford Co. Pa., upon defendant John R. Sims, Jr. 608 Hastings at Pgh. By making known the contents thereof to John and handing to and leaving with him the certified copy received from Crawford.

Jeffrey A. Sheldon Dep. Sheriff
So answers Eugene L. Coon, Sheriff, Allegheny Co.

NOT FOUND, as to defendant, Patricia Sims. House is vacant, R. D.#3, Box 293, Clancy Rd., Meadville, Crawford Co., Pa. 16335
SERVED John R. Sims, Jr. on Sept. 7, 1989 by deputizing Sheriff of Allegheny Co. Pa. as per his Affidavit of Service attached.
SERVED Priscilla Sims on Sept. 7, 1989 by deputizing Sheriffof Allegheny Co., Pa. as per his Affidavit of Service attached.
So answers, Howard N. Stewart, Sheriff

And Now, Jan. 2, 1990, at 2:27 p.m., upon praecipe of plaintiff attorney, Judgment is hereby entered in favor of the plaintiff and against the defendants, in the sum of Fifty Seven Thousand Six Hundred Seven and 38/100 Dollars, plus interest after Dec. 31, 1989, at rate of 15.6737 per diem and late charges of $26.04 to be added after the 15th day of each month.
Judgment entered - 1/2/90
S -92, 132, 132

Debt ---$57.607.38
Int. from 12/21/89
JUDGMENT
James F. Simmons,
Prothonotary

EXECUTION 1990 - 1

# 1989

Mahany, Roeder & Smith
Tamera Ochs-Rothschild

593.

DEAN J. SPEER

vs.

MARCIA NELSON

Filed July 3, 1989
@ 3:15 p.m.

Tax & entry Paid $50.50 ✓
William Pineo,Mediator

CUSTODY COMPLAINT

1 copy (atty)
1 copy (mediator)

July 3, 1989, ORDER:
You, Marcia Nelson, defendant, have been sued in court to obtain custody, partial custody or visitation of the child, Courtney Lee Speer.
You are ordered to appear in person before WILLIAM PINEO, at a time to be set for a mediation conference.
If you fail to appear as provided by ths order, an order of custody or visitaion may be entered against you.
You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out whree you can get legal help.
Crawford County Bar Assoc. Ser. to the Public Committee, c/o Prothonotary, Crawford County Courthouse, Meadville, Pa. 16335 Tele: 814 724-4636. BY THE COURT,
P. Richard Thomas, J.
Date: 7/6/89

July 24, 1989 Affidavit of Return of Service by Mail filed: On July 11, 1989, I mailed a true copy of the Custody Complaint in the above captioned matter by Certified Mail No. P382 396 003 Restricted Delivery to the Defendant, Marcia Nelson, 20 Pershing Way, Titusville, Pa 16354. Defendant signed a return receipt upon delivery July 20, 1989. The receipt attached hereto and marked as "Exhibit A" was returned by the post office on July 21, 1989.
I make these statements pursuant to 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities and understand that false statements may subject me to criminal penalties under that statute.

Mahany, Roeder & Smith
Tamera Ochs-Rothchild
Attorney for Plaintiff

Aug. 11, 1989, Petition for Entry of Agreement and Order filed. ORDER: AND NOW, Aug. 11, 1989, upon consideration of the foregoing Petition and Agreement for Custody between the parties, it is ORDERED AND DECREED that:
1. The parties shall share legal custody of courtney Lee Speer. Shared legal custody shall entitle both of the parents legal equal access to any records relating to the child held by a third party, including, but not limited to, school and medican records, and shall entitle both parents to equal input with regard to the educational and religious upbringing of the child, as well as elective surgery.
2. Marcia Nelson shall continue to have primary physical custody of the minor child at her residence, subject to Dean J. Speer's shared physical custody rights. Marcia Nelson presently resides at 20 Pershing Way, Titusville, crawford County, Pa. dean J. Speer presently resides at R. D. #3, box 173, Titusville, Crawford county, Pa.
3. Dean J. Speer shall have physical cusotdy of the minor child on a regular basis according tothe following schedule:
A. dean J. Speer shall retain custody ofthe minor child on alternatign weekends to commence July 29, 1989. A "weekend" shall be defined as Saturday at 12:00 p.m. through sunday at 5:00 p.m.
1. It shall be the responsibility ofthe father to pick up and return the child or designate another responsible adult to do so.
2. If the father is unable to arrive by 12:00 p.m. Saturday, he agrees to notify the mother and make alternative arrangements.
3. If the father is unable to make arrangements to see the child on a scheduled weekend, he shall notify the mother by 9:00 p.m. the Thursday preceding the sc heduled weekend.
4. If the weekend custodial parent does not arrive within one hour of the specified time without prior notice and alternative arrangements having been made, he or she relinquishes visitation.
B. In addition, between June 1, and August 31 each year, the father shall have the right to have two (2) non consecutive extended weekend visits with the child, providing he designates the dates he wants the child at least two (2) weeks in advance. Unless the parties agree otherwise, the extended weekend visits shall commence on a regularly sc heduled weekend as defined in paragraph A at 12:00 p.m. Saturday and terminate the following Tues. at 5:00 p.m.
C. Further, between Nov. 1 and Feb. 28 of each year, the father shall have the right to have two (2) non-consecutive extended weekend visits with the child, providing he designates the dates he wants the child at least two (2) weeks in advance. "Extended weekend visit" is defined at PaRAGRAPH 5 B. supra.
D. The major holidays are defined as Easther, Memorial Day, Independence Day, Thanksgiving, Christmas, and New Years Day.
1. The father shall have custody ofthe child on each of the above named holidays at 4:00 p.m. until 9:00 p.m. on the same holiday.
2. The provisions of this paragraph shall take precedence over the other provisions of this Agreement regarding the custodial and visitation periods.
4. The party having custody of the child shall notify the other parent as soon as possible in the event of illness or injury requiring medical treatment.
5. The parties agree to keep one another informed of their current address and telephone no. so that the other may maintain continuous telephone and mail contact with the minor child.
6. Neither party shall take the child into any environment which might be commonly throught of as detrimental to their development or the development of their character, or which would be commonly thought of as dangerous to their physical safety.
7. The parties will teach the child to develop the love and respect due a parent from his or her child, and neither of the parents will do anything to blacken the character of the other parent in the eyes of the child.

BY THE COURT,
Robert L. Walker, J.

Aug. 11, 1989 copy of order to Atty. Tamera Ochs-Rothschild

# 1989

Nancy Hughes
Atty. for Commonwealth

594.

IN RE:
ONE HUNDRED SEVENTY-FIVE DOLLARS AND SEVENTY-FIVE CENTS ($175.75) IN CASH

Filed July 5, 1989
@ 2:22 p.m.

Tax & entry 7/17/89 $50.00 ✓

PETITION FOR FORFEITURE OF SEIZED PROPERTY

July 7, 1989 Affidavit of Service filed. Tpr. Gerald Bey, Jr. of the Pennsylvania State Police, being duly sworn according to law, has this 5th day of July, 1989 at 16:55 a.m./p.m. served a true and correct copy of a Petition for Forfeiture upon Ned Hamilton of First Choice Bar, R.D.#4, Meadville, PA 16335, the owner, the owner of First Choice bar at the time of the seizure (refer to A.D. No. 1989 - 594) Tpr. Gerald Bey, Jr.

# 1989

Cauley and Conflenti
Franklyn E. Conflenti

595.

Gordon R. Miller

Thomas, Truax, Spadafore
Vardaro & Walker
R. charles Thomas

R. KEITH HOUGH, GUARDIAN AD LITEM FOR THE ESTATE OF DOROTHY ANDERSON, AND DOROTHY ANDERSON

vs.

TIMOTHY M. CHIZMAR AND BRENDA L. CHIZMAR, HIS WIFE

Filed July 5, 1989
@ 3:36 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Sheriff's Costs | 62.78 |
| Pro Co pd 4/12/91 -- | $.00 |
| Pro Co Pd 8/13/91 - | 1.00 |
| Pro Co Pd 6/7/91 | 1.00 |

SUMMONS IN CIVIL ACTION

Issued (sheriff)

JUly 31, 1989 Complaint Reinstated.

Sept. 11, 1989 Sheriff's Return filed. Before me, the undersigned authority, personally appeared Douglas R. Long Deputy Sheriff who being duly sworn according to law, deposes and says that on the 23rd day of August, 1989, at 3:56 P.M., he served summons, filed at No. 595 AD Term, 1989, Crawford County Pennsylvania, upon defendant TIMOTHY M. CHIZMAR, at R.D.#1, Box 1163, Hadley, Pennsylvania By making known the contents thereof to Timothy Chizmar personally and handing to and leaving with him the certified copy of the summons received from Sheriff of Crawford County.
So answers, Douglas R. Long, Deputy Sheriff
William H. Romine, Jr. Sheriff
Before me, the undersigned authority, personally appeared Douglas R. Long, Deputy Sheriff who being duly sworn according to law, deposes and says that on the 23rd day of August, 1989, at 3:56 P.M., he served Summons, filed at No. 595 AD Term, 1989, Crawford County, Pennsylvania, upon defendant Brenda L. Chizmar at R.D. #1, Box 1163, Hadley, Pennsylvania By making known the contents thereof to Timothy Chizmar, adult family member with whom she resides an dhanding to and leaving with him the certified copy of the summons received from Sheriff of Crawford County.
So answers Douglas R. Long, Deputy Sheriff
William H. Romine, Jr. Sheriff
SERVED Timothy M. Chizmar by deputizing the Sheriff of Mercer County, PA as per his Affidavit of Service attached. Served: August 23, 1989
SERVED Brenda L. Chizmar by deputizing the Sheriff of Mercer County, PA as per his Affidavit of Service attached. Served: August 23, 1989
So answers, Howard N. Stewart, Sheriff

Sept. 14, 1989 Appearance of Gordon R. Miller for defendants filed.

Oct. 19, 1989, Upon praecipe of defendant attorney, Rule entered upon plaintiff to file Complaint within 20 days, or suffer Judgment of Non Pros, issued.

Dec. 11, 1989, Complaint in Civil Action filed. 1 copy (atty)

Jan. 4, 1990, Appearance of Thomas , Trua x, spadafore, vArdaro & Walker, by R. Charles Thomas, attorneys for defendants filed.

Feb. 2, 1990 Answer filed.

Feb. 22, 1990, Plaintiffs' Reply to New Matter filed.

Apr. 10, 1991, Upon praecipe of plaintiff attorney, the above captioned case is hereby marked settled and discontinued of record.

# 1989

Shafer, Swick, Bailey, Irwin & Stack
Robert S. Bailey

596.

Thomas C. Kilcoyne
Cohen, Todd, Kite & Stanford

McCROSKY TOOL CORPORATION

vs.

MANUFLEX CORPORATION d/b/a LODGE & SHIPLEY, A DIVISION

Filed July 6, 1989
@ 3:33 p.m.

Tax & entry Paid $50.50 ✓

Pro Co Pd 8-22-89 5.00 ✓

COMPLAINT

1 copy (atty)

July 25, 1989 Affidavit of Service filed. I, Robert S. Bailey, attorney for McCrosky Tool Corporation, being first duly sworn according to law, depose and say that I did by first class mail, return receipt requested, postage prepaid, sent to defendant Manuflex Corporation d/b/a Lodge & Shipley, a division, a true and correct certified copy of the complaint in the above captioned matter at their business address of 1328 Elam Street, Cincinnati Ohio 04225 as is evidenced by the attached return receipt signed and dated July 11, 1989. Robert S. Bailey

July 27, 1989, Motion to Admit Counsel Pro Hac Vice, and Affidavit of Thomas C Kilcoyne, filed.

July 27, 1989, Preliminary Objection of Defendant to Complaint, Memorandum, filed.

ON ARGUMENT LIST FOR AUGUST 1989

Aug. 4, 1989 Affidavit of William Waddell filed.

Aug. 11, 1989, Plaintiff's Preliminary Objections to Defendants Preliminary Objections filed.

Aug. 11, 1989, Certificate Mailing of Motion to Strike from Argument List filed.

Aug 22, 1989 Upon Praecipe of Plaintiff's attorney, this suit is marked discontinued.

Aug. 28, 1989 Motion to Strike from Argument List and Order filed. Order: AND NOW, this 28th day of August, 1989, after consideration of the foregoing Motion to Strike from the Argument List, said Motion is hereby GRANTED.

Robert L. Walker, J.

Aug. 29, 1989 copies of order to Robert S. Bailey and Thomas C. Kilcoyne, attys.

# 1989

Blystone & Blystone
Curtis E. Blystone

597.

SHIRLEY E. FOUST

vs.

HARRY LYNN FOUST

Filed July 6, 1989
@ 4:29 p.m.

Indigent filing
Tax & entry 50.50
Pro Co. 9.00
Sheriff's Costs 22.15

PETITION FOR PROTECTION FROM ABUSE

1 copy (atty)

July 6, 1989, Affidavit As To Indigency Under 35 P.S. Section 10184(b) filed.

EX PARTE ORDER: AND NOW, this 6 day of July 1989, upon presentation and consideration of plaintiff Shirley E. Foust's Petition for protection from Abuse, it is hereby ordered ex parte as follows:

The defendant, HaRRY Lynn Foust, is enjoined from appearing at the plaintiff's residence for any reason and is further enjoined from physically contacting or menacing the plaintiff, Shirley E. Foust, or from causing physical contact or menacing of the plaintiff.

Returnable for hearing on the 13 day of July 1989, at 3:00 p.m. prevailing local time, in C. R. No. 1, Crawford County Court House, Meadville, Pa.

The Crawford CountySheriff's Office shall forthwith effect service of a certified copy of Petition and this order on defendant Harry L. Foust at his place of residence at R. D. #4, Box 601, Conneaut Lake, Pa., or at his pla ce of employment at Harmony Forged or such other place as he may be found. Costs of service shall be paid by the county. Any police officer having reasonable grounds to believe this order is violated may arrest the defendant and incarcerate until a prompt contempt hearing may be held.

Copy to County control.
(4 copies - atty)

BY THE COURT,
P. Richard Thomas, J.

July 11, 1989 Sheriff's Return filed: SERVED Harry Lynn Foust personally, by handing copy of Protection from Abuse Petition and Order to Him on July 7, 1989 at 11:40 A.M. at his residence, RD#4, Box 608, Conneaut Lake, Crawford Co., Pa.

So answers,
Edgar D. Householder, Chief Deputy Sheriff
Howard N. Stewart, Sheriff

July 18, 1989 Order filed. AND NOW, July 13, 1989, at the time this abuse matter is befor ethe court, the matter is discussed informally with the parties and counsel, and the Court notes that the defendant contends that the allegations of the petition are basically not true, as he was only reacting from aggressive tactics displayed against him by his wife. Howeer, he is willing to abide and have the Court enter an Order decreeing that he not harass, anoy, abuse or assault his wife in any fasion, without admitting he has done so in the past.

Apparently, the parties have some oral agreement regarding sharing of the custody of the two (2) minor children, ages nine (9) and three (3), with the father having them every other weekend. Apparently friction between the parties arises during the time the children are picked up and returned when the parents have the opportunity to confront each other.

Both parents seem to agree that a resolution of this problem lies in the delivery of the chidlren to a neutral person and to pick up the children fromthe same person so that the parties did not confront each other, but neither party has been able to make arrangements with a satisfactory neutral person.

the Court continued the primary custody of the children with the mother, subject to the every other weekend visits with the father, which the aprties have agreed to, but recommends to the Plaintiff/Mother, that she file a petition for custody so that the matter may be referred to a Custody Mediator for entry of an appropriate Order, and in this regard, the peculiar situtation regarding minor child Nicolle as set forth in Paragraph 4 of the abuse Petition be considered and resolved.

The parties mutually agree that the wife may occupy the former marital residence and maintain control of the car now in her possession. Accordingly, without formal adjudication, the Defendant consents and is DIRECTED not to harass, assault, threaten or annoy his wife in any fashion or procure others to do so on his behalf.

In regard to the allegation of the husband that it is the wife who precipitates the arguments and assaults between the parties, he is advised of his right to file assault charges or a Protection From Abuse Petition if he believes he can prove in court that the wife is the instigator of abuse upon him.

Any police officer having reasonable grounds to believe that the defendan thas violated the terms and conditions of this Order as it relates to abuse of his spouse is authorized to arrest the defendant without a warrant and produce him before a Justice of the Peace for an immediate contempt arraignment and a request for a hearing before the court.

This Order shall remain in force and effect for a period of six (6) months unless superseded by subsequent Order ofthis Court.

Defendant is DIRECTED to pay costs in this case within fifteen (15) days of the time he receives a bill from the Prothonotary.

After dictation of the above Order, the parties mutually agree that when either parent picks up the children, they will remain in their car and it shall be the obligation of the parent giving up the custody to send the children to the car, so there will be no contact between either of the parents in the exchange of the children.

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

July 18, 1989 Copies of order put in Curtis Blystone and County Control's box and copy mailed to Defendant.

598.

APPLICATION FOR EXTENDED
INVOLUNTARY TREATMENT

of

CATHERINE
LEONA WAGNER

Filed July 6, 1989
@ 4:31 p.m.

APPLICATION FOR EXTENDED INVOLUNTARY TREATMENT
Mental Health Procedures Act of 1976-Section 303

July 7, 1989 Certification for Extended Treatment filed: This 7th day of July, 1989, after hearing and consideration of (See report of Mental Health Review Officer).

The Court finds that the patient is severely mentally disabled and in need of treatment. Accordingly, the court orders that Leona Wagner receive inpatient treatment, which is the least restrictive treatment setting appropriate for the patient at MMC (Grove Street) as a severely mentally disabled person pursuant to the provisions of Section 303 of the Mental Health Procedures Act of 1976 for a period of twenty (20) days.

for the court,
John D. Petruso
Mental Health Review Officer

July 11, 1989 Copies of order given to MMC, MH/MR, and Atty Hall.

# 1989

Blystone & Blystone
Peter E. Blystone

599.

PENNBANK

vs.

THOMAS E. IRWIN

Filed July 7, 1989
@ 9:26 a.m.

Tax & entry Paid $50.50 ✓
Pro Co Pd 8-15-89 9.00 ✓

COMPLAINT IN ACTION OF MORTGAGE FORECLOSURE

1 copy (atty)

July 7, 1989, Affidavit of Non Military Service of defendant filed.

July 13, 1989 Affidavit of Service filed: 1. The undersigned, Peter E. Blystone, is attorney for Pennbank, plaintiff in the above captioned action. 2. The defendant, Thomas E. Irwin, is an adult individual whose last known place of residence is Mellrose Trailer Lot #4, 7000 Wrightsville Avenue, Willmington, North Carolina, 28403.

3. On July 7, 1989, affiant mailed a true and attested copy of the Complaint in Action of Mortgage Foreclosure to the defendant, addressed to his aforesaid last known address by certified mail posted at Meadville, Pennsylvania, with delivery restricted to the addressee only.

4. The aforesaid certified mail item, being certified mail article number P 724 950 699, was delivered to and signed for by the addressee, Thomas E. Irwin, on July 11, 1989 as indicated by the mailing receipt and return receipt attached hereto.

I hereby verify that the statements set forth in the foregoing are true and correct to the best of my knowledge, information and belief. I understand that false statements made herein are subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities. Peter E. Blystone.

AND NOW, Aug. 15, 1989 @ 2:13 P.M. Upon Praecipe of Plaintiff's Attorney with Notice of Judgment Attached, Judgment is hereby entered in favor of the Plaintiff and against the defendant for failure to file an answer and damages are assessed as follows: Principal amount due pursuant to terms of Note and Mortgage, Twelve Thousand Seven Hundred Forty-two and 06/100 Dollars; Reasonable Attorney's rees equal to 10% of the mortgage debt, One Thousand Two Hundred seventy-four and 21/100 Dollars; TOTAL principal debt and attorney's fees together with interest on the principal debt at the rate of 16.5% per annum from October 30, 1988, Fourteen Thousand Sixteen and 27/100 Dollars.

I-164

Debt.....$14,016.27 + int.
JUDGMENT
James F. Simmons
Prothonotary

EXECUTION 1989-86

pro se

600.

LORAINE FARRELL

vs.

MICHAEL GOODMAN

Filed July 7, 1989
@ 10:57 a.m.

Tax & entry $50.50
9.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy (plaintiff)
3 copies (sheriff)

TEMPORARY ABUSE ORDER:

AND NOW, this 7 day of July 1989, upon review of the petition of plaintiff, the court enteres the following order:

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

2. Special Conditions: Wife is accorded exclusive occupancy of the apartment at 699 Park AVe.

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

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

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

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

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

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

Hearing is hereby set for July 17, 1989 at 3:30 p.m. in C. R. No. 1 or 2 of the Crawford County Courthouse.

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

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

July 20, 1989 Order filed. AND NOW, July 17, 1989, this matter is before the Court on an alleged abuse that occurred between the parties in Clarion County over the Fourth of July weekend. The Defendant wishes to reconcile but the Plaintiff will not reconcile until he gets some unascertained type of counseling. The Plaintiff refuses tomake arrangements for his counseling contending that he lacks the motivation tohelp himself seek counseling and she will not do it for him. The Defendant contends that he is not from this area, does not need alcohol counseling, but needs some type of vague counseling for his undeescribable problems which he believes arose because he is the child of an alcoholic.

Apparently, the Defendant was consuming alcholic beverages at the time of the assault on the Plaintiff, but he denies he assaulted her and said he merely placed his hands on her neck.

The Plaintiff's posture is that she wants her children returned to her custody and if the presence of the Defendant in the household prevents this, she does not want him to return to their common residence at 699 Park Avenue. The Plaintiff's postulates that this is the first time since they began associating that he took any adverse action against her and that he would never to the same again, particularly in the presence of the children.

Accordingly, the Court does not believe this petition amenable for resolution under the Protection from Abuse Act and continues the temporary Order in effect for an additional period of sixty (60) days from this date. If the Plaintiff consents to the Defendant's moving back in her residence at 699 Park Avenue, she must reduce this consent to writing and forward a copy to the Defendant, a copy to Children and Youth Services, and a copy to the Court. This consent may be given at any time but the Order shall remain in effect for an additional sixty (60) days.

The defendant is directed to pay costs in this case within ten (10) days of being bille dby the the Prothonotary's Office.

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

July 20, 1989 copy given to County Control and copies mailed to plaintiff and defendant

# 1989

Elderkin, Martin, Kelly, Messina & Zamboldi
Evan C. Rudert

601.

Watts, Pepicelli, Youngs and Youngs PC
Theodore H. Watts

GRIFFIN MOTORS CO.

vs.

JOSEPH McBLAIN
d/b/a JOE'S CAR CLEANING

Filed July 7, 1989
@ 11:10 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Sheriff's Costs | 20.00 |
| Pro co pd 4/24/90 | 9.00 |

COMPLAINT

1 copy (sheriff)

Aug. 1, 1989 Sheriff's Return filed. SERVED Joseph McBlain personally by handing a copy of the Complaint to him on July 13, 1989 at 3:05 PM at his place of business, Joe's Car Clean, 537 State Street, Meadville, Crawford County, PA.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Aug. 3, 1989, Notice of Default filed.

Aug. 3, 1989, Answer of defendants filed.

Sept. 8, 1989 Notice Of Service Of INterrogatories To Defendant (First Set) filed.

Oct. 27, 1989 Petition Of Defendant, Joseph MacBlain, t/d/b/a Joe's Car Cleaning, For Leave To Join additional Defendant and Order filed. And Now, this 27 day of Oct., 1989, taken under advisement, counsel will cite cases within 10 days & Court will rule. P R Thomas, J

Nov. 21, 1989 Copy of order put in Theodore Watts box and copy mailed to Evan Rudert

Oct. 27, 1989 Response To Defendant's Petition's Petition For Leave To Join Additional Defendant filed.

Nov. 20, 1989 Order filed. And now, November 17, 1989, the Defendant's motion to join Anthony Erie as additional defendant is denied. BY ORDER OF THE COURT,
P. Richard Thomas, J

Nov. 21, 1989 Copy of order put in Theodore Watts box and copy mailed to Evan Rudert

Nov. 20, 1989, Notice of Service of Answers to Interrogatories and Request for Production filed.

Mar. 7, 1990 Certificate Of Readiness filed.

ON TRIAL LIST FOR APRIL 1990

Apr. 5, 1990 Order Setting Nonjury Trial filed. And now, April 4, 1990, nonjury trial in the above matter is her eby set for May 8, 1990 at 9:30 a.m., in Courtroom No. 1.
FOR THE COURT,
Imogene Yetman, C.A.

Apr. 6, 1990 Copy mailed to Evan Rudert and copy put in Theodore Watts

And Now, Apr. 24, 1990 at 11:14 a.m. upon praecipe of plaintiff's attorney, with Notice of Consent to File Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendant for failure to file a complaint and the damages are assessed at the sum of Two Thousand Five Hundred and 00/100 plus cost of this action.

M-91; J-186
judgment entered Aprl 24, 1990

Debt $2,500.00
Judgment
James F. Simmons
Prothonotary

EX1990-105

# 1989

| | | |
|---|---|---|
| Barrett & Dratler<br>Bruce A. Barrett<br><br>602. | CLARK EQUIPMENT CREDIT CORPORATION<br><br>vs.<br><br>RICHARD D. GAARDEN<br><br>Filed July 7, 1989<br>@ 3:55 p.m.<br><br>Tax & entry paid $50.50 ✓<br>Sheriffs costs 24.20 | COMPLAINT<br><br>1 copy (sheriff)<br><br>Aug. 1, 1989, Sheriffs Return filed. SERVED Richard D. Gaarden personally on July 17, 1989 at 3:02 P.M. by handing a copy of complaint to him at his residence R. D. #2, Box 254, Cambridge Springs, Pa. 16403.<br>So answers, Robert M. Stevens, Dep. sheriff<br>Howard N. Stewart, Sheriff |

# 1989

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

603.

SPAULDING'S INC.

vs.

SUSAN M. FULLER AND ELMER FULLER, INDIVIDUALLY AND d/b/a E & S SPORTING GOODS AND VARIETY

Filed July 7, 1989
@ 4:20 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Sheriff's Costs | 77.50 |
| Pro Co Pd 8/30/89 | 9.00 |
| Pro Co pd 5/31/90 | 5.00 |

COMPLAINT

3 copies (sheriff)

Aug. 9, 1989 Sheriff's Return filed. Befor me, the undersigned authority, personally appeared Harry Holmwood, Deputy who being duly sworn according to law, deposes and says that on the 18th day of July, 1989, at 1:54 PM., he served a Complaint, filed at No. AD 603 term, 1989, Crawford County, Pennsylvania, upon defendant Elmer Fuller at R.D.#5, Route 19, Erie County, Waterford, Pennsylvania By making known the contents thereof to Linda Reagle, adult in charge andhanding to and leaving with her the certified copy of the Complaint received from Crawford County.
So answers, Harry Holmwood, Deputy Sheriff
Robert N. Michel, Sheriff

Before me, th eundersigned authority, personally appeared, Harry Holmwood, Deputy who being duly sworn according to law, deposes and says that on the 18th day of July, 1989, at 1:54 P.M he served a complaint, filed at No. AD 603 Term, 1989, Crawford County, Pennsylvania, upon defendant Susan M.Fuller at R.D.#5, Route 19, Erie county, Waterford, Pennsylvania By making known the contents thereof to Linda Reagle, adult in charge and handing to and leaving with her the certified copy of the Complaint received from Crawford County.
So answers, Harry Holmwood, Deputy Sheriff
Robert N. Michel, Sheriff

Before me, the undersigned authority, personally appeared Harry Holmwood, Deputy who being duly sworn according to law, deposes and says that on the 18th day of July, 1989, at 1:54 PM., he served a Complaint, filed at No. AD 603, Term, 1989, Crawford County, Pennsylvania, upon defendant E. & S Sprorting Goods and Variety at R.D.#5, Route 19, Erie County, Waterford, Pennsylvania By making known the contents thereof to Linda Reagle, adult in charge and handing to and leaving with her the certified copy of the Complaint received from Crawford County.
So answers, Harry Holmwood, deputy Sheriff
Robert N. Michel, Sheriff

SERVED Susan M. Fuller by deputizing the Sheriff of Erie County, PA as per his Affidavit of Service attached. Served: July 18, 1989.
SERVED Elmer Fuller by deputizing the Sheriff of Erie County, PA as per his Affidavit of Service attached. Served: July 18, 1989.
SERVED E & S Sporting Goods and Variety by deputizing the Sheriff of Erie county, PA as per his Affidavit of Service attached. Served: July 18, 1989.
So answers, Howard N. Stewart, Sheriff

And Now, Aug. 30, 1989 at 10:14 a.m. with notices of intention to file and certificate of service attached, Judgment is hereby entered in favor of the plaintiff and against the defendants in the sum of Six hundred Sixty Seven and 77/100 Dollars plus interest from Mar. 8 1989 and costs of suit.
Judgment entered - 8/30/89
F - 151, 51
E - 186

Debt - - $667.77
Int. from Mar. 8, 1989
JUDGMENT
James F. Simmons,
Prothonotary

Aug. 30, 1989, Notice of entry of judgment mailed to defendants.

EX/990-8

May 25, 1990 Upon praecipe of Plaintiff Attorney the above cpationed matter is marked settled and discontinued of record with prejudice.

# 1989

Paul E. Allen

604.

DANIEL WAYNE PEIFFLEY

vs.

LeANN C. PEIFFLEY

Filed July 10, 1989
@ 9:06 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Pro Co pd 3/18/91 | 9.00 |
| State pd 3/18/91 | 10.00 |

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

Dec.18, 1990, Affidavit of Consent Under Section 201(c) of the Divorce Code filed, of defendant.

Feb. 21, 1991 Affidavit of Consent of plaintiff filed.

Feb. 21, 1991 Affidavit of Consent of defendant filed.

Mar. 7, 1991 Acceptance of Service filed. I, the undersigned Defendant in the above captioned action, hereby accepts service of the Complaint under Section 201(c) of the Divorce Code of Pennsylvania. LeAnn C. Peiffley

Mar. 11, 1991 Upon praecipe of Plaintiff Attorney To Transmit Record Section201(c) of the Divorce Code, this case moved to court.

Mar. 22, 1991 DIVORCE DECREE FILED

AND NOW, March 21, 1991, it is ordered and decreed that Daniel Wayne Peiffley, plaintiff, and LeAnn C. Peiffley, defendant, are divorced from the bonds of matrimony.

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

# 1989

Bruce L. Smith

605.

JEROME F. WAGNER, SR.

vs.

MARY ANN V. WAGNER

COMPLAINT IN DIVORCE UNDER SECTION 201(c) OF DIVORCE CODE

1 copy (atty)

JUly 26, 1989, Affidavit of Service filed. Bruce L. Smith, beign duly sworn according to law, deposes and says that on the 11th day of July 1989, he served the complaint and notice to defend and claim rights in the above matter on the above defendant by mailing a true and correct copy of said Complaint and notice to defendant and claim rights to the defendant at her residence at 135 West 31st St. Erie, Pa. 16508, and that the complaint and ac companying notice to defend and claim rights were received by the defendant on July 18, 1989 as evidenced by the return rec. NO. P-620 656 390 attached hereto, all pursuant to Pa. Rule of Civl Procedure NO. 412.

Bruce L. Smith, Esq.

Filed July 10, 1989
@ 11:14 a.m.

| | |
|---|---|
| Tax & entry paid | $50.50 |
| Pro Co. Pd 11-1-89 | 9.00 |
| State Surcharge Pd. | 10.00 |

Nov. 1, 1989 Affidavit of Consent of Plaintiff filed.

Nov. 1, 1989 Affidavit of Consent of Defendant filed.

Nov. 1, 1989 Upon praecipe of plaintiff Attorney for review under Section 201(c) of Divorce Code, this case is moved to Court.

Nov. 9, 1989 **DIVORCE DECREE FILED.**

And now, November 9, 1989, it is ordered and decreed that JEROME F. WAGNER, SR., plaintiff, and MARY ANN V. WAGNER, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Robert L. Walker, J

# 1989

606.

Bruce A. Barrett

PETITION FOR INVOLUNTARY TREATMENT

of

ERNEST MAZIARZ

Filed July 11, 1989

PETITION FOR INVOLUNTARY TREATMENT
Mental Health Procedures Act of 1976
(Sections 304 & 405)

July 18, 1989 Report of Mental Health Review Officer, Recommendation and Order filed: AND NOW, this 18th day of July, 1989, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Ernest Maziarz be committed to Warren State Hospital for treatment for a period not to exceed 90 days. This order will take effect when arrangements can be made for the transfer of the patient.

BY THE COURT,
P. Richard Thomas, J.

July 19, 1989 Copies of order given to MH/MR & Warren Hosp. per MH/MR and copy put in Atty. Barrett's box.

Sept. 29, 1989, Petition for Involuntary Treatment filed.

Oct. 24, 1989, Report of Mental Health REview Officer, Recommendation, and Order filed. ORDER: AND NOW, this 23rd day of Oct. 1989, upon consideration of the petition filed at the above no. and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED AND DIRECTED that the said Ernest Maziarz be committed to Warren State Hosp. for treatment for a period not to exceed 180 days.

BY THE COURT,
P. Richard Thomas, J.

Oct. 24, 1989 copies to Atty. BArrett, WSH and Mr. Lilly.

Mar. 23, 1990 Petition For Involuntary Treatment filed.

Mar. 30, 1990 Report Of Mental Health Review Officer, Recommendation and Order filed. AND NOW, this 30th day of March, 1990, upon consideration of the petition filed at the above number and term, and other relevent matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Ernest Maziarz be committed to Warren State Hospital for treatment for a period not to exceed 180 days.

BY THE COURT,
Gordon R. Miller, J

April 2, 1990 Copies of order to WSH, MH/MR and Bruce Barrett

# 1989

Terry Toomey

607.

KELLIS G. MARTZ AND
CAROL MARTZ

vs.

BUCKEYE BARNS, INC.

Filed July 11, 1989
@ 1:12 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Sheriff's Costs | 29.40 |

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Aug. 30, 1989, Writ Reissued.

Sept. 29, 1989 Writ Return filed. Before me, the undersigned authority, personally appeared Capt. wayne B. Wagner Deputy Sheriff who being duly sworn according to law, deposes and says that on the 1st day of Sept., 1989, at M., he served Summons, filed August 30, 1989 at No. AD 607 Term, 1989, Crawford County Pennsylvania, upon defnedant Buckeye Barns, Inc. at Dalton, Ohio By making known the contents thereof to Dave Champer, President andhanding to and leaving with him the certified copy of the Summons received from Sheriff of Crawford County, PA.
So answers. Capt. wayne B. Wagner, Deputy Sheriff
Loran D. Alexander, Sheriff
SERVED Buckeye Barns, Inc. by deputizing the Sheriff of wayne County, Ohio, as per his Affidavit of Service attached. Served: September 1, 1989.
So answers, Howard N. Stewart, Sheriff

# 1989

Watts, Pepicelli,
Youngs & Youngs PC
Alan L. Pepicelli

608.

Robert T. McDermott

MARY JANE WOOD, ADMINISTRATRIX OF THE ESTATE OF ROBERT M. WOOD, JR., DECEASED, AND MARY JANE WOOD, INDIVIDUALLY, DENISE R. WOOD, A MINOR, BY MARY JANE WOOD, HER GUARDIAN, AND ROBERT M. WOOD, III

vs.

THE COMMONWEALTH OF PENNSYLVANIA,
THE COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL RESOURCES, AND THE BUREAU OF COMMUNITY ENVIRONMENTAL CONTROL,
AND BUREAU OF WATER QUALITY MANAGEMENT

Filed July 11, 1989
@ 1:44 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Sheriff's Costs | 67.10 |
| | 6 00 |

JURY TRIAL DEMANDED

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Aug. 1, 1989, APPEARANCE OF Robert T. McDermott, Dep. Atty. General, on behalf of defendants filed.

Aug. 1, 1989, Upon praecipe of defendant attorney, Rule entered upon the plaintiff in above action, to file Complaint Issued.

Aug. 3, 1989 Writ Return filed. AND NOW, July 18, 1989, at 8:40 a.m. served the within Summons upon Attorney General by personally handing to Gail Gastrock, Sec'y and person in charge at time of service a true attested copy of the original summons and making known to her the contents thereof at 16th floor, Strawberry Square, Harrisburg, Dauphin County, Penna.
So answers, Michael Rinehart, Deputy Sheriff
William H. Livingston, Sheriff
SERVED Bureau of Water Qualtiy Management on July 13, 1989 at 1:30 PM by handing a copy of Summons to Ann Robinson, person in charge, at 1012 Water Street, Meadville, Crawford County, PA.
SERVED Bureau of Community Envirionmental Control on July 13, 1989 at 1:31 PM by handing a copy of Summons to Ann Robinson, person in charge at 1012 Water sTreet, Meadville Crawford County PA
SERVED Dep't. of Environmental Resources on July 13, 1989 at 1:32 PM by handing a copy of Summons to Ann Robinson, person in charge at 1012 Water Street, Meadville Crawford County, PA.
SERVED PA Office of Attorney General by deputizing the Sheriff of Dauphin County, PA as per his Affidavit of Service attached.
Served: July 18, 1989.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Aug. 8, 1989 Service of the foregoing Rule is hereby accepted by Alan L. Pepicelli.

Aug. 9, 1989 Writ Reissued.

Aug 24, 1989 Complaint in Civil Action filed.

# 1989

609.

Bruce A. BArrett

PETITION FOR INVOLUNTARY TREATMENT

of

LAURA M. THROOP

Filed July 11, 1989
@ 2:15 p.m.

PETITION FOR INVOLUNTARY TREATMENT - MENTAL HEALTH
Procedures Act of 1976 -Sections 304 & 305

July 18, 1989 Report of Mental Health Review Officer, Recommendation and ORDER filed. AND NOW, this 18th of July, 1989, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the reprot of the Mental Health Reveiw Officer, it is hereby ORDERED and DIRECTED that the said Laura M. Throop be committed to Warren STate Hospital for treatment for a period not to exceed 90 days. (Adolescent unit) This order shall take effect when arrangemetns can be made for the transfer of the patient.

By The Court,
P. Richard Thomas, J.

July 19, 1989 Copy of Order to Atty. Bruce Barrett, ( Copies of Order to Mental Health on 7-18-89)

Sept. 29, 1989, Petition for Involuntary Treatment filed.

and Order filed. ORDER: AND NOW, this 23rd dayof Oct. 1989, upon consideraton of the petiton filed at the above no. and other relevant matter, and after a review of the report of the Mental Health review Officer, it is hereby ordered and directed that the said Laura Throop be committed to Warren state Hospital for treatment for a period not to exceed 180 days. (adolescent Unit)

Oct. 24, 1989, Report of Mental Health Review Officer, Recommentation

BY THE COURT,
P. Richard Thomas, J.

Oct. 24, 1989 copies to Bruce Barrett, MH/MR, Warren STate Hosp.

# 1989

Mahany, Roeder & Smith
Barbara L. Smith

610.

HELEN SCOUTEN

vs.

MR. AND MRS. DURWOOD ROGERS

Filed July 11, 1989
@ 4:06 p.m.

| | |
|---|---|
| Pro Simmons Paid | $15.00 |
| Plff on orig | 9.25 |

WRIT OF REVIVAL

of

DSB 1984 - 609

Writ of revival of judgment indexed against Mr. and Mrs. Durwood Rogers in the sum of One Thousand Thirty Seven and 50/100 Dollars, with interest from 4/27/84.

Debt.....$1,537.50
Int. from 4/27/84
R - 44, 44 REVIVAL OF JUDGMENT
James F. Simmons, Pro

Issued (sheriff)

Jan. 12, 1990 Sheriff's Return filed. Writ of Revival returned to Prothonotary Jan. 12, 1990 unserved. Sheriff's Office received no instructions, no service costs.

So answers, Howard N. Stewart, Sheriff

# 1989

pro se

611.

**Howard Hain**

7/31/89 Rec'd $20.28 From DEFENDANT.

7/31/89 Paid $20.28 To Howard Stewart, Sheriff LL# 5195

LINDA K. RANSOM

vs.

ERNEST D. RANSOM

Filed July 12, 1989
@ 9:16 a.m.

Tax & entry 7/17/31/89 $50.50
Sheriffs costs 20.28
Pro Co Pd 7/31/89 9.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE

1 copy (plff)

4 copies (sheriff)

TEMPORARY ABUSE ORDER:

And now, this 11 day of July 1989 upon review of the petition of plaintiff, the court enters the following temporary order:

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

2. Special Conditions: Def. may not contact pl. or go to her residence.

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

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

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

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

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

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

Hearing is hereby set for July 20, 1989 at 4:00 p.m. C. R. No. 1 or 2 of 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, J.

July 14, 1989, Sheriffs Return filed. SERVED Ernest D. Ranson, personally at his residence, 198 E. Norrisville, Pa. on July 13, 1989 at 12:10 p.m. with Protection from Abuse Notice, Petition and Order.

So answers,

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

July 25, 1989 Order filed. AND NOW, July 20, 1989, after informal hearing, the Defendant is place dunder court Order not to assault, threaten, or annoy his wife in any fashion. He may not go to her residence for any purpose except as noted below to retrieve his personal property and he may not go anyplace where his wife is located unless she expressly consents thereto.

Temporary custody of the three minor children is awarded to the mother without prejudice to the right of the father to petition the Court for visitation or partial custody of the children.

Even though the parties have been separated for more than a year, the husband's guns, tools, and clothing still remain in the household. Accordingly, by agreement of the parties, he may go to the residence on Monday, July 24, 1989, at 8:00 a.m. and remove the aforesaid items from the premises.

Any police officer having reasonable grounds to believe that the Defendant has violated the terms and conditions of this Order regarding abusing his wife may immediately apprehend the Defendant without a warrant, take hime before a District Justice of the Peace for a contempt citation, and lodge the Defendant in the Crawford County Jail until a hearing can be held.

The Defendant is directed to pay costs in this case within ten (10) days of the time he receives a bill addressed to him at R.D.1, Conneautville, Pennsylvania

This Order shall remain in force and effect for a period of six months.

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

July 25, 1989 Copies of order mailed to plaintiff and defendant and copy given to County Control

in error see AD 1989-928

Oct. 23, 1989 Affidavit of Service filed. Debra Mattocks, being duly sworn according to law, deposes and says that she is the secretary to William L. Walker, Esquire, Attorney for Plaintiff in this action and certifies that on October 18, 1989 she delivered to the Post Office in Meadville, PA for delivery to Ernest D. Ransom at 198 East Norrisville Rd., Conneautville, PA 16406 by certified mail, return receipt requested, delivery restricted to addressee only, a true and correct copy of the Complaint in this matter for which deponent received at the time receipt for certified article no. P 063 589 573 which is attached hereto as Exhibit "A". Thereafter on Oct. 23, 1989 it was returned to William L. Walker, Esq., return receipt card bearing the same number and signed by Ernest D. Ransom said return receipt card being attached hereto as Exhibit "B".

Debra Mattocks

**Jan. 5, 1990 Order filed. And Now, January 3, 1990, the above Defendant having been placed in the Crawford County Jail for contempt of this Court's Order of July 20, 1989m hearing is hereby set for January 5, 1990, at 1:30 p.m. in Courtroom No. 1**

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

**Jan. 9, 1990 copies of order to Howard Hain, esq., Plaintiff and County Control**

**Jan. 10, 1990 Order Filed. ORDER: AND NOW, January 5, 1990, the matter is before the Court on a contempt citation by the wife alleging that the Defendant on January 2, 1990, came uninvited to her house and after a discussion between the two of them, assaulted her in various fashions. The Court is satisfied that the Defendant is in contempt of the Order, first, for going uninvited to the premises and, secondly, for assaulting his wife. Accordingly, the Defendant is sentenced to undergo imprisonment in the Crawford County Jail for a minimum term of four (4) days and a maximum term of three (3) months. The Defendant will be released from confinement on this sentence at the end of this hearing subject to the following conditions:**

Continued on Page 627
SEE VOL. 3

# 1989

Brian J. Lindsay

612.

10/11/89 Recd. $79.75 From Defendant.
Recd 11-2-89
$79.75
Vivian Stoltz
11/28/89 Recd. $79.75
From Plaintiff
Recd 12-29-89
$79.75
Vivian Stoltz

JASON LYLE ATKINS,
GORDON E. ATKINS, AND
AUDEENE L. ATKINS

vs.

CHRYSTAL D. ATKINS

Filed July 12, 1989

Tax & entry Paid $50.50 ✓
Prothy 11/28/89 $9.00 ✓

COMPLAINT FOR VISITATION

1 copy (atty)
1 copy (mediator)

ORDER OF COURT:

You, Chrystal D. Atkins, dft, have been sued in court to obtain visitation of the child: LINDSEY LENA ATKINS.

You are ordered to appear in person for a conference at such time and place as may be set by WILLIAM PINEO, CHILD CUSTODY MEDIATOR.

If you fail to appear as provided by this order, an order for visitation may be entered aganst you or the court may issue a warrant for your arrest.

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

Crawford CountyCourthouse, Ser. to the Pub. Committee, c/o Prothonotary Office, Courthouse, Meadville, Pa. 16335.
Tele: 814 724-4636.
Date: 7/14/89

BY THE COURT,
P. Richard Thomas, J.

Aug. 14, 1989 Affidavit filed. I, BRIAN J. LINDSAY, ESQUIRE, after being duly sworn accor ding to law, depose and say that I a the attorney of record for Jason L. Atkins, gordon E. Atkins and Audeene L. Atkins, and that as such I am authorized to execute this Affidavit; that I did on the 17th day of July, 1989, send a certified Mail, Addressee ONly, Return Receipt Requested, true and correct copy of the Complaint for Visitation with attached Order of Court, to Chrystal D. Atkins at her last known address, 509 North Washington, Titusville, PA 16354, as evidenced by the attached sender's receipt No. P276 200 292, and that on the 20th day of July, I did receive the duly executed return receipt dated the 18th day of July, 1989.

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

8/4/89 Brian J. Lindsay

Sept. 14, 1989 Temporary Order filed. AND NOW, this 12th day of September, 1989, 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 lega land physical custody of the subject minor child, Lindsey Lena Atkins.

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 persons or entitles having confidential information about said child are hereby authorized to divulge to either party such information.

3. Primary physical custody of the subject minor child shall be with the mohter. The father shall have the right of visitation and temporary physical custody during the Christmas holiday period of each year from December 26 through December 31. For Christmas of 1989, the father has agreed that he will visit Lindsey at the home of his parents. For years following 1990, he may exercise his visitation wherever he chooses. For th esummer of 1990, the father will have the right of temporary physical custody and visitation for two weeks to coincide with his plan shut-down. The first week he will visit with Lindsey at the home of his parents. the plaintiff father's mother, Audeen L. Atkins, also plaintiff herein, has agreed to accompany Lindsey to the home of her father in Iowa for a one-week visit, after which Audeene Atkins will return Lindsey to the defendant. For summers of 1991 and 1992, the father shall have the right of temporary physical custody and visitation with Lindsey for the two-week period which coincides with his plant shut-down. Transportation shall be arranged as convenient by the parties. For the summer of 1993 and for years following, the father's summertime visitation period with Lindsey shall be six weeks, two weeks of which shall coincide with his summer vacation from work. Christmas visitation shall be arranged as follows:

For Christmas of 1989, the father willh ave the right of visitation with Lindsey for part of Christmas Day. For Christmas 1990 and in alternate years thereafter, he shall have the right of visitation with Lindsay from December 24 at noon through he beginning of his Christmas holiday visitation outlines above.

4. Transportation shall be the responsibility of the father until the summer of 1991 and thereafter the parties shall share the responsibility of transportation as equally as reasonably possible. The Court notes in this connection that apparently the airline regulations make it necessary for Lindsey to be 8 years old before she can travel alone on the airline system and that prior to that, she shall have to be accompanied by an adult.

5. In addition to the visitation outlined above, whenever the father is in the Crawford County Pennsylvania area, he may arrange visitation with Lindsey The father is cautioned that he has to give the mother reasonable notice if he expects it to be possible to arrange the visitation.

6. The plaintiff grandparents, Gordon E. Atkins and Audeene L. Atkins, are also awarded visitation with Lindsey for the first full weekend of each month, beginning with the month of October, from Satursday at 10:00 a.m. through Sunday at 7:00 p.m.

7. If any party has to cancel any arrangements previously made about visitation and custody, they shall give the other party at least 24 hours notice wherever possible and the parties shall make a good faith effect to make alternative arrangements.

8. The father shall telephone Lindsey once a week in order for her to become and remain familiar with him and the other members of his household. The parties shall arrange the time and duration of the telephone calls.

9. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the the absence of which this Order hsall govern.

10. Each party shall teach said child to give to the other pa rty that love, respect and obedience which is due a parent from his or her child.

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

12. Costs and fees of this Mediation, which are fixed at $159.50, and divided equally between the parties with the share of each being assessed to himor her as costs in this case.

Payment shall be made to the Prothonotary of Crawford County.

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

By the Court,
P. Richard Thomas

Sept. 12, 1989 Copies of order put in Brian Lindsay and William Pineo's box and copies mailed to plaintiff defendant and Barbara Smith

# 1989

Jorden and White
Harry White, III

613.

Watts, Pepicelli, Youngs and Youngs PC
Christopher J. Youngs

9/22/89 Rec'd. $70.00 From Plaintiff

Recd 11-2-89
$70.00
Vivian Stoltz

WILLIAM E. BOYLES AND JUDITH A. BOYLES, HUSBAND AND WIFE

vs.

CONRAD B. DELP

Filed July 14, 1989
at 9:24 a.m.

Tax & entry Pd. 7/19/89-- $50.50
John Fuller, Mediator
Mediation Cost $140.00
9.00
Rec'd Pd 9/22/89

COMPLAINT FOR CUSTODY
1 copy (atty)
1 copy (mediator)

ORDER OF COURT:

You, Conrad B. Delp, dft, have been sued in court to obtain custody, partial custody or visitation of the children, Marchelle Leanne Delp and Stacey Marie Delp.

You are ordered to appear in person at Custody Mediator's John Fullers request.

You are further ordered to bring with you the children.

If you fail to appear as provided by ths order or to bring the children, an order for cusotdy, partial custody or visitation may be entered against you, or the court may issue a warrant for your arrest.

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

Crawford CountyBar Assoc. Ser. tothe Publ Comm. c/o Prothonotary, Crawford CountyCourt House, Meadville, Pa. 16335.

Date: 7/14/89 BY THE COURT,
P. Richard Thomas, J.

July 14, 1989, ORDER filed. AND NOW, this 14 day of July 1989, upon presentation ofthe foregoing Complaint for Custody, the same is referred to JOHN FULLER, CHILD CUSTODY MEDIATOR, for mediation conference.

Pending said mediation conference, the court is satisfied that the best interests of the children, Marchelle Leanne Delp and Stacey Marie Delp, would be best served by granting shared legal custody between the plaintiffs and the defendant. Physical custody shall also be shared between the plaintiffs and the defendant, with the plaintiffs' having custody of the aforesaid children during the weekdays fo each week and the defendant having custody of the aforesaid children every weekend from Friday, at 5:00 p.m. until Sunday, at 5:00 p.m. The parties may also agree onadditional cusotdy rights for the defendant-father by mutula agreement, or such other convenient times other than weekends that comport with father's work schedule providing Mrs. Boyles gets 12 hours notice.

P. Richard Thomas, J.

July 14, 1989, Petition to Place Custody with Natural Father and Order filed.
ORDER: Denied 7/14/89 - See Separate order.
PRT

Aug. 15, 1989 Acceptance of Service filed. AND NOW, this 14th day of August, 1989, comes Christopher J. Youngs, Esquire, counsel fo rthe Defendant, Conrad B. Delp, in the above captioned matter and accepts service of a Complaint for Custody with the full force and effect of service of the same upon him pursuant to the Pennsylvania Rules of Civil Procedure.

Christopher J. Youngs

Sept. 5, 1989 Order filed. AND NOW, Aug. 31, 1989, after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS:

I. Legal custody of Marchelle Leanna Delp and Stacey Marie Delp be shared between their father, Conrad B. Delp and, their grandmother, Judith A. Boyles, that is, both father and grandmother shall be entitled to take part in decisions affecting the children's education, medical treatment, religious instruction and other such important decisions and both father and grandmother shall be entitled full access to school records, medical records and other important records.

II. Physical custody of Marchelle Leanna Delpt and Stacey Marie Delp shall be shared as follows:

A. The children shall reside in th ehome of the grandmother, Judith A. Boyles, during the week, with the father having custody of the children every weekend from Friday at 5:00 p.m. until Sunday at 5:00 p.m.

B. In the event the father is unable to exercise his custody rights on weekends, because of his work schedule, the grandmother shall grant the father compensating time, during the week, as long as it does not interfere with the children's school attendance.

C. Holidays shall be defined as Christmas, EAster and Thanksgiving. The above three holidays shall be shared between the mother and grandfather as they mutually agree and in the event they are unable to agree they shall spend the morning of each of the three aforementioned holidays in the home of the grandmother and from 12:00 Noon until 7:00 p.m. in the home of the father on each of the aforesaid holidays and additionally, the father shall be entitled to have the chidlren in his custody every Christmas Eve.

D. Neither grandmother nor father shall say or do anything in an attempt to turn the children against the other, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude onthe part of the children towards both parties.

E. Neither grandmother nor father shall expose the children to any person or situatuion which may be harmful to the children's health or well being.

F. Both parties agree to inform the other immediately of any illness or injury regarding one or both of the children and both parties agree to furnish th eother with a current telephone number.

III. This order is entered without prejudice to the right of either party to request a further mediation conference or hearing at any time after January 1, 1990.

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

V. Cost of the mediation conference are to be equally divided between the parties.

P. Richard Thomas, J

Sept. 6, 1989 Copies of order put in Harry White, Christopher Youngs and John Fuller's box and copies mailed to plaintiff and defendant.

Sept. 13, 1989 Defendant's Exceptions To Mediators' rEcommendations and Request For Hearing and Order filed. AND NOW, September 13, 1989, a custody hearing in the within action shall be hald before the Court on Nov. 3, 89, at 9:00 o'clock a.m., at the Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT,
P. Richard Thomas, J

Sept. 13, 1989 Copies of order put in Harry White, Christopher Youngs and John Fuller's box.

Oct. 30, 1989 Motion to Continue child Custody Hearing and Order filed. ORDER: AND NOW, 10/30/89 uponpresentation and ocnsideration ofthe foregoing Motion to Continue Child Custody Hearing, said hearing is continued to Dec. 8, 1989 at 1:30 p.m. Crawford County Courthouse. Ct. Rm. 1 or 2.

BY THE COURT,
P. Richard Thomas, J.

Oct. 30, 1989 copies to J. Fuller, Harry White and C. Youngs.

Dec. 8, 1989 Exhibits filed.

Continued on page 625.
SEE VOL. 3

# 1989

Ferguson, Spataro & Rowden
John F. Spataro

614.

SIGNAL CONSUMER DISCOUNT COMPANY

vs.

HELEN WENTINK

Filed July 14, 1989
@ 2:56 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 ✓ |
| Sheriffs costs | 24.20 |
| ProCo Pd 9-13-89 | 9.00 ✓ |

COMPLAINT IN ACTION OF MORTGAGE FORECLOSURE

1 copy (sheriff)

August 8, 1989 Sheriff's Return filed. SERVED Helen Wentink personally by handing copy of Complaint to her on July 20, 1989 at 2:35 PM at her residence, RD #1, Box 259, Espyville, Crawford Co., PA.
So answers,

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

AND NOW, September 13, 1989 @ 3:43 P.M. Upon Praecipe of Plaintiff's attorney, Judgment is hereby entered in favor of the Plaintiff and against the defendant for failure to file an answer and damages are assessed as follows: 1) Principal Balance Due pursuant to terms of mortgage - Twenty-two Thousand Three Hundred Three and 49/100 Dollars; 2) Interest Eight Hundred Ninety-one and 54/100 Dollars; 3) Reasonable Attorney fees - Three Thousand Three Hundred Forty-five Dollars for a total of Twenty-six Thousand Five Hundred Forty and 03/100 Dollars together with interest on the principal debt at the rate of 18.08% per annum from June 28, 1989 to the present.
W-83 Debt.....$26,540.03 + Int.
JUDGMENT
James F. Simmons
Prothonotary

EXECUTION 1989-97

# 1989

Brian J.Lindsay

615.

TONYA LEE MADDEN

vs.

CHARLES CRAIG SMITH

Filed July 17, 1989
@ 11:28 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Pro Co Pd 1/23/90 | 9.00 |
| State pd/ 1/23/90 | 10.00 |

COMPLAINT UNDER SECTION 201(c) OF DIVORCE CODE

1 copy (atty)

Aug. 4, 1989 Affidavit filed. I, BRIAN J. LINDSAY, ESQUIRE, after being duly sworn according to law, depose and say that I am the attorney of record for Tonya Lee Madden, and that as such I am authorized to execute this Affidavit; that I did on the 17th day of July, 1989, send a Certified Mail, Addressee Only, Return Receipt Requested a true and correct copy of the Notice to Defense and Claim Rights and the Complaint for Divorce to Defendant, Charles Craig Smith, at his last known address of 8 Lafayette place, Titusville, PA 16354, as evidenced by the attached sender's receipt No. P 276 200 291, and that on the 22nd day of July, 1989, I did receive the duly executed return receipt dated the 21st day of July, 1989.

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

Date 8/1/89 Brian J. Lindsay

Nov. 30, 1989 Affidavit of Consent of Plaintiff filed.

Jan. 23, 1990, Affidavit of Consent of defendant filed.

Jan. 23, 1990 Upon praecipe of plaintiff attorney, to transmit the Record, this case moved to court.

Jan. 30, 1990 **DIVORCE DECREE FILED.**

And now, January 30, 1990, it is ordered and decreed that Tonya Lee Madden, plaintiff, and Charles Craig Smith, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
P. Richard Thomas, J

# 1989

Plate, Shapira, Hutzelman
Berlin May Walsh and Brabender

Stephen H. Hutzelman

616.

MARINE MIDLAND BANK

vs.

RON L. TATERS AND CANDY L. TATERS, HIS WIFE

Filed July 18, 1989
@ 10:42 a.m.

Tax & entry Paid $50.50 ✓
Sheriff's costs 29.00

COMPLAINT

2 copies (sheriff)

August 8, 1989 Sheriff's Return filed. SERVED Ron L. Taters personally on July 20, 1989 at 9:56 AM by handing copy of Complaint to him at Sheriff's Office, Crawford County Courthouse Meadville, PA.

SERVED Candy L. Taters on July 20, 1989 at 9:57 AM by handing copy of Complaint to Ron L. Taters, her Authorized Agent, as per her signed Acceptance of Service attached. Served at Sheriff's Office, Crawford County Courthouse, Meadville, PA.
So answers,

Carole Stefanucci, Deputy Sheriff
Howard N. Stewart, Sheriff

# 1989

John E. Cooper
Paul E. Allen

617.

Mary Ann Kirkpatrick

SHERYL A. HIGBY

vs.

ROBERT L. HIGBY

COMPLAINT FOR CUSTODY

1 copy (atty)
1 copy (mediation)

ORDER:
You, Robert L. Higby, defendant have been sued in court to obtain legal and physican custody of the children.
Jessica Higby and Joshua Higby
JOHN FULLER is hereby appointed mediator to hear the matter.
You are ordered to appear in person at such times and places as shall be set for hearing in this matter, whether by the mediator or the Judge.
You are further ordered to bring with you the children:
Jessica Higby and Joshua Higby.
You are directed not to move the above named children from the commonwealth of Pennsylvania pending final order in this matter.
You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Crawford County Bar Association
Service to the Public Committee
c/o Prothonotary Office, Courthouse
Meadville, Pa. 16335, 814 724-4636

BY THE COURT:
P. Richard Thomas, J.

Filed July 18, 1989
@ 11:20 a.m.

Tax & entry Paid $50.50 ✓

~~John Fuller, Mediator $150.00~~
John Fuller, Mediator 200.00
Pro Co Pd 12-15-94 9.00
900 ✓

5-8-95 Pd Pltf

9-15-94 Pd med fee from Pltf/mother 150.00

11-22-94 Pd pltf/mother Chk#8687 41.00

12-5-94 Rec from deft med fee 100.00

12-15-94 Pd Co., med fee #8732 200.00

1-31-95 $150.00 deposited by Defendant

3-6-95 Pd Pltf med. refunded #8180 01.00

5-8-95 Pd Co #9166 90.00 med fee

See companion case at AD 1989-620

Oct. 20, 1989 Consent Order and Agreement as to Child Custody and ORDER filed. And Now, Oct. 20, 1989 upon presentation, this agreement is hereby made an order of court by the court.
P. Richard Thomas, J.

Oct. 20, 1989 Copy of Order to Attys. Mary Ann Kirkpatrick, Paul Allen, John Fuller.
(See papers filed at AD No. 1989 - 620).

April 22, 1992 MOTION to enter Stipulated Consent Custody Order filed.
AND NOW, April 22, 1992, it is hereby ordered:
1. The provisions of the consent order and agreement as to child custody entered on October 20, 1989 are hereby revoked and canceled.
2. The parents shall share legal custody of their minor children Jessica and Joshua.
3. The children shall reside with their father and shall have frequent visitation with their mother.
4. Unless otherwise agreed between the parties, the children shall be with their mother on alternating weekends from Friday at 5:30 p.m. until Sunday at 5:00 p.m.
5. The children's time shall be shared between the parents over the Easter and Thanksgiving school holidays so that the children will spend half of each holiday with their mother and half with their father and shall alternate the halves each year. The children will be with their mother from 1:00 p.m. on Christmas Day until 5:00 p.m. on New Years Eve.
6. During the summer the children shall spend three non-consecutive two-week periods at the home of their mother. The parties shall agree by April 1st each year on the dates for these custodial visits.
7. During the summer the father shall have the right to have the children in his custody for one, uninterrupted two-week period each summer during which the mother will not have any visitation opportunities with the children.
8. Neither parent shall expose the children to illegal drugs. Neither parent shall take the children to bars or taverns.
9. The parent receiving the child at the beginning of his or her custodial/visitation period shall provide the transportation.

By the Court:
GordonR. Miller, J.

April 28, 1992 copy of order distributed to: Attys. Mary Ann Kirkpatrick, Paul Allen John Fuller.
(see papers filed at ADNo. 1989 - 620).

Sep.14, 1994 ORDER OF COURT filed. You,Robert Higby, Defendant, have been sued in Court for Custody of the child(ren):
Jessica L.Higby and Joshua R. HIgby
You are ordered to appear in person at Crawford County Courthouse at a date & time for a Settlement Conference set by JOHN FULLER, Esq., Custody Mediator.
You are further ordered to bring with you the child(ren):
Jessica L. Higby and Joshua R.Higby
If you fail to appear as provided by this Order or to bring the child(ren), 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 HELP.
BY THE COURT:
Date: 9/13/94 Gordon R. Miller, J,
9-20-94 Copy to Atty. Cooper & Deft. & Faxed copy to Atty. Fuller.

Nov. 4, 1994 Answer to Mother's "Complaint" filed.

Nov. 21, 1994 ORDER filed. AND NOW, November 18, 1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:
I. Legal custody of Jessica L. Higby and Joshua R. Higby shall be shared between the mother and the fatner, 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 treatmetn and religious instruction of the subject children.
II. Physical custody of Jessica L. Higby and Joshua R. Higby shall be with their father, subject to the following conditions:
A. The mother shall be entitled to visit and take the children into her custody every other Saturday from 10:00 o'clock a.m. to 7:00 o'clock p.m., beginning November 26, 1994. These visits shall be supervised by mother's sister, Sue Ellen Fritz.

CONTINUED ON PAGE 451 (this book)

# 1989

Terry Toomey

618.

Hain & Hain
Howard A. Hain

9/13/89 Recd $68.50
From Defendant
9/15/89 Recd $68.50
From Plaintiff
Recd 11-2-89
$68.50
Vivian Stoltz
Recd 11-2-89
$68.50
Vivian Stoltz

ROBIN L. BURKE

vs.

H. JESSE HAAS

Filed July 19, 1989
@ 9:31 a.m.

Tax & entry Paid $50.50 ✓
Sheriff's Costs 24.68

COMPLAINT FOR CUSTODY

1 copy (atty)
1 copy (mediator)

NOTICE AND COURT ORDER:

You, H. Jesse Haas, defendant, have been sued in court to obtain custody of the child: Herbert Jesse Solomon Haas.

You are hereby ordered to appear in person for a conference at such time and place as may be set by WILLIAM PINEO, CHILD CUSTODY MEDIATOR, If you fail to appear as provided by this Order, an order for custody may be entered against you or the court may issue a warrant for your arrest.

Further, you are hereby ordered to immediately return Herbert Jesse Solomon Haas to the custody of the plaintiff, Robert L. Burke, pending the outcome of the Mediation Conference.

Failure to comply with this order of court may result in the issuance of 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 help.

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

Date: 7/19/89

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

July 27, 1989, Answer and Counterclaim for Custody filed. 2 copies (atty)

Aug. 7, 1989 Sheriff's Return filed. SERVED H. Jesse Haas on July 19, 1989 at 3:00 PM by handing copy of Complaint, Notice, and Court Order to Laurie Miczihus, adult in charge of residence, R.D.#1, Fisher road, Conneautville, Crawford County, PA.
So, answers,

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

August 30, 1989 TEMPORARY ORDER filed. AND NOW, this 30th day of August, 1989, 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, Herbert Jesse Solomon Haas.

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 persons or entities having confidential information about said child are hereby authorized to divulge to either party such information.

3. The mother shall ahve physical custody of her son, Herbert Jesse Solomon Haas, until June 15 of 1990. From June 15 of 1990 until August 21 of 1990, the father shall have physical custody of his son, Herbert Jesse Solomon Haas. Thereafter, the mother shall have physical custody of said child from August 21 of each year until June 15 of the following year and the father, from June 15 of each year through August 21 of each year. The parties shall arrange the exact time of day when custody is to be transferred from one to the other.

4. When the father does not have physical custody of his son, he shall have visitation and temporary physical custody every weekend from Friday at 10:00 a.m. through Sunday at 2:00 p.m. when the mother does not have primary physical custody of the subject minor child, she shall have visitation and temporary physical custody with him every week from Sunday at noon through Tuesday at 10:00 a.m.

5. Holiday visitation shall be arranged as follows:
The major holidays are defined as Labor Day, Thanksgiving, Christmas Eve, Christmas Day, New Year's Day, Good Friday, EAster, Memorial DAy, Independence Day. Holiday visitations shall be from 10:00 a.m. to 7:00 p.m. The father shall have his son from visitation on Labor Day, 1989, and the parties shall therafter alternate the holidays so defined. In addition, the father shall have visitation with his son from 10:00 a.m. of Dec. 26 through 7:00 p.m. Jan. 1. In those years when he also has visitation on Christmas DAy, the Christas Day visitation shall extend to the beginning of the visitation provided by the preceding sentence. In addition to the mother's holiday visitation, she shall ahve the right to designate a two-week period during the summer when she may have the subject minor child for visitation and temporary physical custody.

6. The transportation of the subject minor child in accordance with the provisions of this Order shall be the responsibility of the father because the mother has no automobile.

7. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

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

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

10. Costs and fees of this Mediation, which re fixed at $137.00, and divided equaly between the parties with the share of each being assessed to him or her as costs in this case. Payment shall be made to the Prothonotary of Crawford County.

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

By the Court,
Robert L. Walker, J.

Aug. 31, 1989 Copy of Order to Attys. Terry Toomey, Howard Hain, William Pineo.

# 1989

Brennan, Robins & Daley
Mark W. Morava

619.

CONCORD-LIBERTY SAVINGS AND LOAN ASSOCIATION

vs.

JOSEPH BARNHART AND KATHLEEN K. BARNHART

Filed July 19, 1989
@ 10:59 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 ✓ |
| Sheriff's costs | 37.40 |
| Pro Co Pd 9/28/89 | 9.00 ✓ |
| Sat. pd 3/12/93 | 5.00 ✓ |

COMPLAINT IN CIVIL ACTION

2 copies (atty)

August 11, 1989 Sheriff's Return filed. SERVED Joseph Barnhart on July 27, 1989 at 3:03 PM by handing copy of Complaint to Betty Kincaid, adult in charge of residence, 213 E. Main St., Titusville, Crawford Co., PA 16354.

SERVED Kathleen K. Barnhart on July 27, 1989 at 3:04 PM by handing copy of Complaint to Betty Kincaid, adult in charge of residence, 213 E. Main St., Titusville, Crawford Co. PA.

So answers,

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

And now, Sept. 28, 1989, at 11:44 a.m. Upon praecipe of plaintiff attorney, with copies of default notices attached, Judgment is hereby entered in favor of the plaintiff and against the defendants for want of an answer, in the sum of Eight Thousand Five Hundred Sixty Six and 10/100 Dollars.

Judgment entered - 9/28/89
B - 94, 104 Debt---- $8,566.10

JUDGMENT
James F. Simmons,
Prothonotary

Sept. 29, 1989, Notices of entry of judgment mailed to each defendant.

March 12, 1993. This judgment Satisfied. (See paper filed).

# 1989

Culbertson, Weiss,
Schetroma and Schug
Mary Ann Kirkpatrick

620.

Paul E. Allen

John F. Cooper

ROBERT L. HIGBY

vs.

SHERYL A. HIGBY

Filed July 19, 1989
@ 12:05 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| 2 counts paid | 30.00 |
| John Fuller, Mediator | |
| Pro Co pd 3/6/91 | 9.00 |
| State pd 3/6/91 | 10.00 |

All AD1989-617 for mediation payments

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, CUSTODY

1 copy (atty)

July 21, 1989 Petition For Special Relief Under the Divorce Code Pursuant to Pa. R.C.P. 1920.43 filed.

July 21, 1989 Order filed. And now, July 21, 1989, hearing on Plaintiff's request for exclusive possession ofthe marital residence is scheduled for Aug. 15, 1989 at 11:00 M. o'clock in court room number 1 or 2 of the Crawford County Court House, Meadville, Pennsylvania. By the Court,
P. Richard Thomas, J

July 21, 1989 Copy put in Mary Ann Kirkpatrick's box.

July 24, 1989, Motion to Set Hearing on Child Custody and Order filed. ORDER: AND NOW, July 24, 1989, the parties herein and their counsel are ordered to appear before JOHN FULLER, CHILD CUSTODY MEDIATOR at such time and place as he shall determine.
By the Court,
P. Richard Thomas, J.

July 24, 1989, 1 copy (atty) 1 copy (mediator)

Aug 11, 1989 Motion to Continue Hearing on Petition for Special Relief and Order filed: AND NOW, August 11, 1989, the within motion is allowed; further hearing will be scheduled at later date upon request of either party.
Per Curiam.
Robert L. Walker, Judge

Aug 11, 1989 Copies of order put in Attys. Kirkpatrick and Allen's boxes.

October 20, 1989 Consent Order and Agreement as to Child Custody and ORDER filed. And now, Oct. 20, 1989 upon presentation, this agreement is hereby made an order of court by the court.
P. Richard Thomas, J.

Oct. 23, 1989 Copy of Order to Attys. Mary Ann Kirkpatrick and Paul Allen, John Fuller.

Nov. 16, 1989 Affidavit of Consent of Plaintiff filed.

Sept. 11, 1990 Affidavit Of Consent of Defendant filed.

Sept 26, 1990 Affidavit of Service filed: AND NOW, September 25, 1990, comes Lisa M. Sherretts being duly worn according to law, deposes and sets forth as follows:

1. That she is the legal secretary of Attorney for Robert L. Higby, Plaintiff in the above captioned matter.
2. That on information furnished by the Plaintiff, a certified copy of the Complaint in Divorce was forwarded by Certified Mail to the Defendant, Sheryl A. Higby.
3. That the Defendant, Sheryl A. Higby received the certified copy on or before August 11, 1990, as evidenced by pleadings filed on behalf of defendant on that date.
4. Service of the Complaint against Defendant was therefore effected in accordance with Pennsylvania Rules of Civil Procedure.

Lisa M. Sherrets

Sept 26, 1990 Motion to Withdraw Counts and Order filed: AND NOW, this 26 day of September, 1990, the within Motion is allowed.
By the Court,
P. Richard Thomas, S.J.

Mar. 4, 1991 Motion to Withdraw Count for Equitable Distribution and Order filed. And Now, this 4th day of March, 1991, the within Motion is allowed. By the Court:
Gordon R Miller, J

Mar. 6, 1991 Copies of order put in Mary Ann Kirkpatrick and Paul Allen's box.

Mar. 4, 1991 Upon praecipe of Plaintiff Attorney for Review Under Section 201(c) of the Divorce Code, this case moved to court.

Apr. 24, 1991 Memorandum filed.

Apr. 24, 1991 **D I V O R C E D E C R E E F I L E D .**

AND NOW, April 23, 1991, it is ordered and decreed that Robert L. Higby, plaintiff, and Sheryl A. Higby, defendant, are divorced from the bonds of matrimony.
BY THE COURT,
Gordon R. Miller, J

April 22, 1992 MOTION to enter Stipulated Consent Custody Order filed.
AND NOW, April 22, 1992, it is hereby ordered:

1. The provisions of the consent order and agreement as to child custody entered on October 20, 1989 are hereby revoked and canceled.
2. The parents shall share legal custody of their minor children Jessica and Joshua.
3. The children shall reside with their father and shall have frequent visitation with their mother.
4. Unless otherwise agreed between the parties, the children shall be with their mother on alternating weekends from Friday at 5:30 p.m. until Sunday at 5:00 p.m.
5. The children's time shall be shared between the parents over the Easter and Thanksgiving school holidays so that the children will spend half of each holiday with their mother and half with their father and shall alternate the halves each year. The children will be with their mother from 1:00 p.m. on Christmas Day until 5:00 p.m. on New Years Eve.
6. During the summer the children shall spend three non-consecutive two-week periods at the home of their mother. The parties shall agree by April 1st each year on the dates for these custodial visits.
7. During the summer the father shall have the right to have the children in his custody for one, uninterrupted two-week period each summer during which the mother will not have any visitation opportunities with the children.

Continued of Record to Page 656

SEE VOL. 3

# 1989

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

621.

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

P. MICHAEL DUBROSKY AND
JANICE DUBROSKY, HIS WIFE

vs.

PAUL SHECKLER, INDIVIDUALLY,
AND d/b/a SHECKLER BUILDING
AND REMODELING

Filed July 19, 1989
@ 3:35 p.m.

Tax & entry Paid $50.50

COMPLAINT

1 copy (atty)

Aug. 2, 1989, Verification of Srevice filed. I, Leroy Chaney, Constable, do hereby verify that I did on the 31st day of July, 1989, personally serve a certified copy of the complaint filed at the above no. and term, upon defendant at his residence at Pine Road, Conneaut Lake, Crawford County, Pa.

I make this verification with notice that willful false statements made herein are punishable as perjury under 4904 of the Pa. Crimes Code, relating to unsworn falsification to authorities.
Dated Aug. 1, 1889 LeRoy Chaney,Constable

Aug. 15, 1989 Appearance of Thomas, Truax, Spadafore, Vardaro, & Walker by R. Charles Thomas for Defendants.

Aug. 28, 1989, Important Notice of entry of Default Judgment filed.

Sept. 1, 1989 Preliminary Objections filed.

Sept. 11, 1989 Amendments To Plaintiffs' Complaint filed. (1 copy atty)

Oct. 2, 1989 Answer To Plaintiffs' Complaint filed.

Dec. 4, 1989 , Defendant's Answer to Plaintiffs' Counterclaim filed.

Dec. 12, 1989 Certificate of Readiness filed.

ON FEBRUARY, 1990 TRIAL LIST

Dec 27, 1989 Motion to Strike Certificate Readiness and Order filed: AND NOW, this 27 day of December, 1989, upon presentation and consideration of the within Motion the Court finds that discovery has not been completed in this case and further finds that all preliminary matters have not been completed in this case and further finds that this case is not ready for trial and accordingly the Court strikes the Certificate of Readiness hereto for filed on behalf of the Plaintiffs and directs that the Prothonotary remove this case from the trial list.

BY THE COURT,
P. Richard Thomas, J.

Dec 29, 1989 Copies of order put in Attys. Irwin and Thomas' boxes.

June 28, 1990 Certificate of Readiness filed.

ON OCTOBER 1990 TRIAL LIST

Sept. 28, 1990 Motion for Continuance and Order filed. AND NOW, this 28 day of Sept., 1990 upon presentation and consideration of the within Motion this hearing is continued to Feb. Term 1991.

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

Sept. 28, 1990 Copies of order put in James Irwin and R. Charles Thomas' box.

On February 1991 Trial List

FEb. 6, 1991 Motion for Continuance and Order filed. ORDER: AND NOW, this 6 day of FEb., 1991 upon presentation and consideration of the within Motion, this hearing is continued until the April termof court.

BY THE COURT,
Robert L. Walker, J.

Feb. 8, 1991, copies of order to Attys. J. Irwin adn R. C. Thomas.

ON APRIL 1991 TRIAL LIST

Mar. 26, 1991 Petition For Jury View Of Premises filed.

Mar. 26, 1991 Order filed. AND NOW, this 25th day of Mar., 1991, upon consideration of Plaintiffs' Petition for Jury View of Premises, and it appearing that the trial of this action will be materially served thereby, it is hereby Ordered, Adjudged and decreed that the jury sworn to try this case shall at an appropriate time during the course of the trial view the premises at issue in the case located at 432 Cole Drive, Meadville, Crawford County, Pennsylvania, costs to be assessed upon final judgment in this action. By the Court,
Robert L. Walker, J

Mar. 28, 1991 Copies of order put in R. Charles Thomas and James Irwin's box.

April 5, 1991 Motion For Continuance and ORDER filed. AND NOW, this 5 day of April, 1991, upon presentation and consideration of the foregoing motion, the trial in this matter is continued until the October Civil Trial Term. The Plaintiffs shall be granted no more continuance because of difficulties with or lack of an expert witness or witnesses.

By The Court:
Gordon R. Miller, J.

April 16, 1991 Copy of Order to Attys. James Irwin, R. Charles Thomas.

On October 1991 Trial List

~~Oct. 11, 1991 MOtion for Continuance and order filed. ORDER: AND NOW, this 11 day of Oct. 1991 upon presentation and ocnsideration of the within Motion~~ (see order below)

Oct. 11, 1991 Motion For Continuance and ORDER filed. AND NOW, this 11 day of Oct., 1991, upon presentation and consideration of the within Motion, this vase is continued and shall be tried in February 1992.

BY THE COURT,
Gordon R. Miller, J.

Oct. 18, 1991 Copy of Order to Attys. James Irwin and R. Charles Thomas.

Dec. 5, 1991, Motion to Compel Production of Defendant's Pre-trial Statement and Expert Reports filed.

Continued on Page 608B

# 1989

622.

Bruce A. BArrett

PETITION FOR COURT ORDER

of

TED (THEODORE) FITCH

Filed July 19, 1989
@ 3:40 p.m.

PETITION FOR ORDER OF THE COURT
Mental Health Procedures Act of 1976
(Sections 304 and 305)

July 31, 1989 Report of Mental Health Review Officer, Recommendation and Order filed: AND NOW, this 31 of July, 1989, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Theodore Fitch be committed to Warren State Hospital for treatment for a period not to exceed 90 days. This Order shall take effect when arrangements can be made for the transfer of the patient.

BY THE COURT,
P. Richard Thomas, J.

Aug. 1, 1989 Copies of order given to MH/MR and MMC, and copy put in Atty. Barretts box.

Sept. 29, 1989, Petition for Involuntary Treatment filed.

Oct. 24, 1989, Report of Mental Health Review Officer, Recommendation, and order filed. ORDER: AND NOW, this 23rd day of Oct. 1989, upon consideration of the petition filed at the above number and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED AND DIRECTED that the said Theodroe Fitch be committed to Warren state Hospital for treatment for a period not to exceed 180 days.

BY THE COURT,
P. Richard Thomas, J.

Oct. 24, 1989, copies to Bruce A. Barrett, WSH and Mr. Lilly.

# 1989

Gent, Thompson and Gent
Michael D. Snyder

623.

THE FIRST NATIONAL BANK
OF PENNSYLVANIA

vs.

JAMES E. HALL

Filed July 20, 1989
@ 10:58 a.m.

Tax & entry Paid $50.50 ✓
Pro Co Pd 9-14-89 9.00 ✓
Sat. Pd 6/8/90 # 5.00 ✓

COMPLAINT IN MORTGAGE FORECLOSURE

1 copy (atty)

******See Sept 13, 1989 Default Judgment below.

Sept 14, 1989 Affidavit of Service filed: Michael D. Snyder, being duly sworn according to law, deposes and says that a true and correct copy of Complaint in Mortgage Foreclosure filed in the above captioned proceedings was mailed to the Defendant by certified mail on July 21, 1989, evidence of which is attached hereto and marked Exhibit "A", in the form of a Receipt for Certified Mail identified as Article No. P 091 131 657; and further that the Defendant in the above captioned proceedings received a true and correct copy of said Complaint on August 3, 1989, evidence of which is attached hereto and marked Exhibit "B", in the form of a Return Receipt identified as Article No. P 091 131 657.

Gent, Thompson & Gent
Michael D. Snyder
Attorneys for Plaintiff

*******And now, Sept 13, 1989 @ 9:42 A.M. Upon Praecipe of Plaintiff's Attorney, Judgment is hereby entered in favor of the plaintiff and against the defendant for failure to file an answer and damages are assessed in the amount of Thirty-one Thousand, Four Hundred Fifty-one and 15/100 Dollars, together with additional interest, late fees and attorneys' collection fee and being calculated as follows: a)Twenty-five Thousand Nine Hundred Twenty-four and 60/100 Dollars - Principal; b) Two Thousand Five Hundred Seventy-seven and 23/100 Dollars - Interest to August 30, 1989; c) Ninety-eight and 46/100 Dollars - Late charges to August 30, 1989; d) + Eight and 34/100 - Less escrow surplus; e) Two Thousand Eight Hundred Fifty-nine and 20/100 Dollars - Attorneys' collection fee as per terms of Mortgage and Note; **Thirty-one Thousand, Four Hundred Fifty-one and 15/100 Dollars - TOTAL.**

H-91

Debt.....$31,451.15
JUDGMENT
James F. Simmons
Prothonotary

EXECUTION 1989-96

June 8, 1990 This Judgment Satisfied.
(see paper filed)

# 1989

Prather, Prather & Pineo
Mark D. Prather

624.

DALE S. COON, MARY A. COON, GEORGE A. COON AND SHIRLEY V. COON, BRETT CLARK COON

vs.

ELEANOR LYNN

Filed July 20, 1989
@ 1:31 p.m.

Tax & entry Paid $50.50 ✓

COMPLAINT - ACTION TO QUIET TITLE

July 21, 1989 Motion For Service By Publication and Order filed. NOW, this 21st day of July, 1989, upon consideration of the foregoing motion and affidavit, it appearing that the identity and whereabouts of defendant is unknown to plaintiffs follwoing diligent search and inquiry, it is hereby ordered, adjudged and decreed that service may be made upon defnedant by publication in the Meadville Tribune and Crawford County Legal Journal, one time only, to include a notice requiring the defendant to file answer to said complaint within twenty (20) days following publication thereof.

Per Curiam,
P. Richard Thomas, J

July 21, 1989 copy of order put in Mark Prather's box.

Aug 23, 1989 Motion for Judgment and Order filed: NOW, this 23rd day of August, 1989, an affidavit of service having been filed, defendant having filed no answer thereto, the court, upon motion of PRATHER, PRATHER & PINEO, attorney for plaintiffs, hereby orders and decrees that the defendant above named, her heirs, successors and assigns, be and they are forever barred from asserting any right, lien, title, interest or claim, in and to the premises situate in Cussewago Township, Crawford County, Pennsylvania, bounded and described as follows, to-wit:

BOUNDED on the north by Township Route 807; on the east by land now or formerly of Bennie Freeman's heirs and land now or formerly of Kenneth Humes and Harold Baer; on the south by land now or formerly of Harold Baer; and on the west by Legislative Rout 20124, containing one hundred sixteen (116) acres, more or less.

It is ordered, adjudged and decreed that defendant, her heirs, successors and assigns, be and they are hereby forever barred from asserting any right, title. lien, interest or claim, in the above described premises inconsistent with the interest or claim of plaintiffs as set forth herein; or from impeaching, denying, or in any way attaching the plaintiffs' title to said property; from issuing or maintaining any action attaching the same, or any part thereof, unless defendant shall enter her appearance and contest this action within thirty (30) days following entry of this order, upon the expiration of which this orde shall become dinal and absolute.

It is further ordered, adjudged and decreed that the mortgages herein set forth not properly satisfied are declared to be satisfied, paid and discharged, and defendant barred from asserting any claim or title inconsistent therewith.

L-53

Per Curiam,
Robert L. Walker, Judge

Aug 24, 1989 Copy of order put in Atty. Prather's box.

# 1989

625.

ORDER APPOINTING MEMORIAL COMMITTEE

for

GEORGE X. SIMONETTA

Filed July 20, 1989
@ 1:44 p.m.

ORDER APPOINTING MEMORIAL COMMITTEE

AND NOW, July 17, 1989, the Court hereby appoints the following members of the Crawford County bar as a committee to prepare an appropriate memorial for the late attorney George X Simonetta:

William F. Gorman, Chairman
F. C. Kiebort, Jr.
Yolanda G. Barco

A Memorial service for the late George X Simonetta will be held in Courtroom No. 1 on August 3, 1989 at 11:00 a.m.

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

IN THE MATTER OF THE MEMORIAL OF THE CRAWFORD COUNTY BAR ASSOCIATION ON THE DEATH OF GEORGE X. SIMONETTA, ESQUIRE

TO THE HONORABLE JUDGES OF SAID COURT:

Your Committee, appointed for the purpose of preparing and presenting a Memorial on the death of the late George X. Simonetta, respectfully submits the following:

George X. Simonetta was born in Ashtabula, Ohio on October 28, 1912, the son of Peter and Frances B. Bataglia Simonetta. He graduated from Meadville High School in June, 1930. He attended Allegheny College for 2 years and graduated from Ohio University, Athens, Ohio in June 1935 earning a Bachelor of Arts degree. He graduated from the University of Michigan Law School at Ann Arbour, Michigan in June of 1938 with a Bachelors of Law Degree. He lager served a six (6) month law clerkship in the office of Attorney Stuart A. Culbertson, a member of the Bar of Crawford County. This clerkship having been required by the Pennsylvania State Board of Law Examiners at that time. On April 26, 1939 Mr Simonetta appeared before the Crawford County Bar Association Examining Committee for Students at Law and the Board found that he was qualified for admission. A Petition and report of the Bar Examining Committee was presented to O. Clare Kent, President Judge of Crawford County and on May 1, 1939 Mr Simonetta was admitted to practice before the several Courts of Crawford County, Pennsylvania. In later years he was also a member of the Pennsylvania Bar Association and the American Judicature Society.

From June 1942 to 1946 Mr. Simonetta served with the United States Army Field Artillery as a first lieutenant and was awarded the Army Commendation Ribbon. He was a long time member of several Veterans organizations including American Legion Post No. 111 and the 40 and 8 Veterans Group.

In 1950 Mr Simonetta began to take an active role in the political arena of the City of Meadville. He was elected to the Meadville City Council in 1950 and served several terms in that capacity. He was later elected Mayor of the City of Meadville and served from 1958 to 1961 in that office. When elected in 1958 he was the first Democratic mayor of the City of Meadville in forty (40) years and the first Italian-American ever elected to that post in Meadville. In 1966 he was elected Chairman of the Crawford County Democratic party.

Mr. Simonetta's activities were broad and varied. At different times he served on the Board of Directors of the State of Pennsylvania Polk School, the David Mead Inn, the Allegheny Mutual Insurance Company and the Vallonia Industries for Retarded Children. His favorite project however was the March of Dimes and he served for fifteen (15) years as the Chairman of the Crawford County National Foundation for the March of Dimes.

Mr. Simonetta was a member of St. Mary's Roman Catholic Church, the Church's Holy Name Society and was very active on the drive for the erection of the new sanctuary for the church. He was also a long time active member of the Italian Civic Club, Counsel 388 Knights of Columbus and Wolves Club Den #11 all of the City of Meadville, In addition he was also a former member of the Elks Lodge 219 of Meadville.

Mr. Simonetta had several hobbies and was always proud to show his friends his collection of antiques, books, pipes, coins and paintings.

Mr. Simonetta was married to the former Marie McCabe who preceded him in death in August 1984. He was surived by a stepson, Jack Painter and several brothers and sisters.

Mr. Simonetta will always be remembered by his family and friends as a devoted husband, as a citizen who gave freely of his time and talents for the betterment of the Community and he will be remembered by the Members of the Crawford County Bar as an able and dedicated practitioner. He always regularly attended the various Crawford County Bar Association activities and especially liked to take part in the golf outings. The committee wishes to express its sorrow in his passing and to extend its sincere sympathy to his family.

We respectfully request that his report be filed with the records of the court, and that a copy thereof be submitted to his family and to the press.

Fred C. Kiebort, Jr.
Yolanda G. Barco
William F. Gorman, Chairman
COMMITTEE

O R D E R

NOW, August 3, 1989, the foregoing Memorial having been read in open Court, it is hereby ordered that it be filed and spread upon the records of the Court and that a copy thereof be furnished to the family of the late George X. Simonetta and a copy to the press.

P. Richard Thomas, President Judge
Robert L. Walker, Judge

Aug. 29, 1989, Transcript of Proceedings Taken At Time of Memorial Service on Thursday, August 3, 1989, filed.

(APPROVED AND DIRECTED TO BE FILED by Hon. P. Richard Thomas, and Hon. Robert L. Walker, Judges)

# 1989

626.

APPLICATION FOR EXTENDED INVOLUNTARY TREATMENT

of

~~JANE DOE~~

ELIZABETH SNYDER

Filed July 20, 1989

APPLICATION FOR EXTENDED INVOLUNTARY TREATMENT
Mental Health Procedures Act of 1976 (Section 303)

July 31, 1989 Certification by the Court for Extended Involuntary Emergency Treatment filed: This 28th day of July, 1989 after hearing and consideration of (see details of findings attached) the Court finds that the patient is severely mentally disabled and in need of treatment. Accordingly, the court orders: Elizabeth Snyder receive inpatient treatment which is the least restrictive treatment setting appopriate for the patient at MHC (Grove Street) as a severely mentally disabled person pursuant to the provisions of Section 303 of the Mental Health Procedures Act of 1976 for a period of twenty (20) days.

For the court,
John D. Petruso,
Mental Health Review Officer

Aug. 1, 1989 Copies of order to MH/MR & MMC and Copy put in Atty. Barrett's Box.

August 1, 1989 Appeal From Decision of Mental Health Review Officer and ORDER filed. AND NOW, this 1st day of August, 1989, upon consideration of the foregoing Petition, a hearing is hereby set for the 2nd day of August, 1989, at 3:00 P.M. in Courtroom #1 or 2, or at Mental Health Unit.

Imogene Yetman, Ct. Adm.

Aug. 1, 1989 Copy of Order to Atty. Bruce Barrett, WSH, MHMR.

Aug. 4, 1989 Motion To Discontinue Hearing and Order filed. AND NOW, August 3, 1989, the above motion granted.
P. Richard Thomas, J

Aug. 7, 1989 Copies of order given to Bruce Barrett and MH/MR

# 1989

627.

APPLICATION FOR EXTENDED INVOLUNTARY TREATMENT

of

JEFFREY A. ALONGE

Filed July 20, 1989

APPLICATION FOR EXTENDED INVOLUNTARY TREATMENT
Mental Health Procedures Act of 1976 (section 303)

# 1989

Louis P. Vitti & Associates
Louis P. Vitti

628.

FLEET MORTGAGE CORP.,
ASSIGNEE OF FIRST INVESTMENT
COMPANY

vs.

JAMES F. BLYMILLER AND
DIANE M. BLYMILLER, HIS WIFE

Filed July 21, 1989
@ 11:16 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Sheriff's costs | 37.40 |
| Pro Co Pd 11-2-89 | 9.00 |

COMPLAINT IN MORTGAGE FORECLOSURE

2 copies (sheriff)

Aug. 18, 1989 Sheriff's Return filed. SERVED James F. Blymiller personally on August 2, 1989 at 12:01 PM by handing copy of Complaint to him at his residence, R.D.# 1, Box 155, Titusville, Crawford Co. Pa. 16354

SERVED Diane M. Blymiller on Aug. 2, 1989 at 12:02 PM by handing copy of Complaint to her husband, James F. Blymiller, at their residence, R.D.#1, Box 155, Titusville, Crawford Co. Pa. 16354

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

Nov 2, 1989 Certificate of Mailing of Notice filed.

AND NOW, Nov 2, 1989 @ 11:27 A.M. Upon Praecipe of Plaintiff's attorney with Affidavit of Non-Military Service attached, judgment is hereby entered in favor of the Plaintiff and against the defendants in default of an Answer, said judgment to be in the amount of Fifty-seven Thousand Five Hundred Fifty-nine and 65/100 Dollars, together with interest and costs.
B-91,41 Debt.....$57,559.65 + costs & interest
JUDGMENT
James F. Simmons
Prothonotary

Nov 2, 1989 Notices of judgment mailed defendants.

EXECUTION 1989-110

# 1989

Ely & Smith
James B. Griffin

629.

William J. Gregg

COYNE INTERNATIONAL
ENTERPRISES CORP. d/b/a
COYNE TEXTILE SERVICES

vs.

HAFER TRUCKING

Filed July 21, 1989
@ 11:22 a.m.

Tax & entry Paid $50.50 ✓
Sheriffs costs 22.30
Arb paid 6/6/90 15.00 ✓
5.00
Satisfaction rec'd. 2/3/97 5.00 ✓

COMPLAINT

1 copy (sheriff)

Aug. 9, 1989, Sheriffs Return filed. SERVED Hafer Trucking on July 27, 1989 at 12:15 p.m. by handing a copy of Complaint to Jim Hafer, owner, at place of business, Rt. 19 and I-79 Geneva, Crawford County, Pa.
So answers, Robert M. Stevens, Dep. Sheriff
Howard N. Stewart, Sheriff

Sept. 20, 1989, Answer filed. 1 copy (atty)

June 6, 1990, Upon praecipe of plaintiff attorney, for appointment of arbitrators, the following arbitrators are appointed: William B. Moore, Ch.
Glenn Thompson
Lisa P. Youngs

June 16, 1990 Arbitrators take qualifying oath.

Jan. 29, 1997 Praecipe and Power of Attorney for Satisfaction and/or Termination filed.
THIS LIEN SATISFIED. (SEE PAPERS FILED)

80

# 1989

Bozic and Thomas
R. Charles Thomas

630.

Culbertson, Weiss,
Schetroma & Schug
Mary Ann Kirkpatrick

LORI L. JOHNSON

vs.

ROBERT G. JOHNSON

Filed July 21, 1989
@ 1:05 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 ✓ |
| 4 counts paid | 60.00 |
| Pro Co pd 10/25/90 | 9.00 |
| State pd 10/25/90 | 10.00 |

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, CUSTODY, TEMPORARY ALIMONY, COUNSEL FEES,COSTS PERMANENT ALIMONY

1 copy (atty)

Sept. 27, 1989, Appearance of Culbertson, Weiss, Schetroma & Schug, by Mary Ann Kirkpatrick, attorneys for defendant filed.

Nov. 2, 1989 Affidavit Of Consent of Defendant filed.

Dec 12, 1989 Order filed: AND NOW, December 7, 1989, the above two cases are before the Court primarily on the defendant's appeal from the Domestic Relations Temporary Order, but by agreement of the parties, the divorce action comes into focus as the Court's attention is directed to the fact that in the divorce complaint, there was a request for temporary alimony.

The matter is handled informally without the benefit of a hearing and there seems to be no dispute that the net take-home pay of the defendant husband is approximately $490.00 per month. There is no dispute about an obligation to contribute support for the parties' one minor child.

The Court and counsel agree that the spousal support issue shall be handled as alimony pendente lite, and accordingly, no further payments will be made as spousal support, but in the event there is a need to resurrect the spousal support issue, it may be activated at the same term and number.

It appears at the present time, there is $20.00 in arrears on the child support Temporary Order and the defendant is directed to pay said sum forthwith directly to the Domestic Relations Section, thus eliminating arrears on the child support order. It further appears there are arrears in the amount of $480.00 on the spousal support Order and the Court will order the same paid in monthly installments of $100.00 in the hereafter Order.

Commencing with the week of December 3, 1989, the defendant will pay the sum of $1190.00 per month for spousal and child support, with $490.00 of the same allocated to child support and $700.00 of the same allocated to spousal support. In addition, the defendant will pay $100.00 additional each month to apply on the aforesaid $480.00 arrears until the same is paid in full, after which time, the Order will revert to $700.00 for spousal support.

The Court intends the spousal support to be considered as alimony pendente lite under the divorce action and both the alimony pendente lite and child support Orders will be collected through wage attachment at the Domestic Relations Section.

The alimony pendente lite Order will terminate April 1, 1990, unless further extended by the Court for cause shown.

DIVORCE ACTION:

Each party will file their respective income and expense statements by 4:30 p.m., December 21, 1989. The defendant will give to counsel for the plaintiff a general release authorizing his employer to furnish the latest data on the defendant's employee benefit plans, including, but not limited to, any profit-sharing plan, retirement plan or any other plan accruing monetary benefits for the employee during employment or upon retirement. This release will be furnished by December 21, 1989, and the plaintiff must present a request for said information on or before January 1, 1990 to the employer.

While there was some confusion regarding payment of the mortgage and utility bills, the above alimony and support obligation is made on the assumption that the wife will make mortgage payments of approximately $290.00 per month and pay any utility bills.

In regard to filing the inventory and appraisement under the divorce Rules, the plaintiff is directed on or before January 15, 1990 to file an inventory and appraisement. In the event the detailed information regarding profit sharing, retirement, et cetera, has not been received by said date, the inventory and appraisement will still be filed with notiation that it will be supplemented upon receipt of said information from the employer.

After receipt of the inventory and appraisement of the plaintiff, the defendant will have until February 10, 1990 to file a supplemental inventory and appraisal in which he lists disagreements regarding valuation, disputes alleging ownership of property or supplements said lists by making appropriate additons thereto.

This Order is entered without prejudice to the right of either party to file a motion in relation to counsel fees.

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

Dec 14, 1989 Copies of order put in Atty Kirkpatrick and Thomas's boxes.

Dec. 15, 1989, Income and Expense Statement of Defendant filed.

Dec. 28, 1989, Affidavit of Consent of Plaintiff filed.

**Jan 5, 1990 Plaintiff's Income and Expense Statement filed. 1 copy (atty)**

Feb. 22, 1990, Inventory and Appraisement of Lori Johnson filed.

Mar. 9, 1990 Defendant's Inventory and Appraisement filed.

Mar. 30, 1990 Motion For Hearing To Extend Alimony Pendente Lite Order and Order filed. And Now, March 30, 1990 Upon presentation and consideration of the wtihin Motion a hearing on this matter is set forth 10th day of April, 1990 at 1:30 o'clock p.m.,

BY THE COURT,
Gordon R. Miller, J

Mar. 30, 1990 Copies of order put in R. Charles Thomas and Mary Ann Kirkpatrick's box.

Apr. 11, 1990, ORDER filed. AND NOW, this 10th day of Apr. 1990, by Stipulaton of agreement of coursel and parties, alimony pendente lite is continued for a period of three months as set forth in an order entered heretofore on dec. 7, 1989.

BY THE COURT,
Gordon R. Miller, J.

Apr. 12, 1990, copies to order to Attys. r. C. Thomas, and M. a. kirkpatrick.

Oct. 24, 1990 Affidavit Of Service of Complaint In Divorce filed. CHERYL L. YOUNG, being duly sworn according to law, deposes and says that she did personally serve a true and correct copy of the Complaint In Divorce and Notice to Defend upon the defendant, Robert G. JOhnson, on August 7, 1989 at 908 diamond Park, Meadville, Pennsylvania

Cheryl L. Young

Oct. 24, 1990 Upon praecipe of Plaintiff Attorney For Review Under Section 201(c) of the Divorce Code, this case moved to court.

Continued on the next page

80
A

Lori L. Johnson

vs.

robert G. Johnson

Record continued from page 80
of record

A.D. 1989 - 630

**********

Oct. 31, 1990 Consent Custody Order filed. AND NOW, Oct. 30, 1990, it is hereby Ordered:

1. The parties shall share legal custody of their daughter, Tiffany Johnson.
2. Mother shallhave primary physical custody of Tiffany.
3. Father shall take Tiffany into his custody on alternating weekends from 7:00 p.m. Friday until 6:30 p.m. Sunday. Father shall provide transportation on Fridays and Father shall provide transportation of Sundays.
4. fAther shallhave the right to take the child into his custody for such other frequent and liberal visitation as may be agreed upon by the parties.
5. The provisions of this Consent Agreement shall be entered as an Order of Court without the need for the parties to be present in court.

R. Charles Thomas
Attorney for Plaintiff

Lori L. Johnson
Plaintiff

Mary Ann Kirkpatrick
Attorney for dEfendant

Robert g. Johnson
Defendant

BY THE COURT,
P. Richard Thomas, J

Nov. 1, 1990 copies of order put in R. Charles Thomas and Mary Ann Kirkpatrick's box.

Oct. 31, 1990 **S T I P U L A T I O N  A N D  D E C R E E  F I L E D.**

AND NOW, This 30 day of Oct., 1990, it is hereby ordered and decreed that LORI L. JOHNSON and ROBERT G. JOHNSON are divorced frm the bonds of matrimony pursuant to the provisions of Section201(c) of the Divorce Code of 1980. It is further ordered and decreed as follows:

I. The following marital property is awarded to the Plaintiff:

a) Fifty percent (50%) of the funds invested in a certain savings account with Marquette Savings Association, South Main Street, Meadville, Pennsylvania, being Account No. 13907; the total funds in said account as ofthe 27th day of August, 1990 being in the amount of $49,013.58. Pl aintiff is also awarded fifty percent (50%) of all interest that may accrue on said funds until the date of the distribution thereof.

b) An immediate distribution in the amount of #38,251.11 from the funds of the Defendant in a profit sharing plan established by Dad's Products Company, Inc. and in which the dEfendant has been a participant;

c) All of the tangible marital personal property which the Plaintiff presently has in her sole and exclusive possession and which was formerly located at the former marital residence of the Plaintiff and defendant at R.D.#1, box 504, Walker Street, Meadville, Crawford County, Pennsylvania.

II. The following marital property is awarded to the defendant:

a) Fifty percent (50%) of the funds invested in a certain savings account with Marquette Savings Association, South Main Street, Meadville, Pennsylvania, being Account No. 13907; the total funds in said account as of the 27th day of August, 1990 being in the amount of $49,013.58. Defendant is also awarded fifty percent (50%) of all interest that may accrue on said funds until the date of the distribution thereof;

b) All funds remaining in the defendant's account inthe profit sharing plan established by Dad's Products company, Inc. and in which the defendna tis a participant after the withdrawal of $38,251.11 has heretofore been awarded to the Plaintiff'

c) All funds invested by the Defendant in the 401K salary deferral plan established by Dad's Dog Food, Inc. and in which the defendant is a participant including all accrued earnings thereon;

d) All benefits to which the defendnat is entitled as an employee of Dad's Products Company, Inc., in the pension plan established by Dad's Products Company Inc for employees of that company;

e) All ofthe tangible marital personal property which the Defendant presently has in his sole and exclusive possession and which was formerly located at the former marital residence of the Plaintiff and the Defendant at R.D.#1, Box 504, Walker Street, Meadville Crawford County, Pennsylvania;

f) The chose in action in the form of a Judgment Note given by Florabelle Johnson in the original amoun tof $6,000.00 to the Plaintiff and defendant which Judgment Note has a present balance due of $4,700.00.

III. The Plaintiff and Defendant acknowledge that they have heretofore divided between themselves certain tangible and intangible marital personal property and both the Plaintiff and Defendant acknowledge that said property was distributed in an equitable manner and the Plaintiff and the defendant are both satisfied withthe distribution thereof.

IV. The Plaintiff hereby waives her request for alimony pendente lite, attorneys fees and costs as set forth in Count IV of the Divorce Complaint and thus the Plaintiff's claim for alimony pendente lite, attorneys fees and costs is denied.

V. The Plaintiff hereby waives her request for permanent alimony as set forth in Count V of the divorce Complaint and thus the Plaintiff's cliam for permanent alimony is denied.

VI. Neither thePlaintiff or Defendant shall make any further claims against the other party hereto except for the enforcement of the rights and responsibilities set forth in this Divorce Decree.

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

80
B

# 1989

# 1989

T. Dana Watson

Ferguson, Spataro, & Rowden
Douglas W. Ferguson

631.

Joan D. Mason

RICKY LEE UPLINGER

vs.

LINDA LOU UPLINGER

Filed July 21, 1989
@ 3:00 p.m.

Tax & entry Paid $50.50
John Fuller, Mediator
Mediation Cost 140.00
Pro Co Pd 6-21-94 9.00
Wm. Pineo, Mediator 302.00
Pro Co. 9.00
William Pineo, mediator

COMPLAINT FOR CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER:
AND NOW, this 21 day of July 1989 upon petition of Ricky Lee Uplinger, through his attorneys Ferguson Spataro & Rowden, JOHN FULLER, ESQ. is hereby appointed Child Custody Mediator in this matter. The parties and their counsel shall attend the mediation conference scheduled by the Child Cusotdy Mediator and shall comply with all requests fo the Chld Custody Mediator.
Pending the mediation conference, the children shall continue to reside with teh Plaintiff-Father.
BY THE COURT,
P. R. Thomas, J.

Aug. 10, 1989 Affidavit of Service filed. I, the undersigned, being duly sworn according to law, depose and say that I served a true and correct copy of the Complaint for Custody filed by the Plaintiff and certified by the Prothonotary of Crawford County, Pennsylvania, on the Defendant, Linda Lou Uplinger, by certified mail, addressee only, return receipt requested, dated July 26, 1989. The Defendant acknowledged service on July 27, 1989 by accepting delivery on that date as evidenced by the attached signed return receipt. Douglas Ferguson

Aug. 10, 1989 Order filed. AND NOW, August 10, 1989, after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS:
I. Legal custody of Annamarie Lynn Uplinger and Brenden Joseph Uplinger shall be shared between the mother and the father, that is each parent shall be entitled full access to school records, medical records and other important records, and each parent shall be entitled to take part fully in decisions affecting the child's education, religious instruction, medical treatment and other such important decisions.
II. Physical custody of Annamarie Lynn Uplinger and Brenden Joseph Uplinger shall be with their mother, LInda Lou Uplinger, subject to the following conditions:
A. the father shall be entitled to visit and take the children in his custody every weekend, beginning Friday, August 4, 1989, from 5:00 p.m. Friday afternoon until 5:00 p.m. Sunday afternoon.
B. Holidays shall be defined as Christmas, Easter, Thanksgiving, and the children's birthdaya The parents shall share the above-mentioned holidays with the children generally being in the home of the mother but the father being entitled to have the childrenin his custody for a six hour period on each of such holidays, which unless otherwise agreed, shall be from 12:00 Noon until 6:00 p.m.
C. Beginning with the summer of 1990 and each Summer thereafter until this order has been changed, the father shall be entitled to visit and have the children in his custody for a continuous period of one month which unless otherwise agreed between the parties shall be from July 1st to July 31st each Summer. During the Summer month when the children are in the custody of the father, the mother shall be entitled to have the children in her custody at least two weekends during such month from 5:00 p.m. Friday afternoon until 5:00 p.m. Sunday afternoon.
D. Transportation of the children shall be the responsibility of the father on weekend and holiday visits.
E. Neither mother nor father shall say or do anything in an attempt to turn the children against th eother parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude onthe part of the children towards both parents.
F. Neithermother 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 entered without prejudice to the right of either party to request a further mediation conference or hearing at any time after November 1, 1989.
IV. This order is a temporary order but shall become a permanent order unless exceptions thereto are file dby either party within thirty (30) days of the date hereof.
V. Cost of the mediation conference shall be equally divided with the father paying one-half of the mediation conference and the remaining one-half being paid by Crawford County.
Robert L. Walker, J

Aug. 11, 1989 Copies of order put in Douglas Ferguson, Joan Mason and John Fuller's box and copy mailed to plaintiff

Sept. 6, 1989 Motion for De Novo Hearing and Order filed. AND NOW, this 6th day of September 1989 the above motion granted and returnable for hearing Oct. 3, 1989 at 2:30 P.M.
BY THE COURT
Robert L. Walker, J

Sept. 6, 1989 Copies of order put in Douglas Ferguson, Joan Mason and John Fuller's box.

Oct 5, 1989 Order filed: AND NOW, October 3, 1989, the matter is before the Court for de novo hearing. The matter is handled informally with the consent of the parties and their counsel and largely revolves around the issue of the security of a swimming pool located at the residence where the mother now resides, particularly in view of the fact that a tragedy occured and one of their children was drowned in the pool in August. The Court hears testimony on th is issue and is satisfied that at the present time, the pool has a secure cover thereon and while the mother and the other resident of the household assure the Court that they will take every precaution to make sure that the pool gate is constantly locked, it appears there is no risk to the child in the mother's custody in view of the secure cover not on the pool for the winter months.
A Mr. Gens, the owner of the premises, advises there is a boundary line dispute with the neighbor, on Conrad Weniger, and that there are at time holes in the fence guarding the pool and when he attempts to board the same up, Mr. Weniger constantly removes the boards, making it theoretically possible for a small child to gain access to the pool through these openings. As spring comes and the pool become operable again, if the lawsuit now pending between Gens and Weniger has not resolved this issue of the taking off and putting on of the fencing boards, the Court will entertain a motion in that lawsuit to authorize a temporary closing of the fence holes until the ultimate suit is finally resolved, determining ownership of the area whereon the pool is erected.
The Court's attention is directed to some unfortunate, uncalled for remarks made by one or more of the paternal grandparents that would be extremely upsetting to the four-year-old child and concerns the tragic death of the minor child Brendon. The Court cautions the grandmother that these remarks cannot be tolerated in the best

continued in Margin . . .

1-1-94 Rec from deft med deposit 150.00

5-10-94 Rec from Pltf med costs $151.00

6-9-94 Pd to Ch#8355 med fee 301.00

6-21-94 Rec from Pltf med fee 70.00

9-12-94 Pd to Ch# 8549 70.00

.....

interest of the child and that any harsh feelings she has against her daughter-in-law should be suppressed, but under any circumstances, not communicated in the presence of the child.
Further requests for modification of the Order are denied at this time, without prejudice to the right of either party to request review if there is some urgent need or dramatic change in circumstances in the future.
BY ORDER OF THE COURT,
P. Richard Thomas, P.J.

Oct 10, 1989 Copies of order put in Attys. Ferguson, Mason and Fuller's boxes.

Continued to Page 662
See Vol 3 (1989)

# 1989

632.

PETITION FOR INVOLUNTARY TREATMENT

of

GREGORY P. SHELLHAMMER

Filed July 21, 1989

PETITION FOR INVOLUNTARY TREATMENT
Mental Health Procedures Act of 1976
(Sections 303 & 304)

July 31, 1989 Report of Mental Health Review Officer, Recommendation and Order filed: AND NOW, this 31 of July, 1989 upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Gregory P. Shellhamer be committed to Western Psychiatric Institute and Clinic for treatment for a period not to exceed 90 days. This Order shall take effect when arrangements can be made for transfer of the patient.

BY THE COURT, P. Richard Thomas, J.
Aug. 1, 1989 Copies given to MH/MR and MMC, and copy

# 1989

Barrett & Dratler
Bruce A. Barrett

633.

Culbertson,Weiss,Schetroma
and Schug
Mary Ann Kirkpatrick

JAMES ALAN DeVORE

vs.

CHRISTY LYNN DeVORE

Filed July 21, 1989
@ 3:55 P.M.

| | |
|---|---|
| Tax & entry paid | $50.50 |
| Pro Co Pd 11/20/89 | 9.00 |
| State pd. 11/20/89 | 10.00 |

COMPLAINT UNDER SECTION 201(c) OF DIVORCE CODE

1 copy (atty)

July 25, 1989 Affidavit of Service filed. Bruce A. Barrett, Esq., being duly sworn according to law, deposes and says that the following facts in support of his Affidavit of Servcie are true and correct to the best of his knowledge, information and belief.

1. That the affiant is the attorney for the Plaintiff in the above captioned action.

2. That a true and correct copy of the Complaint Under Section 201(c) of the Divorce Code was sent by registered mail to the Defendant on July 21, 1989. The sender's receipt is attached hereto.

3. The registered mail was sent to Christy L. DeVore, R D #1, Box 258A, Cambridge Springs, PA 16403.

4. That the Defendant received said registered mail on July 24, 1989. Said Receipt card number P 063 588 967 is attached hereto and signed by Christy L. DeVore.

Bruce A. Barrett, Atty.

Oct. 9, 1989 Appearance of Culbertson, Weiss, Schetroma and Schug by Mary Ann Kirkpatrick, Attorney for Defendant filed.

Nov. 13, 1989 Affidavit of Consent of Plaintiff filed.

Nov. 15, 1989 Affidavit of Consent of Defendant filed.

Nov. 16, 1989, Upon praecipe of plaintiff attorney for review under 201(c) of the divorce code, this case moved to court.

Nov. 28, 1989 DIVORCE DECREE FILED:

And now, November 28, 1989, it is ordered and decreed that JAMES ALAN DeVORE, plaintiff, and CHRISTY LYNN DeVORE, defendant, are divorced from the bonds. of matrimony.

BY THE COURT,

Robert L. Walker, J.

Dec. 6, 1989 Motion to Open the Decree and Order filed. And Now, this 6 day of Dec., 1989 Motion allowed.

By The Court:
P. Richard Thomas, J

Dec. 7, 1989 Copies of order put in Bruce Barrett and Mary Ann Kirkpatrick's box.

Jan. 3, 1990, Motion to Reinstate Decree of Divorce and Order filed. And Now, Jan. 3, 1990, upon presentation of the parties' Motion, it is hereby ordered that the decree in Divorce opened on De.c 6, 1989, is reinstated and the parties are divorced from the bonds of matrimony.

By the Court:
Gordon R. Miller, Judge

Jan. 4, 1990, copies of order to Attys. M. Kirkpatrick and Bruce A. barrett.

# 1989

| | | |
|---|---|---|
| Shafer, Swick, Bailey, Irwin & Stack<br>Paul D.Shafer, Jr.<br><br>634. | PETERS HEAT TREATING, INC.<br><br>vs.<br><br>RICHARD A. SAGER<br><br>Filed July 24, 1989<br>@ 9:46 a.m.<br><br>Tax & entry Paid $50.50 ✓<br>Sheriff's Costs 20.00<br>Pro Co Pd 9/27/89 9.00 ✓ | COMPLAINT<br><br>1 copy (sheriff)<br><br>Aug. 24, 1989 Sheriff's Return filed. SERVED Richard A. Sager personally on August 9,1989 at 12:40 PM by handing copy of Complaint to him at Sheriff's Office, Crawford County Courthouse, Meadville, Pa.<br>So answers, Carole Stefanucci, Dep. Sheriff<br>Howard N. Stewart, Sheriff<br><br>And Now, Sept. 25, 1989 at 4:13 p.m., upon praecipe of plaintiff attorney, with service affidavit and copy of default notice attached, Judgment is hereby entered in favor of the plaintiff and against the defendant, in the sum of Thirteen Thousand Eight Hundred Fifty and 00/100 Dollars, plus interest from Feb. 5, 1989, and costs.<br>Judgment entered - 9/25/89<br>S - 144 Debt - $13,850.00<br>INt. from 2/5/89<br>JUDGMENT<br>James F. Simmons,<br>Prothonotary<br>Sept.27, 1989 Notice of entry of judgment mailed to defendant. |

# 1989

Robert A. Cohen

635.

Richard M. Rosenthal

Meyer, Darragh,
Buckler, Bebeneck ,
Eck & Hall
Marshall J. Tindall
Bonnie J. Gould

BONNIE J. GOULD AND JAMES R. GOULD, HER HUSBAND, JENNIFER L. GOULD AND MATTHEW K. GOULD, A MINOR, BY BONNIE J. GOULD AND JAMES R. GOULD, HIS PARENTS AND NATURAL GUARDIANS

vs.

COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF TRANSPORTATION

Bonnie J. Gould, add'l def.

Filed July 24, 1989
@ 11:06 a.m.

Tax & entry Pd 7/31/54 $50.50
Pro Co Pd 2/5/91 6.00

CERTIFIED RECORD FROM THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA -GD 89 06159

ALLEGHENY COUNTY ENTRIES:
April 12, 1989, Complaint in Civil Action filed.

April 20, 1989, Sheriff's Return filed.

April 27, 1989, Appearance of Richard M. Rosenthal, Dep. Atty. General, for Commonwealth of Pennsylvania, Department of Transportation, filed.

July 12, 1989, Stipulation for Change of Venue and Order of Court filed. ORDER OF COURT: AND NOW, TO-wit, it is Hereby ORDERED, ADJUDGED AND DECREED that pursuant to the Stipulation of Counsel, the action filed at No. G.D. 89-06159 in the Court of Common Pleas of AlleghenyCounty, Pennsylvania, is transferred to the Court of Common Pleas of Crawford County, Pennsylvania.
It further ORDERED, ADJUDGED AND DECREED that the costs for said transfer shall be borne by teh plaintiffs in the within action.
BY THE COURT,
(Judge's signature illegible)

CRAWFORD COUNTY ENTRIES:

Dec. 5, 1989 Request to Produce Under Pa. R.C.P. 4009 Directed to Plaintiff(s) filed.

Dec. 5, 1989 Answer and New Matter filed.

Dec. 5, 1989 Interrogatories to Plaintiffs filed.

Jan. 25, 1990 Reply to New Matter filed.

Feb. 1, 1990 Appearance of Meyer, Darragh, Buckler, Bebeneck, Eck & Hall by Marshall J. Tindall for Bonnie J. Gould filed.

Mar. 16, 1990 New Matter To The Reply Of Bonnie Gould To the Joinder Of Her As An Additional Defendant Pursuant To Rule 2252(d) filed.

Sept. 4, 1990 Plaintiffs' Answers To Defendant's Interrogatories filed.

Sept. 4, 1990 Plaintiffs' Response To Defendant's Request To Produce filed.

Jan. 30, 1991 Petition to Compromise Minor's Action and Order filed.
ORDER OF COURT: AND NOW, this 25 day of January 1991 on Petition of Matthew K. Gould a minor by bonnie J. gould and James r. Gould, his parents and natural guardians, it is hereby ordered that settlement of the above claim against the defendants in the amount of $3,000.00 be and is hereby approved, and it is ordered that distribution of the settlement fund be made as follows:

| | |
|---|---|
| Bonnie J. Gould and James R. Gould, reimbursement for expenses | $918.61 |
| Robert A. Cohen, fee, 33 1/3 % of recovery | 1,000.00 |
| Bonnie J. Gould and James R. Gould for Matthew K. Gould | 1,081.39 |

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

Feb. 4, 1991 copies to Attys. Robert A. Cohen and R. Rosenthal and M. Tindall.

Jan. 31, 1991, Upon praecipe fo plaintiff attorney, the above captioned case is marked forever settled, discontinued and terminated.

# 1989

Swensen, Perer &
McCandless
John W. McCandless

636.

Michael L. Fitzpatrick

PAUL A. FRIEDMAN AND
LILLIAN B. FRIEDMAN, HIS
WIFE

vs.

CONNEAUT BAY RESORT, AND
CONNEAUT DEVELOPMENT, INC.
d/b/a CONNEAUT BAY RESORT

Filed July 24, 1989
@ 11:13 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Sheriff's Costs | 24.28 |
| Sheriff's costs | 17.05 |
| Pro.Co.pd 3/10/94 | 6.00 |

**JURY TRIAL DEMANDED**

SUMMONS IN CIVIL ACTION

Issued (sheriff)

Aug. 9, 1989 Writ Return filed. SERVED Conneaut Bay Resort on July 26, 1989 at 3:35 PM by handing copy of Summons to Ronald Waite, Security Officer and person in charge at the time, at Rt. 18, East Side Rd., Conneaut Lake, Crawford County, PA.
SERVED Conneaut Development, Inc. on July 26, 1989 at 3:36 PM by handing copy of Summons to Ronald Waite, Security Guard and person in charge at the time, at Rt. 18, East Side Road, Conneaut Lake, Crawford County, PA.
So answers, Robert M. Stevens, Deputy Sher.
Howard N. Stewart, Sheriff

Jan. 22, 1991, Complaint in Civil Action filed.
2 copies (atty)

Jan. 31, 1989 Certificate of Service filed. I hereby certify that a true and correct copy of the Complaint was served upon the Defendant, Conneaut Development, Inc., d/b/a Conneaut Bay Resort, by United States Mail,Certified Mail, Return Receipt Requested, postage prepaid, to 600 Metropolitan Towers, Youngstown, Ohio, this 25th day of January, 1991.
John W . McCandless Esq.

Feb. 1, 1991 Sheriff's Return filed. Not Found, as to Conneaut Bay Resort. They are out of business.
So answers, Howard N. Stewart, Sheriff

FEb. 7, 1991, Certificate of Service filed. I hereby certify that a true and correct copy of the Complaint was served upon the CIGNA, Mr. Peter J. Welsh, P.O Box 10901, Erie, Pa. by U. S. First Class mail, postage pre-paid this 6th day of Feb. 1991. John W. McCandess, Esq.
Dated: 2/6/91

Feb. 7, 1991 certificate of Service filed. I hereby certify that a true and correct copy of the complaint was served upon dft. Conneaut Development Inc. d/b/a Conneaut Bay Resort, by U. S. First Class Mail, postage pre-paid to their last known address of P. O. Box 5061 ConneaUT Lake, Pa. this 6th day of Feb. 1991.
Dated: 2/6/91 John W. McCandless, Esq.

Feb. 7, 1991, Certificate of No Service filed It is hereby certified that Paul A. Friedman and Lillian B. Friedman, plffs. herein, by and through their attys., attempted service on dft. Conneaut Development Inc. by mailing the Complaint to the last known address of the dft. Conneaut Development Inc. at 600 Metropolitan Towers, YHoungstown, Oh. by U. S. Certified Mail - Ret. Rec. Req. postage prepaid No. P 979 522 378 on Jan. 25, 1991. Said mailing was returned to Plantiffs counsel's office and stamped as Attempted, Not Known on the envelope.
Dated: 2/5/91 John W. McCandless, esq.

Mar. 11, 1991 a Default notice filed.

Mar. 11, 1991 Certificate of Service of Notice of Default filed.

Mar. 19, 1991 Appearance of Michael L. Fitzpatrick for defendant filed.

Mar. 19, 1991 Answer and New Matter filed.

Mar. 20, 1991 Notice to the Court of Automatic Stay and Motion of Conneaut Development, Inc., Debtor In Possession to Dismiss Complaint filed.

Apr. 3, 1991, Reply to New Matter filed.

Apr. 26, 1991 Verification of Plaintiffs that statements made in above Reply are true and correct, filed.

SEpt. 24, 1991 Notice of Deposition of Paul A. Friedman filed.

Sept. 24, 1991, Notice of Deposition of Liillian B. Friedman filed.

Dec. 16, 1991, Notice of Deposition of Paul A. Friedman filed.

Dec. 16, 1991, Notice of Deposition of Lilliam B. Friedman filed.

Jan. 13, 1992 Notice Of Deposition Lillian B. Friedman and Paul A. Friedman filed.

Feb. 13, 1992, notice of deposition fo Lillian B. Friedman and Paul a. Friedman filed.

June 8, 1992 MOTION TO AMEND COMPLAINT and ORDER filed. ORDER: ANT NOT TO WIT: this 8th day of June, 1992, upon consideration of the foregoing Motion, it is hereby Ordered that the Plaintiffs are granted leave to amend their Complaint in accordance with the First Amended Complaint as set forth in Exhibit "A" and attached to their Motion. Anthony J. Vardaro, J.
June 8, 1992 - 2 copies (atty)

June 12, 1992 Plaintiffs First Amended Complaint, filed 2 copies (atty)
June 24, 1992 Defendant's Answer and New Matter to Plaintiffs' First Amended Complaint filed.

July 9, 1992 Reply To New Matter filed.

Dec 21, 1992 Motion for Summary Judgment, filed.

Dec. 21, 1992 Praecipe ofr the Argument List, filed.

ON ARGUMENT LIST FOR JANUARY 1993

Continued on page -86A-

86
A

Paul A. Friedman and Lillian B. Friedman, his wife
vs.
Conneaut Bay Resort, and Conneaut Development, Inc., d/b/a Conneaut Bay Resort

Record Continued from page 86

of record

A.D. 1989 - 636

**********

Feb. 10, 1993 Reassignment Of Argument filed. February 8, 1993: Argument in the above captioned matter heretofore set for March 30, 1993, at 9:00 A.M., in Courtroom No. 2.

FOR THE COURT,
Ann A. Walker, C.A.

Feb. 10, 1993 Copies mailed to McCandless & Fitzpatrick

Mar. 30, 1993 Motion To Compel Discovery filed.

Apr. 6, 1993, ORDER filed. AND NOW, April 5, 1993, upon consideration of Defendants' motion for summary judgment and after hearing oral argument with respect to the same, said motion is denied.

BY THE COURT:
Anthony j. Vardaro, J.

Apr. 6, 1993, copies of order mailed to Attys. McCandless and Fitzpatrick.

Oct. 13, 1993 Motion to Transfer on behalf of Defendant filed.

Oct. 13, 1993 ORDER filed. AND NOW, October 4, 1993, upon consideration of the within Motion to Transfer the same is granted. The Prothonotary shall appoint arbitrators in accordance with the local rules.

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

Oct. 21, 1993 Copy of Order to Attys. Wm. Pineo, Andrew Bacallao, Sylvia Dratler.

Oct. 13, 1993 Upon Order of Court, the following Arbitrators have been appointed:

John F. Spataro
~~William Pineo~~, Chairman
~~Andrew Bacallao~~ R. Charles Thomas
Sylvia Dratler

Nov. 30, 1993 Arbitrators Take Qualifying Oath.

Mar. 10, 1994 Upon Praecipe of Plaintiff's Counsel, Anthony J. Sciarrino, the above-captioned matter is marked settled and discontinued of record.

86
B

# 1989

# 1989

Elderkin, Martin, Kelly
Messina & Zamboldi

Richard W. Perhacs

637.

Bruce A. Barrett

IN THE MATTER OF THE APPEAL OF RUTH EWIG, MARK ESCHWEILER AND SHERYL ESCHWEILER FROM THE ACTION OF THE BOARD OF SUPERVISORS OF BEAVER TOWNSHIP IN ENACTING AN AMENDMENT TO THE BEAVER TOWNSHIP ZONING ORDINANCE

BOARD OF SUPERVISORS OF BEAVER TOWNSHIP

Filed July 24, 1989
@ 1:45 p.m.

Ta x & entry Paid $50.50

NOTICE OF APPEAL

July 24, 1989 copy of Notice of Appeal (certified) and Certiorari Issued; mailed to Wallace Braden, Chairman, R. D. #2 Springboro, Pa. 16435.

Aug. 30, 1989 Appearance of Bruce A. Barrett for Defendant filed.

Aug. 30, 1989 Answer filed.

Sept. 27, 1989, Record from the Beaver Township Supervisors pertaining to the Zoning Amendment and the Appeal, filed.

# 1989

Fuller, Kinnunen,
Petruso & Gamble
Ann Hansen Gamble

638.

RHONDA J. SWOGER

vs.

LESLIE L. SWOGER, JR.

Filed July 25, 1989
@ 9:52 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Sheriff's Costs | 29.00 |
| Pro Co pd 11/8/91 | 9.00 |
| State pdi 11/8/91 | 10.00 |
| Pro Co.pd 9/23/93 | 5.00 |

COMPLAINT IN DIVORCE

1 copy (atty)

Aug. 31, 1989 Sheriff's Return filed. SERVED Leslie L. Swoger, Jr. personally on August 17, 1989 at 9:30 AM at Sheriff's Office, Crawford County Courthouse, Meadville, PA.
So answers, Carole Stefanucci, Deputy Sheriff
Howard N. Stewart, Sheriff

Oct. 11, 1991 Plaintiff's Affidavit Under Section 201(d) of the Divorce Code filed.

Nov. 1, 1991 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 October 10, 1991, she sent a copy of the Plaintiff's Affidavit under Section 3301(d) of the Divorce Code, a form of Defendant's Counter Affidavit under 3301(d) of the Divorce Code, a Notice of INtention to Request a Divorce decree, and Proposed Praecipe for Review under Section 3301(d) of the Divorce Code, to the Defendant by certified mail, restricted delivery, postage prepaid, receipt requested, toLeslie L. Swoger, Jr., % Lorraine Swoger, 1101 South Main St., Meadville, PA 16335, the defendant's last known addresses, the said receipts being attached hereto.
Ann Hansen Gamble

Nov. 1, 1991 Defendant's Counter-Affidavit Under Section 201(d) of the Divorce Code filed.

Nov. 1, 1991 NOtice of INtention To Request Entry of Divorce Decree filed.

Nov. 1, 1991 UPon praecipe of Plaintiff Attorney To Transmit Record, this case moved to court.

Nov. 14, 1991 **D I V O R C E  D E C R E E  F I L E D .**

AND NOW, November 13, 1991, it is ordered and decreed that Rhonda J. Swoger, plaintiff, and Leslie L. Swoger, defendant, are divorced form the bonds of matrimony.

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

September 23, 1993 Notice of Election to Retake Maiden name filed, to be known as Rhonda J. Allen.

# 1989

Quinn, Gent, Buseck, and Leemhuis, Inc.
Lawrence C. Bolla
Michael s. Jan Janin

639.

MARINE BANK

vs.

MARK S. VANDERVORT AND
PAULINE F. VANDERVORT

Filed July 25, 1989
@ 3:21 p.m.

Tax & entry Paid $50.50 ✓

Sheriff's costs 32.00
Sheriff's Costs 23.00

COMPLAINT IN REPLEVIN

2 copies (sheriff)

July 26, 1989 Motion for Issuance of Writ of Seizure and Order filed: AND NOW, to-wit, this 26 day of July, 1989, upon consideration of the Complaint for Replevin filed by Plaintiff in the above-captioned action and in further consideration of Plaintiff's Motion for Writ of Seizure, it is hereby ORDERED, ADJUDGED AND DECREED that:

1. A hearing on said Motion shall be held on August 4, 1989 3 P.M.
2. Notice of the hearing shall be served on the Respondents in accordance with Pa. R.C.P. 1075.1 and Pa. R.C.P. 1353.

P. Richard Thomas, J.

July 26, 1989 Copies of order mailed to Attys for Plaintiff

Aug. 3, 1989, Motion for Continuance of Hearing and Order filed. ORDER: AND NOW, this 2nd dayof Aug. 1989, upon presentation of the foregoing Motion, the hearing scheduled for Aug. 4, 1989, is hereby continued indefinitely to be rescheduled upon motion of either party.

P. Richard Thomas, J.

Aug. 4, 1989 copy of order to Attys. L. Bolla & Jan Janin.

Aug. 9, 1989 Motion To Rescheduled Hearing and Order filed. AND NOW, this 8th day of August, 1989, upon consideration of the foregoing motion it is ordered, Judged and Decreed that:

1. A Hearing on the Motion for Issuance of Writ of Seizure shall be held on: August 25, 1989 at 1:30 in CR 2.
2. Notice of the Hearing shall be served on the defendant's in accordance with Pa. R.C.P. 1075.1 and Pa R.C.P. 1353.

Robert L. Walker, J

Aug. 9, 1989 Copy of order to Peter Blystone and Lawrence Bolla

Aug. 18 1989 Sheriff's Return filed. SERVED Pauline F. Vandervort personally on Aug. 9, 1989 at 3:30 PM by handing copy of Complaint, Motion for Writ of Seizure, Notice of Hearing, Motion for Continuance, and Motion for Rescheduling Hearing to her at her residence, 520 Grant St., Saegertown, Crawford Co. Pa. 16433

SERVED Mark S. Vandervort personally on Aug. 11, 1989 at 11:)0 AM by handing copy of Complaint, Motion for Writ of Seizure, Notice of Hearing, Motion for Continuance, and M,otion for Rescheduling Hearing to him at his residence, Star Route Estates, Lot #39, Route 27, Meadville, Crawford Co. Pa. 16335

So answers,

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

Aug. 25, 1989 Order filed: AND NOW, this 25th day of August, 1989, upon consideration of the Complaint in Replevin filed by plaintiff in the above captioned action and in further consideration of the Motion for Writ of Seizure filed in accordance with Pa. R.C.P. 1075.1 and following notice and hearing on the Motion, it is hereby ORDERED, ADJUDGED AND DECREED as follows:

1. Plaintiff has established the probable validity of its claim and is entitled to possession of the property requested in the Complaint, viz a 1984 Oldsmobile Cutlass Ciera sedan automobile, seriel number 1G3AJ19R8ED469605.
2. Plaintiff is required to file a bond in accordance with Pa. R .C.P. 1075.3 in the amount of $8,500.00.
3. Upon filing of the bond, the Prothonotary shall issue a Writ of Seizure directed to the Sheriff of Crawford County in the form required by Pa. R.C.P. No. 1354.

Robert L. Walker, J.

Aug. 29, 1989 copy or order to Peter Blystone and Lawrence Bolla esqs.

Aug 25, 1989 Exhibits filed with papers.

Sept. 29, 1989, BOND filed in the amount of Eight Thousand Five Hundred Dollars, (8,500.00) with Marine Bank as surety filed. (in bond drawer)

Sept. 29, 1989, Upon praecipe of plaintiff attorney, for Writ of Seizure for possession of 1984 Oldsmobile Cutlass Ciera Sedan Automobile Serial No. 1G3AJ19R8ED469605, Issued. (sheriff)

Oct. 10, 1989 Sheriff's Return filed. SERVED Mark S. Vandervort on October 3, 1989 at 9:35 AM by handing a copy of the Writ of Seizure to Kim Wescoat, adult in charge of his residence, Star Route Estates, Lot 23, Meadville, Crawford County, PA 16335

The 1984 Oldsmobile Cutlass Ciera Sedan Automobile, Serial No. 1G3AJ19R8ED469605 was seized at 9:40 Am and towed by Smitty's Towing of Harmonshurg, PA and stored at their place of business, Corner of Rt. 18 and Harmonsburg Rd., Harmonsburg, Crawford County, PA. 16422

So answers,

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

# 1989

Fuller, Kinnunen,
Petruso & Gamble
Gary A. Fabian

640.

JOANNE M. KRIDEL

vs.

DAVID R. KRIDEL

Filed July 26, 1989
@ 9:10 a.m.

Indigent filing
William Pineo, Mediator

COMPLAINT FOR CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER OF COURT:
You, David R. Kridel, defendant have been sued in court to obtain custody ofthe child, David Jack Kridel.
You are ordered to appear in person at a mediation conference at a time place and date to be established by the custody mediator. WILLIAM PINEO is hereby appointed cusotdy mediator.
If you fail toappear as provided by this order, an order for custody, partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.
You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.
Crawford County Bar Association, Service to the Public Committee, Crawford Countycourthouse, c/o Prothonotary, Meadville, Pa. 16335 814 724-4636.

DATE: 7/26/89

BY THE COURT,
P. R. Thomas, J.

July 26, 1989, Petition For Leave to Proceed In Forma Pauperis and Order filed.
ORDER: AND NOW, this 26 day of July 1989, the plaintiff is granted leave to proceed in the above captioned divorce action in forma pauperis.

BY THE COURT,
P. Richard Thomas, J.

Aug. 18, 1989 Affidavit of Service filed. Gary A. Fabian, Esq., being duly sworn according to law, deposes and says that:

1. He is an attorney authorized to practice law within the Commonwealth of Pa.
2. He is the attorney for the plaintiff in the above captioned matter.
3. On July 26, 1989, he had deposited in the United States Mail by certified mail,return receipt requested, Certified Mail No. P 414 752 748 as evidenced by Certified Mail Receipt No P 414 752 748 attached hereto and made a part hereof, a true and correct copy of a Complaint in Custody addressed to David R. Kridel said Complaint and Custody naming David R.Kridel as the defendant in the above-captioned matter.
4. Service was obtained upon the defendant, David R. Kridel on Aug. 2, 1989,as evidenced by Return Receipt for Certified Mail No P 414752 748 attached hereto and made a part hereof, said receipt being signed by David R. Kridel.

FURTHER, DEPONENT SAYETH NOT.

Gary A. Fabian

Nov. 30, 1989 Consent Custody Agreement and Order of Court filed. AND NOW, this 29 day of Nov., 1989, upon consideration of the foregoing provisions and upon the agreement of the parties hereto, the provisions of the within Consent Custody Agreement are hereby entered as an Order of the Court.

BY THE COURT,
P. Richard Thomas, J

Nov. 30, 1989 copy of order put in Gary Fabian's box.

# 1989

William J. Gregg

641.

GEORGE L. BALL

vs.

PATRICIA A. BALL

Filed July 26, 1989
@ 9:18 a.m.

Tax & entry Paid $50.50 ✓
Pro Co pd 11/15/89 9.00 ✓
State pd 11/15/89 10.00

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

Aug. 4, 1989 Affidavit Of Service filed. WILLIAM J. GREGG, ESQUIRE, being duly sworn according to law, deposes and says that the following acts 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 registered mail to the Defendant, Patricia A. Ball on July 26, 1989.
3. The registered mail was sent to Patricia A. Ball, in care of P.O. Box 32, Atlantic, Pennsylvania 16111. The sender's receipt is attached hereto.
4. That the Defnedant received said registered mail on July 29, 1989. Said Return REceipt card P 076 254 264 is attached hereto, signed by Patty Ball and made a part hereof.

William J. Gregg

Nov. 14, 1989 Affidavit of Consent of Defendant filed.

Nov. 14, 1989 Affidavit of Consent of Plaintiff filed.

Nov. 14, 1989 Upon praecipe of Plaintiff Attorney For Review Under §201(c) of the Divorce Code, this case moved to court.

Nov. 28, 1989 DIVORCE DECREE FILED :

And now,November 28, 1989, it is ordered and decreed that GEORGE L. BALL, plaintiff, and PATRICIA A. BALL, defendant, are divorced from the bonds of matrimony.

BY THE COURT,

P. Richard Thomas, J.

# 1989

J. David Ungerman

642.

PATRICIA R. BRANDON

vs.

RODNEY L. BRANDON

Filed July 26, 1989
@ 10:43 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Pro Co Pd 11/14/89 | 9.00 |
| State pd 11/14/89 | 10.00 |

COMPLAINT FOR DIVORCE

3 copies (atty)

Nov. 9, 1989, Service filed. Personally appeared before me, a notary public in and for said State and County, Geraldine A. Vomero, and who after being duly sworn according to law, deposes and states that she mailed a true and accurate copy of the Complaint in Divorce filed at the above no. to the above defendant by cert. mail, prepaid U. S. Mail, Cert. No. P 979 526 163 deliver to addressee only, and that on the 31st day of July 1989 the said defendant received said copy ofthe complaint in divorce, and as proof thereof, deponent attaches hereto and makes a part hereof, as though fully set forth, the ret. rec. card from the above restricted delivery whereon the defendant has signed his name. Geraldine A. Vomero,

Nov. 9, 1989, Affidavit of Consent of plaintiff filed.

Nov. 9, 1989 Affidavit of Consent of Defendant filed.

Nov. 9, 1989 Upon praecipe of plaintiff attorney, to Transmit the record, this case moved tocourt.

Nov. 28, 1989 DECREE OF DIVORCE FILED:

AND NOW, Nov. 28, 1989, IT IS ORDERED AND DECREED that PATRICIA R. BRANDON, Plaintiff, and RODNEY L. BRANDON, Defendant, are divorced from the bonds of matrimony.

P. Richard Thomas, J.

# 1989

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

643.

SEARS, ROEBUCK AND COMPANY
800 Millcreek Mall
Erie, Pennsylvania

vs.

LILLIAN SAVACHECK

Filed July 26, 1989
@ 10:53 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Pro Co Pd 8/7/89 | 9.00 |
| sheriffs costs | 20.00 |
| Pro Co pd 10/19/90 | 6.00 |

COMPLAINT

1 copy (sheriff)

And Now, August 7, 1989 at 1:54 p.m., upon praecipe of plaintiff attorney with the written consent of the defendant Lillian Savacheck, Judgment is hereby entered in favor of the plaintiff and against the defendant in the amount of One Thousand Seven Hundred Fifty Five and 54/100 Dollars, plus interest and cost of action.
Judgment entered - 8/7/89
S - 106 Debt - $1,755.54
Int. from June 1989 at rate of 1.25%
JUDGMENT per mo.
James F. Simmons, Pro

Aug. 10, 1989, Sheriff's Return filed. SERVED Lillian Savacheck personally on July 27, 1989 at 11:55 a.m. at her residence 459 Cussewago Raod, Meadville, Crawford County, Pa.
So answers, Robert M. Stevens, Dep. sheriff
Howard N. Stewart, Sheriff

Oct. 17, 1990 Upon praecipe of Plaintiff Attorney the above mater is marked satisfied.

# 1989

William F. Morgan

644.

MICHAEL T. BAKER

vs.

SHERRY M. BAKER

Filed July 26, 1989
@ 10:58 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Pro Co. Pd 1-4-90 | 9.00 |
| State Surcharge Pd. | 10.00 |

COMPLAINT IN DIVORCE

July 26, 1989, Plaintiff's Affidavit Under Section 201(d) of the Divorce Code filed.

January 4, 1990 Affidavit of Service filed. WILLIAM F. MORGAN, being duly sworn according to law deposes and says that he is the Attorney for Plaintiff in the above entitled Divorce Action; that on behalf of the said Plaintiff, Michael T. Baker, in said action, he sent an attested copy of the Divorce Complaint by registered mail to the said Defendant, Sherry M. Baker; that the return receipt, signed by the said Defendant, Sherry M. Baker, showing delivery of said registered letter, is attached hereto and made a part hereof.

William F. Morgan

Jan. 4, 1990 Affidavit of Consent of Plaintiff filed.

Jan. 4, 1990 Affidavit of Consent of Defendant filed.

Jan. 4, 1990 Upon Praecipe of Plaintiff Attorney For Review under Section 201(c) of Divorce Code, this case is moved to Court.

Jan. 19, 1990 DIVORCE DECREE FILED

AND NOW, This 17 day of Jan. 1990 upon consideration of the foregoing Motion and the Affidavits affixed thereto, it is hereby ORDERED AND DECREED as follows:

Michael T. Baker and Sherry M. Baker are hereby divorced from the bonds of matrimony heretofore contracted between them.

It is further ORDERED AND DECREED that the Prothonotary of this Court issue a Certificate of Divorce in the captioned matter upon payment of appropriate costs.

BY THE COURT:

P. Richard Thomas, P.J.

# 1989

Spadafore, Vardaro & Walker
Anthony J. Vardaro

645.

KATHY A. WINTERS

vs.

WILLIAM J. WINTERS

Filed July 26, 1989
@ 3:43 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.00 |
| 1 count paid | 15.00 |
| Pro Co Pd 4/17/90 | 9.00 |
| State pd 4/17/90 | 10.00 |

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

1 copy (atty)

Aug. 24, 1989 Affidavit of Service filed. Vicki Bradshaw, being duly sworn according to law, deposes and says that she is the secretary to Anthony J. Vardaro, Esq., Attorney for Plaintiff in this action and certifies that on July 27, 1989 she delivered to the Post Office in Meadville, Pa. for delivery to William J. Winters at R.D.# 6, Lamong Drive, Meadville, Pa. 16335 by certified mail, return receipt requested, delivery restricted to addressee only, a true and correct copy of the Complaint in this matter for which deponent received at the time receipt for certified artic;e no P 966 072 181 which is attached hereto as Exhibit "A" . Thereafter on July 31, 1989 it was returned to Anthony J. Vardaro, return receipt card bearing the same number and signed by William J. Winters said return receipt card being attached hereto as Exhibit "B".

Vicki Bradshaw

Apr. 10, 1990, Affidavit of Consent of plaintiff filed.

Apr. 10, 1990, Affidavit of Consent of Defendant filed.

Apr. 10, 1990 Separation and Property Settlement Agreement filed.

Apr. 12, 1990, Upon praecipe of plaintiff attorney, for review under 201(c) of the Divorce Code, this case moved to court.

April 20, 1990 DIVORCE DECREE FILED.

1. Divorce: Upon consideration of the pleadings and Affidavits filed in the above case, this Court hereby grants an absolute divorce from the bonds of matrimony to the abo ve named parties, on the grounds that their marriage is irretrievably broken and ninety (90) days have elapsed from the date of the filing of the Complaint, and an Affidavit has been filed by each of the parties evidencing that each of the parties consents to the divorce, pursuant to Section 201(c) of the Pennsylvania Divorce Code.

2. Equitable Property Determination adn Distribution: This Decree provides that the marital property of the above named parties shall be divided in accordance with a Separation and Property Settlement Agreement dated April 2, 1990, executed by the parties and filed at the above captioned number and term in the Court of Common Pleas of Crawford County which distribution Shall be as follows:

A. Each party shall have the tangible personal property, including without limitation, jewelry, clothes, furniture, furnishings, rugs, carpets, household equipment, and appliances, pictures, books, works of art, and other personal property in that party's possession at this time including all pension rights which each party has received or will receive from his or her life.

(B) Plaintiff shall have sole possession of the 1988 Mercury Cougar automobile and Defendant shall immediately pay off any loan regarding the same and execute the title to effect transfer of the same to Plaintiff as sole owner.

(C) Plaintiff shall be sole owner of 108 shares.more or less, of Whitman Corporation stock.

(D) Defendant shall have all of the right, title, and interest in the real estate situate at R.D.# ¢ Lamont Drive, Meadville, Crawford County, Pennsylvania, and Plaintiff shall execute and deliver all documents in the usual form conveying, transferring, and granting to Defendant such title and interest and Defendant shall indemnify and hold harmless wife from any and all outstanding obligations on said real estate including but not limited to an existing mortgage, any and all accrued utilities and repair costs with regard to the residence and from any claims whatsoever in nature arising therefrom.

3. No other matters or causes of action provided under the Pennsylvania Divorce Code, Act No. 1980 -26 are reserved by either of the parties.

This Order shall be effective as of this 20 day of April, 1990.

BY THE COURT:
P. Richard Thomas, J.

# 1989

Watts, Pepicelli,
Youngs and Youngs
Theodore H. Watts

646.
Bukac and Toomey
Terry Toomey

LAURIE A. BRECHT

vs.

JAMES R. BRECHT

Filed July 26, 1989
@ 4:16 p.m.

Tax & entry Paid $50.50 ✓

John Fuller, Mediator $90.00

COMPLAINT FOR CUSTODY

1 copy (atty)

ORDER OF COURT:
You, James R. Brecht, defendant, have been sued in Court to obtain custody of your child, Pamela L. Brecht.
You are ordered to appear in person for a conference at such time and place as may be set by JOHN FULLER, CHILD CUSTODY MEDIATOR.
If you fail to appear as provided by this order, an order for custody may be entered against you or the court may issue a warrant for your arrest.
You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.
Crawford County Bar Association, Ser. tothe pub. Committee c/o Prothonotary Crawford CountyCourthouse Meadville, Pa. 16335
Date: 7/26/89 BY THE COURT,
P. Richard Thomas, J.

Sept 14, 1989 Order filed: AND NOW, September 12, 1989, after mediation conference before John Fuller, Esquire, and based upon an agreement of the parties, IT IS ORDERED AND DECREED AS FOLLOWS, legal custody of Pamela L. Brecht shall be shared between the mother, Laurie A. Brecht, and the father, James R. Brecht, that is, each parent shall be entitled full access to school records, medical records and other important records and each parent shall be entitled to take part fully in decisions affecting the child's education, religious instruction, medical treatment and other such important decisions.
II. Physical custody of Pamela L. Brecht shall be with her mother, Laurie A. Brecht, subject to the following conditions:
A. The father shall be entitled to reasonable visitation rights, including overnight visits, holiday visits, weekend visits and extended Summer visits, as agreed upon from time to time between the mother and the father.
B. This orde is entered without prejudice to the right of either party to request a further mediation conference at some time in the future for the purpose of obtaining a more specific visitation schedule between the child and the child's father.
C. Neither mother nor father shall say or do anything in an attempt to turn the child against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the child towards both parents.
D. Neither mother nor father shall expose the child to any person or situation which may be harmful to the child's health or well being.
E. Both parents agree to inform the other immediately of any illness or injury regarding the child and both parents agree to furnish the other with a current telephone number.
III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within thirty (30) days of the date hereof.
IV. Cost of the mediation conference shall be paid by Crawford County.
P. Richard Thomas, Judge

Sept 14, 1989 Copies of order put in Attys. Watts and Fuller's boxes and copy mailed to Defendant.

Jan. 24, 1990 Motion for Further Mediation and Order filed.
ORDER: AND NOW, this 24th day of January 1990, upon Motion of the Defendant for further review of his custody and visitation rights, John Fuller, Esquire, is hereby re-appointed Child Custody Mediator and directed to schedule a Mediation Conference to review the Defendant's child custody and visitation rights.
BY THE COURT
Gordon R. Miller, J.

Jan. 29, 1990 Copies of order put in Attys. Watts and Terry Toomey and John Fuller's Boxes.

Feb. 12, 1990 Motion To Withdraw As Counsel and ORDER filed. AND NOW, this 12th day of February, 1990, upon consideration of the within Motion, the same is allowed and counsel for the Plaintiff is granted leave to withdraw.
By the Court,
Gordon R. Miller, J.

Feb. 14, 1990 Copy of Order to Attys. Theodore Watts, Terry Toomey.

Mar 28, 1990 Motion for Further Mediation filed.

Mar 28, 1990 Order of Court filed: AND NOW, this 28th day of March, 1990, upon Motion of the Defendant for further review of his custody and visitation rights, John Fuller, Esquire is hereby re-appointed Child Custody Mediator and directed to schedule a Mediation Conference to review the Defendant's child custody and visitation rights.
BY THE COURT,
Gordon R. Miller, J.

Mar 28, 1990 Copies of order put in Attys. Watts, Toomey and Fuller's boxes.

# 1989

Pepicelli, Youngs & Youngs
~~Christopher J. Youngs~~
~~Watts. Pepicelli,~~
Youngs and Youngs
Alan L. Pepicelli

647.

Brian J. Lindsay

ERIC R. SMITH

vs.

KATHLEEN L. SMITH

Filed July 26, 1989
@ 4:16 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| 2 counts paid | 30.00 |
| Pro.Co. pd 10/7/93 | 9.00 |

COMPLAINT IN DIVORCE, CHILD CUSTODY
EQUITABLE DISTRIBUTION

1 copy (atty)

Aug. 2, 1989 Certificate of Service filed. ALAN L. PEPICELLI, Esquire, hereby certifies that he is the Attorney for the Plaintiff in the within Action and that a certified copy of the Complaint in Divorce was sent by certified mail, return receipt requested, addressee only, to the Defendant, Kathleen L. Smith, R.D.#1, Benner Road, Meadville, Pennsylvania, 16335, on July 26, 1989 and was received by the same on July 27, 1989. The receipt for certified mail and the return receipt are attached hereto marked Exhibit "A".

Alan L. Pepicelli

Sept 11, 1990, Appearance of Brian J. Lindsay, attorney for defendant, filed.

Dec. 20, 1991 Motion For Leave Of Court To Permit Production of Documents Under PA R.C.P. 4001 et seq. and 1920.22 and ORDER filed. AND NOW, this 20 day of December, 1991, upon presentation and consideration of the foregoing Motion, this Court grants leave to the Defendant to request the production of the specified documents and directs that the plaintiff comply within ten (10) days from the date hereof.

By The Court:
P. Richard Thomas, S.J.

Dec. 31, 1991 Copy of Order to Atty. Alan Pepicelli and Brian Lindsay.

Jan. 24, 1992 Appearance of Pepicelli, Youngs & Youngs PC by Christopher J. Youngs for Plaintiff filed.

Feb. 10, 1993 Affidavit of Consent of Defendant, filed. 1 copy (atty)

Oct. 7, 1993 Affidavit of Consent by Eric R.Smith, Plaintiff, filed.

Oct.7, 1993 Motion to Withdraw Ancillary Counts in Divorce, filed.

Oct. 7, 1993 Upon Praecipe of Plaintiff Attorney, Chirstopher J.Youngs, Esquire, to transmit record, case moved to Court.

DIVORCE DECREE FILED

Oct. 21, 1993 STIPULATION AND CONSENT DECREE filed. AND NOW, this 19 day of October, 1993, upon presentation and consideration of the foregoing Stipulation, this Court hereby directs that:

1. Divorce

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

2. Equitable Property Determination and Distribution

A. That the trustee for the Marine Bank Trust Account #011-311-0353718, Christopher J. Youngs, liquidate the trust account and pay $2,000 from the corpus of that account to Kathleen Smith and to then pay the balance of that account to kathleen 1. Smith and to Eric R. Smith in equal shares, within five (5) days of the date of the decree.

B. The trustee of the above referenced account shall generate a final statement of the account that identifies the total interest earned for each calendar year of the accounts existence. The parties shall each include one-half (½) of the interest earned in each calendar year as part of their incomes for those years and shall each pay and indemnify and hold each other harmless from any resulting tax liability.

C. That the parties hereto, hereby release Christopher J. Youngs and Pepicelli, Youngs, and Youngs, P.C. from any liability arising from Christopher J. Youngs performance as trustee and escrow agent for the marine Bank Trust Account No. 011-311-0353718, provided that the trustees' duties, pursuant to this decree, have been fully performed. Each party shall execute a Release form provided by Christopher J. Youngs after his duties have been performed.

Personalty

D. Eric Smith shall have sole possession and ownership of the gun cabinet. Mrs. Smith shall make the cabinet available within five (5) days of the date of this Decree.

E. Eric Smith shall ahve sole possession and ownership of the sofa and chair.

F. Eric Smith shall have sole possession and ownership of the black cherry chair. Mrs. Smith shall make the chair available with five (5) days of the date of this Decree.

G. Kathleen Smith shall have sole possession and ownership of the antique pitcher and bowl.

H. Eric Smith shall have sole possession and ownership of the wormy chestnut china cabinet.

I. Eric Smith shall have sole possession and ownership of the Steeler blanket.

J. Eric Smith shall have sole possession and ownership of the oak table and desk.

K. Eric Smith shall have sole possession and ownership of his high school yearbook if and when Mrs. Smith locates such item and shall make a reasonable effort to locate the yearbook and shall immediately transfer possession to Mr. Smith upon finding this item.

L. Eric Smith shall have sole possession and ownership of the Steeler's 60-year history book if and when Mrs. Smith locates such item and shall make a reasonable effort to locate the book and shall immediately transfer possession to Mr. Smith upon finding this item.

M. Eric Smith shall execute a transfer and assignmetn of his ownership of American General Life and Accident Insurance Company Policy, Number 82948634 and State Farm Life and Accident Assurance Company Policies, Number 0364-3745 and Number 0495-0144, from himself to Kathleen L. Smith, within five (5) days of the date of this Decree.

RECORD CONTINUED ON PAGE 661.....
SEE VOL. 3

# 1989

| | | |
|---|---|---|
| Shafer Swick, Bailey, Irwin & Stack<br>Paul D. Shafer, Jr.<br><br>648.<br><br>pro se<br>Culbertson, Weiss, Schetroma & Schug<br>Glenn A. W. Thompson | BEN MICELI<br><br>vs.<br><br>STANLEY B. LASSITER Individually and d/b/a Computer Management Information Systems<br><br>Filed July 27, 1989<br>@ 10:18 a.m.<br><br>Tax & entry Paid $50.25 ✓<br>Arb. pd 9/27/89 15.00 ✓ | NOTICE OF APPEAL OF DEFENDANT FROM THE JUDGMENT OF WILLIAM CHISHOLM, DISTRICT JUSTICE- 30-2-01<br><br>July 27, 1989, Rule entered upon plaintiff to file complaint issued.<br><br>July 27, 1989, Proof of Service filed.<br><br>Aug. 10, 1989 Complaint filed. (1 copy atty)<br><br>Sept. 1, 1989 Answer, New Matter and Counterclaim filed.<br><br>Sept. 21, 1989 Plaintiff's Reply To New Matter and Counterclaim filed.<br><br>Sept. 25, 1989, Upon praecipe of plaintiff attorney, for reference to the arbitrators, the following arbitrators are appointed:<br>Mark D. Prather, CH.<br>Harry F. white II<br>Lisa Pepicelli Youngs<br><br>Oct. 5, 1989, Arbitrators take the qualifying oath. |

# 1989

Kimberly McDaniel

649.

EQUIBANK

vs.

THOMAS J. KELLY, JR. AND
BETTY J. KELLY,

Filed July 27, 1989
@ 11:08 a.m.

| | |
|---|---|
| Pro Simmons Paid | $15.00 ✓ |
| plff on orig | 107.60 |
| Sheriff's costs | 40.40 |
| Pro Co Pd 10/13/89 | 9.00 ✓ |

WRIT OF REVIVAL

of

AD 1984 - 721

Writ of Revival of Judgment indexed in favor of the plaintiff and against the defendants in the sum of Twelve Thousand Four Hundred Thirty Six and 34/100 Dollars, plus additional int. from June 28, 1989 at 1.50 per diem, costs and atty's fees.

Debt.....$12,436.34
Int. from.....June 28, 1989 at 1.50 per diem
K - 241, 21.....JUDGMENT

James F. Simmons,
Prothonotary

ISSUED (atty)

Sept. 12, 1989 Writ return filed. SERVED Thomas J. Kelly personally on Aug. 25, 1989 at 11:55 a.m. by handing copy of Writ of Revival to him at his residence, 410 N. First St., Titusville, Crawford Co., PA. 16354

SERVED Betty J. Kelly on August 25, 1989 at 11:56 AM by handing copy of Writ of Revival to her husband, Thomas J. Kelly, Jr., at their residence, 410 N. First St., Titusville, Crawford County, PA. 16354

So answers,

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

And Now, Oct. 13, 1989 at 1:33 p.m., upon praecipe of plaintiff attorney, with default notices and service, and affidavit of non military service attached, Judgment is hereby entered in favor of plaintiff and against the defendants in the amount of Twelve Thousand Four Hundred Thirty Six and 34/100 Dollars, including prin. and int. through 6/27/89, with additional int. from 6/28/89 at 1.50 per diem to be added, costs and atty. fees to be added.

Judgment entered - 10/13/89

K - 241, 21

Debt --$12,436.34
Int. from 6/28/89
JUDGMENT
James F. Simmons,
Prothonotary

Oct. 16, 1989, Notice of entry of judgment mailed to each defendant, individually.

# 1989

Culbertson, Weiss,
Schetroma and Schug
Mary Ann Kirkpatrick

650.

Douglas W. Ferguson

JUDY ZILHAVER

vs.

KEITH ZILHAVER

Filed July 27, 1989
@ 3:54 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 ✓ |
| 2 counts paid | 30.00 ✓ |
| Service Cost | 32.40 |
| Gary Fabian, Master | |
| Pro Co. paid 11/19/90 | 9.00 |
| State paid 11/19/90 | 10.00 |

4/23/90 Reed $500.00 from Defendant
5/3/90 Reed $350.00 from Plaintiff
6/1/90 Paid $455.00 To Lois Conklin Reporting Service Ck# 5656
6/27/90 Reed $200.00 from Plaintiff
Paid Check # 5925 - Paid $49.50 to G. Fabian Master.
12/3/90 Reed $546.49 From Plaintiff
Paid 12/4/90 $546.49 To Gary A. Fabian, Master Fee Ck# 5944
12/21/90 Reed $496.49 From Defendant
12/21/90 Paid $496.49 To Gary Fabian, Master Fee Ck# 5962

COMPLAINT IN DIVORCE, ALIMONY, ALIMONY PENDENTE LITE, CHILD SUPPORT, REASONABLE COUNSEL FEES, & COSTS AND EXPENSES, EQUITABLE DISTRIBUTION

1 copy (atty)

July 31, 1989 Motion to Schedule Hearing and Order filed: AND NOW, July 28, 1989, hearing is set on the Petition for Special Relief and request for Alimony Pendente Lite, Costs and Counsel Fees for Aug. 17, 1989 at 1:30 P.M. o'clock in court room one or two the Crawford County Courthouse, Meadville, Pennsylvania. For the Court,
Imogene Yetman, Ct. Adm.
Aug. 1, 1989 Copy of order put in Atty. Kirkpatrick's box

Aug. 1, 1989 Affidavit of Service filed. Jose Saraceno, being duly sworn accor ding to law, deposes and sets forth as follows:
1. That he is a competent adult and investigator for the James M. Tidd Company, a duly licensed and bonded private investigation agency in Pennsylvania.
2. That on information furnished to him he caused a certified copy of the Complaint in Divorce and Petition for Special Relief and Order in the above matter to be served upon Keith Zilhaver at 5:10 o'clock P.M., on July 31, 1989 at R.D.2, McClellen St. CAmbridge Springs, PA.
3. That costs incurred for this service were as follows:

| | |
|---|---|
| a.) Service | $27.50 |
| b.) Mileage | $ 4.90 |
| Total | $32.40 |

4. Further Deponent Saith Not. Joe Saraceno

Aug. 18, 1989 Plaintiff's Income and Expense Statement filed.

A ug. 18, 1989 Order filed. AND NOW, August 17, 1989, at the time fixed for hearing on the various requests for special relief, the following Order is entered:
1. The Defendant shall pay through his counsel to counsel for the Plaintiff the sum of $200.00 on or before September 1, 1989, towards counsel fees, expenses, and costs.

2. The Defendant shall pay the sum of $110.00 per week in biweekly installments as alimony pendente lite, provided that he also continues to make the required mortgage payments on the marital premises. In the event he fails to make the mortgage payments and they are in default more than thirty (30) days, the requirement of payment of alimony pendente lite shall be increased to $200.00 per week.

3. Exclusive possession of the marital premises is awarded to the Plaintiff effective August 26, 1989 , at 5:00 p.m. by which time the Defendant shall be removed from the premises. He may take with him all personal effects, clothing and the like and a reasonable amount of personal property and household goods, so long as such removal does not deplete the household goods in the marital premises to a point where new items must be purchased to operate as a reasonably sufficient home.

4. The Plaintiff has removed certain marital funds and placed them in an interest bearing bank account and she shallnot remove any further funds from that account from and after this date without further Order of Court. The Defendant has available to him credit union accounts at Northwest REA in the approximately amount of $14,000.00 and he shall not remove funds from that account after this date until further Order of Court.

5. The Court reserves the right to make further Orders regarding the payment of counsel fees if appropriate and the Order for the payment of alimony pendente lite shall terminate February 28, 1990, unless further extended by the Court.

Nothing contained in this Order shall in any way effect the economic rights and obligations of either of the parties in the ultimate equitable distribution of the marital property.
BY ORDER OF THE COURT,
Robert L. Walker, Judge

Aug. 22, 1989 copies of order given to Mary Ann Kirkpatrick and Douglas W. Ferguson, attys.

Aug 31, 1989 Inventory and Appraisement of Judy Zilhaver, Plaintiff filed.

Nov. 15, 1989 Motion for Sanctions for Failure to File Inventory and Appraisement Form and Income and Expense Statement and Order filed. And Now, November 15, 1989 defendant is ordered to file an INventory and Appraisement and INcome and expense form by 4:30 o'clock, p.m. on Dec. 4, 89 4:30 pm; if Defendant fails to file the forms by that date, he is prohibited from offering any testimony to the Master concerning value of assets.
BY THE COURT:
P. Richard Thomas, J
Nov. 16, 1989 Copies of order put in Mary Ann Kirkpatrick and Douglas Ferguson's box.

Nov. 20, 1989, Affidavit of Consent of plaintiff filed.

Dec. 13, 1989 Defendant's Income and Expense Statement filed.

Jan. 8, 1990, Petition for Contempt and order filed. ORDER: AND NOW, Jan. 8, 1989, hearing on Plaintiff's Contempt Petition is s cheduled for Jan. 24 1990 at 11:a.m. in C. R. No. 3 of the Crawford County Courthouse in Meadville, pa.
BY THE COURT,
Robert L. Walker, J.
Jan. 9, 1989, copies to Attys. M. Kirkpatrick and D. Ferguson.

Jan. 24, 1990, Motion toContinue Hearing Generally and order filed. ORDER: AND NOW, Jan. 23, 1990, MOtion allowed. By the Court,
P. Richard Thomas, J.
Jan. 26, 1990, copies to M. Kirkpatrick and D. Ferguson (boxes)

Judy Zilhaver

vs.

Keith Zilhaver

Record continued from page 100

of record

A.D. 1989 - 650

**********

Feb. 15, 1990 Motion For Appointment Of Master In Divorce and Order filed. AND NOW, February 16, 1990, Gary Fabian, Esquire is appointed Master in respect to the following claims: Deposit required: By Plaintiff $250.; By Defendant $500..

PER CURIAM,
Gordon R. Miller, J

Feb. 22, 1990 Copies of order put in Mary Ann Kirkpatrick, Douglas Ferguson and Gary Fabian' box.

Apr. 3, 1990, Inventory and Appraisement of defendant filed.

Apr. 6, 1990 Memorandum of Prehearing Conference filed.

Apr. 6, 1990 Proof Of Notice of Master's Hearing filed.

Apr. 24, 1990 Affidavit Of Consent of defendant filed.

June 1, 1990 Motion To Set Fee Of Court Reporter, Authorize Payment of SAme, and To Require Additional Security and Order filed. AND NOW, this 1 day of June, 1990, the court reporting fees of Lois Conklin are set in the amount of $455.00, and the Prothonotary is authorized and dicrected to make payment from the funds held by the Prothonotary in such amount to Lois Conklin.

Further, it is ORDERED and DIRECTED that as additional security for payment of Master's fees in this matter that the plaintiff shall deposit with the Prothonotary's Office the sum of $200 not later than June 25, 1990, and the defendnat shall deposit with the Prothonotary the sum of $400 not later than June 25, 1990. These deposits shall be made only as security for payment of Master's fees, and final allocation of all costs, fees and expenses between plaintiff and defendant is her eby served until further order of court.

BY THE COURT,
P. Richard Thomas, J

June 1, 1990 Copies of order put in Mary Ann Kirkpatrick, Douglas Ferguson and Gary FAbian's box.

Oct. 12, 1990 Notice Of Filing Of Master's Report & Master's Report filed.

Nov. 15, 1990, Transcript of Proceedings of Master's Hearing filed.

Nov. 15, 1990, Motion to Set Fee of Master filed.

Nov. 15, 1990, ORDER: AND NOW, Nov. 14, 1990, upon review of the Master's motion to set his fee, and review of the Master's report it is ordered as follows:

1. The master shall be entitled to receive $1,537.98 in full for his fee and reimbursement for expenses.

2. The parties shall equally share the fees and expenses of the Master and court reporter in this case since parity was apparently established by the Master.

3. Eac h party shall pay $996.49 aS THAT PARTY"S Share of the fees and expenses of the master and court reporter. The plaintiff is entitled to a credit of $450.00 for sums she has hereto fore paid and therefore owes a balance of $546.49. The defendant shall receive a credit of $500.00 for a payment he has already made and therefore owes a balance of $496.49.

4. Ea ch party shall pay the balance he or she ownes to the Master, directly or through the Prothonotary, on or before Dec. 17, 1990.

The Prothonotary shall distribute the balance of the parties' deposit, now held by him, in the maount of $495.00 to the Master forthwith to apply on the Master's fees and expenses.

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

Nov. 15, 1990, copies of order to Attys. Fabian, Ferguson and Kirkpatrick.

**Nov. 19, 1990 Praecipe of Plaintiff's attorney for Review Under Divorce Code , this case is moved to court.**

Dec. 3, 1990 **D I V O R C E  D E C R E E  F I L E D .**

AND NOW, THIS 3rd day of December, 1990, the Court ORDERS AND DECREES that:

1. Judy Zilhaver, plaintiff, and Keith Zilhaver, defnedant, are divorced from the bonds of matrimony.

2. **Marital Propert** - the marital property of the parties is awarded sixty (60%) percent to plaintiff and forty (40%) percent to defendant as follows:

(a) Awarded to plaintiff and found to be marital property are those items inthe appraisal of personal property attached to the inventory and appraisement of plaintiff as follows: **KITCHEN,** items 1-8; **FAMILY ROOM,** items 1-8; **LIVING ROOM**, items 1-9; **BEDROOM-SON,** items 8-11; **UPSTAIRS MASTER BEDROOM**,items 1-3 and 5 and 6; **BEDROOM-UP**, items 6; **BASEMENT**,items 3,4,6, and 9; **OUTSIDE**, items 1, 2, 4, 5, and 9; and **OUT BY POND** items 1, 2 and 4/

The total value of personal property awarded to plaintiff is $4,919.00.

(b) Awarded to defendant and found to be marital property are those items of the appraisal of personal property attached to the inventory and appraisement of plaintiff as follows; **LIVING ROOM** item 10b; **UPSTAIRS MASTER BEDROOM,** item 4; **BASEMENT** ITEMS 1 2, 5, 7, 8, 10, 11, 13 and 14; **INTEGRAL GARAGE** items 1-19; **OUTSIDE,** items 6, 7, 8, 11, 12 and 13

The total value of personal property awarded to defendant is $10,100.00

(c) Awarded to plaintiff and found to be marital property is the former marital residence of the parties valued at $53,200.00.

(d) Awarded to defendant and found to be marital property are the defendant's pension valued at $16,852.55, defendant's 401(k) savings plan valued at $549.00 and defendant's life insurance valued at $2,800.00.

(e) The Mellon's savings account valued at $18,043.74 and the Credit Union account valued at $11,199.30 are both found to be marital proper ty and are awarded to the parties as follows: CASH TO PLAINTIFF - $12,479.15; CASH TO DEFENDANT - $16,763.89;

Further, awarded to plaintiff is sixty (60%) percent of all interest and/or dividend accumulations and awarded to defendant is forty (40%) percent of all interest and/or dividend accumulations on both of these said accounts from date of the Master's Hearing, to-wit: May 3, 1990, until the date of actual division of said assets between the aprties.

2. A credit is awarded to the defnednat for a portion of the fail rental value of the former marital residence of the parties in the amount of $2,080.00, which credit shall be accounted for between the aprties as an adjustment to the cash to be paid to each party as set forth hereinabove in subparagraph 1(e). Accordingly, the adjusted cash awarded to each party is as follows: ADJUSTED CASH TO PLAINTIFF - $10,399.15; ADJUSTED CASH TO DEFENDANT - $18,843.89

3. Awarded to defendant and found to be pre-marital property are those items on page 1 of the appraisal of personal property attached to plaintiff's inventory and appraisement and listed under "LIVING ROOM" as items 10 a, c, d, e, f, g, and h at a total value of $1,265.00.

4. An award of alimony is found by the Court to be necessary and alimony is hereby awarded to plaintiff and shall be paid to plaintiff by defendant in the amount of $650.00 per month, each and every month, until that date in 1991, when the mortgage upon the former marital residence of the parties will be paid in full, or would have been paid in full had every monthly payment been paid in a timely fashion. Plaintiff shall made payment upon the said mortgage. After such date, defendant shall pay to plaintiff alimony at the rate of $250,00 per month, each and every month, for an additional period of three (3) years.

5. Additional counsel fees in the amount of $935.00 are awarded to plaintiff to be paid by defendant not later than thirty (30) days after this order shall become a final order. No award is made to either party as to costs and expenses.

6. This Order shall be effective immediately.

BY THE COURT,
Gordon R. Miller, J

100
B

# 1989

Judy Zilhaver

vs.

Keith Zilhaver

Record continued from page 100 b

of record

A.D. 1989 - 650

**********

May 15, 1991 Petition To Terminate Award Of Permanent Alimony and Order filed. AND NOW this 15 day of May, 1991, upon presentation and consideration of the within Petition, a Rule is granted upon the Plaintiff to show cause, if any he has, why the alimony award heretofore entered by the Decree of your Honorable Court should not be terminated forthwith.
Returnable an dfor hearing on the 20 day of June, 1991, at 2:30 o'clock p.m. in Court Room No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania.
A copy of this Petition to be served upon the Plaintiff by delivering a copy of the same to her counsel of record, Mary Ann Kirkpatrick, Esquire.

BY THE COURT,
P. Richard Thomas, s.j.

May 16, 1991 Copies of order put in Mary Ann Kirkpatrick and Douglas Ferguson's box.

June 21, 1991 Stipulation Relative To Payment Of Alimony and Order filed. AND NOW, this 20 day of June, 1991, upon presentation and consideration of the within Stipulation and Agreement to Modify an Award of Permanent Alimony, an Order is hereby entered in accordance with the terms threof. A copy of this order shall be delivered to the Domestic Relations section of Crawford County and this Order shall apply in full force and effect to a certain action at DR No. 1990-686.

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

June 25, 1991 Copies of order to Douglas Ferguson, Mary Ann Kirkpatrick and Dom Rel.

# 1989

651.

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

vs.
RICK CONLEY
KATHLEEN CONLEY

Filed July 27, 1989
@ 4:03 p.m.

Pro Simmons Paid $9.00
plff on orig 14.50

AGREEMENT TO REVIVE
of
DSB 1984 - 635

Judgment of revival indexed in favor of the plaintiff and against the defendants in the sum of Seven Thousand and 00/100 Dollars, plus costs.

Debt.....$7,000.00
Dated....July 24, 1989
C - 143, 103.....REVIVAL OF JUDGMENT
James F. Simmons,
Prothonotary

July 12, 1994 Revival To:
AD 1994-683

# 1989

652.

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

vs.

MARIE E. HERSHELMAN

Filed July 27, 1989
@ 4:03 p.m.

| | |
|---|---|
| Pro Simmons paid | $9.00 |
| plff on orig | 14.50 |

AGREEMENT TO REVIVE

of

DSB 1984 - 658

Judgment of REvival indexed in favor of the plaintiff and against the defendant in the sum of Seven Thousand and oo/loo Dollars plus costs.

Debt..... $7,000.00
Dated July 26, 1989
H - 249.....REVIVAL OF JUDGMENT
James F. Simmons,
Prothonotary

6-23-94 Revived & AD1994-615

# 1989

653.

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

vs.

MABEL SILVERTHORN

Filed July 27, 1989
@ 4:03 p.m.

| | |
|---|---|
| Pro Simmons Paid | $9.00 |
| plff on orig | 14.50 |

AGREEMENT TO REVIVE

of

DSB 1984 - 721

Revival of Judgment indexed in favor of the plaintiff and against the defendant in the sum of Seven Thousand and 00/100 Dollars, plus costs.

Debt..... $7,000.00
Dated.....July 27, 1989
S - 111.....REVIVAL OF JUDGMENT
James F. Simmons,
Prothonotary

6-22-94 Revived & ADI994-617

# 1989

654.

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

vs.

ROSE HENRETTY

Filed July 27, 1989
at 4:03 p.m.

| | |
|---|---|
| Pro Simmons paid | $9.00 ✓ |
| plff on orig | 14.50 |

AGREEMENT TO REVIVE

of

DSB 1984 - 672

Revival of Judgment indexed in favor of the plaintiff and against the defendant in the sum of Seven Thousand and 00/100 Dollars plus costs.

Debt.....$7,000.00
Dated....July 27, 1989
H - 143.....REVIVAL OF JUDGMENT
James F. Simmons,
Prothonotary

July 12, 1994 Renewal To:
AD 1994-682

# 1989

Meyer, Darragh, Buckler
Bebenek, Eck & Hall
Marie Milie Jones

655.

JUSTIN HRALA, A MINOR BY HIS PARENT AND NATURAL GUARDIAN, VICKY HRALA, IN HER OWN RIGHT

vs.

MARK STAFFORD

Filed July 28, 1989
@

Tax & entry paid $50.50
Pro Co Pd 7/28/89 9.00

AMICABLE CIVIL ACTION

1 copy (atty)

July 28, 1989, Petition for Compromise and Settlement of a Minor's Claim and order filed.

ORDER:

AND NOW, to wit, this 31 day of July 1989, it is hereby ordered, adjudged and ddecreed that the Petition for Compromise and Settlement of a Minor's Claim is granted and that payment be made by the insurance carrier for the defendant in the amount set forth in the Petition.

1 copy (atty) P. Richard Thomas, J.

# 1989

William L. Walker
Spadafore, Vardaro & Walker

656.

Carney & Good
By: TedJ. Padden

MAX G. HYDE AND DONNA HYDE, HUSBAND AND WIFE

vs.

AMY I TAYLOR

Filed July 28, 1989
@ 10:01 a.m.

Tax & entry Paid $50.50 ✓
Sheriff's costs 23.00
Pro Co Pd 6/6/90 5.00 ✓
Pro Co Pd 6/6/90 1.00 ✓

COMPLAINT

1 copy (sheriff)

(JURY TRIAL DEMANDED)

August 11, 1989 Sheriff's Return filed. SERVED Amy I. Taylor personally on August 1, 1989 at 11:30 AM by handing a copy of Complaint to her at her residence, RD #2, Coons Corners, Saegertown, Crawford Co., PA 16433
So answers,

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

Aug. 18, 1989 Answer and New Matter filed.

Sept. 7, 1989 Reply To New Matter filed.

Oct. 23, 1989 Notice of Taking Deposition of Amy I Taylor filed.

Oct. 30, 1989 Notice of Taking Deposition of Max G. Hyde filed.

**Jan. 5, 1990 Notice of Serving Request for Production of Documents filed.**

Jan. 31, 1990, Notice of Service of Interrogatories and REquest for Production of Documents filed.

Feb. 26, 1990, Notice of Deposition of Dr. Robert A. Bazylak filed.

Mar. 26, 1990, Certificate of Readiness filed.

ON TRIAL LIST FOR APRIL 1990

May 15, 1990 Upon Praecipe of Plaintiff's Attorney this case is marked settled and discontinued of record.

# 1989

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

657.

NATIONAL FUEL GAS
DISTRIBUTION CORPORATION

vs.

WALTER E. RIDGEWAY AND
PATRICIA RIDGEWAY

Filed July 28, 1989
@ 10:46 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Sheriff's Costs | 29.00 |
| Pro Co pd 9/14/89 | 9.00 |
| Pro. Co. pd 6/1/94 | 5.00 |

COMPLAINT IN CIVIL ACTION

2 copies (sheriff)

Aug. 24, 1989 Sheriff's Return filed. SERVED Patricia Ridgeway personally on August 7, 1989 at 2:45 PM by handing copy of Complaint to her at Sheriff's Office, Crawford Co. Courthouse, Meadville, Pa.
SERVED Walter E. Ridgeway on August 7, 1989 at 2:46 PM by handing copy of Complaint to his Authorized Agent,Patricia Ridgeway, at Sheriff's Office, Crawford Co. Courthouse, Meadville, Pa. Hersigned Acceptance of Service attached.
So answers, Carole Stefanucci, Dep. Sheriff
Howard N. Stewart, Sheriff

And Now, Sept. 14, 1989 at 11:15 a.m. upon praecipe of Plaintiff Attorney, with Notice of Intention to File Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendant for want of an answer and the damages are assessed at the sum of One Thousand Seven Forty-Six and 08/100 plus interest and cost of suit.
R-176-136 Debt $1,746.08
judgment entered 9/14/89 Int. from July 25, 1989
Judgment
James F. Simmons
Prothonotary

Jun. 1, 1994 Upon Praecipe of Lawrence C. Bolla,Esquire, Attorney for the Plaintiff, the above captioned judgment is marked satisfied in full of this judgment, debt, interest and costs filed.

# 1989

Mason and Mason
Joan D. Mason

658

Ferguson & Spataro
Douglas W. Ferguson

LINDA L. UPLINGER

vs.

RICKY L. UPLINGER

Filed July 28, 1989
@ 3:27 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| 1 count paid | 15.00 |
| Pro Co Pd 3/5/90 | 15.00 |
| Pro Co pd 8-21-90 | 9.00 |
| State pd 8-21-90 | 10.00 |

COMPLAINT IN DIVORCE, CUSTODY

3 copies (atty)

Sept 8, 1989 Complaint reinstated.

**Jan. 5, 1990 Affidavit of Consent of Plaintiff filed.**

Feb. 28, 1990, Petition for Additional Remedy of Equitable Distribution filed.

Apr. 3, 1990 Affidavit Of Acceptance Of Service filed. I, Douglas Ferguson, Attorney for the defendant in the above captioned action, being duly sworn according to law, do hereby state that I accepted service of the Petition for Additional Remedies, on March 8th, 1990, by receiving said Pettion from Attorney Joan D. Mason, at my office at 283 Walnut Street, Meadville, Pennsylvania 16335.
Douglas W. Ferguson

Apr. 3, 1990 Affidavit Of Consent of Defendant filed.

June 18, 1990 I, Ricky L. Uplinger, Defendant in the above captioned action, being duly sworn according to law, do hereby state that I accepted service of the complaint in divorce, on July 13, 1989, by receiving said complaint from my attorney, Douglas Ferguson, at his office at 283 Walnut St., Meadville, PA. 16335.
Ricky L. Uplinger, Defendant.

Aug. 21, 1990 Corrected Affidavit of Acceptance of service filed. I, Ricky L. Uplinger, Defendant in the above captioned action, being duly sworn according to law, do hereby state that I accepted servi ce of the Complaint in divorce, on September 13, 1989, by receiving said complaint from my attorney, Douglas Ferguson, at his office at 283 Walnut St. Meadville, Pa. 16335
Ricky L. Uplinger, Defendant

Aug. 21, 1990, Upon Praecipe of Plaintiff's attorney for Review Under §201(c) of the Divorce C ode, this case moved to Court.

Aug. 30, 1990 Stipulation filed.

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

AND NOW, this 30th day of August, 1990, the court orders and decrees as follows:

1. DIVORCE: Upon consideration of the pleadings and affidavits filed in the above-captioned case, this court hereby grants an absolute divorce from the bonds of matrimony to the above-named parties, on the grounds that the marriage is irretrievably broken and ninety (90) days have elapsed from the date of the filing of the complaint, and an affidavit has been filed by each of the parties, evidencing that each of the parties consents to the divorce pursuant to Section 201(c) of the Pennsylvania Divorce Code.

2. DIVISION OF TANGIBLE PROPERTY:

A. Plaintiff shallhave the following items of personal property (which are in Defendant's possession, unless noted otherwise):

(1) All of daughter, Annamarie's furnishings previously located in her room at Hillcrest, including but not limited to curtains, bedsheets, yellow satin bedspread, together with allof Annamarie's personal belongings including her jewelry, toys, clothing, shoes and coats.
(2) Allother curtains and drapes previously located in the Hillcrest residence.
(3) All items given to the Plantiff from any person, including from the Defendnat, including not not li mited toher touch lamps, the octogon mirror, craft materials, paints and brushes (and other items as the parties shall sort out once all tangible personal property is brought together, for sorting purposes), as shall be noted below.
(4) Cookbooks (Plaintiff has possession).
(5) Typewriter (Plaintiff has possession).
(6) Brass plant stand (Plaintiff has possession).
(7) Luggahe (Plaintiff has possesson of some items, others being in Defendant's possession).
(8) Washer and dryer;
(9) House of Lloyd's Christmas decorations;
(10) Staple gune, hammer, and wrench, from Tom Pollard, Pl aintiff's father.
(11) Home Interior decorations and wall handings;
(12) Half of the family photographs and negatives, and access to the other one-half of the negatives and photographs for a three month period, which three month period shalltake place within six months form the date of this divorce decree. The parties shallmutually divide and alternatively choose pictures and negatives, one by one, from all said photos and negatives whichshall be brought together at the same time, in order to assure a fair and even division of the photographs and negatives.
(13) The two baby books, containing handwritten entries of the Plaintiff, and various items placed into the books, by the Plantiff.
(14) has of the small appliances;
(15) gas grill;
(16) Ceiling fan;
(17) Blue satin waterbed comforter, and set of blue waterbed sheets and pillow cases, which were givts from Plaintiff's parents.

B. Defendant shallhave the following items of personal property, which are in his possesison, unless otherwise noted:
(1) Stove;
(2) Refrigerator;
(3) Microwave oven;
(4) VCR;
(5) Livingroom furniture (except for the items noted above to belong to the Plaintiff).
(6) Diningroom furniture;
(7) Bedroom furniture;
(8) Glass wall clock
(9) Half of the small appliances;
(10) Kitchem table and chairs;
(11) Commerical air compressor;
(12) Inventory, equipment, tools, and related items used in connection withthe auto body

Continued on the next page

Linda L. Uplinger

vs.

Ricky L. Uplinger

Record continued from page 108

of record

A.D. 1989 - 658

**********

(13) OUtdoor equipment including lawn mower;
(14) Motor boat;
(15) Snowmobile.

C. Within two days of the date that the last party signs the stipulation to this decree, the Defendant shall transport to his present residence, all of the items that existed at the home in Hilcrest, previously occupied by the parties. The parties shall the immediately establish a date and time to occur no later than one week after the date upon which the last pa rty signs the stipulation hereto, when they shall meet together to divide the small appliances, to sort out those times that are to be Plaintiff's under this decree, and to divide the photographs and negatives. At the same time, all othe ritems that are to become the property of the Plaintiff under this decree, shall immediately be made available to her and shall be responsible for taking possession of them and transporting them.

In the event that any of the items that are to be divided between the parties or are to become the separte property of the Plaintiff, have been destroyed, damaged, or unavailable to the parties while in Defendant's possession or control, whether stored by him or otherwise, he shall restore, replace, or reimburse the Plaintiff for the same. Said reimbursement or restoration shall take place as soon as possible, but no later than June 1, 1990.

During the time the parties meet together to divide the small appliances and sor tout those items that are to be the Plaintiff's under this decree, and to sort the photographs and negatives, no other person from either family shall be present, other than one or both of the Plaintiff's brother, Mike and/or Kevin Pollard, who have maintained speaking relations with both parties.

3. VEHICLES: Plaintiff shall retain the 1982 Caprice Classic Chevrolet automobile, which Defendant shall transfer to her name alone, once it is paid for in May, 1990. In the meantime, Defendnat shall continue to make all payments on said automobile till paid in full, on a timely basis, and insure the automobile at his expense.

Defnednat shall retain the 1968 Camaro automobile, which was his before the marriage, without any claim from the Pl aintiff.

Defnednat shall also retain the 1985 Chevrolet 4X4 pickup truck, and make all remaining payments on the same. In the event that Plaintiff's name is on the vehicle, once it is paid for, she will sign the title to the defendant.

4. BUSINESS: Plaintiff relinquishes any right, title and interest she may otherwise have in the auto body business commence dby the parties during the marriage, subject to compliance by the Defendant with all other items of this decree. Defendant shall be fully responsible fo rany debts, tax reportings, taxes, or other matters, regarding said business, and shall idemnify the Pl aintiff and hold her harmless regarding the same.

5. CASH SETTLEMENT: On or before April 1, 1990, Defendant shall pay the sum of $575.00 to the Plaintiff whether from the tax return or from another source, which sum shall be Plantiff's cash settlement. This sum shall be due regardless ofthe or receipt of the tax refund.

6. LIFE INSURANCE Defendant shall designate the parties' minor child Annamarie Uplinger as sole beneficiary of any work-provided life insurance coverage, and any increase thereon, from any employment he has, up until the time the child attains twenty-three (23) years of age. She shall be designated sole beneficiary of said work-provided life insurance and increases thereon, up till the date of her twenty-third (23) birthday, and thereafter she shall be designated as sole and irrevocable beneficiary of one-half (1/2) of said coverage, for as long as she shall live. This provision is intended to confer third party beneficiary rights to Annamarie Uplinger, pursuant to this paragraph.

7. DEBTS: The Defendant shall be fully responsible for any debts in connection with the death, treatment, ambulance, tombstone (with said tombstone to be chosen by both paries together, with same to be chosen by June 30, 199) and burial of the parties' minor child, brenden Joseph Uplinger.

Defendant shall also be responsible for al lmarital debts including but not limited to ultility bills, the Meadville Tribune, per capita taxes for the Plaintiff, Publisher's Clearing House, Avon, Meadville Master Antenna, American Family Publisher's, and Flowers by Lynda.

Defnedant shall, upon receipt of any reimbursement from his insurance (for services rendered to his daughter and to the Plaintiff, by Gary Maine and Lakeland Emergicenter), forward same in full, and properly endorsed over by him to the Plaintiff, within seven days of receipt of the same.

Defendnat shall assume full responsibility for any liens imposed by any member of his family or anyone else to whom he professes to owe a debt, which liens purport to encumber marital property that is to belong to the Plaintiff. He shall obtain written releases from them, to confirm that Plaintiff is not liable for any debt owed to them.

8. WAIVER OF CLAIMS: Neither party hereto shall make any claim against th eother party hereto, except for enforcement of the rights and responsibilities set forth in this decree.

9. WAIVER OF FILING OF DOCUMENTS: Each party hereto waives the requirements of the Pennsylvania Rules of Civil Procedure, which would otherwise require each party to file a detailed inventory and appraisement listing all assets and debts, giving various detailed information regarding same. Each party hereby indicates to the court that he or she is fully satisfied with the terms of this decree, and that said decree has been agreed upon between the parties freely and witout pressure or duress of any kind.

BY THE COURT,
Gordon R. Miller, J

108
B

# 1989

# 1989

Bozic and Thomas
R. Charles Thomas

659.

8/25/89 Rec'd $82.50 from Dft.

Paid out $23.00 to Howard Stewart Sheriff Check #5230

LINDA L. KNEUBEHL

vs.

JAMES D. KNEUBEHL, SR.

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy (sheriff)
1 copy (county control)

Filed July 31, 1989
@ 9:43 a.m.

| | | |
|---|---|---|
| Indigent filing T & E | Paid 8/25/89 | 50.50 |
| Sheriff's Costs | | 23.00 |
| Pro co | Paid 8/25/89 | 9.00 |

TEMPORARY ABUSE ORDER:

AND NOW, this 31st day of July 1989, upon review of the Petition of plaintiff, the court entered the following Temporary Order.

1. The defendant shall not assault, abuse, harrass or threaten the plaintiff.

2. The plaintiff shall have sole and exclusive possession of the marital residence located at R. D. #6, Meadville, Pa. The defendant shall not go to that residence at any time nor shall the defendant contact or attempt to contact the plaintiff directly or indirectly.

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

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

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

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

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

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

Hearing is hereby set for Aug. 8, 1989 at 3:00 p.m. in C. R. No. 1 or 2 of the Crawford CountyCourthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY THE COURT,
Robert L. Walker, J.
July 31, 1989, copy of order to R. C. Thomas, Esq.

Aug. 7, 1989 Sheriff's Return filed. SERVED James D. Kneubehl, Sr. personally on August 4, 1989 at 10:10 AM by handing a copy of Protection From Abuse, Petition and Order tohim at Sheriff's Office, Crawford County Courthouse, Meadville, PA.
So answers,
Catherine I. Allen, Deputy Sheriff
Howard N. Stewart, Sheriff

Aug. 10, 1989 Order filed. AND NOW, August 8, 1989, at the time fixed for hearing, by agreement of the parties, both of whom are present in open court and represented by counsel, the following Order is entered:

1. The defendant shall not abuse, harass or threaten to abuse or harass the plaintiff.
2. The plaintiff shall continue to have exclusive possession or the marital residence, which consists of a trailer or mobile home in a mobile home park.
3. The defendant shall not go to that residence at any time; provided, however, that it appearing that the defendant is residing in a separate home in the smae mobile home park, he is permitted to continue to occupy that home for a period of thirty (30) days from the date of this Order and not thereafter.
4. All personal property or personal effects of the defendant in the possession ofthe plaintiff shall be delivered by the plaintiff to the defendant by such arrangements as she may make within seventy-two (72) hours of this date.
5. The costs inthis proceeding shall be paid by the defendant.
6. This Order shall continue in full force and effect for a period of one (1) year.
7. Any Police Officer having jurisdiction in this matter may enforce this Order in accordance with the provisions of the Protection From Abuse Act.

BY ORDER OFTHE COURT,
Robert L. Walker, J

Aug. 11, 1989 Copies of ordre put in R. Charles Thomas, Brian Lindsay and County Control's box.

# 1989

Joseph F. Kulwicki

660.

DONALD A. ROXBERRY

vs.

MARY ROXBERRY

Filed July 31, 1989
@ 1:00 p.m.

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

COMPLAINT UNDER SECTION 201(c) OF DIVORCE CODE
:CUSTODY

1 copy (atty)

August 11, 1989 Affidavit of Service filed. Brenda A. Withers, being duly sworn according to law, deposes and says that she is employee of Joseph F. Kulwicki, Esq., Attorney for the Plaintiff, and that as such, on Aug. 2, 1989, she placed a certified copy of the Complaint in Divorce in the above matter above captioned, in the United States mail, addressed to the Defendant as follows:

Mrs. Mary Roxberry
152 Oak Street
Meadville, PA 16335

The said Divorce Complaint was sent certified mail, restricted delivery, being certified mail item number P 724 954 528. The signature card for said certified mail item mail number was returned to the office of Joseph F. Kulwicki bearing the signature of Mary Roxberry as having received same on August 2, 1989. The receipt and signature card for certified mail item number P 724 954 528 are attached hereto and made a part hereof.

Further Deponent Saith Not.

Brenda A. Withers

Oct. 27, 1989, Motion to Withdraw Divorce Action because of reconcilation of parties and order filed. ORDER: AND NOW, Oct. 27, 1989, Granted.

BY THE COURT,
P. Richard Thomas, J.

Oct. 27, 1989, copy of order to Atty. Kulwicki.

# 1989

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

661.

Mason & Mason
M. Dan Mason

EUGENE LOVEN AND JENNIFER LOVEN, HIS WIFE
636 North Street
Meadville, Pa. 16335

vs.

RICHARD KOWALESKI, INDIVIDUALLY AND d/b/a BUILDING RENOVATION & RESTORATION
687 State Street
Meadville, Pa. 16335

Filed July 31, 1989
@ 2:07 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Sheriff's Costs | 23.00 |
| Pro Co pd 9/6/91 | 6.00 |

COMPLAINT

1 copy (sheriff)

Aug. 18, 1989 Sheriff's Return filed. SERVED Richard Kowaleski personally on August 2, 1989 at 1:26 PM by handing copy of Complaint to him at Sheriff's Office, Crawford County Courthouse, Meadville, Crawford County, Pa. 16335

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

Sept. 12, 1989 Answer filed.

Sept. 3, 1991 Upon praecipe of Plaintiff Attorney the above action is marked settled and discontinued of record.

# 1989

Jack, Kookogey & Felton
Robert J. Felton

662.

Plate, Shapira,
Hutzelman, Berlin, May
Walsh & Brabender
Stanley G. Berlin

JEAN C. LEE

vs.

DONALD L. SHADE

Filed July 31, 1989
@ 3:30 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Sheriff's Costs | 22.52 |
| Pro Co Pd 10/4/90 | 5.00 |

COMPLAINT

1 copy (sheriff)

Aug. 14, 1989 Sheriff's Return filed. Not Found as to Defendant Donald L. Shade. Moved, no forwarding address, but does pick up mail occasionally from Box 117, centerville Post Office. Residence address unknown.
So answers, Howard N. Stewart, Sheriff

Jan. 18, 1990, Complaint reinstated.

Mar 2, 1990 Complaint Reinstated.

Mar. 26, 1990, Answer and New Matter filed.

Oct. 3, 1990, Upon praecipe of plaintiff attorney, the above captioned case is hereby discontinued of record.

Jan. 3, 1991 Sheriff's Return filed. Complaint returned 1-3-91 to Prothonotary. No service instructions or costs received by Sheriff's Office.
So answers, Howard N. Stewart, Sheriff

# 1989

Barrett & Dratler
Bruce A. Barrett

663.

JOHN R. BEERS

vs.

JONI L. BEERS

Filed Aug. 1, 1989
@ 11:09 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 ✓ |
| 1 count paid | 15.00 ✓ |
| John Fuller, Mediator | 135.00 |
| Pro Co pd 8/31/90 | 9.00 |
| State pd 8/31/90 | 10.00 |

COMPLAINT UNDER SECTION 201(c) DIVORCE CODE, CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER OF COURT:

You, Joni L. Beers, Defendant, have been sued in court to obtain custody ofthe children, John Beers, Catherine Beers, and Carolyn Beers.

You are ordered to appear in person for a conference at such time and place as may be set by JOHN FULLER, CHILD CUSTODY MEDIATOR.

If you fail to appear as provided by this order, an order for custody may be entered against you or the court may issue a warrant for your arrest.

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

Crawford County Bar Assoc. Ser. to the Pub. Comm.
c/o Prothontoary, Crawford County courthouse, Meadville, Pa. 16335, Ph. 814 724-4636
Date: 7/31/89

BY THE COURT,
P. Richard Thomas, J.

Aug 15, 1989 Affidavit of Service filed: BRUCE A. BARRETT, Esq., being duly sworn according to law, deposes and says that the following facts in support of his Affidavit of Service are true and ccrrect to the best of his knowledge, information and belief.

1. That the affiant is the attorney for the Plaintiff in the above captioned action.
2. That a true and correct copy of the Complaint Under Section 201(c) of the Divorce Code along with a Count for Custody was sent by registered mail to the Defendant on August 10, 1989. The sender's receipt is attached hereto.
3. The registered mail was sent to Joni Beers, 1060 Conneaut Lake Road, Lot #41, Meadville, Pa 16335.
4. That the Defendant received said registered mail on August 11, 1989. Said receipt card number P 063 588 971 is attached hereto and signed by Joni L. Beers.

Bruce A. Barrett
Attorney for Plaintiff

June 15, 1990 Temporary Order filed: AND NOW, June 12, 1990, after mediation conference before John Fuller, Esquire, IT IS HEREBY ORDERED AND DECREED AS FOLLOWS:

I. Legal custody of John Beers, Catherine Beers and Carolyn Beers shall be shared between their father, John R. Beers, and their mother, Joni L. Beers, that is, each parent shall be entitled full access to school records, medical records and other important records and each parent shall be entitled to take part in important decisions affecting the children such as the children's education, religious instruction, medical treatment and other such important decisions.

II. Physical custody of John Beers, Catherine Beers and Carolyn Beers shall be with her mother, Joni L. Beers, subject to the following conditions:

A. The father shall be entitled to visit and take the children into his custody the first full weekend of each month beginning July 7, 1990 from 10:00 a.m. Saturday morning until 6:00 p.m. Sunday evening.

B. The father shall be entitled to take John Beers into his custody the third full weekend of each month, beginnin Saturday, June 16, 1990 from 10:00 a.m. Saturday morning until 6:00 p.m. Sunday evening.

C. Beginning with the Summer of 1990, the fatehr shall be entitled to have all three children in his custody for a continuos period of one (1) week. The father shall provide the mother at least sixty (60) days notice of this intended Summer vacation.

D. Holidays shall be defined as Thanksgiving, Christmas and Easter. The children shall spend Thanksgiving Day with their mother in 1990 and even numbered years thereafter, and shall spend Thanksgiving Day of 1991 and odd numbered years thereafter with their father. The children shall spend Christmas with their mother every year and shall spend either the day before Christmas or the day after Christmas with their father every year. The children shall spend Easter Sunday in 1991 and odd years thereafter with their mother and Easter Sunday of 1992 and even years thereafter with their father.

E. In addition to the minimum visitation schedule set forth above that at other times, at the request of the children, the father will have them in his custody at various times.

F. Transportation of the children on weekend, Summer and holiday visits shall be the responsibility of the father.

G. Neither mother nor father shall say or do anything in an attempt to turn the children against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the children towards both parents.

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

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

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

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

P. Richard Thomas, Judge

June 19, 1990 Copies of order put in Attys. Barrett and Fuller's boxes.

July 18, 1990 Affidavit of Consent of Plaintiff filed.
Aug. 30, 1990 Affidavit of Consent of Defendant filed.

Aug. 30, 1990 Upon Praecipe of Plaintiff's attorney for Review Under§201(c) of the Divorce Code, this case moved to Court.

Sept. 20, 1990 **D I V O R C E  D E C R E E  F I L E D .**

And now, september 20, 1990, it is ordered and decreed that John R. Beers, plaintiff, and Joni L. Beers, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
P. Richard Thomas, J

Brian J. Lindsay

Bozic and Thomas
R. Charles Thomas

664.

Gerald Sullivan

L. P. HALL

vs.

DENISE KETCHAM

Filed Aug. 1, 1989
@ 2:46 p.m.

Tax & entry Paid $50.50 ✓
Mediation costs- 114.50
Prothonotary Pd 4/16/90 9.00 ✓
William Pineo, Mediator 177.00
Pro Co Pd 10-26-93 Ck# 7875 9.00
Crawford CountyBar Association, Service to the Public Committee, c/o ProthonotaRY, Crawford County Court House, Meadville, Pa. 16335, Tele: 814 724-4636.

4/16/90 Recd $57.25 from Plaintiff
Recd $57.25
May 3, 1990
Vivian Stoltz

7-26-93 Received from Pltf Med. dep $150.00
9-17-93 Pd Pltf Bal Ref Medep Ck# 7789 52.50

10-26-93 Pd Co Med Fees Ck# 7874 88.50

6-6-94 Defendant Costs to be paid by County
6-3-95 Recd from Pltf med fee 150.00

COMPLAINT FOR PARTIAL CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER OF COURT:

YOU, DENISE DETCHAM, defendant have been sued in court to obtain partial custody of the following child: Arsenio I,. Hall.

You are hereby ordered to appear in person at such time and place as is hereby designated by teh Custody Mediator hereinafter appointed for a conference.

You are further ordered to bring with you the following named child: Arsenio I. HaLL.

WILLIAM PINEO, ESQ. is hereby appointed as Custody Mediator in this case.

If you fail to appear at the time specified by the custody mediator hereby appointed by this court or to bring the child, an order for custody may be entered against you or the court may issue a warrant for your arrest.

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

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

Aug. 31, 1989 Appearance of Northwestern Legal Services by Gerald Sullivan for Defendant filed.

Oct. 16, 1989 TEMPORARY ORDER filed. AND NOW, this 13th day of October, 1989, 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, Arsenio I. Hall.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor child. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor child.

3. The mother shall have primary physical custody of the subject minor child. The father shall have temporary physical custody and the right of visitation every weekend except for the first full weekend of each month, from Saturday at 9:00 a.m. through Sunday at 8:00 p.m. Following the passage of one year from date hereof, the parties shall share physical custody of the subject minor child. The father shall have physical custody for one week starting at 9:00 a.m. of the first Saturday in November, 1990 and ending 9:00 a.m. on the following Saturday. The parties shall thereafter alternate the weeks.

4. Major holidays are defined as Thanksgiving, the day after Thanksgiving, Christmas Eve, Christmas Day, New Years Day, Easter, Memorial Day, Independence Day and Labor Day. Holiday visitation hours shall be from 8:00 a.m. to 8:00 p.m. The father shall have his son for visitation for Thanksgiving, 1989, and the parties shall thereafter alternate the holidays. Holiday visitations shall take precedence over the other provisions of this Order relating to the custodial and visitation periods.

5. 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.

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

7. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor child.

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

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

10. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

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

12. Costs and fees of this Mediation, which are fixed at $114.50, are divided equally between the parties. The share of the father shall be assessed to him as costs in this case. The share of the mother will be assessed to Crawford Co.,the Mediator noting for the Court that the mother is indigent and is represented by Northwest Legal Services. Payment shall be made to the Prothonotary of Crawford Co.

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

By the Court,
Robert L. Walker, J.

Oct. 18, 1989 Copy of Order to Attys. R. Charles Thomas, Gerald Sullivan and William Pineo.

Continued on page 114A

L. P. Hall

vs.

Denise Ketcham

Record continued from page 114

of record
A.D. 1989 - 664

**********

June 15, 1990 Petition To MOdify Custody and Refer To Mediation and To Grant Special Relief and Order filed. AND NOW, this 15 day of June, 1990, this Court hereby Orders and Decrees that Plaintiff, L.P. Hall, shall have custody of his child this weekend of June 16 and 17, 1990, and shall also continued to exercise furture weekend visits as heretofore Ordered by this Court's original Custody Order. The Defendant, Denise Ketcham, shall cooperate and made the subject child, Arsenio L. Hall, available for visitation.

3 copies (atty)

BY THE COURT,
P. Richard Thomas, J

July 2, 1990, Petition for Contempt and Modification and Order filed. ORDER OF COURT: AND NOW, this 2 day of July 1990, after consideration of the foregoing Petition, it si hereby ordered that a rule be issued against the defendant, Denise Ketcham, to show cause, if any she has, why seh sould not be held in contempt for violating this court's Custody Orders.

Said Rule is returnable the 19th dayof July, 1990, at 3:00 p.m. in Courtroom 1 or 2 of the Crawford Countycourthouse, Meadville, Pa. Service of this petition and order shall be made upon the defendant by personal service or by certified mail, return receipt requested delivery restricted to addressee only.

BY THE COURT,
Gordon R. Miller, J.

3 copies (atty)

July 5, 1990, copies of order to Attys. R. C. Thomas, Brian Lindsay and G. Sullivan.

July 19, 1990 Exhibits filed with papers.

July 23, 1990 Order filed. AND NOW, July 19, 1990, after a contempt hearing, the Court finds insufficient evidence to indicate the child should be removed from the care and custody of the mother because of certain bites, scratches and bruises found on his body by an examination by Dr. Felt. In this regard, the Court notes it heard no direct testimony from the doctor or Children and Youth investigatores regarding the extent of such injuries and that th emother offered an explanation that, if believed, would account for the injuries.

The Court find sth emother in contempt of court for willful and deliverate refusal to comply with this Court's Orde rof June 15, 1990, requiring her to surrender the child to the custody of the father.

In view of the fact the mother has full-time custody of four children, we believe punishment for contempt should take another form other than imprisonment.

The mother is directed to faithfully comply with the provisions of the ORder entered October 13, 1989 regarding visitation with said visits to be continued fatherfully commencing the weekend of July 21, 1990.

The Court is inclined to grant the father extra weekend visits in addition to those allowed for the missed visits becuase of the conduct of the mother, and in this regard, the father requests a rather extensive weekend visit with the child on the weekend august 31 to September 7. Rather than accord the father add ition weekend visits, the mornal schedule will be followed for July and August, but the father shall be accorded an extra-long viist the with child commencing Friday, August 31, at 10:00 a.m. through September 7, at 6:00 p.m. in view of the lengthy period of time the two-year-old would be away from its normal home, the Court rescinds the father's visit for the weekend following the lengthy visit, namely September 15-16, 1990, and the child will be in the custoyd of the mother for that weekend regardless of the terms and cond it ons of the aforesaid 1989 Order.

The Court notes that commencing with the weekend of October 13, 1990, there will be a shared custody arrangement that will continue in full force and effect until changed by further Court ORder to the end that the par ties equally share custody of the child on alternating weeks.

The Court notes in add iton that since the child will be returned to the mother on SEptember 7, that it would not be in the child's best in terest to again return the child to the father the weekend of September 8-9, 1990, and accordingly, the child will remain in the custody of the mtoher the weekend of SEptember 8-9 and the weekend of September 15-16, 1990.

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

July 25, 1990 Copies of order put in Brian Lindsay and gerald Sullivan's box.

Sept. 25, 19992 Petition for Contempt and Rule to Show Cause filed. AND NOW, this 25th day of September, 1992, this Honorable Court issues a Rule upon Respondent to show cause, if any she has, why she should not be held in Contempt.

Said Rule is returnable on the 23rd day of October at 3:30 o'clock p.m. in Courtroom No. 1 or 2 at the Crawford County Courthouse. It is also Ordered that the child, Arsenio I. Hall, be present at the time of hearing.

Gordon R. Miller, J.

Sept. 25, 1992 Copy of the Order given to Attys. Thomas, Lindsay and Sullivan.

Oct 16, 1992 AFFIDAVIT OF SERVICE filed. I, Brian J. Lindsay, Esq., after being duly sworn according to law, do hereby certify that I am the attorney of record for the above named Plaintiff, and that as such I am authorized to make this verification; that I did on the 25th day of September, 1992, send to the above named Defendant's Attorney, Gerald Sullivan, Esq. by First Class mail, a true and correct copy of the Petition for Contempt filed at the above term and number.

Oct. 16, 1992 AFFIDAVIT OF SERVICE filed. I, Brian J. Lindsay, Esq., after being duly sworn according to law, do hereby c ertify 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 25th day of September, 1992, send to the above named Defendant, by First Class mail, a true and correct copy of the Petition for Contempt filed at the above term and number.

Oct 19, 1992 MOTION FOR CONTINUANCE and ORDER, filed. ORDER: The above motion is granted. Hearing is rescheduled for: Oct. 28, 1992 at 3:00 p.m in Courtroom 1 or 2. Then shall no further continuances for the defendant.

Gordon R. Miller, P.J.

Oct. 22, 1992 copy to G. Sullivan, B Lindsay, R.C. Thomas

Nov. 2, 1992 Re: Custody Contempt Order filed. AND NOW, October 28, 1992, this matter is before the Court on the Plaintiff's petition for contempt.

After hearing in this matter the Court finds that the Defendant/Mother is in wilful and deliberate contempt of the Court's Orders of July 19, 1990 and October 13, 1989.

Continued to Page114 B

114
B

# 1989



It appears to the Court and the Court beieves the parties agree that this matter needs to be before a Mediator and possibly the Court for a resolution of the matters between the parties in light of the fact that the child is now reaching school age. Apparently that is going to happen upon petition fo theDefendant.

In the meantime, the parties are DIRECTED to comply faithfully with the Orders of October 13, 1989 and July 19, 1990 as well as with this Order.

Failure of the Defendant to do so shall result in further punishment with respect to the existing contempt.

Accordingly, the alternating weekend visits contemplated in the prior Order shall again begin with father's visit beginning on Saturday, October 31, 1992 at 9:00 a.m. and concluding the following Saturday at 9:00 a.m. with the parties then alternating each week thereafter.

Additionally, father shall have immediate custody of the minor child this day so that he has a few extra days before his week beginning on October 31, 1992.

In all other respects pending any furture Order of Cort the parties shall comply with the terms of not only this Order but the Orders of October 13, 1989 and July 19, 1990.

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

Nov. 2, 1992 Copies to Attys. Lindsay, Sullivan and Thomas.

July 26, 1993 Petition to Modify and Order filed. AND NOW, this 22nd day of July, 1993, upon presentation ofthe Petition to Modify, this Honorable Court hereby appoints Custody Mediator, William Pineo, to schedule Mediation at his convenience, to hear the issues raised herein.

BY THE COURT,
Gordon R. Miller, J

1 copy atty. 1 copy Mediator

Sept. 14, 1993 Motion For Special Relief and Order filed. AND NOW, this 13 day of September, 1993, this Court hereby orders and directs that the Resondent/Mother, Denise Ketcham, release immediately and forthwith to L. P. Hall all immunization records and birth certificates that she has in her possession that concern Arsenio Hall. If said records are not in mother's possession she shall cause the school system in Ohio, where Arsenio Hall is purportedly enrolled, to immediately transfer records necessary to enroll Arsenio in Crawford County, Pennsylvania. Plaintiff's counsel shall follow the local rules and deliver a copy of this order to Defendant's counsel forthwith.

BY THE COURT,
Gordon R. Miller,

TEMORARY ORDER:

AND NOW, this 13th day of September, 1993, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator, IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor child, Arsenio I. Hall

2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor child. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor child.

3a. The father shall have primary physical custody of the subject minor child from noon of August 15 of each year through primary physical custody from noon of June 15 of each year through noon of August 15 of each year.

b. The party not having primary physical custody under the preceding subparagraph shall have temporary physical custody and visitation on alternate weekends beginning with the second Saturday after said party shallhave relinquished custody to the other party, from Saturday at 10:00 a.m. through Sunday at 6:00 p.m.

c. The mediator notes for the court that the mother has not provided herself with a telephone. This has made it difficult for the parties to settle matters regarding the care of Arsenio. The court therefore directs the mother to take all reasonable measures to provide herself with a telephone. When she shall have done so, the parent not having physical custody shall have the right to telephone the child at reasonable times and for reasonable lengths of time having due regard for the long distance charges involved, and such conversations will not be unreasonably monitored by the parent having physical custody.

4a. Major holidays are defined as Thanksgiving, the day after Thanksgiving, Christmas Eve, Christmas Day, New Years Day, Easter, Memorial Day, Independence Day, and Labor Day. Holiday visitation shall be between the hours of 8:00 a.m. and 8:00 p.m., except for Independence Day, when the holiday visitation shall be extended to 11:00 p.m. so that the children may watch the fireworks. The mother shall have temporary physical custody and visitation on Labor Day, 1993, and the parties shall thereafter alternate the holiday periods.

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

c. The provisions of this paragraph shall take precedence over the other provisions of this order relating to the custodial or visitaion 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 th eother party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

6. the mediator notes for the court that the mother has been unable to provide herself with a drivers license, even though she owns an automobile. The court directs that the mother make all reasonable efforts to secure a drivers license for herself. Until she does, the father shall be responsible for all transportation necessitated by this order. When the mother shall have provided herself with a drivers license, then the parties shall split responsibility for transportation wtih the party receiving the child in the exercise of his or her rights picking up the child at the home of the other.

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

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

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

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

11. The parties are free to make additional or alternative arrangments 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 father, the deposit shall first be applied against the father's share of costs and the remainder shall be remitted to him. The mother shall pay her share of costs and fees to the Prothonotary of Crawford County within thirty (30) days of the date of this order.

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

By the court,
Gordon R. Miller, J

3 copies atty.

Continued on Page 651
SEE VOL. 3

# 1989

665.

Bruce A. BArrett

APPLICATION FOR EXTENDED INVOLUNTARY TREATMENT

of

BERNARD A. BICKERTON

Filed August 1, 1989

APPLICATION FOR EXTENDED INVOLUNTARY TREATMENT
Mental Health Procedures Act of 1976-Section 303

Aug. 7, 1989 Certification By The Court For Extended Involuntary Emergency Treatment filed. In the Court of Common Pleas of Crawford County. The court finds that the patient is serverly mentally disabled and in need of treatment, Accordingly the court orderes that Bernard A. Bickerton receive inpatient treatment which is the least restrictive treatment setting appropriate for the partient at MMC (Grove St., MHC) as a severly mentally disabled person pursuant to the provisions of Section 303 of the Mental Health Procedures Act of 1976 for a period of twenty (20) days.

For the Court
John D. Petruso

Aug. 25, 1989, Petition for Involuntary Treatment filed.

Aug. 31, 1989, Report of Mental Health Review Officer, (John D. Petruso, Esq.) Recommendation, and Order filed. ORDER: AND NOW, this 31 day of August 1989, upon consideration of the petition filed at the above no. and term, and other relevant matter, and after a review of the report of the MHRO, it is hereby ORDERED AND DIRECTED that the said Bernard A. Bickerton be committed to Warren State Hospital for treatment for a period of not to exceed 90 days. BY THE COURT,
P. Richard Thomas, J.

Sept. 1, 1989, copies to WSH, Mr. Lilly, & Atty. B. BArrett.

Oct. 24, 1989 Petition For Involuntary Treatment filed.

Oct. 24, 1989 Report of Mental Health Review Officer, Recommendation and Order filed. AND NOW, this 23rd day of October, 1989, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED AND DIRECTED that the said Bernard Bickerton be committed to Warren State Hospital for treatment for a period not to exceed 180 days.

BY THE COURT,
P. Richard Thomas, J

Oct. 24, 1989 Copies to WSH, MH/MR and Bruce Barrett

# 1989

666.

MARY J. STEWART

vs.

JOHN E. SANDERS

Filed Aug. 1, 1989
@ 3:11 p.m.

1/12/90 Pd 5.50 Deposit

Tax & entry Pd 1/12/90 $50.50
Sheriffs costs 20.00
Pro Co Pd 1/12/90 9.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy (plaintiff)
3 copies (sheriff)

TEMPORARY ABUSE ORDER:

And Now, this 1st day of August 1989, upon review of the petition of plaintiff, the court enters the following temporary order;

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

2. Special Conditions: The defendant shall not go to the plaintiff's residence, 566 Dunham Road, Meadville, Pa. for any purpose whatsoever, and if presently there, shall vacate the premises immediately upon service of this order.

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

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

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

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

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

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

Hearing is hereby set for Aug. 8, 1989 at 3:15 p.m. in C. R. No. 1 or 2 of the Crawford County Courthouse.

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

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

Aug. 2, 1989, SERVED JOhn E. Sanders personally on Aug. 1, 1989 at 4:10 p.m. by handing a copy of Protection From ABuse, Notice, Petition and Order to him at Sheriff's Office, Crawford County Courthouse, Meadville, Pa.

So answers,

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

Aug. 10, 1989 Order filed. AND NOW, August 8, 1989, after informal hearing, the following Order is entered:

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

2. The defendant shall not go to the plaintiff's residence for any purpose except as herein provided.

3. The defendant may go to the plaintiff's residence to obtain his personal property that is there on Sunday, August 13, 1989, between thehours of 2:00 and 4:00 o'clock p.m.

4. The defendant shall have the right to visit his children, who are also the children of the plaintiff, for a period not exceed four (4) hours each week. The parties have been unable to solve the problem at the time of this hearing of obtaining someone to act as a go-between for the transfer of the children for visits, but we will leave that to the parties to work out amicably between themselves, provided if they are unable to work out a satisfactory arrangement for visits, either party may apply to this Court for a further Order regarding visitation, which will be entered after hearing.

5. the defendant shall pay the record costs inthis proceeding.

6. Any Police Officer or Police Department having jurisdiction onthe premies may enforce this Orde rin accordance with the provisions of the Protection From Abuse Act.

7. This Order shall continue in full force and effect for a period of one (1) year, provided that the portion relating to visitationofthe children shall continue for that period or until an Order is entered in a custody or visitation action, whichever shall first occur.

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

Aug. 11, 1989 Copies of order mailed to plaintiff and defendant and copy of order given to County Control.

# 1989

James R. Irwin
Fuller, Kinnunen,
Petruso & Gamble
Gary A. Fabian

667.

K. Nelson
Barbara Walton

9/25/89 Recd. $ 96.02
From Defendant

Recd 11-2-89
$96.02
Vivian Stoltz

4/16/90 Recd $20.00 From
Plaintiff
Recd $20.00
May 3, 1990
Vivian Stoltz

June 16, 1994 from Plff
Recd $150.00
Med. Fee

9-13-94 Pd Co
Chk # 8549 150.00
11-28-94 Rec from Plff
Med Bal 84.28
12-15-94 Pd Co, Med Fee
#8732 84.28.

MICHAEL J. PETRUSO

vs.

KIMBERLY A. PETRUSO

Filed Aug. 1, 1989
@ 2:48 p.m.

Tax & entry Paid $50.50 ✓
mediation costs 234.28
mediator - Bruce Smith
Pro Co Pd 11-28-94 9.00
Pro Co Pd 12-15-94 9.00

COMPLAINT FOR CUSTODY, VISITATION

1 copy (atty)
1 copy (mediator

ORDER OF COURT:

You, Kimberly A. Petruso, defendant have been sued in court to obtain cusotdy of the children, Mandy Leigh Petruso and Michael James Petruso.

You are ordered to appear in person at a mediation conference at a time place and date to be established by the custody mediator. BRUCE SMITH is hereby appointed custodymediator.

If you fail to appear as provided by ths order, an order for custody, partial cusotdy or visitation may be entered against you or the court may issue a warrant for your arrest.

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

Crawford County BarAssociation, Ser. to the Pub. Committee. Crawford CountyCourt House, Meadville, Pa. c/o Prothonotary, Meadville, Pa. 16335, 814 724-4636.
Date: 7/31/89 BY THE COURT,
P. Richard Thomas, J.

Aug. 14, 1989 Affidavit of Service filed. GARY A. FABIAN, ESQUIRE, being duly sworn according to law, deposes and says that:

1. He is an attorney authorized to practive law within the Commonwealth of Pennsylvania.
2. He is the attorney for the plaintiff in the above-captioned matter.
3. On August 2, 1989, he had deposited in the United States Mail by certified mail, return receipt requested, Certified Mail No. P 414 752 750 as evidenced by certified Mail Receipt No. P 414 752 750 attached hereto and made a part hereof, a true and correct copy of a Complaint in Cusotdy addressed to Kimberly A. Petruso said Complaint in Custody naming Kimberly A. Petruso as the defendant in the above-captioned matter.
4. Service was obtained upon the defendant, Kimberly A. Petruso on August 3, 1989, as evidenced by Return Receipt for Certified Mail No.P 414 752 750 attached hereto and made a part hereof, said receipt being signed by Kimberly A. Petruso.

FURTHER, DEPONENT SAYETH NOT. Gary A. Fabian

Aug. 28, 1989 Temporary Order of Court filed. AND NOW, this 28th day of August, 1989, after Mediation and upon recommendationof the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parent of Mandy Leigh Petruso, age ten, and Michael James Petruso, age seven, the parties to this action, shall share legal custody of the minor children. Said joint legal custody being shared shall entitle both of the parents to equal access to any records relating to the children hled 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 elective surgery.
2. Physical custody of the children of the children shall remain with the natural mother, Kimberly A. Petruso. Regular visitation and temporary custody of the children shall be granted to the plaintiff father, Michael J. Petruso. Physical custody of the children by the plaintiff father shall be as follows:
   a. The children shall visit in the home of the natural father on the first, second and fourth weekends of each month from Friday at 6:00 p.m., until Sunday at 8:00 p.m., prevailing time. Transportation of the children shall be provided by the father and shall be actually done by him, by his friend, Mrs. PUtman, or by another person found acceptable to the mother by prearrangement. Pick-up and drop-off of the children shall occur at the mother's residence. If the father is more than one-half hour late for a scheduled pick-up of the children for weekend or holiday visitation, the visitation shall be considered waived. Leeway for pick-up shall be expanded to two hours during the one-week visits in the months of June, July and August, hereinafter provided for.
   b. During the summers of each year, beginning in 1990, the children shall be in the father's home at least one full week from Saturday at noon, prevailing time, until the following Saturday at noon, prevailing time, during each of the months of June, July, and August. The father shall give a thirty-day written notice to the mother of which weeks these shall be, meaning that the father will have to give notice in May, June and July for the visitations weeks in June, July, and August.
   c. Holiday visitation shall take priority over other scheduled visitation. The parties are encouraged to agree as to holiday visitation; however, in the event that they cannot, during odd=numbered years, beginning in 1989, the mother shall have the children on the 4th of July and Easter. The father shall have the children on Memorial Day and Labor Day. These holidays shall exist from 8:00 a.m. until 8:00 p.m. prevailing time, and shall reversed between mother and father in even-numbered years. The children's birthdays shall be spent with the mother if they fall on a father's weekend or orther scheduled visitation, if the mother, in advance of the birthdays, shall have agreed to give to the father an alternative day of his choice.
   d. The children shall spend Thursday and Friday of each Thanksgiving holiday week with the mother, ans shall spend Saturday from 9:00 a.m., prevailing time, through Sunday at 8:00 p.m., previaling time, of the Thanksgiving holiday week with the father. The children shall spend the 24th of December with the father from 10:00 a.m., prevailing time, through 10:00 p.m., prevailing time, and shall spend Christmas Day with the mother.
3. The parent having custody of the children at any time shall notify the other parent as soon as possible in the event of injury or illness requiring medical treatment.
4. Neither of the parents 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 parent are encouraged to discuss arrangements for physical custody of the children; and, if the parties mutually agree to alternative arrangements to accommodate themselves or the children's schedules, they may adjust the physical custody arrangements accordingly and are encouraged to do so by mutual consent and agreement. In the event that either parent intends to have the children more than twenty-five miles from the City of Meadville for more than twenty-four hours, he or she shall notify th eother parent of that fact, the extend of the absence, and the destination and purpose of the absence; but, if it occurs at a time when custody is in the parent taking the children out of the jurisdiction, no permission needs to be obtained but the information must be given to the otherparent.

CONTINUED ON PAGE 674

See Vol. 3

# 1989

Mason and Mason
Joan D. Mason

668.

RONALD D. SHREFFLER, SR.

vs.

GERI L. SHREFFLER

Filed Aug. 2, 1989
@ 10:27 a.m.

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

COMPLAINT IN DIVORCE
CUSTODY
1 copy (atty)

Aug. 4, 1989 Motion for appointment of a mediator and Order filed. And now, Aug. 8, 1989 Referred to John Fuller, Esq. as mediator. Robert L. Walker, J
1 copy atty. 1 copy mediator

Oct. 31, 1989 Affidavit Of Acceptance Of Service filed. I, Geri L. Shreffler, Defendant in the above-captioned divorce, hereby state and affirms that I received a certified copy of the divorce complaint filed on August 2, 1989 in the case of Ronald D. Shreffler, Sr. vs. Geri L. Shreffler, A.D. 1989 - 668, which copy was received and receipted for by my sister Lisa Fluty. She delivered the complaint to me within two or three days after she received it, i.e. the first part of August, 1989.
Geri L. Shreffler

Feb. 17, 1998 Important Notice and Court Order filed.
Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 10/31/89 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.
If you do not object this this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.
If you object to the case being dismissed, you must put your object in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA 1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or sent a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.
YOU MAY LOSE IMPORTANT RIGHTS IF YOUR CASE IS TERMINATED. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP:
Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498
By the Court,
Date: February 13, 1998 Anthony J. Vardaro, J
Feb. 17, 1998 copies mailed by Court Administrator's Office

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

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

# 1989

Balzarini, Carey & Watson
David J. Watson

669.

Ferguson & Spataro
By: John F. Spataro
for dft. Vernon Central Hose Co.

pro se
for Ned Hamilton

JOANN TATTERS, ADMINISTRATRIX OF THE ESTATE OF RICHARD G. WILLIAM, DECEASED

vs.

VERNON CEN TRAL HOSE COMPANY AND NED HAMILTON t/d/b/a FIRST CHOICE BAR AND LOUNGE

Filed Aug. 2, 1989
@ 1:20 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Sheriff's costs | 35.00 |
| Pro co Pd 1/23/92 | 5.00 |

SUMMONS IN CIVIL ACTION

Issued (sheriff)

Aug. 21, 1989 Sheriff's Return filed. SERVED Vernon Central Hose Company on August 3, 1989 at 2:20 PM by handing copy of Summons to Peg Reagle, bar maid and person in charge, at place of business, R.D.# 9, Box 760 Meadville, Crawford Co. Pa.

SERVED Ned Hamilton t/d/b/a First Choice Bar and Lounge on Aug. 3, 1989 at 1:20 PM by handing copy of Summons to Jenny Huber, bar maid and person in charge, at place of business, First Choice Bar, R.D.# 4, Perry Highway, Meadville, Crawford Co. Pa.
So answers, Robert M. Stevens, Dep. Sheriff
Howard N. Stewart, Sheriff

Aug. 23, 1989 Appearance of Ferguson & Spataro, by John F. Spataro, for defendant filed.

Nov. 21, 1989, UPon praecipe of attorney for defendant Vernon Central Hose Company, Rule entered upon the plaintiff to file complaint issued.

Dec. 11, 1989 Complaint filed.

Dec 29, 1989 Answer to Complaint and New Matter and New Matter by Way of Crossclaim filed.

Jan. 2, 1990, Answer of Ned Hamilton to Plaintiff's Complaint filed.

**Feb/ 8, 1990, Reply to New Matter of Defendant Vernon Hose Company, filed.**

**Feb. 8, 1990 Notice of Service of Interrogatories to First Choice Bar and Lounge filed.**

**Feb. 8, 1990 Notice of Service of Interrogatories to Vernon Central Company filed..**

Oct. 22, 1990, Notice of Defendant's Response to Plaintiff's REquest for production and Inspection of Documents and Plaintiff's Interrogatories, filed.

Apr. 3, 1991, Motion fo Consolidate and To Continue Trial and order filed.
ORDER OF COURT: AND NOW, to-wit, this 3 day of April 1991 upon consideration ofthe foregoing Motion to consolidate and to continue Trial, it is hereby Ordered, adjudged and Decreed that said Motion is granted and the actions at NO. 332 of 1989 and No. 669 of 1989 are hereby consolidated for discovery and trial. It is further Ordered that the action filed at 332 of 1989 Tatters Estate vs. Jorden, presently listed for trial in April 1991 is hereby continued from the April 1991 trial list. Plaintiff shall answer the interrogatories propounded by Vernon Central Hose Co. within 20 days.
BY THE COURT,
Gordon R. Miller, J.

Apr. 9, 1991 copies to Attys. D. Watson, jOhn F. Spataro, Ned Hamilton.

(above order filed at AD 332 of 1989)

Jan. 3, 1991 Petition For Leave To Settle and Discontinue Wringful Death and Survival Action and Order filed. AND NOW, to-wit, this 3rd day of January 1992, upon consideration of the foregoing Petition, it is herebyORDERED that settlement ofthe within action for the gross sum of TWO THOUSAND FIVE HUNDRED ($2,500.00) DOLLARS be and is hereby approved, counsel fees are allowed and distribution is ORDERED as follows:

| | |
|---|---|
| TO: JOANNE TATTERS, surviving daughter of Richard G. Williams, deceased, paid under the Wrongful Death Act and not under the Survival Act | $666.67 |
| TO: TRACY WILLIAMS, surviving daughter of Richard G. Williams, deceased, paid under the Wrongful Death Act and not under the Survival Act. | 666.67 |
| TO: RICHARD Williams, surviving son of Richard G. Williams, deceased, paid under the Wrongful Death Act and not under the Survival Act | 666.66 |
| TO BALZARINI, CAREY & WATSON, Counsel Fee | 500.00 |
| TOTAL | $2,500.00 |

BY THE COURT,
Gordon R. Miller, J

Jan. 9, 1992 Copies of order to Atty's Watson, Spataro and Ned Hamilton

Jan. 21, 1992, Upon praecipe of plaintiff attorney, Voluntary Discontinuance is hereby entered against defendants vernon central Hose Company, and Ned Hamilton t/d/b/a First Coice Bar and Lounge with prejudice, filed.

# 1989

Stephen E. Hall

670.

MILDRED M. RODGERS

vs.

EDWARD M. RODGERS

Filed Aug. 2, 1989
@ 4:20 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Pro Co Pd 2/16/90 | 9.00 |
| State pd. 2/16/90 | 10.00 |
| Pro Co pd 3/9/90 | 5.00 |

COMPLAINT FOR DIVORCE

1 copy (atty)

Feb. 12, 1990, Affidavit of Service filed. Stephen E. Hall, Esq. hereby verifies that he is the atty. for plaintiff in the above captioned divorce and that on Aug. 2, 1989, he caused a true and correct copy of complaint indivorce to be mailed by cert. mail, restricted delivery to the defendant at his place of residence and that he received in due course the ret. rec. card dated Aug. 17, 1989 indicating the signature of the defendant The original receipt for cert. mail and ret. rec. card is attached hereto.
Dated: 2/12/90 Stephen E. Hall, Esq.

Feb. 12, 1990 Affidavit of Consent of plaintiff filed.

Feb. 12, 1990 Affidavit of Consent of defendant filed.

Feb. 12, 1990, Upon praecipe of plaintiff attorney, for review under 201(c) of the divorce code, this case moved to court.

Mar. 5, 1990 **DIVORCE DECREE FILED.**

AND NOW, March 5, 1990, it is ordered and decreed that Mildred M. Rodgers, plaintiff, and Edward M. Rodgers, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J

Mar. 8, 1990 Notice Of Election To Retake Maiden Name filed. Mildred M. Rodgers TO BE KNOWN AS: Mildren M. Johnson

# 1989

Donald E. Lewis

671.

MARY LOU MARTSOLF

vs.

TIMOTHY MARTSOLF

Filed Aug. 3, 1989
@ 8:41 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| 2 counts paid | 30.00 |
| Pro Co Pd 1-11-90 | 9.00 |
| State Pd 1-11-90 | 10.00 |

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, CUSTODY

1 copy (atty)

Aug 22, 1989 Affidavit of Service filed: I, DONALD E. LEWIS, being duly sworn according to law, depose and say that I am the attorney of record for Mary Lou Martsolf, and that as such I am authorized to execute this Affidavit; that I did on the 11th day of August, 1989, personally serve a true and correct copy of the Notice to Defend and Claims Rights and the Complaint in Divorce on Defendant, Timothy Martsolf, as evidenced by the attached Acceptance of Service signed by Defendant.

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

Date 22 Aug. 89 Don Lewis
Attorney for Plaintiff

**Jan 3, 1990 Affidavit of Consent of Plaintiff filed.**

**Jan 3, 1990 Affidavit of Consent of Defendant filed.**

J10, 1990 Upon Praecipe of Plaintiff's Attorney for Review Under §201(C) of the Divorce Code, this case is moved to Court.

Jan. 19, 1990 DIVORCE DECREE FILED:

AND NOW, January 19, 1990, it is ordered and decreed that Mary Lou Martsolf, plaintiff, and Timothy Martsolf, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J.

Jan. 19, 1990 Order filed; AND NOW, to-wit , this 19th day of January, 1990, it is hereby ORDERED AND DECREED that the terms of the within Consent Agreement for Custody are hereby entered as an Order of Court.

BY THE COURT,
Gordon R. Miller, J.

Jan. 19, 1990 ORder filed. AND NOW, to -wit, this 19th day of January,, 1990,it ishereby ORDERED AND DECREED that the terms of the within Postnuptial Agreement are hereby entered as an Order of Court.

BY THE COURT,
Gordon R. Miller, J.

Jan 23, 1990 copies of Orders of Jan. 19, 1990 put in Don Lewis, esq. box.

# 1989

**Brian Lindsay**

Donald E. Lewis

672.

**Daniel Kuhn**
Ferguson & Spataro
Douglas W. Ferguson

JAMES P. KASBEE

vs.

DOREEN K. KASBEE

Filed Aug. 3, 1989
@ 8:41 a.m.

Tax & entry Paid $50.50 ✓
2 counts paid 30.00 ✓

William Pineo, Mediator 137.00
Pro Co Pd 12/27/90 9.00 ✓
William Pineo, Mediator 152.00
Pro Co Pd 7/3/91 9.00 ✓
Pro Co pd 4-14-92 $ cv
Pro Co pd 3-8-93 90$ -

1/7/90 Recd $68.50 From Plaintiff
Recd 12-31-90 $68.50 Vivian Stoltz
3/6/91 Recd $68.50 From Defendant
Recd 4-1-91 $68.50 Vivian Stoltz
7/31/91 Recd $76.00 From Plaintiff
Aug 1, 1991 paid Co. Comm. $76.00

Received from Deft 10-6-92 76.00
Received from Plff 4-14-92 mediation 76.00
Pd Craw Co Comm. 4-16-92 Ck #16772 fee mediation 152.00

COMPLAINT IN DIVORCE, CUSTODY, EQUITABLE DISTRIBUTION

1 copy (atty)

Aug 9, 1989 Motion for Appointment of Mediator and Order filed: AND NOW, this 9th day of August, 1989, the within Motion is granted and Wm. Pineo is appointed Mediator in this case.

Robert L. Walker, J.

1 copy (atty), 1 copy (mediator)

Aug 22, 1989 Affidvit of Service filed: I, DONALD E. LEWIS, ESQUIRE, after being duly sworn according to law, depose and say that I am the attorney of record for James R. Kasbee, and that as such I am authorized to execute this Affidavit; that I did on the 5th day of August, 1989, send by certified mail, addressee only, return receipt requested, a true and correct copy of the notice to Defend and Claim Rights and the Complaint for Divorce to Defendant, Dorren K. Kasbee, at her last known address of box 716, Waterford, Pennsylvania 16441, as evidenced by the attached sender's receipt No. P 063 588 748, and that on the 9th day of August, 1989, I did receive the duly executed return receipt dated the 7th day of August, 1989.

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

Date: 22 Aug 90 Don Lewis
Attorney for Plaintiff

Oct. 13, 1989 Stipulation for an Agreed Order of Custody and ORDER filed. AND NOW, to-wit, this 13th day of Oct., 1989, it is hereby ORDERED and DECREED that the terms of the within Consent Agreement for Custody are hereby entered as an Order of Court.

Robert L. Walker, J.

Oct. 13, 1989 Copies of Order to Atty. Donald Lewis, and Daniel J. Kuhn.

Oct. 25, 1990 Petition For Modification of Custody and Orders filed. You, DOREEN K. KASBEE, Respondent, have been sued in court to obtain custody, partial custody or visitation of the children: Kellie Kasbee and Ryan Kasbee.

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.

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

Crawford County Bar Association
Service to the Public Committee
c/o Prothonotary's Office
Crawford County Courthouse
Meadville, PA 16335
814-724-4636

By the Court,
P R Thomas, S.J.

2 copies atty, 1 copy mediator

AND NOW, this 25 day of October, 1990, upon presentation and consideration of the foregoing Petition for Modification of Custody, JAMES R. KASBEE, shall have physical and legal custody of the minor children, pending further Order of this Court, subject to reasonable visitation rights with the Respondent, which at a minimum, are to occur every other weekend from Friday at 4:00 p.m. until Sunday at 6:00 p.m.

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

1 copy mediator, 2 copies atty.

Nov. 7, 1990 Appearance of Ferguson & Spataro by Douglas W. Ferguson for Defendant filed.

Dec 7, 1990 Temporary Order filed: AND NOW, this 7 day of December, 1990, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor children.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor children. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor children.

3a. The subject minor children shall reside primarily with their father for the school year 1990-1991. the mother shall have temporary physical custody and visitation every weekend except for the first full weekend of each month, from Friday at 6:00 p.m. through Sunday at 7:00 p.m.

b. The subject minor children shall have the right to telephone their mother at reasonable times and for reasonable lengths of time and such conversation shall not be unreasonably monitered by the father.

4. Holiday visitation shall be arranged as follows:

a. Christmas holiday visitation shall be arranged as follows:

For the 1990 Christmas vacation from school, the mother shall have visitation and temporary physical custody of her children from Christmas Day at 1:00 p.m. through New Year's Eve at 1:00 p.m. The mother shall also have visitation and temporary physical custody for Easter, 1991, from Holy Saturday at 6:00 p.m. through Easter Sunday at 7:00 p.m. The father shall have visitation and temporary physical custody on Memorial Day, 1991, between the hours of 9:00 a.m. and 9:00 p.m.

Continued on page 122A

JAMES P. KASBEE

VS.

DOREEN K. KASBEE

Record Continued from Page 122

of

AD 1989-672

**********

b. 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.

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 visitations as set out in this Order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

6. The parties shall split responsibility for transportation with the party receiving the children in the exercise of his or her rights picking up the children at the home of the other.

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

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

9. Neither party shall expose the children to the company of persons of the opposite sex to whom they are not related by blood or mariage between the hours of 9:00 p.m. and 8:00 a.m., nor shall either party expose the chidlren to displays of affection between themselves and person of the opposite sex to whom they are not related by blood or marriage at any time.

10. Any person transporting the children shall make sure that the seat belts or other restraints are used in accordance with the law of Pennsylvania.

11. The parties shall arrange for counseling for themselves and the children in order to help the parties understand how to negotiate differences, to accept their status as separated parents, and to give the children a neutral party to whom they can voice their concerns. The mediator has noted for the Court that the parties had indicated their preference for Dr. Kathry Anderson but any reputable family counselor will be acceptable.

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

13. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

14. The mediator and the parties shall schedule further mediation during the month of May, 1991.

15. Costs and fees of this Mediation, which are fixed at $137.00 are divided equally between the parties with a shre of each being assessed to him or her as costs in this case. Payment shall be made to the Prothonotary of Crawford County.

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

By the Court,
Robert L. Walker, S.J.

Dec 11, 1990 Copies of order mailed to plaintiff, Defendant & Atty. Kuhn and copies put in Attys. Lewis, Ferguson, Pineo and Lindsay's boxes.

Apr. 12, 1991 Motion For custody Mediator and Order filed. AND NOW, this 12 day of April, 1991, William Pineo, Esquire, is appointed Custody Mediator in the above matter and directed to schedule a review hearing inthis matter.

BY THE COURT,
Gordon R. Miller, J

! COPY ATTY. 1 copy Mediator

June 7, 1991 **TEMPORARY ORDER** filed. AND NOW, this 6th day of June, 1991, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor children.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor children. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor children.

3a. The children shall reside with their father each year from June 15 at 5:00 p.m until August 15 at 5:00 p.m. and shall reside with their mother from August 15 at 5:00 p.m. until 5:00 p.m. of June 15 of the following year. The parent not having physical custody shall have the right of visitation and temporary physical custody every weekend, except for the first full weekend of each month, from Friday at 6:00 p.m through Sunday at 7:00 p.m.

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

Continued on page 122B

JAMES P. KASBEE

VS.

DOREEN K. KASBEE

Record Continued from Page 122A

of

A,D. 1989 - 672

4. Holiday visitation shall be arranged as follows:

a. Christmas holiday visitation shall be arranged as follows:

Their shall be two Christmas holiday visitation periods, the first beginning on Christmas Eve at 5:00 p.m. and ending 11:00 a.m. Christmas Day and the second beginning at 11:00a.m. Christmas Day and ending New Year's Eve at 1:00p.m. Each year the mother shall have temporary physical custody and visitation with her children during the first period and the father, the second.

b. Their shall be two Thanksgiving holiday visitation periods, the first beginning on the Wednesday preceding Thanksgiving at 4:00 p.m. and ending Thanksgiving Day at noon and the second geginning at Thanksgiving Day at noon and ending Thanksgiving Day at 7:00 p.m. For Thanksgiving 1991, the father shall have the first period and the mother, the second, and the parties shall thereafter alternate. The father shall have visitation and temporary physical custody from Thanksgiving Day at 7:00 p.m. through the Monday following Thanksgiving at 6:00 p.m. each year.

c. The father shall have temporary physical custody and visitation each Easter from Holy Saturday at 7:00 p.m. through Easter Sunday at 7:00 p.m.

d. The other holidays to be observed will be New Year's Day, Memorial Day, Independence Day, and Labor Day. Holiday visitation shall be between the hours of 9:00 a.m. and 8:00 p.m., except for Independence Day, when the holiday visitation shall be extended to 11:00 p.m. so that the children may watch the fireworks. The father shall have visitation and temporary physical custody for Indepence Day, 1991, and the parties shall thereafter alternate such that the party who had a particular holiday one year shall not have it the next year, and so on.

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

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

5. Should it be necessary for either party to cancel or modify the visitations as set out in this Order or as previously arranged, the party 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 alternatiave visits or to make alternative arrangements.

6. The parties shall split responsibility for transportation with the party receiving the children in the exercise of his or her rights, picking up the children at the home of the other.

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

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

9. Any person transporting the children shall make sure that the serat belts or other restraints are used in accordance with the law in Pennsylvania.

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

11. The parties are free to make additional or alternative arrangements respecting custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements ahll be by mutual consent only, in the absence of which this Order shall govern.

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

13. Costs and fees of this Mediation, which are fixed at $152.00 are divided equally between the parties with a share of each being assessed to him or her as costs in this case. Payment shall be made to the Prothonotary of Crawford County.

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

By the Court,
P. Richard Thomas, S.J.

**July 3, 1991 Request for Hearing De Novo and Order filed: AND NOW, this 3rd day of July, 1991, upon presentation and consideration of the foregoing Request, a hearing de novo, on the issue of child custody for the minor child Ryan, is set for the 31st day of Ju ly, 1991, in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pa commencing at 3:30 o'clock p.m.**

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

**July 5, 1991 Copies of order put in Atty. Lindsay, Lewis, Ferguson and Pineo's boxes and copy mailed to Atty. Kuhn.**

July 31, 1991 Motion To Dismiss Request For Hearing De Novo and Order filed. AND NOW, this 31st day of July, 1991, upon presentation and consideration of the foregoing, the Plaintiff's request for hearing de novo is dismissed.
2 copies atty.

BY THE COURT,
Gordon R. Milller, J

Continued on Page 122 C -

JAMES R. KASBEE

VS.

DOREEN K. KASBEE

Record Continued from Page 122B

of

AD 1989-672

**********

Nov 22, 1991 Petition for Contempt and Order filed: Legal proceedings have beenbrought against you alleging you have wilfully disobeyed an order of court for custody/visitation.

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

Whether or not you file in writing with the court, your defenses or objections, you must appear in person in court on the 20 day of Dec., 1991 at 1:30 o'clock p.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse. Meadville, Pa 16335.

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

If the court finds that you have wilfully failed to comply with its order for 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
Crawford County Courthouse
Meadville, Pa 16335
814/336-1151, ext 298

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

3 copies (Atty)

Dec. 4, 1991 VERIFICATION OF SERVICE, filed. I, Brian J. Lindsay, Esq., do hereby verify that I am the attorney of record for the above named Petitioner, and that as such I am authorized to make this verification; that I did on the 25th day of Nov. 1991, send to the above named Respondent, by Certified Mail, Addressee Only, Return Receiplt REquested, a true and correct copy of the Petition for Modificato of Custody and Petition for Contempt filed at the above term and number; and that I did on the 2nd day of Dec., 1991, receive a duly executed return receipt dated Nov. 28, 1991.

Dec. 30, 1991 REASSIGNMENT OF HEARING DATE filed. Dec. 30, 1991, hearing in above matter previously set for Dec. 20, 1991, is hereby reset by the court for Feb. 5, 1992, at 9:00 AM, in Courtroom 1 or 2 of the Crawford County Courthouse.

FOR THE COURT,
Imogene Yetman, Crt. Adm.

Dec. 30, 1991 copy put in Atty's boxes.

Feb. 6, 1992, ORDER filed. AND NOW, feb. 5, 1992, after hearing with regard to husband's contempt petition, the court finds that the conduct of the mother is not willful to the extent that the court find her in contempt of court, and declines to find her in contempt of court, particularly in light of an agreement by the parties to a modification ofthe order of June 6, 1991 which will result in father having resumed visitations with Kellie.

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

Feb. 6, 1992, copies given to attys.

Feb. 5, 1992 PETITION FOR MODIFICATION OF CUSTODY and NOTICE AND ORDER TO APPEAR filed. ORDER: You, DOREEN K.KASBEE, Respondent, have been sued in court to obtain custody, partial custody or visitation of the child: Ryan J. Kasbee.

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 FOR BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator
Crawford County Courthouse
Meadville, Pa. 16335
814/336-1151, ext, 298

Dated: Feb. 5, 1992

BY THE COURT,
Anthony J. Vardaro, J.

3 copies atty; 1 copy med.

Feb. 6, 1992 ORDER filed. AND NOW, Frb. 5, 1992, after a hearing with regard to the Petitioner's petition to hold the Respondent in contempt of Court, the parties agree that the custody order of June 6, 1991 now in effect will remain in effect except that for the next several months there will be a m odification with regard to father's visits with Kellie.

Accordingly, the Court enters the following ORDER, which is agreed to by the parties:

1. Paragraph 3(a) of the June 6, 1991 order will not be in effect with respect to Kellie until further order of Court, and instead, during the month of February, 1992 the father will have visitation with Kellie on Sunday, Feb. 9, 1992 and Sunday, Feb. 23, 1992, both from 1:00 p.m. until 7:00 p.m. On both Sunday visits, the mother shall bring daughter to the home of the father at 1:00 p.m., and the father shall then return the daughter to the mother's home at 7:00 p.m.

2. The same visitations shall occur with the same arrangements during months of March and April, with such Sunday visitationcorresponding to the weekends that the father would have full weekend visitations with the minor child Ryan.

3. Commencing with the first visitation of May, 1992 with Ryan pursuant to Paragraph 3(a) of the custody order of June 6, 1991, visitation with Kelly shall be also on the same weekends as Ryan from Friday at 6:00 p.m. through Sunday at 7:00 p.m., with mother dropping the children off at father's residence on Friday, and father returning them to mother's residence on Sunday.

4. The Court Administrator is directed to schedule a review hearing in this matter for some time after May 15, 1992 but before June 5, 1992 for the Court to determine whether Paragraph 3(a) with regard to Kellie being with her father from June 15 through August 15 will be in effect or whether there will be other modifications made to the order of Juen 6, 1991.

5. With regard to the Easter holiday, the current order will be the order that will be effective for that holiday, rather than Paragraph 4(c) of the June 6, 1991 order.

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

Feb. 13, 1992 copy in box for B. Lindsay & D. Ferguson

Feb. 19, 1992 Assignment of Hearing Date filed. AND NOW, February 18, 1992, the Court Administrator having been directed by Court Order dated February 5, 1992, to set a review Hearing inthe above case, hereby sets May 28, 1992, at 9:00 a.m., in Courtroom No. 2.

FOR THE COURT,
Imogene Yetman, CA.

Feb. 26, 1992 Copies of order put in box for Atty's Lindsay and Ferguson

CONTINUED ON PAGE 122 D

#122
-D-

# 1989 TERM

James R. Kasbee
vs.
Doreen K. Kasbee

CONTINUED FROM PAGE 122C
of Record
A. D. 1989 - 672

Mar. 18, 1992 TEMPORARY ORDER filed. AND NOW, this 18th day of March, 1992, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. With respect to the subject minor child, Ryan Kasbee; the order of June 6, 1991 shall continue in effect.

2. 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. Payment shall be made to the Prothonotary of Crawford County.

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

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

Mar. 23, 1992 copy in box for W. Pineo, B. Lindsay, D. Ferguson, mailed copy to Plf. & Dft.

April 14, 1992 MOTION TO CONTINUE GENERALLY AND ORDER FILED: AND NOW, April 13, 1992, upon presentation and consideration of the foregoing Motion, the matter set for May 28, 1992 is continued generally.

FOR THE COURT:
Imogene Yetman , Ct. Adm.

April 14, 1992 MOTION FOR HEARING DE NOVO AND ORDER FILED. AND NOW, April 14, 1992, upon presentation and consideration of the foregoing Motion a hearing de novo is set for: May 28, 1992 in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania at 1:30 o'clock P. M.

FOR THE COURT:
Imogene Yetman, Ct. Adm.

April 14, 1992 copy of Motion to Continue Generally and order to Brian Lindsay, Esquire.
April 15, 1992 copy of Motion for Hearing DeNovo and order to Brian Lindsay, Esquire.

May 20, 1992 Motion To Continue De Novo Custody Hearing and Order filed. AND NOW, this 20th day of May, 1992, upon consideration of the foregoing Motion, the hearing scheduled in the above captioned matter for May 28, 1992, is hereby continued to June 9, 1992 at 3:00 p.m.

BY THE COURT
Gordon R. Miller, J

May 20, 1992 Copies of order put in box for atty's Lindsay and Ferguson

May 22, 1992 Motion to Continue De Novo hearing and Order filed. AND NOW, May 22, 1992, upon consideration of the foregoing Motion, the hearing scheduled in the above-captioned matter for June 9, 1992 is hereby continued to July 9, 1992, in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania commencing at 3:00 o'clock p.m.

BY THE COURT:
Anthony J.Vardaro

May 22, 1992 copy of the Order to Brian Lindsay, Esq., Douglas Ferguson, ESq. and William Pineo, Esq.

July 13, 1992 ORDER filed. AND NOW, July 9, 1992 this matter is before the Court for a de novo custody hearing with respect to a March 18, 1992 order entered after mediation which affirmed the June 6, 1991 order with respect to the child Ryan. This hearing is limited to the custody and visitation arrangements with respect to Ryan.

The Court interviews in chambers the child as well as his stepbrother and his sister and after doing so believes that the order of March 18, 1992 should be affirmed.

Counsel for the Plaintiff father maintains that the Court has no data that would indicate that the child should remain in the home of the mother as ordered previously and speaks of psychological data that may be to the contrary.

Accordingly, the order of March 18, 1992 is continued to be set by the Court Administrator for further hearing sometime between Nov. 10, 1992 and Nov. 30, 1992 as the court schedule will permit, at which time the Plaintiff father may present any psychological testimony that he wishes to be arranged through his efforts and the Plaintiff father may testify himself.

Thereafter, if Defendant mother wishes to testify, she may do so and she may present any psychological data or expert testimony that she wishes to present.

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

July 15, 1992 copy in box for B. Lindsay & D. Ferguson

July 15, 1992 Assignment Of Hearing Date filed. July 14, 1992: The Court Administrator having been directed by the Court to set a hearing in the above matter, hereby sets a hearing for November 24, 1992, at 9:00 A.M. in Courtroom 2.

FOR THE COURT,
Imogene Yetman, C.A.

July 20, 1992 Copies of order put in box for Atty's Lindsay and Ferguson

**Nov. 24, 1992, Motion to Dismiss Hearing DeNovo and Order filed. ORDER: AND NOW, this 24 day of November, 1992 this Honorable Court hereby grants Motion to Dismiss Hearing De Novo scheduled for Nov. 24, 1992 at 9:00 a.m.**

**Anthony Vardaro, Judge**

**Nov. 30, 1992, copies to B. Lindsay and D. Ferguson.**

March 15, 1993 Affidavit of Consent of defendant filed.

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

Mar. 17, 1993 Upon praecipe of plaintiff attorney to transmit records, case moved to Court.

Mar. 25, 1993 STIPULATION AND CONSENT DECREE filed.

CONSENT DECREE:

AND NOW, this 24 day of March 1993 upon presentation and consideration ofthe foregoing Stipulation, this court hereby directs that:

1. DIVORCE - UPON consideration fothe pleadings and affidavits filed inthe above captioned case, this court hereby grants an absolute divorce fromt he bonds of matrimony tothe 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 consetns to the divorce, pursuant to 201(c) of the Divorce Code of Pa.

2. CUSTODY

Child Custody has been separately resolved through the entry of a court Order following mediation, which has since been modified amicably by the parties.

(Continued on Page 122E)

3. EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION

The plaintiff shall have sole and exclusive possession of any and all furnishings, appliances and persoalty currently in his possession and defendant shall have sole and exclusi ve possession of any and all furnishings, appliances and personalty currently in her possession.

A. That James Kasbee shall pay to his wife, doreen, the sum of $2,425.00, and that he shall pay that amount of money within thirty-two (32) months of the date ofthe decree. The thirty-two (32) month period begins on the first day of the month following the month of the date of the entry of the decree of divorce. He shall also pay her reasonable attorney fees and costs in the event he fails to pay her at the end of the thirty-two (32) month period and she is compelled to pursue collection of this amount under the divorce code.

BY THE COURT,
Anthony J. Vardaro,
J.

# 1989

pro se

673.

LORY A. NUNEMAKER

vs.

MICHEAL M. NUNEMAKER

Filed Aug. 3, 1989
@ 9:17 a.m.

| | |
|---|---|
| Tax & entry | $50.50 |
| Sheriff's Costs | 30.92 |
| Pro Co | 9.00 |

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy (plaintiff)
3 copies (sheriff)

TEMPORARY ABUSE ORDER:

And now, this 3rd day of Aug. 1989, 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 immediately vacate the marital residence and shall not return to the marital residence without further order of court.

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

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

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

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

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

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

Hearing is hereby set for Aug. 8, 1989 at 3:30 p.m. in C. R. No. 1 or 2 of the Crawford County court house.

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

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

Aug. 3, 1989 Sheriff's REturn filed. SERVED Michael M. Nunemaker personally on August 3, 1989 at 10:50 AM by handing copy of Protection From Abuse, Notice, Petition, and Order to him at his residence R.D.#2, Box 2339, Union City, Crawford County, PA.
So answers,

James Withers, Deputy Sheriff
Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Aug. 10, 1989 Order filed. AND NOW, August 8, 1989, after informal hearing and discussion withthe parties, the following Order is entered:

1. The defendant shall not annoy, assault, abuse, harass or threaten the plaintiff or the minor children of the parties at any time or in any way.

2. The plaintiff shall have possession of the former marital domicile and the defendant shall not occupy the same as his residence unless specifically invited to do so by the plaintiff. He may, however, go to the residence for the purpose of visiting his childrenon such a basis as the parties may agree. The plaintiff recongnizes the defendant's right of reasonable visitation with the children and has no objection to him exercising that right. The defendant shall not at any time create any altercation with the plaintiff while arranging for visits with the children or under the pretext of visiting the children.

3. The defendant shall have the right to obtain his clothing and personal effects at the marital residence at any convenient time, provided he gives the plaintiff at least six (6) hours notice of when he intends to do so.

4. Any Police Officer having jurisdiction in the premises may enforce this Order in accordance with the Protection From Abuse Act.

5. The defendant shall pay the record costs in this matter.

6. This Order shall remain in full force and effect for a period of one (1) year unless earlier modified.

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

Aug. 11, 1989 Two (2) copies of order mailed to plaintiff and copy given to County Control

# 1989

Edgar M. Snyder & Associates
Cynthia M. Danel

674.

SUSAN ADAMCZYK

vs.

LORI ANN THOMAS, LARRY THOMAS AND JOANNE THOMAS

Filed Aug. 3, 1989
@ 11:07 a.m.

Tax & entry Paid $50.50 ✓

Sheriff's c osts $50.00 /

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Aug. 25, 1989 Sheriff's Return filed. SERVED Lsrry Thomas on Aug. 11, 1989 at 11:50 AM by handing copy of Summons to Rachel Gardner, adult in charge of residence, 128 W. Walnut St. Titusville, Crawford Co. Pa. 16354

SERVED Lori Ann Thomas on Aug. 11, 1989 at 11:51 AM by handing copy of Summons to Rachel Gardner, adult in charge of residence, 128 W. Walnut St., Titusville, Crawford Co. Pa. 16354

SERVED Joanne Thomas on Aug. 11, 1989 at 11:52 AM by handing copy of Summons to Rachel Gardner, adult in charge of residence, 128 W. Walnut S.t, Titusville, Crawford Co. Pa. 16354

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

# 1989

Plate, Shapira, Hutzelman, Berlin, May, Walsh and Brabender

Stephen H. Hutzelman

675.

MARINE MIDLAND BANK

vs.

JOHN R. MOORE

Filed Aug. 3, 1989
@ 11:39 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 ✓ |
| Sheriff's Costs | 28.16 |
| Pro Co. pd 4/29/92 | 9.00 |

COMPLAINT

1 copy (sheriff)

Aug. 25, 1989 Sheriff's Return filed. SERVED John R. Moore personally on August 8, 1989, at 3:34 PM at Sheriff's Office, Crawford County Courthouse, Meadville, PA.
So answers, Catherine I. Allen, Deputy Sheriff
Howard N. Stewart, Sheriff

April 29, 1992, 2:41 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 within the time prescribed by law and assess the defendant for damages in the amount below:

| | |
|---|---|
| Amount claimed in Plaintiff's Complaint | $2,101.64 |
| Interest from May 1989 | 367.79 |
| Attorney's fees | 420.33 |
| TOTAL | $2,889.76 |

Plus court costs of record.

M-259
Judgment entered 4/29/92

Debt $2,889.76
Interest from May 1989
Barbara H. King, Pro.

May 7, 1992 Notice of entry mailed to defendant.

# 1989

Bruce L. Smith

676.

Ann Hansen Gamble

CONNIE L. PRINGLE

vs.

JAMES B. PRINGLE

Filed Aug. 3, 1989
@ 11:54 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| 2 counts paid | 30.00 |
| Pro Co pd 9/26/90 | 9.00 |
| State pd 9/26/90 | 10.00 |

COMPLAINT IN DIVORCE, ALIMONY PENDENTE LITE, PERMANENT ALIMONY, COUNSEL FEES, COSTS, EXPENSES, EQUITABLE DISTRIBUTION

1 copy (atty)

Aug. 23, 1989 Appearance of Ann Hansen Gamble, Esq., for defendant and Acceptance of Service filed.

Sept. 27, 1989, Plaintiff's Income and Expense Statement filed.

Sept. 27, 1989, Plaintiff Connie L. Pringle's Inventory and Appraisement of Marital Assets as of Filing, filed.

Jan. 25, 1990 Plaintiff Connie L. Pringle's Supplemental INventory and Appraisement of Marital Assets as of filing filed.

Apr. 16, 1990, Inventory and Appraisement of Defendant filed.

Apr. 16, 1990, Defendant's Monthly INcome and Expenses filed.

Sept. 25, 1990 Affidavit Of Consent of Plaintiff filed.

Sept. 25, 1990 Affidavit Of Consent of Defendant filed.

Sept. 25, 1990 Upon praecipe of Plaintiff Attorney to Transmit Record, this case moved to court.

Oct. 4, 1990 Stipulation and Order filed. AND NOW, this 3 day of October, 1990, the parties hereto having stipulated and agreed, Counts II and III of the Complaint filed in this case shall not be considered by the court because those matters have been settled by negotiation between the parties with advice of counsel which are embodied in a Marital Agreement dated , 1990, a copy of which is attached to this Order and is made a part of this Order.

John Q. Stranahan

Oct. 5, 1990 Copies of order mailed to bruce Smith and Ann Hansen Gamble

Oct. 4, 1990 **D I V O R C E  D E C R E E  F I L E D .**

AND NOW, October 3, 1990 it is ordered and decreed that Connie L. Pringle, plaintiff and James B. Pringle, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
John Q. Stranahan, J

# 1989

Jorden & White
Harry Faber White II

677.

JULIUS PATRICK RUSSELL

vs.

DIANA L. SIMNONS

Filed Aug. 3, 1989

Tax & entry Paid $50.50

COMPLAINT FOR CUSTODY

1 copy (atty)

ORDER:
AND NOW, this 4th day of Aug. 1989, upon presentation of the foregoing Complaint for Custody, the same is referred to JOHN FULLER, CHLD CUSTODY MEDIATOR for mediation conference.
BY THE COURT,
Robert L. Walker, J.
Aug. 7, 1989, copies to J. Fuller and H. White, attys.

Oct. 9, 1989 Stipulation and Motion for Consent Custody Order and Consent Court Order filed. Order:
1. The plaintiff Father and the Defendant Mother shall share legal custody of the aforesaid child, Elizabeth Ruth Russell That is, each parent shall have an equal voice relating to major decisions affecting the child's health, safety, welfare, education and medical treatment.
2. Neither parent shall say anything to blacken the character of the other parent in the eyes of the child.
3. Primary physical custody of the child, Elizabeth Ruth Russell shall be with the Plaintiff Father.
4. Defendant Mother shall be entitled to visititation privileges with the aforesaid child at any time in the state of Pennsylvania , simply by giving seventy-two (72) hours notice to the Plaintiff Father.
5. The Defendant Mother shall also be entitled to a two -week partial custody summer vacation for the child and said child shall be permitted to travel to the state of Georgia or wherever the Defendant Mother resides.
6. The Defendant Mother shall bear all costs of transportation to and from the state of Georgia.
7. The Court of Common Pleas of Crawford County, Pennsylvania retains jurisdiction of this matter and this order shall be in effect until further order of court.
Witness: Harry Faber White II.

Julius Patrick Russell

Diana L. Simnons

BY THE COURT,
Robert L. Walker, J.

Oct. 9, 1989 Copies to J. Fuller and H. White, attys.

# 1989

Barrett & Dratler
Bruce A. Barrett

678.

DIANE FERRARI-DUNN

vs.

RICHARD LEONARD DUNN

Filed Aug. 3, 1989
@ 1:45 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Pro Co. PD 12/7/89 | 9.00 |
| State Surcharge Pd. | 10.00 |
| Pro Co pd 12/18/89 | 5.00 |

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

Aug. 9, 1989 Affidavit of Service filed. BRUCE A. BARRETT ESQ., being duly sworn according to law, depose and says that the following facts in support of his Affidavit of Service are true and correct to the best of his knowledge, information and belief.

1. That the affiant is the Attorney for the Plaintiff in the above captioned action.
2. That a true and correct copy of the Complaint Under Section 201(c) of the Divorce Code was sent by registered mail to the Defendant on August 3, 1989. The sender's receipt is attached hereto.
3. The registered mail was sent to Richard L. Dunn, R.D.#6, Box 240, Meadville, PA 16335.
4. That the defendant received said registered mail on August 4, 1989. Said receipt card No. P 063 588 970 is attached hereto and signe dby Richard L. Dunn. Bruce A. Barrett

Nov. 17, 1989, Affidavit of Consent of plaintiff filed.

Dec. 7, 1989 Affidavit of Consent of Defendant filed.

Dec. 7, 1989 Upon Praecipe of Plaintiff Attorney For Review Under Section 201(c) of Divorce Code, this case is moved to Court.

Dec. 12, 1989 **DIVORCE DECREE FILED.**

And now, December 12, 1989, it is ordered and decreed that DIANE FERRARI_DUNN, plaintiff, and RICHARD LEONARD DUNN, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Robert L. Walker, J

Dec. 18, 1989 Notice Of Intention To Resume Prior Name filed. Diane Ferrari-Dunn TO BE KNOWN AS: Diane Ferrari

# 1989

Jorden and White
Harry Faber White II

679.

VERLIN G. MOSS

vs.

ROBIN A. MOSS

Filed Aug. 3, 1989
@ 3:39 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Pro Co. Pd 8-1-90 | 9.00 |
| State Surcharge Pd. | 10.00 |

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

Aug. 25, 1989 Affidavit of Service filed. HARRY FABER WHITE, II, ESQUIRE, attorney for the plaintiff in the abov e captioned matter, being duly sworn according to law, deposes and says that he served the Notice to Plead and Complaint under Section 201(c) of the Divorce Code upon the defendant, RobinA. Moss, by certified mail, return receipt requested, on Aug. 15, 1989, at the defendant's address, c/o Patricia Flack, Box 198, Harmonsburg, Pa. 16422. The defendant's acceptance of the same is attached hereto

Harry Faber White, II, Esq.

Dec. 15, 1989, Affidavit of Consent of plaintiff filed.

Dec. 15, 1989, Affidavit of Consent of defendant filed.

August 1, 1990 Upon Praecipe of Plaintiff Attorney for Review under Section 201(c) of Divorce Code, this case is moved to Court.

Sept. 18, 1990 Memorandum and Order filed. This matter was transmitted to the Court for a divorce decree by a praecipe filed August 1, 1990.

Even though the attorney for the Plaintiff filed an affidavit of service indicating service to have taken place on August 15, 1989 by certified mail the receipt for certified mail was not signed by the defendant as required by Pa. R.C.P. 405. As a consequence service has not been properly made in accordance with the Rules of Civil Procedure. Upon discovering that fact the Court telephoned counsel for the Plaintiff advising him that service was not complete and that the record would be retained by the Court pending complete service.

Since a great deal of time has passed the record is now being returned to the Prothonotary.

The matter may be referred to the Court upon completion of proper service and upon the filing of another praecipe to transmit the record.

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

Sept. 18, 1990 copy put in Box for Atty WHite.

Oct. 19, 1990 Affidavit of Service filed. HARRY FABER WHITE, II, ESQUIRE, attorney for the plaintiff in the above captioned matter, being duly sworn according to law, deposes and says that he served the Notice to Plead and Complaint under Section 201(c) of the Divorce Code upon the defendant Robin A. Moss, by certified mail, return receipt requested, on August 15, 1989, at the defendant's address, c/o Patricia Flack, Box 198, Harmonsburg, Pennsylvania, 16422. The Acceptance of Service submitted through th eUnited States mail, was returned to this office unsigned but indicating an acceptance date of August 15, 1989. Said original receipt was attached to the plaintiff's original Affidavit Of Service in this case which was heretofore filed.

Thereafter, this counsel wrote to the defendant, Robin A. Moss, under date of December 4, 1989, indicating that an Affidavit of Consent was being included with that letter and that if she desires the divorce to be finalized, the defendant Robin A. Moss, should sign and return that affidavit to our office. A copy of the December 4, 1989 letter of mine and a copy of the unsigned affidavit are included as part of this Affidavit of Service as Exhibit "A".

Thereafter, on or about December 6, 1989, the defendant delivered and.or had delivered an Affidavit of Consent signed by her an ddated December 6, 1989. A copy of said affidavit is enclosed with this Affidavit of Service as Exhibit "B".

Thereafter, during the first week of August 1990, this counsel filed a Praecipe for Review and sought the granting of a final divorce decree. Subsequent thereto, the Honorable Gordon R. Miller contacted this writer to indicate that the original Affidavit of Service was "defective" in that the defendant had not signed the United States postal service "green card".

This writer then contacted the defendant, Robin A. Moss, on or about August 31, 1990, and asked here to sign an acceptance of Service. The defendant, Robin A. Moss, indicated that she would sign the Acceptance of Service only if her husband signed a custody agreement grating all legal and physical custody rights to the parti's minor child to the defendnat, Robin A. Moss to the exclusion of the Plaintiff, Verlin G. Moss. Said count for custody was mever raised as part of the divorce and in fact, there is an existing custody order filed as part of a Portection from Abuse consent decree filed in the Court of Common Pleas of Crawford County at A.D. 1990-627.

This counel explained to the defendant Robin A. Moss, that the custody action was independent of the divorce and could only be brought as part of the divorce if a claim for custody was filed at the divorce term and number.

It is the position of this counsel that this divorce should abe granted. The defnedant Robin A. MOass, by her own admission, received the certified copy of the NOtice to Plead and Complaint Under Section 201(c) of the Divorce Code on or about august 15, 1989; the defendant Robin A. Moss by her own admission received the Affidavit of Consent on or about December 5, 1989 with a cover letter from my self indicating that if she signs the Affidavit of Consent, she cannot make further claims for marital property and the like; and that this writer finally, pursuant to Judge Gordon Miller's suggestion, attempted to secure an Acceptance of Service fromsthe defendant Robin A. Moss, and the defendant RobinA. Moss thereafter indicated that she would wign such an Acceptance of service only if the plaintiff husband gave up all existing custody rights to his daughter.

The defendant Robin A. MOss has the unlimited right to file a petition to modify the existing temporary custody order at A.AD. 1990-627 and should not be able to hold up this divorce by conditioning her signing an "Acceptance of Service" on the palintiff giving up all rights to his child.

Harry Faber White, II

Oct. 19, 1990 Upon praecipe of Plaintiff attorney To transmit Record Section 201(c) of the Divorce Code, this case moved to court.

Continued on Page 640

SEE VOL. 3

# 1989

Watts, Pepicelli,
Youngs and Youngs PC
Christopher J. Youngs

680.

Northwestern Legal Serv
R.Christopher Brode

BARRY RUSSELL REICH

vs.

ALETA IRENE REICH

Filed Aug. 3, 1989
@ 4:10 p.m.

| | | |
|---|---|---|
| Tax & entry | 8/8/89 | $50.50 ✓ |
| 1 count | 8/7/89 | 15.00 ✓ |
| Pro Co. Pd 11/1/89 | | 9.00 |
| State Surcharge Pd. | | 10.00 |

COMPLAINT IN DIVORCE, CHILD CUSTODY

1 copy (atty)

Aug. 9, 1989 Acceptance of Service filed. I, Aleta Irene Beich, certify that I am the Defendant in the above-captioned Divorce action, that I reside at R.D.#2, Box 316, Conneautville, Crawford County, Pennsylvania, 16406 and that on August 5, 1989, I was served and accepted a certified copy ofthe Complaint in Divorce filed in the within action.
Aug. 5, 1989 Aleta Irene Reich

Aug 16, 1989 Consent Child Custody Order filed: AND NOW, Aug 16, 1989, based upon the attached Consent and Stipulation of the parties, IT IS ORDERED AND DECREED AS FOLLOWS:

1. Legal custody of the parties' minor children, Russell Robert Reich and Stephanie Joy Reich, shall be shared between the father, Barry Russell Reich and the mother, Aleta Irene Reich, that is, each parent shall be entitled to full access to school records, medical records and other records and each parent shall be entitled to take part fully in decisions affecting the children's education, religious instruction, medical treatment and other such important decisions.

2. Physical custody of Russell Robert Reich and Stephanie Joy Reich shall be with their father, Barry Russell Reich, subject to the following conditions:

a. The mother shall be entitled to visit and take the children into her custody at such times and for such duration as shall be mutually agreed between father and mother. It is the intention of this Order that the mother be allowed liberal visitation with the children.

3. Neither father nor mother shall say or do anything in 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 toward both parents.

4. Neither father nor mother shall expose the children to any person or situation which may be harmful to the children's health or welfare.

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

6. This order is entered without prejudice to either parent to request a modification hereof without the need to allege or prove a change in circumstances.

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

Aug 16, 1989 Copy of order put in Christopher Youngs' box.

November 1, 1989 Affidavit of Consent of Plaintiff filed.

November 1, 1989 Affidavit of Consent of Defendant filed.

November 1, 1989 Upon Praecipe of Plaintiff Attorney For Review Under 201(c) of Divorce Code, this case is moved to Court.

Nov. 14, 1989 **DIVORCE DECREE FILED.**

And now, November 14, 1989, it is ordered and decreed that Barry Russell Reich, plaintiff, and Aleta Irene Reich, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
P. Richard Thomas, J

Jan 18, 1991 Modified Consent Child Custody Order filed: AND NOW, January 18, 1991, based upon attached Consent and Stipulation of the parites, IT IS ORDERED AND DECREED AS FOLLOWS:

1. This Order supersedes and replaces the Court's prior Order of August 16, 1989.

2. Legal custody of the parties' minor children, Russell Robert Reich and Stephanie Joy Reich, shall be shared between the father, Barry Russell Reich, and the mother Aleta Irene Reich, that is, each parent shall be entitled to full access to school records, medical records and other records and each parent shall be entitled to take part fully in decisions affecting the children's education, religious instruction, medical treatment and other such important decisions.

3. Mother understands and acknowledges that Father plans to move out of Pennsylvania to another state. Mother consents to Father removing the children from the Commonwealth of Pennsylvania when and if such move occurs and consents to the children continuing to reside with the fatehr wherever his new residence may be.

4. Mother agrees that if Father shall move from Pennsylvania with the children, jurisdiction over any future litigation involving custody of either or both chidlren shall lie wherever Father may reside. Mother waives any rights whe may have under the Uniform Child Custody Jurisdiction Act and any other law to request that child Custody litigation be conducted in any state other than that in which Father resides.

5. Physical custody of Russell Robert Reich and Stephanie Joy Reich shall be with their father, Barry Russell Reich, subject to the following conditions:

a. The mother shall be entitled to visit and children into her custody at such times and for such duration as shall be mutually agreed between Father and Mother. It is the intention of this Order that the Mother be allowed liberal visitation with the children.

6. Neither father nor mother shall say or do anything in attempt to turn the children against the otehr 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 toward both parents.

7. Neither Father nor Mother shall expose the children to any person or situation which may be harmful to the children's health or welfare.

8. Both parents agree to inform the other immediately of any illness or injury regarding the chidlren, or either of them, and both parents agree to furnish the other with a current telephone number.

BY THE COURT,
Gordon R. Miller, J

Jan 18, 1991 Copies of order to Atty Youngs.

Sept. 25, 1992 Praecipe to Proceed in Forma Pauperis and Affidavit to Proceed in Forma Pauperis filed.

Sept. 29, 1992 Complaint for Custody and Special Relief filed.

Continued on page 130A

Barry Russell Reich

vs.

Aleta Irene Reich

Record continued from page 130

of record

A.D. 1989 - 680

**********

Sept. 29, 1992 Order filed. AND NOW, September 25, 1992, the parties have appeared with their counsel, namely Christopher J. Youngs for father and R. Christopher Brode for mother. This matter is before the Court on father's verbal objections, mad ein today's Motions Court, to venue and inconventient forum.

The parties have expressed a desire to resolve this matter and all of the underlying custody issues through consent Order. However, it is also the desire of the parties to resolve finally the question of whether Crawford County is an appropriate forum. Therefore, the following Order is entered upon the stipulation of father and mother:

1. Legal custody of the the parties' minor children, Russell Robert Reich and Stephanie Joy Reich, shall be shared between father and mtoher, that is, each parent shall be entitled to full access to school records, medical records, and other records and each parent shall be entitled to take part fully in deicsions affecting the chidlrne's education, religious instruction, medical treatment and any other important decisions.

2. Physical custody of the children shall be with father, barry Russell Reich, subject to the following conditions:

A. Mother shall have the children for a continuous period of one-third (1/3) of the chidlren's summer vacation each year.

B. Holidays shall be alternated as follows: father shallhave physical cusotdy of the children during the entire Christmas vacation, 1992, for the Memorial Day Holidaly and weekend, 1993, and the Thanksgiving Holiday and weekend of 1993.

Mother shall hav ecustody of the chidlren during the Thanksgiving Holiday and weekend, 1992, the Easter weekend, 1993 and th eLabor Day Holiday weekend, 1993. Thereafter, holiday visitation/custody shall be alternated between the parties.

C. When mother shall have physical custody of the children during their Christmas vacation, the chidlren shall be returned no later than the second day before school resumes.

D. The parties shall make every reasonable and good faith effort to maximize contact between the chidlren and both parents. Therefore, when mother is abale to be in the chidlen's home area, upon reasonable notice to father, mother shall be allowed substantia liberal contact with the children.

LIkewise, when and if the father shall be in the mother's home area at a time when the children are in the physical custody of mother, father shall be afforded reasonable contact with the children. However, such contact between father and children shall not unreasonably interfere with mother's scheduled visitation.

E. It is acknowledged and agreed between the parties that the sharing of cusotdy is for the benefit of the children and not of the parents. Therefore, the cost of travel for the chidlren shall be split between the parents equally.

It has been the parties' practive to exchange physical custody at or near State College, Pennsylvania, and the Court encourages the parties to continue this type of cooperation

F. Mother shall have the right to telephone contact with the children at reasonable times and at reasonable hours, and for reasonable durations. Said telephone contact may be as often as financially possible for mother. The chidlren and mtoehr shall continue to take turns calling each other on Sunday mornings at approximately 10:00 o'clock a.m. and the father shall cause this to occur on each weekend when the chidlren are responsib for making the call to the mother. Calls form father's home shall be at the father's ex expense, calls from mother's home shall be at the mother's expense.

When the children are in mother's custody during their summer vacation, the children and father shalltake turns calling each o ther on Sunday mornings on the same basis as such calls are made when the chidlren are in the father's physical custody.

G. Father and mother agree that there shall be no interference by either pa rty with the chidlren's receiving correspondence, cards, givts and the like form either party of with either party receiving the same form the children..

H. In the event of any accident or injury or illness requiring medical treatment to the children, the parent then having physical custody shall forthwith notify the other parent, and in no event later than twenty-four (24) hours. If the medical matter is serious, notification shall be mad eimmediately.

The parties shall discuss and cooperate with each other in making all significant academic or religious decisions for the chidlren before reaching a final pr unilateral decision or before announcing a decision to the children or thrid parties.

Decisions by the school or school officials relative to the children shall be communicated to the then non-custodial parent within twenty-four (24) hours. decision making concerning the chidlren shall be treated by the parties as a matter in which each party has equal rights.

I. Neither parent shallsay or do anything in an attempt to turn the children against the other parent, but on the other hand, each parent shall do everything in his or her power to foster a favorable and loving attitude on the part of the chidlren toward both parents. Neither parent shall expose the children to any person or situation which may be harmful to the children's health or welfare.

J. In the event father decides to move outside of the Commonwealth of Pennsylvania, he shall provide mother with a minimum of thirty (30) days notice of his intention to move.

2. The parties stipulate, acknowledge and agree that, although this Order has been entered at the request of both parties, as a convenience to both parties and for the purpose of resolving the present litagation, that the crawford County Court of Common Pleas is not an appropriate forum for child custody litigation between the parties.

Therefore, the parties stipulate, acknowledge and agree that any future childn custody litigation shall be brought and litigated in the then-home county of the children, as the term "home country" is defined by Pennsylvania law.

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

Oct. 2, 1992 Copies of order put in box for Atty's Youngs and Brode

130
B

# 1983

# 1989

Phillips & Galanter
Cary W. Valyo

681.

Knox McLaughlin Gornall & Sennett, Inc.
MARK E. MIODUSZEWSKI
for Delp & Salt
William C. Wagner

Thomas, Truax, Spadafore, Vardaro & Walker
Anthony J. Vardaro
for Joe Forre, dft.

GWEN CONRAD

vs.

JOE FORRO, CONRAD DELP, AND SALT PAINTING, INC.

Filed Aug.4, 1989
@ 1:11 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Sheriff's Costs | 40.80 |
| **Pro Co Pd 2/9/90** | **15.00** |
| Pro paid 1/24/92 | 5.00 |

COMPLAINT IN CIVIL ACTION

3 copies (sheriff)

Aug 22, 1989 Appearance of Knox McLaughlin Gornall & Sennett P.C. by Mark E. Mioduszewski, Esq. for Defendants Conrad Delp and Salt Painting Inc. filed.

Aug. 31, 1989 Sheriff's Return filed. SERVED Salt Painting Inc. on August 7, 1989 at 2:40 PM by handing copyof Complaint to Tina Wise, Secretary, at place of business, R.D.#1, Box491, Saegertown, Crawford County, PA 16433.
SERVED Conrad Delp on August 11, 1989 at 11:14 AM by handing copy of Complaint to Martha Delp, his wife, at residence, 206-A Spartansburg, Crawford County, PA 16434.
SERVED Joe Forro by mailing copy of Complaint to him by Certified Mail to his last known address, 486 Landsdown Blvd., Youngstown, Ohio 44505 Return receipt attached, recieved August 10, 1989.
So answers, Robert M. Stevens, Dep. Sheriff
Howard N. Stewart, Sheriff

Sept. 7, 1989, Answer and New Matter of Defendants, Conrad Delp and Salt Painting, Inc. filed.

Sept. 19, 1989, Answer and New Matter of Defendant, Joe Forro, filed.

Sept. 19, 1989, Reply to New Matter of Defendants, Conrad Delp and Salt Painting, Inc. filed.

Sept. 28, 1989, Reply of Conrad Delp and Salt Painting, Inc. to New Matter of Joe Forro, filed.

**Feb. 6, 1990, Upon praecipe of plaintiff attorney, for reference to the arbitrators, the following arbitrators are appointed:**
**Mary Ann Kirkpatrick, Esq.**
**M. Dana Mason**
**Alan L. Pepicelli**
William Gorman

Feb. 20, 1990, Arbitrators Take the Qualifying Oath.

Aug. 6, 1990 Notice Of Arbitration Hearing filed.

Sept 12, 1990, Notice of Rescheduled Arbitration filed.

Oct. 22, 1990, DECISION OF THE ARBITRATORS filed in which they find in favor of the plaintiff and against all 3 defendants in the amount of $1,671.68 plus costs. Payment to plaintiff shall be made in accordance with the verdict or settlement in the related cases at AD 1989-944 and AD 1990 - 71 as now consolidated. If payment is not made within 10 days thereof, plaintiff shall be entitled to enter judgment agaisnt one or more defendants in accordance with the terms of the verdict or settlement.
Decision entered - 10/22/90
F - 94
D - 31
S - 181

DECISION OF ARBITRATORS
James F. Simmons,
Prothonotary

Oct. 22, 1990, copies given to Atty. Vardaro, and copies mailed to Attys. Valyo & Bordonaro.

Jan. 23, 1992, Upon praecipe of plaintiff attorney, the above captioned case is hereby settled and discontinued of record.

# 1989

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

682.

NATIONAL FUEL GAS DISTRIBUTION CORPORATION

vs.

ROBERT VROMAN AND IOLA VROMAN

Filed Aug. 4, 1989
@ 1:22 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Sheriff's Costs | 31.40 |
| Sheriff's Costs | 31.40 |
| Pro Co Pd 1-16-90 | 9.00 |

COMPLAINT IN CIVIL ACTION

2 copies (sheriff)

Aug. 7, 1989 Sheriff's Return filed. Not Found as of Robert Vroman and Iola Vroman defendants. Their address of R.D.#3, Titusville, PA is located in Venango County.
So answers, Howard N. Stewart, Sheriff

Nov. 20, 1989 Complaint Reinstated.

Dec. 14, 1989 Sheriff's Return filed. SERVED Robert Vroman on NOvember 21, 1989 at 11:15 AM by handing copy of Complaint to Chris Titus, his girl-friend and person in charge of residence at 122 East Spruce Street, Titusville, Crawford County PA.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

AND NOW, Jan 16, 1990 @ 3:20 P.M. Upon Praecipe of Plaintiff's Attorney with notice of judgment attached, judgment is hereby entered in favor of the Plaintiff and against the defendants for failure to file an answer and the same is liquidated in the abount of One Thousand Seven Hundred Thirteen and 46/100 Dollars plus interest from July 28, 1989 and all costs of suit. (Against Robert Vroman only)
V-144

Debt.....$1,713.46 + int and costs
JUDGMENT
James F. Simmons
Prothonotary

# 1989

MacDonald, Illig,
Jones & Britton
James M. Antoun

683.

THE FIRST NATIONAL BANK
OF PENNSYLVANIA

vs.

JAY C. ACKLIN AND
LORRAINE R. ACKLIN

Filed Aug. 4, 1989
@ 1:24 p.m.

| | |
|---|---|
| Pro Simmons paid | $15.00 |
| plff on orig | 58.85 |
| Sheriff's costs | 31.52 |
| Sheriff's Costs | 30.20 |
| Pro Co pd 11/1/89 | 9.00 |
| Pro Co Pd 11/9/89 | 5.00 |

WRIT OF REVIVAL

of

AD 1983 - 794

Writ of Revival, indexed in favor of plaintiff and against defendants in the amount of Five Thousand Nine Hundred Ninety and 09/100 Dollars plus interest and costs from Aug. 6, 1984.

Debt.....$5,990.09
INt. from Aug. 6, 1984
DAted: Aug. 3, 1989
A - 91, 101.....JUDGMENT REVIVAL

James F. Simmons,
Prothonotary

Issued (sheriff)

Aug. 25, 1989 Sheriff's Return filed. NOT FOUND AS TO DEFENDANT jay C. Acklin. Moved several years ago. No forwarding address, per Post Office.

NOT FOUND AS TO DEFENDANT Lorraine R.Acklin. Moved several years ago. No forwarding address, per Post Office.

So answers, Howard N. Stewart, Sheriff

Sept. 29, 1989 Writ Reissued.

Oct 30, 1989 Sheriff's Return filed: SERVED Jay C. Acklin on October 10, 1989 at 2:35 P.M. by handing copy of Writ of Revival to Lori Acklin, his daughter, at their residence, 440 Thomas Street, Cambridge Springs, Crawford County, Pa 16403.

SERVED Lorraine R. Acklin, on October 10, 1989 at 2:36 P.M., by handing copy of Writ of Revival to Lori Acklin, her daughter, at their residence, 440 Thomas St., Cambridge Springs, Pa 16403.

So answers, Robert M. Stevens, Deputy Sheriff
HJoward N. Stewart, Sheriff

And Now, Nov. 1, 1989 Upon praecipe of plaintiff attorney judgment is hereby entered by revival of the judgment originally entered at No. A.D. 1983 - 794 for failure of the defendants to respond to the Writ of Revival served on them on October 10, 1989, and judgment is entered in favor of the plaintiff and against the defendants in the amount of Five Thousand Nine Hundred Nintey and 09/100 plus interests and cost from August 6, 1989.

A-91-101
judgment entered 11/1/89

Debt 5,990.09
Int. from Aug. 6, 1984
James F. Simmons
Prothonotary

Nov. 9, 1989, Upon praecipe of plaintiff attorney, the above judgment is hereby satisfied of record.

# 1989

Apple and Apple
Joel E. Hausman

684.

ANDOVER CROP SERVICE, INC.

vs.

THOMAS SANDERSON
i/t/a/d/b/a
POVERTY KNOB FARMS

COMPLAINT IN CIVIL ACTION

Aug. 25, 1989 Sheriff's Return filed. SERVED Thomas Sanderson i/t/a/d/b/a Poverty Knob Farms on Aug. 8, 1989 at 2:01 PM by handing copy of Complaint to Ann Sanderson, his daughter, at R.D.# 2, Conneaut Lake, Crawford Co. Pa.
So answers, Robert M. Stevens, Dep. Sheriff
HOward N. Stewart, Sheriff

And Now, Sept. 11, 1989 at 1:30 p.m. upon praecipe of plaintiff's attorney, with Notice of Intention to File Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendant for failure to file an answer and the damages are assessed at the sum of One Thousand Two Hundred Sixty Seven and 70/100 plus interest and cost of suit.
S-163; P-184 Debt $1,267.70
judgment entered 9/11/89 Judgment
notice mailed to defendant James F. Simmons
9/12/89 Prothonotary

Feb. 1, 1990, Upon praecipe of palintiff attorney, the above judgment is hereby satisfied of record.

Filed Aug. 4, 1989
@ 1:39 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Sheriff's costs | 23.00 |
| Pro Co pd 9/11/89 | 9.00 |
| Sat pd. 2/6/90 | 5.00 |

# 1989

685.

APPLICATION FOR EXTENDED INVOLUNTARY TREATMENT

of

JERRY H. NIEDBALA

Filed Aug. 4, 1989

APPLICATION FOR EXTENDED INVOLUNTARY TREATMENT
Mental Health procedures Act of 1976
(Section 303)

# 1989

Culbertson, Weiss,
Schetroma & Schug
Mary A. Kirkpatrick

686.

Kathleen R. Nelson

DARYL L. JAMES

vs.

THERESA A. JAMES

Filed Aug. 4, 1989
@ 3:08 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| 2 counts paid | 30.00 |
| Pro Co pd 4/18/90 | 9.00 |
| State pd 4/18/90 | 10.00 |

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

1 copy (atty)

Aug. 14, 1989 Affidavit of Service filed. And Now, August 14th, 1989, comes Mary Ann Kirkpatrick, Esquire, being duly sworn accor ding to law, deposes and sets forth as follows:
1. That she is the Attorney for Daryl James, Plaintiff in the above captioned matter.
2. That on information furnished to her by the Plaintiff, she caused a certified copy ofthe Complaint in Divorce to be forwarded by Certified Mail No. P 401 441 379, postmarked August 4 1989, to the laast known address of the Defendant, Theresa James R.D.#2, Linesville, Pennsylvania 16424.
3. That the Defendant, Theresa James, on August 9, 1989, personally signed the return receipt card which was affixed to the Complaint in the above matter and which is attached hereto as Exhibit "A".
4. Service ofthe Complaint against the Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.

Mary Ann Kirkpatrick

Aug. 16, 1989 Appearance of Kathleen R. Nelson, esq. for defendant Theresa A. James filed.

Nov. 30, 1989 Affidavit of Consent of Plaintiff filed.

Jan. 12, 1990 Affidavit of Consent of Defendant filed.

March 30, 1990 Motion to Withdraw and discontinue Count II of Complaint in Divorce filed by Plaintiff and ORDER filed. And Now, this 30th day of March, 1990, the within Motion is allowed.

By the Court:
Gordon R. Miller, J.

March 30,1990, Copy of Order to Attys. Mary A. Kirkpatrick and Kathleen Nelson.

Apr. 18, 1990 Upon praecipe for Review Under Section 201(c) of the Divorce Code, this case moved to court.

May 2, 1990 **D I V O R C E  D E C R E E  F I L E D .**

And now, May 2, 1990, it is ordered and decreed that Daryl L. James, plaintiff, and Theresa A. James, defendant, are divorced from the bonds of matirmony.

BY THE COURT,
P. Richard Thomas, J

# 1989

Altomare & Barnhart
Joseph C. Barnhart

687.

LINDA J. VROMAN

vs.

REXFORD M. VROMAN

Filed Aug. 7, 1989
@ 12:59 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Pro Co Pd 11/15/89 | 9.00 |
| State Pd. 11/15/89 | 10.00 |

COMPLAINT IN DIVORCE

Aug 23, 1989 Acceptance of Service filed: I hereby accept service of a certified true and correct copy of the Plaintiff's Complaint in Divorce as filed August 7, 1989.
Date: August 15, 1989 Rexford Vroman

Nov. 14, 1989, Plaintiff's Affidavit of Consent Under Section 201 (c) of the Divorce Code filed.

Nov. 14, 1989, Defendant's Affidavit of Consent Under Section 201(c) of the Divorce Code filed.

Nov. 14, 1989, Upon praecipe of plaintiff attorney, to Transmit the Record - this case moved to court.

Nov. 28, 1989 DECREE FILED:

AND NOW, THIS 28 DAY OF Nov. 1989, IT IS ORDERED AND DECREED AS FOLLOWS:

1. Upon consideration of the pleadings and Affidavits filed in the above captioned matter, the 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 §201 (c) of the Pennsylvania 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:

P. Richard Thomas, J.

# 1989

Harry N. Sydor

688.

ERVIN BEATTY

vs.

DANIEL VICTOR CARROLL

Filed Aug. 7, 1989
@ 1:05 p.m.

| | |
|---|---|
| Tax & entry Paid | $40.50 |
| bal. Pd 8/9/89 | 10.00 |
| Sheriff's costs | 22.28 |
| Pro Co pd 11/27/89 | 9.00 |
| Pro Co Pd 2/12/90 | 2.00 |
| Pro Co pd 3-29-94 | 6.00 |

COMPLAINT IN CIVIL ACTION

1 copy (sheriff)

Aug. 25, 1989 Sheriff's Return filed. SERVED Daniel Victor Carroll on Aug. 16 , 1989 at 1:50 PM by handing copy of Complaint to Mark Carroll, his Father, atthe family's place of business, Carroll's Nursery, R.D.# 4, CochrantonCrawford Co. Pa. 16314

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

And Now, Nov. 27, 1989 at 11:28 a.m. upon praecipe of plaintiff's attorney, with Notice of Intention to File Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendant for failure to file an answer and the damages are assessed at the sum of One Thousand Eight Hundred Thirteen and 68/100 plus interest and cost of suit.

C-44
judgment entered 11/27/89

Debt $1,813.68
Judgment
James F. Simmons
Prothonotary

Mar. 25, 1994 Upon praecipe of Plaintiff's attorney the above captioned matter is settled and discontinued of record.

# 1989

Gina D'Alfonzo

689.

Watts, Pepicelli, Youngs and Youngs
Theodore H. Watts

COMMONWEALTH OF PENNSYLVANIA

vs.

STEPHEN P. PETRUSO

Filed Aug. 7, 1989
@ 4:20 p.m.

Tax & entry paid $50.50 ✓

APPELA FORM SUSPENSION OF OPERATING PRIVILEGE NUNC PRO TUNC

1 copy (atty)

ORDER: AND NOW, this 7th day of August 1989, upon presentation and consideration of the within Petition, it is hereby ordered, adjudged and decreed that a hearing on the appeal should be held on the 24th day of Oct. 1989, at 9:30 a.m. in C. R. No. 1 or 2 of the Crawford Countycourthouse, Meadville, Pa.

It is further ordered that sixty (60) days written notice sall be given by counsel for the defendant to the Dept. of Trans. Bur. of Driver Licensing, Citation and Processing Div. Rm 302, Trans. and Safety Bldg, Harrisburg, Pa. 17120, by cert. mail, return receipt requested, with an appropriate Cert. of Ser. to be thereafter filed with the Prothonotary.

It is further ordered and decreed that this appeal shall operate as an immediate supersedeas, and that the operating privilege and license of Petitioner, be restored and reinstated forthwith through and pending the outcome of this appeal, which shall act as a supersedeas.

BY THE COURT,
Robert L. Walker, J.

Aug. 14, 1989 Certificate of Service filed. I, Theodore H. Watts, am an attorney duly authorized to practive law in the Commonwealth of Pennsylvania, and on August 8, 1989, I sent a copy of Appeal From Suspension of Operating Privilege Nunc Pro Tunc, filed at the abov enumber, properly endorsed, to Department of Transportation, Bureau of Driving Licensing, Citation Processing Division, Room 302, Transportation and Safety Building Harrisburg, Pennsylvania 17120, by certified Mail No. P 724 954 308 and that on August 14, 1989 I received a return receipt for said certified mail signed by Scott Klouser and dated August 11, 1989, a copy of which is attached heereto as Exhibit "A".

Theodore H. Watts

Oct. 25, 1989 ORDER filed. AND NOW, October 24, 1989, at the time set for hearing, counsel for the Commonwealth and counsel for the Defendant advise the Court the matter has been mutually resolved as follows: It appears that the Defendant was initially charged with violation of Vehicle Code Section 3743 (attended vehicle), but the case ultimately ended up with a plea of guilty to an amended citation citing Section 3745 (unattended vehicle). Accordingly, counsel agree the suspension was in appropriate, but the Defendant agrees that his driving record will be amended to reflect an assessment of four (4) points for this infraction.

Accordingly, the appeal is sustained to the end that the suspension is cancelled and four (4) points assigned.

By Order Of The Court,
P. Richard Thomas, P.J.

Oct. 26, 1989 Copy of Order to Attys. William Kuhar, Theodore Watts.

# 1989

Stephen Hall

690.

William Walker

IN THE MATTER OF

- - -

MABEL GATES

Filed Aug. 7, 1989
@ 4:30 p.m.

PETITION FOR INVOLUNTARY INTERVENTION BY EMERGENCY COURT ORDER

EMERGENCY ORDER FOR INVOLUNTARY INTERVENTION:

AND NOW, August 7, 1989, upon consideration of the foregoing petition it is hereby ordered that Active Aging, Inc. shall provide the foloowing protective services to Mabel Gates and that such services shall be provided without her consent:

The terms of this order shall expire at 9:30 a.m. Aug. 10, 1989. The court hereby sets Courtroom No. 2, Crawford County Courthouse as the time and place for a review hearing in the event of need for an additional emergency court order or continued court and protective services involvement or both. The court hereby appoints William Walker Esq. to represent the aforesaid order adult in any further proceedings with regard to this matter.

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

ADDENDUM:

It appears that a son, William Martz, was appointed Guardian in Clarion County at 51 Orphans Court 1987. However, Office of the Aging has been unable to locate said son and there is some indication that he may be secreting his whereabouts. Office of the Aging is directed to forward a copy of this Petition and this court order to the Clerk of the Orphans Court of Clarion County to furnish upon William Martz if they can ascertain his location. The court notes in this regard that a daughter, Velma Knight, has already been notified by Office of Aging of this Petition and this Court's order and ocnsents thereto.

In the event guardian son cannot be located and daughter raises no new protest, the hearing set for Aug. 10, 1989 will be continued without further order but will be promptly reset upon request of either child, Office of the Aging or Atty. for Mabel Gates.

Mabel Gates is a recipient of social security and the Office of the AGING IS AUTHORIZED to make the necessary placement of Mabel Gates in an appropriate nursing facility and is authorized to sign the necessary documents to pay the necessary medical assistance to the nursing home.

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

Aug. 8, 1989, copies of above orders to Attys. S. Hall and W. Walker.

# 1989

Daniel J. Kuhn

691

DOREEN K. KASBEE

VS.

JAMES R. KASBEE

Filed Aug 8, 1989 @ 9:35 A.M.

Tax & Entry - Paid $50.50

Pro Co Pd 1/45/91 5.00

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

Jan. 24, 1991, Upon praecipe of plaintiff of the above captioned case, this case is discontinued of record.

FULLER, KINNUNEN, PETRUSO & GAMBLE
Ann H. Gamble

692

R. Felton

Mahany, Roeder, Rothschild
Tamera Ochs Rothschild

10/30/89 Recd $103.11
From Plaintiff
Rec'd 11-2-89
$103.11
Vivian Stoltz
2/23/90 Recd $44.19 From Defendant
Rec'd 3-1-90
$44.19
Vivian Stoltz

ALBERT W. LEWIS, III,
ALBERT W. LEWIS, JR., AND
HAPPY LEWIS

vs.

LAURA OSBORNE HEBETS

Filed Aug. 8, 1989
@ 10:51 A.M.

| | |
|---|---|
| Tax & Entry paid | $50.50 ✓ |
| Sheriff's Costs | 65.40 |
| MEDIATION COSTS | 147.30 |
| Pro 6 Rd 10/30/89 | 9.00 ✓ |

COMPLAINT FOR CUSTODY

1 copy (sheriff)
1 copy Mediator

Aug. 15, 1989 Order filed. A ND NOW, this 15th day of August, 1989, Bruce Smith is appointed Custody Mediator and is hereby directed to hold such Custody Mediation Conference as he deems appropriate and to made recommendations thereafter to this Court. Robert L. Walker, J
a copy Sheriff a copy Mediator

Sept. 14, 1989 Sheriff's Return filed. Before me, the undersigned authority, personally appeared Terry L. Schultz, Deputy Sheriff who being duly sworn according to law, deposes and says that on the 22nd day of August, 1989, at M., he served Order - Notice to Defend - Complaint in Custody, filed at No. 692 Term, 1989, Crawford County, Pennsylvania, upon defendant Laura Osborne Hebets at NOT SERVED, NOW AT 813 Church Run St., Titusville, PA 827-9283 Works at Burger King, Titusville By mkaing known the contents thereof to and handing to and leaving with the certified copy of the received from Sheriff of Crawford County.
So answers, Terry L. Schultz, Deputy Sherifg
Gene Price, Sheriff
SERVED Laura Osborne Hebets personally on September 5, 1989, 1:25 PM by handing Copy of Complaint to her at her residence, 813 Church Run St., Titusville, Crawford County, PA 16354
So answers, Robert M. Stevens, Deputy Sher.
Howard N. Stewart, Sheriff

Oct. 23, 1989 TEMPORARY ORDER OF COURT filed. AND NOW, this 23rd day of October, 1989, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Winter Summer Osborne, age three, being Albert W. Lewis, III, and Laura Osborne Hebets, two of the parties to this action, shall share legal custody of the said minor child. Said joint legal custody being shared shall entitle both of the parents to equal access to any records relating to the child held by a third party, including, but not limited to, school and medical records, and shall also entitle both parents to equal input with regard to the educational and religious upbringing of the child, as well as elective surgery.

2. Primary physical custody of the child shall remain with the natural mother, Laura Osborne Hebets. Regular visitation and temporary custody of the child shall be granted to the plaintiff father, Albert W. Lewis, III, which, with his permission (which shall be presumed, unless evidence to the contrary comes to the attention of the mother) may be exercised by the other parties to the action, Albert W. Lewis, Jr., and Happy Lewis, the paternal grandparents. Physical custody of the plaintiff father will be as follows:

a. The child shall visit in the home of the natural father, whose permanent address is that of his parents in Burton, Ohio, the second full week of each month. Said full week shall be that week having a Sunday and a Saturday. Said week shall begin at noon, prevailing time, on Sunday and shall end at 3:00 p.m., prevailing time, the following Sunday. The natural father or his parents, the grandparents of the child, shall be responsible for pick up and drop off of the child.

b. Beginning in 1990, the father shall have an additional right to take the child into him temporary custody for one continuous month during the month of June, July or August upon a written notice of ten days to the natural mother. The natural mother shall keep the father and the paternal grandparents informed of her current mailing address in order that this notice may be given.

c. While the father is in the United States Military (in this case, the Navy), he shall have an additional right to have the child in his temporary custody for up to two full-week periods during each year, at his choice, upon a written notice of ten days to the plaintiff mother.

d. The only holiday being divided between the mother and the father (and, coincidentally, the paternal grandparents) will be Christmas each year while the father is in the Military Service. Other holidays falling on scheduled periods of custody shall be celebrated in the home of the parent or grandparents having custody of the child. With regard to Christmas, the plaintiff father or his parents shall have the right to have the child in his or their temporary physical custody from 2:00 p.m., prevailing time, on Christmas Day until 6:00 p.m., prevailing time, on the 28th day of December each year.

3. The parent or grandparent having custody of the child at anytime shall notify the other parent (or, in the case of the father, the grandparetns) as soon as possible in the event of injury or illness to the child requiring medical treatment.

4. Neither of the parents nor the grandparents, parties to this action, shall take the child into any environment which might be commonly thought of as detrimental to here development or to the development of her character or which would b commonly thought of as dangerous to her physical person.

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

6. Each of the parents and the grandparent parties to this action will teach the child that love and respect due a parent from his or her child, and neitehr of the parents nor the grandparents will do anything or say anything to blacken the character of the either parent or the grandparents in the eyes of the child.

7. This Order shall not prejudice the right of either party, including the grandparents, to request further Mediation if the best interest of the child so dictates. Evidence of sexual abuse in any environment the child is in shall be considered a changed circumstance under Pennsylvania Law, as shall the use of illegal drugs or periods of regular intoxication from alcohol by the mother. Additionally, the father's discharge from the United States Military shall be considered a changed circumstance under Pennsylvania Law for the purposes of review of this Order and further Mediation.

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

Record Continued on Page 621 .....

SEE VOL. 3

# 1989

Gerald M. Sullivan

693

8/18/89
Recd 34.07
Sheriff's costs
from Dft.

8/15/89
Paid out
$34.07 to
Howard Stewart
Sheriff
Check 5222

KIMBERLY A. MILLER

VS.

WILLIAM EUGENE MILLER

Filed Aug 8, 1989
@ 1:56 p.m.
Tax Entry 8-18-89 Pd. 50.50
Sheriff's Costs 34.07
Pro Co Pd 8-18-89 9.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy (plaintiff)
1 copy (sheriff)

Temporary Abuse Order :

AND NOW, this 8th day of August, 1989, 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 immediately vacate the marital residence and shall not return to the marital residence until further order of Court.

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

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

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

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

7. The Defendant is reminded that this is an **ORDER OF COURT and** violation of this Order may be punishable by a fine up to $1,000 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, 1989, 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 THE COURT,
Robert L. Walker, J.

Aug. 9, 1989 Sheriff's Return filed. SERVED William Eugene Miller personally by handing copy of Protection From Abuse, Notice, Petitionand Order tohim on August 8, 1989 at 4:40 PM at his residence, R.D.#8, Box 261 A, Meadville, Crawford County, PA. He was to vacate residence at that time.
So answers,

Edgar D. Householder, Chief Deputy
Howard N. Stewart, Sheriff
Robert M. Stevens, Deputy Sheriff

August 21, 1989 ORDER filed. AND NOW, August 18, 1989, after hearing the positions of both parties, the following Order is entered:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or his minor child at any time.

2. The defendant shall not go to the former marital residence for any purpose except as otherwise provided in this Order.

3. Upon leaving this hearing, the defendant may go to the marital residence for the purpose of obtaining any tools, clothing or other personal effects that he may have at the marital residence, but shall not remain past 5:00 o'clock p.m.

4. The defendant shall have the right to obtain the balance of his personal effects and tools on any Saturday afternoon beginning Aug. 26, 1989 and on any one Saturday afternoon beginning the three-week period from Aug. 26, 1989 to Sept. 9, 1989. The defendnat shall notify the plaintiff at least seventy-two (72) hours in advance of the Saturday on which he intends to obtain his personal property.

5. The defendant shall have the right to take his child for a visit between the hours of 2:00 o'clock p.m. and 5:00 o'clock p.m. every other Saturday beginning with Saturday, Sept.2, 1989. The defendant is advised that he has a right to institute a proceedings for custody or visitation, and if such proceedings are instituted and an Order entered therein, it shall supersede this Order, which shall be considered temporary.

6. The defendant may leave certain items of personal property at the marital residence which may be his own property or marital property, a fact not yet determined, but in any event, the plaintiff shall not damage or dispose of by gift or sale any personal property, either marital property or property of the defendant.

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

8. The defendant shall pay the costs in this proceeding.

9. Any Police Officer having jurisdiction on the premises may enforce this Order in accordance with the Protection From abuse Act.

10. It appearing that the defendant was incarcerated this morning on an Order from District Justice Hubert Vogan based upon his presence at the marital home in what was perceived to be a violation of the Temporary Order, he is hereby released from further incarceration.

11. The defendnat shall pay the sum of $75.00 per week for the support of Genevieve Nicole Miller until such time as a formal Support Order may be entered.

By Order Of The Court,
Robert L. Walker, Judge

Aug. 23, 1989 Copy of Order to Atty. Gerald M. Sullivan, County Control, Defendant.

Sept. 20, 1989, ORDER filed. AND NOW, September 19, 1989, at the request of the plaintiff in the above action, the proteciton from abuse order entered Aug. 18, 1989, is vacated. Plaintiff is cautioned that this court will not entertain any complaint or petition for a protection order in the absence of extreme facts.

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

Sept. 21, 1989, copy to Gerald Sullivan (box) and copy mailed to each defendant.

# 1989

Mason and Mason
Joan D. Mason

694

MARK L. BUNDY

VS.

CYNTHIA L. BUNDY

Filed August 8, 1989
@ 2:08 P.M.

| | |
|---|---|
| Tax & Entry paid | 50.50 |
| 2 counts paid | 30.00 |
| Pro Co Pd 2/2/90 | 9.00 |
| State pd 2/2/90 | 10.00 |

COMPLAINT IN DIVORCE, CUSTODY
AND EQUITABLE DISTRIBUTION

1 copy (atty)

Aug. 15, 1989 Affidavit Of Service filed. I, Joan D. Mason, Esquire, attorney forthe Plaintiff in the above entitled case, and abeing duly sworn accor ding to law, deposes and say that I did on August 10, 1989 mail to the above defendant, Cynthia L. Bundy, by certified mail #P 724 951 457, return receipt requested, deliver to addressee only, a complaint in the above divorce action. Said notice was received on August 11, 1989, as indicated by the return receipt card which was returned to the office ofthe Plaintiff's attorney and is attached. hereto.
Joan D. Mason

Dec. 5, 1989 Affidavit of Consent of Plaintiff filed.

Dec. 5, 1989 Affidavit of Consent of Defendant filed.

Jan. 30, 1990, Upon praecipe of plaintiff attorney, for review under 201(c) of the Divorce Code, this case moved tocourt.

Feb. 8, 1990 **STIPULATION AND DECREE FILED:**

AND NOW, this 8th day of February, 1990, the court orders and decrees as follows:

1. DIVORCE: Upon consideration of the pleadings and affidavits filed in the above-captioned case, this court hereby grants an absolute divorce from the bonds of matrimony to the above-named parties, on the grounds that the marriage is irretrievably broken and ninety (90) days have elapsed from the date of the filing ofthe complaint, and an affidavit has been filed by each of the parties, evidencing that each of the parties consents to the divorce pursuant to Section 201(c) of the Pennsylvania Divorce Code.

2. REAL ESTATE: Defendant, Cynthia L. Bundy, hereby transfer to Plaintiff, Mark L. Bundy, all of her right, title and interest in the jointly owned real estate and buildings thereon located at 238 Bolard AVenue, Cambridge Springs, Pennsylvania, which property was recently appraised at $29,900.00. Plaintiff, Mark L. Bundy, hereby agrees to assume the balance owed on the Mellon Bank mortgage against said property, which has an approximate balance of $10,000.00 at the present time. He also agrees to be responsible for an yt axes or other expenses in connection with said property.

3. BUSINESS REAL ESTATE: Defendant, Cynthia L. Bundy, hereby transfers to Plaintiff, Mark L. Bundy, all of her right title and interest in the jointly owned real estate located at 171 Grant Street, Cambridge Springs, Pennsylvania, which property contains a building utilized for the business currently operated by husband (an auto body shop) which property was recently appraised for $31,000.00. Plaintiff shall assume full responsibility for the mortgage of $3,000.00 against said property, owed to Lewis DeCourcey and his wife.

4. BUSINESS: The parties hereto have acquired during the course of the marriage, an auto body business known as Bundy's Body Shop, locted at 171 Grant Street, Cambridge Springs, Pennsylvania. Defendant, Cynthia L. Bundy, hereby transfers to Plaintiff, Mark L. Bundy, all of her right, title and interest in said business, including but not limited to the inventory, accounts receivable, work in process, goodwill, and any and all other assets. Plaintiff, Mark L. Bundy, assumes responsibility for all debts and liabilities in connection with said business.

5. AMWAY DISTRIBUTORSHIP: The parties hereto have acquired an Amway distributorship. Defendant, Cynthia L. Bundy, hereby transfers to Plaintiff, Mark L. Bundy, all of her right, title and interest in said distributorship, and shall upon request of the Plaintiff, Mark L. Bundy, sign any necessary documents to transfer said interest formally to him.

6. PERSONAL PROPERTY: The parties hereto own furniture, appliances, household items and outdoor and lawn equipment, which items were located at their jointly owned residence at 238 Bolard Avenue, Cambridge Springs, Pennsylvania. The parties hereto have divided these items to their mutual satisfaction, and each will retain those items he or she has in his or her possession.

However, Plaintiff shall not withhold from Defendant, any personal items of tangible property that belong to her, consisting of miscellaneous small items and knickknacks (not furniture, appliances, or garage items), but mainly items that belonged to her prior to this marriage.

7. VEHICLES: A. Plaintiff, Mark L. Bundy, shall transfer to Defendant, Cynthia L. Bundy, any interest he may have in the 1982 Subaru automobile, which is presently titled toh im, and will pay insurance for said vehicle for the months of August, September and October of 1989.

B. Defendant, Cynthia L. Bundy, hereby relinquishes any interest she may otherwise have in the 1981 Buick Skylark, presently titled to Plaintiff, Mark L. Bundy, so that the same shall become his alone, free of any claim from the Defendant.

C. Defendant, Cynthia L. Bundy, hereby relinquishes any interest she may otherwise have in the 1966 Sunbeam Aline automobile, presently titled to Plaintiff, so that the same shall become his alone, free of any claim from the Defendant.

8. LIFE INSURANCE: Each party shall retain any police of life insurance, insuring his or her own life, and shall henceforth be responsible for any premiums on said policy.

The parties cashed in a Prudential life insurance policy on Defendant's life, some of the cash value of which was earned during the marriage, and some earned prior to the marriage. Plaintiff shall pay to Defendant, the sum of $1,200.00 for any and all interest (marital and nonmarital) she may have had in the proceeds of said policy, to be paid at the said rate of $85.00 per month beginning with January, 1990, and ending with last payment to be October, 1990.

9. CHECKING ACCOUNTS: The parties hereto opened three checking accounts, two at Mellon Bank and one at Marine Bank. Defendant hereby relinquieshes any interest she may have in the proceeds of said account to Plaintiff alone. Each said checking account, at this time, has a balance of no more than $500.00, although of course these accounts fluctuate from time to time.

10. INDIVIDUAL RETIREMENT ACCOUNTS: A. Defendnat, Cynthia L. Bundy, relinquishes any interest she may otherwise have had in the Prudential IRA account held in Plaintiff's name, worth approximately $2,000.00.

B. Defendant, Cynthia L. Bundy, relinquishes any interest she may otherwise have had in the Pioneer II account held in Plaintiff's name, worth approximately $1,000.00.

11. DEBTS: Plaintiff, Mark L. Bundy, agrees to be fully responsible for the balance owed on the kitchem remodeling debt owed to Laurie Savings in Pittsburgh, which has an approximate present balance of $2,000.00.

12. CUSTODY: Plaintiff, Mark L. Bundy shallhave legal custody of the three minor children: Jeremy Ray Bundy, age twelve (12); Naomi Marie Bundy, age eleven (11); and Holly Vera Bundy, age seven (7).

Mother, Cynthia L. Bundy, shall be entitled to have the chidlren in her temporary custody every other weekend from Friday at 4:30 p.m. until Sunday at 4:30 p.m. This schedule shall begin once she provides father with at least one weeks advance notice of when she wishes said visits to commence, and then she has a suitable place for the chidlren to come and visit. In the meantime, mother may visit the chidlren at times and places mutually agreed upon between herself and the chidlren's father. Visits shall be arranged so as not to interfere with the children's sports activities if at all possible. *Continued in margin* BY THE COURT, Gordon r. Miller

The parties shall alternate holidays, as follows:
a. For Christmas each odd-numbered year, the vacation shall be divided so that the mother shall have Christmas visitation from December 26th at noon until December 29th at noon. On even-numbered years, her Christmas visit shall extend from December 24th at non until December 27th at noon.
b. The parties shall alternate the following holidays, with hours of temporary custody to be from 4:30 p.m. the day previous to the holiday until 4:30 p.m. the day of the holiday: Thanksgiving Day, Easter Sunday, Memorial Day, July Fourth, and Labor Day. Father shall have the Labor Day holiday of 1989, and mother shall have the Thaksgiving Day of 1989, and they shall continue to alternate holidays thereafter.
The mother shall also be entitled to have the children with her three weeks during the summer, preferably one week each month during the months of June, July and August, not to be taken within ten days prior to their return to school. Dates of said week visits shall be determined at least two weeks in advance, by mutual agreement of the aprties.
Transportation of the chidlren shall be provided so that the parent receiving the chidlren shall furnish the transportation.

13. WAIVER OF FILING OF DOCUEMENTS: Neither party hereto shall require the other party hereto to file an inventy and appraisement as would otherwise have been required by the Pennsylvania Rules of Civil Procedure. Each party is aware of the debts and assets acquired during the marriage.

14. WAIVER OF CLAIMS: Neither party hereto shall make any claim against the other party hereto, except for enforcement of the rights and responsibilitves set forth in this decree

# 1989

BOZIC AND THOMAS
R. Charles Thomas

695

Joseph F. Kulwicki

DON J. DONATELLI

VS.

LINDA L. DONATELLI

Filed August 8, 1989
@3:56 P.M.

Tax & Entry paid $50.50
Add'l Counts Pd 10/5/89 45.00
TED WATTS, MASTER

COMPLAINT UNDER SECTION 201(d)
OF THE DIVORCE CODE

1 copy (atty)

Aug 8, 1989 Plaintiff's Affidavit Under Section 201(d) of the Divorce Code filed.

Aug. 31, 1989 Defendant's CounterAffidavit Under Section 201(d) of the Divorce Code filed.

Sept. 8, 1989 Appearance of Joseph F. Kulwicki for the Defendant filed.

Sept. 8, 1989 Certificate of Service filed. I, Joseph F. Kulwicki, Esq., attorney for defendant, hereby certify that on September 7, 1989, an original and two copies of Interrogatories addressed to the Plaintiff were delivered to the law office of R. Charles Thomas, Esq., attorney for the Plaintiff, at the Old Post Office Building, Meadville, PA., at approximately 4:30 p.m.
Joseph F. Kulwicki

Sept. 20, 1989 Answer and Counterclaim To Divorce Complaint Filed By Plaintiff field. (Alimony Pendente LIte, Permanent Alimony, Counsel fees and Costs, Custody and Equitable Distribution)

Sept. 22, 1989 Income and Expense Statement of defendant filed.

Oct. 13, 1989 Motion For Sanctions For Failure To Answer Interrogatories and Order filed. AND NOW, this 13 day of October, 1989, upon presentation of the foregoing Motion for Sanctions, it is hereby ordered that a hearing on sanctions and other matters is set for October 25, 1989 at 10:00 a.m.
BY THE COURT,
Robert L. Walker, J

Oct. 13, 1989 copies of order put in R. Charles Thomas and Joseph Kulwicki's box

Oct. 23, 1989 Rule filed. AND NOW, this 23rd day of October, 1989, upon motion of Joseph F. Kulwicki, Esquire, attorney for plaintiff on the counterclaim, and upon consideration of the complaint filed in the above matter, a Rule is entered upon defendant on the counterclaim to show cause why a temporary order of alimony, support, counsel fees, costs and expenses should not be entered, pending further hearing of this Court.
Hearing is set for the 25th day of October, 1989, at 10:00 a.m. in Courtroom "1" of the Crawford County Court House, Meadville, Pennsylvania.
BY THE COURT:
Robert L. Walker, J

Oct. 23, 1989 Copies of Rule put in R. Charles Thomas and Joseph Kulwicki's box.

Oct. 25, 1989 Motion to schedule a hearing for counsel fees and costs filed.

Oct. 25, 1989 Motion For Continuance and Order filed. And now, October 25, 1989 Upon presentation and consideration of the within Motion , this case is continued to the 30 day of November, 1989 at 1:30 o'clock p.m.
Imogene Yetman, C.A.

Oct. 25, 1989 Copies of order put in R. Charles Thomas and Joseph Kulwicki's box.

Dec. 4, 1989 Order filed: AND NOW, November 30, 1989, at the time set for hearing and argument on alimony pendente lite, counsel fees and contempt for failure to respond to Plaintiff's Interrogatories, counsel for the parties appear and advise the Court the matter has been amicably resolved pending a study of the Interrogatores. The sum of $750.00 has been paid to defendant's counsel voluntarily and said amount is received without prejudice to the right of counsel to petition for further counsel fees. Interrogatories were answered this date, and upon review, counsel for the defendant, in absence of an amicable resolution of the alimony issue, may petition the Court to set further hearing on the alimony issue.
Counsel and the parties agree that in the interim period, the plaintiff will continue to pay to his wife the sum of $850.00 per month in accord with a previous agreement between the parties to cover general living expenses.
BY ORDER OF THE COURT:
P. Richard Thomas, J.

Dec. 4, 1989 copies to Attys. R. Chas. Thomas and Joseph F. Kulwicki,

Dec. 5, 1989 Amended Income and Expense Statement filed.

Jan. 17, 1990 Motion to Re-schedule Hearing Re: Alimony Pendente Lite, Counsel Fees, and Costs and Expenses and Order filed. ORDER: AND NOW, Jan. 17, 1990 a hearing is sc heduled for Jan. 31, 1990 at 1:30 p.m.
BY THE COURT,
Gordon R. Miller, J.

Jan. 19, 1990, copies to R. C. Thomas, and J. Kulwicki.

Jan. 26, 1990 Motion For Continuance and Order filed. And now, January 26, 1990 The within hearing is continued to the 5th day of March, 1990 at 2:00 o'clock p.m.
Gordon R. Miller, J

Jan. 30, 1990 Copies of order put in R. Charles Thomas and Joseph Kulwicki's box.

Mar. 9, 1990 Order filed. AND NOW, March 5, 1990, the long delayed alimony pendente lite, counsel fees, and costs issue is back before the Court for resolution. The matter is extremely complex and counsel and the parties have been helpful in enlightening the Court regarding the gross and net income of the aprties, past practices, and present balances due on wife's attorney fees. It appears that the oldest daughter is largely emancipated and the father is underwriting her total college expenses in addition to largely maintaining her. The younger child, age 16, resides with the mother and the father considers the heretofore agreed-to amount of $850.00 per month to be partially attributable to said child.
The crux of the problem arises by virtue of the long separation of the parties since 1973 and the wife's contention that in spite of the monthly payments received from the husband plus her take-home pay, she is falling behind in bills to adequately maintain herself and the minor child in her custody.

CONTINUED ON PAGE 628

SEE VOL. 3

6/25/91 RECD. $100.00 from DEFENDANT

8-3-92 paid Theodore W. Watts Masters Fees $100.00 CK #6971

# 1989

Mason and Mason
Joan D. Mason

696.

PATRICIA ANN PROPER

vs.

ROBERT EUGENE PROPER, SR.

COMPLAINT IN DIVORCE, CUSTODY

1 copy (atty)

Aug. 15, 1989 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 August 8, 1989, mail to the above Defendant, Robert Eugene Proper, by certified mail #P 724 951 456, return receipt requested deliver to addressee only, a complaint in the above divorce action. Said notice was received on August 11, 1989, 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

Filed Aug. 8, 1989
@ 4:12 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| 1 count paid | 15.00 |
| Pro Co pd 5/15/91 | 9.00 |
| State pd 5/15/91 | 10.00 |

Jan. 28, 1991 Affidavit of Consent of defendant filed.

Feb. 11, 1991, Affidavit of Consent fo plaintiff filed.

May 15, 1991 Upon praecipe of Plaintiff Attorney For Review Under §201(c) of the Divorce code, this case moved to court.

May 17, 1991 **STIPULAITON AND CONSENT CUSTODY ORDER FILED.** AND NOW, this 17 day of May, 1991, the court orders as follows:

1. Legal and physical custody of five (5) minor children, Robert Eugent Proper, Jr., Roy Lee Proper, Roger Lee Proper, Ray Lee Proper, and Richard Terence Proper, shall be with their mother, subject to such times as shall be mutually agreed upon between the parties, when the children shall be with their father.

Father shall contact mother to arrange times of visitation, when he may have the children with him. He shall attempt to give notice of his requested time of visits, both starting time and ending time of the visit, at least twenty-four (24) hours in advance of the time he wishes of the visit, at least twenty-four (24) hours in advance of the time he wishes to have the children, and will give longer advance notice if possible.

2. In light of the fact that father doe snot presently have a job, an dhis schedules is therefore uncertain, and in light of mother's work schedule, this agreement shall continue until such time as any more definate custody schedule shall be worked out, an dput forth as a modification custody order.

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

May 17, 1991 **DIVORCE DECREE FILED.**

And now, May 17, 1991, it is ordered and decreed that PATRICIA ANN PROPER, plaintiff, and ROBERT EUGENE PROPER, SR., defendnat, are divorced from the bonds of matrimony.

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

# 1989

Barrett & Dratler
Bruce A. Barrett
697.

Margaret Eglinton
Legal Services

EDWARD STERNBY

vs.

DARLENE EBBERT & DONALD MYERS

Filed Aug. 9, 1989
@ 8:37 a.m.

Indigent filing
Pro Co pd 10/4/89 15.00

APPEAL OF DEFENDANT FROM JUDGMENT OF WILLIAM D. CHISHOLM, DISTRICT MAGISTRATE 30 - 2 - 01

Aug. 9, 1989, Rule entered upon plaintiff to file complaint issued.

Aug. 9, 1989 Proof of Service filed.

Aug. 11, 1989, Praecipe to Proceed Informa Pauperis, Affidavit to Proceed In Forma Pauperis, filed.

Aug. 30, 1989, Complaint filed. 1 copy (atty)

Sept. 7, 1989 Acceptance of Service filed. AND NOW, this 5th day of September, 1989, I, Margaret Eglinton, Esq., the Attorney for Darlene Ebbert in the above captioned matter hereby accept service of the Complaint. Margaret Eglinton

Sept. 21, 1989, Answer, New Matter and Counterclaim filed. 1 copy (atty)

Oct. 4, 1989 Reply to New Matter by Plaintiff's attorney, Bruce A. Barrett,filed.
*** (See Below)

Oct. 19, 1989 Acceptance of Service filed. AND NOW, this 13th day of October, 1989, I, Margaret Eglinton, Esq., the Attorney for Darlene Ebbert in the above captioned matter hereby accept service of the Reply to New Matter and Reply to Defendant's Counterclaim.
Margaret M. Eglinton

*** Oct. 4, 1989 Upon praecipe For Reference To Arbitrators By Plaintiff Attorney the following are hereby appointed:
William B. Moore, Chairman
Mary Ann Kirkpatrick
Joseph F. Kulwicki

Oct. 31, 1989 Arbitrators Take Qualifying Oath.

Dec. 18, 1989 Decision of Arbitrators filed in which they find in favor of Donald Meyers and agains the Plaintiff on the Plaintiff's Complaint, same to Deft. Donald Meyers has not been served of record; find in favor of the Plaintiff and against Deft. Darlene Ebbert in the amount of $226.55, and find in favor of Plaintiff and against defendants on Deft's counterclaim.
Dec. 18, 1989 copy put in atty's box.

E-44

DECISION OF ARBITRATORS
James F. Simmons
Prothonotary

# 1989

Gordon R. Miller

698.

Margaret Eglinton
Legal Services

Aug 10, 1989 Recd from defendant #132.00

9/1/89 Recd ✓33.00 from d/f.

9-29-89 Recd ✓33.00 from dft.

10/26/89 RECD #33.00 FROM DEFENDANT

11/27/89 Recd ✓ #33.00 from d/f.

12/29/89 Recd ✓#33.00 from d/f.

1/31/90 RECD #33.00 ✓ FROM DEFENDANT

2/28/90 Recd ✓#33.00 from defendant

3/28/90 RECD #33.00 ✓ FROM DEFENDANT

5/1/90 RECVD. $33.00 from Defendant. ✓

6/1/90 Rec'd 33.00 from Defendant

6-24-91 Rect 33.00 from Deft

7/31/90 Paid to Lorraine Pope $247.50 Ck# 5769

7/31/90 Paid Rita Goldberg, Agent $247.50 Ck# 5770

RITA GOLDBERG, AGENT
FOR STEVEN GOLDBERG

vs.

LORRAINE POPE

vs.
Meadville Housing Authority

Filed Aug. 9, 1989
@ 8:59 a.m.

Indigent filing

Sheriff's costs 20.00

APPEAL OF DEFENDANT FROM JUDGMENT OF WILLIAM CHISHOLM, MAGISTERIAL DISTRICT 30 - 2- 01

Aug. 8, 1989 Rule entered upon plaintiffs to file complaint issued.

Aug. 9, 1989, Proof of Service filed.

Aug. 9, 1989, Petition for Waiver of Bond and Order of Court filed. ORDER OF COURT: AND NOW, this 9 dayof August 1989, it is hereby ordered that the Defendant/Appellant, Lorraine Pope, shall be required to deposit all rental payments past due on August 10, 1989, and current rental payments as they become due, with the Prothonotary, during the pendency of these proceedings.
1 copy = (atty) BY THE COURT,
Robert L. Walker, J.

Aug. 9, 1989, Affidavit to Proceed In Forma Pauperis, and Praecipe to Proceed in Forma Pauperis, filed.

Sept. 1, 1989, Complaint filed.

Oct. 2, 1989 Defendant's Answer To Plaintiff's Complaint Containing New Matter and Counterclaim filed.

Oct. 18, 1989, Reply filed.

Oct. 25, 1989 Complaint Joining Additional Defendant filed.

Oct. 25, 1989 Defendant's Amended Answer filed.

Nov 2, 1989 Sheriff's Return filed: SERVED Meadville Housing Authority, Additional Defendant, on October 25, 11989 at 3:35 P.M. by handing copies of Notice, Petition, Affidavit, Complaint, Default Notice, Answer, New Matter, Counterclaim, Reply, Defendant's Amended Answer, and Complaint Joining Additional Defendant to Peggy Gill, Acting Executive Director, at place of business, 1120 Market Street, Meadville, Crawford County, Pa.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Feb. 21, 1990 Answer To Complaint Joining Additional Defendant filed.

Feb. 21, 1990 Certificate of Service of Answer to Complaint filed.

July 31, 1990 Motion For Adoption of Stipulation As an Orde rof Court and Order filed. AND NOW, this 30 day of July, 1990, the terms of the attached Stipulation are adopted as the final Order of this Court resolving the issues raised by this action and shall be given full force and effect as if set forth herein.
2 copies atty. BY THE COURT,
P. Richard Thomas, J

# 1989

Legal Services
Gerald Sullivan

699.

KIMBERLY STEWART

vs.

RICHARD BUTTS

Filed Aug. 9, 1989
@ 10:06 a.m.

Tax & entry $50.50
9.00

PETITION FOR PROTECTION FROM ABUSE

2 copies (atty)

TEMPORARY ORDER:

AND NOW, this 9 day of August 1989, upon presentation and consideration of the within Petition, a hearing thereon is scheduled for the 17 day of August 1989 at 2:30 p.m. in C. R. No. 1 or 2 of theCrawford CountyCourthouse, in Meadville, Pa.

The defendant is directed to refrain from abusing and/or threatening to abuse, or harassing the plaintiff and/or the minor child of the parties.

The defendant is excluded immediately and forthwith from the residence which is located at 653 Baldwin St. Apt. 3, Meadville Pa. pending the hearing scheduled above. All keys to the marital residence are to be given forthwith to the plantiff.

The palintiff is hereby awarded temporary custody of the minor child of the parties pending the hearing scheduled above.

The Crawford County Sheriff Department is directed to serve a cert. copy ofthis Petition and Order upon the defendant. In the alternative, this petition and order may be served by any competent adult or by certified mail.

The City of Meadville Police Department and/or the State police of the Com. of Pa. are directed to enforce this order and to prevent the return of the defendant to the aforesaid premises by any appropriate means.

This petition and order shall be filed and served without payment of costs; the court shall determine at the hearing if the defendant shall be required to pay the costs.

The defendant is hereby advised of his right to be represented by counsel, and he is notified that his failure to attend the hearing sc heduled above may have serious legal consequences.

The defendant should take this paper to his lawyer at once. If he does not have a lawyer, or cannot afford one, he should go to or telephone the office set forth below to find out where he can get legal help.

Crawford County bar ASSOC. Ser. to the Pub. Committee, c/o Prothonotary, Courthosue, Meadville Pa. 16335. 814 724-4636.

BY THE COURT,
Robert L Walker, J.

Aug. 14, 1989 Proof of Service filed. I hereby certify that a copy of the foregoing Order and Complaint was personally served on defendant Richard Butts by Donna Seher on August 10, 1989
Gerald Sullivan

Aug. 18, 1989 Order filed: AND NOW, August 17, 1989, at the time fixed for hearing, the parties haviang essentially agreed upon the entry of an Order on the following terms, this Order is entered:

1. The Defendant shall not harass, abuse or threaten to harass or abuse the Plaintiff at any time.

2. The Defendant is excluded from the residence at which the parties cohabited at 653 Baldwin Street, Apartment 3, Meadville, Pennsylvania, except as otherwise hereinafter provided.

3. The Defendant shall have the right to take the child of the parties, Tyrell Butts, for a visit every other weekend beginning August 18, 1989, from Friday evening at 6:00 p.m. until Sunday evening at 6:00 p.m. and may go to 653 Baldwin Street for the purpose of picking up and returning the child, provided that there shall be no confrontations between the parties at those times.

4. The Defendant may also pick up the child each Wednesday evening at 6:00 p.m. and return him at 8:30 p.m. for the purpose of a visit.

5. The Defendant is sometimes required to work overtime and does not have prior notice of that fact. In the event on a Wednesday or a Friday night when he is picking up the child he is required to work beyond 6:00 p.m., he may still pick up the child at any time before the termination of that visit for a visit but that shall not extend the termination time of the visit.

6. The Defendant will need an opportunity to obtain his clothing and personal effects still remaining at 653 Baldwin Street but has not yet found an apartment and is temporarily residing with his mother. As soon as he obtains living quarters for himself, he may go to 653 Baldwin Street for the purpose of obtaining his personal effects and clothing for a period not to exced two hours and shall give the Plaintiff at least forty-eight hours notice of the time when he intends to do so.

7. This Order shall continue in full force and effect for a period of one year from this date.

8. The visiting privileges for the child provided in this Order shall be superseded in the event there is a formal custody and visitaiton Order entered in any proceeding.

9. The Meadville City Police or any other police agency having jurisdiction of the premises may enforce this Order in accordance with the Protection from Abuse Act.

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

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

Aug22, 1989 Copies of order put in Atty. Sullivan' box, & copies given to Co. Control.

# 1989

Mahany, Roeder & Smith
Tamera Ochs Rothschild

700.

TAMMY LYNN YOUNG

vs.

DANIEL JOHN YOUNG

Filed Aug. 9, 1989
@ 3:58 p.m.

| | | |
|---|---|---|
| Tax & entry Paid | | $50.50 ✓ |
| Pro Co Pd | 12-7-89 | 9.00 ✓ |
| State Pd | 12-7-89 | 10.00 |
| Pro Co Pd | 1-23-90 | 5.00 ✓ |

COMPLAINT IN DIVORCE

1 copy (atty)

Aug. 16, 1989 Affidavit of Return of Service by Mail filed.

On Aug. 11, 1989, I mailed a true copy of the Divorce Complaint in the above captioned matter by Certified Mail No. P 382 386 006 Restricted Delivery to the Defendant, Daniel John Young, R.D.# 3 Box 107G, Spartansburg, Pa. 16434. Defendant signed a return receipt upon delivery Aug. 14, 1989. The receipt attached hereto and marked as "Exhibit A" was returned by the post office on Aug. 15, 1989.

I make these statements pursuant to 18 Pa. C.S. Sec. 4904 relating to unsworn falsification to authorities and understand that false statements may subject me to criminal penalties under that statute.

Mahany, Roeder & Smith
Tamera Ochs Rothschild, Atty

Dec 6, 1989 Affidavit of Consent of Defendant filed.

Dec 6, 1989 Affidavit of Consent of Plaintiff filed.

Dec 6, 1989 Upon Praecipe of Plaintiff's attorney for Review Under §201(c) of the Divorce Code, this case is moved to court.

Dec. 11, 1989 **DIVORCE DECREE FILED.**

AND NOW, this 11th day of December, 1989, it is ORDERED, ADJUDGED AND DECREED that Tammy Lynn Young, Plaintiff, and Daniel John Young, defendant, are divorced from the bonds of matrimony. The Court retains jurisdiction of the following claims which have been raised of record by the parties to this action for which a final order has not yet been entered: None.

BY THE COURT:
Robert L. Walker, J

Jan 18, 1990 Notice of Resumption of Maiden Name Upon Divorce filed. To be Known as Tammy Lynn Rogers.

# 1989

Halliday & Halliday
Michael Halliday

701.

Jorden & White
Harry Faber White II

KATHRYN A. GILL

vs.

ROGER L. GILL

Filed Aug. 10, 1989
@ 1:04 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| 3 counts paid | 45.00 |
| Pro Co Pd 6/27/90 | 9.00 |
| State pd 6/27/90 | 10.00 |

COMPLAINT IN DIVORCE, CUSTODY, ALIMONY PENDENTE LITE, COUNSEL FEES AND EXPENSES,DIVISION OF PROPERTY

May 25, 1990, Appearance of Jorden and White, by Harry Faber White, II, attorneys for defendant filed.

June 27, 1990 Affidavit of Consent of plaintiff filed.

June 27, 1990 Affidavit of Consent of defendant filed.

June 27, 1990, Marital Property, child Custody, Visitation and Support Agreement, signed by parties, filed.

June 27, 1990, Motion to Withdraw Economic Claims and Order filed. ORDER: AND NOW, this 27th dayof June 1990, upon visitation ofthe foregoing motion, Courts II, III and IV of the aforesaid divorce complaint are hereby withdrawn.

BY THE COURT,
Gordon R. Miller, J.

June 27, 1990 copies of order to Attys. of record.

June 27, 1990, Upon praecipe of defendant attorney, To Transmit the Record - Section 201(c) of the Divorce Code, this case moved to court.

June 28, 1990, Acceptance of Service filed. AND NOW, this 27th day of june 1990, comes the defendant, Roger L. Gill, and indicates that he accepted a copy of the Divorce Complaint, and notice to defend, on or about August 17, 1989.

Roger L. Gill.

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

And now, July 17, 1990, it is ordered and decreed that Kathryn A. Gill, pla intiff, and Roger L. gill, defendant, are divorced fromthe bonds of matrimony.

BY THE COURT,
P. Richard Thomas, J

# 1989

Watts, Pepicelli,
Youngs and Youngs PC
Theodore H. Watts

702.

HEATREX, INC. A PENNSYLVANIA BUSINESS CORPORATION

vs.

ANTHONY J. DuPONT

Filed Aug. 10, 1989
@ 4:21 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 ✓ |
| Sheriff's Costs | 51.39 |
| Pro Co Pd 10/24/89 | 7.00 ✓ |

COMPLAINT IN REPLEVIN

2 copies (atty)

Aug. 11, 1989, Motion for Writ of Seizure and Order filed. ORDER: AND NOW, this 11 day of August 1989, upon consideration of the within Motion for writ of Seizure, it is hereby ordered and directed that a Writ of Seizure in the form attached be issued.

It is further ordered and decreed that the plaintiff provide the curt with a Replevin Bond in the form attached in an amount of $2,000.00.

By the Court,
Robert L. Walker, J.

Aug. 11, 1989, copy of order to Atty. Watts.

Aug. 14, 1989, REPLEVIN BOND in the amount of Two Thousand Dollars ($2,000.00) with Liberty Mutual Insurance Company, as surety, filed. (in bond box)

Aug. 18, 1989 Sheriff's Return filed. SERVED Anthony J. DuPont personally on Aug. 16, 1989 at 11:15 AM at at Sheriff's Office, Crawford County Courthouse, MeaDVIlle, Pa. 16335 ACCOMPANIED Anthony J. DuPont to his residence , R. D. # 2, Guys Mills, Pa. at Country Acres Trailer Court, to seize the film in possession of the defendant.

So answers,

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

Sept. 22, 1989 Petition To Settle and Discontinue Action In Replevin and Order filed. AND NOW, this 22 day of September, 1989, it is hereby ordered and decreed that the Plaintiff be permitted to develop the canister of film surrendered to the Plaintiff by the Sheriff of Crawford County on August 16, 1989, for the purpose of determining if said film contains photographs taken by the defendant on the Plaintiff's premises on August 9, 1989.

Be if further ordered that in the event that the film in question actually contains the said photographs, then the Plaintiff is permitted to settle and discontinue this action of record, and upon said action being completed, the bond required of the Plaintiff in this action shall be discharged.

In the event that the canister of film surrendered is not the correct film, then it shall be incumbent upon the Plaintiff to bring the matter before this Court for further action. In the event that the Plaintiff takes no further action in this case within 30 days of the date of this Order, and takes no action to settle and discontinue this case, then this case shall be dismissed with prejudice against the Plaintiff without further order of this Court.

By the Court,
Robert L. Walker, J

Sept. 25, 1989 Copy of order put in Theodore Watts' box.

Oct. 23, 1989, UPon praecipe of plaintiff attorneys, the above captioned case is marked settled and discontinued of record; bond discharged.

Thomas, Truax, Spadafore
Vardaro & Walker

R Charles Thomas
Joan D. Mason

703.

Samuel S. Pangborn

Ruthanne Beigley

Michael Halliday

11/1/89 Rec'd $ 68.50
From Plaintiff

Rec'd 12-29-89
$ 68.50
Vivian Slobby

WALTER L. POFF

vs.

AUDREY A. POFF
(Wiselt)

Filed Aug. 11, 1989
@ 9:51 a.m.

Tax & entry paid $50.50

William Pineo, Mediator 137.00
Pro Co Pd 11/2/89 9.00
William Pineo, Mediator 182.00
Pro Co Pd 5-19-92 9.00
Pro Co Pd 10-12-92 CK#4107

COMPLAINT FOR PARTIAL CUSTODY

1 copy (atty)
1 copy (mediator)

COURT ORDER:

YOU, AUDREY A. POFF, Defendant, have been sued in court to obtain partial custody of Jeremy A. Poff.

You are ordered to appear in person at the Crawford County Court House, Meadville, Pa. at such time as you are directed by WILLIAM PINEO, ESQUIRE.

If you fail to appear as provided by this order an order for 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 legalhelp:

Crawford County Bar Association, service tothe Public Comm. c/o Prothonotary, Crawford County Court HOuse, Meadville, Pa. 16335 Tele: 724-4636

BY THE COURT,
Robert L. Walker, J.

Oct 6, 1989 Temporary Order filed: AND NOW, this 5th day of October, 1989, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

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

1. 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 persons or entities having confidential information about said child are hereby authorized to divulge to either party such information.

3. Until June 15, 1992, the mother shall have primary physical custody of Jeremy and the father shall have the following periods of temporary physical custody and visitation:

a. Two weekends each month from Friday at 5:00 p.m. through Sunday at 6:00 p.m.. The father shall notify the mother one month in advance of the weekends he wishes to select.

b. Each summer during the father's vacation from work to the extent that other obligations will not prevent him from actually being able to care for Jeremy, up to a period of two weeks. He shall notify the mother by May 31 of the summer visitation period that he wishes to select.

4. Starting June 15, 1992, the father's periods of custody and visitation shall be expanded so that he may have weekend visitation for three weekends each month during the aforesaid hours, provided that other obligations do not prevent him from being home. He shall notify the mother one month in advance of the weekends he wishes to select. The father shall also have Jeremy in his care and custody during the months of July, October, January, and April of each year. During said months, the mother shall have visitation for three weekends each month from Friday at 5:00 p.m. through Sunday at 6:00 p.m.. She shall notify the father of the weekends she wishes to select at the time physical custody of Jeremy is shifted to the father.

5. Holiday visitations shall be arranged as follows:

The father shall have temporary physical custody and visitation with his son each year from December 26, at 10:00 a.m. through January 1 at 6:00 p.m.. Major holidays shall be defined as Thanksgiving, Christmas, Easter, Memorial Day, Independence Day, Labor Day, and Jeremy's Birthday. Visitation periods shall be from 9:00 a.m. to 7:00 p.m. The father shall have his son for Thanksgiving, 1989, and parties shall thereafter alternate the enumerated holidays. The father shall have Jeremy for visitation from 9:00 a.m. to 7:00 p.m. on Father's Day and the mother likewise, on Mother's Day. Holiday visitations shall take precedence over the other provisions of this Order respecting the custodial and visitation periods.

6. Parties may request further Mediation after August 15, 1993, or at any time upon changed circumstances.

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

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

9. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

10. Costs and fees of this Mediation, which are fixed at $137.00, are divided equally. The mother's share shall be assessed to Crawford County because the Mediator has noted for the Court that she is on public assistance. The father's share is assessed to him as costs in this case and payments shall be made to the Prothonotary of Crawford County.

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

By the Court,
Robert L. Walker, J

Oct 10, 1989 Copies of order put in Atty. Thomas and Pineo's boxes and copies mailed to Atty. Pangborn and plaintiff.

Received from Plaintiff $9.00 5-19-92 mediation

Received from Plaintiff $45.00 mediation Petition 6-2-92

Pd C.C. Comm. 6-25-92 med Fees Ch #6902 9.00

9-24-92 Paid Plaintiff Meddep Refund on Ch# 7069 65.00

10-6-92 Received from defendant mediation fee 76.00

10-12-92 Pd Comm Ch# 726 Med Fee $152.00

1-14-94 Rec from Plf meddep 150.00

Dec. 20, 1989, Petition To Return Proceedings to Custody Mediator for purpose of Technical Section of Order and Order filed. ORDER: AND NOW, this 20 day of Dec. 1989, upon presentation and consideration of the within Petition, this matter is returned to the Custody Mediator, William Pineo, Esq. for the purpose of addressing the issue of the Transporation of the minor child to and from the respective homes of the plaintiff and defendatn.

BY THE COURT,
P. Richard Thomas, Judge

Dec. 20, 1989, copies to Attys. R. C. Thomas,, Wm. Pineo and S. Pangborn.

Oct 3, 1990 Temporary Order filed: AND NOW, this 2nd day of October, 1990, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. The provisions of the order of October 5, 1989, are hereby adopted and reaffirmed, subject to the additions set out below.

2. Recent medical research has indicated that tobacco smoke is injurious to the health of growing children.

Contenued on page 636 . . .
SEE VOL. 3

pro se

704.

TERRI KUHTA

vs.

JOE KUHTA

Filed Aug. 14, 1989
@ 9:40 a.m.

Tax & entry Pd 9/5/89 $50.50
Sheriff's Costs 20.00
Pro Co. Pd 9/5/89 9.60

9/5/89 Recd. $ 20.00 From Defendant

9/5/89 Paid $ 20.00 To Howard Stewart, Sheriff Ck # 5244

EMERGENCY PETITION FROM DOCKET OF WILLIAM CHISHOLM, DISTRICT MAGISTRATE 30-2-01

ORDER:
AND NOW, August 14, 1989, an emergency order in relation to a Petition for Protection from Abuse having beenentered by William Chisholm on Aug. 12, 1989, hearing is set thereon for Aug. 16, 1989 at 10:45 a.m. in C. R. No. 2, Courthouse, Meadville, Pa. and the emergency order of the issuing authority is continued in full force and effect until hearing.

BY ORDER OF THECOURT,
Robert L. Walker, J.

1 copy (plaintiff 3 copies (sheriff)

Aug. 14, 1989 Sheriff's Return filed. SERVED Joe Kuhta personally on August 14, 1989 at 11:20 AM by handing copy of Protection From Abuse, Petition and Order to him at his place of employment, Don Foltz Contracting, working behind C & J Industries, Water Street, Meadville, Crawford County, PA.

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

Aug. 16, 1989 Order filed: AND NOW, August 16, 1989, after informal hearing between the parties, it would appear that a Protection from Abuse Order is appropriate and we therefore enter the following Order:

1. The Defendant shall not abuse physically or verbally nor threaten to abuse the Plaintiff or the child of the parties.

2. The Defendant shall have the right to visit his daughter Melissa Sue Kuhta on any type of reasonable arrangement that the parties agree upon and both parties have indicated to the Court that they believe such agreement can be reached informally. In the event no agreement can be reached, either party may request a further hearing to resolve the question of visitation.

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

4. This Order shall continue in full force and effect for a period of one year from this date.

5. Any police officer having proper jurisdiction may enforce this Order in accordance with the terms of the Protection From Abuse Act.

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

Aug. 21, 1989 copies of order to plaintiff, defendand and County Control.

Aug. 29, 1989 Order filed. AND NOW, August 28, 1989, we make the following Findings based upon the testimony of both parties and our earlier conversation with the Pennsylvania State Police Trooper who made the arrest.

1. On Friday evening, August 25, 1989, Defendant, notwithstanding advising both his wife and the Court that he would quit drinking, was in a licensed establishment drinking alcoholic beverages.
2. His wife saw his car parked there and stopped to discuss the matter with him.
3. He insisted on her going home with him, which she refused to do, at least in part becuase he had been using alcoholic beverages.
4. Plaintiff went on to the home of hermohter, where she has been staying, and the Defendant followed her to that location.
5. Although the Defendant's mohter tried to convince him by telephone that he should leave, he did not immediately do so, and an altercation between the Plaintiff, the Defendant and the Plaintiff's mother ensued in the presence of the parties' child.
6. Pennsylvania State Police were called, but the Defendant left hismother-in-law's residence just as the Pennsylvania State Police arrived.
7. The Pennsylvania State Police went to the defendant's residence and arrested him for violation of the Protection From Abuse Order in this matter, and the Defendna thas been incarcerated since then.
8. The Defendant has an appointment with a counselor at the Drug & Alcohol Abuse Agency for 6:00 o'clock p.m. this evening an dhas agreed to participate in Drug & Alcohol Abuse counseling or therapy, including taking antabuse if recommended.

Having made the foregoing Findings of Fact, we find the Defendan tin contempt for violation of the Order heretofore entered. Further incarceration for such contempt, which the Defendant is advised can run for a total of six (6) months, is suspended temporarily, and the Defendant is released f rom incarceration, but the Defendant is cautioned that the suspension of his incarceration is only upon the strict compliance with the following conditions:

1. He shall keep his appointment with the Drug & Alcohol abuse Agency at 6:00 o'clock p.m. this date and shall participate in any type of treatment or therapy for alcoholism recommended by that agency, including but not limited to inpatient twenty-eight (28) day treatment if recommeded, the use of antabuse if recommend, or any other type of treatment recommended by that agency and shall advise the Drug & Alcohol counselor that a report should b emade to the Court concerning his evaluation and recommended treatment.
2. He shall not go to the home of his mother-in-law, Mrs. Farmer, where his wife and child are presently residing for any purpose whatsoever.
3. He shall not use orpossess alcoholic veverages nor go into any establishment licensed for the fale of alcoholic beverages

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

Aug. 30, 1989 Copy given to County Control and copies mailed to plaintiff and defendant.

# 1989

pro se

705.

MARY E. EMIG

vs.

WILLIAM L. CANCILLA

Filed Aug. 14, 1989
@ 9:41 a.m.

| | |
|---|---|
| Tax & entry | $50.50 |
| Sheriff's Costs | 20.00 |

PETITION FOR EMERGENCY RELIEF FROM ABUSE
WILLIAM D. CHISHOLM, DISTRICT JUSTICE

ORDER:
AND NOW, August 14, 1989 an emergency order in relation to a Petition for protection from Abuse having been entered by William Chisholm on Aug. 11, 1989, hearing is set thereon for August 16, 1989, at 10:30 a.m. in C. R. No. 2, Courthouse, Meadville, Pa. and the emergency order of the issuing authority is continued in full force and effect until hearing.

1 copy ( plaintiff)
3 copies (sheriff)

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

Aug. 14, 1989 Sheriff's REturn filed. SERVED William L Cancilla personally on August 14, 1989 at 2:15 PM by handing a copy of the Protection from Abuse, Petition and Order to him at Sheriff's Office, Crawford County Courthouse, Meadville, Crawford County, PA. 16335.
So answers, Catherine I. Allen, Deputy Sheriff
Howard N. Stewart, Sheriff

Aug. 16, 1989, ORDER filed. AND NOW, Aug. 16, 1989, at the time fixed for hearing on this Protection from Abuse preceeding, plaintiff having contacted the court this date and advised that plaintiff and defendant are attempting a reconciliation, this case is continued generally to be rescheduled as required on motion of any party in interest. Prothonotary shall firnish a copy of this order to all parties, and the parties shall pay the record costs within ten (10) days from this date.

BY ORDER OF THE COURT,
Robert L Walker, Judge

Aug. 21, 1989, copies of order to plff., dft. and county control.

pro se

706.

DIANA WALKER

vs.

DOUG WALKER

Filed Aug. 14, 1989
@ 10:25 a.m.

Tax & entry 8/16/89 $50.50 ✓
Pro for co. 8/16/89 5.00 ✓
Sheriff's Costs 32.00

10/16/89
Recd. $32.00 From Defendant.
10/16/89
Paid $32.00 To Howard Stewart, Sheriff #5240

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy (plff)
3 copies (sheriff)

TEMPORARY ABUSE ORDER:

And now, this 14th day of Aug. 1989, 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 immediately vacate the marital premises at 1038 Chancery Lane, Meadville, Pa. and shall not return to said premises until further order of court.

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

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

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

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

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

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

Hearing is hereby set for Aug. 21, 1989 at 4:00 p.m. in C. R. No. 1 or 2 ofthe Crawford County Courthouse.

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

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

ASug. 16, 1989 Order filed. Order: AND NOW, August 16, 1989, at the time fixed for hearing on this Protection From Abuse proceeding, Plaintiff having contacted the Court this date and advised that Plaintiff and Defendant are attempting a reconciliation, this case is continued generally to be rescheduled as required on motion of any party in interest. Prothonotary shall furnish a copy of this Order to all parties, and the parties shall pay the record costs within ten(10) days of this date.

error see page 705

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

Aug. 21, 1989 copies of order to Plaintiff, Defendant and C ounty Control

Aug. 21, 1989 Order filed. Order: AND NOW, August 21, 1989, on the date fixed for hearing in the protection from abuse proceeding commenced at this number and term, the plaintiff having contacted the court and advised that she did not wish to go forward with the proceeding, this case is discontinued of record upon payment of record costs by the parties.

BY ORDER OF THE COURT,

Robert L. Walker, J.

Aug. 23, 1989 copies of order Plaintiff, Defendant and County Control

Aug. 21, 1989 Sheriff's Return filed. SERVED Doug Walker personally on August 17, 1989 at 11:00 am at Diamond Park, Meadville, Crawford Co. Pa.

So answers,

David Stefanucci, Meadville City Police

Howard N. Stewart, Sheriff

# 1989

pro se

707.

Culbertson, Weiss, Schetroma & Schug
Nancy M. Sennett

John b. Brautigam

WILLIAM CATLIN

vs.

GEORGE E. BURNETT

Filed Aug. 14, 1989
@ 10:25 a.m.

Tax & entry Paid $50.25 ✓

APPEAL OF PLAINTIFF FROM JUDGMENT OF DISTRICT JUSTICE RONALD COLE, 30-3-06

Aug. 14, 1989 Proof of Service filed.

Aug. 16, 1989 Complaint filed.

Aug. 16, 1989 Affidavit of Service filed. I, William Catlin served George E. Burnett, R.D.#3 Cochranton by certified mail on Aug 16, 1989 Please see attached receipt & notorized affidavit.
William Catlin

Oct. 5, 1989 Appearance of Culbertson, Weiss, Schetroma & Schug by Nancy M. Sennett for Defendant filed.

Oct. 5, 1989 Answer, New Matter and Counterclaim of George E. Burnett, Jr. to Plaintiff's Complaint filed.

Oct. 19, 1989, Answer to Counterclaim filed.

Oct. 19, 1989, Affidavit of Service of Answer to counter-claim filed.

Aug. 10, 1994, Petition for Judgment of Non Pros and Order filed. ORDER: AND NOW, this 9 day of Aug. 1994, in consideratrion of defendants Petition for Judgment of Non Pros, a rule is hereby entered upon plaintiff to show cause, if any he has, why judgment of non pros should not be entered. Said rule is returnable on the 8 day of Sept., 1994 at 11:30 a.m. in C. R. No. 3. By the court,
Anthony J. Vardaro, J.
8/10/94, copies fax to Brautigam and mailed to plff.

Sep. 9, 1994 ORDER filed. AND NOW, September 8, 1994, at the time set for hearing on the Defendant's Petition for Judgment of Non Pros, counsel for the defendant appears and advises the Court they have been unable to procure service of the Petition upon the Plaintiff William Catlin and apparently a former address of the plaintiff of R.D.#4, Centerville,Pennsylvania is no longer a viable address for the plaintiff and notice mailed August 11, 1994 to the plaintiff at 594 North Street, Meadville, Pennsylvania was returned as "Undeliverable as Addressed - Forwarding Order Expired."

While it seems to the Court that non-action over an extended period of time by the plaintiff indicates a lack of interest inpursuing the claim, the Court is reluctant to grant a judgment of non pros involving this Answer without at least some notice to the plaintiff.

ACCORDINGLY, WE ENTER THE FOLLOWING ORDER:

T he defendant shall advertise in the Meadville Tribune and the Crawford Legal Journal giving plaintiff notice that a further hearing will be held on the defendant's petition on October 7, 1994 at 11:30 o'clock a.m., and if the plaintiff fails to appear at said hearing, the Court will entertain an Order granting the non pros while at the same time, requiring the defendant to withdraw the counter-claim filed. The notice shall clearly advise the Plaintiff William Catlin that unless he appears at the hearing, an Order will be entered dismissing his claim against Defendant George E. Burnett and he will be prcluded from making any claims arising from these transactions against Defendant George E. Burnett in the future.
BY THE COURT,
P.Richard Thomas,S.J.
9-9-94 Copies dist. to Brautigam, No viable address for Pltf.

Sept. 22, 1994, Affidavit of Service filed. And now, sept. 21, 1994, copies of Petition for Judgment of Non Pros with order served upon plaintiff. John B. Brautigam Esq.

Oct. 6, 1994 Affidavit of Service by Publication filed, (Proofs attached).

Oct.7, 1994 ORDER filed. AND NOW, October 7,1994 the Defendant's petition for judgment of non pros is granted and judgment is hereby entered in favor of the Defendant and against the Plaintiff.

A true and correct copy of this order shall be forwarded by counsel for the Defendant to the Plaintiff's last known address and an appropriate proof of service filed.
BY ORDER OF THE COURT,
Gordon R.Miller,P.J.
10-7-94 Faxed to Atty.Brautigam. 10-14-94 Mailed copy to Pltf.

Oct. 11, 1994 Upon praecipe of Defendant's attorney the Counterclaim of George E. Burnett against William Catlin in connection with the above-captioned matter is discontinued and settled of record.

# 1989

Jack, Kookogey & Felton
John S. Kookogey

708.

Culbertson, Weiss, Schetroma
and Schug
Kemp Scales

BRADLEY V. ONGLEY AND SHARON J. ONGLEY, HIS WIFE

vs.

BRUCE A. DENHAM AND NANCY DENHAM, HIS WIFE

Filed Aug. 14, 1989
@ 10:38 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Sheriff's Costs | 35.96 |
| Pro Co Pd 9/28/89 | 9.00 ✓ |

COMPLAINT

2 copies (sheriff)

Aug. 30, 1989 Sheriff's Return filed. SERVED Bruce A. Denham personally on August 16, 1989 at 3:44 PM by handing copy of Complaint tohim at his residence, R.D.#2, Spartansburg, Crawford County, PA.
SERVED Nancy Denham on August 16, 1989 at 3:45 PM by handing copy of Complaint to her husband, Bruce A. Denham, at their residence, R.D.#2, Spartansburg, Crawford County, PA.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

And Now, Sept. 27, 1989 upon praecipe of plaintiff attorneys, with default notices and service attached, Judgment is hereby entered in favor of the plaintiff and against the defendants for want of an answer, in the sum of Two Thousand Two Hundred and 00/100 Dollars, plus int. at 6% and costs.
Judgment entered - 9/27/89
D - 23, 123 Debt --- $2,200.00
Int. @ 6% and costs
JUDGMENT
James F. Simmons,
Prothonotary

EX 1989-107

Jan 19, 1990 Defendants' Petition to Open Default Judgment and Stay Execution filed.

Jan 19, 1990 Order filed: AND NOW, this 19th day of January, 1990, a rule is entered; upon Plaintiffs, Bradley V. Ongley and Sharon J. Ongley, to show cause why the judgment of September 27, 1989 in the above-captioned matter should not be opened and execution on the judgment stayed. Meanwhile, all proceedings shall be stayed.
Rule returnable the 8th day of February, 1990, in Courtroom No. 1 or 2, Crawford County Courthouse, Meadville, Pennsylvania.
By the Court,
Gordon R. Miller J.

Jan 23, 1990 Copies of order mailed to Atty. Kookogey and copy put in atty Scales box. and copy give to sheriff's office.

Feb. 9, 1990, ORDER filed. AND NOW, Feb. 8, 1990 at the time the matter is before the court on the defendant's Petition to Open Default Judgment, the parties and their counsel advise the court the matter has been amicably resolved along the following lines:
The current Sheriff's Sale now schedled fro on or about Feb. 13, 1990, will be continued. The defendants will sign a written promise and will pay the plaintiffs the sum of $1,000.00 in cash on or before Mar. 7, 1990. If said sum is paid within the thirty-s ay period, the total debt due from the defendants to the plaintiffs will be considered paid in full and the plaintiffs will discontinue this action and pay all accrued costs.
In the event of a default inthe payment of the aforesaid $1,000.00, the Sheriff's Sale will be rescheduled, and as a condition of this agreement, the defendants' Petition to Open the Default Judgment or attack the judgment in any fashion will be discontinued and the Sheriff's Sale will proceed without any further attacks thereon by the defendants.
BY ORDER OF THE COURT,
P. Richard Thomas, P.J.
Feb. 14, 1990, copies of order to J. Kookogey and Kemp Scales, Esqs

# 1989

Henry H. Wallace
Marilyn J. Larrimer

Wallace, Chapas & Jamiolkowski

Harrington, Schweers, Dattilo & McClelland
Regis M. McClelland

709.

MARSH, SPAEDER, BAUR, SPAEDER & SCHAAF
Will J. Schaaf
Thomas M. Lent

ALAN W. LAWRENCE, A MINOR, THROUGH HIS PARENTS AND NATURAL GUARDIANS, LORI ANN LAWRENCE AND WILLIAM LAWRENCE AND LORI ANN LAWRENCE AND WILLIAM LAWRENCE, IN THEIR OWN RIGHT,

vs.

WILLIAM J. MORRIS, M.D.

Filed Aug. 14, 1989
@ 11:05 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Sheriff's costs | 20.00 |
| Sheriff's Costs | 44.00 |
| Pro.Co. pd 12/2/92 | 6.00 |

COMPLAINT IN CIVIL ACTION

1 copy (sheriff)

Aug 22, 1989 Appearance of Marsh, Spaeder, Baur, Spaeder & Schaaf by Will J. Schaaf, Esq. for Defendant Morris filed.

Aug. 25, 1989 Sheriff's Return filed. SERVED William J. Morris M.D. on Aug. 15, 1989 at 9:25 AM by handing copy of Complaint to BarbaRA Childs, Receptionist, at his place of business, 764 Kennedy St. MeaDVILLE, Crawford Co. Pa. 16335

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

Sept 11, 1989 Stipulation filed.

Oct. 18, 1989 Answer filed.

Dec. 20, 1989 Sheriff's Return filed. SERVED Ms. L. S. Beall personally on December 1, 1989 at 3:55 PM by handing copy of Subpoena to her at residence, 195 Park Avenue, Meadville, Crawford County, PA.
SERVED Ms. LOri Denys personally on December 4, 1989 at 11:)6 AM by handing copy of Subpoena to her at employment, Meadville Medical Center, Liberty Street, Meadville, Crawford County, PA.
SERVED Ms Bonnie Marceca personally on December 4, 1989 at 10:45 AM by handing copy of Subpoena to her at employment, Meadville, Crawford County, PA.
So answers Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Jan. 4, 1990, Notice of Deposition filed.

June 20, 1990 Motion To Compel Production of Documents From Defendant and ORDER filed. AND NOW this 27th day of June, 1990 it is hereby ordered adjudged and decreed that defendant has 20 days to file a response to Plaintiffs' Request for Production of Documents.
By The Court:
Gordon R. Miller, J.
June 28, 1990 Copy of Order to Attys.Henry H. Wallace, Marilyn J. Larrimer, Will J. Schaaf.

July 13, 1990 Notice Of serving Responses To Request For Production Of Documents filed.

July 20, 1990 Notice of Service of Interrogatories filed.

July 20, 1990, Notice of Serving Requests for Production filed.

Nov. 29, 1990, Motion to Amend Complaint in Civil Action filed.

Dec. 7, 1990, ORDER filed. 2 copies (Atty. Wallace) AND NOW, Nov. 29, 1990, upon receipt and presentation fo the plaintiffs' motion to amend their complaint a rule to show cause is hereby entered and directed to the defendant to show cause if nay he has, why said motion should not be granted.
Said rule is returnable for hearing and/or argument on the 24 day of Jan. 1991 in C. r. No 2 of the Crawford county courthouse, at 1:30 p.m.
Rule 18 of the Crawford County Rules of Court require that motions be presented in Motion Court and that prior thereto appropriate notice be given to opposing counsel of the presentation of the motion. that has not been done in this case. Eventhough it appears to be routine plaintiffs have not complied with the local rules and this court does not know if the defendant or his counsel were aware fothe filing of the motion and, if so, their position relative thereto.
In the event that the defendant either consents tothe granting of said motion or does not oppose the granting of said motion and so indicates in a writing filed with the court prior to the show cause hearing then neither party shall be required to attend the show cause hearing and the court will sign the order that was presented with and attached to the motion.
Otherwise counsel shall be present and prepared to proceed in appropriate fashion at the show cause hearing at the time and date indicated above.
BY THE COURT,
Gordon R. Miller, P.J.
Dec. 10, 1990 copy of order to Will J. Schaaf, Esqs.

Jan 25, 1991 Order filed: AND NOW, January 24, 1991, the plaintiffs' motion to amend their complaint to include a claim for future economic damages is granted. The plaintiffs shall file sail amended complaint forthwith and serve the same upon counsel for the defendant.
BY THE COURT,
Gordon R. Miller, P.J.
Jan 25, 1991 Copies of order mailed to Attys Wallace, Larrimer Schaaf and Lent.

Feb. 21, 1991, Amended Complaint in Civil aCTION filed.

May 24, 1991, Motion for Sanctions filed.

May 24, 1991 Upon praecipe of plaintiff attoney, Motion for Sanctions & Motion to Compel set for next argument court.

ON ARGUMENT COURT FOR JUNE 1991

May 24, 1991 Motion to Compel Answers to Interrogatories from the Defendatn William J. Morris, M.D. filed.

Continued on page 652
See Vol. 3

# 1989

Donald E. Lewis

710.

Brian J. Lindsay

JAMES VAN METER

vs.

DORR DAVENPORT
DAVENPORT GARAGE

Filed Aug. 14, 1989
@ 1:40 p.m.

Tax & entry Paid $50.25 ✓

APPEAL OF DEFENDANTS FROM JUDGMENT OF
WILLIAM D. CHISHOLM, DISTRICT JUSTICE

Aug. 14, 1989, Rule entered upon plaintiff to file complaint issued.

Aug 22, 1989 Proof of Service of Notice of Appeal and Rule to Filed Complaint filed.

Sept. 5, 1989 Complaint filed.

Sept. 21, 1989 Affidavit filed. I, DONALD E. LEWIS, ESQUIRE, after being duly sworn according to law, depose and say that I am the atttorney of record for James VanMeter, and that as such I am authorized to execute this Affidavit; that I did on the 6th day of September, 1989, send by Certified Mail, Addressee ONly, Return receipt Requested, a true and correct copy of the Notice to Defend and Claim Rights and the Complaint to Defendant, Dorr Davenport, d/b/a Davenport Garage, at his last known address of 300 Pine Street, Meadville, PA 16335, as evidenced by the attached sender's receipt No. P 063 588 748, and that on the 8th day of September, 1989, I did receive the duly executed return receipt dated the 7th day of September, 1989.

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

Oct. 9, 1989, Answer filed. 2 copies (atty)

Oct. 18, 1989 Affidavit of Service filed. I, Brian J. Lindsay, Esq., after being duly sworn according to alw, depose adn say that I am the attorney fo record for Dorr Davenport, and that as such I am authorized to execute this Affidavit; that I did on the 9th day of Oct., 1989, have a true and correct copy of my Answer in the above captioned matter, hand delivered to Donald E. Lewis, Esq., Attorney for Plaintiff, at his office at 231 Chestnut ST., Suite 509, Meadville, PA 16335.

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

Date: 10/16/89 Brian J. Lindsay, Esq.

# 1989

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

711.

JOHN E. PRUSSIA

vs.

TRICIA D. PRUSSIA

Filed Aug. 14, 1989
@ 4:06 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| 2 counts paid | 30.00 |
| ProCo. Pd 2/12/91 | 9.00 |
| state paid 2/12/91 | 10.00 |
| ProCo Pd 5-23-94 | 9.00 |
| Pro Co Pd 10-26-98 | 9.00 |
| ProCo Pd 3-5-99 | 7.50 |

COMPLAINT IN DIVORCE, EQUITABLE PROPERTY DISTRIBUTION, CHILD CUSTODY

2 copies (atty)
1 copy (mediator)

Aug. 14, 1989, Motion to Appoint Mediator and Order filed. ORDER: AND NOW, this 14 day of aug. 1989, it is ordered that all parties in the above case and their counsel shall appear for a mediation conference before the mediator, JOHN FULLER, at a time to be set by him, in the Crawford CountyCourthouse, with the child custody mediator as required by rule 31(e) of the Court of common Pleas of Crawford County, Pa; it is further ordered and decreed that pending final determination by the court, the children shall not be removed from the jurisdiction of the court by either party hereunder, under possible punishment for Contempt of Court.

BY THE COURT:
Robert L. Walker, J.

1 copy (sheriff)
1 copy (mediator)

Aug. 16, 1989 Verification filed. I, LEROY CHANEY, Constable do hereby verify that I personally served a true and correct copy of the divorce complaint and mediator order upon the defendant above named at her residence at: c/o Larry Rumbaugh, 202 S. Mercer St., Linesville, Pa. on the 16th day of August, 1989 at 9:30 o'clock a.m.

Leroy Chaney, Constable

May 11, 1990, Affidavit of Consent of plaintiff filed.

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

Feb. 7, 1991, Separation and Property Settlement Agreement filed.

Feb. 7, 1991, Upon praecipe of plaintiff attorney, to Transmit the Record, this case moved to court.

Feb. 21, 1991 **D E C R E E  F I L E D .**

1. Divorce: Upon consideration of the pleadings and affidavits filed in the abovecaptioned case, this Court hereby grants an absolute divorce form the bonds of matrimony to the abovenamed parties,on the grounds that the marriage is irretrievably broken and Ninety (90) days have elapsed from the date of filing of the Complaint and an affidavit has beenfiled by each of the parties evidencing that each of the parties consents to the entry of a divorce decree, pursuant to Section 201(c) of the Pennsylvania Divorce Code.
2. Equitable Property Determination and Distribution: It is ordered and decreed that the marital property of the abovenamed parties shall be divided in accordance with a Separation and Property Settlement Agreement dated November 9, 1990, executed by the parties and filed in the Court of Common Pleas of Crawford County, Pennsylvania at the abovecaptioned number and term.
This Agreement, in part provides the division of marital owned personal property shall be made in accordance with Paragraph 10, of the Separation and Property Agreement dated November 9, 1990.
3. Alimony: In accordance with Paragraph 12 ofthe November 9, 1990, agreement neither of the parties hereto shall be awarded alimony.
4. Child Custody: In accordance with paragraph 14 of the Separation and Property Settlement Agreement of November 9, 1990, legal and physical custody of the parties' minor child, Brandon, shall be shared between the parties and shall be in accordance with the custody schedule set forth in said agreement.
5. A copy of the Separation and Property Settlement Agreement of the parties, dated November 9, 1990, which sets in further detail the agreement ofthe parties concerning the matters herein, shall be filed with this Decree in the Prothonotary's Office at the above number and term.
6. No other matters or causes of action provided under the Pennsylvania Divorce Code are reserved by either of the parties.
This Order shall be effective as of this 20th day of February, 1991.

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

April 18, 1994 STIPULATION AND CONSENT TO CUSTODY ORDER AND ORDER filed. AND NOW, this 18 day of April, 1994, upon presentation of the Stipulation and Consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED and DECREED that:

1. Legal and physical custody of the parties' minor child, Brandon Prussia, shall be shared between the mother, Tricia Prussia and the father, John E. Prussia.
2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor child. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor child.
3. The natural mother shall have primary physical custody of the aforementioned minor child during the child's school year, from Aug. 20th until June 6th each year. The natural father shall have primary physical custody during the child's summer vacation from school beginning June 6th and ending August 20th of each year.
4. Custody of the minor child shall be shared between the parties on the following holidays, at times agreeable between the parties and within the best interest of the child: Thansgiving, Christmas and Easter.

RECORD CONTINUED ON
PAGE 664 VOL. III.....

# 1989

Culbertson, Weiss,
Schetroma & Schug
Glenn A. W. Thompson

712.

RACE STREET LUMBER, INC.

vs.

DONALD STORMS, d/b/a
STORMS REMODELING

Filed Aug. 14, 1989
@ 4:12 p.m.

Tax & entry Paid $50.50
Sheriff's Costs 20.00
Pro Co Pd 9-19-89 9.00
Pro Co Pd 11/16/89 5.00

COMPLAINT IN CIVIL ACTION

1 copy (sheriff)

Aug. 31, 1989 Sheriff's Return filed. SERVED Donald Storms on August 16, 1989 at 1:00 p.m. by handing copy of Complaint to Kevin Storms, his brother, at residence, R.D.#5, Box 513, Meadville, Crawford County, PA.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

And Now, Sept. 19, 1989 at 10:16 A.M. Upon Praecipe of Plaintiff's Attorney, with Notice of Judgment attached, judgment is hereby entered in favor of the Plaintiff and against the Defendants for failure to Plead and damages are assessed in the amount of Seventeen Thousand Seven Hundred Eighty-five and 67/100 Dollars being the amount demanded in the Complaint, plus costs and interest from the date of judgment.
S-45, 185 Debt.....$17,785.67 + Costs & Int.
JUDGMENT
James F. Simmons
Prothonotary
Sept 20, 1989 Notice of Judgement mailed defendant.

**EXECUTION 1989-99**

Nov. 16, 1989, Upon praecipe of plaintiff attorney the above captioned case is satisfied and discontinued of record.

# 1989

Altomare & Barnhart
Joseph C. Barnhart

713

Ann H. Gamble

10/11/89 Recd. # 91.75
From Plaintiff
Recd 11-2-89
$91.75
Vivian Stoltz

JOHN C. BUSH

VS.

DOROTHEA L. BUSH

Filed Aug. 14, 1989
@ 4:24 P.M.

Tax & Entry Paid $50.50 ✓

Bruce Smith, Mediator 183.30

Pro Co 10/11/89 ✓9.00

Pro.Co. 9.00

COMPLAINT AND MODIFICATION OF
PRIOR CUSTODY ORDER

1 copy (atty)
1 copy (mediator)

ORDER AND NOTICE:

TO: Dorothea L. Bush
904 East Spruce Street
Titusville, Pa 16354

YOU, DOROTHEA L. BUSH, DEFENDANT, HAVE BEEN SUED IN COURT TO OBTAIN CUSTODY OF Mary JoANN MARKLEY, JOHN A BUSH, ELIZABETH ANN BUSH, JACOB A BUSH, and DOROTHEA L. BUSH.

Upon Motion of Plaintiff, BRUCE SMITH, is hereby appointed Custody Mediator and is hereby directed to hold such custody mediation conferences as the mediator deems appropriate and to make recommendations thereafter to this Court. The parties are ordered to appear before the custody mediator at such times as the mediator shall direct and to bring with them the children, the subject of this action.

IF YOU FAIL TO APPEAR BEFORE THE CUSTODY MEDIATOR AS THE CUSTODY MEDIATOR SHALL HEREAFTER DIRECT, AN ORDER FOR CUSTODY, PARTIAL CUSTODY OR VISITATION MAY BE ENTERED AGAINST YOUR OR THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST.

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

Crawford County Bar Association
Service to the Public Committee
c/o Prothonotary
Courthouse
Meadville, Pennsylvania 16335
(814) 724-4636

BY THE COURT,
Robert L. Walker, J.

Dated: Aug 14, 1989

Aug. 28, 1989, Affidavit of Service filed. Before me, the undersigned officer, personally appeared Jos. C. Barnhart, esq. who did depose and say that he is the attorney for the plaintiff in the above matter and that he did serve a cert. copy of a Complaint in Custudy and Order of court as filed Aug. 14, 1989, upon defendant, at her home address by U. S. Cert. mail, restricted delivery. Delivery of same being evidenced by postal ret. rec. # P 620 643 146 dated Aug. 23, 1989, attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, I hereunto set my hand and seal this 24 day of Aug. 1989.

Joseph C. Barnhart, Esq.

August 30, 1989 Appearance of Fuller, Kinnunen, Petruso & Gamble by Ann Hansen Gamble, Attorney for Defendant filed.

Sept 27, 1989 Temporary Order of Court filed: AND NOW, this 26 day of September, 1989, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The parents of Mary JoAnn Markley, age fifteen, John A. Bush, age thirteen, Elizabeth Ann Bush, age eleven, Jacob A. Bush, age eight, and Dorothea L. Bush age six, 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 entitled both parents to equal input with regard to the educational and religious upbringing of the children, as well as elective surgery.

2. Primary physical custody of all five children shall be transferred to the father, John C. Bush. Regular visitation and temporary physical custody for the mother shall be as follows:

a. The children shall visit in the home of the natural mother on the first, second, and fourt weekends of each month. Weekends shall begin at 6:00 p.m., prevailing time, on Friday and shall end at 6:00 p.m., prevailing time, on Sunday.

b. Beginning with the month of June, 1990, the mother shall have the right to take all or some of the children into her temporary custody for one week beginning Saturday, at noon, prevailing time, and ending at Saturday at noon, prevailing time. A written notice of fifteen days of the time for the children to be in the mother's custody shall be given to the father. A like right to a week of uninterrupted visitation is given to the mother for the months of July and August.

c. Holiday visitation shall take priority over other scheduled visitation. The parties are encouraged to agree as to holiday visitation; however, in the event that they cannot, dureing even-numbered years, beginning in 1990, the mother shall have the children on Easter and the 4th of July each year, 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. The holidays shall be reversed in odd-numbered years between mother and father. The children shall spend Thanksgiving each year in the mother's home and day following Thanksgiving each year in the father's home beginning in 1989. With regard to Christmas each year, the children shall be available to spend Christmas each year in the mother's home from 2:00 p.m., prevailing time, until 7:00 p.m., prevailing time. Additionally, the father shall encourage the children to spend at least part of their birthdays each year with the mother.

d. The father shall pick up and return the children to the mother's residence. In the event that the mother is not present at her home at the time for drop off and is not home one-half hour later, the scheduled transfer of custody shall be considered waived for that weekend. In the event it is a summer transfer of custody, an effort shall be made the following day to transfer custody; and, failing that, because of the mother's unavailability, that week's transfer of custody shall be considered waived.

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

4. Neither of the parents shall take the chidlren 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 accomodate themselves or the children's schedules they may adjust the physical custody arrangements accordingly and are encouraged to do so by mutual consent and agreement. The parents will be required when the children are in their custody to allow the children to attend at least one regularly scheduled school event each week.

6. Each of the parents and the stepparent, Patricia Bush, will teach the children involved in this case to have and demonstrate that love and respect due a parent from his or her children, and neither of the parents will do anything to blacken the character of the other parent or the stepparent, Patricia Bush, in the eyes of the children.

7. This Order shall not prejudice the right of either party to request a Mediation Conference if it is believed

Continued in margin...

.....that such a Conference would be in the best interest of any of the children.

8. The Court of Common Pleas of Crawford County, Pennsylvania, shall retain jurisdiction of this matter so long as either parent or any of the children reside in the Court's jurisdiction and for at least six months from the date of this Temporary Order.

9. The fee for the Child Custody Mediator shall be paid 50% by the County of Crawford and 50% by the father.

10. This Order shall be a Temporary Order but shall become a permanent Order unless exceptions are filed by either party within thirty (30) days from the date of this Temporary Order.

BY THE COURT,
P. Richard Thomas, J.

Sept 28, 1989 Copies of order mailed to Attys. Gamble Altomare and Smith and to Plaintiff

Continued on page 612

SEE VOL. 3

pro se

714.

10/3/89
Recd Sheriffs Costs
# 19.00
# check 5276 Pd.
# 19.00 to
Howard Stewart
Sheriff

ARVELLA J. PALMER

vs.

RODERICK DAVID PALMER

Filed Aug. 15, 1989
@ 10:13 a.m.

Tax & entry Pd 10/3/89 $50.50 ✓
Sheriff's costs 19.00
Pro Co Pd 10/3/89 9.00 ✓

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy (plaintiff)
3 copy (sheriff)

TEMPORARY ABUSE ORDER:

AND NOW, this 15 day of August 1989,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 petition.

2. Special Conditions: The defendant shall vacate the marital premises at 342 Columbia Avenue, Meadville, Pa. and shall not return to the premises until further order of court.

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

4. A copy of this order shall be delivered to the polcie departments in the jurisdiction where the plaintif fresides 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 c ourt. Liability for payment of fees and costs will be determined by final court order.

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

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

Hearing is hereby set for Aug. 23, 1989 at 11:30 a.m. in C. R. NO. 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Aug. 18, 1989 Sheriff's Return filed. SERVED Roderick David Palmer personally on Aug.15, 1989 at 11;15 AM by handing copy of the Protection From Abuse, Notice, Petition and Order to him at his place of residence, 342 Columbia Ave. Meadville, Crawford Co. Pa. Received keys to the residence from him at that time.

So answers,

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

Aug 23, 1989 Order filed: AND NOW, August 23, 1989, by agreement of the parties, the following Order is entered:

1. Defendant shall not assault, abuse, harass or threaten the Plaintiff at any time.

2. Defendant shall not go to the marital domicile at 342 Columbia Avenue, Meadville, Pennsylvania, except as hereinafter provided.

3. Defendant may go to the marital residence on Saturday, August 26, 1989 at 10:00 o'clock a.m. to obtain his clothing and other personal effects which have been essentially agreed upon by the parties, but during said period, shall have no altercation or physical confrontation with his wife.

4. Defendant shall pay the record costs in this matter on such installments as he may arrange with the Prothonotary, but in no event extending beyond thirty (30) days from this date.

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

6. This Orde may be enforced by the Meadville City Police or any other police agency having jurisdiction in accordance with the Protection From Abuse Act.

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

Aug 24, 1989 Copies of order put in Atty. Youngs box and copy mailed defendant.and copy given to Co. Control.

# 1989

Blackmore & Grieshober
Donald W. Grieshober

715.

Culbertson, Weiss,
Schetroma and Schug
By: Mary Ann Kirkpatrick

BONNIE S. GUANZON

vs.

DANILO L. GUANZON

Filed Aug. 15, 1989
@ 10:57 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| 4 counts paid | 60.00 |
| Pro co Pd 9/18/90 | 9.00 |
| State paid | 10.00 |

COMPLAINT IN DIVORCE UNDER SECTION 201(c)
EQUITABLE DISTRIBUTION, PROPERTY, ALIMONY,
ALIMONY PENDENTE LITE, AND COUNSEL FEES

1 copy (atty)

Aug. 21, 1989 Affidavit of Service filed. Before me, a Notary Public, in and for said State and County, personally appeared DONALD W. GRIESHOBER, ESQ., of the Law Firm of BLACKMORE & GRIESHOBER, who, first being duly sworn according to Law, deposes and says that he served the Complaint Under Section 201(c) of the Divorce Code with Wquitable Distribution, Property, Alimony, Alimony Pendente Lite and Counsel Fees, at the above term and number on the Defendant, Danilo L. Guanzon, at his address, 764 Kennedy St., Meadville, Pa. 16335, by Certified Mail, Return Receipt Requested, Restricted Delivery, Certificate No. P 979 525 307, the same being served on the said Defendant as of Aug. 17, 1989, as will appear by reference to the attached return receipt signed by Defendant on that date.
Donald W. Grieshober, Esq.

Aug. 25, 1989 Appearance of Culbertson, Weiss, Schetroma and Schug, By Mary Ann Kirkpatrick, Esq. for defendant Danilo L. Guanzon filed.

Sept. 12, 1990 Affidavit of Consent of plaintiff filed.

Sept 12, 1990, Affidavit of Consent of defendant filed.

Sept. 12, 1990, Upon praecipe of plaintiff attorney, to transmit the record, this case moved to court.

Sept. 19, 1990 Stipulation and Qualified Domestic Relations Order filed. AND NOW, to-wit: This 19th day of September 1990 upon presentation of the foregoing Stipulation of Plaintiff, Bonnie S. Guanzon, and her attorney, Donald W. Grieshober, Esq., of the law firm of Blackmore & Grieshober, and Defendant, Danilo L. Guanzon, MD., and his attorney, Mary Ann Kirkpatrick, Esq., in Open Court, it is hereby ORDERED and DECREED, as follows:
1. Participant, Danilo L. Guanzon, defendant her ein, was born on December 14, 1939, has Social Security No. 060-40-9061, and it presently residing at 7718 Chateau House, Meadville, Crawford County, Pennsylvania 16335.
2. Alternate Payee, Bonnie S. Guanzon, Plaintiff herein, was born on January 31, 1946, has Social Security No. 075-36-4773, and is presently residing at 264 Jefferson Street, Meadville, Crawford County, Pennsylvania 16335.
3. The date of marriage of Participant, Danilo L. Guanzon, MD., Defendant, and Alternate payee, Bonnie S. Guanzon, Plaintiff, is March 18, 1966, an dthe date of separation was February 3, 1989.
4. This shall be a Qualified Domestic Relations Order as the same is defined in and in accordance with the Retirement Equity Act of 1984, 29 U.S.C. Section 1001 et seq., P.L. 98-397, August 23, 1984, and all provisions thereof and this shall be so construed by this Court and any other Court that ever interprets the same and particularly and specifically with regard to all provisions under Section 104 of said Act, 29 U.S.C. Section1004, so that this Court Order will be fully enforceable.
5. defendant, Danilo L. Guanzon, MD, has two separate Plans, as follows:
(a) Money Purchase Plan under the name of Danilo L. Guanzon, MD., Inc., Account No. 51388-00-7, listing as trustee thereon the First National Bank of Pennsylvania, 717 State Street, Erie, Pennsylvania, and listing as Participant, Danilo L. Guanzon, MD. This is a self directed pension plan.
(b) Profit Sharing Plan, Account No. 51188-00-1, with the Participant name of Danilo L. Guanzon, MD., and under the Danilo L. Guanzon, MD., INc., Profit Sharing Plan with the trustee being the First National Bank of Pennsylvania, 717 State Street, Erie, Pennsylvania, which is a self directed paln.
6. There shall be no construction of this Court Order so that it would violate in any manner the provisions ofthe retirement Equity Act of 1984 nor shall any provisions of this Court Order be considered to require the Pension Fund or Plan Administrator to provide any benefit or share of the Retirement benefits or Pension Plan or Fund vested in Participant, Danilo L. Guanzon, MD., Defendan therien , for the benefit of the Alternate Payee, Bonnie S. Guanzon, Pl aintiff herein, which would violate the provisions ofthe pension plan. Any such provision in violationshall be declared void and not enforceable. Each provision ofthis Order shall be construed to be a separate and severable provision.
7. A certified copy of this Court Order will be filed with the Trustee, First National bank of Pennsylvania, 717 State STreet, Erie, Pennsylvania 16501, and with Danilo L. Guanzon, MD., Inc., the sponsor of the Plans. There shall be acknowledgements of the registration and acceptance of this Qualified Domestic Relations Order for all purposes so that the intentions and provisions of this Court shall be fully acknowledged and enforceable.
8. In the event there is any breach of this Court Order in any manner by either party, then the other par ty shall be entitled to reasonable attorney fees andocst of any litigation necessary to enforce this Court Order.
9. This Order shall be construed for allpurposes of the law of the Commonwealth of Pennsylvania and the Courts of Pennsylvania shall retain continuing jurisdiction with regard to the same in the event of any necessity to enforce the same in any manner.
10. There shall be an immediate division of both the Money Purchase Pension Plan and the Profit Sharing Plan so that each of them shall be divided into two separate accounts, which includes the principal amounts in the accounts and all amounts that are accumulated thereon as dividends or interest to the date of disbribution. Participant, Danilo L. Guanzon, MD., Defendant, has not made any furthe rcontributions to the Profit Sharing Plan or the mOney Purchase Pension Plan since the date of separation which was February 3, 1989. One-half of the Money Purchase Pension Plan and one-half of the Profit Sharing Plan shall be distributed to and paid over to Alternate Payee, Bonnie S. Guanzon, Plaintiff herein. The remaining one-half balance shall remain in the MOney Purchase Pension Plan and the Profit Sharing Plan of Participant, Danilo L. Guanzon, MD., defendant.
11. Both Plaintiff, Bonnie S. Guanzon, Alternate Payee, and defendant, Danilo L. Guanzon, MD., Participant, shall pay their own taxes with regard to the division of the MOney Purchase Pension Plan and the Profit Sharing Plan, if any, and shall pay their own separate taxes withregard to the receipt ofthe funds, and shall hold the other harmless with regard thereto.
Gordon R. Miller, J

Sept. 19, 1990 **DECREE IN DIVORCE FILED.**

AND NOW, September 19, 1990, it is Ordered and Decreed that Bonnie S. Guanzon, Plaintiff, and Danilo L. Guanzon, Defendant, are divorced fromthe bonds of matrimony.
It is further Ordered and Decreed as follows; The Agreement entered into between Plaintiff and defendant dated August 17, 1990 is enforceable under Section 401.1(a) of the Amended Divorce Code. Any provision inthe Agreement regarding child support shall be modifiable under Section 401.1(b) of the Amended Divorce Code. The provisions regarding disposition of existing property rights and interest betweenthe parties, alimony, pendente lite, counsel fees and expenses shall not be subject to modification in accordance with Section 401.1(c) unless there is a spacific provision to the contrary in this Agreement.
BY THE COURT,
Gordon R. Miller, J

# 1989

Joseph F. Kulwicki

716.

LINDA KELLER, INDIVIDUALLY

vs.

ROBERT E. CARRIG AND SUSAN PETRUSO

Filed Aug. 15, 1989
@ 1:03 p.m.

Tax & entry Paid $50.50 ✓
Sheriff's Costs 23.00
Pro Co Pd 10/8/91 5.00

SUMMONS IN A CIVIL ACTION

Issued (atty)

Sept. 8, 1989 Writ Return filed. SERVED Susan Petruso personally on August 23, 1989 at 10:15 AM at her residence 686 Graff Avenue, Meadville, Crawford County, PA 16335
So answers, Robert M. Stevens, Dep. Sheriff
Howard N. Stewart, Sheriff

Aug. 21, 1991 Motion To Dismiss and RULE filed. AND NOW, this 21st day of August, 1991, upon consideration of the Defendant Robert E. Carrig's Motion to Dismiss, it is hereby Ordered, Adjudged and Decreed that a Rule is issued upon the Plaintiff, Linda Keller, to show cause why Defendant's Motion should not be granted.

Said rule is returnable on the 6th day of September, 1991, at 1:30 PM in Courtroom number 1 or 2 of the Crawford Co. Courthouse.

BY THE COURT:
Gordon R. Miller, J.

Aug. 27, 1991 Copy of Order to Atty. Joseph Kulwicki.

Aug. 26, 1991 Petition InSupport of MOtionTo Dismiss filed.

Sept. 6, 1991 Upon praecipe of Plaintiff Attorney the above captioned claim against the defendant is her eby discontinued of record.

# 1989

Wasson, Egan, Wilson &
Fonzo-William G. Martin

717.

CHRISTINA L. MOORE

vs.

MICHAEL D. MOORE

Filed Aug. 15, 1989
@ 3:39 p.m.

Tax & entry Paid $50.50 ✓
Wm. Pineo, Mediator

PETITION FOR CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER:

AND NOW, this 16th day of August 1989, upon petition of plaintiff, through her attorneys, Wasson, Egan & Wilson, WILLIAM PINEO, ESQ. is hereby appointed Child Custody Mediator in this matter. The parties and their ocunsel shall attend the mediation conference scheduled by theChild Custody Mediator and shall comply with all requests of the Child Custody Mediator.

Pending the mediation conference, the children shall continue to reside with Christina L. Moore.

BY THE COURT,
Robert L. Walker, J.

# 1989

Mahany, Roeder & Smith
Tamera Ochs Rothschild

718.

TERRY LEROY OAKES

vs.

CARRIE FRANCIS DONOVAN OAKES

Filed Aug. 16, 1989
@ 10:38 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 ✓ |
| Pro Co Pd 11/28/89 | 9.00 ✓ |
| State pd 11/28/89 | 10.00 |
| Pro for Co pd 1/25/90 | 5.00 ✓ |

COMPLAINT IN DIVORCE

1 copy (atty)

Aug. 18, 1989 Certificate of Service filed. On August 17, 1989, I mailed a certified copy of a Divorce Complaint in the above captioned matter by Certified Mail No. P 382 386 008 Return Receipt Requested, Restricted Delivery, postage prepaid, to Carrie Francis Donovan Oakes, 928 East Spruce St., Titusville, Pa 16354

I make this statement pursuant to 18 Pa,. C.S. Section 4904 relating to unsworn falsification to authorities and understand that false statements may subject me to criminal penalties under that statute.

Tamera Ochs Rothschild,atty.

Aug 23, 1989 Affidavit of Return of Service by Mail filed: On August, 17, 1989, I mailed a true copy of the Divorce Complaint in the above captioned matter by Certified Mail No. P 382 386 008 Restricted Delivery to the Defendant, Carrie Frances Donovan Oakes, 928 East Spruce Street, Titusville, Pa 16354. Defendant signed a return receipt upon delivery August 18, 1989. The receipt attached hereto and marked as "Exhibit "A" was returned by the post office on August 21, 1989.

I make these statements pursuant to 18 Pa. C.S.Sec., 4904 relating to unsworn falsifiction to authorities and understand that false statement may subject me to criminal penalties under that statute.

Tamera Ochs Rothchild
Attorney for Plaintiff

Nov. 20, 1989 Petition For Entry of Agreement and Order filed. AND NOW, Nov. 20, 1989, upon consideration of the foregoing Petition and Agreement for Custody between the aprties, it is ORDERED and DECREED that;

1. The parties agree to discuss arrangements for physical custody of their natural born children, Kayla M. Oakes and David L. Oakes; and if the parties mutually agree to an alternative arrangement to accommodate themselves and the children's schedule, they may adjust the physical custody arrangement contained herein by their mutual consent and agreement.
2. The parties shall share legal custody of Kayla M. Oakes and David L. Oakes. Shared legal custody shall entitle both of the parents to equal access to any records relating to the children held by a third party, including, but not limited to, school and medical records, and shall entitle both parents to equal input with regard to the educational and religious upbringing of the children, as well as elective surgery.
3. Carrie F. Oakes shall continue to have primary physical custody of the minor children at her place of residence, subject to Terry L. Oakes' shared physical custody rights.
4. Terry L. Oakes' shallhave physical custody of the minor children according to the following:
A. Terry L. Oakes shall, upon a notice of twenty-four (24) hours have the right to take the chidlren into his custody the first and third weekends of every month from Saturday at 12:00 Noon until Sunday at 6:00 p.m.
B. During the Christmas holiday, Terry L. Oakes shall have phyical custody of the children from 12:00 Noon until 8:00 p.m. on the day before Christmas (Christmas Eve).
C. Terry L. Oakes shall, upon reasonable notice, have the right to reasonable visitation of the children in the home of Carrie F. Oakes.
D. It shall be the responsibility of the father to pick up and return the children or designate another responsible adult to do so.
5. The mother agrees that she shall encourage the children to communicate with the father by written correspondence and by telephone. The parties agree to keep each other advised of their telephone number at all times. All arrangements for telephone communication shall be arranged between th efather and the children.
6. The party having custody of the children shall notify th eother parent as soon as possilbe in the event of illness or injry requiring medical treatment.
7. Neither party shall take the children into nay environment which might be commonly throught of as detrimental to their development or the development of their character, or which would be commonly through of as dangerous to their physical safety.
8. The parties will teach the chidlren to develop the love and respect due a parent form his or her children, and neither of the parents will do anything to balcken the character of the other parent in the eys of the children.

BY THE COURT,
P. Richard Thomas, J

3 copies atty

Nov. 28, 1989, Affidavit of Consent of plaintiff filed.

Nov. 28, 1989 Affidavit of Consent of defendant filed.

Nov. 28, 1989, Upon praecipe of plaintiff attorney, to Transmit the REcord, the above captioned case is moved tocourt.

Dec. 4, 1989 **DIVORCE DECREE FILED.**

AND NOW, this 4 day of Dec., 1989, it is ORDERED, ADJUDGED AND DECREED that Terry Leroy Oakes, Plaintiff, and Carrie Francis Donovan Oakes, Defendant, are divorced from the bonds of matrimony. The Court retains jurisdiction of the following claims which have been raised of record by the parties to this action for which a final order has not yet been entered: None.

BY THE COURT,
P. Richard Thomas, J

Jan. 25, 1990 Notice of Intention to Resume Prior Name, to be known as CARRIE FRANCIS DONOVAN filed. 1 copy (atty)

# 1989

Hayt, Hayt & Landau
Arthur Lashin

719.

Jorden and White
William T. Jorden

FORD MOTOR CREDIT COMPANY
One American Road
Dearborn, Michigan 48122

vs.

SALOMA A. BYLER
180 Walker Drive
Meadville, Pa. 16335

Filed Aug. 16, 1989
@ 10:53 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 ✓ |
| Sheriff's Costs | 20.00 |
| Pro Co pd 9/25/89 | 9.00 ✓ |

COMPLAINT IN CIVIL ACTION

1 copy (sheriff)

Sept 1, 1989 Sheriff's Return filed: SERVED Saloma A. Byler personally on August 21, 1989 at 9:45 A.M. by handing a copy of Complaint to her at her residence, 180 Walker Drive, Meadville, Crawford Co., Pa.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

And Now, Sept. 25, 1989 at 11:28 a.m. upon praecipe of plaintiff attorney, with default notice and affidavit of military service attached, Judgment is hereby entered in favor of the plaintiff and agaisnt the defendant in the amount of Four Thousand Four hundred Eighty Two and 30/100 Dollars. (Int. of $429.76 and Atty. fees fo $747.12 included)

B - 151
Judgment entered 9/25/89 Debt --- $4,482.30
JUDGMENT
James F. Simmons,
Prothonotary

Sept. 26, 1989 Notice of entry of Judgment mailed to defendant.

Sept. 29, 1989, Defendant's Answer, New Matter and Counterclaim filed. 1 copy (atty)

EX 1989-109

# 1989

Gent, Thompson & Gent
Henry W. Gent, III

720.

Thomas, Truax,
Shadafore, Vardaro &
Walker,
R. Charles Thomas

SHIRLEY A. BROWN AND
CARL D. BROWN

vs.

WILLIAM JESS HUFFMAN

Filed Aug. 16, 1989
@ 11:00 a.m.

Tax & entry Paid $50.50 ✓
Sheriff's Costs 46.52
Pro Co pd 3/18/91 6.00 ✓

COMPLAINT

1 copy (sheriff)

Sept. 6, 1989 Appearance of Thomas, Truax, Spadafore, Vardaro & Walker by R. Charles Thomas, for Defendant filed.

Sept. 12, 1989 Sheriff's Return filed. Before me the undersigned authority personally appeared ronald L. Hodge Deputy Sheriff to D. E. Allen, Jr., Sheriff of the County of Warren, Commonwealth of Pennsylvania who being duly sworn according to law deposes and says that on the 24th day of August, 1989 A.D. at 2:20 P.M., he served the coptioned COMPLAINT upon William Jess Huffman at his place of residence, R.D.#1, Grand Valley, Warren County, Pennsylvania by handing to an dleaving with his sister, Cathryn J. Huffman, a certified copy with notice to plead endorsed thereon, and by making known unto her the meaning of the contents therein. Ronald L. Hodge, deputy sheriff
So answers: D E Allen, Sheriff
SERVED William Jess Huffman by deputizing the Sheriff of Warren County, PA as per his Affidavit of Service attached. Served: August 24, 1989.
So answers, Howard N. Stewart, Sheriff

Oct. 13, 1989, Answer field. 1 copy (atty)

Mar. 11, 1991 Upon praecipe of Plaintiff attorney the above captioned action is marked settled and discontinued of record.

# 1989

Mahany, Roeder & Kirvan
Barbara L. Smith

721.

THEODORE P. KUDRON

vs.

KENNETH HATHAWAY
KATHY HATHAWAY

Filed Aug. 16, 1989
@ 2:03 p.m.

| | |
|---|---|
| Pro Simmons Paid | $15.00 |
| plff on orig. | 9.25 |
| Sheriff's costs | 43.40 |

WRIT OF REVIVAL

of

DSB 1984 - 669

Writ of Revival of Judgment indexed in favor of plaintiff and against the defendant in the sum of Two Thousand Thirty Fourt and 50/100 Dollars with itn. from 7/13/84.

Debt----$2,34.50
Int. from July 13, 1984
H - 105, 105 - JUDGMENT REVIVAL
James F. Simmons, Pro

Issued (sheriff)

Sept. 21, 1989, Writ Reissued.

Jan. 23, 1990 Writ Return filed. SERVED Kenneth Hathaway personally on Sept. 27, 1989 at 2:48 PM by handing copy of Writ to him at residence, 218 Schwartz Ave., Titusville, Crawford Co., PA.

SERVED Kathy Hathaway personally on Sept. 27, 1989 PM by handing copy of Writ to her at residence, 218 Schwartz Ave., Titusville, Crawford Co., PA.

So answers,

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

pro se

722.

CINDY SPECK

vs.

RANDY SPECK

Filed Aug. 16, 1989
@ 2:26 p.m.

Tax & entry Pd 11/6/84 $50.50 ✓

Sheriff's Costs 24.20

Pro for Co. Pd 11/6/84 9.00 ✓

11/6/84 Rec'd $ 24.20 From Defendant
11/6/84 Paid $24.20 To Howard Stewart, Sheriff Costs Ck #5313

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy (plff)
3 copy (sheriff)

TEMPORARY ABUSE ORDER:

And now, this 16th day of August 1989, 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 hereby excluded from the marital domicile and shall not return to that home until further Order of Court.

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

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

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

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

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

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

Hearing is hereby set for August 25, 1989, at 9:00 AM., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Aug. 21, 1989 SERVED Randy Speck personally on August 18,. 1989 at his residenc e R.D.#1 Box 18C ,Thomas Road, Cambridge Springs, Pa..

So answers,

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

Aug. 25, 1989 Order filed. AND NOW, August 25, 1989, at the time fixed for hearing, both parties appear and advise the Court that although they are not living together, they are continuing to see one another and are undergoing marriage counseling with the hope of a reconciliation in the future, and therefor, do not want an Order that would preclude the Defendant from having contact with the Plaintiff. It is also noted that the Plaintiff filedan earlier Petition which was withdrawn. Under these circumstances, we make the following Order:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff at any time.
2. The Defendant shall pay the costs in this proceeding.
3. This Order shall continue in full force and effect for a period of one(1) year unless earlier modified by the Court.
4. The Pennsylvania State Police or any other police agency having jurisdiction over the premises may enforce this Order in accordance with the Protection From Abuse Act.

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

Aug. 29, 1989 copies of order to plaintiff, defendant and County Control.

# 1989

Culbertson, Weiss,
Schetroma & Schug
Mary A. Kirkpatrick

723.

NANCY JO PETERS

vs.

ROBERT W. PETERS, JR.

Filed Aug. 16, 1989
@ 3:15 p.m.

| | |
|---|---|
| Ta x & entry Paid | $50.50 |
| Pro Co pd 2/4/91 | 9.00 |
| State pd 2/4/91 | 10.00 |

COMPLAINT IN DIVORCE

1 copy (atty)

Aug 22, 1989 Affidavit of Service filed: AND NOW, August 22, 1989, comes Mary Ann Kirkpatrick, Esquire, being duly swoorn according to law, deposes and sets forth as follows:

1. That she is the Attorney for Nancy Jo Peters, Plaintiff in the above captioned matter.

2. That on information furnished to her by the Plaintiff, she caused a certified copy of the Complaint in Divorce to be forwarded by Certified Mail No. P 401 441 381, postmarked August 16, 1989, to the last known address of the Defendant, Robert W. Peters, 130 Pininsula Drive, Meadville, Pennsylvania 16335.

3. That the Defendant, Robert W. Peters, on August 18, 1989, personally signed the return receipt card which was affixed to the Complaint in the above matter and which is attached hereto as Exhibit "A".

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

Mary Ann Kirkpatrick, Esquire

Nov. 22, 1989 Affidavit of Consent of Plaintiff filed.

Nov. 21, 1990 Affidavit of Consent of Defendant filed.

Jan. 31, 1991 Upon praecipe of Plaintiff Attorney for Review Under Section 201(c) of the Divorce Code, this case moved to court.

Feb. 7, 1991 **D I V O R C E  D E C R E E  F I L E D .**

And now, February 7, 1991, it is ordered and decreed that Nancy Jo Peters, plaintiff, and Robert W. Peters, defendant, are divorced from the bonds of matrimony.

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

# 1989

Culbertson, Weiss,
Schetroma & Schug
Mary A. Kirkpatrick

724.

ROBIN M. ADAMS

vs.

EDWARD J. ADAMS

Filed Aug. 16, 1989
@ 3:16 p.m.

| | |
|---|---|
| Tax & entry paid | $50.50 |
| 2 counts paid | 30.00 |
| Pro Co pd. 1/9/89 | 9.00 |
| State pd. 1/9/90 | 10.00 |

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, ALIMONY, ALIMONY PENDENTE LITE, COUNSEL FEES, COSTS

1 copy (atty)

Aug 22, 1989 Affidavit of Service filed: AND NOW, August 22, 1989, comes Mary Ann Kirkpatrick, Esquire, being duly sworn according to law, deposes and sets forth as follows:

1. That she is the Attorney for Robin M. Adams, Plaintiff in the above captioned matter.

2. That on information furnished to her by the Plaintiff, she cause a certified copy of the Complaint in Divorce to be forwarded by Certified Mail No. P 401 441 380, postmarked August 16, 1989, to the last known address of the Defendant, Edward J. Adams, RD#1, Pleasant Hills, Cambridge Springs, Pennsylvania 16403.

3. That the Defendant, Edward J. Adams, on August 17, 1989, personally signed the return receipt card which was affixed to the Complaint in the above matter and which is attached hereto as Exhibit "A".

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

Mary Ann Kirkpatrick, Esquire

Nov. 16, 1989, Affidavit of Consent of plaintiff filed.

Dec 18, 1989 Affidavit of Consent of Defendant filed.

Jan. 8, 1990, Motion to Withdraw Counts and Order of court filed. ORDER OF COURT: AND NOW, this 8 dayof Jan. 1990, the within Motion is allowed.

BY THE COURT,
Robert L. Walker, J.

Jan. 8, 1989, Upon praecipe of plaintiff attorney, for review Under Section 201(c) of the Divorce Code, this case moved to court.

Jan. 19, 1990 DIVORCE DECREE FILED

And Now, January 18, 1990, it is ordered and decreed that Robin M. Adams, Plaintiff, and Edward J. Adams, Defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J.

# 1989

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

725.

MacDonald, Illig, Jones & Britton
Roger H. Taft

DOUGLAS L. BECK

vs.

SOMERSET TECHNOLOGIES, INC., HARTIG PLASTICS MACHINERY, INC. AND HARTIG PLASTIC SYSTEMS, INC. A SUBSIDIARY OF SOMERSET TECHNOLOGIES, INC.

Filed Aug. 16, 1989
@ 3:20 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Sheriff's Costs | 37.00 |
| Pro Co Pd 2/26/92 | 6.00 |

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Sept. 12, 1989 Writ Return filed. SERVED Somerset Technologies, INc. by certified Mail on August 21, 1989 at their address P.O. Box 891, New Brunswick, NJ 08903. signed Return Receipt attached.
SERVED Hartig Plastics Machinery by Certified Mail on August 21, 1989 at their address, P.O.B ox 73369-N, Cleveland, Ohio 44193-0208. Signed return receipt attached.
So answers, Howard N. Stewart, Sheriff

Sept. 19, 1989 Appearance of MacDonald, Illig, Jones & Britton by Roger H. Taft for Defendants filed.

Oct 3, 1989 Rule Upon Plaintiff to file Complaint issued.

Nov. 30, 1989 Complaint filed. ( 1 copy atty.)

Feb. 20, 1990, Answer and New Matter to Complaint filed.

July 2, 1990, Reply to New Matter filed. 1 copy (atty)

Feb. 26, 1992, Upon praecipe of plaintiff attorneys, the above captioned case is marked settled and discontinued of record.

# 1989

Mary Ann Kirkpatrick

~~Watts, Pepicelli, Youngs and Youngs PC Alan L. Pepicelli~~

726.

B. Lindsay

PAUL J. KELYMAN

vs.

PAMELA J. KELYMAN

Filed Aug. 16, 1989
@ 4:06 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 ✓ |
| 1 count pd. 8/18/89 | 15.00 ✓ |
| State Pd. 2-4-92 | 10.00 |
| Pro Co Pd. 2-4-92 | 9.00 ✓ |

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

1 copy (atty)

Aug. 21, 1989 Certificate of Servi ce filed. ALAN L. PEPICELLI, Esquire hereby certifies that he is the Attorney for the Plaintiff in the within Action and that a certified copy of the Complaint in Divorce was sent by certified mail, return receipt requested, addressee only, to the Defendant, Pamela J. Kelyman, R.D.#3, Saegertown, Pa. 16433 on Aug. 17, 1989 and was received by the same on Aug. 19, 1989. The receipt for certified mail and the return receipt are attached hereto marked Exhibit "A".

Alan L. Pepicelli, Atty. for Plaintiff

Aug. 21, 1991 Appearance of Mary Ann Kirkpatrick for Plaintiff.

Aug. 23, 1991, Affidavit of Consent of plaintiff filed.

Sept. 4, 1991, plaintiff's Inventory and Appraisement filed.

Sept. 18, 1991 Appearance of Alan L. Pepicelli is hereby withdrawn.

Sept. 27, 1991, Income and Expense Statement of plaintiff filed.

Oct. 14, 1991 Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code filed.

Oct. 16, 1991, Motion for Appointment of Master in Divorce and Order Appointing Master filed. ORDER APPOINTING MASTER: AND NOW, 10/17/91 TERRY A. TOOMEY is appointed Master in respect to the following claims:

Deposit required: By Plaintiff $500.00 By Defendant $200.00

By the Court:
P. Richard Thomas, S. J.

Oct. 16, 1991 copies to M. Kirkpatrick and T. Toomey ✓B. Lindsay.

**Dec. 30, 1991 Affidavit of Consent by Defendant, filed.**

Jan. 13, 1992 Memorandum of Agreement as to Divorce and Equitable Distribution, filed.

Jan. 28, 1992 Affidavit of Consent of Defendant filed.

Feb. 4, 1992 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

Feb. 13, 1992 **D I V O R C E  D E C R E E  F I L E D .**

AND NOW, February 12, 1992, it is hereby ordered and decreed that Paul J. Kelyman, Plaintiff, and Pamela J. Kelyman, Defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Anthony J. Vardaro, J

# 1989

Mason and Mason
Joan D. Mason

727.

KIMBERLY S. BECK

vs.

WALTER R. BECK

Filed Aug. 16, 1989
@ 4:11 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| 2 counts paid | 30.00 |
| Pro Co Pd 8/19/89 | 15.00 |

COMPLAINT IN DIVORCE, CUSTODY, COUNSEL FEES, COSTS

2 copies (atty)

August 23, 1989 Affidavit of Service filed. I, Joan D. Mason, Esq., attorney for the Plaintiff in the above entitled case, and being duly sworn according to law, despose and say that I did on August 18, 1989 mail to the above Defendant, Walter R. Beck, by certified mail #P 966 073 953, return receipt requested, deliver to addressee only, a complaint in the above divorce action. Said notice was received on August 21, 1989 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, Atty.

Sept. 19, 1989, Petition for Additional Remedies, of Equitable distribution, filed. 2 copies 9atty)

Feb. 17, 1998 Important Notice and Court Order filed. Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 9/19/89 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

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

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

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

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

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

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminate 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)

# 1989

| | | |
|---|---|---|
| Gordon R. Miller<br><br>728. | JOHN S. CULBERTSON<br><br>vs.<br><br>SAINT ELECTRIC COMPANY, INC.<br>AND RICHARD SAGER<br><br>Filed Aug. 16, 1989<br>@ 4:08 p.m.<br><br>Tax & entry Paid $50.50 ✓<br>Sheriff's Costs 26.00<br>Pro Co pd 9/28/89 9.00 ✓ | COMPLAINT<br><br>2 copies (sheriff)<br><br>Aug. 31, 1989 Sheriff's Return filed. SERVED Richard Sager personally on August 18, 1989 at 10:40 AM by handing copy of Complaint to him at Sheriff's Office, Crawford County Courthouse, Meadville, PA.<br>SERVED Saint Electric Company, Inc. on August 18, 1989 at 10:41 AM by handing copy of Complaint to Richard Sager, owner, at Sheriff's Office, Crawford County Courthouse, Meadville, PA.<br>So answers, Robert M. Stevens, Deputy Sheriff<br>Howard N. Stewart, Sheriff<br><br>And Now, Sept. 27, 1989 at 3:23 p.m. upon praecipe of Plaintiff Attorney, with Notice of Intention to file Default Judgment, judgment is hereby entered in favor of Plaintiff and against the defendant and the damages are assessed at the sum of Six Thousand plus interest and cost of suit.<br>S-183-144 Debt. $6,000.00<br>judgmented entered 9/27/89 Int. from Sept. 27, 1989<br>Judgment<br>James F. Simmons<br>Prothonotary |

# 1989

Ruthanne Beigley

729

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

DOROTHY C. KINCAID

VS.

ROBERT T. KINCAID

Filed August 17, 1989
@ 11:48 A.M.

| | |
|---|---|
| Tax & entry Paid | 40.50 |
| bal paid 8-18-89 | 10.00 |
| 3 counts paid 8-18-89 | 45.00 |
| Sheriff's costs | 22.28 |

DISOLUTION OF MARRIAGE, EQUITABLE DISTRIBUTION OF PROPERTY, ALIMONY PENDENTE LITE, COUNSEL FEES AND COSTS, ALIMONY

1 copy (atty)

Sept. 12, 1989 Complaint Reinstated.

Oct. 27, 1989 Answer filed.

Oct 30, 1989 Sheriff's Return filed: SERVED Robert T. Kincaid, personally, on October 10, 1989 at 10:10 A.M. by handing copy of Complaint in Divorce at him at Aldina Drive, Box 283, Conneaut Lake, Crawford Co., Pa.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Nov. 29, 1989 Motion For Temporary Alimony and Counsel Fees and Order filed. AND NOW, this 29 day of November, 1989, upon consideration of the within Motion for Temporary Alimony and Counsel Fees, it is hereby ORDERED AND DECREED that hearing will be held inthis matter on the 22 day of Dec., 1989 at 9:30 o'clock, a.m., Courtroom No. 1 or 2, Crawford County Courthouse, Meadville Pennsylvania.
BY THE COURT,
P. Richard Thomas, J

Nov. 29, 1989 Copy of order mailed to Ruthanne Beighley and copy of order put in Anthony Vardaro's box.

Dec. 22, 1989, Budget Information of plaintiff filed.

Dec. 22, 1989, Budget Information of defendant filed.

Jan. 10, 1990 Order filed. AND NOW, December 22, 1989, the matter is before the Court in a very confused state, as the parties only this date presented to the Court their income and expense statements, which the Court DIRECTS to be filed.

Additionally, the husband's income in addition to pensions and Social Security reflect income from two family corporations, one of which he contends that at his choice he will no longer receive a consulting fee income. From the other family corporation, it is contended by the father and son that the business is bad, and they can no longer afford to pay the father $450.00 per week as part of a non-compete contract.

Accordingly, it is difficult for the Court to try to ascertain and apply the necessary Guidelines to the income of the husband. Under all of the circumstances the Court believes a temporary Order for $700.00 per month alimony pendente lite is appropriate.

Accordingly, commencing with the month of December 1989, the Husband will pay the total sum of $700.00 per month as temporary alimony to his wife with the December payment to be made on or before December 31. It appears the husband was already paid $400.00 so the amount owed for December is $300.00. Commencing with the month of January, 1990, on or before the 10th of each and every month thereafter, the Defendant will pay the sum of $700.00 alimony pendente lite with the last payment to be made for the month of June, 1990. At that time, alimony pendente lite will terminate, absent a further Order of Court or in the event a final divorce decree has been entered.

As far as counsel fees are concerned, the Defendant will pay to his wife counsel fees in the amount of $300.00 on or before January 15, 1990 and a similar sum on or before February 15, 1990. In the event of complex or protracted litigation, the Court will entertain a further motion for additional counsel fees after March 1, 1990. This Order regarding counsel fees is made without prejudice to the right of the Master or ultimately the Court to divide counsel fees of both parties equitably in the final decree.

This Order is entered on the assumption that the Defendant will continue paying all maintenance expenses to maintain the marital property.

In order to expedite the divorce action, the parties this date and their counsel mutually agree that the Husband's inventory and appraisement will be filed not later than February 1, 1990 and the wife's response thereto and her inventory and appraisement will be filed not later than March 1, 1990.

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

Jan. 10, 1990 Copies of order to Ruthanne Beighley and Anthony J. Vardaro, esqs.

Feb. 17, 1998 Important Notice and Court Order notifying the parties that if nothing is filed by Apri 24, 1998 this matter will be terminated.

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)

# 1989

730

NANCY J. CANNON

VS.

WALTER R. SHORTS

Filed August 17, 1989
@ 3:03 P.M.

| | |
|---|---|
| Tax & Entry | $50.50 |
| Sheriff's Costs | 20.00 |

PETITION FOR EMERGENCY RELIEF
UNDER PROTECTION FROM ABUSE ACT

1 copy (plf)
3 copies (sheriff)

ORDER:

AND NOW, this 17th day of August, 1989, upon review of the petition of the 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 damage or destroy any personal effects belonging to the plaintiff.

3. This Order may 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. Liablity for payment of fees and costs will be determined by final court order.

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

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

Hearing is hereby set for August 25, 1989 at 9:15 A.M., in Courtroom o or w of the Crawford County Courthouse.

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

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

Aug. 21, 1989 Sheriff's Return filed. SERVED Walter R. Shorts personally on Aug. 17, 1989 at 3:40 PM, at the "Boot Box" Shoe Store, Penna. Avenue, Meadville, Crawford Co. Pa.

Robert Fischer, Dep. Sheriff
Howard N. Stewart, Sheriff

Aug. 24, 1989 Order filed. Order: AND NOW, August 24, 1989 , the plaintiff having contac ted the court and advised that she did not wish to go forward with this proceeding , this case is discontinued. Costs to be paid by Crawford County .

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

Aug, 25, 1989 copies of order to plaintiff and defendant.

# 1989

WATTS, PEPICELLI, YOUNGS AND YOUNGS, PC
Christopher J. Youngs

731

SARAH YOUNG MANNING

VS.

RODNEY GEORGE MANNING

Filed August 17, 1989
@ 3:57 P.M.

| | |
|---|---|
| Tax & Entry Paid | $50.50 |
| Pro Co Pd 4/17/90 | 9.00 |
| St. pd. 4/17/90 | 10.00 |

COMPLAINT IN DIVORCE

1 copy (atty)

Aug. 21, 1989 Affidavit of Service filed. I, Christopher J. Youngs, Esq. for above named Plaintiff, hereby certify that I served a copy of the Complaint in Divorce upon Defendant, Rodney George Manning at his home at R./D.#2, Box 946, Conneaut Lake, Crawford County, Pa. on Aug. 19, 1989, by certified mail, return receipt requested. The receipt for certified mail and the return rec eipt are attached hereto marked 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.

Watts, Pepicelli, Youngs and Youngs PC
By: Christopher J. Youngs, atty.

Mar. 30, 1990 Affidavit Of Consent of Defendant filed.

Apr. 9, 1990 Affidavit Of Consent of Plaintiff filed.

Apr. 12, 1990, Upon praecipe of plaintiff attorney for review Under 201(c) of the divorce code, this case moved to court.

May 2, 1990 **D I V O R C E  D E C R E E  F I L E D .**

And now, May 2, 1990, it is ordered and decreed that Sarah Young Manning, plaintiff, and Rodney George Manning, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
P. Richard Thomas, J

# 1989

FULLER, KINNUNEN, PETRUSO
& GAMBLE
John D. Petruso

732

FERGUSON & SPATARO
John Spataro

LORETTA S. MUSONI

VS.

CHARLES B. MUSONI

Filed August 18, 1989
@ 9:35 A.M.

Tax & Entry paid $50.50
Sheriff's costs 20.00
9.00

10/13/89 Rec'd $30.75 From Defendant
10/13/89 Paid $20.00 To Howard N. Stewart, Sheriff #5286
10/13/89 Paid $10.75 To John D. Petruso #5287
10/12/89 Paid $20.00 To John Petruso #5291
Sheriff's Costs

PETITION FOR RELIEF UNDER
PROTECTION FROM ABUSE ACT

3 copies (sheriff)

ORDER:

AND NOW, this 18th day of August, 1989, upon consideration of the within Petition for Relief, a hearing thereon is scheduled for the 28th day of Aug., 1989 at 3:30 P.M. o'clock in Courtroom No. 1 or 2, Crawford County Courthouse, Meadville, Pennsylvania.

Pending the time set for hearing, the Respondent shall be prohibited from attempting to cause or intentionally, knowingly or recklessly causing bodily injury to the Petitioner, or placing by physical menace the Petitioner. Any law enforcement officer with the power to arrest is ordered to assist in the implementation of this order.

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

Aug. 21, 1989 Sheriff's Return filed. SERVED Charles B. Musoni personally on Aug. 21, 1989 at 8:45 AM at his place of employment, Talon, Inc., South Main St., Meadville, Crawford Co. Pa.
So answers,
Robert M. Stevens, Dep. Sheriff
Edgar D. Householder, Ch. Deputy
Howard N. Stewart, Sheriff

Aug. 23, 1989 Answer to Petition for Relief Under Protection from Abuse Act-Counter Petition for Relief Under Protection from Abuse Act filed.

Aug. 29, 1989, ORDER filed. AND NOW, Aug. 28, 1989, the petition requesting a Petition from Abuse Order on behalf of the plaintiff and the corss petition on behalf of the defendant are both DENIED, with costs to be borne equally by the parties.

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

Aug. 30, 1989 copies to Attys. John D. Petruso and John F. Spataro, Esqs.

# 1989

WATTS, PEPICELLI, YOUNGSS AND YOUNGS, PC
Theodore Watts

733

MERLE R. FULLER

VS.

EVE MEHAN

Filed August 18, 1989
@ 4:15 p.m.

Tax & Entry paid 8/22/89 $50.50 ✓
John Fuller, Mediator

COMPLAINT FOR CUSTODY

1 copy (atty)
1 copy ( mediator)

ORDER OF COURT:

You, Eve Mehan, Defendant, have been sued in Court to obtain custody of your child, Bambi Lynn Burke.

You are ordered to appear, in person fora conference at such time and place as may be set by John Fuller, Child Custody Mediator.

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

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

Crawford C ounty Bar Association, Service to the Public Committee c/o Prothonotary, Crawford County Courthouse, Meadville, Pa. 16335 Telephone: (814) 724 -4636

BYTHE COURT,
Date: Aug. 18, 1989 Robert L. Walker, J.

Sept. 20, 1989, Affidavit of Service filed. Theodore H., Watts, Esq. being sworn according to law, deposes and says that he is atty. for plaintiff in the above matter, and that he served a certified copy of Compalint for Custody upon the dft. on Aug. 25, 1989, by cert. mail No. P 966 070 134, posted on Aug. 22, 1989, as evidenced by the receipt for cert. mail and return receipt card attached hereto and made a part hereof as Exhibit A. Theodore Watts, Esq.

Sept. 27, 1989 ORDER filed. AND NOW, Sept. 26, 1989, after mediation conference before John Fuller, Esq., IT IS ORDERED AND DECREED AS FOLLOWS:

I. Legal custody of Bambi Lynn Burke shall be shared between her father, Merle R. Fuller, and her mother, Eve Mehan, that is, each parent shall be entitled to full access to school records, medical records and otehr important records and each parent shall be entitled to take part fully in decisions affecting the child's education, religious instruction, medical treatment and other such important decisions.

II. Physical custody of Bambi Lynn Burke from and after Sept. 23, 1989 shall be with her father, Merle R. Fuller, subject to the following conditions:

A. The child shall visit her grandmother, Marie Holcombe, every other weekend, beginning Sept. 29, 1989, from Friday evening at 10:30 p.m. from Sunday, evening at 6:00 p.m. During these weekend visits of the child with her grandmother, the mother, Eve Mehan, shall be entitled to visit the child in the home of the grandmother and to take the child to such places as the mother and daughter, agree, provided that the child shall be in the company of Clarence Pierce.

B. The father shall provide transportation for the child on weekend visits at the grandmother's home in Meadville.

C. Neither mother, father nor grandmother shall say or do anything in an attempt to turn the child against any of the other parties, but on the other hand shall do everything in the power of each to foster a favorable and loving atitude on the part of the child towards both parents and grandmother.

D. Neither mother, father nor grandmother shall expose the child to any person or situation which may be harmful to the child's health or well being.

E. Both parents and grandmother agree to inform the other parties immediately of any illness or injury regarding the child and all parties agree to furnish the other parties with a current telephone number

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

P. Richard Thomas, Judge

Sept. 28, 1989 Copy of Order to Atty. Theodore Watts and Ms. Eve Meehan, and Atty. John Fuller.

Oct. 5, 1989 Amended Order filed. AND NOW, October 4, 1989, after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS:

1. Legal custody of Bambi Lynn Burke shall be shared between her father, Merle R. Fuller and her mother, Eve Meehan, that is, each parent shall be entitled to full access to school records, medical records and other important records and each parent ahall be entitled to take part fully in decisions affecting the child's education, religious instruction, medical treatment and other such important decisions.

II. Physical custody of Bambi Lynn Burke from and after September 23, 1989 shall be with her father, Merle R. Fuller, subject to the following conditions:

A. The child shall visit her grandmother, Marie Holcombe, every other weekend, beginning September 29, 1989 from Friday evening at 10:30 p.m. until Sunday evening at 6:00 p.m. During these weekend visitaof the child with her grandmother, the mother, Eve Meehan, shall be entitled to visit the child in the home of the grandmother, after reasonable notice, and to take the child to such places as the mother and daughter agree, provided that the child shall <u>not</u> be in the company of Clarence Pierce.

B. The father shall provide transportation for the child on weekend visits at the grandmother's house in Meadville.

C.Neither mother, father nor grandmother shall say or do anything in an attempt to turn the child against any of the other parties, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the child towards both parents and grandmother.

D. Neither mother, father nor grandmother shall expose the child to any person or situation which may be harmful to the child's health or well being.

E. Both parents and grandmother agree to inform the other parties immediately of any illness or injury regarding the child and both parents and grandmother agree to furnish the other parties with a current telephone number.

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

P. Richard Thomas, Judge.

Oct. 9, 1989 copies of order to Theodore Watts, Esq. and Eve Meehan, Defendant.

# 1989

MAHANEY, ROEDER & SMITH
Tamara Och Rothchild

734

Estate of WILLIAM G. EGGLESTON, by JOANN M. MOORE, Administratrix, C.T.A.

VS.

LULU M. BOYLE, ELMER E. BOYLE a/k/a E. E. BOYLE, ALICE L. ALMENDINGER, ADRIAN ALMENDINGER, JACK ALMENDINGER a/k/a JOHN ALMENDINGER, PATRICIA ALMENDINGER, WILFRED ALMENDINGER a/k/a DICK ALMENDINGER, GERALDINE ALMENDINGER, ROBERT ALMENDINGER, MARGORIE CROCELL, WILLIAM CROCELL, their heirs, successors and assigns

Filed August 21, 1989
@ 8:46 A.M.

Tax & entry paid $50.50
Pro Co Pd. 11-21-89 9.00

COMPLAINT IN ACTION TO QUIET TITLE

1 copy (atty)

Aug 21, 1989 Affidavit filed.

Aug 21, 1989 Motion for Service by Publication and Order filed: AND NOW, this 21st day of August, 1989, upon consideration of the foregoing Motion for Publication, it appearing that the identity and/or whereabouts of the Defendants, Lulu M. Boyle, Elmer E. Boyle, a/k/a E. E. Boyle, her husband and Alice L. Almendinger and Adian Almendinger, her husband, their heirs, successors and assigns, are not known, it is, therefore, ordered that the plaintiffs made service upon the Defendants, their heirs, successors and assigns, by publication once (1) in The Titusville Herald, and once (1) in the Crawford County Legal Journal, the aforesaid legal publication to require the Defendants to file an answer to said Complaint within twenty (20) days after the date of publication of the notice, in accordance with the notice to defend included in said publication.

BY THE COURT,
Robert L. Walker, J

Aug 21, 1989 Copies of order mailed to Atty. Ochs Rothchild.

Aug. 25, 1989 Certificate of Service filed.

Sept. 20, 1989, Affidavit of Return of Service filed. I hereby certify that on Aug. 23, 1989 I mailed true and correct copy of Plaintiffs Complaint in Action to Quiet title, Plaintiffs affidavit in Support of Motion, Motion and Court Order granting Motion, by cert. mail , restricted delivery, ret. rec. req. to the defendants as follows: Mr. Jack Almendinger, Ms. Patricia Almendinger, Ms. Geraldine Almendinger, Mr. Robert Almendinger, Mr. Wilfred Almendinger, Mr. William Crocell, and Mrs. Margorie Crocell. (see papers filed for addresses and exhibits) Tamera Ochs Rothschild, Esq.

Oct. 12, 1989 Affidavit filed. Tamera Ochs Rothschild, Esq., being duly sworn according to law, deposes and says that she is counsel for the Plaintiff in this action and that the Complaint in Action to Quiet Title with Notice to Defend within twenty (20) days from the date of service thereof, was personally serve dupon the defendants, Jack Almendinger a/k/a John Almendinger, Patricia Almendinger, Wilfred Almendinger a/k/a Dick Almendinger, Geraldine Almendinger,Robert Almendinger, Marjorie Crocell, and William Crocell, by certified restricted delivery mail. Further, that service by publication was requested and granted for Defendants Lulu M. Boyle, Elmer E. Boyle a/k/a E. E. Boyle, Alice L. Almendinger, and Adrian Almendinger, and was served by publication once (1) in the Crawford County Legal Journal on September 20, 1989, and once (1) in the Titusville Herald, on September 1, 1989, and that the Defendants have not filed an answer thereto, although the time in which to do so has expired.
Tamera Ochs Rothschild.

Oct. 12, 1989 Verification Of Service of Publication filed.

Oct. 18, 1989 Motion For Judgment and ORDER filed. AND NOW, this 18th day of October, 1989, IT IS DECREED that Defendants Lula M. Boyle, Elmer E. Boyle a/k/a E.E. Boyle, Alice L. Almendinger, Adrian Almendinger, Jack Almendinger a/k/a John Almendinger, Patricia Almendinger, Wilfred Almendinger a/k/a Dick Almendinger, Geraldine Almendinger, Robert Almendinger, Margorie Crocell and William Crocell, their heirs, successors and assigns, be and are hereby forever barred from asserting any right, title or interest to the premises hereafter described which is inconsistent with the interest or claim of the Plaintiff set forth in its Complaint:

ALL that certain piece or parcel of land situated in Centerville Borough, Crawford Co., PA. bounded and described as follows:

BEGINNING at a post in the North line of land formerly of Julius Chase, and in West margin of public road running from Centerville to Titusville, thence along the line of said Chase land North 88 degrees and 30 minutes West, Twenty one and 6/10 perches to a post in said line; thence North 11 degrees West, Twenty and 2/10 perches to a post. Thence South 88 ½ degrees, East Twenty one and 6/10 perches to a post in WEst margin of said rod thence along said margin, South 11 degrees East, Twenty and 2/10 perches to the place of beginning, containing Two (2) acres and 112 perches, be the same more or less, and being the same land conveyed by general warranty deed from O. N. Goodwill et al, to Philancia Gariepy, dated January 7, 1901, and recorded Jan. 24, 1901, in Crawford Co. Deed Book "T" No. 6 Page 286.

BEING the same land conveyed by general warranty deed from Philancia Gariepy to Lulu M. Boyle, dated April 3, 1922, and recorded Oct. 30, 1922, in Crawford Co. Deed Book 26, Page 210.

AND IT IS FURTHER DECREED THAT the Defendnats, Lula M. Boyle, Elmer E. Boyle a/k/a E.E. Boyle, Alice L. Almendinger, Adrian Almendinger, Jack Almendinger a/k/a John Almendinger, Patricia Almendinger, Wilfred Almendinger a/k/a Dick Almendinger, Geraldine Almendinger, Robert Almendinger, Margorie Crocel and William Crocell, their heirs, successors and assigns, be and are hereby forever barred from impeaching, dnying or in any way attaching the same from encumbering, mortgaging or conveying the same or any part thereof.

PROVIDED, HOWEVER, that this Decree shall become final only if the Defendants, their heirs, successors and assigns, fail to take such action as herein directed within thirty (30) days from the date hereof.

IT IS FURTHER ORDERED AND DECREED THAT if no petition to open this judgmetn or set aside this order is presented by the Defendants, their heirs, successors and assigns, or no action of ejectment is commenced by them or for them within thirty (30) days from and after the entry of this decree, the same shall become final. If such action is not taken within thirty (30) days, the Prothonotary, upon Praecipe of the Plaintiff, shall enter final judgmetn, and the Recorder of Deeds shall properly index and record the order, indexing Lulu M. Boyle, Elmer E. Boyle a//a E. E. Boyle, Alice L. Almendinger, Adrian Almendinger, Jack Almendinger a/k/a John Almendinger, Patricia Almendinger, Wilfred Almendinger a/k/a Dick Almendinger, Geraldine Almendinger, Robert Almendinger, Margorie Crocell,William Crocell, as Grantors, and the Estate of William G. Eggleston, by Joann M. Moore, Administratrix, C.T.A., as Grantees, and shal make margin notations in Crawford Co. Deek Book 227, Page 210,showing the deed book and page number where it is recorded. BY THE COURT, Robert L. Walker, J.

Record Continued on Page 617.....

SEE VOL. 3

# 1989

William J. Gregg

735

IN RE: PRIVATE SALE OF LAND IN EAST FALLOWFIELD TOWNSHIP, CRAWFORD COUNTY, PENNSYLVANIA

Petition of Wilson Gosnell and Betty Gosnell

Filed August 21, 1989
@ 9:38 A.M.

Tax & Entry 8/9/89/kg $50.50 ✓

PETITION TO DISAPPROVE SALE

Assessor's No. 2508-28

Order:
AND NOW, August 21, 1989, upon consideration of the within Petition, a hearing is hereby scheduled for Sept 6, 1989, at 11:30 o'clock A.M. in Courtroom 2. Required notice shall be given. Robert L. Walker, J.

Aug. 21, 1989 Copies of order mailed to William Gregg.

Aug. 31, 1989 Affidavit of Service filed. William J. Gregg being duly sworn according to law, deposes and says that he sent Notice of the Hearing to be hald on September 6, 1989 at 11:30 a.m. as evidenced by the attached Request for Certified Mail and return Receipts. William J. Gregg

Sept. 8, 1989 ORDER filed. AND NOW, Sept. 6, 1989, at the time fixed for hearing on the petition of Wilson Gosnell and Betty Gosnell to disapprove the sale, the Court being satisfied that all interested parties, including taxing bodies, have been given notice in acordance with 72 P.S. 5860.613, and noting that the original bidder, James Taraczkozy, has not appeared, but apparently had a telephone conversation with counsel for the Gosnells indicating that he did not intend to appear; in accordance with the above mentioned statute, the Court sets the value of the property at Four Hundred Dollars ($400.00), the amount that the petitioners for disapproval indicated they felt the property was worth at a minimum. The petitioners for disapproval of the sale having indicated that they are willing to pay the price set by the Court, and no other party having indicated a willingness to pay said minimum price, the Crawford County Tax Claim Bureau is DIRECTED to execute a deed for said property to Wilson Gosnell and Betty Gosnell, his wife, upon payment of the purchase price.

By Order Of The Court,
Robert L. Walker, Judge

Sept. 8, 1989 Copy of Order to Attys. William Gregg, Kathleen Nelson, Anthony Vardaro.

# 1989

Jack, Kookogey & Felton
Robert F. Felton

736.

Fuller, Kinnunen,
Petruso & Gamble
Ann Hanson Gamble

JUDITH L. PROPER

vs.

DANIEL E. PROPER, JR

Filed Aug. 21, 1989
@ 11:12 a.m.

Tax & entry Paid $50.50
3 counts paid 45.00

Pro co Paid 5-10-90 9.00
State Paid 5-10-90 10.00

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE, EQUITABLE DISTRIBUTION, PERMANENT ALIMONY, ALIMONY PENDENTE LITE, COUNSEL FEES, AND COSTS

1 copy (atty)

Aug. 28, 1989 Appearance of Fuller, Kinnunen, Petruso & Gamble by Ann Hanson Gamble for Defendant filed.

Nov. 22, 1989 Affidavit of Service filed. I, Robert J. Felton, Esq., 144 West Spring St., Titusville, PA., Attorney for Judith L. Proper, Plaintiff in the above action, do hereby certify that I served a true and correct copy of the Complaint in Divorce filed at the above term and number upon the Defendant, Daniel E. Proper, Jr., 130 West Bloss St., Titusville, PA 16354, by mailing the same to him by Certified Mail No. P 620 653 677, the same being posted at the Titusville, Pa. Post Office on August 22, 1989, the same having been received by the Defendant on Aug. 23, 1989, as verified by the return receipt attached hereto.

Robert J. Felton, Atty.

Dec. 8, 1989 Petition For Alimony Pendente LIte, Counsel Fees and Costs and Order filed. AND NOW, this 8 day of December, 1989, upon presentation of the within Motion for alimony pendente lite, counsel fees and costs, a hearing on the matter is set for the 3 day of Jan, 1990 at 9:30 o'clock a.m. in court room 1 or 2 of the Crawford County Court House, Meadville, Pennsylvania. Counsel for petitioner shall serve a true and correct copy of this Petition and Order upon respondent or his counsel of records.

By the Court,
P. Richard Thomas, J

Dec. 11, 1989 Copies of order mailed to Robert Felton and Ann Hansen Gamble

Jan. 12, 1990, Motion to Continue and Order filed. ORDER OF COURT: AND NOW, Jan. 11, 1990, motion granted.

Jan. 15, 1990 copies to A. Gamble and R. Felton ESqs.

May 8, 1990 affidavit Of Consent of Defendant filed.

**May 10, 1990 Agreement filed.**

**May 10, 1990 Affidavit of Consent of Defendant filed.**

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

May 10, 1990 Stipulation and Order Directing Division of Cytempt Pension filed.

1. The participant is Daniel E. Proper, Jr., of 130 West Bloss Street, Titusville, Pennsylvania.
2. The alternate payee is Judith L. Proper of 618 Atlantic Avenue, Franklin, Pennsylvania.
3. The Plan is the Cyclops Corporation Pension Plan, Hourly Employee.
4. Benefits will be paid from the plan to the payee under the following formula: Fifty percent (50%) of that fraction of the total amount due to the participant which fraction is composed of a numerator of sixteen (16) and a denominator which is the total number of years that the participant was employed by Cytemp.
5. The plan will pay benefits to the payee for as long as the participant receives benefits under the plan.
6. The Order shall be sent and shall bind the following: Robert A. Kuskner, Cyclops INdustries, 605 Washington Road, Pittsburgh, PA 15228
7. This assignment of benefits does not require the plan to provide any type or form or benefit nor any option that was not already provided under the plan. This assignment does not require that plan to provide benefits to an alternate payee in lieu of an alternate payee who is previously designated under another Qualified domestic Relations Order.

5/17/90
P. Richard Thomas, J

May 10, 1990 Motion to withdraw Count II, III and IV and Order filed. And now, 5/17/90 Granted.

P. Richard Thomas, J

May 21, 1990 Copies of Stipulation and Motion to Robert Felton and Ann Hanson Gamble

May 21, 1990 **D I V O R C E D E C R E E F I L E D .**

And now, May 21, 1990, it is ordered and decreed that Judith L. Proper, plaintiff, and Daniel E. Proper, Jr., defendant, are divorced from the bonds of matrimony.

BY THE COURT,
P. Richard Thomas, J

# 1989

Quinn, Gent, Buseck and Leemhuis, Inc.

Kenneth W. Wargo

737.

McCue, Bertocchi, Heim & Favero
J. D. Heim

JAMES TEMPLE

vs.

RICHARD THOMAS AND DOLLY THOMAS, HIS WIFE, d/b/a LITTLE RICHARD'S ENTERPRISES, LITTLE RICHARD'S ENTERPRISES, INC., AND WORLD OF MIRTH SHOWS, INC.

Filed Aug. 21, 1989
@ 2:31 p.m.

Tax & entry Paid $50.50 ✓
Sheriff's Costs 44.00

COMPLAINT

5 copies (sheriff)

Sept. 11, 1989 Sheriff's Return filed. SERVED Richard Thomas on August 23, 1989 at 12:45 PM by handing copy of Complaint to Dolly Thomas, his wife, at their place of business, Crawford County Fair, Meadville, PA
SERVED Dolly Thomas, personally on August 23, 1989 at 12:44 PM by handing copy of Complaint to her at place of business, Crawford County Fair, Meadville, PA
SERVED Little Richard's Enterprises on August 23, 1989 at 12:43 PM by handing copy of Complaint to Dolly Thomas, part owner, at place of business, Crawford County Fair, Meadville, PA
SERVED Little Richard's Enterprises, Inc. on August 23, 1989 at 12:42 PM by handing copy of Complaint to Dolly Thomas, part owner, at place of business, Crawford County Fair, Meadville, PA
SERVED World of Mirth Shows, Inc. on August 23, 1989 at 12:41 PM by handing copy of Complaint to Dolly Thomas, at her place of business, Crawford County Fair, Meadville, PA.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Sept. 21, 1989 Answer To Plaintiff's Complaint and Counterclaim filed.

Sept. 21, 1989 Affidavit of Service filed., Before me, the undersigned authority, personally appeared J. D. Heim, who, being duly sworn according to law, deposes and says that he mailed this 20th day of September, to the Prothonotary of Crawford County, the original of the Answers to Plaintiff's Complaint and Counterclaim and a certified copy of the Answer To Plaintiff's Complaint and Counterclaim to the Plaintiff's Attorney, Kenneth W. Wargo.
J. D. Heim

Oct. 12, 1989 Plaintiff's Reply and New Matter To Counterclaim filed.

# 1989

Ely & Smith
Theodore B. Ely

738.

Elderkin, Martin, Kelly, Messina & Zamboldi
Robert C. LeSuer
Jason Lee Piercy

HAMOT MEDICAL CENTER OF THE CITY OF ERIE, PENNSYLVANIA

vs.

COY W. PIERCY & MARY PIERCY, AND JASON LEE PIERCY, TERRE TENANT

Filed Aug. 21, 1989
@ 3:12 p.m.

| | |
|---|---|
| Pro Simmons paid | $15.00 |
| plff on orig | 95.70 |
| Sheriff's Costs | 42.32 |

WRIT OF REVIVAL

OF

DSB 1984 - 858

Writ of Revival indexed in favor of plaintiff and against the defendants in the amount of Four Thousand Nine Hundred Fifty One and 66/100 Dollars, with interest from Feb. 1, 1984 and costs of suit.

DEBT ----$4,951.66
Int.------from 2/1/84
P - 261, 114, 94 -- WRIT OF REVIVAL OF JUDGMENT
James F. Simmons, Pro

Issued (sheriff)

Sept 14, 1989 Writ Returned: SERVED Coy W. Piercy on September 1, 1989 at 2:59 P.M. by handing a copy of Writ of Revival to Mary Piercy, adult in charge of residence, at Box 183, Harmonsburg, Crawford County, Pa.

SERVED Mary Piercy personally on September 1, 1989 at 3:00 P.M. by handing a copy of Writ of Revival to her at residence, Box 183, Harmonsburg, Crawford Co., Pa.

SERVED Jason Lee Piercy on September 1, 1989 at 2:58 P.M. by handing copy of Writ of Revival to Mary Piercy, adult in charge of residence, at Box 183, Harmonsburg, Crawford County, Pa.

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

Sept. 21, 1989 Preliminary Objections Of Jason Lee Piercy To Writ of Revival filed.

# 1989

739.

Don Lewis

KENNETH CUSTARD

vs.

SAL CASSARA

FILED Aug. 22, 1989
@ 11:47 a.m.

Tax & entry Paid $50.25 ✓
Pro Co pd 11/17/89 5.00 ✓

APPEAL OF DEFENDANT FROM JUDGMENT OF
WILLIAM CHISHOLM, DISTRICT JUSTICE- 30-2-01

Aug. 22, 1989, Rule entered upon plaintiff to file complaint issued.

Sept 18, 1989 Proof of Service of Notice of Appeal and Rule to File Complaint filed.

Nov. 17, 1989 Upon praecipe of Defendant Attorneyd the appeal is hereby withdrawn from the record.

# 1989

740.

LOUANN SANDOR

vs.

RICHARD R. SANDOR

1/2/90 Rd $1.40 Deposit

3-20-97 Rd Sheriff #10783 31.40

Filed Aug. 22, 1989
@ 2:06 p.m.

Tax & entry Rd 1/12/90 $50.50

Sheriff's costs pd 31.40

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)

TEMPORARY ABUSE ORDER:

AND NOW, this 22nd day of August 1989, upon review of the petition of plaintiff, the court enteres the following temporary order:

1. The defendant shall nto assault, abuse, harass or threaTEN the plaintiff or any ofthe 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 havng reasonable ground to believe it has been violated.

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

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

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

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

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

Hearing is hereby set for Aug. 29, 1989 at 2:00 p.m. in C. R. No. 1 or 2 of the Crawford County Courthouse.

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

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

Aug. 28, 1989 Sheriff's Return filed. SERVED Richard R. Sandor personally on Aug. 29, 1989 at 9:55 AM at Sheriff's Office, Crawford Co. Courthouse, Meadville, Pa. 16335

So answers,

C arole Stefanucci, Dep. Sheriff
Howard N. Stewart, Sheriff

Aug. 30, 1989, ORDER filed. AND NOW, August 29, 1989, at the request of the plaintiff, this case isdiscontinued of record, the parties to pay the sum of $81.90 in costs on or before Sept. 5, 1989.

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

Aug. 30, 1989, copies to parties of record (mailed)

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 reguarl mail.

ACCORDINGLY, it is ORDERED as follows:

1. The he aring in this case is continued to 1:30 on Thursday, March 6, 1997, in Courtroom No. 1.

2. The Prothonotary shall send a true and correct copy of the ocntempt Petition, original notice and Order to Appear and this Order to the defendant at the defendant's last known address by regular mail and by Certified Mail, Return Receipt requested.

3. If the Prothonotary believes that service hasnot been effected on the defendant, the Prothonotary shall determine whether she shall serve all of the required documents on the defendant by personal service by utilizing theSheriff or a Constable.

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

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

Cont. on Pg. 190A

LOUANN SANDOR
VS.
RICHARD R. SANDOR

CONTINUED FROM PAGE 190
of Record
A.D. 1989 - 740

**********

Mar 12, 1997 ORDER: AND NOW, March 6, 1997, at a time fixed for hearign on a contempt petition brought by the Prothonotary of Crawford County for nonpayment of costs, the Court finds that the Prothonotary sent to this Defendant a copy of the contempt petitiojn and order setting the hearing for this date, by certified mail, return receipt requested, and further, that the Defendant received said mailing, as evidenced by a green card that is filed of record in this case.

Accordingly, the Defendant failed to appear when ordered to do so. A bench warrant is issued for the Defendant's arrest and incarceration in the Crawford County Jail.

Once the Defendnat is incarcerated, the Warden or the Sheriff shall notify the Prothonotary and the Court Administrator, and the Corut Administrator will schedule a contempt hearing as soon as the attention of the Court may be had.

The Defendant shall be entitled to bond in the amount of $100.

In the event that the Defendant posts bond and is released, at the time of release, the Defendant shall give to the Sheriff, Prothonotary, or Warden his exact mailing address. That address shall be given to the Court Administrator and the Court Administrator shall schedule a hearing when the attention of the Court may be had, and give the Defendant written notice of the date, time, and place of the hearing at the address the Defendant give sto the authorities, as hereinabove provided. In the event that the Defendant makes bond, it is not necessary that an immediate hearing be held.

Gordon R. Miller, P.J.

Mar 17, 1997 Mailed Dft.
(All costs pd. Warrant not issued.)

1989

190
-6-

# 1989

Jorden and White
Harry Faber White

741.

VIRGINIA L. PLAVSITY

vs.

ROBERT PLAVSITY

Filed Aug. 23, 1989
@ 1:30 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Pro Co pd 9/28/89 | 9.00 |
| State pd. 9/28/89 | 10.00 |

COMPLAINT IN DIVORCE UNDER SECTION 201(d)
OF THE DIVORCE CODE

1 copy (atty)

Aug. 23, 1989, Plaintiff's Affidavit Under Section 201(d) of the Divorce Code filed. (1 copy -atty)

Sept. 21, 1989, Notice of Intention to Request entry of Divorce Decree, and Defendant's Counteraffidavit Under Section 201(d) of the Divorce Code filed.

Sept. 21, 1989, Addceptance of Service filed. And Now, this 14 day of Sept. 1989, comes defendant and swears that he accepted servcie of a divorce complaint under Section 201(d) of the Divorce code and an affidavit Under Sect. 201(d) and a NOtice to Defend and Claim Rights on the 23 day of Aug. 1989, and further that he accepted service of a Notice of Intention to Request Entry of Divorce Decree on the 14 day of Sept. 1989 in the above captioned matter with the full force and effect of service under the Divorce Code of Pa. Robert Plavsity.

Sept. 27, 1989 Upon praecipe of Plaintiff Attorney To Transmit Record Section 201(d) of the Divorce Code, this case moved to court.

Oct. 9, 1989 **DIVORCE DECREE FILED.**

And now, October 9, 1989, it is ordered and decreed that VIRGINIA L. PLAVSITY, plaintiff, and ROBERT PLAVSITY, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Robert L. Walker, J

# 1989

Jorden & White
Harry Faber White

742
Watts, Pepicelli,
Youngs & Youngs
By: Christopher J.
Youngs, esq.

EDWARD L. CASTILE

vs.

CHRISTINE MARIE CASTILE

Filed Aug. 23, 1989
@ 1:32 p.m.

| | |
|---|---|
| Tax & entry paid | $50.50 |
| Pro Co. Pd 8-1-90 | 9.00 |
| State Surcharge Pd. | 10.00 |

COMPLAINT IN DIVORCE UNDER SECTION 201(c) OF DIVORCE CODE

1 copy (atty)

Sept. 1, 1989 Affidavit Of Service filed. HARRY FABER WHITE II, ESQUIRE, attorney for the p laintiff in the above captioned matter, being duly sworn according to law, deposes and says that he served the Notice to Plead and Complaint under Section 201(c) of the Divorce Code upon the defendant, Christine Marie Castile, by certified mail, return receipt requested, on August 25, 1989 at the defendant's address, C/O James R. Schuffert, Star Route Meadville, Pennsylvania 16335. The defendant's acceptance of the same is attached hereto. Harry Faber White, II

**Jan. 8, 1990 Appearance of Watts, Pepicelli, Youngs and Youngs,PC By Christopher J. Youngs for defendant filed.**

June 22, 1990, Affidavit of Consent of defendant filed.

August 1,. 1990 Affidavit of Consent of Plaintiff filed.

August 1, 1990 Upon Praecipe of Plaintiff Attorney For Review Under Section 201(c) of Divorce Code, this case is moved to Court.

Aug. 10, 1990 **DIVORCE DECREE FILED.**

And now, August 10, 1990, it is ordered and decreed that Edward L. Castile, plaintiff and Christina Marie Castile, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
P. richard Thomas, J

# 1989

Bettie J. Peterson-Muth

743.

MICHAEL J. RECTOR

vs.

PATRICIA M.RECTOR

Filed Aug. 23, 1989
@ 4:07 p.m.

Tax & entry Paid $50.50 ✓
Pro Co. PD 12/8/89 9.00 ✓

COMPLAINT IN DIVORCE

1 copy (atty)

Sept. 21, 1989 Affidavit of Service By Mail filed. Bettie J. Peterson-Muth, Esquire, being duly sworn according to law, deposes and says that she is the attorney for plaintiff, Michael J. Rector, and that she did mail a true and correct copy of the complaint in divorce filed in the above matter, by certified mail return receipt requested, to the defnednat, Patricia M. Rector, on September 11, 1989, at her last known address, 722 North Morgan Street, Meadville,PA 16335. The signed receipt is attached hereto as Exhibit "A" Bettie J. Peterson-Muth

Dec. 8, 1989 Affidavit of Consent of Plaintiff filed.

Dec. 8,1989 Affidavit of Consent of Defendant filed.

Dec. 8, 1989 Upon Praecipe of Plaintiff Attorney for Review Under Section 201(c) of Divorce Code, this case is moved to Court.

Dec. 12, 1989 **DIVORCE DECREE FILED.**

AND NOW, Dec. 12, 1989, it is hereby ordered, adjudged and decreed that the marriage heretofore existing between

**MICHAEL J. RECTOR and PATRICIA M. RECTOR**

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

BY THE COURT,
P. Richard Thomas, J

# 1989

~~Thomas, Truax, Spadafore Vardaro and Walker~~ withdrawn
~~R. Charles Thomas~~

744.

SHAFER, SWICK, BAILEY, IRWIN & STACK
James R. Irwin

ETHEL E. KOREN

vs.

JOHN R. KOREN

COMPLAINT IN DIVORCE,EQUITABLE DIVISION OF PROPERTY, COUNSEL FEES, COSTS, ALIMONY PENDENTE LITE, CUSTODY

1 copy (atty)

Filed Aug. 24, 1989
@ 10:19 a.m

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| 3 counts paid | 45.00 |
| William PIneo, Mediator | |
| Mediation Costs | 137.00 |
| | 9.00 |

5/22/90 Recd. $68.50 from Plaintiff
Recd 6-1-90
$68.50
Vivian Stoltz

6/6/90 Recd $68.50 from dft. John Koren
Recd Aug 1, 1990
$68.50
Vivian Stoltz

Aug 31, 1989 Appearance of Shafer, Swick, Bailey, Irwin and Stack by James R. Irwin, Esq. for Defendant filed.

Mar. 16, 1990 Motion For Appointment Of Custody Mediator and Order filed. This motion is denied for the court believes that this matter should be resolved after a hearing where all parties are present. A custody mediator was this date appointed on defendants motion.
March 16, 1990 Gordon R. Miller, J
Mar. 20, 1990 Copies of order put in R. Charles Thomas, Mary Ann Kirkpatrick and James Irwin's box.

Mar. 16, 1990, Motion to Appoint Mediator and Order filed. ORDER: AND NOW, this 16 dayof March 1990 it is ordered that all parties in the above captioned case and their counsel shall appear for a mediation conference before the mediator, WILLIAM PINEO, at a time to be set by the mediator int he Crawford CountyCourthouse, with the child custody mediator as required by Rule 31 (e) of the Court of Common Pleas of Crawford County, Pa. It is further ordered and decreed that pending final determination by the court, the children shall not be removed from the jurisdiction of the court by either party hereunder, under possible punishment for contempt of court.
1 copy (atty) 1 copy (mediator)
BY THE COURT,
Gordon R. Miller, J.

Mar. 19, 1990 Affidavit Of Service filed. And now, March16, 1990, comes Lisa M. Sherretts being duly sworn according to law, deposes and sets forth as follows:
1. That she is the legal secretary of Attorney for Ethel E. Koren, Plaintiff in the above-captioned matter.
2. That on information furnished by the Plaintiff and her prior attorney, R. Charles Thomass', along with the Certified Return Receipt, a certified copyofthe Complaint in Divorce was forwarded by Certified Mail, P 063 585 927; postmarked August 28, 1989, to the last known address of the Defendant, John R. Koren, 56 Gibson Road, Greenville, Pennsylvania 16125.
3. That the Defendant, John R. Koren, on August 29, 1989, personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto as Exhibit "A".
4. Service of the Complaint against Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.
Lisa M. Sherretts

Mar 21, 1990 Motion for Withdrawal of Appearance and Order filed: AND NOW, this 21st day of March, 1990, the within Motion is allowed and R. Charles Thomas, Esq., is authorized to withdraw his appearance on behalf of the Plaintiff.
BY THE COURT,
Gordon R. Miller,

Mar 22, 1990 Copies of order put in Attys. Irwin and Thomas's boxes.

May 9, 1990 Temporary Order filed. AND NOW, this 8th day of May 1990, after Mediation in the above referenced matter andupon the recommedations of the Child Custody Mediator, IT IS HEREBY ORDERED AND DECREED THAT:
1. The parties shall share legal and physical custody of the subject minor children.
2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor children. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor children.
3. The mother shall have primary physical custody of the subject minor children each year from August 15 through June 15 of the following year. The father shall have primary physical custody eac year form June 15 until the following August 15.
4. During the period of time when the children are residing with their mother, the father shallhave the right of visitation and temporary physical custody with them for three weekends out of every four, beginning with the weekend next following the execution of this Orde.r The weekends shall begin Friday at 6:00 p.m. and end Sunday at 6:00 p.m. The Mediator notes for the Cour tthat the mother's weekend schedule can be variable. She shall notify the father one month in advance of the weekend in which she wishes to retain temporary physical custody fo the children.
5. During the period when the fther has physical custody of the children, the mother shallhave the right of visitation for three weekends out of every four. Since her scheudle is variable, she shall notify the fathe rof the weekends she wishes to select. Her weekend vistiation period shall be between the same hours and days as are the fathers.
6. HOliday visitation shall be arranged as follows: The father shall have visitation and temporary physical custody each Christmas from 11:00 a.m. to 6:00 p.m., In addition, he shallhave temporary physical custody and visitation with the children during the children's Christmas vacation from school from noon of December 26, through 6:00 p.m. of New Years Day.
The Easter visitation period shall begin at 11:00 a.m. and end at 6:00 p.m. For Easter, 1991, the father shallhave temporary physical custody and visitation, and the parties shall thereafter alternate the Easter holiday.
The provisions relating to holiday visitation and custody shall take precedence over the other provisions of this Order relating to custody and visitation.
Eitehr aprty may designate a period or a series of periods, not to exceed two weeks during the chilren's summer vacation form school when they may have temporary physical custody and visitation with said children and no visit need be accorded to the other party.
7. The parties shall split responsibility for transportation with the party receiving the children in the exercise of his or her rights picking up the children at the home of the other.
8. Each party shall teach said children to give to the other party that love and respect which is due a parent from his or her children.
9. Niethe rparty shall use illegal drugs or be under the influence of alcohol at any time when said par ty hs the care and custody of the subject minor children.
10. Any person transporting the children shall made sure that the seat belts or other restraints are sued in accordance with the law of Pennsylvania.
11. Neither party shall do or say anyting to balcken the character of the other in the childme's estimation. Each party shall treat th eother in a polite and respectful manner when in the children's presence and each party shall instruct his or her relatives and friends to do likewsie and also not to dis parage the other par ty in the children's estimation.
12. The parties are free to make additional or alternatiave arrangements repsectin the cusotidal and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.
13. Either party may request a review of this Orde rone year from date hereof.
14. Costs and fees ofthis Mediation, which are fixed at $137.00 are divided equally between the parties with a share of each being assessed to him or her as costs in this case. Payment shall be made to the Prothonotary of Crawford County.
15. Either party may move the Court for a hearing de novo for thirty (30) days from date hereof. If neither party so moves, this Order shall be ocnsidered permanent.
By the Court,
P. Richard Thomas, J

May 10, 1990 Copies of order put in Joan Mason, James Irwin and William Pineo's box and copies mailed to Plaintiff and dEfendant.

Continued on the next page

Ethel E. Koren
and
John R. Koren

Record continued from page 194

of record
A.D. 1989 - 744

**********

May 17, 1990 Motion For Correction Of temporary Order and Order filed. AND NOW, this 16 day of May, 1990, upon consideration of the foregoing MOtion of the mediator to amend the Temporary Order, said tEmporary Order is hereby amended by making paragraph 6 read as follows:

6. Holiday visitation shall be arranged as follows:

a. For Thanksgiving each year, the mother shall have visitation and temporary physical custody with her children from 11:00 a.m. to 6:00 p.m., and the father shall have temporary physical custody and visitation f rom Thanksgiving Day at 6:00 p.m. through the following Sunday at 6:00 p.m.

b. For Christmas of each year, the father shallhave temporary physical custody and visitation w ith his children from 5:00 p.m. December 23 until Christmas Day at 11:00 a.m. and from Christmas Day at 6:00 p.m. though New Years Day at 6:00 p.m..

c. The Easter visitation period shall begin at 11:00 a.m. and end at 6:00 p.m. For Easter, 1991, the father shall have temporary physical custody and visitation and the parties shall thereafter alternate the Easter holiday.

d. The provisions relating to holiday visitation and custody shall take precedence over the other provisions of this Order relating to custody and visitation.

3. Either party may designate a period or series of periods, not to exceed two weeks during the chidlren's summer vacation from wchool when they may have temporary physical custody and visitation with said children and no visit meed be accorded the other party.

By the Court,
P. Richard Thomas,J

May 21, 1990 Copies of order put in James Irwin, Joan Mason and William Pineo's box.

Aug. 6, 1990, Affidavit of Consent of Defendant filed.

Feb. 17, 1998 Important Notice and Court Order filed. Out court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 8/6/90 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonable delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

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

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

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

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

By the Court,
Date: February 13, 1998 Anthony J. Vardaro, J

Feb. 13, 1998 Copies mailed by Court Administrator's Office

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

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

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

194
B

1989

# 1989

CERTIFICATION OF DIVORCE OF JOSEPH A. SOETY VS. BARBARA A. SOETY FROM OSCEOLA COUNTY, FLORIDA - AD 1989 - 745

(see reverse page for caption, etc.)

OR BOOK 759 PAGE 001 AD 1989-745

$10.50

RECEIVED OCT 22 1984 COUNTY JUDGE J. GRAHAM KERR

IN THE CIRCUIT COURT IN AND FOR OSCEOLA COUNTY, FLORIDA

GENERAL CIVIL DIVISION
CASE NO: 84-868

IN RE: THE MARRIAGE OF

JOSEPH A. SOETY,

Petitioner,

and

BARBARA A. SOETY,

Respondent.

FILED/RECEIVED
OCT 25 1984 89 AUG 24 AM 10:13
MEL WILLS JR., CLERK
CRAWFORD

FINAL JUDGMENT FOR DISSOLUTION OF MARRIAGE

This cause coming on for final hearing on the 8th day of October, 1984, and the court having heard the oral stipulations of the parties in open court which are as follows:

1. The parties shall have the shared parental responsibility for the minor child. The child's primary residence shall be with the mother subject to the father's reasonable parenting contact with the child which shall consist of at a minimum, one month in the summer, one week at Christmas, and telephone access every other Sunday evening.

2. The residential parent shall facilitate continuing contact by the child with the non-residential parent. Each parent shall respect the other parent's role and recognize that the non-residential parent is still a legal parent, not to be treated as a "visitor", but subject to reasonable allowances according to the residential parent's considerable and varied burdens.

3. Each party shall at all times keep the other party advised as to where the child shall be, whether during visitation, vacations, holidays or otherwise and shall provide to the other party a telephone number where the child may be called.

4. Both the husband and the wife will exercise, in the utmost of good faith, his and her best efforts at all times to encourage and foster the maximum relations of love and

OR BOOK 759 PAGE 002

affection between the minor child of the parties and his mother and father. Neither party shall in any way impede, obstruct nor interfere with the exercise by the other of his or her right of companionship with the minor child, and neither of them, at any time, shall in any way disparage or criticize the other parent, nor allow any other to do so, in the presence of the said minor child. When the child or any one of them, is with the other parent, the parent with whom the child is not with shall have open, but reasonable right of telephonic communication with the child at all times.

5. Each party agrees that their personal property is already divided and that personal property in their possession shall be solely owned by that party except that the Respondent shall also have the ownership of the following:

1 impact wrench
1 vibrator/sander
1 rivit gun
1 filing cabinet
1 bible
Washer and dryer
Ironing Board
Tupperware collection
Grill
Avon decanter collection

The Respondent shall also have the sole ownership of her separately titled vehicle. In addition, the Petitioner shall return to the Respondent, her chain saw or replace said chain saw.

6. The Petitioner shall have the sole ownership of the jointly titled truck, the personal property in his possession and the boat, motor and trailer.

7. The Petitioner agrees to pay one-half the cost of the rental of a U-Haul for the Respondent to move the remainder of her personal possessions.

8. Each party agrees to execute any and all documents necessary to carry out these stipulations.

9. The marital home and property described as follows:

OR BOOK 759 PAGE 003

Lot 14 and Lot 12, MAPLE TERRACE, as recorded in Plat Book 1, Page 423, Public Records of Osceola County, Florida, PLUS a 5' strip of Lot 11; said 5' strip being described as follows: Beginning at a point 76.44' S47°17'00"W from the most northerly corner of Lot 12, thence S49°27'00"E to westerly boundary of WEST MAPLE TERRACE, thence northeasterly along said WEST MAPLE TERRACE to most southerly corner of Lot 12, thence N49°27'00"W 118.88 feet, thence southwesterly 5' more or less to POINT OF BEGINNING. LESS AND EXCEPT: a triangular portion of Lot 12 described as beginning at the most northerly corner of Lot 12, thence S47°17'00"W to south boundary of Lot 12; thence N49°27'00"W 31.12 feet; thence N69°42'00"E to POINT OF BEGINNING, all being according to MAPLE TERRACE as recorded in Plat Book 1, Page 423, Public Records of Osceola County, Florida.

shall be listed for private sale and sold as soon as reasonably possible. The Petitioner shall take care of listing the home with a realtor and promptly furnish papers to the Respondent for its listing and eventual sale. Each party agrees to pay one-half the mortgage payments, taxes and insurance until the time of closing of the sale. The Petitioner shall have the right to occupy the home until the time of closing and shall maintain the home in reasonable condition until the time of sale. At the time of closing of the sale, the parties shall divide equally the net proceeds from the sale of the home. In the event either party has not made one-half the payments on the mortgage, taxes or insurance from the date of this order to the time of closing of the sale of the home then that party's share of those obligations shall be deducted from their share of the net closing proceeds and paid to the other party at the time of closing.

It is further agreed agreed that if the Petitioner allows any unrelated person to reside in the home with him until the time of closing of its sale, that he shall charge rent and shall remit one-half of that rental payment to the Respondent.

FURTHER, the Court having heard the evidence of the parties and being fully advised in the premises, it is hereby,

OR BOOK 759 PAGE 004

ORDERED AND ADJUDGED that:

1. The marriage is irretrievably broken and the bonds of marriage existing between the Petitioner, JOSEPH A. SOETY, and Respondent, BARBARA A. SOETY, are hereby dissolved.

2. The oral stipulations set forth above were made voluntarily after full disclosure and are for the best interest of the parties and are hereby ratified and by reference incorporated in this Final Judgment. The parties are ordered to comply strictly with them.

3. Based upon the fact that the minor child of the parties was adopted by the Petitioner and upon the fact that the minor child receives social security benefits from his deceased father's account in an amount of approximately $500.00 per month and that factor was considered in the adoption of said child, the Petitioner's child support payments shall be set at $100.00 per month until the child reaches the age of 18 years, dies, marries or becomes self-supporting, subject to modification by further order of the Court. This child support amount is subject to modification upon change in social security payments on behalf of the child.

4. Each payment shall be made to the Clerk of the Circuit Court of this County and by him disbursed. The Clerk's fee of $2.00, which he is required to charge by act of the Legislature of this State, shall be added to each payment. Each payment shall be made in U.S. currency or by money order, cashier's check or certified check. No credit will be given by the Court for payments made directly to the person to whom payments are directed. Money orders and checks shall be made payable to MEL WILLS, JR., Clerk, and, if mailed, addressed as follows:

MEL WILLS, JR.
Clerk, Circuit Court
Support Department
12 S. Vernon Avenue-C
Kissimmee, FL 32741

Continued on next page

195A

# 1989

Continuation of AD 1989 - 745 (Divorce certification of Soety)

IN RE:
THE MARRIAGE OF:
Joseph A. Soety

vs.

Barbara A. Soety

Filed Aug. 24, 1989
@ 11:33 a.m.

Tax & entry Paid $10.50
Pro Co Pd. 5.00

OR BOOK 759 PAGE 005

It has been represented to the Court that the parties' present mailing addresses are:

| Petitioner | Respondent |
|---|---|
| 5584 W. Maple Terrace | P.O. Box 19, Main Street |
| St. Cloud, FL 32769 | Spartansburg, PA |

5. Both Petitioner and Respondent shall, effective immediately, keep the Clerk's office of this Court advised in writing of their correct residence and mailing address, including zip code number, until such time as they have fully complied with each and every condition of this judgment and should either of them fail to do so, an order for their arrest may be issued without notice and proper punishment imposed.

6. This Court shall retain full and complete jurisdiction of this cause of action and the parties for the purpose of entering such further orders as may be necessary.

DONE AND ORDERED at Kissimmee, Osceola County, Florida, this 25 day of October, 1984.

J. C. KERR, Temporary Circuit Judge acting pursuant to Order dated January 11, 1983, filed in Official Records Book 624, Page 107, Public Records of Osceola County, Florida

COPIES TO:
Nancy Y. Smith
Ronald M. Hand

STATE OF FLORIDA, COUNTY OF OSCEOLA
I HEREBY CERTIFY that the above and foregoing is a true copy of the original filed in this office.
WILLIS McCALL, Clerk Circuit Court
Date 7/19/89 By [illegible] D.C.

'84 OCT 26 PM 4 15
RECORDED AND
KEL[illegible] U.S. B[illegible]
CLERK, CIRCUIT COURT
OSCEOLA COUNTY, FL.

400017399

Aug. 24, 1989, Notice of Election to Retake Maiden Name filed. To Be Known AS: BARBARA A. HOWELL.

# 1989

Watts, Pepicelli, YOungs and Youngs, PC
Alan L. Pepicelli
Christopher J. Youngs

746.

Culbertson, Weiss, Schetroma & Schug
E. Max Weiss
Michael R. Wolfe

Weis & Weis
Daniel J. Weis
for John P. Herchenroether

CONRAD B. DELP, ADMINISTRATOR OF THE ESTATE OF KIMBERLY ANN VANDERHOFF DELP, DECEASED

vs.

MICHAEL R. WOLFE AND JOHN P. HERCHENROETHER a/k/a JON R. HERCHENROETHER, Defendants

Filed Aug. 24, 1989
@ 4:06 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Sheriff's Costs | 66.67 |
| Pro Co pd 2-9-96 | 6.00 |

COMPLAINT IN CIVIL ACTION

2 copies (sheriff)

(Jury Trial Demanded)

Sept. 12, 1989 Appearance of Culbertson, Weiss, Schetroma & Schug by E. Max Weiss for Michael r. Wolfe, defendant filed.

Oct. 11, 1989 Sheriff's Return filed. Before me, the undersigned authority, personally appeared William Perroz, who being duly sworn according to law, deposes and says that on the 5 day of Sept. 1989 at 11:10 a.m. he served Complaint interr. & requests for documents at No. 746, 1989, Crawford Co. Pa., upon defendant Michael R. Wolfe at State Correctional Inst. of Pittsburgh. By making known the contents thereof to Mike Paul, mailroom and handing to and leaving with him the certified copy of the received from Crawford.

W.Perroz, Dep. Sheriff

So answers Eugene L. Coon, Sheriff, Alleg. Co.

SERVED Michael R. Wolfe by deputizing Sheriff of Allegheny County, Pa. as per his Affidavit of Service attached. Served: Sept. 5, 1989

SERVED John P. Herchenroether on August 26, 1989 at 8:50 PM by handing copy of Complaint to him personally at his residence, Konneyaut Dr., Conneaut Lake, Crawford Co. Pa.

So answers, Robert M. Stevens, Dep. Sheriff
Howar d N. Stewart, Sheriff

Nov. 17, 1989 Motion To Correct The Name Of A Party Defendant and Order filed. AND NOW, this 17 day of November, 1989, upon consideration of the within Motion, Plaintiff is granted leave to correct the name of John P. Herchenroether, and the caption of this case shall hereafter read as follows: CONRAD B. DELP, Administrator of the Estate of Kimberly Ann Vanderhoff Delp, Deceased, Plaintiff vs. MICHAEL R. WOLFE and JOHN P. HERCHENROETHER, a/k/k JON R. HERCHENROETHER, Defendants,

BY THE COURT,
P. Richard Thomas, J

Nov. 20, 1989 Copies of order put in Alan Pepicelli and E. Max Weiss's box.

Nov. 29, 1989, Answer and New Matter filed on behalf of the defendant JOhn P. Herchenroether a/k/a Jon R. Herchenroether, filed.

Dec. 28, 1989, Notice of Service of Interrogatories/Requests for Production of Documents (Second Set) filed.

Dec 29, 1989 Notice of Deposition of John P. Herchenroether a/k/a Jon R. Herchenroether filed.

Jan. 19, 1990, Answer filed. (Jury Trial Demanded)

Feb. 1, 1990 Reply To New Matter Of Defendant Herchenroether filed.

Feb 20, 1990 Plaintiff's Motion for Sanctions against Defendant, John P. Herchenroether and Order filed: AND NOW, this 16th day of February, 1990, upon presentation and consideration of the foregoing Motion for Sanctions Against Defendant, John P. Herchenroether, it is hereby ordered that Defendant, John P. Herchenroether, is ordered to answer, without objection, Plaintiff's First Set of Interrogatories and First Set of Requests for Production of Documents, by February 26, 1990. In the event said Defendant fails to comply herewith, said Defendant shall suffer such further sanctions as may be imposed by the court.

BY THE COURT,
Gordon R. Miller, J.

Feb 22, 1990 Copies of order put in Attys. Pepicelli, Youngs Weiss' boxes and copy mailed to Atty. Weis.

Mar 2, 1992 Petition for Settlement of Wronggul Death/Survival Claims and Order filed.

IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

CONRAD B. DELP, Administrator of the Estate of Kimberly Ann Vanderhoff Delp, Deceased, Plaintiff

vs. No. A.D. 1989-746

MICHAEL R. WOLFE and JOHN P. HERCHENROETHER, a/k/a JON R. HERCHENROETHER, Defendants

ORDER

AND NOW, this 2 day of March, 1992, upon consideration of the within Petition for Settlement of Wrongful Death and Survival Claims in the above-captioned case, this Court approves the within settlement as follows:

1. Ohio Casualty Company, as the primary liability carrier, shall pay to Petitioner the sum of $100,000, constituting and representing the aggregate limits of liability coverage provided under the subject policy of

2. By the terms of the aforesaid Release and in accordance with the Agreement between all parties hereto, Petitioner expressly reserves the right to proceed with the within lawsuit as to the Defendant Wolfe alone against coverage provided by Nationwide, as issued to Defendant Wolfe's mother, Gloria Kleitz, and her husband, Paul Kleitz.

3. The consideration of the aforesaid Release will be credited against the first $100,000 of any such verdict or settlement.

4. Any excess verdict over $100,000 will be satisfied solely from any proceeds received through the aforesaid Nationwide policy and not against the personal assets of the Defendant Wolfe.

5. The Petitioner further reserves any rights to proceed with such claim for bad faith as may have already arisen or which may hereafter arise against Nationwide by virtue of its handling of the within claim.

6. Allocation of the aforesaid settlement proceeds shall be as follows:

a. $97,725 to your Petitioner under the Wrongful Death Action to be distributed as follows:

i. To Watts and Pepicelli PC,

Continued on page 649
SEE VOL. 3

196A

# 1989

# 1989

Fuller, Kinnunen, Petruso
and Gamble
Ann Hansen Gamble

747.

Mary Ann Kirkpatrick

PAMELA M. WATSON

vs.

BLAINE WATSON

COMPLAINT FOR CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER:
AND NOW, this 25th day of aug. 1989, BRUCE SMITH is hereby appointed custody mediator and is hereby directed to hold such custody mediation conferences as he deems appropriate and to make recommendations thereafter to this court.
The children shall remain inthe primary physical custody of the mother plaintiff herein Pamela M. Watson until further order of court. Robert L. Walker, J.

Filed Aug. 25, 1989
@ 10:53 a.m.

Tax & entry Paid $50.50
Bruce Smith, Mediator 144.70
Pro Co Pd 10/25/89 9.00
Bruce Smith, Mediator 196.34
Pro Co Pd 5-27-93 Ch#7580 9.00

Aug. 25, 1989, ORDER filed. AND NOW, Aug. 25, 1989, cross-petitions having been filed inthe above cases for appointment of custody mediator and for temporary custody ofthe children pending a mediation conference, a mediator has this day been appointed and a hearing will be held on Aug. 29, 1989 at 9:00 a.m. in C. R. No. 2, Courthouse, Meadville, Pa. to determine the temporary issue.
The parties are cautioned that there will only be approximately one-half hour available for that hearing and evidence shallbe strictly limited to the issue of temporary custody.
BY ORDER OF THE COURT,
Robert L. Walker, J.

Aug. 25, 1989, copies given to attys. Kirkpatrick, Fabian and Bruce Smith.

Aug. 28, 1989, Appearance and Acceptance of service of Complaint in Custody filed. AND NOW, this 25 day of Aug. 1989, I Mary Ann Kirkpatrick, hereby appear in the above matter on behalf of defendant and accept service of a true and correct copy ofthe complaint in custody on behalf of the defendant, and I certify that I am authorized to do so. MARY ANN KIRKPATRICK ESQ.

Aug. 29, 1989 Order filed. AND NOW, August 29, 1989, after an informal hearing to determine a temporary arrangement for the custody and visitation of the children involved in this proceeding pending Mediation Conference and the outcome thereof, Lindsey Marie Watson and Dennis Michael Watson are placed in the temporary custody of Pamela M. Watson with visitations for Blaine Randall Watson as follows:
1. He shall have the right to take the children each weekend from 6:00 o'clock p.m. on Friday until 6:00 o'clock p.m.on Sunday. He shall also have the right to take the children from 6:00 o'clock p.m. Tuesday evening to 9:00 o'clock a.m., Wednesday morning. transportation shall be furnished by the parent who is receiving the child.
2. Nothing contained herein should be taken by the Custody M ediator as indicating any permanent opinion by the Court as to any result of Mediation, it simply being the position of this Court that except inthe most serious emergencies, the Court should not substantially alter the status quo pending the MediationConference. This Order as entered will divide the time as nearly equally as is practicable between the parties.
BY ORDER OF THE COURT,
Robert L. Walker, J

Aug. 30, 1989 Copy put in Mary Ann Kirkpatrick's box and copies mailed to Ann Gamble and Bruce Smith

Oct 17, 1989 Temporary Order of Court filed: AND NOW, this 16th day of October, 1989, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:
1. The natural parents of Lindsey Marie Watson, age five, and Dennis Michael Watson, age two, 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 elective surgery.
2. Physical custody of the children shall be shared. The children shall be in the mother's custody and control from Sunday at 8:00 p.m., prevailing time, through Thursday at 5:00 p.m., prevailing time, at all times. In addition, the children shall be in the mother's home the entire week, including the weekend, on the third full week of each month. During that week, the father shall have the right to have the children in his custody from 5:00 p.m., prevailing time, to 7:30 p.m., prevailing time, on Wednesday of that week for the purpose of visitation and a meal. The father shall have the children in his custody and control on the first, second and fourth Thursdays of each month from 5:00 p.m., prevailing time, until 8:00 p.m., on Sunday of those weeks. In each summer, beginning in 1990, the children shall be with the father beginning three days after the end of the school year until three days before the beginning of the school year, at which time they leave from and be returned to the mother's home. In addition, the mother may have the children in her custody of one uninterrupted week in each of the months of June, July and August upon a written notice of thirty days to the father regarding the chosen weeks.
Holiday custody shall take priority over other scheduled custody. The parents are encouraged to agree as to holiday custody; however, in the event that they cannot, the children shall spend from 1:00 p.m. prevailing time, Thanksgiving Day, to 6:00 p.m., prevailing time, on Friday each Thanksgiving with the father and the rest of Thanksgiving vacation with the mother. During the Christmas vacation, the children shall be with the father from noon, prevailing time, on December 25 until 6:00 p.m., prevailing time, December 28 each year. They shall spend the rest of their Christmas holdiay with the mother. Beginning in 1990, the mother shall have the children on Easter 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 between the parents in odd-numbered years. The children shall spend from 5:00 p.m., prevailing time, to 7:30 p.m., prevailing time, on their birthday with the father.
The parent receiving the children from the other parent shall pick up the children at the other parent's residence. If either parent is working at a designated pick-up time or drop-off time, another person authorized by the parent may pick up or drop off the children as long as that person has a valid Pennsylvania Driver's license. Anytime a parent is one hour or more late for a scheduled transfer of custody without having first notified the other parent of the reason therefor, the transfer and change of custody shall be considered waived until the next scheduled transfer of custody.
The court is aware that the child, Lindsey, attends afternoon kindergarten and will presumably attend first grade in the academic year 1990-1991. The Court is further aware that the parents do not reside in the same school district. On those Fridays when the child is scheduled to attend kindergarten and the father has the child in his custody, he shall make satisfactory arrangements for the child to be dropped off and picked up from kindergarten or shall leave the child in the mother's home until 5:00 p.m., prevailing time. When the child attends first grade,

10/25/89 Recd. $86.82 from Plaintiff
Recd 11-2-89 $86.82 Vivian Stoltz

12/27/89 Recd. $57.88 from Defendant
Recd 12-29-89 $57.88 Vivian Stoltz

5/1/91 Recd $111.16 from Plaintiff
Recd May 1, 1991 $111.16 Vivian Stoltz

5-20-93 Pd CC Com. mediation fees 89.17 Ch# 7559
5-28-93 Received from dft med fee 89.17
6-28-93 Pd CC Com Ch# 7634 Med fee 89.17

Continued on page 609

See Vol. 3

# 1989

| | | |
|---|---|---|
| Jorden and White<br>William T. JOrden<br><br>748. | McMANUS ENGINEERING COMPANY<br><br>vs.<br><br>LORD, DAY & LORD<br><br>Filed Aug. 25, 1989<br>@ 11:08 a.m.<br><br>Tax & entry Paid $50.50 ✓<br>Pro Co Pd 9/28/89 6.00 ✓ | COMPLAINT<br><br>1 copy (atty)<br><br>Sept. 27, 1989, Upon praecipe of plaintiff attorney, for value received and upon payment of costs, the above captioned case is hereby marked settled and discontinued of record. |

# 1989

Knox McLaughlin Gornall & Sennett, P.C.
Patricia K. Smith

749.

GENERAL MOTORS ACCEPTANCE CORPORATION

vs.

DONALD C. VARNER

Filed Aug. 25, 1989
@ 11:19 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Pro Co Pd 5/24/90 | 9.00 |
| Sheriff's costs | 37.60 |
| Pro Co pd 6/13/90 | 10.00 |
| Exemplification of record | |
| Pro Co. pd 1/7/94 | 5.00 |

COMPLAINT

1 copy (atty)

Sept. 25, 1989 Sheriff's Return filed. Before me, the undersigned authority, personally appeared Douglas R. Long, Deputy Sheriff who being duly sworn according to law, deposes and says that on the 18th day of Sept., 1989, at 10:58 A.M., he served Complaint at No. AD 1989-749, Crawford Co. PA., upon defendant Donald C. Varner at Varner Garage, Route 19, Sheakleyville PA. By making known the contents thereof to Donald C. Varner personally and handing to and leaving with him the certified copy of the complaint received from Sheriff of Crawford Co.

Dougals R. Long, Deputy Sheriff
William H. Romine, Jr. Sheriff
Mercer Co. PA.

** (SEE BELOW)

And Now, May 24, 1990, at 1:27 p.m., upon praecipe of plaintiff attorneys, with default notice,certificate of service, affidavit of military service, and addresses, attached, Judgment is hereby entered in favor of plaintiff and against the defendant for failure to answer, damages assessed in the amount of Thirteen Thousand Six Hundred Seven and 40/100 Dollars, plus int. of $1,880.67.
Judgment entered - 5/24/90
V - 44

Debt ---$13,607.40
Int.--$1,880.67
JUDGMENT
James F. Simmons,
Prothonotary

May 30, 1990, Notice of entry of judgment mailed to defendant.

** (FROM ABOVE) - SERVED Donald C. Varner by deputizing Sheriff of Mercer County as per his Affidavit of Service attached. Served: September 18, 1989
So answers,

Howard N. Stewart, Sheriff

Jan. 7, 1994 This Judgment marked satisfied of record.

Culbertson, Weiss,
Schetroma & Schug
Mary Ann Kirkpatrick

750.

BLAINE RANDALL WATSON

vs.

ROSE WAID AND PAMELA M. WATSON

COMPLAINT FOR CUSTODY

1 copy (plff. atty)
1 copy (dft. atty)
1 copy (mediator)

ORDER:
AND NOW, Aug. 25, 1989, plaintiff's request for Custody is referred to BRUCE SMITH, CHILD CUSTODY MEDIATOR..

By the court,
Robert L. Walker, J.

4/12/91 Recd $111.16
From Plaintiff
Recd May 1, 1991
$111.16
Vivian Stahley

Filed Aug. 25, 1989
@ 11:21 a.m.

Tax & entry paid $50.50 /

Aug. 25, 1989, ORDER filed. AND NOW Aug. 25, 1989, cross-petitions having been filed inthe above cases for the appointment of a custody mediator and for temporary custody of the children pending a mediation conference, a mediation has this day been appointed and a hearing will be held on Aug. 29, 1989 at 9:00 a.m. in C. r. No. 2, Courthouse, Meadville, Pa. to determine the temporary custody issue.
the parties are cautioned that there will only be approximately one-half hour available for that hearing and evidence shall be strictly limited to the issue of temporary custody.

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

Aug.25, 1989, copies to Attys. KirkpaTRICK Fabian, and Bruce Smith, esqs

Aug. 29, 1989 Affidavit of Service filed. And Now, August 29th, 1989, comes Mary Ann Kirkpatrick, Esquire, being duly sworn according to law, deposes and sets forth as follows:
1. That she is the Attorney for Blain Randall Watson, Plaintiff in the above captioned matter.
2. That on information furnished to her by the Plaintiff, she caused a certified copy of the Complaint for Custody to be forwarded by Certified Mail No. P 401 441 382, postmakred August 25 1989, to the last known address of the Defendant Rose Waid, R.D.#1, Townville, Pennsylvania 16360.
3. That the defendant, Rose Waid, on August 26, 1989, personally signed the return receipt card w hich was affixed to the Complaint in the above matter and which is attached hereto as Exhibit "A".
4. Service of the Complaint aga inst the defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.

Mary Ann Kirkpatrick

August 29, 1989 ORDER filed. AND NOW, Aug. 29, 1989, after an informal hearing to determine a temporary arrangement for the custody and visitation of the children involved in this proceeding pending Mediation Conference and the outcome thereof, Lindsey Marie Watson and Dennis Michael Watson are placed in the temporary custody of Pamela M. Watson with visitations for Blaine Randall Watson as follows:
1. He shall have the right to take the children each weekend from 6:00 o'clock p.m. on Friday until 6:00 o'clock p.m. on Sunday. He shall also have the right to take the children from 6:00 o'clock p.m. Tuesday evening to 9:00 o'clock a.m., Wednesday morning. Transportation shall be furnished by the parent who is receiving the child.
2. Nothing contained herein should be taken by the Custody Mediator as indicating any permanent opinion by the Court as to any result of Mediation, it simply being the position of this Court that except in the most serious emergencies, the Court should not substantially alter the status quo pending the Mediation Conference. This Order as entered will divide the time as nearly equally as is practicable between the parties.

By Order Of The Court,
Robert L. Walker, Judge

Aug. 30, 1989 Copy of Order to Attys. Mary Ann Kirkpatrick, Ann Hansen Gamble, Bruce Smith.

Oct 17, 1989 Temporary Order of Court filed. (Order filed at AD 1989-747)

Oct 19, 1989 Copies of order mailed to Attys. Smith and Gamble and plaintiff and defendant and copy put in Atty. Kirkpatrick's box.

Nov. 15, 1989 Motion for Hearing De Nov. and Order filed. AND NOW, this 14th day of November, 1989, hearing is set for the 12th day of December, 1989, at the Crawford County Courthouse, in Courtroom #1 or 2 at Meadville, Pennslvania, to hear the aprties' petitions for custody. Time 9:30 a.m.

Imogene Yetman, C.A.

Nov. 16, 1989 Copies of order mailed to Ann Hansen Gamble and Bruce Smith and copy put in Mary Ann Kirkpatrick's box. (see paper filed at A.D. 1989 - 747 )

Jan. 3, 1990 Stipulation and Order filed. Order: AND NOW, this 3rd day of January 1990 the parties hereto having stipulated and agreed, IT IS HEREBY ORDERED AND DECREED AS FOLLOWS:
1. The order of court entered October 16, 1989, following a custody mediation conference, is hereby modified and amended to provide for an additional period of partial custody to be accorded to the mother ss follows:
(a) In addition to the one uninterrupted week to be accorded to the mother for each of the summer months of June, July, and August, the mother shall also be entitled to take the children into her custody on each Tuesday morning beginning at 9:00 o'clock a.m., and may retain the children until Wednesday at 1:00 o'clock p.m. The mother shall make all arrangements for the transportation of the children for that visit. In the event that the father plans an out of town trip for that week, he shall notify the mother and she shall not have the right to take the children in that event. Likewise, during the mother's one week of physical custody, if she is not going to be away from her home, the father may take the children for a period of midweek partial custody beginning at 1:00 o'clock p.m., on Tuesday and shall return the children at 9:00 o'clock a.m. of the following day.
Further, in the event that the mother fails to notify the father more than thirty (30) days prior to the beginning of each of the said summer months, of the weeks which she elects, the father may notify the mother which of the said weeks are convenient for him for her to have her one week of primary physical custody for each summer month.
2. In all other respects the said order is hereby ratified and affirmed.

Gordon R. Miller, Judge

Jan. 5, 1990 copies of order to Ann Gamble, Bruce Smith and Mary Ann Kirkpatrick

Continued on the next page

Blaine Randall Watson

vs.

Rose Waid and Pamela M. Watson

Record continued from page 200

of record

A.D. 1989 - 750

**********

Jan. 9, 1991 Petition to Modify Custody and Order filed. And Now, January 9, 1991 this matter is referred to Bruce Smith, custody mediator. Both minor children, Lindsey Watson and Dennis Watson, shall be available during mediation.

(See paper filed AD 1989-747)

By the Court,
Gordon R. Miller, J

Jan. 9, 1991 Copies of order mailed to Ann H. Gamble and Bruce Smith and copy put in Mary Ann Kirkpatrick's box.

Jan. 9, 1991 Contempt Petition filed. And Now, January 9, 1991, hearing on Petition for Contempt is scheduled for February 1, 1991, at 11:00 a.m. O'clock in Courtroom number 1 or 2 of the Crawford County Courthouse in Meadville, Pennsylvania. Both children, Lindsey Watson and Dennis Watson shall be available during the hearing.

(See paper filed AD 1989-747)

By the Court:
Gordon R. Miller, J

Jan. 9, 1991 Copies of order mailed to Ann H. Gamble and Bruce Smith and copy put in Mary Ann Kirkpatrick's box.

Jan. 15, 1991 Affidavit OF service filed. And Now, January 11, 1991, comes Lisa M. Sherretts being duly sworn according to law, deposes and sets forth as follows:
1. That she is the legal secretary of Attorney, Mary Ann Kirkpatrick, for Blaine Watson in the above=captioned matter.
2. That on information furnished her by the Mr. Watson, Ms. Kirkpatrick causes a copy of the Contempt Petition to be sent by regular mail to Ann Gamble, Esq. counsel of record for Pamela Watson.
3. Service of the Contempt Petition against Pamela Watson is therefore effected in accordance with Pennsylvania Rules of Civil Procedure. Lisa M. Sherretts

Feb. 1, 1991 ORDER filed. AND NOW, Feb. 1, 1991 at the time scheduled for hearing the parties agreed that no finding shall be made on the contempt allegation and further it is ORDERED:

1. Mother shall pay father the sum of $200 on or before March 5, 1991.
2. Both parties shall follow the Orders of Oct. 16, 1989 and Jan. 3, 1990 exactly; any deviation agreed to by the parties shall be in writing, signed by the parties.

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

Feb. 1, 1991 Copies of Order given to Attys. Kirkpatrick, Ann Gamble by Judge Millers Secretary, Kim.

March 6, 1991 TEMPORARY ORDER OF COURT filed. AND NOW, this 1st day of March, 1991, after additional Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Lindsey Marie Watson, age six, and Dennis Michael Watson, age three, 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 part, 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 elective surgery.

2. Primary physical custody of the children shall be shared. The children shall be in the mother's custody and control from Sunday at 7:00 p.m., prevailing time, through Thursday at 4:00 p.m., prevailing time. In addition the children shall be in the mother's home the entire week, including the weekend, on the third full week of each month. During that week, the father shall have the right to have the children in his custody from 5:00 p.m., prevailing time, through 7:30 p.m., prevailing time, on Wednesday week for the purpose of visitation and a meal. The father shall have the children in his custody and control on the first, second, and fourth Thursdays of each month from 4:00 p.m., prevailing time, through 7:00 p.m., prevailing time, on Sunday. In each summer, beginning in 1991, the children shall be with the father beginning three days after the end of the school year until three days before the beginning of the school year, at which time the children will leave the father's home and return to the mother's home. In addition, the mother may have the children in her custody for one uninterrupted week in each of the months of June, July, and August upon a written notice of thirty days to the father regarding the chosen weeks. Additionally, in the same months of June, July, and August, the mother shall be entitled to take the children into her custody on each Tuesday morning beginning at 9:00 a.m.,prevailing time, through the following day of Wednesday at 1:00 p.m., prevailing time. The mother shall make all arrangements for the transportation of the children for that visit. In the event that the father plans to be on an out-of-town trip for that week, he shall notify the mother, and she shall not have the right to take the children. Likewise, during the mother's one week of physical custody, if she is not going to be away from her home, the father may take the children for a period of mid-week partial custody beginning at 1:00 p.m., prevailing time, on Tuesday through 9:00 a.m., prevailing time, the following day. Further, in the event that the mother fails to notify the father more than thirty days prior to the beginning of each of said summer months of the weeks she elects, the father may notify the mother which of said weeks are convenient for him for her one-week primary physical custody.

a. Holiday custody shall take priority over other scheduled custody. The parents are encouraged to agree to holiday custody,however, in the event that they cannot, the children shall spend from 1:00 p.m., prevailing time, Thanksgiving Day, through 6:00 p.m., prevailing time, on Friday following Thanksgiving Day with the father and the rest of the Thanksgiving vacation with the mother. During the Christmas vacation, the children shall be with the father from noon, prevailing time, Dec. 25, until 6:00 p.m., prevailing time, on Dec. 28 of each year. The children shall spend the rest of the Christmas holiday with the mother. Beginning in 1991, the father shall have the children on Easter and the 4th of July, and the mother 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 between the parents in even-numbered years. The children shall spend from 5:00 p.m.,prevailing time, through 7:30 p.m., prevailing time, on their birthdays with the father.

b. Except as previously provided, the parent receiving the children from the other parent shall pick-up the children at the other parent's residence or at a predesignated baby-sitter's location. If either parent is working at a designated pick-up or drop-off time, another person authorized by the parent may pick-up or drop-off the children as long as that person has a valid Pennsylvania Driver's License. Anytime a parent is one hour or more late for a scheduled transfer of custody without having first notified the other parent or the person having custody of the child of the reason therefor, the transfer and change of custody shall be considered waived until the next scheduled transfer of custody. Lindsey attends first grade in the Cambridge Springs area, and the court is aware that the father does not live in that area. On those Fridays when the

CONTINUED ON PAGE 200 B.....

200
B

# 1989

Blaine Randall Watson

VS.

Rose Waid and Pamela M. Watson

Record Continued from Page 200 A

OF

AD 1989 - 750

**********

child is scheduled to attend first grade and the father has the child in his custody, he shall make satisfactory arrangements for the child to be dropped off and picked up from first grade or shall leave the child in the mother's home until 5:00 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 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 characters or which would be commonly thought of as dangerous to their physical persons. Neither parent shall become intoxicated from the use of alcohol or use of any drugs not prescribed by a physician while the children are in his/her custody.

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 themselves 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. In the event that the children have an opportunity to travel with either parent outside of their home areas, the other parent shall make every effort to accommodate the children's education through travel at all future times.

6. Each of the parents shall teach the children to develop and express that natural love and respect due a parent from his or her children, and neither parent will do or say anything to blacken the character of the other parent in the eyes of the children. These admonitions shall extend to the grandparents of the children, Keith Zilhaver, and anyone spending a great deal of time with the children.

7. This Order shall not prejudice the right of either party to request further Mediation if such Mediation is believed to be in the best interests of the children. Abuse of alcohol or use of non-prescription drugs by either parent would be such a circumstance.

8. The Court of Common Pleas of Crawford County, Pa., shall retain jurisdiction of this matter so long as either parent or any of the children resides in the Court's jurisdiction and for at lease six months from the date of this Temporary Order.

9. The fee for Child Custody Mediation shall be paid 50% by the mother and 50% by the father.

10. This Order shall be a Temporary Order, but shall become a permanent Order unless exceptions are filed by either party within thirty days from the date of this Temporary Order.

By The Court:
Gordon R. Miller, President Judge

March 11, 1991 Copy of Order to Attys. Ann Gamble, Mary Ann Kirkpatrick, Bruce L. Smith.

Mar. 12, 1993 Petition to Modify Custody and Order filed. And, Now, March 11, 1993, this matter is referred to Bruce L. Smith, Esq., for mediation.

By the Court,
Gordon R. Miller, J

1 copy atty.

Mar. 15, 1993 Copy of order to Atty. Smith

Mar. 18, 1993 In Re: Custody of Lindsey Marie Watson, born August 2, 1984, age 8 and Dennis Michael Watson, born May 17, 1987, age 5

Affidavit of Service filed. AND NOW, March 17th, 1993, comes Constance L. Deitman being duly sworn according to law, deposes and sets forth as follows:

1. That she is the legal secretary of Attorney for Blaine R. Watson, Plaintiff in the above-captioned matter.

2. That on information furnished her by the Plaintiff, she caused a copy of the Petition to Modify Custody to be forwarded by 1st class mail on March 4, 1993, to Ann Gamble, Esq., attorney of record for the Defendant.

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

17th day of March 1993.

Constance L. Deitman

Apr. 27, 1993 TEMPORARY ORDER OF COURT filed at A.D. 1989 - 747

# 1989

Watts, Pepicelli, Youngs and Youngs PC
By Christopher J. Youngs

751.

Wasson Egan & Wilson
William H. Burwell

ROLLING FIELDS, INC.

VS.

SANDRA KAY AUSTIN

Filed Aug. 25, 1989
@ 4:16 P.M.

Tax and entry paid $50.50 ✓

COMPLAINT

1 copy ( atty)

Sept 14, 1989 Affidavit of Service filed: Christopher J. Youngs, hereby certifies that he is the Attorney for the Plaintiff Rolling Fields, Inc., in the within Action and that a copy of the Civil Complaint was sent by certified mail, return receipt requested, deliver to addressee only to the Defendant, Sandra Kay Austin, at 5820-53 State Road 61, Mr. Gilead, Ohio, 43338 on August 25, 1989 and was received by the defendant on August 28, 1989. The receipt for certified mail and the return receipt are attached hereto marked Exhibit "A".

Watts, Pepicelli, Youngs & Youngs, PC
Christopher J. Youngs
Attorney for Plaintiff

Oct. 27, 1989. Defendant's Answer to Plaintiff's Complaint filed.

Jan. 30, 1990, Motion for Leave to withdraw, and Order filed. ORDER: AND NOW, for good cause shown, William H. burwell and the law firm of Wasson, Egan and Wilson are granted leave to withdraw as counsel for defendant, sandra Kay Austin and are relieved of any and all further responsibilities as attorneys for the defendant.
Dated: 1-30-90

BY THE COURT,
P. Richard Thomas, J.

Feb. 5, 1990 copies of Order to attys. c. Youngs, and wm. Burwell.

Jan. 30,1990Verification of Sandra Kay Austin filed. (of Answer and New Matter)

Feb. 9, 1990, Plaintiff's Reply to New Matter filed.

Feb. 9, 1990, Certificate of Readiness filed.

ON APRIL 1990 TRIAL LIST

Mar. 29, 1990 Certificate Of Service filed. I, hereby certify that the attached letter was mailed to the Defendant, Sandra Kay Austin, at her last known address listed thereon, on March 29, 1990, by regular, first class U.S. Mail, postage prepaid. I further certify that the purpose for sending the attached notice was to advise the defendant of the Call of the Civil Trial List and of the commencement date of Civil Trials in April, 1990. The Defendant's counsel of record, William Burwell, Esquire, was recently granted leave to withdraw and, to my knowledge, no other counsel has entered his or her Appearance for the Defendant. The statements made herein are made subject to the penalties of 18 Pa. C.S. 4904 relating to unsworn falsification to authorities.

Christopher Youngs

Apr. 6, 1990 Order Setting Nonjury Trial filed. And now, April 4, 1990, the Court having personally contacted Defendant Austin at her address 2820 - 53, State Route 61, Mt. Gilead, Ohio 43338, and having ascertained that her former counsel William H. Burwell has withdrawn his appearance and will not represent the Defendant, and having ascertained that the Defendant wishes to proceed without employing counsel, the Court hereby sets a nonjury trial in this case for May 17, 1990, at 10:00 a.m., in Courtroom 1 or 2.
This Court has contacted counsel for the Plaintiff Rolling Fields, Inc. and they advise the Court they consent to a nonjruy trial.

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

Apr. 6, 1990 copy mailed to Dft. by judges chambers and 4/10/90 copy put in C. Youngs box.

Apr. 17, 1990 Motion To Continue Nonjury Trial and Order filed. AND NOW, upon presentation and consideration of the foregoing Motion, said Nonjury trial is continued to June 5, 1990, at 9:00 o'clock A.M. in Courtroom 1 or 2.
Dated: April 16, 1990

FOR THE COURT,
Imogene Yetman, C.A.

this N.J. Trial held 4/17/90 Copy put in Christopher Youngs and 4/20/90 copy mailed to Defendant.

Oct 10, 1990 Memorandum and Adjudication filed:

DECISION

AND NOW, October 10, 1990, after a nonjury trial before the Court, the Court renders a decision and verdict in favor of the Defendant.

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

Oct 10, 1990 Copies of order mailed to Atty Bruwell and Copy put in Atty. Youngs box.

Oct 10, 1990 Exhibits filed with papers.

# 1989

Donald E. Lewis

James R. Irwin

752.

R. C. Thomas

Mason and Mason
Joan D. Mason

KATHLEEN HOEGERL

VS.

JAMES J. HOEGERL

Filed Aug. 25, 1989
@ 8:53 a.m.

| | |
|---|---|
| Tax and entry paid | $50.50 |
| One Count paid | 15.00 |
| John Fuller, Mediator Mediation Costs | 140.00 |
| Pro & Pd 2/5/90 | 9.00 |
| Pro Co pd 2/8/90 | 9.00 |
| State pd 2/8/90 | 10.00 |
| John Fuller, Mediator | 150.00 |
| Pro & Pd 7/19/91 | 9.00 |

12/19/89 Recd $20.00 From Defendant

1/22/90 Recd $50.00 from dft.

Recd 12-29-89
$20.00
Vivian Stoltz

Recd 2-1-90
$50.00
Vivian Stoltz

2/5/90 Recd $30.00 From Plaintiff

Recd 3-1-90
$70.00
Vivian Stoltz

7/19/91 Recd $75.00 From Defendant

Aug 1, 1991 paid Co. Comm.
$75.00

COMPLAINT IN DIVORCE AND CUSTODY

1 COPY (atty)

Sept 25, 1989 AND NOW, September 25, 1989, JOHN FULLER, ESQUIRE, is appointed as Custody Mediator in the above captioned case.

Robert L. Walker, J.

Oct. 9, 1989 Affidavit filed. I, DONALD E. LEWIS, being duly sworn according to law, depose and say that I am the attorney of record for Kathleen Hoegerl, and that as such I am authorized to execute this Affidavit; that I did on the 5th day of Sept., 1989 send by Certified Mail, Addressee ONly, Return Receipt Requested a true and correct copy of the Notice to Defend and Claim Rights and the Complaint in Divorce to Defendant, James J. Hoegerl, at his last known address of 776 N. Main Street, Meadville, Pennsylvania 16335, as evidenced by the attached sender's receipt No. P 063 588 750, and that on the 11th day of September, 1989, I did receive the duly executed return receipt dated the 8th day of September, 1989.

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

26 Sept 89 Don Lewis

Nov. 16, 1989 Order filed. AND NOW, November 14, 1989, after mediation conference before John Fuller, Esquire, IT IS HEREBY ORDERED AND DECREED AS FOLLOWS:

I. Legal custody of Frederick Joseph Hoegerl shall be shared between the mother, Kathleen Hoegerl, and the father, James J. Hoegerl, that is each par ent shall be entitled full access to school records, medical records and other important records and each parent shall be entitled to take part fully in important decisions affecting the child, such as medical treatment, relgious instruction, education and other such important decisions.

II. Physical custody of Frederick Joseph Hoegerl shall be with his mother, Kathleen Hoegerl, subject to the following conditions:

A. The father shall be able to visit and take the child into his custody every other weekend beginning Saturday, November 18, 1989, from 9:00 a.m. Saturday morning until 7:30 p.m. Sunday event. Such weekend visits shall be conducted in the home of the paternal grandfather, fred Hoegerl and in fred Hoegerl's presence.

B. During such weekend visits the father, James J. Hoegerl, shall not consume drugs or ahcohol.

C. Transportation of the child on weekend visits to and from the home of the paternal grandfather shall be the responsibility of the mother, Kathleen Hoegerl.

D. Holidays shall be defined as Christmas, Thanksgiving, Easter and the child's birthday. The four above holidays shall be divided with the child being in the home of the mother on each of said holidays in the morning and until 1:00 p.m. in the afternoon and in the home of the paternal grandfather, Fred Hoegerl, from 1:00 p.m. until 6:00 p.m. The mother shall provide transportation on the holiday visits.

E. Neither mother not 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 onthe 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 thirty (30) days of the date hereof.

IV. Cost of the mediation conference shall be equally divided between the parties.

P. Richard Thomas, J

Nov. 17, 1989 Copies of order put in Donald Lewis, R. Charles Thomas and John Fuller's box and copies mailed to plaintiff and defendant.

Jan. 26, 1990 Affidavit of Consent of Defendant filed.

Feb. 5, 1990 Affidavit Of Consent of Plaintiff filed.

Feb. 5, 1990 Upon praecipe of Plaintiff Attorney To Transmit REcord, this case moved to Court.

Mar. 5, 1990 **DIVORCE DECREE FILED.**

AND NOW, March 5, 1990, it is ordered and decreed that Kathleen Hoegerl, plaintiff, and James J. Hoegerl, defendnat, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J

Aug. 13, 1990 Petition For Modification Of Custody and Order filed. AND NOW, this 13th day of August, 1990 the above captioned Petition For Modification of Custody is her eby referred to Custody Mediator John Fuller for mediaton.

1 copy mediator; 2 copies atty

Per Curiam,
Gordon R. Miller, J

Sept 6, 1990, Affidavit of Service filed. I, Joan D. Mason, attorney for the defendant in above case, and being sworn according to law, depose and say that I did on Aug. 16, 1990 at 1:40 p.m. serve on the above plaintiff by personally handing her a cert. copy of a petition for modification of custody action, at the Domestic Relations Office of Crawford County, Pa. 898 Park Ave., Meadville 16335. Joan D. Mason, Esq.

June 18, 1991 Order filed: AND NOW, June 17, 1991, after mediation before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS:

I. Legal custody of Frederick Joseph Hoegerl shall be shared between the parents, that is, each parent shall be entitled to take part fully in decisions affecting the child's education, religious instruction and medical treatment and each parent shall be entitled to full access to all school records, medical records, daycare records and important records.

Continued on page 202(a).....

KATHLEEN HOEGERL

VS.

JAMES J. HOEGERL

Record Continued from Page 202

of

AD 1989-752

**********

II. Physical custody of Frederick Joseph Hoegerl shll be with his mother, Kathlenn Hoegerl, subject to the following conditions:

A. The father shall be entitled to visit and take the child into his custody every other weekend, beginning June 1, 1991 from Saturday morning at 10:00 a.m. until Monday at 12:00 noon. the mother shall deliver the child to the home of the father Saturday morning and the father shall return the child to the home of the mother or to a babysitter on Monday. Likewise, the parents shall share transportation responsibilities equally on holidays and other visits with the person surrendering custody providing the transportation.

B. Holidays shall be defined as Thanksgiving, Christmas, the child's birthday, Father's Day and Mother's Day. Such Holiday visitation schedule shall take precedence over the weekend visitation schedule. The child shall be in the home of the father on Father's Day every year from 9:00 a.m. until 8:00 p.m. and in the home of the mother on Mother's Day every year.

C. On the child's birthday, the child shall be in the custody of the father from 9:00 a.m. until 2:30 p.m. and in the custody of the mother from 2:30 p.m. and thereafter fro the remainder of the day.

D. In 1991 and odd years thereafter the child shall be in the custody of the father from Wednesday at 10:00 a.m., the day before Thanksgiving, until Friday at 12:00 Noon, the day of Thanksgiving. In 1992 and even years thereafter, the child shall be in the custody of the father from Friday at 12:00 Noon, the day after Thanksgiving, until Sunday at 8:00 p.m.

E. In 1991 and odd years thereafter the child shall be in the custody of the father on Christmas Eve day from 9:00 a.m. until 9:00 p.m. and in the custody of the mother on Christmas DAy. In 1992 and even years thereafter the child shall be in the custody of the father from 9:00 a.m. until 9:00 p.m. Christmas Day and shall spend Christmas Eve day with the mother. In addition to the above Christmas schedule, the father shall be entitled to have the child in his custody every December for three (3) days, which unless otherwise agreed upon, shall be from 9:00 a.m. December 26th until 9:00 p.m. December 28th.

F. Beginning with the Summer of 1992, the father shall be entitled to have the child in his custody for one (1) week in June, one (1) week in July and one (1) week in August. The father shall provide the mother at least thirty (30) days notice of each of the three one (1) week Summer visits with the exception of June of 1991 for which the father shall provide the mother reasonable notice.

G. The father shall not comsume drugs nor alcohol while the child is in his custody.

H. Neither mother nor father shall say or do anything in an attempt to turn the child against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the child towards both parents.

I. 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.

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

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

IV. Cost of the mediation conference shall be equally divided with the father paying one-half of the cost thereof and the remaining one-half being paid by Crawford County.

P. Richard Thomas, S. Judge

June 20, 1991 Copies of order put in Attys. Lewis, Thomas, Mason, Fuller and Irwin's boxes and copies mailed to Plaintiff and Defendant.

July 12, 1991 Motion to Schedule Hearing DeNovo and Order filed: AND NOW, July 12, 1991 hearing scheduled for August 15, 1991 at 9:30 a.m.

Gordon R. Miller, J.

July 16, 1991 Copies of order put in Attys. Mason, Lewis, Thomas, Fuller and Irwin's boxes.

Aug. 7, 1991 Motion For Continuance and Order filed. AND NOW, this 7 day of August, 1991 upon presentation and consideration of the within Motion this hearing is continued. Hearing to be rescheduled for the 30 day of August, 1991, at 1:00 o'clock p.m.

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

Aug. 12, 1991 Copies of order put in box for Atty.s Irwin and Mason

Sept. 4, 1991 Stipulation and Order filed. AND NOW, Sept., 4, 1991, after mediator before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS:

1. Legal custody of Frederick Joseph Hoegerl shall be shared between the parents, that is, each par ent shall be entitled to take part fully in decisions affecting the child's education, religious instruction and medical treatment and each parent shall be entitled full access to all school records, medical records, daycare records and other important records.

2. physical custody of Frederick Joseph Hoegerl shall be with his mother, Kathleen Hoegerl, subject to the following conditions:

A. The father shall be entitled to visit and take the cihld into his custody every other weekend, beginning June 1, 1991 from Saturday morning at 10:00 a.m. until MOnday at 12:00 ncon. The mother shall deliver the child to the home of the father Saturday monring and the father shall return the child to the home of th emother or to a babysitter on Monday. Likewise, the parents shall share transportation responsibilites equally on holidays an dother visits, with the per son surrendingering custody providing the transportation.

B. Holidays shall be defined as Thanksgiving, Christmas, the child's birthday, Easter, fAther's Day and MOther's Day. Such holiday visitation schedule shall take recedence over the weekend visitation schedule. The child shall be in the home of the father on Father's Day every year from 9:00 a.m. until 8:00 p.m. and in the home of the mother on Mother's Day everyyear.

C. On the child's birthday, the child shall be in the custody of the father from 9:00 a.m. until 2:30 p.m. and in the custody of the mother from 2:30 p.m. and thereafter for the remainder of the day.

D. In 1991 and odd years thereafter the child shall be in the custody of the father from Wednesday at 10:00 a.m., the day before Thanksgiving, until Friday at 12:00 noon, the day after

KATHLEEN HOEGERL

vs.

JAMES H. HOEGERL

Record continued from page 202a

of record

A.D. 1989 - 752

**********

Thangiving, until Sunday at 8:00 p.m.

E. In 1991 and odd years thereafter the child shall be in the custody of the father on Christmas Eve day from 9:00 a.m. until 9:00 p.m. and in the custody of the mother on Christmas Day. In 1992 and even years thereafter the child shall be in the custody of the father from 9:00 a.m. until 9:00 p.m. on Christmas Day and shall spend Christmas Eve day In 1992 and even years thereafter the child shall be in the custody of the father from 9:00 a.m. until 9:00 p.m. on Christmas Day and shall spend Christmas Eve day with the mother. In addition to the above Christmas schedule, the father shall be entitled to have the child in his custody every December for three (3) days, which unless otherwise agreed upon, shall be from 9:00 a.m. December 26th until 9:00 p.m. December 28th.

F. In 1992 and all even number years, the child shall be in the custody of the father from 10:00 a.m. to 8:00 p.m. Easter Sunday, if said weekend is not his regularly shceduled weekend. If said weekend of even numbered years is already scheduled to be his, mother shall have the child Saturday of Easter weekend from 10:00 a.m. to 8:00 p.m. In odd numbered years, the child shall be in father's custody Easter Saturday from 10;00 a.m. to 8:00 p.m., and mother shallhave the child Easte rSunday from 10:00 a.m. to 8:00 p.m., regardless of who is regularly scheduled to have the child for said weekend.

g. beginning with the summer of 1992, the father shall be entitled to have the chil din his custody for one additional seven (7) day period in June, one additional seven (7) day period in July and one additional seven (7) day period in August ( in addition to regularly scheduled visitation). Thef ather shall provide the mother at least thirty (30) days notice of each of the three addditional seven (7) day summer visits.

H. The father shall not consume drugs nor alcohol while the child is in his custody.

I. Neither mother ncr father shall say or do anything in an attempt to turn the child against the other parent, but shall do everything in the power of each to foster a favorable and loving attitude onthe part of the child towards both parents.

J. Neither mother nor father shall expose the child to any personor situation which may be harmful to the child's health or well being.

K. 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.

3. This Order is a temporary Order is a temporary Order but shall become a permanent Order unless exceptions thereto are filed by either par ty within thrity (30) days of the date hereof.

4. Cost of the mediation conference shall be equally divided with the father paying one-half of the cust thereof and the remaining one-half being paid by Crawford County

Gordon R. Miller, J

Sept. 9, 1991 Copies of order put in box for Atty's Mason, Irwin and Fuller

753.

MARY KATE BRUNICK

vs.

WLADYSLAW (VICTOR) MITELMAN

Filed Aug. 28, 1989
@ 9:52 a.m.

| | |
|---|---|
| Tax and entry | $50.50 |
| Sheriffs costs | 23.00 |

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUCE ACT

1 copy (Plaintiff)
3 copies (Sheriff)

Temporary Abuse Order: And Now, this 28th day of August 1989, upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

2. Special Conditions: The defendant shall not go to the plaintiff's residence at 495 North Street, Meadville, Pa. for any reason until further Order of Court.

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

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

5. Service of a copy of the Petition and this Order shall be made upon the DefendaNT BY A SHERIFF, constable, police officer or competent adult.

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

7. The Defendant is reminded that this is an ORDER OF COURT and violation of this ORDER may be punishable by a fine up to $1,000 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 6, 1989, at 9:45 a.m. in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,

Robert L. Walker, J.

Aug. 30, 1989, Sheriffs Return filed. SERVED Wladyslaw (Victor) Milelman personally on Aug. 29, 1989, at 12:10 p.m. by handing copy of Protection From ABuse to him at his place of employment, DIC Tool Company, Poplar Street, Meadville, Crawford County, Pa.
So answers, Howard N. Stewart, Sheriff

Sept. 6, 1989 ORDER filed. AND NOW, Sept. 6, 1989, after hearing in this matter, and it appearing that the Defendant is currently incarcerated in the Crawford County Jail in lieu of bail on other charges pending before District Magistrate William Chisholm, but is not incarcerated in connection with this Order, his release from the County Jail will depend upon his bail status in connection with the other charges. The following Order, however, is entered:

1. The Defendant shall not abuse, assault, harass or threaten the Plaintiff or the minor child of the parties at any time or at any place.

2. The Defendant shall not go to the Plaintiff's residence at 495 North St., Meadville, PA., except as otherwise provided in this Order.

3. The Defendant may go to the premises to obtain temporary custody of the parties' child, Timothy Victor George Mitelman each Sunday from 1:00 o'clock p.m. until 5:00 o'clock p.m, but under no circumstances, shall he exercise such right to visitation at any time when he has used alcohol within a period of at least six (6) hours before the visit.

4. If the Defendant has any personal property at the former residence of the parties, he may obtain the same at the time of his first visit with the child.

5. General custody of the child is awarded to the Plaintiff, May Kate Brunick.

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

7. This Order may be enforced by any police officer or Department having jurisdiction of the premises in accordance with the Protection From Abuse Law.

8. The Defendant shall pay the costs in this proceeding.

By Order Of The Court,
Robert L. Walker, Judge

Sept. 6, 1989 Copy of Order to Plaintiff, Defendant, County Control.

Mahany, Roeder & Smith
By:Tamera Ochs Rothschild

754.

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

JOHN A. SCHWEITZER

vs.

JODI BAKER PETERSON

Filed Aug. 28, 1989
@ 11:33 A.M.

Tax and entry paid $50.50

CUSTODY COMPLAINT

1 copy (atty)

1 copy ( mediator)

Order: You Jodi Baker Peterson, Defendant, have been sued in Court to obtain custody, partial custody, or visitation of the child, Carrie Lynn Schweitzer.

Bruce Smith, Esq. is hereby appointed Custody Mediator in this matter. You are ordered to appear in person before the Custody Mediator at Time & Place, to be fixed.

If you fail to appear as provided by this Order, an order of custody or visitation may be entered against you.

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

Crawford County Bar Assoc. Service to the Public Committee, % Prothonotary, Courthouse, Meadville, Pa. 16335Telephone (814) 724-4636

BY THE COURT:
Robert L. Walker, J.

Sept. 1, 1989 Certificate of Service filed. On August 31, 1989, I mailed a true copy of a Custody Complaint in the above captioned matter by Certified Mail No. P 382 386 016 Return Receipt Requested, Restricted Delivery, postage prepaid, to Jodi Baker Peterson, 526 East Spruce Street, Titusville, Pennsylvania 16354.

I make this statement pursuant to 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities and understand that false statements may subject me to criminal penalties under that statute:

Tamera Ochs Rothschild.

Sept. 6, 1989 Affidavit Of Return Of Service By Mail filed. On August 31, 1989, I mailed a true copy of the Custody Complaint in the above captioned matter by Certified Mail No. P 382 386 016 Restricted Delivery to the Defendant, Jodi Baker Peterson, 526 East Spruce Street, Titusville, PA 16354. Defendant signed a return receipt upon delivery September 1, 1989. The receipt attached hereto and marked as "Exhibit A" was returned by the post office on September 2, 1989.

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.

Sept. 8, 1989 Appearance of Shafer, Swick, Bailey, Irwin & Stack by James R. Irwin for Defendant filed.

Oct. 18, 1989 Petition For Entry Of Agreement and Order filed. AND NOW, October 18, 1989, upon consideration of the foregoing Petition and Agreement for Custody between the parties, it is ORDERED and DECREED that:

1. The parties agree to discuss arrangements for physical custody of their natural born child, Carrie Lynn Schweitzer; and if the parties mutually agree to an alternative arrangement to accommodate themselves andthe child's schedule, they may adjust the physical custody arrangement contained herein by their mutual consent and agreement.

2. The parties shall share legal custody of Carrie Lynn Schweitzer. Shared legal custody shall entitle both of the parents to equal access to any records relating to the child held by a third par ty, including, but not limited to, school and medical records, and shall entitle both partents to equal input with regard to the educational and religious upbringing of the child, as well as elective surgery.

3. Jodi Baker Peterson shall continue to have primary physical custody of the minor child at her place of residence, subject to John A. Schweitzer's shared physical custody rights.

4. John A. Schweitzer shall have physical custody of the minor child according to the following.

A. John A. Schweitzer shall retain custody of Carrie Lynn Schweitzer on four (4) weekends per year. A weekend shall be defined as Saturday, 9:00 a.m. through Sunday, 7:00 p.m., commencing October 1, 1989.

(1) It sahll be the responsibility of the father to pick up and return the child or designate another responsible adult to do so.

(2) Father shall give the mother ten (10) day notice of his intention to exercise his visitation rights.

B. The major holidays are defined as Easter, Memorial Day, Independence Day, Thanksgiving, Christmas, and New Year's Day. The holiday visitation periods shall begin at 3:00 p.m. and end at 9:00 p.m. on the holiday. The father shall have the right to exercise holiday visitation for the above mentioned holidays at the scheduled time upon ten (10) day notice of his intention to exercise the right.

5. The mother agrees that she shall encourage the child to communicate with the father by written correspondence and by telephone. The parties agree to keep each other advised of their telephone number at all times. All arrangements for telephone communication shall be arranged between the father and the child.

6. The party having custody of the child shall notify the other parent as soon as possible in the event of illness or injury requiring medical treatment.

7. Neither party shall take the child into any environment which might be commonly thought of as detrimental to their development or the development of their character, or which would be commonly throught of as dangerous to their physical safety.

8. The parties will teach the child to develop the love and respect due a parent from his or her child, and neither of the parents will do anything to blacken the character of the other parent in the eyes of the child.

BY THE COURT:
Robert L. Walker, J

Oct. 19, 1989 1 copy mailed to Tamera Rothschild and 1 copy put in James Irwin's box.

# 1989

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

755.

MARINE MIDLAND BANK

VS.

CHERYL M. TRACY

Filed Aug. 28, 1989
@ 11:44 a.m.

| | |
|---|---|
| Tax and entry paid | $50.50 |
| Sheriff's Costs | 28.52 |
| Pro Co Pd 9/5/90 | 9.00 |
| SAt pd. 5/8/91 | 5.00 |

COMPLAINT

1 copy ( sheriff)

Sept. 20, 1989 Sheriff's Return filed. SERVED Cheryl M. Tracy personally on September 5, 1989 at 2:20 PM by handing a copy of Complaint to her at residence, R.D.#2, Centerville, Crawford County, PA 16404.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

And Now, Upon STIPULATION of parties, Judgment is hereby entered in favor of the palintiff and against the defendant in the amount of Five Thousand One hundred Eighty ONe and 01/100 Dollars on account No. 832-289549 and an additional amount of Two Thousand Four Hundred Forty Nine and 42/100 Dollars, or a total of Seven Thousand Six Hundred Thirty and 43/100 Dollars plus court costs of record, to be paid out of litigation between herself as plaintiff and Kolcraft Industries, by her attorney.
(see Stipulation filed) Debt - $7,630.43
T - 34 JUDGMENT
Judgment entered James F. Simmons,
on 9/5/90 Prothonotary
Sept 10, 1990 notice of entry of Judg. mailed to dft.

May 6, 1991 Upon praecipe of plaintiff attorney, the above matter is hereby satisfied of record.

Mason and Mason
Joan D. Mason

756.

William J. Garegg

CHERYL D. HOEGERL

vs.

RICHARD J. HOEGERL

Filed Aug. 28, 1989
@11:45 a.m.

| | | |
|---|---|---|
| Tax and entry | 8/29/89 pd | $50.50 ✓ |
| 2 counts | pd | 30.00 ✓ |
| State | Pd 11-16-93 | 10.00 |
| Pro Co | pd 10-4-93 | 9.00 |
| State Pd 4-4-94 | | 10 ✓ |

PETITION FOR SPECIAL RELIEF, TO ENJOIN TRANSFER OF ASSETS

Aug. 28, 1989 Order filed: AND NOW, this 25th day of August, 1989, upon consideration of the attached Petition for Special Relief, to Enjoin Transfer of Assets, hearing is set for the 18th day of Oct., 1989, at 9:30 a.m., courtroom 1 or 2, Crawford County Courthouse, Meadville, Pennsylvania.

Per Curiam,
Robert L. Walker, J.,

Aug. 29, 1989 copies of order to Joan Mason, esq.

Aug. 29, 1989 Complaint and Equitable Distribution; Attorney Fees and Court Costs filed. ( 2 copies atty) (Complaint in Divorce)

Sept. 21, 1989, Affidavit of Service filed. I, Joan D.Mason, esq. atty. for the plaintiff in the above case, and being duly sworn according to law, depose and say that I did on Aug. 30, 1989 mail to the dft. by cert. mail #P 966 073 954, ret. rec. req., deliver to addressee only, a complaint inthe above divorce action, Said notice was received on Sept. 14, 1989 as indicated by the return receipt card which was returned to the office of the plaintiffs attorney and is attached hereto. Joan D.Mason, Esq.

Oct. 13, 1989 Motion to continue hearing and ORDER filed. And now, Oct. 13, 1989, Continued generally.

Robert L. Walker, J.

Oct. 13, 1989 Copy of Order to Atty. Joan Mason.

Feb. 13, 1991, Affidavit of Consent of defendant filed.

Oct. 4, 1993 Affidavit of Consent of Plaintiff, filed.

Oct. 4, 1993 Upon praecipe of defendant's attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

Oct. 8, 1993 STIPULATION and DECREE filed. AND NOW, this 8 day of October, 1993, the court orders and decrees as follows:

1. DIVORCE: Upon consideration of the pleadings and affidavits filed in the above captioned case, this court hereby grants an absolute divorce from the bonds of matrimony to the above-named 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:

A. RESIDENTIAL REAL ESTATE: The parties are owners as tenants by the entireties, of residential real estate located on Townline Road, Linesville, Crawford Co., PA. Said property shall be listed for sale within two years of this date. Defendant is in possession of the premises. The parties shall continue to maintain said property in both names pending sale, with Defendant to pay as his sole obligation, all mortgage payments (interest and principal), repairs and maintenance, taxes, and homeowners insurance, in connection with said property. He shall hold wife harmless in regard to said liabilities pending sale, and shall in exchange therefore, have the right to exclusive use of the property. In addition, Defendant shall pay to the Plaintiff, as property settlement, util the closing takes place relative to said sale of this property, the sum of $75.00 per week, which sum shall be paid to ehr weekly, and which as part of the equitable distribution portion of this order, shall not be taxable to Plaintiff, but instead shall be paid to her by the Defendant without deduction by him from his incoem for tax purposes.

At such time as said real estate sells, the only fees which shall be divided equally between the parties hereto shall be the realtor's commission if any, reasonable and customary attorney fees for sellers, and standard costs of transfer, all of which are different and apart from those costs and expenses and debts set forth in the above paragraph as being Defendant's sole responsibility. The resulting net proceeds of sale shall be divided equally between the Plaintiff and the Defendant.

B. INLET ROAD REAL ESTATE: During the course of the marriage between the parties, and prior to date of final separation, real estate located on Inlet Road, Summerhill Township, Crawford Co., PA., was purchased in Defendant's name alone, from Edward T. Drudy, Jr. (Crawford) Co. Deed Book 10, Page 337) and from Mary Dolores Drudy (Crawford Co. Deed Book 10, Page 332), which property consists of approximately sixteen (16) acres more or less. The parties acknowledge that this is marital property, having been acquired during the course of the marriage, and this court likewise finds that said real estate is marital property.

The Plaintiff relinquishes her right, title and interest in said property, subject to the following rights which she has retained and obligations of the Defendant, which the court hereby orders:

1) Defendant, Richard J. Hoegerl shall immediately draw and execute a will, making Mark Hoegerl, son of the parties, as sole heir to the entire Inlet Raod real estate referred to above, including any timber rights thereon.

2) In reference to timber rights, pertaining to timber located now or later on said property:

a. Richard J. Hoegerl shall not alienate, assign, or sell said timber or rights thereto to any other party, nor shall he remove timber from the property himself. At such time as Defendant, Richard J. Hoegerl may decide to sell all or part of said property, he shall notify the Plaintiff as soon as he so decides, and shall, at least forty-five days in advance of said sale, provide her with a detailed appraisal of the value of all of the timber on said property, signed by the appraiser and shall likewise provide her with the appraiser's address and telephone number. At such time as Plaintiff is provided with said documentation, she shall have thirty days to obtain her own appraisal in regard to the value of said timber, and her appraiser shall be allowed free access to the land for the purpose of appraising said timber. At such time as the sale of the property takes place, if the parties have not previously agreed upon the timber value, the proceeds of the sale shall be escrowed in at least the amount of the higher appraised value, said funds to be deposited in the name of both parties. At such time as the value of the timber is agreed upon by the parties, Plaintiff shall receive 30% of said figure, reduced only by a figure equivalent to 30% of the appraisal fees and of any expense related solely to the valuation of the timber.

In the event that Defendant, Richard J. Hoegerl decides to sell all or part of the timber on said property, but to retain all or part of the real estate, he shall follow the same procedure as set forth in the preceding paragraph, and Plaintiff shall have the saem rights as set forth above in regard to the timber. Likewise, the 30% figure relating to value of timber shall apply, to any sale or sales of land with timber thereon, with said timber located thereon to be appraised forty-five days before the sale takes place. Defendant shall provide Plaintiff with the details

Continued on Page 206(a).....

of the proposed real estate sale, indicating the purchaser, and the purchase price offered for the property.

b. In the event that the Defendant conveys any interest in the property to any other person or entirety or to him elf and another, procedure set forth above shall apply, as if Defendant had decided to sell said property, including notice provisions but not limtied to the notice provisions.

3) In the event that Defendant shall decide to remarry, prior to said marriage he shall enter into a valid and detailed prenuptial contract with hsi intended spouse that shall provide that she makes no claim to said Inlet Road property, nor to the timber nor timber sales proceeds in regard to said property, nor to any increase in the value, nor to the sales proceeds of the land itself. She shall also waive any claim to the estate of the Defendant in regard to said property and its timber value, including increase in value during the intended marriage. The Defendant shall disclose to his intended spouse the full fair market value of said property including the timber rights, by way of a document, a fully signed and notarized, copies of which he shall provide to his intended spouse and simultaneously to the Plaintiff.

3. TANGIBLE PERSONAL PROPERTY: The parties hereto shall each retain those items of personal property such as jewelry, clothing and personal effects, now in his or her possession. Furthermore, the parties shall abide by agreement previously arrived at between them, as to division of furnishings, furniture, and tangible personal property which is or was located within or about the marital home and real estate on Townline Road, Linesville, Pa., during the marriage, and was used in connection therewith.

4. DEBTS AND OBLIGATIONS: Immediately upon execution of the stipulation attached hereto, Defendant shall pay in full the balance owed in interest and principal, on the loan with First National Bank of Mercer Co. (in Hermitage, PA.) which loan was utilized for the finance of a 1986 TransAm automobile, which loan has an approximate current balance of $6,100.00. Upon the payment of said loan in full, as set forth herein, Defendant shall immediately transfer and convey unto the Plaintiff all of his right, title and interest in said 1986 TransAm automobile, and shall deliver said title to her immediately, fully executed by him in her favor, and duly notarized.

No other debts of the parties remain to be divided. Each party shall be responsible for those debts he or she has incurred individually.

5. VEHICLES: As set forth above, Plaintiff shall retain the 1986 TransAm automobile, free and clear of any debt. Defendant shall retain any vehicle titled to him, free and clear of any claim from the Plaintiff.

6. ATTORNEY FEES AND COURT COSTS: Plaintiff hereby waives any rights she may have to contribution from the Defendant, towards her attorney fees and court costs, as was originally requested in Count III of the Divorce Complaint she filed August 29, 1989.

7. PPG EMPLOYEE SAVINGS PLAN : Immediately upon execution of the stipulation attached hereto, Defendant, Richard J. Hoegerl shall pay over to Cheryl D. Hoegerl, the sum of $15,000.00, which sum he is to withdraw from the PPG Employee Savings Plan titled to him, but which is marital proeprty,having been earned during the course of the marriage. He shall be solely responsible to pay any income tax liability, penalty, or any other assessment or payment of any kind required because of said withdrawal, and shall hold Plaintiff harmless regarding teh same, and shall promptly pay any assessed liability, penalty or any other expense, in connection with the withdrawal of said $15,500.00. Said monies shall be delivered to the Plaintiff on or before the morning of March 20, 1990, with same to be delivered directly to the Plaintiff from the Defendant. In consideration therefore, Plaintiff hereby waives any further right or entitlement she may have to the PPG Employee Savings Plan.

8. LIFE INSURANCE: The Defendant, Richard J. Hoegerl shall designate his son, Mark Hoegerl as beneficiary of his current life insurance coverage equivalent in coverage to his base annual salary, and shall continue to name him as beneficiary of a sum equivalent to one times his annual salary as same shall increase from time to time. If he shall increase said coverage beyond one times his annual salary (he can elect presently to have coverage equivalent to four times his annual salary (he can elect presently to have coverage equivalent to four times his annual salary), he need nto designate Mark Hoegerl as beneficiary above the coverage stated herein.

9. PPG DIVIDEND REINVESTMENT AND STOCK PURCHASE PLAN: Plaintiff hereby relinquishes any interest she may have in the Dividend Reinvestment and Stock Purchase Plan, to the extent that the Defendant participates in same. This plan is available to any holder of PPG stock (not limited to employees of PPG industries Inc.) and applies to reinvestment of dividends for the purpose of purchasing additional PPG stock. This provision shall not be deemed to diminish Plaintiff's rights to the sum of $15,500.00 paid from a separate plan, being the PPG Employee's Savings Plan noted above.

10. EXPENSES OF ENFORCEMENT: In the event that violation of this decree occurs, the violating party is to pay the reasonable attorney fees, and court costs and related expenses incurred by the non-violating party, to obtain enforcement of its terms.

11. QUALIFIED DOMESTIC RELATIONS ORDER: The court hereby finds that the PPG Industries Inc. Retirement Income Plan (relataing to salaried production and maintenance employees including the Defendant), is marital property, as to that portion earned between April 13, 1970 and November, 1988 in that Defendant commenced employment with PPG Industries April 13, 1970, and has continued to work for said employer without break in service to date. The parties were married April 27, 1968 and continued to love together, with their date of final separation being Nov., 1988. The court hereby designates benefits under said plan as marital property, subject to equitable distribution under the Pa. Divorce Code and Amendments thereto. It is the intention of this court to hereby establish a Qualified Doemstic Relations Order as provided for by the Retirement Equity Act of 1984, and amendments thereto and any amendments enacted thereafter, such that a division of said benefits shall take place as set forth below, between the Participant (Richard J.Hoegerl) and the alternate Payee (Cheryl D. Hoegerl). Cheryl D. Hoegerl shall qualify as Alternate Payee, by virtue of her marriage to the Participat, and their pending divorce. The Alternate Payee shall be entitled to a share of the Participant's retirement and pension benefits in The PPG Industries Inc. Retirement Income Plan (and any subsequent or substitute plan or plans as may apply to the Participant at the time of his retirement or death,that may replace or supersede said named plan), in relation to those benefits which he acquired in whole or in part during the term of the marriage between the Participant and the Alternate Payee, and any post-separation additions to and increase in value thereon.

Richard J. Hoegerl's address is P.O. Box 581, Townline Rd., Linesville, PA 16424; his birth date is March 31, 1947; and his social security number is 193-36-6087.

Cheryl D. Hoegerl's address is P.O. Box 5141, Lakeland Rd., Conneaut Lake, PA 16316; her birth date is May 9, 1947; and her social security number if 197-38-2462.

It is the intention of the court to award to Cheryl D. Hoegerl as Alternte Payee, the benefit of any and all options, amendments and plans, whether now in effect or to come into being and become effective at a later date, which might now or in the future be available to participants in the above-mentioned plan (or successor plans as more fully elaborated above). It is further the intention of the court that no option or action of teh Participant, Richard J. Hoegerl, including but not limited to subsequent remarriage on his part, shall in any way decrease or subtract from the Alternate Payee her options, or in any way reduce the amoutn of benefits that are to be hers under this order. Any subsequent Domestic Relations Order relating to any spouse other than Cheryl D. Hoegerl, that affects Cheryl D. Hoegerl's benefits and options hereunder, shall not be accepted by the pension plan administrator or plan administrators.

As to the benefits of said plan, including subsequent or successor plans as more fully elaborated above) same shall be divided so that the Alternate Payee, Cheryl D. Hoegerl shall receive a sum calculated as follows, which fraction shall apply to the figure the Participant would receive had he elected to retire at the time of the Alternate Payee's election to commence receiving her share of said benefits:

$$\frac{\text{Years, Months and Days between 4/13/70 and 11/30/88}}{\text{Years, Months and Days between 4/13/70 and date of retirement/date of Alternate Payee's elction to receive benefits}} \times 50\%$$

This fraction shall apply to the periodic benefit or benefits of said plan or plans, including all increases thereon and additions thereto from any source, including but not limited to the Paraticipant's employment beyond Nov. 1988, up to the date of election, and any increases allowable thereafter. The figure to which said fraction applies shall be that figure to which the Participant is entitled on his normal retirement date, or at such time as the Alternate Payee shall elect to begin receiving benefits (whether or not the Participant has elected the same retirement date, which under the present plan may be as early as ten years prior to the Participant's normal retirement age), and perhaps as late as his actual retirement date. Said fraction shall apply to the gross payable figure the Participant would have received himself alone, unreduced by any deduction for Participant's income tax withholding or any other deduction other than the required joint and survivor premium, which premium shall be deductible before calculating the Alternate Payee's fractional share.

RECORD CONTINUED ON PAGE 206(b).....

206
B

# 1989

CHERYL D. HOEGERL

VS.

RICHARD J. HOEGERL

RECORD CONTINUED FROM PAGE 206(a)

OF

AD 1989 - 756

**********

The Participant (Defendant, Richard J. Hoegerl) shall provide Cheryl D. Hoegerl as Alternate Payee with a copy of each statement (periodic or otherwise), and with a copy of any information received by him, from the plan administrator or the employer, relative to pension benefits, and any options or information whatsoever, related thereto, and shall provide her with said copy within ten days of the date he receives the same.

Alternate Payee's rights to receive benefits under this plan shall not be adversely affected by remarriage, in the event that she should remarry, as division of these benefits is pursuant to the equitable distribution provisions of the PA. Divorce Code.

The Participant shall elect the maximum Retired Employees' Pension Surviving Spouse Benefit, naming the Alternate Payee, Cheryl D. Hoegerl as sole beneficiary of said benefit. In the event that said benefit, which is in the nature of a joint and survivor annuity, is 100%, same shall be elected solely in the said Alternate Payee's favor on an irrevocable basis, except that in the event of her death prior to the death of the Participant, no such election shall be required. The term of said payments shall be for the life of the Alternate Payee with payments to commence at the retirement date chosen by the Alternate Payee, but in no event earlier than the earliest retirement date allowable under the plan or plans.

In the event that the Paraticipant shall die before arriving at any status in regard to said retirement benefits, the entire preretirement death benefit, however it shall be termed by the plan, shall belong to the Alternate Payee, Cheryl D. Hoegerl. The Participant, Richard J. Hoegerl shall immediately, within ten days of the date of his signing the stipulation to the decree attached hereto, so designate Cheryl D. Hoegerl on the appropriate forms, and shall provide a true and correct and fully executed copy of same, to her as Alternate Payee, immediately upon execution of the same. Said designation shall remain irrevocable, so long as Cheryl D. Hoegerl lives.

Participant shall nto withdraw or diminish said benefits without the prior written consent of the Alternate Payee, and at such time as said withdrawal payment is made, he shall provide her with a sum equivalent to the withdrawal amount times the fraction set forth above, utilizing the same numerator, but utilizing instead a denominator of "Years, months and days from 4/13/70 to date of withdrawal". Said withdrawn figure or benefit, shall be unreduced by any penalty, or any deduction that would inure to his benefit alone (such as income tax withholding).

Rights that belong to the Alternate Payee shall include but not be limited to the right to designate a beneficiary of retirement benefits if same shall be or become available to her, and the right to elect from the existing etirement dates and payment options. In no event, however, shall the Alternate Payee have greater rights than those which are to become available under the plan or plans, to the Participant and/or to Alternate Payees. The Alternate Payee is not entitled to any benefit not otherwise provided (or to be provided in the future) under the plan or plans.

The Participant shall not exercise any right he may otherwise have to make direct investments of assets in the plan or plans or retirement benefits, whether now or hereafter authorized by the plan or plans. He shall not elect subsidized early retirement without written approval of the Alternate Payee, if same shall now or later become available to him, nor shall he borrow from or against the plan or withdraw any amounts from the plan, nor elect hardship distribution, without Alternate Payee's written approval, if same would affect the nature or value of her benefits in any way. Likewise, he shall not in any way elect to terminate or reduce, or transfer said pension or retirement rights, to the detriment of the Alternate Payee. The Alternate Payee shall receive the benefit of any increases in the retirement plan (however technically or formally termed) or substitute plan or plans, or retirement benefits, including the Participant's contributions and the employer's contributions, and interest and any other sort of increase in value generated, up until the time of her election, and thereafter if allowable to her.

Total disability payments if paid because of Participant's paraticipation in the retirement plan or plans, or premature distribution to the Participant from said retirement plan or plans, shall be treated the same as payments from the retirement plan or plans, as set forth above, with the applicable fraction noted above (utilizing date of payment in the denominator rather than date of retirement or date of Alternate Payee's election) to be paid to the Alternate Payee, if and only if said payments are paid partially or totally in lieu of retirement benefits.

The Alternate Payee shall have full access to any information from the employer and pension plan administrator or administrators, and any other holder of said information, the same as Participant himself would have, for so long as she is alive. This information shall include all information, whether written or verbal, relating to the plan, any amendments or options in connection therewith, and shall be made available to the Alternate Payee the same as if the Paraticipant had so requested the information. If the Participant must sign authorization for release of said information, he shall do so promptly when so requested by the Alternate Payee.

The parties shall promptly notify the plan administrator of any change in address other than as set forth in this order.

The parties shall promptly submit this order (decree) to the plan administrator and/or legal department of PPG Industries Inc., for determination of its status as a Qualified Domestic Relations Order, and the Participant shall cooperate fully in the implementation of this order. In the event that violation of this order occurs, the violating party is to pay the reasonable attorney fees, and court costs and related expenses incurred by the non-violating party, to obtain enforcement of its terms.

It is the intent of this court that receipt of monies that shall be subject to income tax, shall be taxable to the recipient, and that direct payment be made to the Alternate Payee by the plan administrator or payment agency, in regard to any benefits due her under this order, separate and apart from payment to the Participant.

It is intended that this order shall qualify as a Qualified Domestic Relations Order under the Retirement Equity Act of 1984. The court retains jurisdiction to amend this order as may be necessary to establish or maintain its status as a Qualified Domestic Relations Order under said Act, and to clarify the intent of the court or the effect of the agreement, as may be necessary and equitable.

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

July 14, 1995 Petition For Contempt and For Imposition of Sanctions and Order, filed. AND NOW, this 12th day of July, 1995, upon presentation and consideration of the within Petition, a Rule is hereby granted upon the Defendant to show cause, if any he has, why he should not be adjudicated in contempt and why the relief requested in the aforesaid Petition should not be granted.

Returnable for hearign on teh 20th day of July, 1995 at 10:30 o'clock A.M. in Court Room No 1 or 2 of the Crawford County Court House, Meadville, Pennsylvania.

A copy of this Petition and Order to be served upon the Defendant by Certified Mail and Regular Mail and upon counsel for the Defendant, William Gregg, Esquire, by Regular Mail.

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

July 14, 1995 copies dist Thomas & Gregg

Jul. 20, 1995 ORDER filed. AND NOW,July 20, 1995, this matter is before the Court on a Petition for contempt and for Imposition of Sanctions filed by the plaintiff. Essentially,the parties entered into a stipulation resulting in a Divorce Decree of October 8, 1995. As a result of that Decree, the defendant was to perform certain items which he has not performed. Specifically,he has failed to list the marital home for sale. He has failed to draw and execute a will naming Mark Hoegerl sole heir of real estate known as the Inlet Road real estate and he has failed to execute a pre-nuptial agreement and apparently is scheduled to be married on July 22, 1995.

We also note that a final qualified Domestic Relations Order has not been finalized,but that may be due to the fact that when submitted, was not accepted by PPG and not specifically necessarily due to the defendant's behavior.

As a result of the fact that the defendant is scheduled to be married on July 22, 1995, this Petition was presented by counsel for the plaintiff and an Order was entered on July 12, 1995, scheduling the hearing in this matter this date. That Order required the plaintiff to serve the defendant by Certified Mail and by regular mail and to serve his counsel of record by regular mail.

The attorney for the plaintiff represents that all of that was done and that he has had a conversation with Attorney Wiulliam Gregg, attorney of record for the defendant, in which Mr. Gregg indicated that the defendant has contacted him, is apparently aware of this hearing, but that Mr. Gregg no longer represents the defendant.

Counsel for the plaintiff represents that the regular mail sent to the defendant has not been returned, but a Certified Mail Return Receipt Card has likewise not been returned to him.

Under these circumstances,it appears that the defendant was aware of the hearing, and while we may normally postpone this hearing to require the plaintiff to personally serve the defendant to make sure that he was aware that his appearance was required, under these circumstances, that does not appear feasible. Essentially, new complications would arise or could arise if the defendant did not do some of the required actions prior to his remarriage on July 22, 1995.

It appears clearly that by not doing these actions, the defendnat is in contempt of this Court, and accordingly,he is so adjudicated and he may not remarry on July 22, 1995, or at any other time, without further Order of Court unless, in the alternative, he has complied with the requirements of the Divorce Decree of October 8, 1993.

CONTINUED TO PAGE 206 C

Cheryl D.Hoegerl
vs
Richard J.Hoegerl

Continued from Page 206 B
of Record
AD 1989 - 756

In the event the defedant wishes to be heard in this matter, he may petition the Court for a hearing pursuant to the Local Rules of Court.

We note that apparently a marriage license has been issued in Crawford County for the defendant to be remarried and counsel for the plaintiff shall serve a copy of this Order upon the defendant and upon any party that intends to perform a marriage ceremony with regard to the defendant. Additionally, a copy of this Order shall be lodged with the Clerk of Courts of Crawford County, who issued the marriage license.

Once a copy of this Order is served upon the defendant, if he attempts to get married in violation of this Order,he shall be in contempt of Court.

BY THE COURT,
Anthony J. Vardaro,Judge

7-20-95 4 Cert. copies given Thomas

May 22, 1996 Petition for Hearing by Defendant filed.

July 10, 1996, ORDER filed. AND NOW, July 9, 1996 this matter comes before the court on a petition for Hearing which the dft. essentially asks the court to interpret a portion of the divorce decree entered in this case.

We do not believe that we are in a position to do that, and essentially, we believe that the dft. is asking the court to issue an advisory opinion without there actually being a matter before the court that is properly ripe for our decision.

ACCORDINGLY, we decline to hold a hearing with regard to the Petition filed by the plff. without prejudice to the dft. to bring this issue before the court in any other matter that may be appropriate, whether it be in this action or in another action to be filed in this court.

BY THE COURT,
Anthony J. Vardaro, Judge

7/10/96 faxed to Thomas and Watson.

July 9, 1996, Answer to Petition for Hearing filed.

Dec. 23, 1996 Petition for Contempt and for Imposition of Sanctions and Order filed. AND NOW, this 23 day of December, 1996, upon presentation and consideration of the within Petition For Contempt and For Imposition of Sanctions, a Rule is hereby granted upon the Plaintiff/Respondent to show Cause, if any she has, why she shoulc not be adjudicated in contempt and why the relief requested in the aforesaid Petition should not be granted.

Returnable for hearing on the 31st day of January, 1997 at 1:15 o'clock P.M. in Court Room No. 2 of the Crawford County Court House, Meadville, Pennsylvania.

A copy of this Petition and Order to be swerved upon the Plaintiff/Respondent by Certified Mail and Regular Mail and upon counsel for the Plaintiff/Respondent, R. Charles Thomas, Esq. by Regular Mail.

BY THE COURT,
Anthony J. Vardaro, J.

12-23-96 FAXED Watson & Thomas

Dec. 23, 1996 Petition for Contempt and Imposition of Sanctions by Plaintiff and ORDER filed. AND NOW, this 23rd day of December, 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 he should not be adjudicated in contempt and why the relief requested in the aforesaid petition should not be granted.

Returnable for hearing on the 31st day of January, 1997 at 1:15 o'clock P.M. in Court Room No. 2 of the Crawford County Court House, Meadville, Pennsylvania.

A copy of this Petition and Order shall be served upon the Defendant by Certified Mail and regular mail and upon counsel for Defendant, William J. Gregg, Esquire, and Thomas Dana Watson, Esquire, and further on James H. Cooper and Nancy L. Cooper, his wife, by Certified Mail.

BY THE COURT,
Anthony J. Vardaro, J.

12-23-96 FAXED Thomas & Watson

Feb. 7, 1997 Motion for Continuance and Order filed. AND NOW, this 6th day of February, 1997, upon presentation and consideration of the within Motion, the hearings on these contempt petitions are continued until the 11th day of April, 1997 at 2:15 o'clock P.M. in Courtroom No. 2 of the Crawford County Courthouse, Meadville, Pennsylvania.

FOR THE COURT,
Ann A. Walker, Ct. Admin.

2-7-97 FAXED Thomas & Watson

Apr 29, 1997 MEMORANDUM AND ORDER FILED. ORDER: AND NOW, April 29, 1997 after hearing and argument on each parties petition for contempt and for imposition of sanctions, the plaintiffs petition is dismissed and the defendants petition is granted and the plaintiff is adjudicated in contempt.

The dft. shall issue a new check in the amount of $6,000 for the payment of the plaintiffs timber interest in the Inlet Road real estate within ten (10) days ofthe date of this order and the plff shall cash the check within thirty (30) days fo the date of this order and shall thereafter make no claim against the inlet Road real estate.

If the plaintiff fails to comply with this order to purge herself of contempt, the defendant may bring this matter back before the court for the imposition of sanctions.

by the court,
Anthony J. Vardaro, J.

4/29/97 Dist to thomas and watson.

May 21, 1997 Exhibits filed.

206
D

# 1989

757.

ORDER FOR JURORS FOR TRIALS
COMMENCING OCTOBER 9, 1989

Filed Aug. 28, 1989

ORDER FOR EIGHTY (80) CIVIL COURT JURORS
TO COME AND SERVE FOR TRIAL TERM COMMENCING
OCTOBER 9, 1989 @ 9:00 A.M.

TO THE SHERIFF AND JURY COMMISSIONERS OF CRAWFORD COUNTY:
ORDER: We command you, in your official capacity to draw from the jury wheel in accordance with the law, the names of eighty (80) persons to serve as Jurors in the Court of Common Pleas, to be held at the Court House in Meadville, Pa. commencing October 9, 1989 at 9:00 o'clock a.m.
You the Sheriff, shall make an appropriate return as to how you have executed this order on the day and date aforesaid.
BY ORDER OF, the Hon. P. Richard Thomas, President Judge at Meadville, this twenty-eighth day of August, 1989
James F. Simmons, Prothonotary

Issued (sheriff)

Oct. 26, 1989, Writ returned. I do hereby make return that I have summonded the eighty persons whose named appear on schedule hereto attached to serve as Jurors at a term of Court to be held at Meadville, Pa. COMMENCING Monday, Oct., 9, 1989,
So answers, Howard N. Stewart, Sheriff
The schedule hereto attached is a correct list ofthe above jurors drawn by us.
Nancy L. Hanes
Dorothy H. Kennedy
Jury Commissioners

# 1989

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

758.

Terry Toomey

FNB CONSUMER DISCOUNT COMPANY

vs.

JAMES L. CRAWFORD &
DIANE M. CRAWFORD

Filed Aug. 29, 1989
@ 11:02 a.m.

Tax & entry Paid $50.25
Pro Co pd 11/16/89 5.00

APPEAL OF DEFENDANTS FROM JUDGMENT OF MAGISTERIAL DISTRICT 30- 2- 01

Aug. 29, 1989, Rule Entered upon plaintiff to file complaint issued.

Aug. 30, 1989 Proof of Service filed.

Sept. 13, 1989 Complaint filed.

Oct. 3, 1989 Answer Of Defendant James L. Crawford and New Matter filed.

Oct. 20, 1989 Reply To New Matter of Defendant, James L. Crawford filed.

Nov. 15, 1989 Upon praecipe of Plaintiff Attorney the above-captioned matter is marked settled and discontinued of record.

# 1989

Elderkin, Martin, Kelly, Messina and Zamboldi
James H. RichardsonJr.

759.

TWIN BAKERY SUPPLY

vs.

JOSEPH M. LIMANO, INDIVIDUALLY, AND MEADVILLE ITALIAN BAKERY

Filed Aug. 29, 1989
@ 11:06 a.m.

| | |
|---|---|
| Tax & entry paid | $50.50 ✓ |
| Sheriff's Costs | 26.00 ✓ |
| Pro Co pd 10/6/89 | 9.00 ✓ |

COMPLAINT

2 copies (sheriff)

Sept 14, 1989 Sheriff's Return filed: SERVED Joseph M. Limano, personally, on September 1, 1989 at 10:25 A.M. by handing copy of Complaint and Interrogatories to him at his residence, 179 Walnut Street, Meadville, Crawford Co., Pa. 16335.

SERVED Meadville Italian Bakery on September 1, 1989 10:26 A.M. by handing copy of Complaint and Interrogatories to Jsoeph Limano, owner, at his residence, 179 Walnut Street, Meadville, Crawford Co., Pa 16335. The Meadville Italian Bakery is out of business.

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

And Now, Oct. 6, 1989 at 11:14 a.m., upon praecipe of plaintiff's attorney, with Notice of Intention to File Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendants for failure to file an answer and the damages are assessed at the sum of Twenty-one Thousand Nine Hundred Sixty-eight and 04/100 plus interest and cost of suit.

L-92; M-181
judgment entered 10/6/89
Notice mailed to defendant
Oct. 10, 1989

Debt $21,968.04
Judgment
James F. Simmons
Prothonotary

# 1989

C. Barton Jones

760.

JAMES A. KENNEDY

vs.

CHERLYNN A. KENNEDY

Filed Aug. 29, 1989
@ 1:39 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| 1 count paid | 15.00 |
| Pro Co pd 12/5/89 | 5.00 |

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

Dec. 4, 1989 Upon praecipe of Plaintiff Attorney Count Number Two (2) of the Divorce Complaint ishereby marked discontinued.

DEc 27, 1989 Affidavit of Consent of Plaintiff filed.

**Jan. 3, 1990 Affidavit of Consent of Plaintiff filed.**

Feb. 17, 1998 Important Notice and Court Order filed. Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 1/3/90 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

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

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

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

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

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

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

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

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

# 1989

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

761.

SPAULDING'S, INC.

vs.

MARYANN LAKE, INDIVIDUALLY
AND DOING BUSINESS AS
DEERHEAD INN

Filed Aug. 29, 1989
@ 4:24 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 ✓ |
| Sheriff's Costs | 26.00 |
| Pro Co Pd 2/21/90 | 9.00 ✓ |
| Pro Co pd 3/9/90 | 5.00 ✓ |

COMPLAINT .

2 copies (sheriff)

Sept 14, 1989 Sheriff's Return filed: SERVED Maryann Lake personally on September 1, 1989 at 10:33 A.M. by handing copy of Complaint to her at her place of business, Deerhead Inn, 412 North Street, Meadville, Crawford Co., Pa.

SERVED Maryann Lake, doing business as Deerhead Inn, on September 1, 1989 at 11:34 A.M. by handing a copy of the Complaint to her at Deerhead Inn, 412 North Street, Meadville, Crawford Co., Pa.

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

And Now, Feb. 21, 1990, at 2:44 p.m., upon praecipe of plaintiff attorney, with default notice and service attached, Judgment is hereby entered in favor of the plaintiff and against the defendants for want of an answer; damages assessed in the amount of Seven Hundred Nineteen and 41/100 Dollars, plus legal interest form April 18, 1989 and cost of suit.

Judgment entered - 2/21/90
L - 116
D - 184

Debt ---$719.41
INt. from 4/18/89

JUDGMENT
James F. Simmons,
Prothonotary

Feb. 26, 1990, notice of entry of judgment mailed to each defendant

EX/1990-16

Mar. 9, 1990 This Judgment Satisfied (All paper filed.)

N/W Legal Services
Gerald Sullivan

762.

Joan D. Mason

DAVID HARRIS

vs.

TAMMY WHEELER

Filed Aug. 30, 1989
@ 9:25 a.m.

Indigent filing
John Fuller, Mediator
Mediation Costs 100.00
John Fuller, Mediator 90.00

COMPLAINT FOR CUSTODY

1 copy (mediator)
4 copies (atty)

Aug. 30, 1989, ORDER OF COURT filed. You, Tammy Wheeler, Defendant, have been sued in court to obtain custody of the minor child, Ivy Nicolle Wheeler.

You are ordered to appear in person at the time and place selected by JOHN FULLER, CUSTODY MEDIATOR.

If you fail to appear as provided by this order, an order for custody, partial cusotdy, or visitation may be entered against you or the court may issue a warrant for your arrest.

The County (Crawford) Sheriff's Department is directed to serve a cert. copy of this complaint and order upon the defendant.

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

Plaintiff is allowed to proceed without payment of court costs reserving the ritht to impose costs, reserving to the court the right to impose costs.

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

Crawford County bar Association Service tothe public Committee, c/o Prothonotary, Courthouse Meadville, Pa. 16335 Telephone: 814 724-4636.

BY THE COURT,
Robert L. Walker, J.

Aug. 30, 1989, Affidavit to Proceed in Forma Pauperis, Praecipe of attorney to Proceed In Forma Pauperis, filed.

Nov. 1, 1989 Proof of Service filed. I hereby certify that a copy of the foregoing Order and Complaint for Custody was served on defendant Tammy Wheeler by certified mail on September 1, 1989 by U.S. Mail, Return Receipt Requested. Gerald Sullivan

Dec. 20, 1989 Order filed. AND NOW, December 20, 1989, after mediation conference before John Fuller, Esquire, and based upon an agreement of the parties, IT IS ORDERED AND DECREED AS FOLLOWS:

I. Legal custody of Ivy Nicolle Wheeler shall be shared between the father, David Harris, and the mother, Tammy Wheeler, that is, each parent shall be entitled full access to school records, medical records and other important records and each parent shall be entitled to take part fully in decisions affecting the child's education, religious instruction, medical treatment and other such important matters.

II. Physical custody Ivy Nicolle Wheeter shall be with her mother, tammy Wheeler, subject to the following conditions:

A. The father shall be entitled to visit the child at the home of the mother on December 17, 1989 from 1:00 p.m. until 4:00 p.m.

B. The father shall be entitled to visit the child at the home of the mother on Saturday, December 23, 1989 from 1:00 p.m. until 4:00 p.m. and on Saturday, December 30, 1989 from 1:00 p.m. until 4:00 p.m.

C. On Saturday, January 6, 1990, Saturday, January 13, 1990 and Saturday, January 20, 1990, the father shall be able to visit and take the child into his custody from 1:00 p.m. until 4:00 p.m. on those three Saturdays.

D. For the following six (6) Saturdays, to-wit: January 27, 1990; February 3, 1990; February 10, 1990; February 17, 1990; February 24, 1990 and March 3, 1990, the father shall be able to visit and take the child into his custody from 10:00 a.m. until 6:00 p.m. on each such Saturday.

E. Beginning March 10, 1990 the father shall be able to visit and take the child into his custody every other weekend from 10:00 a.m. Saturday morning until 6:00 p.m. Sunday evening.

F. Holidays shall be defined as Easter, Thanksgiving and Christmas. Beginning in 1990 the father shall be able to visit and take the child into his custody on each of the said three holidays from 2:00 p.m. until 8:00 p.m.

G. The parties are to provide each other at all times with current addresses and current telephone numbers.

H. The parties are to keep each other informed of any illness or emergency affecting the child.

I. 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.

J. Neither mother nor father shall expose the child to any person or situatuion which may be harmful to the child's health or well being.

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

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

Robert L. Walker, J

Dec. 21, 1989 Copies of order put in Gerald Sullivan, Joan Mason and John Fuller's box.

Dec29, 1989 Order of Court filed: You, Tammy Wheeler, defendant, have been sued in Court to obtain custody of the minor child, Ivy Nicolle Wheeler.

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

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

A copy of this Petition and Order shall be personally served upon the defendant's attorney of record.

Plaintiff is allowed to proceed without payment of Court costs reserving to the Court the right to impose costs.

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

Crawford County Bar Association
Service to the Public Committee
c/o Prothonotary
Crawford County Courthouse
Meadville, Pa 16335
(814) 724-4636

BY THE COURT,
Robert L. Walker, J.

Continued on Page 212a.

Jan 4, 1990 Copies of order put in Attys. Mason, Sullivan and Fuller's boxes.

# 1989

David Harris

vs.

Tammy Wheeler

---

Record Continued from page 212

of

AD 1989 - 762

---

Jan. 30, 1989, Proof of Service filed. I hereby certify that a copy fo the foregoing Order and Complaint for Custody was served on dft. Tammy Sheeler by cert. mail on Jan. 18, 1990 by U. S. Mail, Ret. Rec. req.

A copy of the foregoing was also placed in Atty. Joan Mason's prothonotary's office box on Jan. 11, 1990. Gerald Sullivan Esq.

Feb 26, 1990 Order filed: AND NOW, February 26, 1990 after mediation conference before John Fuller, Esquire, and based upon an agreement of the parties, IT IS ORDERED AND DECREED AS FOLLOWS:

I. Legal custody of Ivy Nicholle Wheeler shall be shared between the father, David Harris and the mother, Tammy Wheeler, that is, each parent shall be entitled full access to medical records, school records and other important records and that each parent shall be entitled to take part fully in decisions affecting the child's education, religious instruction, medical treatment and other such important matters.

II. Physical custody of Ivy Nicholle wheeler shall be with her mother, Tammy Wheeler, subject to the following conditions:

A. The father shall be entitled to visit the child on Saturday, February 24, 1990 and Saturday, March 3, 1990 from 10:00 a.m. to 6:00 p.m. each day.

B. Beginning March 9, 1990, the father shall be able to visit and take the child into his custody every other weekend from 6:00 p.m. on Friday evening until 6:00 p.m. on Sunday evening.

C. Holidays shall be defined as Easter, Thanksgiving and Christmas. The father shall be able to visit and take the child into his custody on each of the said three holidays from 2:00 p.m. until 8:00 p.m.

D. Beginning with the Summer of 1990, the father shall be entitled to have the child in his custody for two (2) nonconsecutive one week periods. The father shall notify the mother at least thirty (30) days in advance of any such extended Summer visit.

E. When the child is in the custody of the father, the father shall buy diapers for the child and otherwise provided for the child.

F. The parties are to provide each other at all times with current addresses and current telephone numbers.

G. The parties are to keep each other informed of any illness or emergency affecting the child.

H. Neither mother nor father shall say or do anything in an attempt to turn the child against the other parent but on the other hand, shall do everyting in the power of each to foster a favorable and loving attitude on the part of the child toward both parents.

I. 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.

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

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

Gordon R. Miller, Judge

Feb 27, 1990 Copies of order put in Attys. Mason and Sullivan's boxes and copy mailed to Tammy Wheeler.

Mar. 7, 1995 Petition For Contempt of Custody Court Order and Order filed. Legal proceedings have been brought against you alleging you have wilfully disobeyed an order of court for vistiation.

If you wish to defend against the claim set frothin 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 withthe court your defenses or objections, you must appear in person in court on April 6, 1995 at 1:30 p.m. in Courtroom 1, 2 or 3 of the Crawford County Courthouse located at Diamond Park, Meadville, Pennsylvania 16335.

IF YOU NO 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.

Crawford County Courthouse
Office of the Court Administrator
Diamond Park
Meadville, Pennsylvania 16335
(814) 333-7498

Date: 3/10/95

By the Court:
Anthony J. Vardaro, J

AND NOW, this 10 day of March, 1995, upon presentation and consideration ofthe Plaintiff's Petition for Contempt of Custody Court Order, a hearing is set for April 6, 1995 at 1:30 p.m. in courtroom 1, 2 or 3. Petitioner shall serve the petition andntoice and order to appear upon the defendant by personal service or regular mail, If service by regular mail is used, the petition must be mailed no later than March 30, 1995. Petitioner shall file an appropriate return or certification of service on ro before the day of the hearing.

By the Court,
Anthony J. Vardaro, J

Mar. 7, 1995 Copies mailed Pltf & Deft.

Apr. 7, 1995 ORDER filed. AND NOW, April 6, 1995 at the time this custody contempt petition is before the Court,the parties advise the Court that through efforts of the Defendant's attorney the matter has been amicably resolved.

The parties shall have shared custody and responsibility of the minor child and primary physical custody shall be with the mother with the following agreed upon for father's visitations:

1. During the school year, the father shall have the right to have the first three weekends for temporary custodyof the child in his home. Weekend hours shall be from 6:00 p.m. Friday until 6:00 p.m. sunday. It shall be the responsibility of the father to pick up and return the child on these visits until such time as the mother procures an operator's license and a vehicle or until such time as the mother arranges for a friend to provide said transport. In which case,it willbe the mother's responsibility to pick up the child at the end of the father's visits for the first three weekends.

2. Regarding the summer custodial period the father shall have the right to have the child in his primary custody from June 15 each year through August 15 each year. During father's custodial summer period, the mother shall be entitled to have the child in her custody on the fourth weekend of June, the first three weekends in July, and the first two weekends in August. For these summer weekend visits with the mother,it shall be the father's responsibility to deliver the child for these visits which the parties agree will be from 6:00 p.m. Friday

Continued to 212 B

212 B

# 1989



to 6:00 p.m. Sunday until suchtime as the mother procures an operator's licens, a car, or arranges for a friend to accomodate her in her in picking up the child at the end of the visit on Sunday evening.

3. In July of 1995,arrangements have been made for the child toattend a four-day camping experience. So the father will surrender the child for this summer camping experience. The father will arrange to deliver the child to the mother,and the mother's responsibility shall be to get the child to camp. And at the end of the camping experience, the mother will return the child to her home,and it shall be the responsiblity of the father to pick the child up at the mother's home for return to his home.

4. For 1995 and thereafter, the parties agree to share Easter, Thanksgiving, and Christmas holidays. As far as the holidays are concerned, the parents agree they are Easter,Thanksgiving, and Christmas. For the Easter visits of 1995, the mother shall be entitled to have the child in her custody between 2:00 p.m. and 8:00 p.m.; for Thanksgiving 1995, the father shall be entitled to have the child in his custody from 2:00 p.m.to 8:00 p.m.; for Christmas 1995,the mother shall have the right to have the child in her custody from 2:00 p.m. until 8:00 p.m. In 1996 and thereafter,the parties will alternate these three holdiays with the same hours applicable to the end that the child will be in alternate homes for the holidays each year.

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

4-7-95 dist.to Lindsay. 4-19-95 mailed to Pltf.

# 1989

Jack, Kookogey & Felton
Robert J. Felton

763.

MELONIE J. BRYANT

vs.

JOSEPH L. BRYANT

Filed Aug. 30, 1989
@ 9:55 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Pro Co. Pd 1/16/90 | 9.00 |
| State Surcharge Pd. | 10.00 |

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

Nov. 22, 1989 Affidavit of Service filed. I, Robert J. Felton, Esq. Attorney at Law, 144 West Spring St., Titusville, PA., do hereby certify that, in my capacity as attorney for the plaintiff in the above-captioned matter, served a certified copy of the Divorce Complaint in this matter on defendant, Joseph L. Bryant, by sending the same by certified mail, return receipt requested. A complaint was mailed to the defendant on Sept. 11, 1989, and receipted for by him on Sept. 18, 1989, as reflected in the receipt for mailing and the return receipt attached hereto.

Robert J. Felton, Esq.

Jan. 16, 1990 Affidavit of Consent of Plaintiff filed.

Jan. 16, 1990 Affidavit of Consent of Defendant filed.

Jan. 16, 1990 Upon Praecipe of Plaintiff Attorney For Review Under Section 201(c) of Divorce Code, this case is moved to Court.

Jan. 24, 1990 **DIVORCE DECREE FILED.**

And now, January 24, 1990, it is ordered and decreed that Melonie J. Bryant, plaintiff and Joseph L. Bryant, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
P. Richard Thomas, J

# 1989

| | | |
|---|---|---|
| 764. | FRANK J. YOHE, M.D.<br>vs.<br>MICHAEL T. DAMRATOSKI<br><br>Filed Aug. 30, 1989<br>@ 1:09 p.m.<br>Tax & entry Paid $50.25 ✓ | APPEAL OF DEFENDANT FROM JUDGMENT OF<br>WILLIAM D. CHISHOLM, DISTRICT JUSTICE<br><br>Aug. 30, 1989, Rule Entered on plaintiff to file complaint Issued. |

# 1989

Watts, Pepicelli,
Youngs and Youngs PC
Theodore H. Watts

765.

IN RE:
KRISTEN MICHELE PROPER

Filed Aug. 30, 1989
@ 2:22 p.m.

Tax & entry pd 9/14/89 $50.50
Proof 10/2/89 5.00

PETITION FOR CHANGE OF NAME

ORDER:

AND NOW, this 30th day of Aug. 1989, after consideration of the within petition, the matter of the change of name of Kristen Michele Proper is hereby set for hearing on the 28th day of Sept. 1989, at 9:00 a.m. in C. R. No. 1 or 2. The petitioners are hereby directed to publish notice of the filing of this petition and of the date set for hearing once in a newspaper of general circulation in this county and once in the Crawford County Legal Journal.

By the Court,
Robert L. Walker, J.

Sept. 1, 1989, copy of order to T. Watts (box)

Sept. 28, 1989, Proofs of Publication filed.

Sept. 28, 1989, Certificate of Non Lien from Prothonotarys Office filed.

Sept. 28, 1989, DECREE filed. AND NOW, this 28th day of Sept., 1989, after notice by publication and hearing, it appearing that no objections have been filed to the petition of Thomas Sedlak and Cheryl Sedlak, husband and wife, to change the name of Kristen Michele Proper to Kristen Michele Sedlak, it is hereby ordered, adjudged and decreed that from this date forward Kristen Michele Proper shall be permitted to use the surname Sedlak and shall be known as Kristen Michele Sedlak.

By the Court,
Robert L. Walker, J.

Sept. 28, 1989 copy of order to Atty. T. Watts.

# 1989

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

766.

NATIONAL FUEL GAS
DISTRIBUTION CORPORATION

vs.

ARNOLD JOHNSON AND
LINDA WARNER JOHNSON

Filed Aug. 31, 1989
@ 10:54 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 ✓ |
| Sheriff's Costs | 29.00 |
| Pro Co Pd 10/16/89 | 9.00 ✓ |

9-17-93
Reverted to AD1993-932

COMPLAINT IN CIVIL ACTION

2 copies (sheriff)

Sept. 14, 1989 Sheriff's Return filed. Served Arnold Johnson personally on September 1, 1989 at 11:15 AM at Sheriff's Office, Crawford County Courthouse, Meadville, PA.
Served Linda Warner Johnson on September 1, 1989 at 11:16 AM by serving her Authorized Agent, Arnold Johnson, at Sheriff's Office, Crawford County Courthouse, Meadville, PA. Signed Acceptance of Service attached.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

And Now, Oct. 16, 1989, at 11:44 a.m., upon praecipe of plaintiff attorney, with copy of default notice attached, Judgment is hereby entered in favor of the plaintiff and against the defendants for want of an answer, in the sum of One thousand Seven Hundred Seventy Three and 35/100 Dollars plus interest from Aug. 29, 1989 and all costs of suit.
Judgment entered - 10/16/88
J - 208, 225 Debt - - $1,773.35
Int. from 8/29/89
JUDGMENT
James F. Simmons
Prothonotary

# 1989

Jack, Kookogey & Felton
John S. Kookogey

767.

pro se

REID WILLIS AND VIRGINIA WILLIS

vs.

KENNETH J. SLOTHER
LINDA SLOTHER

Filed Aug. 31, 1989
@ 1:11 p.m.

| | |
|---|---|
| Pro Simmons Pd 9/5/89 | $15.00 |
| plff on orig. | 46.25 |
| Sheriff's Costs | 43.40 |

WRIT OF REVIVAL

of

AD 1982 - 58 (DSB 622 Nov. 1976)

Debt.....$3,037.43
Int. from .....9/13/82
S - 101, 101....REVIVAL OF JUDGMENT
James F. Simmons, Pro.

Issued (sheriff)

Sept. 25, 1989 Writ Return filed. SERVED Kenneth J. Slother on September 12, 1989 at 12:07 pm by handing a copy of Writ of Revival to his son, Shane Slother, adult in charge of residence, at 21228 Willey road, Titusville, Crawford County, PA.
SERVED Linda Slother on September 12, 1989 at 12:07 PM by handing copy of Writ of Revival to Shane Slother, her son and person in charge of residence, 21228 Willey Road, Titusville, Crawford County, PA.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Sept. 28, 1989, Answer of defendant filed.

# 1989

D. Shawn White

768.

MELANIE M. QUIRING

vs.

STEVEN M. QUIRING

Filed Aug. 31, 1989
@ 1:30 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| 3 counts paid | 45.00 |
| Sheriff's Costs | 26.40 |
| Pro Co pd 9/9/91 | 9.00 |
| State pd 9/9/91 | 10.00 |

COMPLAINT IN DIVORCE, DIVISION OF PROPERTY
CUSTODY, COUNSEL FEES, EXPENSES AND COSTS

1 copy (atty)

Aug. 31, 1989, Petition for Special Relief filed.

Aug. 31, 1989, RE: PETITION FOR SPECIAL RELIEF - ORDER filed. And now, Aug. 31, 1989, hearing on the defendant's request for special relief involving the return of one child to her exclusive custody is hereby set for Sept. 8, 1989, at 11:00 a.m. in C. R. No. 1.

Counsel for the plaintiff will be responsible for serving a copy of this order and notice of the hearing upon the defendant.

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

Aug. 31, 1989, copy to D. Shawn White, atty. (mail)

Sept. 7, 1989 Sheriff's Return filed. SERVED Steven M. Quiring personally on September 5, 1989 at 11:25 AM at his residence, R.D.#3, Box 46, Cambridge Springs, Crawford County, PA.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Sept. 14, 1989 Order filed. AND NOW, September 8, 1989, the matter is before the Court for special relief, with the thrust of the mother's request being that all four children be returned to her immediate custody at the former marital residence in Benango Borough.

The mother has now changed employment and works in Erie, Pennsylvania.

Custody of all four children is awarded temporarily to the mother until a mediation conference and Temporary Order can be entered.

The parties mutually agree that the father may have the children in his exclusive care and custody every weekend from 7:00 p.m., Friday until 7:00 p.m., Sunday, HOWEVER, it appears at the mother's new employment, she has two Sundays a month off, an don these two Sundays, the children will be returned to the mother at 9:00 a.m., Sunday on her Sundays off. the mother will give the father as much advance notice as possible as to which Sundays this provision will affect.

There is a dispute about a male companion, T. L., visiting the marital residence when the children are present. The mother agrees that T. L. will not visit her at the marital residence; and in the event the two are to see each other, the children will not be present.

This matter is referred to Custody Mediator William Pineo, who will schedule a mediation conference and recommend a proposed Order to the court.

It is the mother's intent to move back into the marital residence in Venango Borough as soon as possible, and both parties agree the aforesaid visitation schedule shall become effective September 8, 1989 at 7:00 p.m.

In the event the father is unable to timely pick up the children, his parents may do so on his behalf.

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

Sept. 14, 1989 Copies of order put in Douglas Ferguson and william Pineo's box and copy mailed to D. Shawn White

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

May 7, 1990, Affidavit of Consent of defendant filed.

Sept. 3, 1991 Withdrawal of Appearance of D. Shawn White for Plaintiff filed.

Sept. 3, 1991 UPon praecipe of Defendant Attorney To Transmit REcord - Section 201(c) of the divorce Code, this case moved to court.

Sept. 3, 1991 Motion To Withdraw and Order filed. AND NOW,this 13 dayof Sept., 1991, the within Motion is allowed. P. Richard Thomas, S.J.

Sept. 17, 1991 Copies of order to Atty. Ferguson and Plaintiff

Sept. 17, 1991 Consent and Order filed. AND NOW, August 29, 1991 by agreement of the Plaintiff and defendant, it is hereby ordered and decreed as follows:

1. Legal custody of Stephen M. Quiring, II, Matthew L. Quiring, Michael D. Quiring and Christopher W. Quiring shall be shared equally between themother and father. Each parent shall be entitled to full access to school records, medical records and other important records, and each parent shall be entitled to take part fully in decisions affecting the child's education, religious instruction, medical treatment and other such important decisions.

2. Physical custodyof STephen M. Quiring, II, Matthew L. Quiring, Michael D. Quiring, and Christopher w. Quiring shall be shared equally with their mother and father, upon the following terms and conditions:

a. Mother and father will have joint custody alternatering ever other week commencing December 3, 1989 at 5:00 p.m. when theminor children shall be in the continuous physical custody of the mother, until seven (7) days thereafter at 5:00 p.m. local prevailing time whenthe children shall be delivered tothe father. Thereafter, the father shallhave primary phsycail custody of the childrn for a period of seven (7) days until the follwoing Sunday at 5:00 p.m. when he shall deliver the chidlren to mother. Thereafter the parties shall alternate primary physical custody of the parties minor children as set forth herein withthe custodial parent delivering the children to the non-custodial parent.

b. Holidays shall be defined as Christmas, Easter, Thanksgiving, Memorail Day, Labor Day, 4th of July and Valentine's Day, The parties shall share the holidays Christmas and Easter with thechildren generally being inthehome of the parent then having primary custody of the children, but thenoncustodial parent being entitled to having the childreninhis/her company for a eight hour period on such holidays, which unless otherwise agreed, shall be from 12:00 Noon until 8:00 p.m. local prevailing time. The father shall have the children for Thanksgiving of 1989. Thereafter the holidays of Valentine's Day, Easter, Memorial Day, Fourth of July and Labor Day shall be alternated between the mother and father. In the event thenon-custodial parent is entitled to a holiay visit it shall commence at 9:00 a.m. and end at 7:00 p.m. local prevailing time unless otherwise agreed by the parents.

# 1989

MELANIE M. QUIRING

vs.

STEVEN M. QUIRING

Record continued from page 218

of record

A.D. 1989 - 768

**********

c. All transportation of the children shall be the responsibility of the parent entitled to the Holiday visit from the custodial parent.
d. Neither mothernor father shall do or say anything in an attempt to turn the children against theother parent, but on the other hand each shall do everything intheir power to foster a favorable and loving attitude onthe part ofthe children towards both parents
e. Neither mothernor father shall expose the children to any person or situatuion which may be harmful to the children health of well being.
f. Both parents agree toinform theother immediately of any of any illness orinjury regardingthe children an dboth parents agree tofurnish the other with a current telep-phone number.
g. This order is entered by consent by themother and father who agree the Court of Common Pleas of Cawford County may enter this order without thenecessity of a court hearing before a custody meidator.
h. The parties agree that jurisdictionof all matters concenring custoyd and visitation converning the minor children shall may remain ofthe Courts Crawford County, Pennsylvani
I. The parties agree that this order shall modify the Court's OrderofSeptember 8, 1989 where pertinent at 1989-768 (Petition for Special Relief)
9/13/91

P. Richard Thomas, S.J.

Sept. 17, 1991 **DIVORCE DECREE FILED.**

And now, September 13, 1991, it is ordered and decreed that MELANIE M. QUIRING, Plaintiff, and STEVEN M. QUIRING, defendant, are divorced from the bonds of matirmony.

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

218
B

# 1987

Watts, Pepicelli,
Youngs & Youngs PC
Alan L. Pepicelli

769.

HOWARD W. ARTMAN AND KAY L. ARTMAN, HIS WIFE, AND JEREMY J. ARTMAN, RYAN P. ARTMAN AND ADAM R. ARTMAN, MINORS, BY HOWARD W. ARTMAN, AND KAY L. ARTMAN, THEIR GUARDIANS

vs.

LARRY A. MULLEN AND MARY SUSAN MULLEN

Filed Aug. 31, 1989
@ 2:16 p.m.

Tax & entry Paid $50.50

Sheriff's Costs 37.28
Pro Co Pd 9/6/90 6.00

SUMMONS IN CIVIL ACTION

Issued (sheriff)

Sept 20, 1989, Writ Returned: I accept service of the Summons AD 1989-769 on behalf of Mary Susan Mullen and certify that I am authorized to do so.
9-11-89 Larry A. Mullen, Authorized Agent

SERVED Larry A. Mullen, personally, on September 11, 1989 at 11:51 A.M. by handing a copy of Summons to him at Firestone Store, Park Avenue, Meadville, Crawford County, Pa., 16335.

SERVED Mary Susan Mullen on September 11, 1989 at 11:52 A.M. by serving Larry A. Mullen, her authorized agent, at Firestone Store, Pa. His signed acceptance of Service attached.
So answers, Robert M. Stevens, Deputy
Howard N. Stewart, Sheriff

June 20, 1990 Petition to Settle Minors'Claims and order filed: AND NOW, this 20 day of June, 1990, upon consideration of the within Petition to Settle Minors' Claims, it is hereby ordered and decreed that a settlement of the within action is approved, with distribution thereof to be as follows:

To Watts, Pepicelli, Youngs and Youngs PC
Attorney's fees $450.00

To Jeremy J. Artman, the sum of $562.50, said amount to be deposited into a savings account, money fund account or certificae of deposit in the name of said minor, with the income earned on said funds to be accumulated and/or reinvested, such that no withdrawal of principal or interest can be made prior to said minor reaching the age of majority, except as authorized by prior order of court.

To Ryan P. Artman, the sum of $562.50, said amount to be deposited into a savings account, money fund account or certificate of deposit in the name of said minor, with the income earned on said funds to be accumulated and/or reinvested, such that no withdrawal of principal or interest can be made prior to said minor reaching the age of majority, except as authorized by prior Order of Court.

To Adam R. Artman, the sum of $225.00, said amount to be deposited into a savings account, money fund account or certificate of deposit in the name of said minor, with the income earned on said funds to be accumulated and/or reinvested, such that no withdrawl of principal or interest can be made prior to said minor reaching the age of majority, except as authorized by prior Order of Court.

Upon payment of the aforesaid sums and costs of suit, the Defendants, Larry A. Mullen and Mary Susan Mulle, his wife, shall be released from any and all further liability relative to the claims of said minors, or relative to any claims of Petitioners, Howard W. Artman and Kay L. Artman, incident to injuries sustained by said minors, provided, however, that nothing contained in this Order shall be construed such as to release said Defendants or their insurance arrrier from any claim or claims of the said Howard W. Artman or Kay L. Artman in their own right resulting from injuries sustained by the said Howard W. Artman and Kay L. Artman. The within action instituted by said Howard W. Artman and Kay L. Artman, his wife, in their own right, for injuries sustained by them shall remain in full force and effect, and shall not be affected by the within Order.

BY THE COURT,
Gordon R. Miller, J

1 copy (atty)

Aug. 31, 1990, Upon pr aecipe of plaintiff attorneys, the above captioned case is hereby marked settled and discontinued of record.

# 1989

Fuller, Kinnunen,
Petruso & Gamble
Victor J. Kinnunen

770.

MAHANEY, ROEDER & SMITH
Tamera Ochs-Rothchild

CHRISTOPHER L. RUMBAUGH

vs.

LISA K. RUMBAUGH

Filed Aug. 31, 1989
@ 3:06 p.m.

| | |
|---|---|
| Tax & entry paid | $50.50 |
| Pro Co. Pd 12/6/89 | 9.00 |
| State Surcharge Pd. | 10.00 |

COMPLAINT IN DIVORCE

1 copy (atty)

Sept 11, 1989 Appearance of Maharey, Roeder & Smith by Tamera Ochs Rothchild, Esq. for Defendant filed.

Sept. 14, 1989 Affidavit Of Mailing Complaint Under Pa. R.C.P. No. 1124 (b) filed. VICTOR J. KINNUNEN, being duly sworn according to law, deposes and says that he is an Attorney at Law, duly authorized to practice law in th eCommonwealth of Pennsylvania na dthat on September 1, 1989, he sent a copy of the Complaint in Divorce to the defendant by certified mail, restricted delivery, postage prepaid, return receipt requested, to R.D.2, Centerville, PA 16404, c/o Mr. Richard Hackett, the Defendant's last known address. Said receipt, signed by Defendant, is attached hereto, indicating receipt on september 6, 1989.
Victor J. Kinnunen

Dec. 6, 1989 Affidavit of Consent of Plaintiff filed.

Dec. 6, 1989 Affidavit of Consent of Defendant filed.

Dec. 6, 1989 Upon Praecipe of Plaintiff's Attorney for Review Under Section 201(c) of Divorce Code, this case is moved to Court.

Dec. 12, 1989 **DIVORCE DECREE FILED.**

And now, December 12, 1989, it is ordered and decreed that CHRISTOPHER L. RUMBAUGH, plaintiff, and LISA K. RUMBAUGH, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Robert L. Walker, J

# 1989

Jack, Kookogey &
Felton
Robert J. Felton

771.

DEBRA D. JOLLY

vs.

EDWARD L. JOLLY

Filed Aug. 31, 1989
@ 3:27 p.m.

Tax & entry Paid $50.50

COMPLAINT FOR CUSTODY

1 copy (atty)

ORDER:

AND NOW, this 31st day of August, 1989, upon presentation and consideration ofthe within Motion, it is hereby ordered that primary physical custody fothe child, Christine M. Jolly, is hereby awarded to her sister, Debra D. Jolly.

By the Court,
Robert L. Walker, Judge

(Consent of Christine M. Jolly, Stipulation of Edward L. Jolly attached)

# 1989

772.

IN THE MATTER OF THE SELECTION OF PERSONS TO SERVE AS JURORS FOR THE YEAR 1990

Filed Aug. 31, 1989 @ 3:41 p.m.

ORDER FOR SELECTION OF JURORS TO SERVE AS JURORS FOR THE YEAR 1990

ORDER:
AND NOW, August 29, 1989, the Jury Commissioners are hereby directed to fill the jury wheel for the year 1990 with 1200 names, said names to be selcted in ac cordance with the provisions of the JuryAct (1980-78).

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

Sept. 1, 1989, copies of order to Mrs. Dorothy Kennedy, Mrs. Nancy Hanes, and Mrs. George Shaffer, and Sheriffs Office.

April 20, 1990, List of Jurors whose name were placed in the Jury Wheel for the year 1990 filed. (see papers filed for list)
We, the undersigned, Judges of the court of common Pleas, and Jury Commissioners for Crawford County, Pennsylvania, hereby certify the foregoing to be a true and courrect list of names of 1199 persons as placed inthe Jury Wheel on March 22, 1990..

P. Richard Thomas, Judge (Pres.)
Gordon R. Miller, Judge

Dorothy H. Kennedy, Jury Commissioner
Nancy L. Hanes, Jury Commissioner
Arlene Shaffer, Clerk

# 1989

Bettie J. Peterson-Muth

773.

BARBARA ANN HAMILTON

vs.

QUINTIN S. HAMILTON

Filed Aug. 31, 1989
@ 4:00 p.m..

Tax & entry Paid 9/1/89 $50.50

John Fuller, Mediator 100.00

COMPLAINT FOR CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER OF COURT:

You, Quintin S. Hamilton, defendant, have been sued in court to obtain custody, partial custody or visitation ofthe children: Brandon B. Hamilton and Quincey L. Hamilton.

You are ordered to appear in person at a mediation conference at a time, place and date to be established by the custody mediator.

JOHN FULLER is hereby appointed custody mediator.

Until further order of court, temporary custody of the said children is hereby granted to plaintiff, Barbara Ann Hamilton.

If you fail to appear as provided by this order, an order for custody, partial custody or visitation may be entered against You or the court may issue a warrant for your arrest.

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

Crawford County Bar Assn. Ser. to the Publ. Committee
Crawford County Court House, c/o Prothonotary, Meadville, Pa. 16335 814 724-7719

BY THE COURT,
P. Richard Thomas, J.

Sept. 21, 1989 Affidavit Of Service By Mail filed. Bettie J. Peterson-Muth, Esquire, being duly sworn according to law deposes and says that she is the attorney for plaintiff, Barbara Ann Hamilton, and that she did mail a true and correct copy of the Complaint for Custody filed in the above matter, by certified mail, return receipt requested, to the defendant, Quintin S. Hamilton, on September 11, 1989, at his last known address, P.O. Box 243, Meadville, Crawford County, Pennsylvania. The signed receipt is attached hereto as Exhibit "A".

Bettie J. Peterson-Muth

Oct 10, 1989 Order filed: AND NOW, October 10, 1989, after mediation conference before John Fuller, Esquire, and based upon an agreement between the parties, IT IS ORDERED AND DECREED as follows:

I. Legal custody of Brandon B. Hamilton and Quincey L. Hamilton shall be shared between the mother, Barbara Ann Hamilton, and the father, Quintin S. Hamilton, that is each parent shall be entitled to full access to school records, medical records and other important records and each parent shall be entitled to take part fully in decisions affecting the children's education, medical treatment and religious instruction and other such important decisions.

II. Physical custody of Brandon B. Hamilton and Quincey L. Hamilton shall be with the mother, subject to the following conditions:

A. The father shall be entitled to visit and take the children into his custody every weekend, beginning October 7, 1989, from Saturday at 12:00 Noon until 6:00 p.m. on Sunday evening.

B. The father shall be entitled to have the children in his custody every Christmas Eve from 4:00 p.m. until 12:00 midnight and the mother shall be entitled to have the children every Christmas Day.

C. The father shall be entitled to have the children in his custody every Thanksgiving day from 12:00 noon until 7:00 p.m.

D. Easter Sunday shall be alternated between mother and father with mother having the children in her custody on Easter Sunday on even numbered years and the father having the children in his custody on Easter Sunday on odd numbered years.

E. The birthdays of the children shall be shared between mother and father with each parent having an opportunity to have the children in their custody for some portion of each birthday.

F. Transportation of the children on weekends and holidays shall be the responsibilty of the father.

F. Neither mother nor father shall say or do anything in an attempt to turn the children against the otehr 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.

G. 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.

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

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

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

Robert L. Walker, Judge

Oct 10, 1989 Copies of order put in Atty. Peterson-Muth's box.

Culbertson, Weiss,
Schetroma and Schug
Mary Ann Kirkpatrick

774.

WILLIAM HOOVER

vs.

KIMBERLY RITCHEY

Filed Sept. 1, 1989
@ 9:45 a.m.

Indigent filing

COMPLAINT FOR CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER:
AND NOW, September 1st, 1989, Plaintiff's request for custody of the minor child is referred to WILLIAM PINEO, CHILD CUSTODY MEDIATOR.
Pending further order of court, Plaintiff may proceed without the payment of costs. BY THE COURT,
Robert L. Walker, J.

Sept 13, 1989 Affidavit of Service filed: AND NOW September 13th, 1989, comes Mary Ann Kirkpatrick, Esquire, being duly sworn according to law, deposes and sets forth as follows:
1. That she is the Attorney for William Hoover, Plaintiff in the above captioned matter.
2. That on Information furnished to her by the Plaintiff, she caused a certified copy of the Complaint for Custody to be forwarded by Certified Mail No. P 401 441 384, postmarked September 5, 1989, to the last known address of the Defendant, Kimberly Ritchey, 908 Arbor Circle, Franklin Pennsylvania 16323.
3. That the Defendant, Kimberly Ritchey, on September 8, 1989, personally signed the return receipt card which was affixed to the Complaint in the above matter and which is attached hereto as Exhibit "A".
4. Service of the Complaint against the Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.
Mary Ann Kirkpatrick, Esquire

Sept 20, 1989 Consent Agreement and Order filed: AND NOW, Sept 20, 1989, the provisions of this Consent Agreement are hereby an Order of the Court.
By the Court,
Robert L.Walker,

Sept 20, 1989 Copies of order put in Atty Kirkpatrick's box.

# 1989

Mahany, Roeder & Smith
Barbara L. Smith

775.

IN RE:
JULIE CARSON STEWART

Filed Sept. 1, 1989
@ 11:45 a.m.

Tax & entry $50.50
Cert. pd 9-5-89 5.00

PETITION FOR CHANGE OF NAME

ORDER:
AND NOW, this 1st day of Sept. 1989, upon consideration of the within Petition, it is hereby ORDERED, ADJUDGED AND DECREED that a hearing be held on the 23rd day of Oct. 1989, at 9:15 a.m. in C. R.No. 2 and that notice of the filing of the within petition and the date and time of the hearing be published in the Crawford County Legal Journal and one (1) newspaper of general circulation in the county at least 1 month prior to the date of hearing. Robert L. Walker, J.
Sept. 1, 1989, copy of order to Barbara Smith ESq.

Sept. 1, 1989, No Lien Certificate of Prothonotary filed.

Sept. 11, 1989, Motion and ORDER filed. AND NOW, THIS 8th day of September 1989, upon consideration of the within Motion, it is hereby ORDERED, ADJUDGED AND DECREED that the Petition for Change of Name be removed from the Crawford County Corut of Common pleas - Civil Division to the crawford County Court of Common Pleas - Orphans' Court Division, together with the Order of Court dated Sept. 1, 1989 and the within Motion and Order and docket it at O.C. 1989 - 151.
Robert L. Walker, J.
Sept. 11, 1989 copy of order toBarbara Smith, ESq.

(entire Record filed at Clerk's Office at # O.C. 1989 - 151)

# 1989

Mahany, Roeder & Smith
Barbara Smith

776.

IN RE:

ANN CHRISTINE STEWART

Filed Sept. 1, 1989
@ 11:45 a.m.

Tax & entry $50.50 ✓
Cert. pd 9-5-89 5.00

PETITION FOR CHANGE OF NAME

ORDER:
AND NOW, this 1st day of Sept, 1989, upon consideration of the within Petition, it is hereby ORDERED, ADJUDGED AND DECREED that a hearing be held on the 23rd day of October 1989, at 9:15 a.m. in Court Room No. 2, and that notice of the filing of the within Petition and the date and time of the hearing be published in the Crawford county Legal Journal and one (1) newspaper of general circulation in the court at least one (1) month prior to the date of the hearing. Robert L. Walker, J.
Sept. 1, 1989 copy of order to Barbara Smith Esq.

Sept. 1, 1989 No Lien Certificate of Prothonotary filed.

Sept. 11, 1989, Motion and Order filed.
ORDER: AND NOW, this 8th day of Sept. 1989, upon consideration of the within Motion, it is hereby ORDERED, ADJUDGED AND DECREED that the Petition for Change of Name be removed from the Crawford County Court of Common Pleas - Civil Division to the Crawford County Court of Common Pleas - Orphans' Court Division, together with the Order of court dated Sept. 1, 1989, and the within Motion and Order and docket it at O.C. 1989 - 151.
Robert L. Walker, J.
Sept. 11, 1989, copies of order to Barbara Smith Esq.

(entire record filed at Clerk's Office, # O.C. 1989 - 151)

# 1989

Dallas W. Hartman
(withdrawn)
~~Ruthanne Beighley~~

777.

WILLIAM DAVID HUNTER, SR.

vs.

DANIEL GEORGE ZAKER, AND
GEORGE F. ZAKER

Filed Sept. 1, 1989
@ 12:07 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Sheriff's costs | 28.28 |
| Pro Co Paid 7/23/91 | 5.00 |

SUMMONS IN A CIVIL ACTION
Issued (sheriff)

Sept. 22, 1989 Writ Return filed. SERVED George F. Zaker personally on Sept. 11, 1989 at 2:20 PM by handing copy of Summons to him at his residence, R D #2, Cochranton, Crawford Co., PA.

SERVED Daniel George Zaker on Sept. 11, 1989 at 2:21 PM by handing copy of Summons to George F. Zaker, his father and adult in charge at residence, R D #2, Cochranton, Crawford Co., PA16314
So answers,

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

Nov. 29, 1989, Upon praecipe of Ruthanne Beighley, for withdrawal of appearance for plaintiff, appearance withdrawn.

Dec. 22, 1989, Upon praecipe of Ruthanne Beighley, for withdrawal as counsel, future pleadings to be sent to plaintiff atty. Dallas W. Hartman, 29 East North St. New Castle, Pa., 16101.

July 23, 1991, Upon praecipe of plaintiff attorney, docket inthe above captioned case is marked settled, ended, and discontinued of record.

# 1989

Jorden and White
Harry Faber White

778.

CATHY MARIE JENKINS

vs.

JAMES WILLIAM JENKINS

Filed Sept. 1, 1989
@ 3:17 p.m.

Tax & entry Paid $50.50

COMPLAINT UNDER SECTION 201(d) OF DIVORCE CODE

1 copy (atty)

Sept. 1, 1989, Plaintiff's Affidavit Under section 201(d) of the Divorce Code filed.

Dec. 22, 1989, Affidavit of Service filed. Harry Faber White II Esq. atty. for plaintiff inthe above matter, being duly sworn according to law, deposes and says that he served the Notice to Plead and Complaint Under Section 201(d) a defendant's Counteraffidavit and notice of Intention to request Entry of a divorce decree under Section 201(d) of the Divorce Code and a copy of the plaintiff's affidavit under Section 201(d) of the divorce code upon the defendant James William Jenkins, by certified mail, ret. rec. req. on Sept. 14, 1989, at the defendant's address Box 633, Linesville, Crawford County, Pa. 16424. The defendant's acceptance of the same is attached hereto. Harry F. White II Esq.

Feb. 17, 1998 Important Notice and Court Order filed. Out court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 12/22/89. We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonable delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney. If you do not object to this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever. I If you object to the case being dismissed, you must put your objections in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or send a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary. YOU MAY LOSE IMPORTANT RIGHTS IF YOUR CASE IS TERMINATED. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHER EYOU CAN GET LEGAL HELP.

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

By the Court,
Anthony J. Vardaro, J

Date: February 13, 1998

Feb. 13, 1998 Copies mailed by Court Administrator's Office

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

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

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

# 1989

Elderkin, Martin, Kelly, Messina & Zamboldi
James H. Richardson Jr

779.

Bettie J. Peterson-Muth
for dft. Keith Smith

PENNBANK

vs.

RAYMOND HANCOX AND LAURIE YANACK HANCOX, HIS WIFE, AND KEITH SMITH

Filed Sept. 5, 1989
@ 1:12 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Sheriff's costs | 59.08 |
| Pro Co Pd 1/23/90 | 36.00 |

COMPLAINT

3 copies (sheriff)

Sept. 25, 1989 Sheriff's Return filed. Before me, the undersigned authority, personally appeared Douglas R. Long, Deputy Sheriff who being duly sworn according to law, deposes and says that on the 18th day of September, 1989, at 12:12 P.M., he served Complaint at No. 779 A.D. Term, 1989, Crawford Co. PA., upon defendant Laurie Yanack Hancox at RD #2 Box 2045A Lot 29, Jones Trailer Court, Route 62, Stoneboro, PA. By making known the contents thereof to Laurie Hancox personally and handing to and leaving with her the certified copy of the complaint received from Sheriff of Crawford Co.

Douglas R. Long, Deputy Sheriff
William H. Romine, Jr., Sheriff
Mercer Co. PA.

Sept.25, 1989 Sheriff's Return filed. Before me, the undersigned authority, personally appeared Douglas R. Long, Deputy Sheriff who being duly sworn according to alw, deposes and says that on the 18th day of September, 1989, at 12:12 P.M., he served Complaint at No. 779 A.D. TErm, 1989, Crawford Co. PA., upon defendant Raymond Hancox at R D #2 Box 2045A Lot 29, Jones Trailer Court, Route 62, Stoneboro, PA. By making known the contents thereof to Laurie Hancox, adult family member with whom he resides and handing to and leaving with her the certified copy of the complaint received from Sheriff of Crawford Co.

Douglas R. Long, Deputy Sheriff
William H. Romne,Jr., Sheriff
Mercer Co. PA.

SERVED Keith Smith personally on Sept. 11, 1989 at 3:40 PM by handing a copy of Complaint to him at residence, Box 26, RD #2, Guys Mills, Crawford Co., PA 16327.

SERVED Raymond Hancox by deputizing the Sheriff of Mercer Co., PA as per his Affidavit of Service attached. Served: Sept. 18, 1989.

SERVED Laurie Yanack Hancox by deputizing Sheriff of Mercer Co., PA as per his Affidavit of Service attached. Served: Sept. 18, 1989.

So answers,

Robert M. Stevens, Deputy Sehriff
Howard N. Stewart, Sheriff

Sept. 28, 1989, Answer of defendant Keith Smith filed.

Jan. 8, 1989, Notice of Taking Depositions on Oral Examination Under Pa. R.C.P. No. 4007 (a) filed. (of Keith Smith)

And Now, Jan. 23, 1990, at 11:26 a.m. upon praecipe of plaintiff attorney Judgment by default is hereby entered against the defendant Raymond Hancox for failure to file Answer to Count IV of Complaint, in the amount of Fifteen Thousand Nine Hundred Nine and 37/100 dollars. plus interest, late charges, atty. fees, collection costs and litigation expenses from 7/16/89.

Judgment entered - 1/23/90
H - 143

Debt -- $15,909.37
Int. etc from 7/16/89
JUDGMENT
James F. Simmons,
Prothonotary

Jan. 25, 1990, notice of entry of judgment mailed defendant.

(replevin)

And Now, Jan. 23, 1990, at 11:26 a.m., Upon praecipe of plaintiff attorney, with default notice attached, Judgment is hereby entered in favor of the plaintiff and against the defendant Raymond Hancox for failure to file answer to Counts 1, II, and III of the Complaint.

Judgment entered 1/23/90
H - 143

JUDGMENT IN REPLEVIN
James F. Simmons,
Prothonotary

Jan. 25, 1990, notice of entry of judgmentmailed to defendant.

And Now, Jan. 23, 1990, at 11:26 a.m., upon praecipe of plaintiff attorney, with default notice attached, Judgment is hereby entered in favor of the plaintiff and against the defendant Laurie Yanack Hancox, in the amount of Fifteen Thousand Nine Hundred Nine and 37/100, plus costs and interest from July 16, 1989.

Judgment entered 1/23/90
H. 103

JUDGMENT
Debt - $15,909.37
Int. etc from 7/16/90
James F. Simmons,
Prothonotary

Jan. 25, 1990, notice of entry of judgment mailed to defendant Laurie Yanack Hancox.

And Now, Jan. 23, 1990, at 11:26 a.m., upon praecipe of plaintiff attorney, with default notice attached, Judgment is hereby entered in favor of plaintiff and against defendants Raymond Hancox and Laurie Yanack Hancox, for failure to answer,, Judgment is hereby entered in the sum of Six Thousand One Hundred eighty Seven and 80/100- Dollars plus int. late chgs., atty. fees, collections costs, and litigation expenses from 7/16/89.

Judgment entered 1/23/90
H - 143, 103

JUDGMENT
Debt ----$ 6,187.80
Int. etc. from 7/16/89
James F. Simmons,
Prothonotary

Jan. 25, 1990 Notice of entry of judgment mail to defendants Raymond Hancox and Laurie Hancox.

# 1989

Robert G. Kochems

780.

Pro Se.

DWIGHT LEROY RHOADES

vs.

JOAN LORRAINE RHOADES

Filed Sept. 5, 1989
@ 1:20 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 ✓ |
| State pd 2/2/90 | 10.00 |
| ProCo Pd 2/7/90 | 9.00 ✓ |
| Pro Co Pd 4/10/90 | 5.00 ✓ |

COMPLAINT

1 copy (atty)

Sept 11, 1989 Acceptance of Service filed: Acceptance of Service of the Complaint in Divorce filed by Dwight Leroy Rhoades is hereby acknowledged, and by the filing of this Acceptance of Service with the Prothonotary, hereby enter by appearance, pro se, in the above captioned case.

Joan Lorraine Rhoades

Jan. 30, 1990, Affidavit of Consent of plaintiff filed.

Jan. 30, 1990, Affidavit of Consent of defendant filed.

Jan. 30, 1990, Upon praecipe of plaintiff attorney, to Transmit the REcord, this case moved tocourt. (agreement attached)

Feb. 8, 1990 Order filed

AND NOW, this 8th day of February, 1990, upon review of the record pursuant to a praecipe filed by the attorney for the plaintiff which was accompanied by a proposed decree in divorce that not only terminated the marriage of the praties but incorporated an agreement disposing of property rights and interests between the parties the Court declines to enter a divorce decree at this point and returns the record to the Prothonotary.

Since the Court only has the authority to dispose of matters raised in the pleadings and since matters involving property and equitable distribution of marital property was not raised by the pleadings (23 P.S. 301 (a), 401 (b)) counsel for the plaintiff is given two choices, to-wit: (a) withdrawing his request for the inclusion of property matters in the jdivorce decree or (b) filing and serving appropriate pleadings raising property rights and issues.

BY THE COURT,
Gordon R. Miller, J

Feb. 9, 1990 Copy of order mailed to Plaintiff Attorney.

Feb. 13, 1990, Upon praecipe pf plaintiff attorney, the above divorce case is re-transmitted to the court.

Mar. 5, 1990 **DECREE IN DIVORCE FILED.**

AND NOW, March 5, 1990, the Court having heard this case and having fully considered and proceeded to determine the same as to law and justice appertain, Do Sentence and Decree that Dwight Leroy Rhoades and Joan Lorraine Rhoades be divorced and separated from the nuptial ties and bonds of matrimony heretofore contracted between them the said Dwight Leroy Rhoades the Plaintiff, and the said Joan Lorraine Rhoades Defendant: And that thereupon all and every, the duties, rights and claims accruing to either the said Plaintiff or the said Defendant at any time heretofore in pursuance of said marriage, shall cease and determine, an dthe said Plaintiff and defendant shall severally be at liberty to marry again in like manner as if they have never been married.

BY THE COURT,
Gordon R. Miller, J

Apr. 10, 1990, Election to Resume Maiden Name filed.
To Be Known as: JOAN LORRAIN BENNETT.

# 1989

| | | |
|---|---|---|
| Kraft & Kraft, PC<br>Martin J. Kilstein<br><br>781. | AMERICAN EXPRESS CENTURION<br>P.O. Box 15324<br>Wilmington DE 19886<br><br>vs.<br><br>DOROTHY M. DURNEY<br>Route 1, Box 830<br>Conneaut Lake, Pa. 16316<br><br>Filed Sept. 5, 1989<br>@ 1:27 p.m.<br><br>Tax & entry Paid $50.50 ✓<br>Sheriff's costs 26.84 | COMPLAINT IN CIVIL ACTION<br><br>1 copy (sheriff)<br><br>October 5, 1989 Sheriff's REturn filed. NOT FOUND, as to defendant Dorothy M. Durney. Address given appears to be a summer or vacation residence. Notes left were all still there, no one had removed them, three separate attempts made.<br>So answers,<br>Howard N. Stewart, Sheriff |

# 1989

| | | |
|---|---|---|
| Apple and Apple<br>Joel E. Hausman<br><br>782. | CHARLES L. LOVERCHECK<br>AND WAYNE L. LOVERCHECK<br>i/a/a/p/t/a/d/b/a<br>LOVERCHECK & LOVERCHECK<br><br>vs.<br><br>DANIEL J. GRIFFITHS<br><br>Filed Sept. 5, 1989<br>@ 2:01 p.m.<br><br>Tax & entry Paid $50.50<br>Sheriff's costs 31.52<br>Pro Co. Pd 11/6/89 9.00 ✓ | COMPLAINT<br><br>Sept. 22, 1989 Sheriff's Return filed. SERVED Daniel J. Griffiths personally on Sept. 12, 1989 at 3:23 PM by handing copy of Complaint to him at Sheriff's Office, Crawford County Courthouse, Meadville, PA 16335<br>So answers, Catherine I. Allen, Deputy Sheriff<br>Howard N. Stewart, Sheriff<br><br>November 6, 1989, 11:44 a.m. AND NOW upon Praecipe of Plaintiff Attorney, with copy of Notice of Intention to file default judgment attached, judgment is hereby entered in favor of Plaintiff and against Defendant for failure to file an answer and damages are assessed as follows:<br><br>Amount named in Complaint $4,918.00<br>Interest from August 9, 1989 to November 9, 1989 on $4,628.71 173.58<br>TOTAL $5,091.58<br><br>G-44<br>Judgment entered 11/6/89<br><br>Debt $5,091.58<br>Interest from 8/9/89 to 11/9/89<br>Judgment<br>James F. Simmons, Pro. |

EX1990-6

# 1989

Blystone & Blystone
Peter E. Blystone

783.

Alan E. Cech
for United States

Glenn A. W. Thompson
for Propers

PENNBANK

vs.

DONALD E. PROPER AND BETTY J. PROPER, AND THE UNITED STATES OF AMERICA

Filed Sept. 5, 1989
@ 3:57 p.m.

Tax & entry Paid $50.50
Sheriff's Costs 63.96
Pro to Rd 12/20/89 9.00

COMPLAINT IN CIVIL ACTION

3 copies (sheriff)

Oct. 17, 1989 Affidavit of Service filed. 1. The undersigned, Peter E. Blystone, is attorney for Pennbank, plaintiff in the above captioned civil action.

2. On Sept. 6, 1989, affiant mailed a true and correct copy of the Complaint in this case with Notice to Defend to the Honorable Dick Thornburgh, Attorney General of the United States, in accordance with the requirements of Title 28 U.S. Code, Section 2410 by certified mail posted at the Meadville, PA. United States Post Office, Article No. P 724 950 708 as indicated by the attached receipt for certified mail.

3. The aforesaid certified mail article was delivered to the Dept. of Justice in Washington, D.C. on Sept. 11, 1989 as indicated by the attached return receipt.

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

Dated: Oct. 17, 1989

Peter E. Blystone

Oct. 20, 1989, Affidavit of Non-Military Service of Defendants filed.

Oct. 26, 1989 Sheriff's Return filed. Before me, the undersigned authority, personally appeared Rich Pasquantonia, who being duly sworn according to law, deposes and says that on the 20 day of Sept., 1989, at 11:15 a.m. he served comp., filed at No. 783 Term, 1989, Craw= ford County Pennsylvania upon defendant U.S. Atty. at 633 U.S. Post Office & Courthouse. By making known the contents thereof to Deborah Harvey sec. and handing to and leaving with her the certified copy of the received from Crawford.

So answers,

Rich Pasquantonia, Deputy Sheriff
Eugene L. Coon, Sheriff

SERVED Donald E. Proper on September 12, 1989 at 1:25 pm by handing copy of Complaint to Betty J. Proper, his wife, at their residence, R.D.#2, Spartansburg, Crawford County, PA.
SERVED Betty J. Proper personally on September 12, 1989 at 1:26 pm by handing copy of Complaint to her at her residence, R.D.#2 Spartansburg, Crawford County, PA.
SERVED United State of America by deputizing the Sheriff of Allegheny County, PA as per his Affidavit of Service attached. Served: September 20, 1989

So answers,

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

Oct 30, 1989 @ 9:20 A.M. Consent Judgment filed: AND NOW, to wit, this 30th day of October, 1989, it appearing that counsel for Plaintiff and counsel for defendant, United States of America, have consented to the entry of the within Order on behalf of their respective clients, it is hereby ORDERED, ADJUDGED AND DECREED that a judgment be entered in favor of the plaintiff and against the the United States of America for foreclosure of the mortgage of plaintiff in the within cause and for sale of the mortgaged property of defendants Donald E. Proper and Betty J. Proper.

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

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

BY THE COURT,
P. RICHARD THOMAS,

Consented to by:
Peter E. Blystone, Esq
Counsel for Plaintiff
Alan E. Cech
Assistant U.S. Attorney
Counsel for Defendant United States of America

Oct 30, 1989 Copies of order put in Attys Blystone and Thompson and copy mailed to Atty Cech.

Oct 30, 1989 Appearance of Culbertson, Weiss, Schetroma & Schug by Glenn A. W. Thompson, Esq. for defendants Donald E. and Betty J. Proper filed.

Oct. 31, 1989 Answer Of Defendants, Donald E. Proper and Betty J. Proper to Complaint filed.

Dec. 1, 1989 Motion For Summary Judgment and Order filed. AND NOW, this 1 day of Dec., 1989, it is ordered that plaintiff's Motion for Summary Judgment be placed on the next regular argument list for hearing and/or argument on December 18, 1989. Briefs will not be required.

P. Richard Thomas, J

Dec. 1, 1989 Copies of order put in Peter Blystone and Glenn Thompson's box.

Dec. 1, 1989 Affidavit In Support Of Motion For Summary Judgment filed.

Dec 18, 1989 Consent Judgment filed: AND NOW, this 18th day of December, 1989, the plaintiff having filed a Motion for Summary Judgment pursuant to P.A. R.C.P. No. 1035 and the sole issue raised by the Answer of the Defendants, Donald E. Proper and Betty J. Proper, being the reasonableness of attorney's fees claimed in the plaintiff's complaint and it appearing that counsel for plaintiff and counsel for defendants, Donald E. Proper and Betty J. Proper, have consented to the entry of judgment in favor of the plaintiff as herein provided, it is hereby ORDERED, ADJUDGED AND DECREED that judgment is entered in favor of the plaintiff, Pennbank, and against the defendants, Donald E. Proper and Betty J. Proper, in the sum of $23,017.14 (being the principal debt of $21,667.14 plus attorney's fees of $1,350.00) together with interest on the principal debt at the rate of 13% per cent per annum from March 20, 1989.

P. Richard Thomas, Judge

Dec 19, 1989 Copies of order mailed to Atty Cech and copies put in Attys. Blystone and Thompson's boxes.

P-44,24 EX 1989-120

# 1989

Shafer, Swick, Bailey, Irwin & Stack
James Irwin

784.

Jorden and White
Harry Faber White, II

SHERRY L. LAKE

vs.

ERIC I. LAKE

Filed Sept. 6, 1989
@ 11:29 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 ✓ |
| 2 counts paid | 30.00 ✓ |
| 1 Ct pd 1-22-91 | 15.00 ✓ |
| user fee pd 1-22-91 | 5.00 ✓ |
| Proco Rd 3/12/91 | 9.00 ✓ |
| Proco pd 5/14/91 | 9.00 ✓ |
| State Pd 5/14/91 | 10.00 |

3/6/91 Recd $300.00 From Defendant
3/6/91 Recd $350.00 From Plaintiff
3/8/91 Paid $95.00 To Lois Gunklin #6080
3/8/91 Paid $505.00 To Gary Fabian, Master Fee #6081
3/22/91 Recd $75.00 From Plaintiff
Recd 4-1-91 $75.00 Vivian Stolby
5/10/91 Recd $75.00 From Defendant
7-1-91 paid Co. Comm. $75.00 Ck 6295

COMPLAINT IN DIVORCE, EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION, PERMANENT CUSTODY OF MINOR CHILDREN

1 copy (atty)

Sept. 13, 1989 Verification filed. I, JAMES R. IRWIN, ESQUIRE, do hereby verify that I personally served a true and correct copy of the Complaint In Divorce upon the defendant above named at 360 Chestnut Street, Meadville, Pennsylvania, on the 12th day of September, 1989, at 4:45 P.M.
Dated: 9-12-89 James R. Irwin

Sept 15, 1989 Stipulation and Consent to Entry of Custody Order filed.

Sept 15, 1989 Order of Court filed: AND NOW, this 15th day of September, 1989, upon consideration of the Petitioner's petition for hearing and the Stipulation and Consent of the parties, it is hereby ORDERED, DIRECTED AND DECREED THAT:

1. Custody of the minor children, Shawn E. Lake and Erica R. Lake, shall be shared legally by the parties. Primary custody of the minor child, Shawn, shall be with Petitioner.

a. Physical custody of minor child, Shawn, shall be with Petitioner.

b. Physical custody of the minor child, Erica, shall be with Respondent.

2. Visitation shall be afforded to the Petitioner and Respondent based upon a mutually agreeable schedule, which, as a minimun, shall be as follows:

a. The children shall be together from 8:00 P.M. on Friday until 8:00 P.M. on Sunday during the school year and shall reside alternate weekends at the residence of each parent.

b. Each parent shall select 1 day during the week to visit the residence of the other child or pick up the other child for visitation after work until 8:00 P.M.

c. During the summer, from June 15th to August 15th, of each year, the children will spend alternate weeks with each parent switching homes on Sunday evening at 8:00 P.M.

d. Each parent shall be afforded an extended visitation that shall coordinate with their respective scheduled vacations. The parents agree to negotiate this extended visitation as necessary.

e. Major holidays shall be defined as: Memorial Day, Independence Day, Labor Day, Thanksgiving, Christmas, New Years Day and Easter. If the holiday fall on an Monday following the non-custodial parent's weekend with the children, then the weekend shall be extended from Sunday night to Monday night. The parties agree to alternate the holiday visiation periods commencing with Petitioner having visitation on Labor Day of 1989.

3. Either party may petition the Court for modification of this Order, without significant change of circumstance.

BY THE COURT,
Robert L. Walker, J.

Sept 15, 1989 Copies of ordre to James Irwin. (box)

Mar. 6, 1990 Notice Of Service Defendant's First Set of Interrogatories filed.

**Mar. 26, 1990 Notice Of Service Answers To Plaintiff's First Set Of Interrogatories files.**

Aug. 3, 1990 Affidavit Of Consent of Plaintiff filed.

Sept. 6, 1990 Affidavit of Consent of Plaintiff filed.

Oct. 12, 1990, Inventory and Appraisement of Sherry L. Lake filed.

Dec. 21, 1990 Motion For Appointment Of Master In Divorce and Order filed. AND NOW, 12/27/90, Gary Fabian, Esquire is appointed Master in respect to the following claims:
Deposit required: By Plaintiff $300; By Defendant $300.

PER CURIAM,
P. Richard Thomas, S.J.

Dec. 31, 1990 Copies of order put in James Irwin, Harry White and Gary Fabian's box.

Jan. 11, 1991 Petition For Modification of Custody and ORDER filed. AND NOW, this 11 day of January, 1991, upon consideration of the foregoing petition, the same is referred to John Fuller, Child Custody Mediator.

By The Court,
Gordon R. Miller, J.

Jan. 14, 1991 Copy of Order to Atty. James Irwin, Harry Faber White, II. John Fuller.

**Jan 22, 1991 Inventory and Appraisement of Eric I. Lake filed.**

**Jan 22, 1991 Petition for Divorce Upon the Grounds of Adultery filed.**

Jan. 24, 1991, MEMORANDUM OF PRE-HEARING CONFERENCE filed. (by Master)

Jan. 28, 1991 Proof of Notice of Master's Hearing filed.

Feb. 27, 1991 Plaintiff's Affidavit Under Section 201(d) of the Divorce Code, filed.

Continued on page 234A

Sherry L. Lake

vs.

Eric I. Lake

Record continued from page 234

of record

A.D. 1989 - 784

**********

Mar. 8, 1991 Order filed. AND NOW, March 7, 1991, after mediation conference before John Fuller, Equire, IT IS ORDERED AND DECREED AS FOLLOWS:

I. Legal custody of Erica Lake and Shawn Lake shall be equally divided between the mother, Sherry L. Lake, and the father, Eric I. Lake, that is each parent shall be entitled full access to school records, medical records and other important records and each parent shall be entitled to take part in important decisions affecting the children such as the children's education, medical treatment and religious instruction.

II. Physical custody of Erica Lake and Shawn Lake shall be with their father, Eric I. Lake, subject to the following conditions:

A. The mother shall be entitled to visit and take the children into her custody every Wednesday evening from 5:30 p.m. until 9:00 p.m. The mother shall provide transportation of the children both ways on these Wednesday visits.

B. The mother shall be entitled to visit and take the children into her custody every other weekend, beginning March 1, 1991, from 5:30 p.m. Friday evening until 9:00 p.m. Sunday evening. Transportation on weekend visits shall be equally divided with the parent receiving custody of the children providing transportation, that is, the mother shall pick the children up Friday evening at the home of the father and the father shall pick the children up Sunday evening at the home of the mother.

C. Holidays shall be defined as Christmas, Thanksgiving and Easter. Christmas shall be divided with the father having custody ofthe children until 12:00 Noon and the mother having custody of the children from 12:00 Noon until 9:00 p.m. every Christmas Day.

In 1991 and odd years thereafter the children shall be in the custody of the mother on Thanksgiving Day and in the custody of the father on Easter Sunday.

In 1992 and even years thereafter the children shall be in the custody of the father on Thanksgiving Day and in the custody of the mother on Easter Sunday.

D. Beginning with the Summer of 1991 the parents shall alternate having custody of the children every week so that the father has the children in his custdoy every other week for a total period of approximately six weeks and the mother has the children in her custody every other week for a total period of approximately six weeks.

E. Neither mother nor father shall say or do anything in an attmept to turn the children against th eother parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude onthe part of the children towards both parents.

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

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

III. this order is a temporary order but shall beocme a permanent order unless exception thereto are filed by either party within thirty (30) days of the date hereof.

IV. Cost of the mediation conference shall be equally divided between the parties.

Gordon R. Miller, J

Mar. 14, 1991 Copies of order put in James Irwin, Harry White and John Fuller's box and copies mailed to plaintiff and defendant.

Mar. 15, 1991 Motion to Pay Court Reporter's Fee and to set Fee of Master and Order filed. ORDER:AND NOW, this 15th day of March, 1991, upon presentation of the within motion, the bill of Lois Conklin, court reporter, in the amount of $95.00 is approved, and the fee of the Master for services in this matter is set at $505.00. Payment is to be made by the Prothonotary to the Master and to the court reporter.

BY THE COURT
Gordon R. Miller, J.

Mar. 21, 1991 copies of order put in James Irwin, Harry White and John Fuller's box and copies mailed to plaintiff and defendant.

May 13, 1991 Upon praecipe of Plaintiff Attorney To Transmit Record, this case moved to court.

May 20, 1991 Separation and Property Settlement Agreement filed.

May 20, 1991 **DECREE FILED.**

1. Divorce: Upon consideration of the pleadings and affidavit filed in the abovecaptioned case, this Court hereby grants an absolute divorce from the bonds of matrimony to the above named parties, on the grounds that the marriage is irretrievably broken an dthe parties have lived separate and apart for a period of at least two (2) years pursuant to Section 201(d) of the Pennsylvania Divorce Code, an dthat timely Notice of Intention to request Entryof Divorce Decree pursuant to Pennsylvania Rules of Civil Procedure 1920.42 and 1920.73 has been given to the Defendant.

2. **Equitable Property Determination and Distrubtion**: It is ordered and decreed that the marital proper ty of the abovenamed parties shall be divided in accordance with a Seperation and Property Settlemer Agreement dated April 5, 1991, executed by the parties and filed in the Court of Common Pleas of Crawford County, Pennsylvania at athe abovecaptioned number and term.

This Agreement, in part, provides that the defendant shall be the sole owner of jointly owned real estate located at R.D.#2, saegertown, Pennsylvania, by a Quit Claim Deed, to Defendan tform Plaintiff dated April 5, 1991.

Further, it is ordered and decreed tha tthe division of marital owned personal property shall be be mad ein accordance with Paragraph 11, and 14, of the Separation and Property Agreement dated April 5, 1991, which in part, provides:

a) The dEfendant shall be the sole and exclusive owner of all maritally owned personal proper ty in the Defendant possession.

b) Plaintiff shall be the sole and exclusive owner of all other marital owned personal proper ty, specifically addressed in this decree.

c) The Plaintiff shall be the sole and exclusive of 40,000 shares of Common Stock of Oil Well Autombation, Inc.

3. Other Matters: This Court acknowledges that an Order dated March 7, 1991 provides a resoution for the issues of child custody.

4. A copy of the Separation and Property Settlement Agreement of the parties, dated April 5, 1991, which sets in further detail the agreement of the parties concerning the matters herein, shall be file dwith this Decree in the Prothonotary's Office at the above

above number and term.

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

This Order shall be effective as of this 20 day of May, 1991.

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

Continued on Page 234B

234
B

# 1989

| | | |
|---|---|---|
| 784. | SHERRY L. LAKE, now by marriage, SHERRY L. LAUFFER<br>Plaintiff<br>VS.<br>ERIC I. LAKE,<br>Defendant | CONTINUED FROM PAGE 234 a<br>OF RECORD<br>A. D. 1989 - 784 |

**********

May 29, 1996 Amendment to Section II Part D of Order Dated March 7, 1991 filed.

Mar 14, 1997 AMENDMENT TO CUSTODY AGREEMENT DATED MARCH 7, 1991: AND NOW, March 14, 1997, the Plaintiff and the Defendant desire to amend the Agreement of March 7, 1991, as follows:

I. Legal custody of Erica Ruth Lake shall be equally divided between the Mother, Sherry L. Lake, now by marriage, Sherry L. Lauffer, and the Father, Eric I. Lake, that is each parent shall be entitled to full access to school records, medical records and other important records and each parent shall be entitled to take part in important decision seffecting the child such as the child's education, medical treatment and religious instruction.

II. Physical custody of Erica Ruth Lake Shall be with her Mother, Sherry L. Lake, now by marriage, Sherry L. Lauffer, subject to the following conditions with deviations made by mutual agareement:

a. The Father shall be entitled to visit and take the child into his custody every Wednesday evening from after school until 8:00 p.m. The Father shall provide transportation of the child both ways on these Wednesday visits. (FOR COMPLETE DOCUMENT SEE PAPER FILED)

May 2, 1997 Amendment To All Previous Visitation Agreemetns and/or Amendments, filed.

# 1989

Brian J. Lindsay

785.

R. Charles Thomas
David Truax

~~Joseph Kulwicki~~ (withdrawn)

WILLARD T. MORELAND

vs.

CINDY LOU DALY

Filed Sept. 7, 1989
@ 11:03 a.m.

Tax & entry paid $50.50

COMPLAINT FOR CUSTODY/VISITATION

1 copy (atty)

1 copy (mediator)

ORDER OF COURT:

You, Cindy Lou Daly, defendant, have been sued in court to obtain custody/visitation of the children: Willard Timothy Moreland, Jr. and Amanda J. Moreland.

You are ordered to appear in person for a conference at such time and place as may be set by JOHN FULLER, CHILD CUSTODY MEDIATOR.

If you fail to appear as provided by this order, an order for custody/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 whree you can get legal help.

Crawford County courthouse, Ser. to the Pub. Comm. c/o Prothonotary, Office, Courthouse, Meadville, Pa. 16335.
814 724-4636.

Dated: 9/7/89 BY THE COURT,
P. Richard Thomas, J.

Sept. 18, 1989, Affidavit filed. I, Brian J.Lindsay, Esq. after being duly sworn according to law, depose and say that I am the atty. of record for Willard T. Moreland, at that as such I amauthorized to execute this affidavit; that I did on the 11th day of Sept. 1989, send by cert. mail, addressee only, ret. rec. req. a true and correct copy of order of court and complaint for custody/visitation to defendant Cindy Lou Daly, at her last known address of Town and County Trial Park 1680 Conneaut Lake Road, Meadville, Pa. 16335, as evidenced by the attached sender's receipt No. P276 200 297, and that on the 13th day of Sept. 1989, I did receive the duly executed ret. rec. dated the 12 dayof Sept. 1989.

I verify that the statements made in this affidavit are true and correct.

Date: 9/15/89 Brian J. Lindsay, Esq.

Sept. 18, 1989, Affidavit filed. I, Shelly Miller, depose and say that I did on the 11 day of Sept. 1989, delivered to the courthouse in David Truax's Prothonotary's box, atty. for the dft., a true copy of the order of court and complaint for custody/vivitation.

Date: 9/15/89 Shelly Miller

Oct. 4, 1989 ORDER filed. AND NOW, Oct. 4, 1989, after mediation conference before John Fuller, Esq., IT IS ORDERED AND DECREED AS FOLLOWS:

I. Legal custody of Willard Timothy Moreland, Jr. and Amanda J. Moreland shall be shared between the mother and the father, that is, each parent shall be entitled full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in decisions affecting the children's education, medical treatment, religious instruction, and other such important decisions.

II. Physical custody of Willard Timothy Moreland, Jr. and Amanda J. Moreland shall be with their mother, Cindy Lou Daly, subject to the following conditions:

A. In the Summer of 1990 the father, Willard T. Moreland, shall be entitled to have the children in his custody for a continuous period of one month, which unless otherwise agreed between the parties shall be from June 15th until July 15th.

B. In the Summer of 1991 and each Summer thereafter until this order has been changed, the father shall be entitled to have the children in his custody for a period of approximately six (6) weeks, which unless otherwise agreed between the parties shall be from Hune 15th to August 1st, each Summer.

C. Transportation shall be divided with the parent receiving custody of the children being responsible for the transportation. In other words, the father shall be responsible for providing transportation of the children from the mother's home in Crawford County, PA. to the father's home in Florida and the mother shall be responsible for providing transportation for the return trip from the father's home in Florida to the mother's home in Pennsylvania.

D. The father shall be entitled to visit the children for a one week period either at Christmas or Thanksgiving each year. In 1989, and odd yers thereafter, the father shall be entitled to have the children in his custody for a one week period at Thanksgiving. The father shall pick the children up on Thanksgiving morning at 10:00 a.m. and return them to the mother's home no later than 7:00 p.m. the following Wednesday. In 1990, and even years thereafter, the father shall be entitled to have the children in his custody for a one week period at Christmas. The father shall pick the children up at the mother's home at 10:00 a.m. Christmas morning and shall keep them in his custody for a seven day period.

E. During Thanksgiving and Christmas vacations the father shall not remoe the children from the Commonwealth of Pennsylvania and shall see that they attend school if there are scheduled school attendance days during the father's Thanksgiving visit.

F. The mother shall furnish the father her telephone number and the father shall be entitled to call the children, at his expense, once each week.

G. This order is entered without prejudice to the right of either parent to request a further mediation conference prior to the 1990 Summer visit.

H. Neither mother nor father shall say or do anything in an attempt to turn the children against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the children towards both parents.

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

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

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

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

Robert L. Walker, Judge

Oct. 5, 1989 Copy of Order to Atty. Brian Lindsay, John Fuller, David Truax.

Record Continued on Page 611.....

SEE VOL. 3

# 1989

Kathleen R. Nelson

786.

ANN L. LONG

vs.

CLYDE E. LONG

Filed Sept. 7, 1989
@ 11:07 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| State Pd 2-13-92 | 10.00 |
| Pro Co Pd 2-13-92 | 9.00 |

COMPLAINT UNDER SECTION 201(c) OF DIVORCE CODE

1 copy (atty)

Sept. 18, 1989 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, Clyde E. Long, on September 7, 1989.
3. The registered mail was sent to Clyde E. Long, P.O. Box 123 Conneautville, Pennsylvania 16406. The sender's receipt for said registered mail is attached hereto.
4. That the defendant received said registered mail on September 9, 1989. Return Receipt card P 076 254 129 is attached hereto, signed by Clyde E. Long, and made a part hereof.

Kathleen R. Nelson

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

Feb. 13, 1992 Affidavit of Consent of Plaintiff filed.

Feb. 13, 1992 Upon praecipe of plaintiff attorney to transmit record, case moved ot Court.

Feb. 24, 1992 **D I V O R C E  D E C R E E  F I L E D .**

AND NOW, February 24, 1992, it is hereby ordered and decreed that Ann L. Long, Plaintiff, and Clyde E. Long, defendant, are divorced form the bonds of matrimony. The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

BY THE COURT,
Anthony J. Vardaro, J

# 1989

Barrett & Dratler
Bruce A. Barrett

787.

LYNETTE MICHELE WHITMAN

vs.

SCOTT ALLEN WHITMAN

Filed Sept. 7, 1989
@ 4:17 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Pro Co Pd 1/12/90 | 9.00 |
| State pd 1/22/90 | 10.00 |
| **Pro Co Pd 2/9/90** | **5.00** |

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

1 copy (atty)

Sept. 12, 1989 Affidavit of Service filed. BRUCE A. BARRETT, Esq., being duly sworn according to law, deposes and says that the following facts in support of his Affidavit of Service are true and correct to the best of his knowledge, information and belief.

1. That the affiant is the attorney for the Plaintiff in the above captioned action.
2. That a true and correct copy of the Complaint Under Section 201(c) of the Divorce Code was sent by registered mail to the Defendant on September 7, 1989, The sender's receipt is attached hereto.
3. The registered mail was sent to Scott A. Whitman, P.O. Box 14A, R.D.#4, Cochranton, PA 16314.
4. That the Defendant received said registered mail on September 8, 1989. Said receipt card number P 063 588 973 is attached hereto and signed by Scott A. Whitman. Bruce A. Barrett

Jan. 17, 1990, Affidavit of Consent of plaintiff filed.

Jan. 17, 1990, Affidavit of Consent of defendant filed.

Jan. 17, 1990, Upon praecipe of plaintiff attorney, for Review Under 201(c) of the Divorce Code, this case moved tocourt.

Jan. 24, 1990, DIVORCE DECREE FILED.

AND NOW, January 24, 1990, it is ordered and decreed that Lynette Michele Whitman, Plaintiff, and Scott Allen Whitman, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J.

**Feb. 7, 1990, Notice of Intention to Resume Prior Names filed**
**To Be Known AS LYNETTE MICHELE RESINGER.**

788.

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

COMMONWEALTH OF PENNSYLVANIA

vs.

RICHARD JOHN SMITH

Filed Sept. 8, 1989
@ 9:33 a.m.

Tax & entry Paid $50.50

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

2 copies (atty)

ORDER:

AND NOW, September 8, 1989, upon consideration of the foregoing Petition and upon Motion of David P. Truax, Esq. atty. for Petitioner, a hearing is granted to determine whether the action of the Dept. of Trans. in suspending the driver's license of the Petitioner should be set aside.

The above matter is set for hearing on the 30 day of Nov. 1989 at 9:00 a.m. at the Courthouse, Meadville, Pa. in C. R. No. 1 or 2.

Petitioner is directed to give sixty (60) days written notice to (1) Dept of Transportation, Bur. of Driver LIcensing, Citation Processing Division, Rm. 302, Trans. and Safety Bldg., Harrisburg, Pa. 17120, and (2) Dept. of Trans. Office of CHief Counsel, 1209 State Office Bldg, Pgh, Pa. 15222, said notice to be by certified mail in each case return receipt requested.

BY THE COURT,
P. Richard Thomas, Judge

Nov. 30, 1989 Order filed: AND NOW,, November 30, 1989, at the time fixed for hearing on the appeal of Richard JOhn Smith on the suspension of his driver's license, the parties agree that on the underlying conviction for leaving the scene of an accident under 75 Pa. C.S. 3743 (a) the Defendant was found not guilty on appeal by the Court of Common Pleas of Mercer County, Pennsylvania, and therefor, the suspension by the Department of Transportation should be voided and this matter is remanded to the Department of Transportation for the purpose of rescinding the suspension Order.

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

Nov. 30, 1989 copies of order put in David P. Truax box and mailed to William A. Kuhar.

# 1989

Jorden & White
Harry Faber white II

789.

MARILYN E. KLINE

vs.

LARRY E. KLINE, SR.

Filed Sept. 8, 1989
@ 10:04 a.m.

Indigent filing
John Fuller, Mediator 135.00

MOTION TO PROCEED IN FORMA PAUPERIS-CUSTODY ACTION

ORDER:
AND NOW, this 8th dayof Sept. 1989, upon consideration of the foregoing petition, the plaintiff is hereby allowed to proceed in forma pauperis with the court reserving the right to assess costs and expenses at a later time, if appropriate.
BY THE COURT,
P. Richard Thomas, J.
Sept. 18, 1989 copy of order to Atty. White.

Sept. 13, 1989, Complaint for Custody and Order filed. ORDER: AND NOW, this 15 dayof Sept. 1989, upon presentation of the foregoing Compalitn for Custody, the same is referred to JOHN FULLER, CHILD CUSTODY MEDIATOR for mediaton conference.
1 copy (atty) BY THE COURT,
1 copy (mediator) P. Richard Thomas, J.

Dec. 15, 1989, Complaint Reinstated

Jan. 18, 1990, Affidavit of service filed. Harry Faber White, II, Esq. atty. for plaintiff in above matter, being duly sworn according to law, deposes and says that he served the Notice to Plead and Complaint for Custody under the Pa. divorce Code upon the dft. Larry E. Kline, by cert. mail, ret. rec. req., on Dec. 30, 1989, at the defendant's address c/o Lyle S. Harvey, 1116 E. Diamond St. Phoenix, Arizona 85006, The defendant's acceptance ofthe same is attached hereto. Harry Faber White, II, ESq.

Feb 9, 1990 Order filed: AND NOW, February 7, 1990, after mediation conference before John Fuller, Esqurie, IT IS HEREBY ORDERED AND DECREED AS FOLLOWS:

I. Legal custody of Melissa K. Kline shall be shared between the father, Larry E. Kline and the mother, Marilyn E. Kline, that is, each parent shall be entitled to full access to school records, medical records and other important records and each parent shall be entitled to take part fully in importatnt decisions affecting the child's medical treatment, education, religious instruction and other such important decisions.

II Physical custody of Melissa K. Kline shall be with her mother, Marilyn E. Kline, subject to the following conditions:

A. Beginning with the Summer of 1990, the father shall be entitled to have the child in his custody for a period of not more than two (2) months. The father shall notify the mother at least thirty (30) days prior to exercising any Summer visitation rights. Transportation of the child to and from the father's home in Arizona shall be the responsibility of the father.

B. At any time the father is in Crawford County, Pennsylvania, he shall be entitled to have the child temporarily in his custody for periods of not more than one week.

C. The father shall be entitled to reasonable telephone contact with the child.

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 thirty (30) days of the date hereof.

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

Gordon R. Miller, Judge

Feb 14, 1990 Copies of order put in Attys. Fuller and Whites boxes.

# 1989

Mason and Mason
Joan D. Mason

790.

CAROL A. TERESI

vs.

DAVID T. KENNISTON

Filed Sept. 8, 1989
At 3:17 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 ✓ |
| 1 count paid | 15.00 ✓ |
| Pro Co Pd 7-5-91 | 9.00 ✓ |
| State Paid 7-5-91 | 10.00 |

COMPLAINT IN DIVORCE, CUSTODY

1 copy (atty)

Sept. 26, 1989 Affidavit of Service filed.
I, Joan D. Mason, Esq. atty. for the plaintiff in the above entitled case, and being duly sworn according to law, depose and say that I did on Sept. 15, 1989 mail to the above defendant by Cert. mail P 966 073 957, ret. rec. req. deliver to addressee only a complaint in the above divorce action. Said notice was received on Sept. 21, 1989 as indicated by the ret. rec. card which was returned to the office of the palintiff atty. and is attached hereto. Joan D. Mason, Esq.

June 24, 1991 **AFFIDAVIT OF CONSENT** filed by Plaintiff.
Carol L. Teresi

**July 2, 1991 Affidavits of Consent of Defendant filed.**

**July 2, 1991 Upon Praecipe of Plaintiff's Attorney for Review Under §201(c) of the Divorce Code, this case is moved to court.**

July 2, 1991 Motion to withdraw Count II and Order filed. And now, July 9, 1991 Motion granted. Gordon R. Miller, J
July 10, 1991 Copy of orde rput in Joan Mason's box.

July 2, 1991 Motion To correct the initial of plaintiff on all papers and Order filed.
And now, July 9, 1991 motion granted. Gordon R. Miller, J
July 10, 1991 Copy of order put in Joan Mason's box.

July 9, 1991 **D I V O R C E  D E C R E E  F I L E D .**

AND NOW, July 9, 1991, it is ordered and decreed that Carol L. Teresi, plaintiff and David t. Kenniston, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J

# 1989

SHAFER, SWICK, BAILEY,.. IRWIN AND STACK
Paul D. Shafer

791

James L. Wynkoop

PHILIP PAUL HENDERSON, SR. AND NANCY C. HENDERSON, HIS WIFE INDIVIDUALLY AND AS GUARDIANS OF TERRA L. HENDERSON, A MINOR

VS.

DAVID B. HEBB

Filed Sept 11, 1989
@ 10:29 A.M.

Tax & Entry Paid $50.50 ✓
Pro Co Pd 10/9/89 6.00 ✓

SUMMONS IN CIVIL ACTION

Issued (Atty)

Sept. 21, 1989, Acceptanc eof Servcie filed. I accept service of the writ of Summons on behalf of David B. Hebb and certify that I am authorized to do so.

James L. Wynkoop, Erie Ins. Group.

Sept 22, 1989 Petition to Compromise Actionand Order filed: AND NOW, this 22 day of September, 1989, upon consideration of the foregoing Petition which was presented in open Court in the presence of the minor, Terra L. Henderson, it is hereby ordered, adjudged and decreed that:

1. The parties may compromise this action upon the terms of the proposed compromise set forth in the Petition annexed hereto.

2. Five Thousand ($5000.00) Dollars of the proposed settlement shall be paid to Philip Paul Henderson and Nancy C. Henderson natural guardians of Terra L. Henderson, who are authorized to purchase a personal computer in the name of Terra L. Henderson, and to deposit any balance in a savings account in the name of Terra L. Henderson, and no further withdrawals therefrom can be made until Terra L. Henderson reaches majority except as authorized by Court Order.

3. All further payments shall be made by Erie Insurance Group directly to Terra L. Henderson upon her attaining the ages of eighteen (18), nineteen (19), twenty (20) and twenty-one (21).

4. Philip Paul Henderson, Sr. and Nancy C. Henderson are authorized to execute a general release on behalf of their daughter, Terra L. Henderson.

PER CURIAM.
Dated: Sept 22, 1989 Robert L. Walker, J

Sept 22, 1989 Copies of order put in Atty. Shafer's box and copy mailed to Atty. Wynkoop.

Oct. 9, 1989, Upon praecipe of plaintiff attorney,. the above captioned case is marked settled and discontinued of record.

242

# 1989

CAULEY & CONFLENTI
Franklyn E. Conflenti
Dominic D. Salvatori

792

VIRGINIA A. PALLA

VS.

MARIAN McENTIRE

Filed Sept 11, 1989
@ 11:42 A.M.

| | |
|---|---|
| Tax & Entry Paid | $50.50 |
| Sheriff's Costs | 19.40 |
| Pro Co Pd 5/8/90 | 6.00 |

COMPLAINT IN CIVIL ACTION

1 copy (sheriff)

Sept. 29, 1989 Sheriff's Return filed. SERVED Marian McEntire by Certified Mail on September 14, 1989 at her last known address, 1418 East Hill Square, N.W. Canton, Ohio 44714. The return signed receipt attached.
So answers, Howard N. Stewart, Sheriff

May, 7, 1990, Upon praecipe of plaintiff attorney, the above captioned case is marked settled and discontinued of record.

# 1989

ALTOMARE AND BARNHART
Joseph C. Barnhart

793

Culbertson, Weiss,
Schetroma & Schug
Mary Ann Kirkpatrick

11/1/89 Recd $ 77.80
From Defendant

Recd 11-2-89
$ 77.80
Vivian Stoltz

3/23/90 Recd $ 77.80
From Plaintiff
Recd 3-1-90
$ 77.80
Vivian Stoltz

SHARON A. SCHRECKENGOST

VS.

RANDALL C. SCHRECKENGOST

Filed Sept 11, 1989 @

| | |
|---|---|
| Tax & Entry paid | $50.50 |
| 1 count paid | 15.00 |
| Bruce L Smith, Mediator | 155.60 |
| | 9.00 |
| Pro Co pd 3-31-95 | 9.00 |
| State pd 3-31-95 | 10.00 |

Pro Co Rd 2/23/90

COMPLAINT IN DIVORCE, CUSTODY

4 copies (atty)

Sept. 11, 1989, Motion for Temporary Ex-Parte Custody Order and Order filed. 2 copies (atty) 1 copy (mediator)
ORDER OF COURT:

You, Randall C. Schreckengost, Defendant, have been sued on court to obtain custody ofthe children: Jennifer J. Schreckengost, Mara N. Schreckengost and Clinton R. Schreckengost.

BRUCE L. SMITH ESQ. is appointed Custody Mediator and is hereby directed to hold such custodymediation conferences as the mediator deems appropriate and to make recommendations thereafter tothis court. The parties are ordered to appear before the Custody Mediator at such times as the Mediator shall direct and to bring with them the children, the subject of this action.

Upon motion of plantiff and after consideration of the facts averred to in both the motion of palintiff and plaintiff's complaint for Custody, the court hereby awards full legal and physical custody ofthe children to the plaintiff, Sharon A. Schreckengost pending further order of court.

If you fail to appear asprovided for by this order, an order for cusotdy, partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.

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

Crawford CountyBar Association, Service tothe Public Committee c/o Prothonotary Courthouse, Meadville, Pa. 16335 814 724-4636.

Date: 9/11/89

BY THE COURT,
Robert L. Walker, J.

Sept. 22, 1989 Acceptance of Service filed. And Now, September 22, 1989 comes Mary Ann Kirkpatrick attorney for the Defendant, Randall C. Schreckengost and accepts service of the Complaint if Divorce, Motion for Temporary Ex-parte Custody Order and Order one behalf of the Defendant.

Mary Ann Kirkpatrick

Oct 3, 1989 Temporary Order of Court filed: AND NOW, this 3rd day of October, 1989, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Jennifer J. Schreckengost, age 14, Mara N. Schreckengost, age eleven, and Clinton R. Schreckengost, age four, 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 elective surgery.

Primary physical custody of the children shall remain with the natural mother, Sharon A. Schreckengost. Regular visitation and temporary custody the children shall be granted to the father, Randall C. Schreckengost. Physical custody fo the children with the father shall be as follows:

a. The children shall visit in the home of the natural father, now also the grandparents' home, on the first and third weekends of each month. The child, Clinton, shall also visit in the father's home on the fourth weekend of each month. Weekends shall begin at 5:30 p.m., prevailing time, on Friday and shall end at 5:00 p.m., prevailing time, on Sunday. The father shall be responsible for picking up and dropping off the children at the mother's home.

b. Beginning with the month of June, 1990, the father shall have the right to take the chidlren into his temporary custody for two consecutive or non-consecutive weeks. A written notice of thirty days of the time for the children to be in the father's custody shall be given to the mother. The consecutive or non-consecutive weeks with the father shall be during the summer shcool recess during the months of June, July or August.

c. Holiday visitation shall take priority over other scheduled visitation. The parties are encouraged to agree as to holiday visitation; however, in the event that they cannot, during even-numbered years, beginning in 1990, the mother shall have custody of the children on Memorial Day and Labor Day, and the father shall have the children on the 4th of July. These days shall begin at 9:00 a.m., prevailing time, and shall end at 7:00 p.m., prevailing time. The holidays shall be reversed on odd-numbered years between mother and father. On a child's birthday, the father shall be permitted temporary custody of the children for theree hours in the afternoon or eveing to accomodate the children's school or other schedules. On a notice of ten days to the mother, the father shall also be entitled to temporary custody of the children to attend his family reunion, to cover Saturday, 10:00 a.m., prevailing time, through Sunday at noon, prevailing time, which reunion normally takes place in August of each year. The children shall spend Thanksgiving each year in the father's home beginning at noon, prevailing time, on Thursday and ending at 6:00., prevailing time, on Friday. Easter shall be spent with the father each year beginning at noon, prevailing time, and ending at 7:00 p.m., prevailing time. With regard to Chirstmas each year, the children shall be available to spend Christmas each year in the father's home from noon, prevailing time, until noon, prevailing time, on December 28.

d/ Anytime the father is one hour or more late for a scheduled transfer of custody, the transfer and resulting partial custody shall be considered waived. With regard to one-week visitations in the summer, the period of time which the father may be late and still not have waived the visiation will be three hours. Satisfactory prior arrangements with the mother, of course, can modify this provision.

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

4. Neither of the parents 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 themselves and the children's schedules, they may adjust the physical custody arrangements accordingly and are encouraged to do so by mutual consent and agreement. With regard to the two older children, both parents are encouraged to provide a portion of their weekends with the children for the children to attend regularly scheduled school events or events at Tyc-Toc Recreation Center.

6. Each of the parents will teach the children, as will as the grandparents involved in the case, that love and respect due a parent from his or her children, and neither of the parents or the grandparents will do anything

Continued on Page 615

SEE VOL. 3

# 1989

SHAFER, SWICK, BAILEY, IRWIN AND STACK
James R. Irwin

794

RAYMOND E. SKORNICKEL

VS.

CATHIE JANE SKORNICKEL

Filed Sept 11, 1989
@ 2:27 P.M.

Tax & Entry paid $50.50

COMPLAINT IN DIVORCE

1 copy (atty)

Sept 12, 1989 Verification of Service filed: I, James R. Irwin, Esquire, do hereby verify that I personally served a true and correct copy of the Complaint in Divorce upon the defendant above named at 360 Chestnut Street, Meadville, Pennsylvania, on the 11th day of September, 1989, at 3:00 o'clock P.M.
Dated 9-12-89 James R. Irwin, Esq

Feb. 17, 1998 Important Notice and Court Order filed.
Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 9/12/89 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.
If you do not object this this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.
If you object to the case being dismissed, you must put your object in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA 1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or sent a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.
YOU MAY LOSE IMPORTANT RIGHTS IF YOUR CASE IS TERMINATED. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP:
Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

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

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

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

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

# 1989

795

PAMELA C. COXSON

VS.

LAUREN G. RHOADES, JR.

Filed Sept 11, 1989
@ 4:20 P.M.

| | |
|---|---|
| Sheriff's Costs | 20.00 |
| Tax & entry Pd 9/18/89 | 50.50 |
| Pro & Pd 9/18/89 | 5.00 |

PETITION FOR EMERGENCY RELIEF UNDER
PROTECTION FROM ABUSE ACT

3 copies (sheriff)
2 copies (plaintiff)

TEMPORARY ABUSE ORDER:

And now, this 11 day of Sept., 1989, upon review of the petition of the Plaintiff, the Court enters the following Temporary Order.

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

2. Special Conditions: Not contact Plaintiff in any way. Not contact or have possession of either Lauren Jr. or Jeremy Coxson.

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 plice departments in the jurisdiction where the Plaintiff resides and to County Control.

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

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

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

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

Hearing is hereby set for Sept. 19, 1989, 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,
P. Richard Thomas, J.

Sept. 13, 1989 Sheriff's Return filed. SERVED Lauren G. Rhoades, Jr. personally by handing a copy of the Protection From Abuse, Notice, Petition and Order to him on September 12, 1989 at 8:40 AM at Domestic Relations Office, Park Avenue, Meadville, Crawford County, PA 16335.
So answers,
Robert Fischer, deputy sheriff
Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Sept. 18, 1989, Upon praecipe of plaintiff attorney, the above captioned action is discontinued of record.

Sept. 21, 1989, ORDER filed. And now, September 19, before hearing could be held in this matter, the court is advised that the plaintiff wishes to withdraw Petition From Abuse and that she has paid the costs in the case. Accordingly, the case is discontinued and a temporary order entered Sept. 11, 1989 is rescinded.
BY ORDER OF THE COURT,
P. Richard Thomas, P.J.

Sept. 22, 1989, copies to Pamela Coxson and Lauren G. Rhoades, Jr. by mail; copy to county control.

# 1989

Barrett & Dratler
Bruce A. Barrett

796.

JOHN HOPKINS GAUNT

vs.

CHARLENE LAURA GAUNT

Filed Sept. 12, 1989
@ 9:10 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Pro Co pd 10/27/89 | 9.00 |
| State pd 10/27/89 | 10.00 |

COMPLAINT UNDER SECTION 201(d) OF DIVORCE CODE

1 copy (atty)

Sept. 12, 1989, Plaintiff's Affidavit Under Section 201(d) of the Divorce Code filed. 1 copy (atty)

Sept. 13, 1989 Petition For Alternate Service and Order filed. AND NOW, this 13 day of September, 1989, upon consideration of the foregoing Petition, it is hereby ordered that service of the Divorce Complaint upon the Defendnat, Charlene Laura Gaunt, shall be made in the following manner through regular mail notice to the last known address of mother in Calif. P. Richard Thomas
Sept. 13, 1989 Copy of order put in Bruce Barrett's box.

Sept. 15, 1989 Affidavit Of Service filed. BRUCE A. BARRETT, Esq., being duly sworn according to law, deposes and says that the following facts in support of his Affidavit of Service are true and correct to the best of his knowledge, information and belief.

1. That the affiant is the attorney for the Plaintiff in the above captioned action.
2. That a true and correct copy oftheComplaint Under Section 201(d) of the Divorce Code was sent by regular mail to Laura Allen at 1901 McKinney Way, Long Beach, California, the Defendant's mother, on September 13, 1989.
3. The foregoing service was authorized by Order of Court dated September 13, 1989.

Bruce A. Barrett

Sept. 29, 1989, Complaint returned, with 201(d) affidavits attached, and letter from defendants mother stating no knowledge of defendants' whereabouts.

Oct. 27, 1989 Upon praecipe of Plaintiff attorney For Review Under Section 201(d) of Divorce Code, this case moved to court.

Nov. 9, 1989 **DIVORCE DECREE FILED.**

And now, NOvember 9, 1989, it is ordered and decreed that John Hopkins Gaunt, plaintiff and Charlene Laura Gaunt, defendnat, are divorced from the bonds of matrimony.

BY THE COURT,
P. Richard Thomas, J

# 1989

797.

GERMAINE H. BAILEY

vs.

DAVID H. NICKOLAY

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plaintiff)

Filed Sept. 12, 1989
@ 10:01 a.m.

| | | |
|---|---|---|
| Sheriff's Costs | | 20.00 |
| Tax & entry | pd 10/25/84 | 50.50 ✓ |
| Pro Co | pd 10/25/84 | 9.00 ✓ |

10/25/84 Recd $20.00 From Defendant
10/25/84 Paid $20.00 To Howard Stewart, Sheriff's Costs Ck# 5300

TEMPORARY ABUSE ORDER:

AND NOW, this 12 day of Sept. 1989, 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: Return Pl's car keys to Carol Morrison at Care Center. Not Contact Plaintiff. Pick up his personal belongings only by arrangement 7 with a constable present.

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

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

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

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

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

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

Hearing is hereby set for sept. 18, 1989 at 3:30 p.m. in C. R. No. 1 or 2 of the Crawford County Courthouse. The defendant is advised he amy retain a lawyer to represent him at said hearign if he so desires but he is not required to do so.

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

Sept. 13, 1989 Sheriff's Return filed. SERVED David H. Micholay personally on September 12, 1989 at 10:30 AM by handing copy of Protection From Abuse, Notice, Petition and Order to him at his place of employment, Meadville Care Center, Park Avenue Extension, Meadville, Crawford County, PA 16335
So answers,

Robert M. Stevens, Deputy Sher;iff
Howard N. Stewart, Sheriff

Sept. 21, 1989 Order filed. AND NOW, September 18, 1989, at the time the matter is set for hearing, the Defnedant advises he is willing to admit the contentions alleged in the petition and does not wish to contest the allegations. Accordingly, the Defendant is adjudicated to have abused the Pl aintiff, and he is DIRECTED not to threaten, harass or annoy or assault the Plaintiff in any fashion. Upon presentation of a bill for a replacement car key or keys, the Defendant will pay the same within three (3) days for replacing the keys destroyed.

The parties mutually agree that the Defendant will not go to the residence of the Plaintiff for any purpose at any time except that on October 1, 1989 at 6:00 p.m., he may appear along with th epresence of the landlady, Mrs. Dahl, for the purpose of repossessing his personal belongings. The Plaintiff agrees she will not destroy or sell the same, an dthey shall remain in the apartment. The parties advise the Court they are in mutual agreement as to what belongs to each party, without necessary of listing the same.

The Plaintiff advises that it will be necessary to have some contact with the Defendant, and accordingly, he is permitted at reasonable times to contact the Plaintiff by telephone or the Plaintiff may contact him by telephone. Neither party will interpret this condition as authority to harass the other party.

The Defendant will pay Prothonotary costs in the amount of $59.50 plus additional Sheriff's costs in an unknown amount at this time on or before 4:30 p.m., October 3, 1989.

This Order shall remain in force and effect for a period of one (1) year.

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

Sept. 22, 1989 Copies of order put in Margaret Eglinton and County Control's box and copy mailed to defendant.

# 1989

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

798.

Bukac & Toomey
Terry Toomey

DIANA L. NAGEOTTE

vs.

RICHARD A. NAGEOTTE

Filed Sept. 12, 1989
@ 10:49 a.m.

Tax & entry Paid $50.50

Pro Co Pd 1-4-90 9.00

State Pd 1-4-90 10.00

Pro co Pd 11/26/91 5.00

COMPLAINT IN DIVORCE UNDER SECTION 201(c) OF DIVORCE CODE

1 copy (atty)

Sept. 22, 1989 Appearance of Bukac & Toomey by Terry Toomey for Defendant filed.

Nov. 9, 1989, Affidavit Of Service of Complaint in Divorce filed. David P. Truax, Esq. being duly sworn according to law, deposes and says that on Sept. 12, 1989 he sent a true and correct copy ofthe complaint in divorce, properly endorsed with the Notice to Defend, filed in above action to dft. Richard A. Nageotte at Defendants last known address of R. D. #3, Box 188 Conneautville, Pa. 16406 by Cert. mial NO. P 966 069 717, postage postpaid, restricted del. ret. rec. req., and that attached hereto is a duly executed ret. rec. card showing date of del. ad 9/13/89. David P. Truax, esq.

Dec. 12, 1989, Affidavit of Consent of plaintiff filed.

Dec 29, 1989 Affidavit of Consent filed.

Dec 29, 1989 Upon Praecipe of Plaintiff's Attorney for Review Under §201(c) of the Divorce Code, this case is moved to court.

Jan. 19, 1990 DIVORCE DECREE FILED

And Now, January 18, 1990, it is ordered and decreed that Diana L. Nageotte, plaintiff, and Richard A. Nageotte, defendant, are divorced from the bonds of matrimony.

BY THE COURT,

P. Richard Thomas, J..

Nov. 26, 1991, NOtice of Election to REtake Maiden Name filed.
TO BE KNOWN AS: DIANA L. RAMEY

# 1989

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

799.

SEARS, ROEBUCK AND COMPANY
800 Millcreek Mall
Erie, Pennsylvania

vs.

EDDIE F. SMITH

Filed Sept. 12, 1989
@ 11:18 a.m.

Tax & entry Paid $50.50 ✓
Sheriff's costs 24.20
Pro Co pd 10/12/89 9.00 ✓

COMPLAINT

1 copy (sheriff)

Sept. 27, 1989 Sheriff's Return filed. SERVED Eddie F. Smith on Sept. 14, 1989 at 12:50 PM by handing copy of Complaint to Barbara St. Jean, adult in charge of residence, at R D #1, Box 21 A, Cambridge Springs, Crawford County, PA 16403.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

And now, Oct. 12, 1989 at 12:01 p.m. upon praecipe of Plaintiff's attorney, with Consent of Defendant, judgment is hereby entered in favor of the plaintiff and against the defendant for failure to file an answer and the damages are assessed at the sum of Two Thousand One Hundred Ten and 81/100 plus interest and cost of suit.
S-208
judgment entered 10/12/89

Debt $2,110.81
Int. from September 1989
Judgment
James F. Simmons
Prothonotary

# 1989

| | | |
|---|---|---|
| 800. | RIDDLE WELDING<br>vs.<br>GEORGE SCHROECK<br><br>Filed Sept. 12, 1989<br>@ 11:50 a.m.<br><br>Tax & entry Paid $50.25 | APPEAL OF DEFENDANT FROM JUDGMENT OF MAGISTERIAL DISTRICT # 30-3-04<br><br>Sept. 12, 1989, rule entered upon plaintiff to file complaint issued.<br><br>Sept. 15, 1989, Proof of Service filed'. |

# 1989

| | | |
|---|---|---|
| 801. | APPLICATION FOR EXTENDED INVOLUNTARY TREATMENT of | APPLICATION FOR EXTENDED INVOLUNTARY TREATMENT<br>Mental Health Procedures Act of 1976-Sect. 303 |
| Bruce Barrett | LINDA L. SHAFFER | Sept 19, 1989 Certification by the Court for Extended Involuntary Emergency Treatment-Section 303 and Order filed: This 15th day of September, 1989, after hearing and consideration of (See paper filed).<br>The court finds that the patient is severely mentally disabled and in need of treatment. Accordingly, the court orders that: Linda L. Shaffer receive inpatient treatment which is the least restrictive treatment setting appropriate for the patient at CMHC(Meadville) as a severely mentally disabled person pursuant to the provisions of Section 303 of the Mental Health Procedures Act of 1976 for a period of Twenty (20) days.<br>For the Court,<br>John D. Petruso,<br>Mental Health Review Officer<br>Sept 20, 1989 Copies of order put in Attys. Petruso and Barretts boxes and copy given to MH/MR and Hospital |
| | Filed Sept. 12, 1989 | Apr. 6, 1992 Application for Extended Involuntary Treatment, filed. Picked up papers./ |
| | | Apr. 13, 1992 CERTIFICATION BY THE COURT FOR EXTENDED IN_ VOLUNTARY EMERGENCY TREATMENT _ Section 303, filed. This 10th day of April, 1992 after hearing and consideration , the Court finds that the patient is severly mentally disabled and in need of treatment. Accordingly, the court orders that Linda L. Shaffer receive inpatient treatment which is the least restrictive treatment setting appropriate for the patient at MMC (Grove St.) as a severely mentally disabled person pursuant to the provisions of Section 303 of the Mental Health Procedures Act of 1976 for a period of twenty (20) days. For the Court:<br>J. Petruso<br>Apr. 20, 1992 copy in box for B. Barrett, copy to MH/MR & Hosp. |

Kathleen R. Nelson

802.

Joan D. Mason

3/26/90 Reed $20.00 From Plaintiff

Recd 3-1-90
$20.00
William Stalby

3/2/90 Reed $40.00 From Defendant

Recd 4-2-90
$40.00
William Stalby

LAURIE A. EMERMAN

vs.

ALAN T. EMERMAN

Filed Sept. 12, 1989
@ 3:24 p.m.

| | |
|---|---|
| Tax & entry paid | $50.50 ✓ |
| 2 ocunts paid | 30.00 ✓ |
| John Fuller, Mediator | 80.00 |
| | 9.00 ✓ |
| William Pineo, Mediator | 90.00 ✓ |
| Pro-Co pd 7-2-90 | |
| State pd 7-2-90 | 10.00 |

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

1 copy (atty)

Sept. 13, 1989 Motion For Appointment Of Child Custody Mediator and Order filed. AND NOW, September 13, 1989, upon presentation of the herein Motion, the parties and their respective counsel are ordered to appear before John Fuller, Child Custody Mediator, at such time and place as the Child Custody Mediator shall determine and it is further ordeirng that pending mediation, the defendant father shall be entitled to visitation with the child in the home of the plaintiff's mother. Defendant father is specifically ordered not to interfere with the child's current/temporary transportation to and from school. Father may visit child at maternal grandmother's home by arrangement at least 2 time per week until mediation hearing.

By the Court:
1 copy atty 1 copy mediator P R Thomas

Sept. 18, 1989, Affidavit of Service filed. Kathleen R. Nelson, Esq. being duly sworn according to law, deposes and says that the following facts in support of her affidavit of service are true and correct to the best of her knowledge, information and belief.

1. That the affiant is the atty. for the plaintiff in the above action.
2. That a true and correct copy of the complaint in divorce and notice were sent by reg. mail to the defendant on Sept. 14, 1989.
3. The reg. mail was sent to Alan T.Emerman, 318 ½ N. Mercer St Box 464 Linesville, Pa. 16424. The sender's receipt for said reg. mail is attached hereto.
4. That the dft. received said reg. mail on Sept. 14, 1989. Ret. Rec. card P 076 254 131 is attached hereto, signed by Alan T. Emerman, and made a part hereof.

Kathleen R. Nelson, Esq.

Oct 4, 1989 Order filed: AND NOW, October 3, 1989, after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS:

I. Legal custody of Jamie Lea Emerman shall be shared between the mother and the father, that is, each parent shall be entitled full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in decisions affecting the child's education, medical treatment, religious instruction, and other such important decisons.

II. Physical custody of Jamie Lea Emerman shall be with her mother, Laura A. Emerman, until a further mediation conference is held, subject to the following conditions:

A. The father, Alan T. Emerman, shall be entitled to visit and take the child into his custody every other weekend beginning September 29, 1989, from Friday evening at 6:00 p.m. until Sunday evening at 6:00 p.m.

B. The father shall be entitled to visit and have the child in his custody every Tuesday and Thursday afternoon and evening from the time the child is dismissed from school until 7:30 p.m. On Tuesday and Thursday afternoon visits the child shall go directly to the father's home on the bus from school and the father shall then take the child to the mother's home by 7:30 P.M.

C. On weekend visits with the father, transportation shall be divided with the parent receiving custody of the child providing the transportation, that is, on Friday evening when the father receives custody of the child, the father shall provide transportation of the child from the mother's home to the father's home and on Sunday evening when the mother receives the child back into her custody she shall provide transportation from the father's home to her home.

D. On weekends when the child is in the custody of the father, the father shall see that the child is taken to Sunday school and church at the Baptist church in Linesville.

E. Neither mother nor father shall say or do anything in an attempt to turn the child against the otehr 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.

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

IV. The appointment of John Fuller as Child Custody Mediator is hereby vacated and William Pineo is appointed Child Custody Mediator in his place and is directed to schedule a mediation conference on or about November 1, 1989.

V. Cost of the mediation conference shall be equally divided between the parties.

P. Richard Thomas, Judge

Oct 5, 1989 Copies of order put in Attys. Pineo, Fuller, Nelson and Mason's boxes and copies mailed to plaintiff and defendant.

June 4, 1990 Motion To Withdraw Count II of Divorce Complaint and Order filed. AND NOW, June 4, 1990, Count II ofthe within Divorce Complaint is hereby withdrawn.

Gordon R. Miller, J

June 6, 1990 Copies of order put in Kathleen Nelson and Joan Mason's box.

June 29, 1990 Stipulation and Consent Custody Order filed. AND NOW, this 29 day of June, 1990, the Court orders as follows:

1. The parties shall share legal custody of the minor child, Jamie Lea Emerman, age 7 years, and born on May 31, 1983. each parent shall be entitled to full access to medical records, school records, and other important records and each parent shall be entitled to take part in decisions affecting the child's health, education and religious instruciton.

2. Primary physical custody of the child, Jamie Lea Emerman, shall be with her Mother, subject to the provisions hereinafter set forth;

A.) Father shall be entitled to take the child into his physical cusotdy every other weekend from 6:00 p.m. on Friday until 6:00 p.m. on Sunday.

B.) Father shall be entitled to take the child into his custody on two weekday evenings each week from 5;00 p.m. until 8:00 p.m. Father shall choose the evenings he wishes to spend with the child, but shall inform Mother of his intentions by 5:00 p.m. on Friday of the preceding week.

C.) The parties shall share the major holidays, consisting of easter, Memorial Day, the Fourth of July, Labor Day, Thanksgiving, and christmas, as they shall mutually agree. In the event an agreement cannot be reached, the following shcedule shall take effect:

i) Beginning in 1990, the child shall spend easter and the Fourth of July with Mother and Memorial Day and Labor Day with Father. These holidays shall exist from 8:00 a.m. until 8:00 p.m. and shall be reversed between Mother and Father in odd-numbered years.

Continued on page 252 A

LAURIE A. EMERMAN

vs.

ALAN T. EMERMAN

record continued from page 252

of record

A.D. 1989 - 802

**********

ii) The child shall spend Thursday and Friday of each Thanksgiving holiday week with Mother, and shall spend Saturday from 9:00 am. through Sunday at 9:00 p.m. of the Thanksgiving holiday week with fAther.

iii) During the Christmas holiday, the child shall be with father from 5:00 p.m. of the last s cheduled day of school through 10:00 p.m. on december 24th. the child shall spend Christmas day with MOther.

iv) Holidayevisitation shall take precedence over other regular visitations.

D.) The parties shall share transportation, with the parent receiving custody of the child to provide transportation. A family member of either parent may transport the child in the event a parent is not able to do so.

E.) On weekendswhen the child is in Father's custody, father shall see that the child is taken to Sunday School and church services at the First Baptist Church in Linesville, Pennsylvania.

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 onthe 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 furnishe the other with a current telephone number.

BY THE COURT,
P. Richard Thomas, J

June 29, 1990 Copies of order put in William PIneo, Kathleen Nelson and Joan Mason's box.

June 29, 1990 Affidavit Of Consent of Plaintiff filed.

June 29, 1990 Affidavit OF Consent of defendant filed.

June 29, 1990 Upon praecipe of Plaintiff Attorney For Review Under §201(c) of the Divorce Code, this case moved to court.

July 16, 1990 **D I V O R C E  D E C R E E  F I L E D .**

AND NOW, July 16, 1990, it is ordered and decreed that Laurie A. Emerman, Plaintiff, and Alan T. Emerman, defendnat, are divorced from the bonds of matirmony.

BY THE COURT,
Gordon R. Miller, J

252
B

# 1989

# 1989

Watts, Pepicelli, Youngs and Youngs
Lisa Pepicelli Youngs

803.

GRETCHEN M. MYERS

vs.

RICHARD D. MYERS

Filed Sept. 12, 1989
@ 4:08 p.m.

| | |
|---|---|
| Tax & entry paid | $50.50 |
| Pro Co pd 5/15/90 | 9.00 |
| State pd 5/15/90 | 10.00 |

COMPLAINT IN DIVORCE

1 copy (atty)

Oct. 4, 1989 Certificate of Service filed. I hereby certify that a certified copy of the Complaint in Divorce with Notice to Defend attached thereto which was filed September 12, 1989 was mailed to Richard D.Myers on Sept. 13, 1989 by Certified Mail , Restricted Delivery, Return Receipt Requested to 8401 Spain Rd., N.E., #35F, Albuquerque, New Mexico 87111 and was received by Richard D. Myers on Sept. 18, 1989. Said receipt is attached as Exhibit "A".

Lisa Pepicelli Youngs, Esq.

Feb. 14, 1990 Affidavit of Consent of plaintiff filed.

Feb. 14, 1990, Affidavit of Consent of defendant filed.

May 11, 1990 Upon praecipe of Plaintiff Attorney For Review Under 201(c) of the Divorce Code, this case moved to court.

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

AND NOW, May 17, 1990, it is ordered and decreed that Gretchen M. Myers, plaintiff, and richard David Myers, defendant are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J

Brian J. Lindsay

804.

SHERRY LYNN WOODY

vs.

JOHN ALLEN WOODY

Filed Sept. 12, 1989
@ 4:30 p.m.

| | |
|---|---|
| Tax & entry paid | $50.50 |
| 1 count paid | 15.00 |
| William Pineo, Mediator | 92.00 |
| | 9.00 |
| Pro Co pd 3/16/92 | 9.00 |
| state paid 3/16/92 | 10.00 |

5-1-96 Rec'd from Plff Mail fee 46¢ (for 4pt)
5-15-96 Pd Co #10019 46¢

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

1 copy (atty)

Sept. 13, 1989 Complaint In Divorce Under Section 201(c) of the Divorce Code and Order filed. AND NOW, this 13 day of Sept., 1989, upon consideration of the foregoing Complaint, presented by Sherry Lynn Woody through her attorney Brian. J. Lindsay, it is Ordered that all parties and their counsel are to appear in person before Child Custody Mediator, William Pineo, at a time and date to be specified by the Mediator. Temporary custody of John Allen Woody, Jr. is granted to Plaintiff until further Order of Court. BY THE COURT,
1 copy atty; 1 copy mediator P. Richard Thomas, J

Sept. 20, 1989, Affidavit filed. I, Brian J. Lindsay, Esq. after being duly sworn according to law, depose and say that I am the atty. of record for Sherry Lynn Woody, at that as such I am authorized to execute this affidavit; that I did on the 14th day of Wept. 1989, send by Cert. mail, addressee only, ret. rec. req. a true and correct copy of the Notice to Defend and Claim Rights and of the Complaitn in divorce to dft. John Allen Woody at his last known address of Dongonel #D3 106 Banff Drice, Edinboro, Pa. 16412, as evidenced by the attached sender's receipt No. P 276 200 298 and that on the 18th day of Sept. 1989, I did receive the duly executed ret. rec. dated the 15 dayof Sept. 1989.

I verify that the statements made in this Affidavit are true and correct.

Brian J. Lindsay, Esq.

Oct. 13, 1989 Motion to Amend Complaint and ORDER filed. AND NOW, this 13th day of October, 1989, Plaintiff is granted leave to amend the original complaint in accord with the attached Motion.

By the Court,
Robert L. Walker, J.

Oct. 13, 1989 Copy of Order to Atty. Brian Lindsay.

Nov 6, 1989 Temporary Order filed: AND NOW, this 3rd day of November, 1989, 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, John Allen Woody, Jr., is hereby awarded to his mother, Sherry Lynn Woody.

2. The parties shall share with each other any and all information which each may have regarding the health, education and the major events in the life of the subject minor child. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor child.

3. The father shall have temporary physical custody and the right of visitation for one overnight period each week, said period to begin in the afternoon of one day and end in the afternoon of the other day. The father shall notify the mother one week in advance of the period he wishes to select. The father shall also have the right of temporary physical custody and visitation with the subject minor child one weekend per month, to coincide with the weekend he has off from work. Weekend visitation shall begin on Saturday at 9:00 a.m. and end on Sunday at 7:00 p.m..

4. Holiday visitation shall be arranged as follows:
Holidays are defined as New Years Day, Easter, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas. Holiday visitation shall begin at 9:00 a.m. and end at 7:00 p.m.. The father shall have visitation with his son for Thanksgiving, 1989, and the parties shall thereafter alternate the holidays. In addition, the mother shall have her child for Mother's Day and the father shall have his child for Father's Day during the hours of 9:00 a.m. to 7:00 p.m.. Holiday visitations shall take precedence over the other provisions of this Order relating to the custodial and visitation periods.

5. Transportation shall be the responsibility of the father.

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

7. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor child. Neither party shall expose the child to persons who are under the influence of alcohol or who are consuming or who are under the influence of illegal drugs.

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

9. Neither party shall do or say anything to blacken the character of the other in the 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 it that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

11. Either party may request a review of this Order one year from date hereof, at which time the issue of custody may be reviewed and adjustments to the visitation and custody schedule be made.

12. Neither party shall remove the child from the jurisdiction of this Court for a period longer than 24 hours.

13. Costs and fees of this Mediation, which are fixed at $92.00, are divided equally between the parties. The share of the father shall be assessed to him as costs in this case. The share of the mother will be assessed to Crawford county, the Mediator noting for the Court that the mother is indigent and is represented by Northwest Legal Services. Payment shall be made to the Prothonotary of Crawford County.

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

By the Court,
P. Richard Thomas, J

Nov 6, 1989 Copies of order put in Attys. Lindsay and Pineo's boxes and copy mailed to defendant.

Mar. 6, 1990 Affidavit Of Consent of Plaintiff filed.

Oct. 29, 1991 Affidavit of Consent of defendant filed.

Mar. 16, 1992, Affidavit of Consent of defendant filed.

Mar. 16, 1992, upon praecipe of plantiff attorney, to transmit the record, this case moved to court.

Record Continued on Page 254(a).....

Sherry Lynn Woody

VS.

John Allen Woody

Record Continued from Page 254

Of

AD 1989 - 804

**********

March 18, 1992 MEMORANDUM filed. This matter is before the Court due to a praecipe to transmit record filed by the Plaintiff asking that a Section 3301(c) divorce be granted.

The Court notes that the Defendant has not paid mediation fees in the amount of $46 per Court order of November 3, 1989 and accordingly the Court declines to enter a divorce decree until such time as those costs shall be paid.

Accordingly this file is returned to the Prothonotary of Crawford County.

By The Court:
Anthony J. Vardaro, J.

March 18, 1992 Copy given to Atty. Brian Lindsay.

Sept. 18, 1996 Upon praecipe of Plaintiff Attorney To Transmit Record, this case moved to court.

Sept. 30, 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:

The balance on the custody mediator fee in the amount of $46 has not been paid by the Defendant.

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

BY THE COURT:
Anthony J. Vardaro, J

9-30-96 Faxed Lindsay

Oct 10, 1996 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

Oct. 18, 1996, FINAL DIVORCE DECREE FILED.

DECREE: AND NOW, October 17, 1996, it is hereby ordered and decreed that Sherry Lynn Woody, plaintiff, and John Allen Woody, defendant, are divorced from the bonds of matrimony.

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

BY THE COURT,
Anthony J. Vardaro, J.

1989

# 1989

805.

MELISSA A. MILLER

vs.

ROBERT W. BEUCHAT

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plaintiff)

TEMPORARY ABUSE ORDER:

And now this 13 day of Sept. 1989, upon review of the petition of plaitniff, the court enters the following Temporary Order:

1. The defendant shall not abuse, assault, harass or threaten the plaintif for any ofthe minor children named in the Petition.

2. Special Conditions: Def. will not contact Plaintiff or child or go to any residence where plaintiff resides. Pl. may go toresidence to get personal belongings of hers and 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 plaintff resides and to county Control.

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

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

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

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

Hearing is hereby set for Sept. 20, 1989 at 2:00 p.m. in C. r. 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required todo so.

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

Filed Sept. 13, 1989
@ 9:49 a.m.

Tax & entry Pd 9-6-97 $50.50
Sheriff's Costs Pd 20.00
Pro Co Pd 9-11-97 9.00

9-6-97 Pd Sheriff #10557 20.00

Sept. 14, 1989 Sheriff's Return filed. SERVED Robert W. Beuchat personally on September 13, 1989 at 10:59 AM at his residence, Lot #31, Asbury Manor West, Meadville, Crawford County, PA.

So answers,

Howard N. Stewart, Sheriff
Earl Brown, Juvenile Probation

Sept. 25, 1989 Order filed. AND NOW, September 20, 1989, at the time set for hearing, the Defendant does not wish to contest the allegations of abuse. The mother has left the common residence and now lives at a location which she does not wish the Defendant to know. The Defendant lives at his mother's trailer in Asbury Manor. The Defendant is directed not to assault, threaten, harass, or annoy the Plaintiff in any fashion nor go to her work place or her residence for any purpose.

The parties have a four-month-old child that has medical problems involving an enlarged brain that is being checked by Children's Hospital in Pittsburgh and Dr. Choi locally.

In view of the fact that the mother works a twenty-four hour work day, the child will be delivered and picked up to the father by the grandmother on Thursday and Fridays. The delivery time in the morning will be 8:30 a.m. and the pickup time will be 5:30 p.m.

The Defendant is directed to pay costs in this case when billed by the Prothonotary's Office at asbury Manor West, Lot 45, Meadville, Pennsylvania, with said costs to be paid in full on or before November 1, 1989.

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

Sept. 26, 1989 Copy of order put in Margaret Eglinton's box and copy mailed to defendant

# 1989

Fuller, Kinnunen,
Petruso & Gamble
Ann Hansen Gamble

806.

THOMAS M. MONAHAN

vs.

ANNETTE MONAHAN

Filed Sept. 13, 1989
@ 11:29 a.m.

Tax & entry Paid $50.50 ✓

Pro Co Pd 1-4-90 9.00 ✓
State Pd 1-4-90 10.00

COMPLAINT IN DIVORCE

1 copy (atty)

Sept. 25, 1989 Affidavit of Mailing filed. Ann Hansen Gamble, being duly sworn according to law, deposes and says that she is an Attorney at Law, duly authorized to practice law in the Commonwealth of PA. and that on Sept. 19, 1989, she sent a copy of the Complaint in Divorce to the Defendant by certified mail, restricted delivery, postage prepaid, receipt requested, to Mrs. Annette Monahan, 315 Hamor St., DuBois, PA 15801, the Defendant's last known address. The said receipt being attached hereto.

Ann Hansen Gamble

Dec. 14, 1989 Affidavit of Consent of Defendant filed.

Dec 29, 1989 Affidavit of Consent of Plaintiff filed.

Dec 29, 1989 Upon Praecipe of Plaintiff's Attorney for Review Under §201(c) of the Divorce Code, this case is moved to Court.

Jan. 19 1990 DIVORCE DECREE FILED

And Now, January 18, 1990, it is ordered and decreed that Thomas M. Monahan, plaintiff, and Annette Monahan, defendant, are divorced from the bonds of matrimony.

BY THE COURT,

P. Richard Thomas, J..

# 1989

Mason and Mason
Joan D. Mason

807.

KIMBERLY A. HYDE

vs.

MICHAEL W. HYDE

Filed Sept. 13, 1989
@ 1:16 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| 1 count paid | 15.00 |
| John Fuller, Mediator | |
| Mediation Costs | 135.00 |
| Pro Co PD. 7-26-96 | 9.00 |

COMPLAINT IN DIVORCE, CUSTODY

1 copy (atty)

Sept. 21, 1989, Affidavit of Service filed. I, Joan D. Mason, atty. for the plaintiff in the above captioned case, and being duly sworn according to law, depose and say that I did on Sept. 14, 1989, mail to the above defendant by cert. mail P966 073 955 ret. rec. req., deliver to addressee only, a complaint in the above divorce action. said notice was received on Sept. 16, 1989 as indicated by the return rec. card which was returned to the office of the plaintiff attorney and is attached hereto.
Joan D.Mason, Esq.

Oct. 10, 1989 Motion To Appoint Custody Mediator and Order file. AND NOW, this 10th day of October, 1989, upon consideration of the foregoing Motion, the court hereby appoints John Fuller, child custody mediator, and the parties are ordered to appear in person at such time and place as the aforementioned custody mediator orders.
BY THE COURT:
Robert L. Walker, J

1 copy atty 1 copy mediator

Sept. 20, 1990 Order filed. AND NOW, September 18, 1990, after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS:

I. Legal custody of Derric Hyde shall be shared between the mother Kimberly a. Hyde, and the father, Michael W. Hyde, that is, each parent shall be entitled to full access to school record, medical records and other important records and that each par ent shall be entitled to take part fully in important decisions affecting the child such as the child's education, religious instruction and medical treatment.

II. Physical custody of Derric Hyde shall be with his mother, Kimberly A. Hyde, subject to the following conditions:

A. The father shall be entitled to visit and take the child into his custody every Tuesday evening and every Thursday evening, beginning August 28, 1990, from 5:00 p.m. until 9:00 p.m.

B. The father shall be entitled to visit and take the child into his custody every other weekend, beginning August 31, 1990 from 5:00 p.m. on Friday evening until 8:00 p.m. on Sunday evening.

C. Holidays shall be defined as Christmas, Thanksgiving and Easter. In 1990 and even years thereafter the child shall be in the home of the mother on Thanksgiving Day and Easter Sunday and in the home of the father on Christmas Day. In 1991 and odd years thereafter the child shall be in the home of the motehr on Christmas DAy and in the home of the fathe ron Thanksgiving Day ans Easter Sunday. On holidays when the child is in th ehome of one parent, the other parent shall have a righ tto visit and take the child into their custody on the evening preceding such holiday from 5:00 p.m. until 9:00 p.m. Holiday schedules shalltake precedence over weekend visitation schedules.

D. Beginning with the Summer of 1991 and each Summer thereafter, the father shall be entitled to have the child in his sole custody every other week beginning June 1st, so that the child shall be in the sole custody of the father for a total of six weeks each Summer and in the sole custody of the mother for a total of six weeks each Summer.

E. The father has agreed that the child willnot be in the company of David Essex at any time when the child is in the father's custody, and, therefore, the father is ordered to comply with such agreement.

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 th epower of each to foster a favorable and loving attitude on the part of the child towards voth parents.

G. Neither mother nor father shall say or do anything in an attempt to turn the child against the other parent, but on the other hand shall do everything in th epower 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 chlid 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 beocme a permanent order unless exceptions thereto are filed by either par ty within thirty (30) days of the date hereof.

IV. Cost of the mediation conference shall be equally divided with the mother paying one-half of the cost thereof and the father paying the remaining one-half.
P. Richard Thomas, J

Sept. 21, 1990 Copies of order put in Joan Mason and John Fuller's box and copies mailed to plaintiff and defendant.

Apr. 4, 1996 Affidavit of Consent by Michael W.Hyde, Defendant, filed.

Apr.4, 1996 Affidavit of Consent by Kimberly A. Hyde, Plaintiff, filed.

July 24, 1996 Waiver of Notice of Intention to Request Entry of a Divorce Decree Under Section 3301(c) of the Divorce Code by Plaintiff filed.

July 24, 1996 Waiver of Notice of Intention to Request Entry of A Divorce Decree Under Section 3301(c) of the Divorce Code by Defendant filed.

July 24, 1996 Praecipe for Review Under §3301(c) of the Divorce Code filed.

July 30, 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: Court costs are due in the amount of $9.00.

Either party may file a praecipe to refer the matter back to the Court when the record is in such a state that the parties are entitled to a final decree.
BY THE COURT,
Anthony J. Vardaro, J

7-30-96 Faxed J. Mason

Continued on Page 452

~~Thomas, Truax, Spadafore vardaro and Walker~~ (withdrawn)
~~R. Charles Thomas~~

Culbertson, Weiss, Schetroma & Schug
Mary Ann Kirkpatrick

808.

Joan D. Mason

2/20/90 Recd $68.50 From Plaintiff
Recd 3-1-90
$68.50
Vivian Stoltz

JAMES J. WYGANT

vs.

JILL K. WYGANT

Filed Sept. 13, 1989
@ 1:33 p.m.

Tax & entry Paid $50.50

William Pineo, Mediator $137.00
Pro Se fee 2/20/90 9.00

COMPLAINT FOR CUSTODY

1 copy (atty)
1 copy (mediator)

COURT ORDER:

You, JIll K. Wygant, defendant have been sued in court to obtain custody of Brenden M. Wygant.

You are ordered to appear in person at the Crawford County Courthouse, Meadville, pa. at such time as you are directed by the custody mediator appointed in this case to-wit WILLIAM PINEO, ESQ.

If you fail to appear as provided by this order an order for Custody may be entered against you or the court may issue a warrant for your arrest.

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

Crawford County Bar Association, Service to the Pub. Comm. c/o Prothonotary Crawford CountyCourt House Meadville, Pa. 16335 Tele: 724-4626

BY THE COURT,
P. Richard Thomas, J.

Nov 8. 1989 Appearance of Culbertson, Weiss, Schetroma & Schug by Mary Ann Kirkpatrick for plaintiff filed.

Nov. 22, 1989, Motion for Withdrawal of Appearance and Order filed. ORDER-AND NOW, this 22nd day of Nov. 1989 the within Motion is granted and counsel is authorized to withdraw his appearance on behalf of the plaintiff, James J. Wygant.

BY THE COURT,
P. Richard Thomas, J.

Nov.22, 1989, copies to Attys. R. C. Thomas and M. Kirkpatrick.

Dec 19, 1989 Temporary Order filed: AND NOW, this 19th day of December, 1989, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

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

2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor child. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor child. Each party shall keep the other informed of his or her telephone number and address.

3. Physical custody of the subject minor child shall be arranged as follows:

A. The father shall have primary physical custody except as noted below.

B. The mother shall have primary physical custody during the child's summer vacation from school, beginning two weeks after the school session shall have ended and ending three days previous to the reopening of the school session in the fall. The mother's summer vacation from work, which occurs roughly during the month of August, shall be spent at the home of the mother's parents.

C. In addition, the mother shall have temporary physical custody of the subject minor child during her vacations from work which occur roughtly during the months of April and December, provided that she is visiting her parents in Crawford County, Pennsylvania.

D. The mother shall notify the father one month in advance of the exact dates of her August, April and December vacations.

E. During the mother's April, August, and December vacations from work, the father shall have the right of temporary physical custody and visiation for three twenty-four hour periods each week which may be contiguous but which shall begin and end during the daylight hours. He shall notify the mother forty-eight hours in advance of the periods he wishes to select.

4. Holiday visitation shall be arranged as follows:

The Christmas holiday period shall be divided in two with the first visitaiton period beginning on noon of Christmas Eve and ending noon of Christmas Day and the second period beginning noon of Christmas Day and ending at 8:00 p.m. of Christmas Day. For Christmas Day, 1989, the mother shall have the first period and the father the second, and the parties shall in years thereafter alternate the two periods. Where Easter occurs during the mother's April vacation from work, the father shall have the right of visitation on Easter from 1:00 p.m. to 8:00 p.m.. The provisions of this paragraph shall take precedence over the other provisions relating to the custody and visitation periods.

5. When the mother is not visiting her parents in Crawford County, the party not having physical custody of the subject minor child shall have the right to telephone him once each week. Said party shall notify the custodial party one week in advance of when the telephone call is to be made and the other party shall have the child available to receive the call. Said telephone calls shall be made during reasonable waking hours and each call is limited to one-half hour. The party making the call shall pay for it.

6. The mother shall bear the costs and the responsibility for arranging all transportation necessitated by this Order.

7. Each party shall teach said child to give to the other party that love, respect and obedience 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.

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

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

11. The parties are free to make additional and alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so it that would be proper and convenient. Said arrangements shall by mutual consent only, in the absence of which this order shall govern.

12. either party may request a review of this Order four months from the date hereof to make any adjustments needed.

13. Costs and fees of this Mediation, which are fixed at $137.00 are divided equally between the parties with a a share of each being assessed to him or her as costs in this case. Payment shall be made to the Prothonotary of Crawford County.

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

By the Court,
Robert L. Walker, J.

Dec 20, 1989 Copies of order put in Attys. Kirkpatrick, Mason & Pineo's boxes and Copies mailed to Plaintiff and defendant.

# 1989

Barrett & Dratler
Bruce A. Barrett

809.

TONI ELIZABETH KEBORT

vs.

JEFFREY JOSEPH KEBORT

Filed Sept. 13, 1989
@ 2:02 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| 2 counts paid | 30.00 |
| Pro Co Pd 1/22/90 | 9.00 |
| State pd. 1/22/90 | 10.00 |

COMPLAINT UDNER SECTION 201(c) OF THE DIVORCE CODE, EQUITABLE DISTRIBUTION, CUSTODY & VISITATION

1 copy (atty)

Sept. 21, 1989 Affidavit Of Service filed. BRUCE A. BARRETT, Esq., being duly sworn according to law, deposes and says that the following facts in support of his Affidavit of Service are true and correct to the best of his knowledge, information and belief.

1. That the affiant is the attorney for the Plaintiff in the above captioned action.
2. That a true and correct copy of the Complaint Under Section 201(C) of the Divorce Code along with a Count for Equitable Distribution and a Count for Custody and Visitation was sent by registered mail to the Defendant on September 15, 1989. The sender's receipt is attached hereto.
3. The registered mail was sent to Jeffrey J. Kebort at R.D.#3, Box 147B, Titusville,PA 16354.
4. That the Defendant received said registered mail on September 19, 1989. Said receipt card number P 063 588 974 is attached hereto and signed by Jeffrey J. Kebort. . Bruce A. Barrett

Jan. 22, 1990 Affidavit of Consent of plaintiff filed.

Jan. 22, 1990, Affidavit of Consent of defendant filed.

Jan. 22, 1990, Upon praecipe of plaintiff attorney, for review under 201(c) of the Divorce code, this case moved to court.

Feb. 6, 1990 **DIVORCE DECREE FILED.**

AND NOW, February 6, 1990, it is ordered and decreed that Toni Elizabeth Kebort, plaintiff, and Jeffrey Joseph Kebort, defendant, are divorced from the bonds of matrimony.
6. Paragraphs 2 through 5 of this Decree are pursuant to an agreement of the parties dated October 24, 1989.

BY THE COURT,
Gordon R. Miller, J

# 1989

Phillips & Galanter
Cary W. Valyo

810.

LARRY RUMBAUGH

vs.

HUBERT VANDERHOFF

Filed Sept. 14, 1989
@ 11:05 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Sheriff's Costs | 25.96 |
| Sheriff's Costs | 29.96 |
| Pro Co Pd. 5/9/90 | 9.00 |
| Plaintiffs costs | 40.00 |

COMPLAINT IN CIVIL ACTION

1 copy (sheriff)

Nov. 2, 1989 Sheriff's Return filed. Not Found, as to Hubert Vanderhoff. There are two persons living in Spartansburg, R.D. #2, Crawford County, PA by the same name, Hubert Vanderhoff. Did not receive instructions which one was defendant.
So answers, Howard N. Stewart, Sheriff

Feb. 23, 1990, Complaint Reinstated.

Mar. 7, 1990 Sheriff's Return filed. SERVED Hubert Vanderhoff Sr. on February 28, 1990 at 3:48 PM by handing copy of Complaint to him personally at his residence, R.D. #2, Spartansburg, Crawford County, PA.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

And Now, May 9, 1990 at 11:34 a.m., upon praecipe of plaintiff attorney, with verification of military service, plaintiff bill of costs, default notice, and certificate of addresses attached, Judgment is hereby entered in favor of the plaintiff and against the defendant for want of an answer, in the amount of One Thousand Ninety Three and 60/100 Dollars, plus costs.

V- 204 -
Judgment entered-5/9/90

Debt --- $1,093.60
Judgment
James F. Simmons,
Prothonotary

May 10, 1990, nOtice of entry of judgment mailed to defendant.

# 1989

| | | |
|---|---|---|
| 811. | PENNBANK, SUCCESSOR TO THE PENNSYLVANIA BANK AND TRUST COMPANY<br><br>vs.<br><br>WILLIAM A. & RUTH S. RODEN<br><br>Filed Sept. 14, 1989<br>@ 11:22 a.m.<br><br>Pro Simmons paid $9.00 ✓ | AGREEMENT TO REVIVE<br><br>of<br><br>AD 1984 - 985 (DSB 583 Sept. 1979)<br><br>Revival of Judgment indexed in favor of plaintiff and against the defendants in sum of Twenty Five Thousand Dollars plus costs.<br>Debt --------$25,000.00<br>Dated--------Sept. 11, 1989<br>R - 173, 143---JUDGMENT<br>James F. Simmons,<br>Prothonotary |

812.

Bruce Barrett

PETITION FOR INVOLUNTARY TREATMENT

vs.

AUGUST DEMASCOLO

Filed Sept. 14, 1989

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

Sept 22 1989 Report of Mental Health Review Officer, Recomendation and Order filed: AND NOW, September 22, 1989, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said August DeMascola be committed to Warren State Hospital for treatment for a period not to exceed 90 days.

BY THE COURT,
P. Richard Thomas, J.

Sept 22, 1989 Copies of order given to Hosp. and MH/MH and copy put in Atty Barrett's Box.

Dec. 6, 1989 Petition for Involuntary Treatment filed.

Dec. 27, 1989, Report of Mental Health review Officer, Recommentation and Order filed. And Now, Dec. 22, 1989, upon consideration o fthe petition filed at the above no. and term, and other relevant matter, and after a review of the report of the Mental Health Officer, it is hereby Ordered and Directed tha tthe said August DeMascolo be committed to Warren state Hospital for treatment for a period nto to exceed 180 days.

BY THE COURT,
P. Richard Thomas, Esq.

Dec. 27, 1989, copies of order to B. Barrett, MH/MR, and WSH.

June 4, 1990 Report of Mental Health Review Officer, Recommendation and Order filed. ORDER: AND NOW, this 1st of June 1990 upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review OffICER, IT is hereby ORDERED and DIRECTED that the said August DeMascola be committed to Warren State Hospital for treatment for a period not to exceed 180 days.

BY THE COURT

P. Richard Thomas, J.

June 11, 1990 copies of order to B. Barrett, MH/MR and WSH.

Nov. 7, 1990, Petition for Involuntary Treatment filed.

Dec. 5, 1990 Report of Mental Health Review Officer and Order filed. AND NOW, this 5th of December, 1990, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said August Demascolo be committed to Warren State Hospital for treatment for a period not to exceed 180 days.

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

Dec. 7, 1990 Copies of order to Bruce Barrett, W.S.H. and MH/MR

**June 3, 1991 Petition for Involuntary Treatment filed.**

JUne 27, 1991 Report of Mental Health Review Officer and Order filed. AND NOW,this 26 of June, 1991, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said August DeMascolo be committed to Warren State Hospital for treatment for a period not to exceed 180 days.

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

June 28, 1991 copies to Atty. B. Barrett, W.S.H. and MH/MR

Jan. 21, 1992 Petition for Involuntary Treatment filed.

Jan. 21, 1992 Report of Mental Health Review Officer and Order filed. AND NOW, this 20th day of January, 1992 upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said August DeMascolo be committed to Warren State Hosp. for treatment for a period not to exceed 180 days.

This order shall take effect on 1-20-92.

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

Jan. 22, 1992 copy to B. Barrett, Warren State Hosp., MH/MR

July 8, 1992 Petition for Involuntary Treatment, filed.

July 29, 1992 REPORT OF MENTAL HEALTH REVIEW OFFICER and ORDER filed. ORDER: AND NOW, this 29th day of July, 1992 upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said August DeMascola be committed to Warren State Hospital for treatment for a period not to exceed 180 days.

This order shall take effect on July, 1992.

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

Aug 4, 1992 copy to Barrett, MH/MR, Warren

# 1989

813.

REDEVELOPMENT AUTHORITY
OF THE CITY OF MEADVILLE

vs.

JAMES A. ADAIR
JOSEPHINE E. ADAIR

Filed Sept. 14, 1989
@ 2:06 p.m.

Pro Simmons Paid $9.00 ✓
plff on orig 9.50

AGREEMENT TO REVIVE

of

DSB 1984 - 540

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

Debt -------$6,000.00
Dated-------Sept. 14, 1989
A - 94, 94---JUDGMENT

James F. Simmons,
Prothonotary

Revived to:

AD1994-1157

# 1989

| | | |
|---|---|---|
| 814. | REDEVELOPMENT AUTHORITY OF THE CITY OF MEADVILLE<br><br>vs.<br><br>EDWARD L. JOHNSTON<br>AUDREY JOHNSTON<br><br>Filed Sept. 14, 1989<br>@ 2:06 p.m.<br><br>Pro Simmons paid 9.00 ✓<br>plff on orig 9.50 | AGREEMENT TO REVIVE<br>OF<br>DSB 1984 - 451<br><br>Revival of Judgment indexed in favor of plaintiff and against the defendants in the sum of Three Thousand Three Hundred Seventy Three and 00/100 Dollars, plus costs.<br>Debt -------$3,373.00<br>Dated-------Sept. 14, 1989<br>J - 209, 208 _ JUDGMENT<br>James F. Simmons,<br>Prothonotary<br><br>Revived to<br>AD 1994-1175 |

# 1989

815.

REDEVELOPMENT AUTHORITY
OF THE CITY OF MEADVILLE

vs.

CHARLES FLAUGH
MARIAN FLAUGH

Filed Sept. 14, 1989
@ 2:06 p.m.

| | |
|---|---|
| Pro Simmons paid | $9.00 |
| plff on orig | 9.50 |

AGREEMENT TO REVIVE

of

DSB 1984 - 395

Revival of Judgment indexed in favor of the plaintiff and against the defendants in the sum of Six thousand Dollars and costs.

Debt ------$6,000.00
dated -----Sept. 14, 1989
F - 31, 111 JUDGMENT

James F. Simmons
Prothotary

Revived to:
AD1994-1153

# 1989

816.

REDEVELOPMENT AUTHORITY
OF THE CITY OF MEADVILLE

vs.

WILBERT L. CRAWFORD
DONNA E. CRAWFORD

Filed Sept. 14, 1989
@ 2:06 p.m.

| | |
|---|---|
| Pro Simmons paid | $9.00 |
| plff on orig | 9.50 |

AGREEMENT TO REVIVE

of

DSB 1984 - 337

Revival of Judgment indexed in favor of the plaintiffs and against the defendants in the sum of Six thousand Dollars plus costs.

Debt ---- $6,000.00
Dated ---- Sept. 14, 1989
C - 174, 44 JUDGMENT
James F. Simmons,
Prothonotary

Revived to:
AD 1994-1164

# 1989

817.

REDEVELOPMENT AUTHORITY
OF THE CITY OF MEADVILLE

vs.

ELIZABETH BURNETT DYER

Filed Sept. 14, 1989
@ 2:06 p.m.

Pro Simmons paid $9.00 ✓
plff on orig 9.50

AGREEMENT TO REVIVE

of

DSB 1984 - 364

Debt ------$613.00
Dated------- Sept. 14, 1989
D - 54 ----JUDGMENT
James F. Simmons,
Prothonotary

Revived to:

AD 1994-1156

# 1989

818.

REDEVELOPMENT AUTHORITY
OF THE CITY OF MEADVILLE

vs.

STEVE ZIMMERMAN
SANDRA L. ZIMMERMAN

Filed Sept. 14, 1989
@ 2:06 p.m.

| | |
|---|---|
| Pro Simmons Paid | $9.00 |
| plff on orig | 9.50 |

AGREEMENT TO REVIVE

of

DSB 1984 - 37

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

Debt -----$6,000.00
Dated----- Sept. 14, 1989
Z - 152, 152 - JUDGMENT
James F. Simmons,
Prothonotary

Revived to: AD1984-1151

# 1989

819.

REDEVELOPMENT AUTHORITY
OF THE CITY OF MEADVILLE

vs.

SUE E.JENKINS, now Sue B. Barnes)

Filed Sept. 14, 1989
@ 2:06 p.m.

| | |
|---|---|
| Pro Simmons paid | $9.00 |
| plff on orig | 9.50 |
| Pro.Co.Pd 6/8/92 | 5.00 |

AGREEMENT TO REVIVE

of

DSB 1984 - 516

Revival of Judgment indexed in favor of the plaintiffs and against the defendant in the sum of Five thousand Dollars plus costs.

Debt -----$5,000.00
Dated-----Sept. 14, 1989
J - 153 -- JUDGMENT
James F. Simmons,
Prothonotary

June 8, 1992 at 3:15 p.m. writing filed wherein plaintiff postpones the lien of the above stated judgment in favor of a certain mortgage given by the said Marine Bank to Sue E. Jenkins, (now Sue B. Barnes) dated May 26, 1992. This postponement to affect the lien and collection of said judgment out of the following described property in Crawford County Mortgage Book 156 page 1067.

Revived to: AD1989-819

# 1989

| | | |
|---|---|---|
| 820. | REDEVELOPMENT AUTHORITY<br>OF THE CITY OF MEADVILLE<br><br>vs.<br><br>DOROTHY BENTLEY<br><br>Filed Sept. 14, 1989<br>@ 2:06 p.m.<br><br>Pro Simmons paid $9.00 ✓<br>plff on orig 9.50 | AGREEMENT TO REVIVE<br>of<br>DSB 1984 - 452<br><br>Revival of Judgment indexed in favor of plaintiff and against the defendant in the sum of Six thousand Dollars plus costs.<br>Debt ----$6,000.00<br>dated---Sept. 14, 1989<br>B - 43 ----JUDGMENT<br>James F. Simmons,<br>Prothonotary |

# 1989

Peters,Lindsay, Lewis
& Hatheway
Edward J. Hatheway
Watts, Pepicelli,
Youngs & Youngs
~~Theodore H. Watts~~

821.

Kathleen R.Nelson

LAURIE A. BRECHT

vs.

JAMES R. BRECHT

Filed Sept. 14, 1989
@ 4:10 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| 3 counts paid | 45.00 |
| Pro.Co. Pd 1/9/95 | $9.00 |

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

1 copy (atty)

Sept. 21, 1989 Affidavit of Service filed. THEODORE H. WATTS, being duly sworn according to law, deposes and says that he served a certified copy ofthe Complaint in Divorce in the above matter on the Defendant, James R. brecht, by certified mail, No. P 966 070 136, posted on September 15, 1989, and received by defendant on September 16, 1989, as evidenced by the return receipt card and receipt for certified mail, attached hereto as Exhibit A. Theodore H. Watts

Feb. 12, 1990 Motion To Withdraw As Counsel and ORDER filed. AND NOW, this 12th day of Feb., 1990, upon consideration of the within Motion, the same is allowd and counsel for the Plaintiff is granted leave to withdraw.

By the Court,
Gordon R. Miller, J.

Feb. 14, 1990 Copy of Order to Atty. Theodore Watts.

Dec.7, 1994 Affidavit of Consent by James R.Brecht, Defendant,filed.

Dec. 29, 1994 Motion to Withdraw Count Four of Divorce Complaint--Counsel Fees, Expenses and Costs and ORDER filed. AND NOW, this 23 day of December,1994, upon presentation and consideration of the Plaintiff's Motion to Withdraw Count Four of her Divorce Complaint--Counsel Fees, Expenses and Costs, this Court enters the following Court Order:

Ct. 4 may be withdrawn.

BY THE COURT:
Anthony J.Vardaro, J.

12-29-94 Faxed Attys. Nelson & Hatheway

Jan. 9, 1995 Affidavit of Consent by Laurie A.Brecht, Plaintiff, filed.

Jan.9, 1995 Upon Praecipe of Edward J. Hatheway, Esquire, Attorney for Plaintiff to transmit record, Case moved to Court.

Jan. 16, 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__ Other: The Defendant still owes $13.63 for a Protection From Abuse Order at 1989-986.

Either party may file a praceipe 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.

Jan. 16, 1995 copy dist to Hatheway
Jan. 18, 1995 Faxed to Nelson

Jan. 30, 1995 Upon praecipe of Plaintiff Attorney To Re-Transmit Record, this case moved to court.

Feb. 1, 1995 **DIVORCE DECREE FILED.**

AND NOW, February 1, 1995, it is hereby ordered and decreed that Laurie A. Brecht, Plaintiff, and James R. Brecht, Defendant, are divorced fromthe bonds of matrimony.

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

The terms of December 2, 1994 agreement are incorporated in this decree.

BY THE COURT,
Anthony J. Vardaro, J

John H. Gavin

822.

CONSTANCE ANN PHILLIPS

vs.

WENDELL F. PHILLIPS

Filed Sept. 15, 1989
@ 10:09 a.m.

Tax & entry Paid $50.50 ✓
2 counts paid 30.00 ✓

COMPLAINT IN DIVORCE, ALIMONY, ALIMONY PENDENTE LITE, COUNSEL FEES, COSTS, EXPENSES, EQUITABLE PROPERTY DIVISION, DISTRIBUTION

SEpt 27, 1989 Proof of Service filed: AND NOW comes John R. Gavin, Attorney for the Plaintiff, and being duly sworn deposes and says that a copy of the Complaint filed in this action was placed in the United States Mail, certified mail on September 19, 1989 and that said Complaint has been received by the defendant as attested to by the return receipt which is attached hereto.

John R. Gavin
Attorney for Plaintiff

Feb. 17, 1998 Important Notice and Court Order filed. Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 9/27/89 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

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

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

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

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

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

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

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

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

# 1989

Ferguson & Spataro
Douglas W. Ferguson

---

823.

Culbertson, Weiss,
Schetroma and Schug
E. Max Weiss

for dft. Ed Seely &
Ed Seely's Towing

HERMAN HARGENRATER AND
REBECCA HARGENRATER, HIS
WIFE

vs.

JAMES HARVEY AND EDWARD
SEELY, d/b/a
ED SEELY'S TOWING

Filed Sept. 15, 1989
@ 10:34 a.m.

| | |
|---|---|
| Tax & entry paid | $50.50 ✓ |
| Sheriff's costs | 23.00 |
| **Pro Co Pd 2/9/90** | **6.00** ✓ |

COMPLAINT IN TRESPASS

2 copies (sheriff)

Oct. 18, 1989, Appearance of Culbertson, Weiss, Schetroma and Schug, by E. Max Weiss, attorneys for defendant Ed Seely d/b/a Ed Seely's Towing, filed.

Oct. 19, 1989 Sheriff's Return filed. SERVED Edward Seely, d/b/a Ed Seely's Towing on September 15, 1989 at 12:55 P.M. by handing copy of Complaint to Jack Foster, person in charge, at his place of business, 584 State St., Meadville, Crawford County, PA. So answers,

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

**Feb. 5, 1990, Upon praecipe of plaintiff attorney the above captioned case is hereby settled and discontinued of record.**

Culbertson, Weiss, Schetroma and Schug
Mary A. Kirkpatrick

824.

R. Charles Thomas

CHON D. PRITCHARD

vs.

SENECA SHONGO

In Re:
DAKOTAH LEE SHONGO-PRITCHARD

Filed Sept. 15, 1989
@ 10:34 a.m.

Tax & entry Paid $50.50 ✓
William Pineo, Mediator 182.00
9.00

Pro Co Pd 11/29/89

11/29/89 Recd. $91.00 from Plaintiff

Recd 12-29-89
$91.00
Vivian Stolty

3/1/90 Recd. $91.00 from Defendant

Recd 3-1-90
$91.00
Vivian Stolty

COMPLAINT FOR CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER

AND NOW, Sept. 15, 1989, upon presentation of the foregoing Complaint, the parties herein and their representative counsel are ordered to appear before WILLIAM PINEO, CHILD CUSTODY MEDIATOR at such time and place as the child cusotdy mediator shall determine.

And further ordering that pending mediation and further order of court, the minor child shall be in the custody of plaintiff/ father each week from Wednesday at 6:00 p.m. until Sunday at noon and shall be in the custody the the defendant/mother each week from Sunday at noon until Wednesday at 6:00 p.m.

BY THE COURT,
Robert 1. Walker, J.

Sept. 15, 1989, Affidavit of Service filed. Joanne S. Carney, being duly sworn according to law, deposes and sets forth as follows:

1. That she is a competent adult and employee of Culbertson Weiss, Schetroma and Schug, law firm in Meadville, Pa.

2. That on information furnished to her, she caused a copy, certified, of the complaint for custody in the above matter to be served upon Seneca Shongo at 10:45 a.m. on Sept. 15, 1989 at National Fuel Gas offices on Water ST. Meadville.

3. Costs incurrec for this service as follows: N/A

4. Further Deponent sayth not. Joanne S. Carney.

Sept. 25, 1989, Motion for Appointment of Custody Mediator and Order of Court filed. ORDER OF COURT: AND NOW, Sept. 25, 1989, WILLIAM PINEO, ESQUIRE is appointed as Custody mediator in the within action. Robert L. Walker, J.
1 copy (atty) 1 copy (mediator)

Nov 9, 1989 Temporary Order filed: AND NOW, this 9th day of November, 1989, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

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

2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor child. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor child.

3. The subject minor child shall be in the custody of the plaintiff father each week from Wednesday at 6:00 p.m. through Sunday at noon and in the custody of the defendant mother each week from Sunday at noon until Wednesday at 6:00 p.m.

4. Holiday visitation shall be arranged as follows:

The Christmas holiday period shall be divided in two with the first visitation period beginning on noon of Christmas Eve and ending noon of Christmas Day and the second period beginning noon of Christmas Day and ending at 8:00 of Christmas Day. For Christmas, 1989, the mother shall have the first period and the father the second and the parties shall in years thereafter alternate the two periods. Thanksgiving shall be divided into two visitation periods, the first beginning at 7:00 p.m. of the evening preceding Thanksgiving and ending at 2:00 p.m. Thanksgiving Day and the second period beginning at 2:00 p.m. Thanksgiving Day and ending at 8:00 p.m. Thanksgiving Day. For Thanksgiving, 1989, the father shall have the first period and the mother shall have the second, and the parties shall thereafter alternate the periods. Other major holidays are defined as New Years Day, Easter, Memorial Day, Independence Day, Labor Day. The visitation periods shall begin at 9:00 a.m. and end at 8:00 p.m.. The father shall have visitation with the subject minor child on New Years Day and the parties shall thereafter alternate the holidays. The subject minor child will spend Father's Day with her father and Mother's Day with her mother between the hours of 9:00 a.m. and 8:00 p.m.. Holiday visitations shall take precedence over the other provisions of this Order relating to the custodial and visitation periods.

5. 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.

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

7. Neither party sahll use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor child.

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

9. The parties shall cooperate in seeing that the subject minor child has all of the inoculations normally recommended by the Pennsylvania Department of Health. The father shall make sure that he, his dogs, and his household, are properly disinfected from crab lice and the parties shall cooperate as may be necessary to end this infestation of their child.

10. Any physician treating the subject minor child shall be authorized to release to the Mediator any and all information which said physician may have concerning the child's health and medical problems. This provision shall expire thirty (30) days from the date of this Order.

11. Neither party shall do or say anything to blacken the character of teh other in the child's estimation. Each parent shall treat the other in a polite and respectful manner when in the child's presence and each parent shall instruct his or her relatives and friends to do likewise and alson not to disparage the other parent in the child's estimation.

12. The parties are free to make additional or alternative arrangements respecting to custodial and visitation periods and are strongly encouraged to so so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

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

14. Costs and fees of this mediation, which are fixed at $182.00, are divided equally between the parents 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. Either parent may move the Court for a hearing de novo for thirty (30) days from date hereof. If neither parent so move, this order shall be considered permanent.

By the Court,
P. Richard Thomas. J.

Nov 14. 1989 Copies of order put in Attys. Pineo, Kirkpatrick and Thomas' boxes and copies mailed to Plaintiff and defendant.

Continued on Page 274A

# 1989

Continuation of AD 1989 - 824 (CHon D. Pritchard vs. Seneca Shongo)

Dec. 11, 1989 Motion for De Novo Hearing and order filed. ORDER OF COURT: AND NOW, December 11, 1989 Hearing inthe above maTTER IS SCHEDULED FOR THE @% DAYOF Jan. 1990 at 9:30 a.m. in Crawford County Courthouse, Meadville, Pa.
P. Richard Thomas, J.
Dec. 11, 1989, copies to M. A. Kirkpatrick, Wm. Pineo and R. Chas. Thomas attys.

Jan 19, 1990 Motion for Continuance and Order filed: AND NOW, January 19, 1990, The within motion is granted and this hearing is continued until the 7th day of February, 1990 at 1:00 o'clock p.m. in Room 1 or 2.
Gordon R. Miller, J
Jan 23, 1990 Copies of order put in Attys. Kirkpatrick Pineo and Thomas' boxes

Jan. 26, 1990 Motion For Continuance and Order filed. And now, January 26, 1990 This hearing is rescheduled to the 6th day of February, 1990 at 1:30 o'clock p.m.
Gordon R. Miller, J
Jan. 30, 1990 Copies of order put in Mary Ann Kirkpatrick, R. Charles thomas and William Pineo's box.

**Feb. 7, 1990, Motion to Continue and Order filed. ORDER: Feb. 6, 1990 Plaintiffs Motion granted and the hearing is rescheduled for Mar. 22, 1990 at 9:30 a.m. in C. R. No. 1 or 2 of the Crawford County Court House, Meadville, Pa.**
**For the Court**
**Imogene Yetman, Ct. Adm.**
**Feb. 12, 1990, copies to M. Kirkpatrick, R. C. Thomas and W. Pineo**

Mar. 5, 1990 Answer To Custody Complaint filed.

Mar. 7, 1990 Petition To Compel Submission To Paternity Testing and Order filed. AND NOW, this 7th day of March, 1990, upon presentation and consideration of the within Petition a Rule is granted upon the Respondent, Chon D. Pritchard, to show cause, if any he has, why he should not submit to testing for the purpose of determining whether or not he is the natural father of the minor child, Dakota Lee Shongo-Pritchard, born December 6, 1987.
It is further ordered and decreed that Bettie Muth is appointed as Guardian Ad Litem of the said Dakota Lee Shong-Pritchard.
In the meantime all proceedings relative to the custody of the said Dakota Lee Shongo-Pritchard are stayed.
Returnable and for hearing and/or argument on the 26th day of March, 1990 at 3:00 o'clock p.m, inCourt Room No. 2 of the Crawford County Court House, Meadvi,lle, Pennsylvania.
BY THE COURT,
Gordon R. Miller, J

Mar. 8, 1990 Copies of order put in Mary Ann Kirkpatrick, R. Charles Thomas, William Pineo and Bettie Muth's box.

Mar. 20, 1990 Motion for Continuance and Order of Court filed. ORDER OF COURT: AND NOW, this 19 day of March 1990, the hearing and/or argument set in the above captioned matter is continued to the 24 dayof April 1990 at 3:30 p.m. in C. R. No. 2 of the Crawford CountyCourth House, Meadville, Pa.
BY THE COURT
Gordon R. Miller, J.
Mar. 20, 1990, copies to B. Muth, M. Kirkpatrick, R. C. ~~Kirkpatrick~~ Thomas, and W. pineo.

Mar. 21, 1990 Motion To Dismiss filed.

Mar. 21, 1990 Order filed. And Now, March 21st, 1990, upon presentation of Plaintiff's MOtion To Dismiss Defendant's Petition for Blood Tests, hearing is scheduled for April 24, 1990 at 3:30 p.m. in Court Room 1 or 2 of the Crawford County Court House in Meadville, Pennsylvania.
By the Court,
Gordon R. Miller, J

Mar. 22, 1990 Copies of order put in Mary Ann Kirkpatrick, R. Charles Thomas and William Pineo's box. ~ Bettie Muth's

Apr. 24, 1990 Exhibits filed.

May 31, 1990 Memorandum and Order filed. AND NOW, this 30th day of May, 1990, dependent is hereby estopped from raising the issue of paternity and the petitionto order a blood test is denied.
BY THE COURT,
Gordon R. Miller, J

May 31, 1990 Copy put in Atty's box.

June 28, 1990 Contempt Petition and Order filed. ORDER: AND NOW, June 28, 1990, upon presentation of Plaintiff's Contempt Petition, it is hereby ORDERED:
1. Hearing on said Petition is scheduled for June 29, 1990 at 11:00 a.m. in Courtroom No. 2 of the crawford CountyCourt House in Meadville, Pa.
2. The Defendant shall appear at the hearing with the child and show cause if any she has why she has not complied with the order of Nov. 9, 1989. A copy of this petition and order shall be served upon defendant and her counsel.
BY THE COURT,
Gordon R. Miller, J.
June 28, 1990 copies to MaRY Ann Kirkpatrick, R. C. Thomas and Wm. Pineo.

June 28, 1990 Affidavit Of Service filed. Jeremy A. Vitaro, being duly sworn according to law, deposes and sets forth as follows:
1. That he is a conmpetent adult.
2. That on information furnished him, he caused a certified copy of the Order in the above-matter to be served upon Seneca Shongo at 9:30 o'clock a.m., on June 28, 1990, at National Fuel Gas located at 901 Water Street, Meadville, Pennsylvania. Jeremy A. Vitaro

Aug. 31, 1990 Contempt Petition and Notice and Order to Appear filed. Legal proceedings have been brought against you alleging you have wilfully disobeyed an order of court of custody. If you wish to defendant against the claim set forth in the following pages, you may but are not required to file in writing with the court you defenses or objections. Whether or not you fioe in writing with the court your defenses or objections, you must appear in person in court on Sept. 18, 1990 at 3:30 p.m. in C. R. No. 2 of the Crawford CountyCourthouse.
If you do not appear in person, the court may issue a warrant for your arrest.
If the court finds you have wilfully failed to comply with it s order for Custody, you may be found to be in contempt of court and committed to jail, fined or both.
You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.
Crawford County Bar Assn. Ser. to the Publ Comm. c/o Prothonotary, Courthouse, Meadville, Pa. 16335.724-4636.
Date: 8/31/90 By the Court, P. R. Thomas, S. J. 9/5/90 copies to Kirkpatrick, Thomas & Pineo.

Chon D. Pritchard

vs.

Seneca Shongo

Record continued from page 274A

of record

A.D. 1989 - 824

**********

Sept. 5, 1990 Affidavit of Service filed Mark Rothman, being duly sworn according to law, deposes and sets forth as follows:
1. That he is a competent adult.
2. That on information furnished him, he served a certified copy of the Order in the above-matter upon Seneca Shongo at 10:59 O'clock a.m., on August 31, 1990, at National Fuel Gas located at 901 Water Street, Meadville, Pennsylvania. Mark Rothman

Sept 19, 1990, Affidavit of Service of Subpoena served on Dr. Robert Symon on Sept 14, 1990 @ 11:15 a.m. at Water St. Urgent Care, 1009 Water, st. Meadville, Pa. 16335, filed.

Sept. 20, 1990 ORDER FILED. AND NOW, September 18, 1990 after a hearing on two contempt petitions brought by the Plaintiff in this matter, the Court is satisfied that the Defendant willfully violated the custody and visitation order previously entered by her conduct on June 27, 1990. The Court withholds imposing any fine or penalty on the Defendant to give the Defendant another opportunity to show good faith, and to comply with this Order.

IN the event that the Court, in a future contempt proceeding, finds the Defendant in contempt at any time within the next six (6) months, the Court reserves the right to meet out a fine or other punishment as a result of her actions on June 27, 1990.

With respect to the contempt petition involving the allegation of August 29, 1990, the Court is not entirely satisfied that it was necessary to withhold the Plaintiff's visitation for a full ten days; under the circumstances, the Court is not satisfied by the weight of the eviden ce that is required in these matters that the Defendant's conduct was willful in view of the fact that she had a doc tor's statement that facially seems to justify her acts to hold the child for ten (10) days. Therefore, the Court does not adjudicate her in contempt by reason of her conduct on August 29, 1990.

The parties have been advised that they are the parents of this child, should set aside their personal differences, should try to accomodate each other, should show each other common courtesy, and should be flexible, if they are able to do that unanimously. But if they cannot both agree to some flexibility, then the prior Court Order regarding custody and visitation must be adhered to to the exact letter without fail.

The record court costs and service costs with respect to the petition filed June 31, 1990 shall be borne by the DefendaNT. Record court costs, if any, and service costs on the petition filed August 31, 1990 shall be borne by the Plaintiff.

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

Sept. 20, 1990 copies of order to Mary Ann Kirkpatrick, R. Chas. Thomas & Bettie Muth

Sept . 20, 1990, Exhibit filed. (in sm. envelope with papers)

# 1989

Douglas W. Ferguson

825.

DAVID M. NORR AND
JOAN E. NORR, HIS WIFE

vs.

LARRY BOHLENDER AND
SUE BOHLENDER, HIS WIFE

WRIT OF REVIVAL

of

DSB 1984 - 612

Revival of Judgment (writ) indexed in favor of the plaintiff and against the defendants in the sum of Five Thousand Two Hundred Forty Two and 12/100 Dollars, with interest from Nov. 10, 1983. plus costs of suit and attorney's fees.

Debt - $5,242.12
Int from Nov. 10, 1983
B - 101, 151 JUDGMENT REVIVAL
James F. Simmons,
Prothonotary

Filed Sept. 15, 1989
@ 10:34 a.m.

| | |
|---|---|
| Pro Simmons paid | $15.00 |
| plff on orig | 9.50 |
| Sheriff's Costs | 31.28 |
| Pro Co pd 12/7/89 | 9.00 |
| Sat. pd. 4/20/90 | 6.00 |

Issued (atty)

Nov. 22, 1989 Sheriff's Return filed. SERVED Sue Bohlender personally on September 22, 1989 at 4:25 PM by handing copy of Writ of Revival to her at Sheriff's Office, Crawford Co. Courthouse, Meadville, Pa.
SERVED Larry Bohlender on September 22, 1989 at 4:26 PM by handing copy of Writ of Revival to his Authorized Agent, Sue Bohlender, at Sheriff's Office, Crawford County Courthouse, Mea dville, Pa. Signed Acceptance of Service attached/
So answers,
Carole Stefanucci, Dep. Sheriff
Howard N. Stewart, Sheriff

And Now, Dec. 7, 1989 at 8:42 a.m. upon praecipe of plaintiff's attorney, judgment is hereby entered in favor of the plaintiff and against the defendants for failure to file an answer and the damages are assessed at the sum of Five Thousand Two Hundred Forty-Two and 12/100 plus interest and cost of suit.

B-101-151
judgment entered Dec. 7, 1989
notice mailed to defendants

Debt $5,242.12
Int. from Nov. 10, 1983
Judgment
James F. Simmons
Prothonotary

EX/990-12

Apr. 17, 1990, Upon praecipe of plaintiff attorney, the above captioned judgment is hereby satisfied of record.

# 1989

C. Barton Jones

826.

DARRELL L. SAYLOR

vs.

CAROL A. SAYLOR

Filed Sept. 15, 1989
@ 1:00 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| 2 counts paid | 30.00 |
| Pro Co Pd 4-19-90 | 9.00 |
| State Pd 4-19-90 | 10.00 |

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

Feb. 12, 1990, Amended Complaint Under Section 201(c) of the Divorce Code filed.

Feb. 28, 1990, Inventory and Appraisement of Darrell L. Saylor filed.

Mar. 5, 1990, Income and Expense Statement of Darrell L. SAylor filed.

Apr 16, 1990 Affidavit of Service by Mail Pursuant to Pa. R.C.P. 1920.4(a)(1)(ii) filed: I, C. Barton Jones, Esquire being duly sworn according to law, deposes and says that he is the attorney for plaintiff, DARRELL L. SAYLOR, and that he did mail a true and correct copy of the Complaint in Divorce filed in the above matter, by Certified mial, return receipt requested, to the Defendant, CAROL A. SAYLOR, on September 14, 1989, at her last known address, 121 Chase Drive, Jamestown, Pa 16134. The signed receipt is attached as Exhibit "A". A true and correct copy of the Amended Complaint was sent to Plaintiff's attorney, Michael Halliday, 273 Main Street, Greenville, Pa 16125, by regular U.S. Mail, on February 9, 1990.
Date; April 13, 1990 C. Barton Jones, Esquire

April 16, 1990 Affidavit of Consent of Defendant filed.

April 16, 1990 Affidavit of Service of Plaintiff filed.

April 16, 1990 Upon Praecipe of Plaintiff's Attorney for Review Under §201(c) of the Divorce Code, this case is moved to Court.

Apr. 16, 1990 Marriage Settlement filed.

May 1, 1990 **D E C R E E  A N D  O R D E R  F I L E D .**

AND NOW, this 1 day of May, 1990, on the grounds of Irretrievable Breakdown, in the above case having been duly approved, the Court, by virtue of the authority vested in it by law, decrees that DARRELL L. SAYLOR and CAROL A. SAYLOR are hereby divorced from the bonds of matrimony, and all the duties, rights, and claims accorded to either of the said parties at any time heretofore, in pursuance of said marriage, shall henceforth cease and determine, and the said parties shall severally be at liberty to marry again as if they had never been married.

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

2) Property Distribution:

a) The Husband and Wife have entered into a Marriage Settlement Agreement amicably and satisfactorily distributing their personal property among themselves. The Wife receives the house in South Shenango Township, crawford County, PA, and the Husband receives the house in Greenville, Mercer County, PA. They each assume their respective mortgages on these houses. The Wife has a thirty (30) day option to purchase their vacant lot in South Shenango, Crawford County, PA, after which it will be sold and the proceeds divided equally. The Husband is also bound to pay the Sears bill, and $100.00 toward the allotment Ass;ociation dues for 1990. Each keeps his or her vehicle.

b) The parties have amicably, in said Marriage Settlement Agreement, settled all bank accounts and any other liquid assests between them.

c) Both parties were advised by Court: For the Husband, C. Barton Jones; and for the Wife, Michael Halliday. The Agreement states as well as the current support payments from the Husband of $40.00 per week, until their minor son graduates. To the extent the parties can afford it, they agree to pay their minor son's college fees if he so attends. In return for the mutual covenants herein including the deeds to the houses no alimony will be paid. Each party pays their own counsel fees.

d) Personal rights were delineated in the Agreement and mutual releases were given. In particular, the parties' boat, dock, and paraphernalia are given to their sons.

e) The usual boilerpate language, including that Pennsylvania law shall govern, was included The Agreement was properly executed and notarized.

f) There was one minor child of the marriage, and the Wife has primary partial custody, and the Husband has partial custody and visitation rights. Child support was agreed to be due from the Husband retroactively from december 26, 1989.

BY THE COURT:
P. Richard Thomas, J

# 1989

Halliday & Halliday
Michael Halliday

827.

Brian Lindsay

PATRICIA J. WAGNER

vs.

BERNARD R. WAGNER

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION OF PROPERTY, ALIMONY PENDENTE LITE, COUNSEL FEES AND EXPENSES, ALIMONY, AND CHILD CUSTODY

1 copy (sheriff)

Filed Sept. 15, 1989
@ 3:35 p.m.

| | |
|---|---|
| Tax & entry paid | $ 50.50 |
| 3 counts pd. 9/15/89 | 45.00 |
| Sheriff's Costs | 20.00 |
| Sheriff's Costs | 20.00 |
| Pro Co. Pd 9/26/90 | 5.00 |

Sept. 25, 1989 Complaint For Spcial Relief and Orders filed. You, Bernard R. Wagner, Defendant, have been sued in Court to obtain custody of CARA J. WAGNER, SABRINA K. WAGNER AND ROBIN B. WAGNER.

You are ordered to appear in person at the Crawford County Courthouse, Meadville, Pennsylvania, on the 23rd day of Oct., 1989, at 1:30 o'clock p.m., in Courtroom No. 2 for a hearing/ conference.

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

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

Crawford Court Bar Association
Service to the Public Committee
c/o Prothonotary
Crawford County Courthouse
Meadville, Pennsylvania 16335
Telephone 724-4636

Plaintiff's Attorney:
Michael Haliday, Esquire
HALLIDAY & HALLIDAY, P.C.
271 Main Street
Greenville, Pennsylvania 16125
Telephone (412) 588-8300

Dated: Sept. 25, 1989

BY THE COURT:
Robert L. Walker, J

Order: AND NOW, this 25th day of Sept., 1989, upon consideration of the within Complaint for Special Relief, it is hereby ORDERED AND DECREED as follows:

(1) Defendant, Bernard R. wagner, shall not remove Cara J. Wagner, Sabrina K. Wagner or Robin B. Wagner from their home at RD #6, Meadville, Crawford County, Pennsylvania, 16335, until a further Order of Court is entered.

(2) A hearing to make permanent the above Order will be hald on the 23rd day of Oct., 1989 at 1:30 P.M.

BY THE COURT,
Robert L. Walker, J

Sept. 26, 1989 Copies of both orders mailed to Michael Halliday

Sept 27, 1989 Sheriff's Return filed: SERVED Bernard R. Wagner personally on September 18, 1989 at 11:28 A.M. by handing copy of Complaint in Divorce to him at his residence, R.D.#6, Meadville, Crawford County, Pennsylvania 16335.

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

Oct. 10, 1989 Sheriff's Return filed. SERVED Bernard R. Wagner personally on September 27, 1989 at 11:25 AM by handing copy of Order, Notice, and Complaint to him at the Courthouse, Crawford County, Meadville, PA 16335.
So answers,

Edgar D. Householder, Deputy Sheriff
Howard N. Stewart, Sheriff

Oct. 18, 1989 Motion For Continuance and Order filed. AND NOW, this 18th day of October, 1989, upon consideration of the within Motion, it is hereby ORDERED that the hearing scheduled in the above action for Monday, October 23, 1989, at 1:30 o'clock p.m., is continued generally until further request by either party.

BY THE COURT,
Robert L. Walker, J

Oct. 20, 1989 Copy mailed to Michael Halliday

Kim Evans Dec 13 D 1990-287

May 29, 1990 Petition for Sanctions and Order filed: AND NOW, this 29th day of May, 1990, upon consideration of the within Motion for Sanctions, a Rule is hereby entered upon the Defendant, Bernard R. Wagner, to show cause, if any he has, why:

(a) He should not be held in contempt of court;
(b) Sanctions should not be imposed upon him; and
(c) Why his visitation with his children should not be more severely restricted.

RULE RETURNABLE, the 11th day of June, 1990, at 10:00 o'clock a.m., in Courtroom No. 2 of the Crawford County Courthouse, Meadville, Pennsylvania, at which time hearing will be held.

BY THE COURT,
Gordon R. Miller, J

May 29, 1990 Copies of order mailed to Atty. Halliday and defendant.

Sept. 20, 1990 ORder filed. ORDER: AND NOW, this 19 day of September, 1990, upon consideration of the within Petition executed by the parties and by their counsel, it is hereby ORDERED AND DECREED that the divorce proceedings at the above number and term by herewith discontinued and terminated.

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

Sept. 21, 1990 Copies of order mailed Atty. Halliday and put in Brian Lindsay's box

7

# 1989

828.

TINA SHESKY

vs.

AL SHAY

Filed Sept. 18, 1989
@ 9:27 a.m.

Tax & entry Pd 12/6/89 - $50.50 ✓
Sheriff's Costs 20.00
Pro C Pd 12-6-89 - 9.00 ✓

Rec'd $20.00 - 12/6/89
Sheriff costs

12/6/89 Paid to
Howard N. Stewart
Sheriff
$20.00 Check #
5349

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plff)

TEMPORARY ABUSE ORDER:

And now, this 18 day of Sept. 1989, 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 plaitniff resides and to county control.

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

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

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

8. The court reserves rulign ona llocation of fees and costs.

Hearing is hereby set for Thurs. Sept. 28, 1989, at 9:30 a.m. in C. R. No. 1 or 2 of the Crawford County Courthouse.

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

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

Sept. 20, 1989 Sheriff's Return filed. SERVED Al Shay personally on September 18, 1989 at 11:55 AM by handing copy of Protection From Abuse to him at his place of employment, Aardvark, Rt. 102, Meadville, Crawford County, PA 16335
So answers,

Edgar D. Householder, Deputy Sheriff
Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Sept 28, 1989 Order filed: AND NOW, September 28, 1989, at the time fixed for hearing and by the essential agreement of the parties, the following Order is entered:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff in any place at any time.

2. The Defendant shall not go to the Plaintiff's residence nor her place of employment.

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

4. Defendant shall pay the record costs in this matter within fifteen (15) days of this date.

5. The Meadville City Police or any other police department having jurisdiction in the matter may enforce this Order in accordance with the Protection from Abuse Act.

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

Sept 28, 1989 Copies of order mailed to Plaintiff and Defendant and copy given to Co. Control.

# 1989

Thomas, Truax, Spadafore Vardaro and Walker

R. Charles Thomas

829.

JULIE ANN SHAFFER

vs.

JOHN WESLEY SHAFFER

Filed Sept. 18, 1989
@ 9:38 a.m.

Indigent filing
JOhn Fuller, Mediator

COMPLAINT FOR CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER OF COURT:

YOU, JOhn Wesley Shaffer, defendant, have been sued in court to obtain custody of the followign children:
Amber Lynn Shaffer and John Wesley Shaffer, III.
You are hereby ordered to appear in person at such time and place as is hereby designated by the custody mediator hereinafter appointed for a conference.
JOHN FULLER, ESQUIRE, is hereby appointed as custody mediator in this case.
If you fail to appear at the time specified by the custody mediator hereby appointed, 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 help:
Crawford CountyBar assoc. Ser. to the public Committee c/o Prothonotary, Crawford County Court House, Meadville, Pa. 16335, Tele: 814 724-4636.

BY THE COURT,
Robert L. Walker, J.

Sept. 18, 1989, Petition to Proceed In Forma Pauperis and Order filed. ORDER: AND NOW upon presentation and consideration of the within petition the plaintiff is authorized to proceed with this custody complaint in forma pauperis. The determination of the assessment of costs for filing this complaint shall be made by the custody mediator appointed by this court.

BY THE COURT,
Robert L. Walker, J.

Sept. 18, 1989, copies to R. C. Thomas, and John Fuller, esqs.

# 1989

John F. Goryl,

830.

PHILADELPHIA NATIONAL BANK, AS TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY

vs.

CLIFFORD L. KARNS AND JUNE B. KARNS

Filed Sept. 18, 1989
@ 10:04 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 ✓ |
| Sheriff's Costs | 26.00 |
| Pro Co. Pd 11/1/89 | 9.00 ✓ |

K-34,94
Judgment entered 11/1/89

COMPLAINT

2 copies (sheriff)

Oct. 2, 1989 Sheriff's Return filed. SERVED Clifford L. Karns on September 22, 1989 at 12:06 PM by handing copy of Complaint in Ejectment to June B. Karns, his wife, at their residence, R.D.#5, Lilly Road, Meadville, Crawford County, PA. SERVED June B. Karns personally on September 22, 1989 at 12:05 PM by handing copy of Complaint in Ejectment to her at her residence, R.D.#5, Lilly Road, Meadville, Crawford County, PA.
So answers, Robert M. Stevens, Deputy Sher.
Howard N. Stewart, Sheriff

Nov. 1, 1989 at 12:47 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:

(a) for possession of the real property located at RD #5, Lilly Rd., Meadville, Crawford Co. PA; and

(b) for the following:

| | |
|---|---|
| Amount due per Complaint | $2,375.00 |
| Monthly rent/profit damages at $495.00 per month from Sept. 19, 1989 to October 24, 1989 | 585.00 |
| TOTAL | $2,960.00 |

Interest from -----
Judgment
James F. Simmons, Pro.

# 1989

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

831.

Bette Muth

DIANA L. SMITH

vs.

RICHARD O. SMITH

Filed Sept. 18, 1989
@ 4:00 p.m.

Tax & entry Paid $50.50 ✓
4 counts paid 60.00 ✓
Douglas Ferguson, Master
Bro. Co Pd 3/16/92 9.00 ✓
State Pd 3/16/92 10.00

3/18/91 Recd $375.00 From Plaintiff

4/29/91 Recd $375.00 From Defendant.

7/12/91 Paid Check # 6312 to: Rains Reporting Service for $102.90

Paid 2-19-92 Ch # 6660 atty D Ferguson Master's fees on 375.00

Pd 2-19-92 Ch 6661 Plff refund 136.05

Pd 2-19-92 Ch #6662 Deft refund 136.05

COMPLAINT IN DIVORCE, EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION, ALIMONY, ALIMONY PENDENTE LITE, CHILD CUSTODY, COUNSEL FEES, EXPENSES

1 copy (atty)

Feb. 23, 1990, Petition for Special Relief filed.

Feb. 23, 1990, ORDER filed. AND NOW, upon presentation of and consideration of the foregoing Petition, a Rule is hereby entered upon Richard O. Smith to show cause, if any he has, why Petitioner's prayer should not be granted.

Pending hearing, both parties shall refrain from disposing transferring or in any way, alienating or distributing property acquired during the marriage in which the other party may assert equitable interest.

Rule is Returnable on the 23 of March 1990 at 9:30 a.m., in C. R. No. 1 or 2 of the Crawford County Courthouse, Meadville, Pa.

BY THE COURT,
Date: Feb. 21, 1990 P. Richard Thomas, J.

Feb. 23, 1990, 3 copies (atty)

Mar. 7, 1990 Stipulation and Consent To Entry Of Custody Order filed.

Mar. 7, 1990 Order filed. AND NOW, this 7th day of March, 1990, upon presentation of the Stipulation and Consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED and DECREED that;

1. Primary physical custody of the minor children, Kristina Ann Smith and Zachary Owen Smith shall be with the Petitioner, Diana L. Smith.
2. The parties shall share legal custody of the two minor children.
3. The natural father, Richard O. Smith, shall have general liberal visitations of the aforementioned minor children a minimum of one (1) overnights visit per week, at times upon which the parties mutually agree, from 9:00 a.m. until 9:00 a.m. the following day.
4. The natural father, Richard O. Smith, shall be responsible for all transportation of the minor childrenin regard to the exercise of his temporary custodial periods.

BY THE COURT:
Gordon R. Miller, J

Mar. 7, 1990 Copy put in James Irwin's box.

March 28, 1990 Stipulation And Consent to Entry of Special Relief Order and ORDER filed. AND NOW, this 28th day of March, 1990, upon presentation of the foregoing Stipulation and Consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, directed and decreed that:

Both parties shall refrain from disposing, transferring, or in any way, alienating or distributing property acquired during the marriage in which the other party may assert an equitable interest without the knowledge and express consent of the other until final property distribution has been entered.

BY THE COURT:
Gordon R. Miller, J.

March 28, 1990 Copy of Order to Atty. James R. Irwin.

Apr. 30, 1990 Request For Hearing and Order filed. AND NOW, 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 4 day of June, 1990 at 1:30 o'clock p.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT,
P. R Thomas, J

May 1, 1990 Copy of order put in James Irwin's box.

June 4, 1990 Motion For Continuance and Order filed. AND NOW, this 4th day of June, 1990 upon presentation and consideration of the within Motion this hearingis continued generally. Hearing to be scheduled upon MOtion of either Plaintiff or dEfendant.

BY THE COURT:
Gordon R. Miller, J

June 6, 1990 Copy of order put in James Irwin's box.

FEb 21, 1991, Inventory and Appraisement of Diana L. Smith filed.
FEb. 25, 1991, Affidavit of Consent of plaintiff filed.

Feb. 21, 1991, Motion for Appointment of a Master filed.

Mar. 1, 1991 Order filed. Plaintiff filed this divorce action in September of 1989 and on February 1, 1991, moved the Court for appointment of a master to determine divorce, alimony, equitable distribution of property, counsel fees and expenses. Simultaneously with the motion, she filed her inventory and appraisement.

Since alimony is sought, we find the recod does not contain a copy of each parties' federal income tax returned and a completed income and expense statement as required by Divorce Rule 1920.31(a)(1). ACCORDINGLY, we decline to appoint a master until the record contain basic evidence regarding the income and expenses of the respective parties.

WE also note the belated fl ing of the plaintiff's inventory and appraisement and believe the matter should not be referred to a master until a response to the plaintiff's inventory is filed by the defendant within the thirty (30) days allowed in accord with Rule 1920.33(4)(b).

We return this divorce to the Prothonotary's Office without appointing a master and direct ea ch party to file income and expense statements within the next thirty (30) days, and further direct the defendant to respond to the plaintiff's inventory within the same period of time.

Upon compliance with this directive, the Court will re-entertain a motion for the appointment of a master.

Dated: February 27, 1991.

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

Mar. 5, 1991 Copies of order put in James Irwin and Bette Muth's box.

Mar. 7, 1991, ORDER filed. AND NOW, Mar. 5, 1991 Douglas W. Ferguson is appointed Master in respect to the following claims:

1. Divorce udner Sect. 201(a)(6) of thedivorce code unless, prior to the Master's hearing, both parties sign c onsents under Section 201(c) of the Divorce Code (and the applicable rules of Court thereunder) or the plaintiff becomes entitled to a divorce under Section 201(d) of

Continued on Page 648

SEE VOL. 3

# 1989

| | | |
|---|---|---|
| Shafer, Swick, Bailey, Irwin, Stack<br>James R. Irwin<br><br>832. | GREGG W. GORDON<br><br>vs.<br><br>ALLYSON J. GORDON<br><br>Filed Sept. 18, 1989<br>@ 4:00 p.m.<br><br>Tax & entry paid $50.50 ✓<br>1 count paid 15.00 ✓<br>Pro Co Pd 10-13-89 $5.00 ✓ | COMPLAINT IN DIVORCE, EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION<br><br>1 copy (atty)<br><br>Oct. 12, 1989 Upon Praecipe of Plaintiff Attorney, this case marked discontinued of record. |

# 1989

Cassidy, Kotjarapoglus
& Pohland
David C. Pohland

833.

CABOT OIL AND GAS CORPORATION

vs.

CHRISTOPHER MAGEE, HIS UNKNOWN HEIRS, DEVISEES OR ASSIGNS, OR ALL OTHER PERSONS CLAIMING ANY RIGHT, TITLE OR INTEREST

Filed Sept. 19, 1989
@ 8:56 a.m.

Tax & entry Paid $50.50 ✓

COMPLAINT IN ACTION TO QUIET TITLE

1 copy (atty)

ORDER:

AND NOW, this 15 day of Sept. 1989, it appearing to the court that the plaintiff in the above captioned action to quiet title has, in accordance with the provisions of Pa. Rule of Civil Procedure No. 430, filed an affidavit that the defendants are likely to be deceased, and that their whereabouts of their heirs, devisees and assignss are unknown, and that all other persons claiming any right, title or interest are unknown, Cabot Oil and Gas Corporation is hereby authorized to serve the within Complaint in the above named defendatns by publication inthe Meadville Tribune and the Crawford County Legal Journal one time.

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

Oct 30, 1989 Affidavit of Service filed: Personally appeared before me, the undersigned authority, David C. Pohland, Esquire, who, being duly sworn according to law, deposes and says: that on September 15, 1989, this Court entered an Order in this case directing that service of the Complaint be made by publication in Meadville Tribune and the Crawford County Legal Journal on time; that service was made in accordance with said Order by publication on September 29, 1989, in the Meadville Tribune and on October 4, 1989, in the Crawford County Legal Journal; that more than twenty (20) days have elapsed from the date of the last publication of the notice and the defendants, their heirs, representatives or assigns have not appeared and have not filed an answer to the Complaint.

David C. Pohland, Esquire

Oct 30, 1989 Motion for Judgment and Final Decree filed: AND NOW, October 30, 1989, upon review of the Affidavit of Service and upon presentation of the foregoing Motion, IT IS HEREBY ORDERED AND DECREED that the defendants, Christopher Magee, his unknown heirs, devisees or assigns, or all other persons claiming any right, title, or interest, are forever barred from asserting any right, title, lien or interest inconsistent with the claim of the plaintiff, as set forth in the Complaint, of, in or to the real estate described in the Complaint and from impeaching, denying or anyway attacking the title of the plaintiff in the said real estate; from issuing or continuing any action attacking the title of the plaintiff in the said real estate and from encumbering, mortgaging or conveying the same or any part thereof; unless the defendants, their heirs, devisees, personal representatives or assigns take such action as is herein directed within thirty (30) days after the entry of this judgment.

it is further ORDERED AND DECREED that if no petition to open this judgment or set aside this decree is presented by the defendants, their heirs, devisees or personal representatives or 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 this thirty (30) day period, the Prothonotary, on praecipe of the plaintiff shall enter final judgment in favor of the Plaintiff.
M-36

BY THE COURT,
Robert L. Walker, J.

Oct 31, 1989 Copies of order mailed to Atty. Pohland.

# 1989

Mason and Mason
Joan D. Mason

834.

Thomas, Truax, Spadafore, Vardaro and Walker
By: R.Chas,Thomas

DEBRA L. STUDER

vs.

TOM B. STUDER

Filed Sept. 19, 1989
@ 2:10 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| 2 counts paid | 30.00 |
| Pro Co pd 9/28/92 | 9.00 |
| State paid | 10.00 |

COMPLAINT IN DIVORCE, CUSTODY, EQUITABLE DISTRIBUTION

2 copies (atty)

Sept. 29, 1989 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 September 21, 1989 mail to the above Defendant, Tom B. Studer, by certified mail #P 966 073 958, return receipt requested, deliver to addressee only, a complaint in the above divorce action. Said notice was received onSeptember 22, 1989 as indicated by the return receipt card which was returned to the office ofthe Plaintiff's attorney and is attached hereto.
Joan D. Mason

Oct. 5, 1989 Appearance of Thomas, Truax, Spadafore, Vardaro and Walker, by R. Charles Thomas, attorney for defendant filed.

July 17, 1991 Answer and Counterclaim filed.

July 8, 1992 Affidavit of Consent of Plaintiff, filed.

**Aug. 21, 1992, Affidavit of Consent of defendant filed.**

Sept. 28, 1992 UPon praecipe of Plaintiff Attorney For review Under §201(c) of the Divorce Code, this case is moved to court.

DIVORCE DECREE FILED

Oct. 2, 1992 STIPULATION and DECREE filed. AND NOW, this 30th day of September, 1992, 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, on the grounds that the marriage is irretrievably broken and ninety (90) days have elapsed from the date of the filing of the complaint, and an affidavit has been filed by each of the parties, evidencing that each of the parties consents to the divorce pursuant to Section 201(c) of the Pennsylvania Divorce Code.

2. TANGIBLE PERSONAL PROPERTY: The Plaintiff is awarded all tangible personal property that she presently has in her possession at RD # 1, Atlantic, PA, which tangible personal property was formerly located in the marital residence at 235 Grandview Ave., Meadville, Crawford Co., PA.

3. VEHICLE: The Plaintiff is awarded the 1984 Oldsmobile automobile

4. EMPLOYEE STOCK OWNERSHIP TRUST: The Plaintiff is awarded as marital property, one-third (1/3) of the cash value (including interest and all manner of increases thereon) of a Plan or benefit known as "Employee Stock Ownership Trust" in which the Defendant participated as an employee of a corporation known as Channellock, Inc. The Defendant shall provide to the Plaintiff a copy of the most recent statement from Channellock, Inc. of the cash value of said Employee Stock Ownership Trust, and copies of any additional such statements that he may receive, immediately upon receipt of said statement. Payment of the Employee Stock Ownershp Trust shall be made by the Defendant to the Plaintiff within five (5) days after the Defendant receives distribution of the entire balance of the Employee Stock Ownership Trust from Channellock, Inc., which is anticipated to be February, 1993.

The Defendant is awarded two-thirds (2/3) of the fund known as the "Employee Stock Ownership Trust" in which he participated as an employee of the corporation known as Channellock, Inc. The Defendant shall secure payment from Channellock, Inc. of the fund known as "Employee Stock Ownership Trust" on the earliest date that payment of said fund shall be available from the corporation known as Channellock, Inc. so as to make payment of the award made to the Plaintiff pursuant to the above paragraph.

5. RETIREMENT AND LIFE INSURANCE BENEFITS: The Defendant is awarded all retirement benefits and life insurance benefits to which he is entitled as a former employee of the corporation known as Channellock, Inc. and in which the Defendant participated as an employee of the corporation known as Channellock, Inc.

6. 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 of the debts and assets acquired during the marriage.

7. 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.

# 1989

Gary A. Fabian
Fuller, Kinnunen,
Petruso & Gamble

835.

WILLIAM R. UPLINGER

vs.

MARY JO UPLINGER

Filed Sept. 19, 1989
@ 3:40 p.m.

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

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

1 copy (atty)

Sept. 29, 1989 Affidavit Of Service file. 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 September 19, 1989, he had depositied in the United States Mail by certified mail, return receipt requested, Certified Mail No. P 414 752 673 as evidenced by Certified Mail Receipt No. P 414 752 673 attached hereto and made a part hereof, a true and correct copy of a Complaint in Divorce addressed to Mary Jo Uplinger said Complaint in Divorce naming Mary Jo Uplinger as the defendant in the above-captioned matter.
4. Service was obtained upon the defendant Mary Jo Uplinger on September 20, 1989, as evidenced by Return Receipt for Certified Mail No. P 414 752 673 attached hereto and made a part hereof, said receipt being signed by Mary Jo Uplinger.
FURTHER, DEPONENT SAYETH NOT. Gary A. Fabian

Sept. 6, 1991 Motion To Withdraw and Order filed. AND NOW, this 6th day of September, 1991, Gary A. Fabian, Esquire is granted leave to withdraw as counsel for plaintiff in the above-captioned matter
BY THE COURT
Gordon R. Miller, J

Sept. 10, 1991 Copy of order put in box for Atty. Fabian

Feb. 17, 1998 Important Notice and Court Order filed. Out court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 9/6/91 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonable delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.
If you do not object to this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.
I If you object to the case being dismissed, you must put your objections in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or send a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.
YOU MAY LOSE IMPORTANT RIGHTS IF YOUR CASE IS TERMINATED. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHER EYOU CAN GET LEGAL HELP.
Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

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

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

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

# 1989

| | | |
|---|---|---|
| 836. | JAY STRAUB<br>vs. | APPEAL OF DEFENDANT FROM JUDGMENT OF WILLIAM D. CHISHOLM |
| Margaret Eglinton<br>Legal Services<br>for dft. Luba | JEFF CHAMBLEY AND<br>ELEANOR LUBA | Sept. 19, 1989, Rule entered upon plaintiff to file complaint issued.<br>Sept. 19, 1989, Praecipe to Proceed In Forma Pauperis filed.<br>Sept. 19, 1989, Affidavit to Proceed In Forma Pauperis filed.<br>Sept. 20, 1989, Proof of Service filed.<br>And Now, Oct. 13, 1989, at 1:05 p.m., upon praecipe of defendant attorney, Judgment of Non Pros is hereby entered in favor of defendant and agaisnt the plaintiff as he has failed to file Complaint under Pa. Rule of Civil Procedure 1037.<br>Judgment entered - 10/13/89<br>S - 95 JUDGMENT OF NON PROS<br>James F. Simmons,<br>Prothonotary |
| | Filed Sept. 19, 1989<br>@ 3:58 p.m.<br>Indigent filing | |

# 1989

Fuller, Kinnunen,
Petruso & Gamble
Gary A. Fabian

837.

Culbertson, Weiss, Schet-
roma and Schug
Mary Ann Kirkpatrick

JEFFREY A. FERRINGER,
G. PAUL FERRINGER, AND
SHIRLEY A. FERRINGER

vs.

JULIE KAY JOHNSTON

Filed Sept. 20, 1989
@ 9:30 a.m.

Tax & entry Paid $50.50 ✓
William Pineo, Mediator 137.00
Pro Co Pd 11/28/89 9.00 ✓

11/27/89 Rec'd $68.50 from plaintiff
11/28/89 Recd. $68.50 From DEFENDANT.
Recd 12-29-89 $68.50 Vivian Stoltz
Recd 12-29-89 $68.50 Vivian Stoltz

COMPLAINT FOR CUSTODY AND VISITATION

1 copy (atty)
1 copy (mediator)

ORDER:

You, Julie Kay Johnston, defendant have been sued in court to obtain shared legal cusotdy, enlarged visitation and/or partial physical custody of the child Jenna Marie Ferringer.

You are ordered to appear in person at a mediation conference at a time, place and date to be established by the custody mediator, WILLIAM PINEO, is hereby appointed custody mediator.

If you fail to appear as provided by this order an order for cusotdy, partial cusotdy or visitation may be entered against you or the court may issue a warrant for your arrest.

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

Crawford County Bar Association
Service to the Public Committee
c/o Prothonotary, court House,
Meadville, Pa. 16335 814 724-4636

BY THE COURT,
Robert L. Walker, J.

Sept. 29, 1989 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 September 20, 1989, he has deposited in the United States Mail by certified mail, return receipt requested, Certified Mail No. P 414 752 761 as evidenced by Certified Mail Receipt No. P414 752 761 attached hereto and made a part hereof, a true and correct copy of a Complaint in Custody addressed to Julie Kay Johnston said Complaint in Custody naming Julie Kay Johnston as the defendant in the above-captioned matter.
4. Service was obtained upon the defendant, Julie Kay Johnston on September 23, 1989, as evidenced by Return Receipt for Certified Mail No. P 414 752 671 attached hereto and made a part hereof, said receipt being signe dby Julie Kay Johnston.

FURTHER, DEPONENT SAYETH NOT. Gary A. Fabian

October 26, 1989, Answer filed.

Nov. 2, 1989 Temporary Order filed: AND NOW, this 1st day of November, 1989, 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 parents shall share legal and physical custody of the subject minor child.

2. The parents shall share with each other any and all information which each may have regarding the health, education, and the major events in the live of the subject minor 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 the right of visitation for the first three full weekends (where Saturday and Sunday both occur in the same month) from Friday at 7:00 p.m. through Sunday at 7:00 p.m..

For the summer of 1990, the father shall have visitation and temporary physical custody for a period of two weeks, which shall coincide, as possible, with the father's vacation from work provided that said two weeks shall not be taken during the month of August. The father shall notify the mother one month in advance of the two week period he wishes to select. For summers following 1990, the father shall have visitation and temporary physical custody of the subject minor child for six weeks to be take during the months of June and July. The father shall notify the mother one month in advance of the six weeks period he wishes to select. During the father's summer time visitation for the years of 1991 and following, the mother shall have visitation on alternate weekends from Friday at 7:00 p.m. through Sunday at 7:00 p.m.

4. Holiday visitation shall be arranged as follows:

The Christmas holiday period shall be divided in two with the first visitation period beginning on noon of Christmas Eved and ending noon of Christmas Day and the second period beginning noon of Christmas Day and ending at 8:00 p.m. of Christmas Day. For Christmas, 1989, the mother shall have the first period and the father the second, and the parties shall in years thereafter alternate the two periods. Thanksgiving shall be divided into two visitation periods, the first beginning at 7:00 p.m. of the evening preceding Thanksgiving and ending at 2:00 p.m. Thanksgiving Day and the second period beginning at 2:00 p.m. Thanksgiving Day and ending at 8:00 p.m. Thanksgiving Day. For Thanksgiving Day, 1989, the father shall have the first period and the mother shall have the second, and the parties shall thereafter alternate the periods. Other major holidays are defined as New Years Day, Easter, Memorial Day, Independence Day, Labor Day. The visitation periods shall begin at 9:00 a.m. and end at 8:00 p.m.. The father shall have visitation with the subject minor child on New Years Day and the parties shall thereafter alternate the holidays. The subject minor child will spend Fathers DAy with her father and Mothers Day with her mother between the hours of 9:00 a.m. and 8:00 p.m.. Holiday visitations shall take precedence over the other provisions of this Order relating to the custodial and visitation periods.

5. The parents shall split responsibility for transportation with the parent receiving the child in the exercise of his or her rights picking up the child at the home of the other.

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

7. Neither parent 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.

8. Any person transporting the child shll make sure that the seat belts or other restraints are used in accordance with the law of Pennsylvania.

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

10. No parent shall expose the child to situations which are physically unsafe or morally improper, given the child's age and judgment.

11. The parents are free to make additonal or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

Continued in margin

12. Costs and fees of this Mediation, which are fixed at $137.00 are divided equally between the parents 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.

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

By the Court,
P. Richard Thomas.

Nov 3, 1989 copies of order put in Attys Fabian, Kirkpatrick and Pineo's boxes and copies mailed to Plaintiff and defendant.

# 1989

| | | |
|---|---|---|
| Altomare & Barnhart<br>Joseph E. Altomare | JAMES H. WESCOAT AND<br>MARGERY WESCOAT | COMPLAINT |
| 838. | vs. | Oct. 2, 1989 Appearance of Elderkin, Martin, Kelly, Messina & Zamboldi by Kenneth G. Vasil for Defendant filed. |
| Elderkin, Martin, Kelly,<br>Messina & Zamboldi<br>Kenneth G. Vasil | JOHN R. FLEMING | Oct. 12, 1989 Acceptance of Service filed. I hereby accept service of a true and correct copy of the above captioned Complaint this 12th day of Sept., 1989. John R. Fleming |
| | | Oct. 24, 1989 Answer and New Matter filed. |
| | | Oct. 24, 1989 Certificate Of Service Of Interrogatories To Plaintiffs (First Set) filed. |
| | Filed Sept. 20, 1989<br>@ 11:11 a.m. | Jan. 10, 1990, Upon praecipe of plaintiff attorney, the above captioned matter is marked settled and discontinued of record. |
| | Tax & entry Paid $50.50<br>Pro Co Pd 1/11/90 6.00 | |

# 1989

Bernstein & Bernstein
Nicholas D. Krawec

839.

HEARING TECHNOLOGY, INC.

vs.

TERRY W. IMPERIAL AND RONALD CARUSO, INDIVIDUALLY AND TRADING AND DOING BUSINESS AS TITUSVILLE HEARING AID SERVCIE, ACOUSTICAL HEARING AID SERVICES, INC. AND THOMAS H. MINGO INDIVIDUALLY AND TRADING AS EXPANDING HORIZONS HEARING AID SERVICES, INC.

COMPLAINT

3 copies (sheriff)

Oct. 6, 1989, Upon praecipe of plaintiff attorney, this case is marked dismissed without Prejudice as to Thomas H. Mingo ind. and t/d/b/a Expanding Horizons Hearing Aid Services, Inc. Only.

Dec. 1. 1989 Sheriff's Return filed. SERVED Thomas H. Mingo on September 27, 1989 at 2:06 PM by handing copy of Compaint to Jane Whitman, Secretary, at place of business, 115 S. Washington St. Park Bldg., Suite 303 , Titusville, Crawford County, Pa.
SERVED Terry W. Imperial by deputizing Sheriff of Warren Co. Pa. as per his Affidavit of Service Attached. Served:Sept. 25, 1989
NOT FOUND as to Ronald Caruso as per Affidavit received from Sheriff of Warren Co. Pa.
So answers, Robert M. Stevens, Dep. Sheriff
Howard N. Stewart, Sheriff

Before me the undersigned authority personally appeared Rodrick Pontious Dep. Sheriff to D. E. Allen, Jr., Sheriff of the County of Warren, Commonwealth of Pa. who being duly sworn according to law deposes and says that on the 25th day of Sept. 1989 A,D. at 3:00 P.M. he served the captioned COMPLAINT upon Terry W. Imperial at the Warren Co. Sheriff's Office, 407Market St., Warren , Warren Co. Pa., by handing to and leaving with the said Terry W. Imperial, a certified copy with notice to plead endorsed thereon, and by making known unto him the meaning of the contents therein.
Rodrick Pontious, Dep. Sheriff
So answers, Donnell E. Allen, Jr. Sheriff

Filed Sept. 20, 1989
@ 1:15 p.m.

| | |
|---|---|
| Tax & entry paid | $40.50 |
| Bal | 10.00 |
| Pro Co Pd 10-6-89 | #5.00 |
| Sheriff's Costs | 82.50 |
| Pro Co pd 9/13/90 | 5.00 |

Sept. 7, 1990 Upon praecipe of Plaintiff Attorney the above captioned suit is marked Settled and Discontinued without Prejudice of record.

| | | |
|---|---|---|
| 840. | PETITION FOR INVOLUNTARY TREATMENT<br>of<br>MILAM PLATTENBURG<br><br>Filed Sept. 20, 1989 | PETITION FOR INVOLUNTARY TREATMENT<br>Mental Health Procedures Act of 1976<br>Section 304 and 305)<br><br>Sept. 25, 1989 Report Of Mental Health Review Officer, Recommendation and Order filed. AND NOW, this 22 day of September, 1989, upon consideration of the Petition filed at the above number and term, and other relevant matter, and after a review of the Report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Milam Plattenburg be committed to the Warren State Hospital for treatment for a period not to exceed 90 days from September 9, 1989.<br>BY THE COURT,<br>P. Richard Thomas, J<br>Sept. 26, 1989 Copies of order to MH/MR, Warren St. Hosp. and Thomas Africa |

# 1989

Taggert & Moran
Carol Morehouse

841.

MARGARET KILBURN

vs.

HAWLEY KILBURN

Filed Sept. 21, 1989
@ 11:27 a.m.

Tax & entry Paid $50.50 ✓
2 counts 30.00 ✓
Pro Co pd 1/30/90 9.00 ✓
State pd 1/30/90 10.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, ALIMONY, ALIMONY PENDENTE LITE, SPOUSAL SUPPORT, COUNSEL FEES AND EXPENSES

3 copies (atty)

Oct. 10, 1989 Acceptance of Service filed I accept service of the Complaint in Divorce.
Oct 4, 1989 Hawley Kilburn

Jan. 16, 1990 Affidavit of Consent of Plaintiff filed.

Jan. 16, 1990 Affidavit of Consent of Defendant filed.

Jan. 25, 1990 Upon praecipe of Plaintiff Attorney To Transmit Record, this case is moved to court.

Jan. 30, 1990 **DECREE FILED.**

AND NOW, Jan. 30, 1990, it is ordered and decreed that Margaret Kilburn, plaintiff, and Hawley Kilburn, defendant, are divorced from the bonds of matrimony.

It is further ORDERED that the Separation and Property Settlement dated August 3, 1989 which is attached hereto is incorporated, but not merged, into this Decree of Divorce.

P. Richard Thomas, P.J.

June 28, 1990, Amendment to Separation and Property Settlement Agreement Executed August 3, 1989, filed. 2 copies (atty)

# 1989

C. Barton Jones

842.

Fuller,Kinnune, Petruso
& Gamble
John D. Petruso

4/10/90 Recd. $500.00 From Defendants

10/15/90 Paid $57.50 To Lois Conklin Reporting. Service Chk 5878

10/15/90 Paid $442.50 To Bettie J. Peterson-Muth Master Fee Chk 5879

BRENDA NUHFER

vs.

JOSEPH T. NUHFER

Filed Sept. 21, 1989
@ 1:36 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| 4 counts paid | 50.00 |
| Bettie Muth, Master | |
| Appeal pd. 1/30/91 | $30.00 |

COMPLAINT UNDER SECTION 201(c) OF DIVORCE CODE
PARTIAL CUSTODY, ALIMONY PENDENTE LITE, COUNSEL FEES AND EXPENSES, ALIMONY, EQUITABLE DISTRIBUTION

Oct. 19, 1989 Inventory and Appraisement of Brenda L. Nuhfer filed.

Oct. 19, 1989 Income and Expense Statement of Brenda Nuhfer filed.

Dec. 20, 1989 INcome and Expense Statement Under Pa. R.C.P. 1920.3(a) of Joseph T. Nuhfer filed.

Dec. 20, 1989 Inventory and Appraisement of Joseph T. Nuhfer filed.

Mar. 6, 1990 Affidavit Of Indigency filed.

Mar. 7, 1990, Petition by Indigent Party Under Pa. R.C.P. 1920.62 filed.

Mar. 7, 1990, ORDER GRANTING LEAVE TO PROCEED AS AN INDIGENT PARTY filed. AND NOW, this 7th day of March 1990, said rule having been heard and considered, and on motion of C. Barton Jones, ESq. atty. for plff. leave is hereby granted to Brenda Nuhfer, plaintiff in teh above case, to file her complaint in divorce and ancillary claims as an indigent party, and to proceed accordingly, with the ultimate disposition and responsibility for costs to be decided by the master or the court.

BY THE COURT,
Gordon R. Miller, Judge

Mar. 7, 1990, copies of order to Atty. JOnes (mail)

Mar 9, 1990 Motion for Trial of Issues or Their Certification to a Master filed.

Mar 9, 1990 Order Appointing Master filed: AND NOW, this 7th day of March, 1990, Bettie Peterson-Muth, Esquire, is appointed Master in the above-captioned case with respect to the following claims:

(X) Divorce
(X) Alimony
(X) Alimony Pendente Lite
(X) Distribution of Property
(X) Counsel Fees
(X) Costs and Expenses

The defendant shall deposit $500 with the Prothonotary as security for costs. Costs shall be apportioned by the master.

Gordon R. Miller, Judge

Mar 13, 1990 Copies of order mailed to Atty Jones and put in Atty Petruso's box., and in Atty. Peterson-Muth's box.

Mar. 30, 1990 Proof Of Notice Of Master's Hearing filed.

April 24, 1990, Answer filed.

April 26, 1990 Affidavit of Consent of Defendant filed.

May 14, 1990 Affidavit Of Consent of Plaintiff filed.

July 20, 1990, MARRIAGE SETTLEMENT filed.

Aug. 23, 1990 Stipulation between the parties filed.

Aug. 23, 1990 Notice of Filing Of Master's Report filed.

Aug. 23, 1990 Master's Report filed.

Aug. 31, 1990, Defendant's Exceptions to Master's report filed.

SEPT. 12, 1990, UPon praecipe of plaintiff attorney, this case placed on next argument list.

ON ARGUMENT LIST FOR OCTOBER 1990

Oct. 15, 1990, Motion for Payment of Court Reporter and Master fees and Order filed.
ORDER: AND NOW, this 15 day of Oct. 1990 on consideration of the mOtion for payment, the Prothonotary is hereby directed to make payment to Lois Conklin, Court Reporter, in the amount of $57.50; and payment to Bettie J. Peterson-Muth, Master, in the amount of $442.50.

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

Oct. 16, 1990, copies of order to Attys. JOnes, Petruso and Muth.

Jan. 9, 1990 Memorandum Sur Exceptions to Master's Report and fInal Decree filed. AND NOW, January 9, 1991, the defendant's exceptions to the Master's report are dismissed and the Court, by separate decree, entered this date, is terminating the marriage and entering a decree of equitable distribution of marital property.

BY THE COURT,
Gordon r. Miller, J

Jan. 10, 1990 Copy mailed to C. barton Jones and copy put in John Petruso's box.

Jan. 9, 1991 **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 ofthe filing of the Complaint, and an affidavit has been file dby each of the parties, evidencing that each of the parties consents to the divorce pursuant to Section 201(c) of the Pennsylvania Divorce Code.
2. **EQUITABLE DISTRIBUTION:** a. Upon consideration of the pleadings, Marriage Settlement Agreement, briefs and report filed in the above-captioned case, the issue of the equitable distribution of the proceeds of a winning lottery ticket is as follows: Plaintiff and defendant are to each receive one-half (50 percent) of all proceeds received as a consequence of the winning lottery ticket until all proceeds have been paid by the Pennsylvania Lottery Bureau. b. The Marriage Settlement agreement of the parties, date July 5, 1990 and recorded in the Office of the Prothonotary on July 20, 1990 shall hereby incorporated into this Decree 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.
This Order shall be effective as of this 9th day of January, 1991.

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

Jan. 30, 1991, Notice of Appeal to the Superior Court of Pennsylvania from Order dismissing Exceptions to Master's Report, filed. (Proof of Service of Notice of Appeal attached)

Feb. 13, 1991, Notice of Appeal Docketing - Superior Court Docket No. Assigned 00256PGH91 .

Brenda Nuhfer
vs.
Joseph T. Nuhfer
---

Record continued from page 292
of
AD 1989 - 842

Jan. 13, 1992, Certificate of contents of Remanded Record and notice of Remand filed (Record, Judgement Order and Opinion returned)

Jan. 13, 1992, copy of certificate mailed to Superior Court.

Jan. 13, 1992, Opinion and order certified from Superior Court filed. ORDER: AND NOW, this 4th day ofDec. 1991, it is ordered as follows: Order Affirmed.

Before: Wieand, cirillo and Johnson JJ

292 B

1989

# 1989

Cusick, Madden, Joyce and McKay

843.

FIRST FEDERAL OF WESTERN PENNSYLVANIA, Successor to FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION OF MERCER COUNTY

vs.

ROBERT F. LILLY AND KAREN D. LILLY, HUSBAND AND WIFE; ROBERT LILLY AND MARTHA B. LILLY, HUSBAND AND WIFE, TERRE TENANTS

Filed Sept. 21, 1989
@ 2:01 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Sheriff's costs | 54.58 |
| Pro Co pd 12/8/89 | 9.00 |

COMPLAINT IN MORTGAGE FORECLOSURE

4 copies (atty)

Nov. 15, 1989 Sheriff's REturn filed. SERVED Robert F. Lilly by Certified mail, restricted delivery, on Oct. 10, 1989 at his last known address, d/o Amy West, Perkins Cove, Oquonit, Maine 03907. Signed receipt attached.

SERVED Karen D. Lilly by Certified mail, restricted delivery, on Sept. 23, 1989 at her last known address, Box 1024, Sandwich, Mass 02563. Signed receipt attached.

SERVED Robert Lilly personally by handing copy of Complaint to him on Sept. 22, 1989 at 12:30 PM at his residence, RD #1, Conneut Lake, Crawford Co., PA.

SERVED Martha B. Lilly on Sept. 22, 1989 at 12:31 PM by handing copy of Complaint to her husband, Robert Lilly, at their residence, RD #1, Conneaut Lake, Crawford Co., PA.

So answers,

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

And Now, dec. 8, 1989 at 9:38 am upon praecipe of plaintiff's attorney, judgment is hereby entered in favor of the plaintiff and against the defendant for failure to file an answer and the damages are assessed at the sum of Thirty Six Thousand Six Hundred Forty-three and 53/100 plus interest and cost of suit.

L-141-101-141-238 Debt $36,643.53
judgment entered 12/8/89 Judgment

James F. Simmons
Prothonotary

Ex 1989-116

# 1989

Mason and Mason
Joan D. Mason

844.

RITA NEWMAN

vs.

SHERMAN NEWMAN

Filed Sept. 21, 1989
@ 3:33 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| 1 count paid | 15.00 |
| Pro Co. Pd. 11/20/90 | 9.00 |
| State Surcharge Pd. | 10.00 |

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

1 copy (atty)

Oct. 20, 1989 Complaint Reinstated.

Nov. 30, 1989 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 23, 1989, mail to the above defendant, Sherman Newman by certified mail #P 966 073 960 return receipt requested, deliver to addressee only, a complaint in the above divorce action, Said notice was received on October 24, 1989 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

Aug. 31, 1990, Affidavit of Consent of plaintiff filed.

Sept 12, 1990 Affidavit of Consent of defendant filed.

Nov. 20, 1990 Upon Praecipe of Plaintiff Attorney for Review under Section §201(c) of Divorce Code, this case is moved to Court.

Dec. 3, 1990 Stipulation and Decree filed. AND NOW, this 27th day of November, 1990, the court orders and decrees as follows:

1. It is the intent of this decree to deal with the property rights of the parties, pursuant to the Pennsylvania Divorce Code. The Commonwelath of Pennsylvania has jurisdictionover the parties hereto, based on their residence and domicile, which has continued for a period in excess of six months prior to the date the divorce complaint was filed (September 21, 1989). The Court hereby determines that property accrued by the aprties during the course of the marriage is marital property, and that division of such property is within the jurisdiction of this court, pursuant to the Pennsylvania Divorce Code, 23 P.S. 101 et. seq. (April 2, 1980, P.L. 63, No. 26, as amended).

The Defendant, Sherman A. Newman, is a retired chief petty officer of the United States Navy, who retired in September of 1977, following twenty year of active service. His address is 98 Lincoln Avenue, Meadville, Pennsylvania 16335, his social security number is 179-32-5612, andhis birthdate is August 5, 1940.

2. The Plaintiff is Rita Newman, whose address is P.O. Box 201, Cochranton, Pennsylvania 16314, whose social security number is 170-42-0285, and her birthdate is November 14, 1949.

3. The parties hereto were married August 4, 1966 and have remained married to each other until such time as this divorce decree becomes final.

4. This court finds as a fact that the military retired pay of the Defendant, Sherman Newman is marital property under the Pennsylvania Divorce Code, an dthat same is therefore subject to equitable distribution between the parties.

5. The courthereby divides the military retired pay between the parties such that each shall receive an equal amount of said benefits, including any periodic increases thereon. Each party shall remain responsible for any income taxes on that protion of th eretired pay he or she receives individually, from the date said payments begin to be made separately to each pa rty, by the Navy.

6. In the event that it is a requirement of the Navy that certain deductions be made from the gross pay, defendant shall reimburse to Plaintiff one-half of said deductions (federal income tax withholding, if required, and any other such deductions). In the event that either now or at any time in the future, the Defendant, Sherman A. Newman is allowed to elect a divison of the gross retired pay such that one-half of the gross retired pay is paid directly to Rita Newman, without any deduction, he shall so elect and provide, without delay.

7. A certified cop of this divorce decree shall be provided by Rita Newman, to the Navy Finance Center, or otehr appropriate administrative agency of the Navy, upon entry of said decree by this court, after aid decree is final (thirty days after the date of entry of the decree/order).

8. The defendant shall not elect deductions from his gross military retired pay other than the minimum deduction or decutions allowed, except that if a survivor benefit plan shall be available to the parties, it shall de deducted, and the cost of said survivor benefit plan shall be shared equally by the parties hereto.

9. If, either nor or in the future, a survivor benefit option is available to the Defendant, he shall elect same in favor of the Plaintiff, Rita Newman, to the maxium extent allowed, in order to provide her with maximum benefits following his death, in the event that she should survive him.

10, This Order is entered in accordance with the Uniformed Services Former Spouses' Protection Act, which is titled 10, United States Code, Section 1407 et seq.

11. Each time that the Defendant receives an increase in his benefits, he shall within fifteen days of receiving the first check under said increase, provide Rita Newman with a copy of the statement that accompanies the check, and a copy of the check itself.

12. Each pa rty shall keep the appropriate division of the Navy informed of any address or other identification change.

13. It is the intention of this court that the Navy Military Retired Pay subject to this order be paid by separate checks to each of the above-named parties, for so long as they are both living, and then continue to be paid to the Plaintiff, Rita Newman, in the event that the survivor benefit plan applies.

14. This Court retains jurisdiction for the purpose of clarification, implementation and enforcement of this Order.

BY THE COURT,
Gordon R. Miller, J

Dec. 3, 1990 **D I V O R C E  D E C R E E  F I L E D .**

AND NOW, November 27, 1990, it is ordered and decreed that Rita Newman, plaintiff, and Sherman Newman, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J

# 1989

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

845.

SPERRY FARMS, INC.

vs.

ROSAMOND E. SPOONER AND HER HEIRS, HENRY W. SPOONER, HIS HEIRS, SUCCESSORS AND ASSIGNS, CLARA S. DOTY, HER HEIRS, SUCCESSORS AND ASSIGNS; and JOSEPHINE KUBA, HER HEIRS, SUCCESSORS AND ASSIGNS, AND JAMES KUBA, PETER KUBA VERA SPRIGNG, AND ELIZABETH BRUNNER AND THEIR HEIRS, SUCCESSORS AND ASSIGNS

Filed Sept. 22, 1989
@ 8:44 a.m.

| | |
|---|---|
| Tax & entry Paid | $40.50 |
| Bal Pd 9/25/89 | 10.00 |
| Sheriff's Costs | 66.00 |
| Pro Co Pd 1/16/90 | 9.00 |

COMPLAINT IN ACTION TO QUIET TITLE

2 copies (sheriff)

Sept. 22, 1989 Motion For Service Pursuant To Special Order Or Court Pursuant To Pa. R.C.P. No. 430 filed.

Sept. 22, 1989 Order filed. AND NOW, this 22nd day of September, 1989, upon consideration of the foregoing Motion and the Affidavit of Investigation attached hereto, the Plaintiff is granted leave to make service of the Complaint upon the Defendants Rosamond Spooner, Henry W. Spooner, Clara S. Doty, Josephine Kuba, James Kuba, Peter Kuba, Vera Sprigg and Elizabeth Brunner and their heirs, successors and assigns by publication once in the Crawford County Legal Journal and once in the Meadville Tribune, a newspaper of general circulation in Crawford County, Pennsylvania and by per sonal service upon the two known grandchildren of Josephine Kuba being James Kuba and Robert Kuba of Verona, Pennsylvania.
BY THE COURT,
Robert L. Walker, J

Sept. 22, 1989 Copy of order put in Louis Stack's box.

Nov 14, 1989 Sheriff's Return filed: Before me the undersigned authority, personally appeared Joseph Schmerbeck who being duly sworn according to law, deposes and says that on the 13th day of October, 1989, at 11:40 A.M., he served Complaint in Quiet Title, filed at AD 1989-845, Crawford County, Pennsylvania, upon defendant James Kuba at 106 Keystone St., Plum, by making known the contents thereof to him personally and handing to and leaving with him the certified copy of the writ received from Crawford Sheriff.

J. Schmerbeck, Deputy Sheriff
Eugene L. Coon, Sheriff

Before me, the undersigned authority, personally appeared Joseph Schmerbeck, who being duly sworn according to law, deposes and says that on the 18th day of October, 1989, at 12:00 P.M., he served Complaint in Quiet Title, filed at AD 1989-845, Crawford County, Pa, upon defendant Robert Kuba at 343 Jefferson St., Plum, by making known the contents thereof to Viola Kuba, wife, and handing to and leaving with her the certified copy of the writ received from Crawford Sheriff.

J. Schmerbeck, Deputy Sheriff
Eugene L. Coon, Sheriff

SERVED James Kuba by deputizing the Sheriff of Allegheny Co., Pa. Affidavit of Service attached, served October 13, 1989.

SERVED Robert Kuba by deputizing the Sheriff of Allegheny Co., Pa., Affidavit of Service attached, served October 18, 1989.

So answers, Howard N. Stewart, Sheriff

Dec 4, 1989 Motion for Judgment Pursuant to Rule 1066 filed.

Dec 4, 1989 Order filed: AND NOW, this 4 day of December, 1989, upon Motion of the Plaintiff for Default Judgment pursuant to Pennsylvania Rule of Civil Procedure 1066, and appearing that service has been made in accordance with this Court's Order and that Defendants have failed to file an Answer within the time permitted by the Rules; it is hereby ordered and decreed that the Defendants, their heirs, successors and assigns be and are hereby forever barred from asserting any right, lien, title or interest to the premises located in East Fallowfield Township, Crawford County, Pennsylvania, hereinafter described to-wit:

Parcel #1:

ALL that certain piece or parcel of land situate in East Fallowfield Township, Crawford County, Pennsylvania, being bounded and described as follows:

On the North by land now or formerly of Patterson Hall; on the East by a gravel road; on the South by land now or formerly of Owenrader, and on the West by land now or formerly of N. S. Hunt; containing 5 acres of land, more or less. Being the same land conveyed to Raymond E. and Frances B. Sperry by deed of Bernard I. Hall, Administrator of the estate of Patterson E. Hall dated April 23, 1956 and recorded in Crawford County Deed Book 380, Page 504; and being the same land conveyed by Raymond and Frances Sperry to Sperry Farms, Inc. by deed recorded in Crawford County Deed Book 496, Page 972.

Parcel #2:

On the North, 2,200 feet, more or less, by the center line of public road Route #367; on the East, 2,410 feet, more or less, by land now or formerly of Gaylord Cole, land of Vera Horne, and land of Lyle Horne and land now of John and Irene Kopps as shown in Deed Book 471, Page 514, and by land now of Tom Baier as shown in Record Book 60, Page 166, and land of Gary and Maurena Horne as shown by Deed Book 572, Page 1055; on the south, 2,210 feet, more or less, by land now or formerly of Albert M. Byler; on the West, 2,450 feet, more or less, by land now or formerly of Raymond E. Sperry et ux, and by a small cemetary containing approximately 120 acres, more or less, and being the same property conveyed to Raymond E. and Frances B. Sperryby deed of Norris Bradley, et ux, dated January 10, 1964 and recorded in Crawford County Deed Book 410, Page 592;

Jan. 15, 1990 And now, Jan. 15, 1990 at 3:27 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.
S-143,83,D-35; K-96,96,136
S-164; B-54.
FINAL JUDGMENT
James F.Simmons,
Prothonotary

inconsistent with the interest or claims of the Plaintiff set forth in their Complaint; from impeaching, denying, or in any way attacking Plaintiff's title to said property; from issuing or maintaining any action attacking same; and from encumbering, mortgaging, or conveying the same or any part thereof unless Defendants or any one of them shall, within thirty (30) days of this Order, file with the Court written objections to this Order. If such action is not taken within the thirty (30) day period, the Prothonotary, on praecipe of the Plaintiff, shall enter Final Judgment.
S-143, 83, 164;
D-35; B-54; K-96, 96, 136

BY THE COURT,
P. Richard Thomas, J

Dec 5, 1989 Copies of order put in Atty Stack's Box.

Dec. 6, 1989 Affidavit of Service filed. BEFORE me, this 5th day of December, 1989, appeared the undersigned and that duly sworn according to law, deposes and says as follows:

I. Louis J. Stack, represent that I am the attorney for the Plaintiff in the above captioned matter, and make this Affidavit on behalf of the Plaintiff, having been authorized to do so; and represent that a true and correct copy of the Order and Motion dated December 4, 1989, inthe above captioned matter was forwarded by first class mail, prepaid, to James KUba, at 106 Keystone, Verona, Pennsylvania 15147, and to Robert Kuba, at 343 Jefferson, Verona, Pennsylvania 15147, on the 5th day of December, 1989.

AND FURTHER, the Despondent saith not.

Louis J. Stack

See Margin.....

# 1989

Mason and Mason
M. Dan Mason

846.

Louis J. Stack

JEF MONDAY AND CAROLYN MONDAY

vs.

DAVID HANAHAN AND LINDA HANAHAN

Filed Sept. 22, 1989
@ 11:32 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.25 |
| Pro Co pd 7/23/90 | 15.00 |
| Pro Co Pd 10/12/90 | 9.00 |
| Pro co Pd 9/7/90 | 5.00 |

APPEAL OF DEFENDANTS FROM JUDGMENT OF WILLIAM D. CHISHOLM, MAGISTERIAL DISTRICT NO. 30-2-01

Sept. 22, 1989, Rule entered upon plaintiffs to file complaint issued.

Sept. 25, 1989, Proof of Service of Notice of Appeal and Rule to File Complaint filed.

Oct. 12, 1989 Complaint filed.

Nov. 2, 1989 Defendant's Answer, New Matter and Counterclaim filed.

Nov. 29, 1989, Reply to New Matter and Counterclaim filed.
1 copy (atty)

July 18, 1990 Upon praecipe of Plaintiff Attorney For Reference To Arbitrators the following are hereby appointed:
Peter E. Blystone, Chairman
John Fuller
Kemp C. Scales

July 31, 1990, Arbitrators Take the Qualifying Oath.

Aug. 13, 1990 Motion For Consent Judgment and Order filed. AND NOW, this 13th day of August, 1990 upon consideration of the above stated Motion for consent judgment, IT IS HEREBYY ORDERED, that judgment be entered in favor of the Plaintiffs Jef B. MOnday, and Carolyn MOnday and against the defendants David T. Hanahan and Linda Hanahan in the sum of $1,500.00.
H-43-103
BY THE COURT:
Gordon R. Miller, J

Aug. 14, 1990 Copies of order put in M. Dan Mason and Louis Stack's box.

Aug. 31, 1990, Upon praecipe of plaintiff attorney, case is settled and discontinued; judgment marked satisfied of record.

# 1989

Marianne Oliver

847.

Richard W. Perhacs
Elderkin, Martin,
Kelly, Messina &
Zamboldi

I.B.E.W. LOCAL 30

vs.

JAMES TOBIN

Filed Sept. 22, 1989
@ 1:03 p.m.

Tax & entry Paid $50.25

Pro for Co. pd 1/29/90 6.00

APPEAL OF DEFENDANT FROM JUDGMENT OF DISTRICT MAGISTRATE, CAMBRIDGE SPRINGS, PENNSYLVANIA

Sept. 22, 1989, Rule entered upon plaintiff to file complaint issued.

Oct. 4, 1989 Proof of Service filed.

Oct. 10, 1989 Complaint filed.

Oct. 11, 1989, Affidavit filed. Before me, the undersigned authority, a notary public in and for said county and Commonwealth, personally appeared gregory W. Wolf, who being duly sworn according to law, deposes and says that the facts contained in the foregoing Complaint are true and correct according to his knowledge, information and belief. G. W. Wolf.

Oct. 17, 1989 Certificate of Service of Interrogatories and Request for the Production of Documents to Plaintiff (First Set) filed.

Oct. 20, 1989 Answer filed.

Jan. 24, 1990 Upon Praecipe of Plaintiffs' Attorney, Marianne Oliver, the above case is marked settled and discontinued of record.

# 1989

848.

APPLICATION FOR EXTENDED TREATMENT

of

FRED L. GRACEY

Filed Sept. 22, 1989

APPLICATION FOR EXTENDED IVOLUNTARY TREATMENT
Mental Health Procedures Act of 1976 (section 303)

Jul. 27, 1994 Application for Extended Voluntary Treatment, filed.

July 29, 1994 Petition to Dismiss Application for Extended Involuntary Treatment and ORDER filed. AND NOW, this 29th day of July, 1994, upon consideration of the foregoing Petition, it is hereby ordered that Frederick L. Gracey be released from the Meadville Medical Center, Inpatient Mental Health Unit forthwith.

Denied.

P. Richard Thomas, S.J.

July 29, 1994 Copy of Order Faxed to Atty. Barrett, copy given MMC.

Aug. 5, 1994 Certification by the Court for Extended Involuntary Emergency Treatment - Section 303, filed.

# 1989

Bernstein & Bernstein
Nicholas D. Krawec

849.

Blystone & Blystone
Peter E. Blystone
for JOhn T. Boyles
d/b/a Professional
Business forms & Printing

ADDITIONAL DEFENDANTS:

VICTOR L. NONCLERG AND MICHAEL D. LAND, SR., PARTNERS, d/b/a NU IMAGE ASSOCIATES/PROFESSIONAL BUSINESS FORMS

BOISE CASCADE CORPORATION

vs.

~~PROFESSIONAL BUSINESS FORMS, INC.~~

~~JOHN BOYLES AND LINDA BOYLES, INDIVIDUALLY AND AS PARTNERS TRADING AND DOING BUSINESS AS PROFESSIONAL BUSINESS FORMS AND PRINTING~~
JOHN T. BOYLES d/b/a PROFESSIONAL BUSINESS FORMS AND PRINTING (See Above)
Filed Sept. 22, 1989
@ 2:42 p.m.

| | |
|---|---|
| Tax & entry Paid | $40.50 ✓ |
| Bal pd 9/26/89 | 10.00 ✓ |
| Sheriff's costs | 20.00 |
| Pro Co 12/8/89 | 9.00 ✓ |
| Sheriff's Costs | 37.88 |
| Pro Co 1-16-91 | 9.00 ✓ |

COMPLAINT

1 copy (sheriff)

October 5, 1989 Sheriff's Return filed. SERVED Professional Business Forms on Sept. 27, 1989 at 11:14 AM by handing copy of Complaint to John Boyles, son of owner, at their place of busines 217 Market St., Meadville, Crawford Co., PA 16335
So answers,
Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

And Now, Dec. 8, 1989 at 2:37 p.m. upon praecipe of plaintiff's attorney, judgment is hereby entered in favor of the plaintiff and against the defendant for failure to file an answer and the damages are assessed at the sum of Eight Thousand Three Hundred Twenty-eight and 08/100 plus interest and cost of suit.

P-184
judgment entered Dec. 8, 1989
notice mailed to defendant
Dec. 11, 1989

Debt $8,328.08
Int. from 9/29/89-11/29/89
Judgment
James F. Simmons
Prothonotary

Jan. 4, 1990, Stipulation of the Parties to Strike Judgment by Default and To amend caption to Correct the Name of the Defendant and Order filed. ORDER: AND NOW, to-wit this 8 day of Jan. 1990, upon stipulation of the parties hereto, by and through their respective counsel, it is hereby ORDERED, ADJUDGED, AND DECREED that the default Judgment entered on De.c 8, 1989, is stricken, and the caption is amended to correct the name of the defendant to read Professional Business Forms and Printing, Inc. It is further ORDERED that defendant shall file an answer to Plaintiff's Complaint within 30 days of the date of this order.
BY THE COURT,
P. Richard Thomas, J.

January 10, 1990- 2 copies (atty)

Feb. 9, 1990, Appearance of Blystone & Blystone by Peter E. Blystone, attorneys for defendant John T. Boyles, d/b/a Professional Business Forms and Printing filed.

Feb. 9, 1990, Motion for Extension fo Time to File Answer and Join Additional Defendants and to Strike Name From Caption and Order filed. ORDER: AND NOW ,Feb. 9, 1990 upon consideration of the foregoing Motion, it is ORDERED AND DECREED:
a. Defendant JOhn Boyles shall file an answer to the plaintiff's complaint within 20 days from the date of this order.
b. The time for joining additional defendants is extended for a period of 30 days from the date of this order.
c. All references to Linda Boyles as a party defendant are stricken and the name of the defendant is amended to read John T. Boyles d/b/a Professional Business Forms and Printing.
P. Richard Thomas, Judge
Feb;. 13, 1990 copies of order to P. Blystone and N. Krawec attys.

Feb. 23, 1990, Answer filed. 3 copies (atty)

Feb. 23, 1990, Complaint of defendant John T. Boyles, d/b/a Professional Business Forms and Printing, Against Additional Defendants victor l. Nonclerg and Michael D. Land, Sr. Partners, d/b/a Nu Image Associates/Professional Business Forms, filed. 2 copies (sheriff)

Mar. 7, 1990 Sheriff's Return filed. SERVED Victor L. Nonclerg on February 27, 1990 at 12:58 pm by handing copy of Defendants Complaint to Join Additional Defendants to Joe Martincic his Father-in-Law, at their residence 112 S. River, Jamestown, Crawford County, PA 16134 SERVED Michael D. Land, Sr. on February 27, 1990 at 11:50 am by handing copy of Defendants Complaint to Join Additional Defendants to his Authorized Agent, LInda Bickle, Secretary to Defendants Atty. William Greggs at their office East Side Knolls, Route 18, Conneaut Lake, Crawford County, PA. Her signed Acceptance of Service attached.
So answers,
Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

May 31, 1990 Certificate of Readiness filed. (NON JURY)

Aug. 15, 1990 Notice of Service of Interrogatories to Plaintiff and Requests for Production to Plaintiff filed.

On October 1990 Trial List

Oct. 12, 1990 Order Setting Nonjury Trial filed. And now, October 12, 1990, nonjury trial in the above captioned matter is her eby set forth December 6, 1990, at 9:30 a.m., in Courtroom No. 1 or 2.
FOR THE COURT,
Imogene Yetman, C.A.

Oct. 15, 1990 Copies of order mailed to Nicholas Krawec, Victor Nonclerg, Michael Land and copies put in in Peter Blystone and William Gregg's box.

DEc. 7, 1990 Decision filed. AND NOW, December 6, 1990, after a nonjury trial of which the additional defendants had notice but at which neither they nor counsel appeared, the Court finds that the goods purchased fromthe plaintiff for which the plaintiff now seeks payment as set forth in its Complaint were not purchased and are not the legal obligation of JOhn T. Boyles, d/b/a Professional Business Forms and Pringing but in fact were purchased by Victor L. Nonclerg and Michael D. Land, Sr., partners, d/b/a Nu Image Associates/Professional Business Forms.
Accordingly, the Court finds in favor of John T. Boyles, d/b/a Professional Business Forms and Printing and against Boise Cascade Corporation on the Plaintiff's original Complaint.
Furthermore, the Court finds in favor of Boise Cascade Corporation and against the additional defendants Victor L. NOnclerg and Michael D. Land, Sr., partners, d/b/a Nu Image Associates/Professional Business Forms and awards damages in favor of ;the plaintiff and against the additional defendants in the amount of $6,716.24 plus interest at the lawful rate from November 29, 1988 and costs of suit.
BY ORDER OF THE COURT,
Gordon R. Miller, P. J.

Dec. 7, 1990 copies of order to Nu Image Associates, Nicholas D. Krawec, esq., Peter E. Blystone, esq., and Wm. Gregg, esq.

Dec 6, 1991 Exhibits filed with papers.

Continued on page 643

SEE VOL. 3

850.

NANCY C. DeROSS

vs.

ROLAND A. DeROSS

Filed Sept. 22, 1989
@ 4:10 p.m.

Tax & entry fee paid 10/27/89 $50.50 ✓
Sheriff's costs 23.84
Pro Co Pd 10/27/89 4 00 ✓

10/27/89 Recd $23.84 from Defendant

10/27/89 Paid $23.84 To Howard Stewart, Sheriff Costs Ck # 5303

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy (plaintiff)
3 copies (sheriff)

TEMPORARY ABUSE ORDER:

And now, this 22 day of Sept. 1989, upon review of the petition of plaintiff, the court enters the following Temporary Order.

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

2. Special Conditions: Do not contact pl. or son in any way. Do not go to Pl's new residence. Do not go to pl's place of employment. Def will surrender all guns in his possession and located at Lot 17 to Constable or sheriff serving these papers. Pl. may go to residence to take personal possessions & Def. will not be present.

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

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

5. Service of a copy ofthe petition and this order shall be made upon the defendant by a sheriff, constable, polcie 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 forpayment of fees and costs will be determined by final court order.

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

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

Hearing is hereby set for Oct. 3, 1989 at 3:30 p.m. in C. R. No. 1 or 2 of the Crawford County court House. The defendant is advised he may retain a lawyer to represent him at said hearing of he so desires but he is not required todo so.

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

Sept. 25, 1989 Sheriff's REturn filed. SERVED Roland A. DeRoss, Jr. personally on Sept. 25, 1989 at 11:20 AM at his residence, Harmony Trailer Park, Lot #17, Harmonsburg, Crawford Co., PA. Defendant refused to surrender all guns in his possession to the Deputys, as stated in the Order. HE claimed they were in the possession of his father.

So answers,

Robert M. Stevens, Deputy Shriff
Edgar D. Householder, Chief Deputy
Howard N. Stewart, Sheriff

Oct. 5, 1989 ORDER filed. AND NOW, Oct. 3, 1989, the matter is before the Court on a petition for Protection From Abuse, and the matter is handled informally. In accordance with the agreement of the Defendant, the Defendant is DIRECTED that:

1. He will not harass, annoy or threaten the Plaintiff in any manner.

2. The Plaintiff/Wife may reside at the parties' former residence at Lot 17, Harmony Trailer Park, and the Defendant may not go to the premises for any purpose.

3. The Defendant will not go to the wife's place of employment at the Fairway 12 Motel except for business as requested by the owner of the establishment. In the event the husband is called by the owner to do routine or emergency plumbing work on the premises, the wife agrees that she will contact the owner, and the owner will advise when the husband is to be present, and the wife may vacate the premises during the time the husband is there. In the event she does not do so, there shall be absolutely no contact between the husband and his wife at the Fairway 12 Motel.

4. Each party agrees they have already recovered all of their mutual personal property from the premises at Lot 17, and neither party makes any claim for any further property.

5. The Defendant agrees he will not contact his eighteen 918) year old son residing with the mother for the purpose of annoying, harassing or threatening him, and that under no circumstances will be contact him in any fashion when he is under the influence of alcohol.

6. This Order shall remain in force and effect for a period of one (1) year from this date unless sooner terminated by agreement of the parties.

7. Any police officer having reasonable grounds to believe that the Defendant has violated the terms and conditions of this Order may immediately apprehend the Defendant, lodge him in the County Jail and notify the Court to schedule a contempt hearing.

8. The Defendant is DIRECTED to pay costs in this case in the amount of $59.50 Prothontoary costs plus Sheriff's costs within thirty (30) days of this date. The Prothonotary's Office will send the Defendant a bill for the same at his address at Box 7, Harmonsburg, PA.

By Order Of the Court,
P. Richard Thomas, P. J.

Oct. 9, 1989 Copy of Order to Atty. Gerald Sullivan, County Control. defendant.

Oct. 2, 1990, ORDER filed. And now Oct. 2, 1990, contempt hearing inthe above captioned matter is set for Oct. 3, 1990, at 10:30 a.m.

FOR THE COURT, Imogene Yetman, Ct. Adm.

Oct. 3, 1990, copies to G. Sullivan and dft.

Oct. 4, 1990 Order filed. AND NOW, October 3, 1990, the matter is before the Court on an alleged violation of an October 3, 1989 Abuse Order, with the plaintiff alleging that in the early morning hours of October 1, 1990, at a bar in the Conneaut Lake Rare, she and her husband got into a dispute about an income tax refund check, which is apparently held in escrow by the attorney for the plaintiff. The plaintiff alleges the discussion ended up with a threat by her husband to shoot her if th ematter was not resolved. The husband denies he made said statements. The Court does not desire to litigate this issue. It appears the defendant has been confined in the Crawford County Jail Since October 1, and the Court believes said confinement is sufficient penalty.

**ACCORDINGLY**, we dismiss the contempt acton agains tthe husband and orde rhis prompt release from confinement. Any Costs incurred in this case will be paid by the County.

In view of the fact the Order of October 3, 1989 was for a period of one year only, the p laintiff is advised that any further complaints meeting the description of the Aubse Act will require the filing of a new Abuse Petition.

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

Oct. 8, 1990 Copies of order put in Gerald Sullivan, Stephen Hall and county Control's box.

# 1989

| | | |
|---|---|---|
| 851.<br><br>Thomas, Truax, Spadafore, Vardaro & Walker<br>R. Charles Thomas | COMMONWEALTH OF PENNSYLVANIA<br><br>vs.<br><br>ALFRED J. CASTILE<br><br>Filed Sept. 25, 1989<br>@ 10:11 a.m.<br><br>Tax & entry paid $50.50 ✓ | APPEAL FROM SUSPENSION OF OPERATING PRIVILEGES<br><br>1 copy (atty)<br><br>ORDER:<br>AND NOW, this 25th day of Sept. 1989, upon presentation and consideration of the within Petition, it is adjudged and decreed that a hearing on this appeal shall be held on the 30th day of Nov. 1989 at 9:00 a.m. at the Crawford County Courthouse, MEADVILLE Pa. or as soon thereafter as the attention of the court may be had and that thirty (30) days written notice shall be given by the Petitioner to the Sec. of Transportation of the Com. of Pa. by Cert. Mail, Ret. Rec. REq., and to the Atty. Gen. of the Com. of Pa.<br>BY THE COURT,<br>Robert L. Walker, J.<br>Sept. 26, 1989 copy in box of R. C. Thomas, Esq.<br><br>Nov. 30, 1989 Order filed: AND NOW, November 30, 1989, at the time fixed for hearing on the appeal of Alfred J. Castile from the suspension of his school bus driving privileges, by agreement of the parties, this matter is remanded to the Department of Transportation for the purpose of rescinding the suspension of said school bus driving privileges.<br>BY ORDER OF THE COURT,<br>Robert L. Walker, J.<br>Nov. 30, 1989 copies of order put in R.Chas. Thomas' box and sent to William A. Kuhar. |

# 1989

Terry Toomey
~~pro se~~

852.

Gordon R. Miller

RHONDA J. BENNETT
(Richard L. Bennett)
vs.
ROBERT CARRUTHERS

Filed Sept. 25, 1989
@ 11:58 a.m.

Tax & entry Paid $50.25 ✓
Pro Co Pd 12-29-89 6.00 ✓

APPEAL OF PLAINTIFF FROM JUDGMENT OF WILLIAM D. CHISHOLM, DISTRICT MAGISTRATE 30-2-01

Sept. 28, 1989 Proof of Service filed.

Oct 16, 1989 Complaint filed. 1 copy (atty)

Oct. 23, 1989 Appearanc eof Gordon R. Miller, attorney for defendant filed.

Nov. 1, 1989 Answer and New Matter filed.

Dec 28, 1989 Upon Praecipe of Plaintiffs' Attorney the above-captioned matter is marked settled and discontinued of record.

# 1989

David W. Pickens

853.

Culbertson, Weiss, Schetroma and Schug
Nancy M. Sennett

MILDRED D. SHALLENBERGER AND DENNIS J. SHALLENBERGER, HER HUSBAND

vs.

SHARON L. BROOKS

Filed Sept. 25, 1989
@ 2:37 p.m.

Tax & entry Paid $50.50
Sheriff's costs 22.00
Pro Co pd 11/8/90 6.00

SUMMONS IN CIVIL ACTION

Issued (sheriff)

Oct. 10, 1989 Writ return filed. MAILED copy of Summons on September 26, 1989 Certified mail to Sharon L. Brooks at her last known address, 1713 Prospect Road, AShtabula, OH 44004. The letter was returned "Forward Order Expired" and attached to return.
So answers, Howard N. Stewart, Sheriff

Dec. 11, 1989 Writ Reissued.

Dec 27, 1989 Affidavit of Service filed: I, David W. Pickens, am an attorney duly authorized to practice law in the Commonwealth of Pennsylvania, and on December 16, 1989, I sent a copy of a Writ of Summons filed at the above number properly endorsed, to Sharon L. Books, 39 Leedle Circle, Rising Sun, MD 21911 last known address, by certified mail No. P40487493; and that on December 20, 1989, I received a return receipt for said Certified mail signed by Sharon Brooks and dated December 18, 1989, a copy of which is attached hereto.
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.
12-22-89 David W. Pickens

March 27, 1990, Appearance of Culbertson, Weiss, Schetroma and Schug By Nancy M. Sennett, Esq., Attorney for Defendant filed.

June 13, 1990, Upon praecipe of defendant attorney, Rule entered upon plaintiff to file Complaint, issued. copies (atty)

June 26, 1990 Notice of Service of Interrogatoreis and Request for Production of Documents filed.

July 9, 1990 Complaint filed.

Aug. 14, 1990 Answer and New Matter of Sharon L.brooks to Plaintiff's Complairt filed.

Sept. 4, 1990 Reply To Defendant's Answer and New Matter filed.

Nov. 7, 1990 Upon praecipe of Plaintiff Attorney the above captioned case is marked settled and discontinued of record.

# 1989

Stephen E. Hall
David W. Pickens

854.

Culbertson, Weiss, Schetroma and Schug
Nancy M. Sennett

John B.Brautigam
for Sharon L. Brooks, Deft.

Thomas, Truax,Spadafore, Walker & Keenan
R.Charles Thomas
for Mildred D. Shallenberger,Add'l Deft.

MILDRED D. SHALLENBERGER AS PARENT AND NATURAL GUARDIAN OF JULIE A. SHALLENBERGER, A MINOR

vs.

SHARON L. BROOKS, dft.

Mildred D. Shallenburger add'l dft.

✓ Filed Sept. 25, 1989 @ 2:37 p.m.

Tax & entry Paid $50.50 ✓
Sheriff's costs $22.00
Pro Co pd 12-14-95 6.00 ✓

**JURY TRIAL DEMANDED**

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

✓ Oct. 10, 1989 Writ return filed. MAILED copy of Summons on Sept. 26, 1989 Certified mail to Sharon L. Brooks at her last known address, 1713 Prospect Road, AShtabula, OH 44004. The letter was returned "Forward Order Expired" and attached to return.
So answers, Howard N. Stewart, Sheriff

✓ Dec. 11, 1989 Writ Reissued.

✓ Dec 27, 1989 Affidavit of Service filed: I, David W. Pickens, am an attorney duly authorized to practice law in the Commonwealth of Pennsylvania, and on December 16, 1989, I sent a copy of a Writ of Summons filed at the above number, properly endorsed, to Sharon L. Brooks, 39 Leedle Circle, Rising Sun, MD 21911, last known address, by certified mail No. P404-874936; and that on December 20, 1989, I received a return receipt for said certified mail signed by Sharon Brooks and dated December 18, 1989, a copy of which is attached hereto.
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.
12-22-89 David W. Pickens

✓ March 27, 1990, Appearance of Culbertson, Weiss, Schetroma and Schug By Nancy M. Sennett, Esq. for Defendant filed.

✓ June 13, 1990, Upon praecipe of defendant attorney, rule entered upon plaintiff to file Complaint issued. (copies-atty)

✓ July 3, 1990 Upon praecipe of David W. Pickens his appearance is hereby withdrawn as to the above captioned case and Stephen E. Hall's appearance is made.

✓ Aug. 6, 1990 Complaint filed.

✓ Oct. 4, 1990, upon praecipe of defendant attorney, Writ of Summons to Join Additional Defendant Mildred D. Shallenburger, issued. (sheriff)

✓ Jan. 7, 1992 Notice of Service filed. Pursuant to Pa. Rules of Civil Procedure, the Defendant, Sharon L. Brooks, hereby files this Notice that Interrogatories and Requests for Production of Documents under the Pa. Rules of Civil Procedure were served by first class mail upon Stephen E. Hall, Esq., Attorney for Plaintiff, on Jan. 7, 1992, by forwarding to him an original and two copies in accordance with Pa. Rules of Civil Procedure 4005. Nancy M. Sennett

✓ June 26, 1992 Answer and New Matter filed.

✓ June 26, 1992 Acceptance of Service filed. I hereby accept service of the Writ of Sommons to Join Mildred D. Shallenberger as an Additional Defendant on behalf of Mildred D. Shallenberger and certify that I am authorized to do so.
10/16/90 David Pickens

NOTICE OF SERVICE OF:

✓ Aug. 13, 1992 Motion to Dismiss for Failure to Prosecute or, Alternatively, to Compel Responses to Interrogatories and Requests for Production ofDocuments and/or to Assess Appropriate Sanctions filed.

✓ **Aug. 21, 1992, Motion to Dismiss for Failureto Prosecute or, alternatively, to compel Responses to Interrogatories and REquests for Production of documents and/or to assess Appropriate Sanctions, filed.**

✓ **Aug. 21, 1992, ORDER filed. AND NOW, this 21 day of Aug. 1992, Rule is entered upon the plaintiff as parent and nat. guardian of Julie A. Shallenberger to show cause, if any, she has why this case should not be dismissed for lack of activity onthe record; said rule returnable for hearing the 5 day of Oct. 1992, at 1:30 p.m. in C. R. No. 1 or 2 of the Crawford County Courthouse, in Meadville, Pa.**
**BY THE COURT,**
**Anthony Vardaro, J.**

**Aug. 25, 1992, copies of order to D. pickens, S. E. Hall and Nancy M. Sennett, attys.**

✓ Oct. 5, 1992 Stipulation filed.

✓ Oct. 5, 1992 Order filed. And Now, this 5th day of October, 1992, upon consideration of the foregoing motion, it is hereby ordered as follows: By October 16, 1992, Plaintiffs shall:
1. Fully and wihtout objection answer Interrogatories and REquest For Production of Documents served on January 7, 1992.
2. Provide defense counsel with Authorization and Consent form attached hereto.
3. Sign a stipulation withdrawing Paragraph 9(i) of Plaintiff's complaint.
4. Reply to defendant's New Matter.
Defendant's Motion to Dismiss for unreasonable lack of activity will be granted and the case dismissed with prejudice if all of the above items are not completed by October 16, 1992.
By The Court,
Anthony J. Vardaro, J

Oct. 12, 1992 Copies of order to atty's Hall and Sennett

✓ Oct. 16, 1992 Reply to New Matter, filed.

✓ Dec. 14, 1993 Notice to Complete Discovery filed.

✓ Aug. 29, 1994 Certificate of Readiness filed.

ON OCTOBER, 1994 TRIAL LIST

Continued to Page 304 A

# 1989 TERM

Mildred D. Shallengerger, as parent and natural guardian of Julie A. Shallenberger, a minor
vs.
Sharon L.Brooks
vs,
Mildred D. Shallenberger,
Additional Defendant

Continued from Page 304
of record
AD 1989 - 854

**********

✓ Sep. 27, 1994 Motion for Continuance and ORDER filed. AND NOW, upon consideration of the foregoing motion the same is approved and is continued to the February Term of Court.
By Gordon R. Miller, J.
9-27-94 Faxed to Attys. Hall & Brautigam.

ON FEBRUARY, 1995 TRIAL LIST

✓ Jan. 24, 1995 Complaint filed.

✓ Jan. 30, 1995 Motion For Continuance and Order filed. And Now, this 30 day of January, 1995, upon consideration of the wtihin Motion, it is hereby ordered that the above-captioned case is continued to the April, 1995 Civil Trial Term.
BY THE COURT,
Anthony J. Vardaro, J

Jan. 30, 1995 Faxed Sennett, Brautigam & Hall

✓ Feb. 15, 1995 Appearance of Thomas, Truax, Spadafore, Walker & Keenan by R.Charles Thomas, Esquire for Mildred D.Shallenberger, Additional Defendant, filed.

✓ Mar. 1, 1995, Notice of Deposition on Oral Examination Under Pa. R.C.P. NO. 4007.1 filed. (of MIldred D. and Julie A. Shallenberger)

✓ March 17, 1995 Answer of Additional Defendant Mildred D. Shallenberger filed.

✓ Mar. 27, 1995 Deman For Jury Trial, filed. (1 copy atty)

✓ Mar. 24, 1995 Motion For Continuance, filed.

✓ Mar. 24, 1995 Order filed. AND NOW, March 24, 1995, this case is continued to the June Term of Court. NO FURTHER continuances for Plaintiff. Anthony J. Vardaro, J.
Mar. 24, 1995 Faxed Hall & Sennett
Mar 30, 1995 Faxed Thomas & Brautigam

✓ Mar. 30, 1995 Notice of Deposition of Dr. John C.Lyons, filed.

✓ Oct. 3, 1995 Motion in Limine filed.

✓ Oct.3, 1995 Pre-Trial Order filed. (See paper filed) BY THE COURT: Anthony J.Vardaro, J.
10-3-95 Copies dist. by Ct.

Oct. 12, 1995 Response to Defendant's Motion in Limine, filed.

Oct.17, 1995, Motion in Limine and Order filed. ORDER: ADN NOW, upo filing of defendant Sharon L. Brock's Motion in Limine, regarding plaintiff's evidence of an alleged impacted bowel or other bowel dysfunction being caused by the subject accident, it is hereby ordered that plaintiff shall not mention or try to prove that plaintiff suffered an impacted bowel or any other bowel dysfunction as a result of the subject automobile accident in the trial of this case.
by the court,
10/16/95 Anthony J. Vardaro, J.
10/19/95 copies (order) to Hall, Brautigam and Thomas.

Oct. 17, 1995 at 11:40 A.M. jury selected and sworn On Oct. 16, 1995 at 10:31 A.M. as follows:

1.Robert Skelton
2. Arthur Burlingame
3. Gregory Bowes
4. Tammy Gallagher
5. Barbara Votee
6. Deborah Crowe
7. JohnE.Yoset
8. Roxanne Shidemantl
9.Robert Meyer
10.Rozanna M.Hall
11.Kathy Manning
12.James Harrington
13.Erna Bancroft
14 Karen Koerner

Fourteen good and lawful persons who upon their solemn oaths which they haven taken. Case resolved on 10-16-95 at 1:34 P.M.

Dec. 4, 1995 Petition for Leave to Compromise a Minor's Action and Order Approving Settlement and Distribution of Settlement Funds filed. AND NOW, this 4 day of December, 1995, in consideration of the foregoing petition it is Ordered that the Settlement has been compromised for this action for the gross sum of $8,000.00 is approved. Counsel fees and expenses are also approved as set forth below. This distribution is directed as follows:

| | |
|---|---|
| 1. To petitioner Mildred D. Shallenberger: | $787.50 and record costs |
| 2. To be paid to Mildred D. Shallenberger natural guardian of minor, payment to be invested in an insured interst bearing certificate of deposit, to be marked, not to be redeemed except for renewal in its entirety, nor to be withdrawn, assigned, negotiated, or otherwise alienated before August 30, 2000, except on order of a Court of competent jurisdiction. | $5,249.88 |
| 3. To be paid to Stephen E. Hall, Esquire for counsel fees | $1,500.00 |
| 4. To be paid to Stephen E. Hall, Esquire, for costs advanced: | 462.62 |
| Total | $8,000.00 |

By the Court
Anthony J. Vardaro, J.
12-4-95 FAXED Hall.

Dec 13, 1995 Upon praecipe of plaintiff attorney the above captioned action is marked settled and discontinued of Record.

304
B

1989 TERM

# 1989

855.

THE FIRST NATIONAL BANK
OF PENNSYLVANIA

vs.

LON D. SIPPY
RHONDA A. SIPPY

Filed Sept. 26, 1989
@ 10:16 a.m.

Pro Simmons Paid $9.00 ✓
plff on orig 9.50
Sat. Pd 8-6-91 $5.00 /

AGREEMENT TO REVIVE

of

DSB 1984 - 810

Revival of Judgment indexed in favor of the plaintiff and against the defendants in the sum of Eight Hundred Fifty Thousand Five Hundred Dollars, plus costs.
Dated.....May 31, 1989
Debt.....$850,500.00
S - 106, 146....JUDGMENT
James F. Simmons,
Prothonotary

Aug. 6, 1991 This Judgment Satisfied.
(See paper filed)

# 1989

856.

THE FIRST NATIONAL BANK
OF PENNSYLVANIA

vs.

LARRY G. SIPPY
MARGARET L. SIPPY

Filed Sept. 26, 1989
@ 10;16 a.m.

Pro Simmons paid $9.00 ✓
plff on orig 9.50
Sat. Pd 8/6/91 $5.00 ✓

AGREEMENT TO REVIVE

of

DSB 1984 - 811

Revival of Judgment indexed in favor of the plaintiff and against the defendants in the amount of One Hundred Eighty Nine Thousand and 00/100 Dollars plus costs.
Dated.....May 31, 1989
Debt.....$189,000.00
S- 106, 116....JUDGMENT
James F. Simmons,
Prothonotary

Aug. 6, 1991 This Judgment Satisfied. (see paper filed)

# 1989

857.

THE FIRST NATIONAL BANK
OF PENNSYLVANIA

vs.

LON D. SIPPY
RHONDA A. SIPPY

Filed Sept. 26, 1989
@ 10:16 a.m.

| | |
|---|---|
| Pro Simmons Paid | $9.00 ✓ |
| plff on orig | 9.50 |
| Sat. Pd 8/6/91 | 5.00 ✓ |

AGREEMENT TO REVIVE

of

DSB 1984 - 812

Revival of Judgment indexed in favor of the plaintiff and against the defendant in the sum of One Hundred Eighty Nine Thousand and --00/100 Dollars plus costs.

Debt.....$189,000.00
Dated.....May 31, 1989
S - 106, 144...JUDGMENT

James F. Simmons,
Prothonotary

Aug. 6, 1991 This Judgment Satisfied. (See paper filed)

# 1989

Altomare & Barnhart
Joseph C. Barnhart

858.

KERRY J. KASTER

vs.

BRENDA L: KASTER

Filed Sept. 26, 1989
@ 11:33 a.m.

Tax & entry Paid $50.50 ✓
Pro Co pd 11/16/89 9.00 ✓
State pd 11/16/89 10.00
Pro Co Pd 2/28/92 5.00

COMPLAINT IN DIVORCE

1 copy (atty)

Oct. 24, 1989 Acceptance of Service filed. I. BRENDA L. KASTER, do hereby accept service of the Plaintiff's Complaint in the above captioned matter as filed September 26, 1989.
Brenda L. Kaster

Nov. 15, 1989 Plaintiff's Affidavit Under Section 201(d) of the Divorce Code filed.

Nov. 15, 1989 Defendant's Countr-Affidavit Under Section 201(d) of the Divorce Code filed.

Nov. 15, 1989 Upon praecipe of Plaintiff Attorney To Transmit Record, this case moved to court.

Nov. 28, 1989 DIVORCE DECREE FILED:

And now, November 28, 1989, it is ordered and decreed that KERRY J. KASTER, plaintiff, and BRENDA L. KASTER, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
P. Richard Thomas, J.

Feb. 28, 1992, Notice of Election to Retake Maiden Names filed.
TO BE KNOWN AS BRENDA L.WILSON

# 1989

Fuller, Kinnunen
Petruso and Gamble
John Fuller

859.

DEBORAH J. BUTTS

vs.

LAWRENCE EUGENE BUTTS

Field Sept. 26, 1989
@ 1:23 p.m.

| | |
|---|---|
| Tax & entry paid | $50.50 |
| Pro Co. Pd. 1/10/90 | 9.00 |
| State Surcharge Paid | 10.00 |

COMPLAINT IN DIVORCE

1 copy (atty)

Oct. 2, 1989 Acceptance of Service of Complaint In Divorce filed. AND NOW, this 30 day of September, 1989, and in accordance with Rule of Civil Procedure 1920.4(e), I hereby accept service of a true and correct copy of the complaint in divorce.
Lawrence Butts

Jan 2, 1990 Affidavit of Service filed: JOHN FULLER, being duly sworn according to law deposes and says that he served a copy of the Complaint in Divorce in the above-entitled action on the defendant, Lawrence Eugene Butts, by Restricted Delivery, Certified Mail No. 414 752 671, which was delivered to the defendant on September 30, 1989 at 420 Myrtle Street, Erie, Pennsylvania 16507. A copy of the returned receipt is attached hereto and filed herewith.
John Fuller

Jan. 10, 1990 Affidavit of Consent of Plaintiff filed.

Jan. 10, 1990 Affidavit of Consent of Defendant filed.

Jan. 10, 1990 Upon Praecipe of Plaintiff Attorney For Review Under Section 201(c) of Divorce Code, this case is moved to Court.

Jan. 19, 1990 DIVORCE DECREE FILED

AND NOW, January 19, 1990, it is ordered and decreed that Deborah J. Butts, plaintiff, and Lawrence Eugene Butts, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J

Bette J. Peterson-Muth

860.

REBECCA KAY NICHOLS

vs.

PATRICK EVAN STANBRO

Filed Sept. 26, 1989
@ 1:28 p.m.

Indigent filing

John Fuller, Mediator $140.00

COMPLAINT FOR CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER OF COURT:

YOU, Patrick Evan Stanbro, defendant have been sued in court to obtain custody ofthe child, to-wit: Deborah Janiene Nichols.

You are ordered to appear in person at a mediation conference at a time, place and date to be established by the custody mediator.

JOHN FULLER is hereby appointed cusotdymediator.

Until further order of court, temporary custody ofthe said child is hereby granted to plaintiff, Rebecca Kay Nichols.

If you fail to appear as provided by ths order an order for custody, partial cusotdy or visitation may be entered against you or the court may issue a warrant for your arrest.

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

Crawford County Bar Associaton, Ser. the Public Committee, Crawford County courthouse, c/o Prothonotary, Meadville, Pa. 16335. 814 724-7719

Dated: sept. 26, 1989

BY THE COURT,
P. Richard Thomas, J.

Sept. 26, 1989, Praecipe to Proceed In Forma Pauperis and Order filed. ORDER: Rebecca Kay Nichols, plaintiff in the above captioned action is hereby granted leave to proceed in forma pauperis.

BY THE COURT,
Dated: 9/27/89
P. Richard Thomas, J.

Oct 7, 1989 Order filed: AND NOW, October 27, 1989, after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS:

I. Legal custody of Deborah Janiene Nichols shall be shared between the mother, Rebecca Kay Nichols and the father, Patrick Evan Stanbro, that is, each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions affecting the child's education, medical treatment, religious instruction and other such important decisions.

II. Physical custody of Deborah Janiene Nichols shall be with her mother, Rebecca Kay Nichols, subject to the following conditions:

A. Beginning October 28, 1989 the father shall be entitled to visit and take the child into his custody every Saturday from 9:00 a.m. Saturday morning until 5:00 p.m. Saturday evening. The first such Saturday visit shall be on October 28, 1989 as provided above and the last such Saturday visit shall be on December 30, 1989.

B. Beginning Friday, January 5, 1989, the father shall be entitled to visit and take the child into his custody every other weekend from 6:00 p.m. Friday evening until 6:00 p.m. Sunday evening.

C. Holidays shall be defined as Thanksgiving, Christmas and Easter. In 1989 and odd years thereafter, the child shall be in the home of the mother on Thanksgiving, Christmas Day and Easter Sunday, and in the home of the Father on the evening preceding such holidays from 4:00 p.m. until 8:00 p.m. In the 1990 and even years thereafter, the child shall be in the home of the father on Easter Sunday, Thanksgiving Day and Christmas Day from 12:00 Noon until 6:00 p.m. the same day. Holidays shall take precedence over weekend visitation schedules.

D. The father shall provide transportation for the child to and from the home of the mother on Saturday, weekend and holiday visits.

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 everyting 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..

III. This order is a temporary order but shal become a permanent order unless exceptions thereo tare filed by either party within thirty (30) days of the date hereof.

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

Robert L. Walker, Judge

Oct 30, 1989 Copies of order mailed to Atty. Och-Rothchild and copies put in Attys. Peterson-Muths and Fullers boxes.

# 1989

| | | |
|---|---|---|
| Brian J. Lindsay<br><br>861. | JOSEPH J. PARIS<br><br>vs.<br><br>DEBORAH SUE PARIS<br><br>Filed Sept. 27, 1989<br>@ 10:08 a.m.<br><br>Tax & entry Paid $50.50 ✓<br>Pro Co Pd. 9/27/89 9.00 ✓<br>State Pd 9/27/89 10.00 | COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE<br><br>2 copies (atty)<br><br>Sept. 29, 1989 Acceptance of Service filed. I hereby accept service of the Complaint in Divorce filed at the above number and term. Debra Sue Paris<br><br>Jan. 23, 1990, Affidavit of Consent of plaintiff filed.<br><br>Jan. 23, 1990, Affidavit of Consent of defendant filed.<br><br>Jan. 23, 1990, Upon praecipe of plaintiff attorney to transmit the record, this case moved to court.<br><br>Jan. 30, 1990 **DIVORCE DECREE FILED.**<br><br>And now, January 30, 1990, it is ordered and decreed that Joseph J. Paris, plaintiff, and Deborah Sue Paris, defendant, are divorced from the bonds of matrimony.<br>BY THE COURT,<br>P. Richard Thomas, J |

# 1989

Culbertson, Weiss, Schetroma & Schug
~~Mary Ann Kirkpatrick~~

862.

Joseph F. Kulwicki

LESLIE HOWLES

vs.

DONALD HOWLES

Filed Sept. 27, 989
@ 10:11 a.m.

Tax & entry $50.50

PROTECTION FROM ABUSE PETITION

4 copies (atty)
1 copy (county control)

ORDER:
AND NOW, Sept. 27, 1989, upon presentation and consideration of the within Petition, a hearing thereon is scheduled for the 6 day of Oct. 1989, at 2:30 p.m. in C. R. No. 1 or 2 of the Crawford Countycourthouse, Meadville, Pa.
The respondent, Donald Howles is directed and prohibited from attemptin to cause or intentionally, knowingly or wrecklessly causing bodily injury to Leslie Howles or in any way threatening her, frightening her or harassing her.
The respondent, Donald Howles is directed and prohibited from cntacting Leslie Howles, Ashley Howles and Jason Howles in any way until further order of court.
Petitioner is permitted to proceed without the payment of costs, costs to be determined by the court after hearing.
Respondent is hereby advised of his right to be represented by counsel and he is notified that his failure to attend the hearing sc heduled above may have serious legal consequences.
By the Court,
P. Richard Thomas, J.

Sept. 27, 1989 Affidavit of Service filed. Joe Saraceno, being duly sworn according to law, deposes and sets forth as follows:
1. That he is a competent adult and investigator for Assured Investigations, a duly licensed and bonded private investigation agency in Pennsylvania.
2. That on information furnished to him he caused a certified copy of the Protection From Abuse Petition and Order in the above matter to be served upon Donald Howles at 2:55 o'clock, P.M., on Sept. 27, 1989, at National Teltronics, Defendants place of employment in Meadville, PA. Note: Advised Defendant to read same immediately.
3. That costs incurred for his service were as follows: Service, Mileage, Total (none)
4. Further Deponent Saith Not.
Joe Saraceno

Oct. 4, 1989 Motion to Reschedule Hearing and Order filed. Refused - but hearing primarily will cover the abuse petition & any emergency issues in the divorce action.
BY THE COURT,
P R Thomas, J

Oct. 4, 1989 Copies of order put in Mary Ann Kirkpatrick and Joseph Kulwicki's box.

Oct 5, 1989 Motion and order filed: AND NOW, October, 5, 1989, it is ordered and the parties agree as follows:
1. Husband denies the allegations that he abused, threatened, frightened or harrassed wife and he agrees not to abuse, hurt, threaten, frighten or harass wife.
2. Pending further Order of Court the minor children shall reside primarily with the husband and shall be in the custody of the wife three weekends per months from Friday at 4:00 o'clock P.M. until Sunday at 7:00 o'clock P.M. with the first weekend visit to begin on October 6, 1989.
3. While the children are living with husband, wife shall provide their before-school and after-school care during husband's working hours.
4. The parties agree that wife shall have the exclusive use of their 1981 Cutlass automobile.
5. This order shall be temporary for a period of 30 days while the parties attempt to negotiate a settlement of all pending legal matters.
By the Court,
P. Richard Thomas, J.

Oct 9, 1989 Copies of order given to Attys Kirkpatrick and Kulwicki in boxes.

**Jan. 8, 1990 Motion by Mary Ann Kirkpatrick and requests Leave of Court to withdraw as Counsel for Plaintiff and Order filed.**
**ORDER: AND NOW, January 8, 1990 Mary Ann Kirkpatrick is permitted to withdraw as Counsel for Plaintiff.**
**BY THE COURT:**
**Robert L. Walker, J.**

**Jan. 10, 1990 Copies of order given to Attys. Kirkpatrick and Kulwicki.**

# 1989

Joseph Kulwicki

Culbertson, Weiss,
Schetroma & Schug
Mary Ann Kirkpatrick

863.

Joseph F. Kulwicki

LESLIE D. HOWLES

vs.

DONALD J. HOWLES

COMPLAINT IN DIVORCE, ALIMONY, ALIMONY PENDENTE LITE, COUNSEL FEES, COSTS, EXPENSES, CHILD SUPPORT EQUITABLE DISTRIBUTION, AND CUSTODY

1 copy (atty)

Filed Sept. 27, 1989
@ 10:12 a.m.

Tax & entry Paid $50.50 ✓
3 counts paid 45.00 ✓
John Fuller, Mediator
Service Cost 29.00
Pro Co Pd 2/22/90 - 9.00
State Pd 2/22/90 - 10.00

Sept. 27, 1989, Motion to Appoint Child Custody Mediator, and Order filed. ORDER: AND NOW, Sept. 27, 1989, upon Motion of plaintiff, John Fuller is appointed Child Custody Mediator.

By the court,
P. Richard Thomas, J.

1 copy (atty)
1 copy (mediator)

Sept. 27, 1989, Motion to Set Hearing (APL, costs, counsel fees, child support) and Order filed.
ORDER: AND NOW, Sept. 27, 1989 hearing on Plaintiff's Motion is scheduled for Oct. 6, 1989 at 2:30 p.m. in C. R. No. 1 or 2 of the Crawford County Court House, Meadivlle, Pa.

By the Court,
P. Richard Thomas, J.

4 copies (atty)

Sept. 27, 1989 Affidavit Of Service filed. Joe Saraceno, being duly sworn according to law, deposes and sets forth as follows:

5. That he is a competent adult and investigator for Assured Investigations, a duly licensed and bonded private investigation agency in Pennsylvania.

6. That on information furnished to him, he caused a certified copy of the Complaint in Divorce, Motion and Order appointing Custody Mediator and Motion and Order setting hearing for Alimony Pendente Lite, cost, Fees and Child Support in the above matter to be served upon Donald Howles at 2:55 o'clock P.M., on September 27, 1989, at National Teltronics, Defendants place of employment in Meadville, Pennsylvania.

7. That costs incurred for this service were as follows:

| | |
|---|---|
| a.) Service | $27.00 |
| b.) Mileage | $ 2.00 |
| Total | $29.00 |

8. Further Deponent Saith Not.

Joseph J. Saraceno

Oct. 2, 1989 Appearance of Jospeh F. Kulwicki for the Defendant filed.

Oct. 2, 1989 Upon praecipe of defendant attorney Rule For Bill of Particulars is hereby issued.

Oct. 3, 1989 Certificate of Service of Interrogatories filed.

Oct. 3, 1989 Service of the foregoing Rule is hereby accepted by Mary Ann Kirkpatrick

Oct. 4, 1989 MOiton to reschedule hearing and Order filed. Refused - but hearing primarily will cover the abuse petition & any emergency issues in the divorce action.

( SEE PAPER FILED AT AD 1989 - 862)

BY THE COURT,
P. R. Thomas, J

Oct. 4, 1989 Copies of order put in Mary Ann Kirkpatrick and Joseph Kulwicki's box.

Oct. 19, 1989, Bill of Particulars filed.

Dec 29, 1989 Affidavit of Consent of Defendant filed.

Jan 10, 1990 Affidavit of Consent filed. (Plaintiff)

Jan. 17, 1990 Appearance of Joseph F. Kulwicki, Esq. attorney for plaintiff, filed.

Jan. 17, 1990 Motion to Withdraw Counts II, III and IV and Order filed. ORDER: ANDNOW, Jan 17, 1990 the above motion is granted.

BY THE COURT,
Gordon R. Miller, Judge

Jan. 18, 1990, copies to J. Kulwicki and M. A. Kirkpatrick

Jan. 23, 1990, ORDER VACATING PRIOR ORDER filed. AND NOW, this 23rd day of Jan. 1990, the court upon a review of this file, finds that;

1. Prior to Jan. 17, 1990 this appeared to be a contested matter;

2. The plaintiff was represented by Mary Ann Kirkpatrick, Esq. and the defendant was represented by Joseph F. Kulwicki, Esq., each attorney having filed a separate written appearance;

3. With no withdrawal of the appearanc eby Mary Ann Kirkpatrick Esq. Joseph F. Kulwicki, entered an appearance for the plaintiff on Jan. 17, 1990 and immediately thereafter filed a motion for leave to withdraw three counts of the plaintiff's Divorce Complaint;

4. The court, in Motion's Court, entered an order granting said motion after inquiring of Mr. Kulwicki if this action was contested and if there were other counsel.

Based on the foregoing it is the opinion of this court that the appearance of JOseph F. Kilwicki, Esq. for the plaintiff is a nullity. Therefore the order of Jan. 17, 1990 granting the motion to withdraw Counts II, III and IV of the plaintiff's Divorce Complaint is herebyvacated. The attorneys are encouraged to resolve the matter of the representation of the plaintiff and to clear the record as to who properly represents the plaintiff.

BY THE COURT,
Gordon R. Miller, J.

Jan. 23, 1990, copies put in attys. boxes.

Continued on Pg. 631

SEE Vol. 3

# 1989

Elderkin, Martin, Kelly, Messina & Zamboldi
Ronald L. Slater

864.

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

LYNNELL M. BRIAN AND DONALD W. BRIAN, HER HUSBAND

vs.

HENRY N. RONDON

Filed Sept. 27, 1989
@ 10:27 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Sheriff's costs | 33.40 |
| Sheriff's costs | 43,25 |
| Pro Co Pd 6/28/90 | 5.00 |
| Pro Co Pd 6/28/90 | 7.00 |

Jury Trial Demanded

SUMMONS IN CIVIL ACTION

Issued (sheriff)

Oct. 10, 1989 Writ Return filed. And Now, September 28, 1989, after diligent search and inquiry, Henry N. Rondon, defendant within named, NOT FOUND within the jurisdiction of this Court
So answers, William H. Romine, jr, Sheriff
Douglas R. Long, Deputy Sheriff
NOT FOUND, as to defendant Henry N. Rondon as per Affidavit received from Sheriff of Mercer County, PA hereto attached. Moved to 19 Sipe Road, Coropolis, PA 15108
So answers, Howard N. Stewart, Sheriff

Oct. 17, 1989, Writ Reissued.

Dec. 6, 1989 Sheriff's Return filed. Before me, the undersigned authority, personally appeared Louis J. Leon, who being duly sworn according to law, deposes and says that on the 8 day of Nov. 1989, at 2:30 p.m. he served summons filed at No. 864, 1989, Crawford Co. Pa., upon defendant Henry N. Rondon at 19 Sipe Road, Coroapolis. By making known the contents thereof to Henry and handing to and leaving with him the certified copy of the --received from Crawford.
Louis J. Seon, Dep. Sheriff
So answers, Eugene L. Coon Sheriff Allegheny Co.
SERVED Henry N. Rondon by deputizing the Sheriff of Allegheny County, Pa. as per his Affidavit of Service attached. Served: Nov. 8, 1989.
So answers, Howard N. Stewart, Sheriff

Dec. 14, 1989, Appearance of Thomas, Truax, Spadafore, Vardaro & Walker, by R. Charles Thomas, attorneys for defendant filed.

Dec. 14, 1989, Upon praecipe of defendant attorney, Rule entered upon Plaintiff to file Complaint issued.

**Dec. 22, 1989, on 12/18/89 Service of the Foregoing Rule accepted by Ronald L. Slater, atty. for plff.**

Jan 2, 1990 Complaint filed.

**Feb. 8, 1990, Answer filed. 1 copy (atty)**

Feb. 28, 1990, Plaintiff's Reply to New Matter and Answer to Counterclaim, filed.

Apr. 6, 1990, NOtice of Taking Depositions Upon Oral Examination of Trooper Kenneth J. Brown, Theodore M. Cross and Henry N. rondon, filed.

Apr. 26, 1990 Certificate Of Service Of Answers To Interrogatories and Request For Production Of Documents To Plaintiffs filed.

June 28, 1990 Upon praecipe of plaintiff attorney, the above captioned case is hereby settled and discontinued of record.

June 28, 1990, Upon praecipe of defendant attorney, the defendant's Counterclaim filed in connection with the above captioned action, is hereby discontinued of record.

# 1989

| | | |
|---|---|---|
| Thomas, Truax, Spadafore Vardaro, Walker<br>Anthony J. Vardaro | APPRAISAL & COUNSELING SERVICE | APPEAL OF DEFENDANTS FROM JUDGMENT OF MAGISTERIAL DISTRICT 30-3-02 |
| 865. | vs. | |
| Alexander, Garbarino, Kifer & Speer<br>G. Barrett Garbarino | JOSEPH & LINDA BURNEY HIS WIFE, d/b/a THE GATEWAY LODGE | Sept. 27, 1989, Rule entered upon plaintiff to file Complaint issued.<br>Oct. 2, 1989 Affidavit of Service filed. Before me, the undersigned officer, personally appeared Judith L. Vosburg, who being duly sworn according to law, deposes and says that she mailed true and correct copies of the Notice of Appeal from District Justice Judgment and the Rule to File a Complaint to Appraisal & Counseling Service and a true and correct copy of the Notice of Appeal to District Justice Hubert E. Vogan by certified mail numbers P 015 391 076 and P 015 391 077, respectively. A copy of the sender's receipts are attached hereto, marked Exhibit "A" and Exhibit "B" and by reference made a part hereof. Judith L. Vosburg<br>Oct. 18, 1989, Complaint filed.<br>Nov. 21, 1989, Upon praecipe of plaintiff attorney, the above captioned matter is settled and discontinued. of record. |
| | Filed Sept. 27, 1989<br>@ 11:28 a.m.<br>Tax & entry Paid $50.25 ✓<br>Pro Co Pd 11/22/89 6.00 ✓ | |

Jack, Kookogey &
Felton
JOhn Kookogey

866.

PERRY A. PRITCHARD AND IRENE R. PRITCHARD, HIS WIFE, AND DOUGLAS EXPLORATION, INC.

vs.

LILLIAN AKIN, SARA M. AKIN, a/k/a MRS. DANIEL W. AKIN, WILLIAM REYNOLDS, WILLIAM THORP, GEORGE SUTTON,MARY C. THORP, THEIR RESPECTIVE HEIRS, PERSONAL REPRESENTATIVES AND ASSIGNS

Filed Sept. 27, 1989
@ 1:10 p.m.

Tax & entry Paid $50.50 ✓
Pro Co Pd 12/13/89 9.00 ✓

COMPLAINT - ACTION TO QUIET TITLE

Sept. 28, 1989, Affidavit of Whereabouts of Defendants, Motion for Leave to serve by Publication, and Order filed. ORDER: AND NOW, Sept. 27, 1989, on motion of John S. Kookogey, Attorney for plaintiffs in the above captioned matter, leave is hereby granted to serve Lillian Akin, Sara M. Akin, a/k/a Mrs. Daniel Akin, William Reynolds, william Thorp, george Sutton, Mary C. Thorp, and their respective heirs, personal representatives, and assigns, generally, Defendants in said Action, bypublication of a notice of the facts set forth in the Complaint in the Titusville Herald a newspaper of general circulation, one (1) time and requiring the said defendants to plead within twenty (20) days from last date of publication thereof.

PER CURIAM,
P. Richard Thomas, J.

Sept. 29, 1989, copy to Atty. Kookogey, mailed.

Nov 14, 1989 Affidavit of Service by Publication, Proofs of Publication, Motion for Judgment and Final Decree filed: AND NOW, this 9 day of Nov., 1989, upon presentation of the foregoing motion and due consideration thereof, it is hereby ORDERED AND DECREED that the defendants, LILLIAN AKIN, SARA M. AKIN, a/k/a MRS. DANIEL W. AKIN, WILLIAM REYNOLDS, WILLIAM THORP, GEORGE SUTTON, MARY C. THORP, and their heirs, personal representatives, and assigns, are forever barred from asserting any right, title, lien or interest inconsistent with the claim of the Plaintiffs, as set forth in the Complaint in this case, of, in, or any way attacking the title of the plaintiffs in said property; from issuing or conveying the same or any part thereof; unless the Defendants, LILLIAN AKIN, SARA M. AKIN, a/k/a MRS. DANIEL W. AKIN, WILLIAM REYNOLDS, WILLIAM THORP, GEORGE SUTTON, MARY C. THORP, and their heirs, personal representatives, assigns, take such action as is herein directed within thirty (30) days after the entry of this judgment. It is further ORDERED AND DECREED that if no Petition to open this judgment or set aside this Decree is presented by the Defendants, LILLIAN AKIN, SARA M. AKIN, a/k/a MRS. DANIEL W. AKIN, WILLIAM REYNOLDS, WILLIAM THORP, GEORGE SUTTON, MARY C. THORP, and their heirs, personal representatives, and assigns, within thirty (30) days from and after entry of this Decree, the same shall be final. If such action is not taken within said thirty day period, the Prothonotary, on praecipe of the Plaintiffs, shall enter judgment.

PER CURIAM.
P. Richard Thomas, J.

Nov 15, 1989 Copies of order mailed to Atty. Kookogey.

And NOw, Dec. 13, 1989, at 1:23 p.m., upon praecipe of plaintiff attorney, Final Judgment is hereby entered in this case, in favor ofthe plaintiffs and against the defendants pursuant to the foregoing order of court.

A - 103, 153, 211
T - 75 , 114
S - 114
R - 211

FINAL JUDGMENT
James F. Simmons,
Prothonotary

Judgment entered - 12-13-89

# 1989

Hain & Hain
Howard A. Hain

867.

Winters, McKenna &
Arcovio, P.C.
Robert A. Arcovio

H. JESSE HAAS T/D/B/A
AREA SHOPPER

vs.

CONSUMER COMMUNICATION
SERVICES, INC.

Filed Sept. 28, 1989
@ 11:05 a.m.

Tax & entry Paid $50.25 ✓
Pro Co Pd 7/27/90 15.00 ✓

APPEAL OF DEFENDANT FROM JUDGMENT OF DISTRICT MAGISTRATE'S COURT, WAYNE HANSON, 30 - 3-01

Sept. 28, 1989 Rule entered upon plaintiff to file complaint issued.

Oct. 2, 1989 Proof of Service filed.

Oct. 18, 1989, Appearance of Hain & Hain by Howard A. Hain, attorneys for plaintiff filed.

Oct. 18, 1989, Complaint filed.

Dec. 15, 1989, Answer, New Matter and Counterclaim on behalf of defendant filed.

Feb. 2, 1990, Reply to New Matter and Answer to Counterclaim filed.

July 27, 1990, UPon praecipe of defendant attorney, for appointment of arbitrators, the following arbitrators are appointed:

David P. Truax, Ch.
~~Harry F. White II~~ ~~William B. Moore~~ Glenn Thompson
JOhn F. Spataro

Aug. 16, 1990 Arbitrators take the Qualifying Oath.

Aug. 23, 1990 Notice Of Scheduled Arbitration filed.

Oct. 5, 1990, Upon praecipe of Wm. B. Moore, arbitrator, appointment of same for arbitrator withdrawn, and Glen Thompson, atty, substituted in his stead.

# 1989

Knox McLaughlin
Gornall & Sennett, P.C.
Timothy M. Sennett

868.

TPS DISTRIBUTING COMPANY, INC.

vs.

JIM WILLEY t/d/b/a
JIM WILLEY AND SON

Filed Sept. 28, 1989
@ 11:17 a.m.

Tax & entry Paid $50.50 ✓
Pro Co Pd 10/24/89 6.00 ✓
Sheriff's Costs 26.00

COMPLAINT

1 copy (sheriff)

Oct. 23, 1989, Upon praecipe of plaintiff attorney, all claims and causes of action which were, or could have been asserted, in this action having been settled, adjusted and compromised, this action is hereby discontinued of record.

Oct 31, 1989 Sheriff's Return filed: SERVED Jim Willey personally on October 11, 1989 at 9:36 A.M. at Sheriff's Office, Crawford County Courthouse, Meadville, Pa.
So answers, Carole Stefanucci, Deputy Sheriff
Howard N. Stewart, Sheriff

# 1989

869.

MARGIE R. STERLING

vs.

JOSEPH S. JENNICHES

Filed Sept. 28, 1989
@ 11:25 a.m.

| | |
|---|---|
| Tax & entry | $50.50 |
| Sheriff's Costs | 20.00 |

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plff)

TEMPORARY ABUSE ORDER:

AND NOW, this 28 dayof Sept, 1989, 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 is not to go to any place where the plaintiff may be residing for any reason whatsoever.

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.

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

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

Hearing is hereby set for Oct. 5, 1989, at 9:00 a.m. in C. R. No. 1 or 2 of the Crawford County Courthouse, Meadville, Pa.

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

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

Oct. 2, 1989 Sheriff's Return filed. SERVED Joseph S. Jenniches personally on September 28 1989 at 12:23 PM by handing copy of Protection From Abuse to him at Crawford County Jail, 260 Center Street, Meadville, PA.
So answers, Howard N. Stewart, Sheriff

Oct. 5, 1989 Order filed. AND NOW, October 5, 1989, after informal hearing, the following Order is entered:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or her minor child at any time or at any place.

2. The defendant shall not go to any place where the plaintiff resides and where he has actual knowledge that she will be.

3. Costs in this matter shall be paid b y Crawford County.

4. This Order shall remain in full force and effect for a period of one (1) year from this date, and nothing contained herein shall modify any conditions of probation or parole that may ultimately be entered in any case in which the defendant herein is a defendant.

5. The Saege rtown Borough Police Force or any other Police Agency having jurisdiction may enforce this Order in accordance with the Protection From Abuse Act.

BY ORDER OF THE COURT :
Rober t L. Walker, J.

Oct. 9, 1989 copies of order to Plaintiff, Christopher J. Youngs, Esq. &Crawford Co. Control

# 1989

Countess-Gilbert-
Andrews Law Offices
Thomas D. O'Shea

870.

JILL K. WYGANT

vs.

JAMES WYGANT

Filed Sept. 28, 1989
@ 11:35 a.m.

| | |
|---|---|
| Tax & entry paid | $40.50 ✓ |
| bal pd 10/20/89 | 10.00 ✓ |
| Pro Co. Pd 5/19/91 | 9.00 ✓ |
| State pd. | 10.00 |

COMPLAINT IN DIVORCE

1 copy (atty)

Apr. 3, 1991 Affidavit of Service filed. Thomas D. O'Shea Esq. counsel for plaintiff being duly sworn according to law, deposes and says that on Oct. 18, 1989 there was delivered to the P.O. of York, Pa. for del to James Wygant, J. St. PO Box 212, Meadville, Pa. by cert. mail del. restricted to addressee only, a true and correct ocy of complaint for which deponent rec'd at that time receipt for cert. mial NO. P 052 585 018 which is attached hereto as Ex. "A". Thereafter on Oct. 23, 1989 there was returned to Thomas O'Shea esq. cert. mail rec. card bearing the same number and signed "James Wygant". Said ret. rec. card is attached hereto as ex. "B". Thomas D. O'Shea, Esq.

Apr. 3, 1991 Affidavit of consent of plaintiff filed.

May 15, 1991 Affidvit of Consent of Defendant filed.

May 15, 1991 Upon Praecipe of Plaintiff attorney for review under Section 201(c) of Divorce Code, this case moved to Court.

May 17, 1991 **DECREE AND ORDER FILED.**

AND NOW, this 17th day of May, 1991, it is ordered and decreed that JILL K. WYGANT, Plaintiff, and JAMES WYGANT, Defendant, are divorced fromthe bonds of matrimony.

It is further ordered that Plaintiff shall pay defendant the amount of $3,500.00 in installments of $150.00 per month, without interest, until said amount is paid in full.

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

# 1989

Mason and Mason
M. Dan Mason

871.

JOSEPH PANGALLO

vs.

LAURA MAHAN

Filed Sept. 29, 1989
@ 2:59 p.m.

Tax & entry Paid $50.50 ✓
Sheriff's costs 23.00

COMPLAINT

1 copy (sheriff)

Oct. 11, 1989 Sheriff's Return filed. SERVED Laura Mahan personally on October 4, 1989 at 10:18 am by handing copy of Complaint to her at Sheriff's Office, Crawford Co. Courthouse, Meadville, Pa. 16335.
So answers, Carole Stefanucci, Dep. Sheriff
Howard N. Stewart, Sheriff

# 1989

Mahany, Roeder & Smith
Tamera Ochs Rothschild

872.

NORTHWEST SAVINGS BANK OF PENNSYLVANIA SAVINGS ASSOCIATION

vs.

DAVID J. WESCOAT AND FAYE D. WESCOAT, HIS WIFE

Filed Oct. 2, 1989
@ 11:02 a.m.

Tax & entry Paid $50.50 ✓

Sheriff's Costs 43.00

COMPLAINT IN MORTGAGE FORECLOSURE

3 copies (sheriff)

Oct 31, 1989 Sheriff's Return filed: I accept service of the AD 1989-872 Complaint in Mortgage Foreclosure on behalf of David J. Wescoat and certify that I am authorized to do so.
10-13-89 Nanette C. Hiles, Sec. to Atty David Pickens
Authorized Agent

I accept service of the AD 1989-872 Complaint in Mortgage Foreclosure on behalf of Faye D. Wescoat and certify that I am authorized to do so.
10-13-89 Nanette C. Hiles, Sec. to Atty. David Pickens
Authorized agent

SERVED David J. Wescoat on October 13, 1989 at 2:20 P.M. by serving his Authorized Agent, Nanette Hiles, Sec. to Atty. David Pickens, at Atty's Office, 1044 Liberty St., Meadville, Crawford Co., Pa. Signed acceptance of service attached.

SERVED Faye D. Wescoat on October 13, 1989 on October 13, 1989 at 2:21 P.M. by serving her Authorized Agent, Nanette Hiles, Sec. to Atty. David Pickens, at Atty's office, 1044 Liberty St., Meadville, Crawford Co., Pa. Signed Acceptance of service attached.

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

# 1989

Bernstein & Bernstein
Nicholas D. Krawec
Susan Laatsch
873.

Ferguson & Spataro
Douglas W. Ferguson

TRUMBULL SUPPLY COMPANY, INC.

vs.

H. RUSSELL HUDSON AND ROBERTA J. HUDSON, INDIVIDUALLY AND AS PARTNERS TRADING AND DOING BUSINESS AS RUSS HUDSON CONSTRUCTION; AND H. RUSSELL HUSDON, AS PERSONAL GUARANTOR

Filed Oct. 2, 1989
@ 11:27 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Sheriff's costs | 31.28 |
| Pro co Pd 3/13/90 | 15.00 |
| Pro co Pd 7/20/90 | 5.00 |

COMPLAINT

2 ocpies (sheriff)

Oct. 13, 1989 Sheriff's Return filed. SERVED H. Russell Hudson personally on Oct. 4, 1989 at 3:10 PM by handing copy of Complaint to him at Sheriff's Office, Crawford Co. Courthouse, Meadville, PA 16335.

SERVED Roberta J. Hudson on Oct. 4, 1989 at 3:11 PM by handing copy of Complaint to her Authorized Agent, H. Russell Hudson, as per his signed Acceptance of Service attached.

So answers,

Catherine I. Allen, Deputy Sheriff
Howard N. Stewart, Sheriff

Nov. 6, 1989 Appearance of Ferguson & Spataro by Douglas W. Ferguson for Defendants filed.

Nov. 6, 1989 Answer and Counterclaim filed.

Mar. 2, 1990, Plaintiffs Affidavit of No Answers to Requests for Admissions, Interrogatories, and Request for Production of Documents filed.

Mar. 2, 1990, Plaintiff's Answers to Defendant's Counterclaim filed.

Mar. 13, 1990, Upon praecipe of plaintiff attorney, the following arbitrators are appointed:

~~Theodore H. Watts, Ch.~~
Paul E. Allen -Chairman
JOhn B. Brautigam
Bettie Peterson Muth

April 2, 1990, Arbitrators Take the qualifying oath.

Apr. 5, 1990, Notice of Hearing before Board of Arbitrators (May 10 @ 2:00 p.m.) filed.

July 20, 1990 Upon Praecipe of Plaintiffs' Attorney the above captioned case is marked settled and discontinued of record.

# 1989

William B. Moore

874.

GERALDINE L. PEARSON

vs.

WILLIAM G. PEARSON

Filed Oct. 2, 1989
@ 12:01 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Pro Co Pd 1/9/90 | 9.00 |
| State Pd 1/9/90 | 10.00 |

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

Jan. 5, 1990, Affidavit of Service filed. William B. Moore, being duly sworn according to law, d,eposes and says that;

1. He is the atty. authorized to practice law within the Com. of Pa.

2. He is the atty. for plaintiff in above matter.

3. On the 3rd day of Oct. 1989 he deposited in the U.S. mails by cert. mail, rest. del., ret. rec. req., postage prepaid cert. mail no. as evidenced by the receipt attached hereto and made a part hereof, a true and correct copy of divorce complaint. naming Wm. G. Pearson as dft. inthe above matter, and addressed to said dft. at 207 S. Franklin St. Cochranton, Pa. 16314.

4. The said article was delivered to dft's last known address at 207 S. Franklin St. Cochranton, Pa. 16314, on Oct. 6 1989 and received by dft. as evidenced by teh ret. rec. for Cert. mail No. P 063 587 054 attached hereto and made a part hereof.

William B. Moore, Esq.

Jan. 5, 1989, Affidavit of Consent of plaintiff filed.

Jan. 5, 1989, Affidavit of Consent of defendant filed.

Jan. 5, 1989, Upon praecipe of plaintiff attorney, for review Under 201(c) of the divorce code, this case moved to court.

Jan. 19, 1990 DIVORCE DECREE FILED

AND NOW, January 19, 1990, it is ordered and decreed that Geraldine L. Pearson, plaintiff, and William G. Pearson, defendant, are divorced from the bonds of matrimony.

BY THE COURT,

Gordon R. Miller, J.

✓Apr. 16, 1991 ORDER filed. And now April 15, 1991 the court having been advised that the Prothonotary inadvertantly left the above case off the April 29, 1991 argument list and the Court Administrator having no knowledge that the case was to be listed, argument is hereby reset for May 28, 1991 at 9:00 a.m. in C. R. No. 2, before the Honorable Gordon R. Miller.

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

Apr. 16, 1991, copies to J. Walker, W. Walker, J. Lemire, P. Shafer and L. Stack attys.

✓Feb. 26, 1992 Memorandum and Order filed. AND NOW, February 25, 1992, the plaintiffs' motion for class action certification is denied.

BY THE COURT,
Gordon R. Miller, J

Feb. 26, 1992 Copies given or mailed all attys.

✓Mar. 4, 1992, Correction to MEMORANDUM filed. Feb. 25, 1992 filed.
Mar. 4, 1992, copies to All counsel of record.

✓Mar. 19, 1992 MOTION FOR RECONSIDERATION OF, AND TO VACATE, ORDER DENYING CLASS CERTIFICATION, filed.

✓Mar. 19, 1992 DEFENDANT, MITCHELL ENERGY CORPORATION'S RESPONSE TO PLAINTIFFS' MOTION FOR RECONSIDERATION, filed.

✓Mar. 19, 1992 ORDER filed. AND NOW, March 19, 1992 after receipt and review of the plaintiff's motion for reconsideration and the defendant's response, and after an informal office conference, it is ordered as follows:

1. The plaintiffs shall have until 10:00 a.m. on Monday, March 23, 1992 to file any additional memorandum or brief in support of their motion for reconsideration and motion to vacate the order denying class certification. A true and correct copy of said memorandum or brief shall be served upon counsel for the defendant no later than 10:00 a.m. on Monday, March 23, 1992.
2. The defendant shall have until 4:30 p.m. on Tuesday, March 24, 1992 to file a memorandum or brief in support of its response to the motion for reconsideration and motion to vacate.
3. The Court will make a decision and enter an order on the plaintiffs' motion for reconsideration and motion to vacate by 12:00 noon on Wednesday, March 25, 1992.

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

Mar. 24, 1992 Copies given or mailed to Attys.

#21 ✓Mar. 19, 1992, EXHIBITS filed.

#22 Mar. 19, 1992 Deposition of Leroy Bell filed.

✓Mar. 19, 1992, Deposition of Paul e. Gehr, Jr. filed.

✓Mar. 19, 1992, Deposition of Clyde Sherman Allen filed.

✓Mar. 19, 1992, deposition of June Rodgers filed.

✓Mar. 19, 1992, Deposition of Lorene Elford filed.

#27 ✓Mar. 19, 1992, deposition of Daisy D. Mook filed.

✓MAR.25, 1992, MEMORANDUM AND ORDER SUR PLAINTIFF'S Motion for REconsideration and Order filed.
ORDER: AND NOW, Mar. 25, 1992, the plaintiffs' motion for reconsideration is denied.
BY THE COURT,
Gordon R. MIller, P.J.
Mar. 25, 1992, copies distributed to attys. of record.

✓**March 26, 1992 Notice of Appeal to Superior Court filed.**

✓Mar. 26, 1992 PROOF OF SERVICE filed. William L. Walker, Esq., attorney for Plaintiffs inthe above-captioned action, hereby certifies that he has served a copy of the Notice of Appeal, along with Proof of Service, upon the following persons and in the following manner:

1.) Mitchell Energy Corp., Defendant, by serving their attorneys of record, Louis J. Stack, Esq. and Paul D. Shafer, Esq. by personal service (hand delivery) at their place of business located at 360 Chestnut St., Meadville, Pa. 16335.
2.) Hon. Gordon R. Miller, President Judge, by personal service (hand delivery) at the Crawford County Courthouse, Meadville,Pa. 16335.
3.) Official Court Reporters of Crawfor dCounty by personal service (hand delivery) at the Crawford County Courthouse, Meadville,Pa. 16335.
4.) Imogene Yetman, Court Administrator, by personal service (hand delivery) at the Crawford County Courthouse, Meadville, Pa. 16335

✓Apr. 6, 1992 Superior Court Of Pennsylvania Official Docket Nov. 00538PGH92 filed.

May 12, 1993 Superior Court of PA. Certificate of Contents of Remanded Record and Notice of Remand Under Pa. Rules of Appellate Procedure 2571 and 2572 of Record, 8 Transcripts, Judgment Order and Opinion filed.

May 12, 1993 JUDGMENT filed. ON CONSIDERATION WHEREOF, it is now here ordered and adjudged by this Court that the judgment of the Court of Common Pleas of Crawford Co. be, and the same is hereby AFFIRMED.

BY THE COURT:
Eleanor R. Velecko, Dep. Prothonotary

May 17, 1993 Copies given or mailed to Attys.

326
B

# 1987

# 1989

Richard J. Catalano

875.

JOHN LOUIS ROSKO AND JENNIFER D. ROSKO, BOTH MINORS, BY THEIR PARENTS AND NATURAL GUARDIANS, JOHN G. ROSKO AND LINDA L. ROSKO, AND JOHN G. ROSKO AND LINDA L. ROSKO, IN THEIR OWN RIGHT

vs.

POLLY JAYNE PETRUSO

Filed Oct. 2, 1989
@ 1:13 p.m.

Tax & entry Paid $50.50 ✓
Pro Co Pid 10/27/89 6.00 ✓

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Oct. 16, 1989 Petition To Settle, Compromise and Discontinue Minors' Claims and Order filed. AND NOW, to wit, this 13th day of October, 1989, upon consideration of the within Petition and upon motion of Richard J. Catalano, Esquire, it is hereby ordered and decreed that the above-referenced matter be settled and discontinued for the payment from defendant's insurance company of $1,500.00 on behalf of Jennifer D. Rosko and $1,000.00 on behalf of John Lewis Rosko. Distribution of the proceeds shall be as follows:

Jennifer D. Rosko

| | |
|---|---|
| Richard J. Catalano, P.C., 1/3 fee | $500.00 |
| Jennifier D. Rosko, a minor. tp be placed in a restricted account, either savings or certificate of deposit to be marked "Not to be withdrawn until the minor attains her majority or until further Order of Court" | $1,000.00 |

John Lewis Rosko

| | |
|---|---|
| Richard J. Catalano, P.C., 1/3 fee | $ 333.33 |
| John Lewis Rosko, a minor, to be placed in a restricted account either savings or certificate of deposit to be marked " Not to be withdrawn until the minor attains his majority or until further Order of Court" | $ 666.67 |

Robert L. Walker, J

Oct. 18, 1989 Copy of order mailed to Richard Catalano

Oct. 27, 1989, Upon praecipe of plaintiff attorney, the above captioned action is marked settled and discontinued of record.

Jan. 12, 1990 Writ Return filed. Summons returned to Prothonotary Jan. 12, 1990 unserved. Sheriff's Office received no instructions, no service costs.
So answers, Howard N. Stewart, Sheriff

James R. Walker of Manion McDonough & Lucas PC, and Jerome A. Lemire and William L. Walker

876.

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

PAUL E. GEHR, JR., AND ALICE GEHR, HIS WIFE
LEROY BELL AND SHIRLEY BELL, HIS WIFE:
HERMAN F. SHELLITO;
NILES W. SHELLITO:
LORENE ELFORD;
KENNETH J. MOOK AND DAISY D. MOOK, HIS WIFE;
CLYDE SHERMAN ALLEN;
LESLIE E. ALLEN; and
JAMES RODNEY ALLEN;
INDIVIDUALLY AND ON BEHALF OF ALLOTHER PERSONS SIMILARLY SITUATED

vs.

MITCHELL ENERGY CORPORATION

Filed Oct. 2, 1989
@ 2:38 p.m.

Tax & entry Paid $50.50 ✓
Appeal Pd 3-26-92 30.00 ✓
State Pd 3-26-92 50

CLASS ACTION COMPLAINT

✓Oct. 2, 1989, Acceptance of service filed. I, Paul D. Shafer, Jr., Esq. do hereby accept service of the foregoing Class Action Complaint in connection with the above captioned case.
10/2/89 Paul D. Shafer, Jr. esq.

✓Oct. 24, 1989 Mitchell Energy Corporation's Answer and New Matter filed.

✓Nov. 13, 1989, Reply to New Matter filed. 2 copies (atty)

✓Dec. 13, 1989 MotionFor Class Certification and Order filed. And now, December 13, 1989, upon Plaintiffs' Motion for Class Certification, we hereby order that a hearing, pursuant to Pa. R.C.P. 1707, on said motion be held on January 31, 1990, at 1:30 p.m., in Courtroom 1. BY ORDER OF THE COURT,
P. Richard Thomas, P.J.
2 copies atty (pft) and 1 copy to Louis Stack

✓Dec 29, 1989 Notice of Service of Interrogatories and Request for Production of Documents filed.

✓Jan 19, 1990 Motion for Continuance and Order filed: AND NOW, this 19th day of January, 1990, upon consideration of the foregoing Motion, the hearing on the issue of class certification previously set for January 31, 1990 at 1:30 p.m. in Courtroom No. 1, is hereby continued generally to be rescheduled upon motion of either party.
BY THE COURT,
Gordon R. Miller, J.
Jan 23, 1990 Copies of order mailed to Atty. Lemire and put in Attys. Walker and Stack's boxes.

✓Oct. 5, 1990 Motion to Set Class Certification Hearing and Order filed. ORDER: AND NOW, this 5 day of Oct. 1990, upon consideration of the foregoing motion, a hearing on class certification required by Pa. R.C.P. 1707 shall be held on the 28 day of Nov. 1990 at 1:30 p.m. in Courtroom ---.
Dated: 10/5/90 BY THE COURT,
P. Richard Thomas, Sr. J.
Oct. 8, 1990, copies to Wm. Walker, Jerome A. Lemire and Louis Stack.& James Walker.

✓Nov. 30, 1990 ORDER filed. AND NOW, Nov. 28, 1990 , at the close of the presentation of most of the evidence and testimony in this matter, counsel for the parties are ORDERED and DIRECTED to meet to determine whether or not they can agree and stipulate on the matters that are contained in Plaintiffs' Exhibit No. 4, an Affidavit of William L. Walker, Esquire, regarding leases. If the parties are able to enter into a stipulation, they shall do so in writing and submit the same to the Court, after which the Court shall set a date and time for final arguments and the presentation of proposed Findings of Fact and Conclusions of Law.
In the event that the parties are unable to stipulate as to matters referred to in Mr. Walker's Affidavit, they shall be prepared to appear before this Court on Thursday, January 10, 1990, at 1:30 o'clock p.m. to present evidence and testimony on those matters that they are unable to agree to, after which the Court will schedule a time for argument and the presentation of proposed Findings of Fact and Conclusions of Law.
By Order Of The Court,
Gordon R. Miller, P.J.
Nov. 30, 1990 Copy of Order put in box for Attys. Paul Shafer, William Walker, Louis Stack and copy mailed to Atty. James Hollihan.

✓Dec. 21 1990, Transcript of Proceedings Hearing on Class Action certification filed.

✓Jan. 9, 1991, Motion for Continuance of Class Certification Hearing filed.

✓Jan. 9, 1991, ORDER filed. AND NOW, this 9th day of Jan. 1991 upon consideration of defendant's Motion for continuance it is hereby ordered that the Class Certification Hearing scheduled for Jan. 10, 1991 at 1:30 p.m. is hereby continued and rescheduled to the 8th day of Feb. 1991 at 1:30 p.m. in C, R, No, 2, By the court,
Gordon R. Miller, J.
Jan. 9, 1991, copies to W. Walker, Jerome A. Lemire, James Walker, and L. Stack, attys.

✓Feb. 11, 1991 Order filed. AND NOW, February 8, 1991, the attorneys for all parties appeared in Court, produced a stipulation as to what William L. Walker, Esquire would say if he were called as a witness to testify, to indicate that the leases that have been introduced into evidence are not in the custody of the Court or the Prothonotary because they are so voluminous, and agreed that all of the evidence has been presented and received on the issue now before the Court as to whether or not this should be a class action. ACCORDINGLY, we now set the following schedule:
1. The plaintiff shall prepare, file with the Court and erve upon counsel for the defendant proposed Findings of Fact and Conclusions of Law no later than March 8, 1991.
2. The defendant shall prepare, file with the Court and serve upon plaintiffs' counsel its proposed Findings of Fact and Conclusion of Law no later than March 22, 1991.
3. Argument in this matter shall be scheduled for the April, 1991 Term of Argument Court and the Court Administrator shall allow one (1) hour for the agrument.
4. The plaintiffs' brief shall be filed with the Court fifteen (15) days in advance of the argument date and shall be served upon counsel for the defendnt at the time it is filed. The defendant shall file its brief at least five (5) days before the date scheduled for argument and shall at the time of filing serve a copy on the attorneys for the p laintiffs.
BY ORDER OF THE COURT,
Gordon R. Miller, J
Feb. 11, 1991 Copy put in Box for Atty's.

✓Apr. 5, 1991 Transcript of Proceedings-Stipulations of Counsel at time of Scheduled hearing-filed.

Continued on Page 326A

# 1989

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

877.

Terry Toomey

JAMES AND NANCY BERGSTROM

vs.

LINDA AND HOWARD CARTER, JR. Her Husband, dfts.

HASBROUCK SAND AND GRAVEL, INCORPORATED, add'l dft.

HERBERT HASBROUCK AND MARION HASBROUCK, INDIVIDUALLY
Add'l dfts.

Filed Oct. 2, 1989
@ 2:41 p.m.

Tax & entry Paid $50.25
**Sheriff's Costs 40.52**
Pro Co pd 2-16-93 5.00

APPEAL OF DEFENDANTS FROM JUDGMENT OF MAGISTERIAL DISTRICT 30-3-06

Oct. 2, 1989 Rule entered upon plaintiff to file complaint issued.

Oct. 4, 1989 Proof of Service filed.

Oct. 19, 1989 Complaint filed.

Dec. 12, 1989, Answer and New Matter of plaintiffs filed.
1 copy (atty)

Dec. 12, 1989, Complaint Against Additional Defendants Hasbrouck Sand and Gravel, Inc. and Herbert Hasbrouck and Marion Hasbrouck, individually, filed. 3 copies (sheriff)

**Jan. 3, 1990 Sheriff's Return filed. SERVED Herbert Hasbrouck on Dec. 14, 1989 at 11:25 AM by handing copy of Complaint to Marian Hasbrouck, his wife, at residence, Hydetown, Crawford County, Pa.**
**SERVED Marion Hasbrouck personally on Dec. 14, 1989 at 11:26 AM by handing copy of Complaint to her at her residence, Hydetown, Crawford County, Pa.**
**SERVED Hasbrouck Sand and Gravel on Dec. 14, 1989 at 11:27 AM by handing copy of Complaint to Marian Hasbrouck, co-owner, at residence, Hydetown, Crawford County, Pa.**
**So answers, Robert M. Stevens, Dep.Sheriff**
**Howard N. Stewart, Sheriff**

Jan. 4, 1989, Reply to New MaTTER filed.

Jan. 29, 1990, Answer of Hasbrouck Sand and Gravel, Inc. filed.

Feb. 16, 1993 Upon praecipe of Plaintiff attorney the above captioned matter is discontinued of record.

# 1989

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

878.

MILO STEIGER

vs.

KIMBERLY POWELL

Filed Oct. 3, 1989
@ 1:52 p.m.

Tax & entry paid $50.50 ✓

PETITION FOR CUSTODY (UCCJA)

1 copy (atty)

Oct. 4, 1989 Stipulation and Consent To Entry of Custody Order and Order filed. AND NOW, this 4 day of October, 1989, upon consideration of the Stipulation and Consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED AND DECREED THAT:

Primary, physical and legal custody of the minor child, Ashley Powell, shall be with her matural father, Mila Steiger, subject to a liberal visitation schedule to be determinded by mutual agreement of the parties.

BY THE COURT,
P. Richard Thomas, J

Oct. 4, 1989 Copy of order put in James Irwin's box.

Oct 5, 1989 Verification of Service filed: I, James R. Irwin, Esquire, do hereby verify that I personally served a true and correct copy of the Custody Complaint upon he Respondent abovenamed at 360 Chestnut Street, Meadville, Pennsylvania, on the 3rd day of October, 1989, at 1:30 P.M.

Dated10-4-89 James R. Irwin, Esquire

# 1989

Joseph F. Kulwicki

879.

DOUGLAS E. DIVIDIO

vs.

SUSAN L. DIVIDIO

Filed Oct. 3, 1989
@ 3:31 p.m.

Tax & entry Paid $50.50 ✓
Add'l. count 11/17/90 15.00 ✓
Pro Co pd 6/26/90 9.00
STate pd 6/26/90 10.00

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

Oct. 18, 1989 Affidavit Of Service filed. Brenda A. Withers, being duly sworn according to law, deposes and says that she is employee of Joseph F. Kulwicki, Esq., Attorney for the Plaintiff and that as such, on October 10, 1989, she placed a certified copy of the Complaint in Divorce in the United States mail, addressed to the defendant as follows:

Susan L. Dividio
c/o Randall Whitney
R.D.2, Box 179
Clymer, NY 14724

The said Divorce Complaint was sent certified mail, restricted delivery, being certified mail item number P 724 954 512. The signature card for said certified mail item mail number was returned to the office of Joseph F. Kulwicki bearing the signature of Susan Dividio as having received same on October 11, 1989. The receipt and signature card for certified mail item number P 724 954 512 are attached hereto and made a part hereof.

FURTHER DEPONENT SAITH NOT. Brenda A. Withers

**Jan. 8, 1990 Petition for Related Claims Under Divorce Code (Custody) and Order filed.**

**ORDER: AND NOW this 8th day of Jan. 1990 , upon presentation and consideration of the foregoing Petition for custody, this matter is referred to Wm. Pineo, Child Custody Hearing Officer for the scheduling of a mediation conference.**

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

**1 copy atty, 1 copy mediator.**

**Jan. 9, 1990 Affidavit of Consent of Plaintiff filed.**

Jan. 10, 1990 Affidavit of Consent of Defendant filed.

May 11, 1990 Petition For Bifurcation and Order filed. AND NOW, this 11 day of May 1990, upon consideration of the within Petition and upon motion of Joseph F. Kulwicki, Esq., attorney for the petitioner, a Rule is hereby entered upon Susan L. Dividio to show cause, if any she has, why the request for bifurcation should not be granted, and why the Court should not appoint a Master in Divorce or in the alternative to bifurcate the divorce proceedings, enter a Decree in Divorce and reserve the custody issue.

RULE RETURNABLE for hearing on the 1 day of June, 1990, at 3:00 p.m. in Courtroom number one or two of the Crawford County Court House, Meadville, PA.

BY THE COURT,
P. Richar Thomas, J

May 15, 1990 Copy of order put in Jopeph Kulwicki's box.

May 11, 1990 Certificate Of Service filed. Joseph F. Kulwicki, Esq., Attorney for the Plaintiff hereby certifies that a true and correct copy of Plaintiff's Petition for Bifurcation was mailed by regular U.S. Mail to Mary K. Barr, Atttorney for Defendant, at P.O. Box 295, Mayville, NY 14757 on May 11, 1990 Joseph F. Kulwicki

**May 30, 1990 Motion to Continue and Order filed: AND NOW, May 30, 1990, the hearing is continued generally and to be rescheduled on motion of either party.**

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

**May 31, 1990 Copies of order put in Atty Kulwicki's box.**

June 25, 1990 Upon praecipe for Review, this case moved to court.

June 25, 1990 Petition For Entry Of Final Decree In Divorce and Order filed. AND NOW, this 25th day of June, 1990, upon consideration of the within Petition and upon review of the pleadings including a letter from Mary K. Barr, Attorney for Respondent, there being no objections by Mrs Dividio to the entry of a Final Decree of Divorce and upon Motion of Joseph F. Kulwicki, attorney for the petitioner, Affidavits of Consent having been heretofore filed, and the parties having agreed to the entry of a Decree in Divorce, A.V. divorcing them from the bonds of matirmony, despite the existence of a custody claim yet to be resolved, it is hereby ORDERED and DECREED that Douglas E. Dividio and Susan L. Dividio are hereby Divorced from the bonds of Matrimony, and all the duties, rights, and claims accorded to either the said parties at any time heretofore in pursuance of said marriage, shall henceforth cease and determine, and the said parties shall severally be at liberty to marry again as if they had never been married.

and it is further ordered, pursuant to written agreement of the parties, that this Court shall retain continuing jurisdiction to resolve the custody claim presently pending both in this Court as well as in the Chautauqua County FAmily Court, Chautauqua County, New York.

BY THE COURT,
Gordon R. Miller, J

# 1989

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

880.

Mary Ann Kirkpatrick

RICHARD W. FLYNN

vs.

NORMA JEAN FLYNN

FIled Oct. 4, 1989
@ 9:00 a.m.

Tax & entry Paid $50.50 ✓
Pro Co pd 10-6-98 9.00 ✓

COMPLAINT UDNER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

Nov. 22, 1989 Complaint reinstated filed.

Nov. 29, 1989 Affidavit Of Service filed. David P. Truax, Esquire, being duly sworn according to law, deposes and says that on NOvember 22, 1989, he sent a true and correct copy of the 201(c) Div. Complaint, to the Defendant, Norma Jean Flynn, by Certified Mail No. P425 657 228, Postage Prapaid, Restricted Delivery, Return Receipt Requested, at her last known address, 140 W. Lake Rd., Jamestown, PA 16134; further that there is attached hereto a duly executed return receipt card showing date of delivery as November 25, 1989.

David P. Truax

Nov 19, 1997 Plaintiff's Affidavit Under Sec. 3301(d) of The Divorce Code, filed.

May 11, 1998 AFFIDAVIT OF CONSENT FILED ( PLTF)

May 11, 1998 WAIVER OF NOTICE OF INTENTION TO REQUEST ENTRY OF A DIVORCE DECREE UNDER ##)!(c) OF THE DIVORCE CODE FILED (PLTF)

June 12, 1998 Affidavit of Consent of Defendant, filed.

June 12, 1998 Waiver of Notice of Intention to request entry of a Divorce Decree Under 3301(C) of the Divorce code, filed.

Sept 30, 1998 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

Oct 13, 1998 ORDER: This divorce matter has been referred to the Court for review and decree. The Court has reviewed the record and is returning the record to the Prothonotary. A final decree willnot be entered at this time because.

The parties are asking that an agreement be incorporated into the decree yet:

b. The agreement disposes fo economic or other issues not raised by the pleading 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.

Oct 13, 1998 Anthony J. Vardaro, J.
Oct 13, 1998 Dist Irwon & Kirkpatrick

Oct. 20, 1998 Upon praecipe of Defendant Attorney To Transmit Record, this case moved to Court.

DIVORCE DECREE FILED

Nov. 25, 1998 AND NOW, this 19 day of November, 1998, it is ordered and decreed that RICHARD W. FLYNN, Plaintiff, and NORMA JEAN FLYNN, Defendant, are divorced from the bonds of matrimony.

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

Watts, Pepicelli,
Youngs and Youngs PC
Theodore H. Watts

881.

R. Charles Thomas

JEAN M. COPELAND

vs.

RAYMOND E. COPELAND

Filed Oct. 4, 1989
@ 9:48 a.m.

Tax & entry Pd 10/16/89 $50.50 ✓
Sheriff's Costs 26.00
Proc Pd 10/16/89 9 00 ✓

10/17/89 Recd. $ 26 00
From Defendant

10/17/89 Paid $ 26 00 To
Howard Stewart,
Sheriff Ck #5346

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plff)

TEMPORARY ABUSE ORDER:

AND NOW, this 4 dayof Oct. 1989 upon review of the petition of plaintiff, the court enters the following:

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

2. Special conditions: Not threaten or abuse pl. in any manner.

3. This order may be enforced without a warrant of arrest by any law enforcementofficer 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 paymen tof 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 punishment by a fine of up to $1,000.00 and a jail sentence of up to six months.

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

Hearing is hereby set for oct. 16, 1989 in Courtroom No. 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer torepresent him at said hearing if he so desires but he is not required todo so.

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

Oct. 6, 1989 Sheriff's Return filed. SERVED Raymond E. Copeland personally on October 5, 1989 at 9:58 AM by handing copy of Protection From Abuse, Notice, Petition and Order to him at Sheriff's Office, Crawford County Courthouse, Meadville, PA.
So answers,
Edgar D. Householder, Chief Deputy
Howard N. Stewart, Sheriff

Oct 18, 1989 Order filed: AND NOW, October 17, 1989, the parties are before the Court on an Abuse Petition, both represented by competent counsel, and the matter is discussed informally. The Defendant generally consents to the entry of an appropriate Abuse Order, and extended discussions are carried on regarding possession of the marital home and custody and visitation for minor child Kevin. The Court enters the following:

1. The Defendant shall not assault, threaten, harass or annoy the Plaintiff in any fashion or procure others to do so on his behalf. He may not go to her residence except as noted below unless he is specifically invited by his wife.

2. The parties agree that the Plaintiff may go to the marital residence on Sunday, October 22, 1989 between the hours of 10 a.m. and 12 noon for the purpose of procuring her personal effects, a sewing machine and clothing. The husband will not be present at the time and will not before said visit remove any of the wife's personal effects or secrete them about the household.

3. The wife's request for possession of the marital residence is denied at this time without prejudice to the right to repetition in this action or as special relief in a divorce action if circumstances dramatically change or an eventual custody mediator Order or Court Order changes custody of the child from father to the mother. In this regard, the Court notes that both parents apparently agree that the child has no definitive choices at this time of which parent he lives with, but his primary interest is in maintaining his community friends and attending the same school.

4. The parties have difficulty in attempting to work out a satisfactory visit and temporary custody arrangement for the mother in view of the indefinite schedule of an active 13 year old child. Accordingly, the Court suggests the parties meet with the child and attempt to work out for at least a period of three (3) to six (6) months a visitation and temporary custody schedule to accommodate everyone. In the meantime, however, both parents agree that the mother may have custody of the child the first four (4) Sundays of every month, and it will be the obligation of the mother to pick the child up at his church after the church service concludes to take him to her home, and it shall be the obligation of the father to pick up the child at the home of the mother at 6:15 p.m. on Sunday evening. In picking up the child, the father will not go into the home of the mother without her express consent.

5. This Order shall remain in force and effect for a period of twelve (12) months unless modified in writing by the parties.

6. Any police officer having reasonable grounds to believe that the defendant has violated the abuse provisions of this Order may apprehend the Defendant without warrant, incarcerate him if necessary, for being in violation of this Court's order and notify the court to schedule an immediate hearing.

7. The Defendant is DIRECTED to pay the costs in this case when billed by the Prothonotary at R.D.#2, Guys Mills, Pa. with said costs to be paid on or before November 10, 1989.

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

Oct 20, 1989 Copies of order put in Attys Watts and Thomas's boxes and copy given to Co Control.

# 1989

Jack, Kookogey & Felton
Robert J. Felton

882.

RALPH E. BRIDGES AND MARTHA A. BRIDGES

vs.

H. RUSSELL HUDSON AND ROBERTA HUDSON, HIS WIFE, INDIVIDUALLY AND t/d/b/a RUSS HUDSON CONSTRUCTION

Filed Oct. 4, 1989

@ 10:36 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 ✓ |
| Sheriff's Costs | 37.28 |

COMPLAINT IN A CIVIL ACTION

3 copies (sheriff)

Oct. 13, 1989 Sheriff's Return filed. SERVED H. Russell Hudson personally on October 4, 1989 at 3:06 PM by handing copy of Complaint to him at Sheriff's Office, Crawford County Courthouse, Meadville, PA 16335.
SERVED Russ Hudson Construction on October 4, 1989 at 3:07 PM by handing copy of Complaint to H. Russell Hudson, owner, at Sheriff's Office, Crawford County Courthouse, Meadville, PA 16335.
SERVED Roberta Hudson on October 4, 1989 at 3:08 PM by handing copy of Complaint to her Authorized Agent, H. Russell Hudson, as per his signed Acceptance of Service attached.
So answers, Catherine I. Allen, Deputy Sheriff
Howard N. Stewart, Sheriff

Aug. 5, 1991 Desicion of Arbitrators filed in which they find in favor of the plaintiff and against the defendant H. Russell Hudson, d/b/a Russ Hudson Construction in the sum of Two Hundred Fifty ($250.00) Dollars with interest from Oct. 4, 1989 and cost. We find in favor of the defendant, Roberta Hudson.
H-218-183 DECISION OF ARBITRATORS

# 1989

Fuller, Kinnunen, Petrusb & Gamble
By: Ann Hansen Gamble
Jack, Kookogey & Felton
Robert J. Felton

883.

MILDRED G. JOHNSON

vs.

IVAN V. JOHNSON

Filed Oct. 4, 1989
@

Tax & entry Paid $50.50

COMPLAINT FOR CUSTODY

1 copy (atty)

ORDER:
AND NOW, this 10th day of Octbber, 1989, upon presentation of the within Complaint for Custody and the stipulation executed by the parties, it is hereby ordered as follows:
The Consent Custody Agreement executed this June 21, 1989 by the parties is hereby adopted as a Court Order in this custody action.
BY THE COURT,
Robert L. Walker, J.

Dec. 7, 1989 Petition to Modify Custody Order or in the Alternative to Require a Compliance Bond and Order filed.
1 copy (atty)
ORDER: AND NOW, this 7 day of Dec, 1989, hearing is set for the 3 day of Jan. 1990 at 1:30 o'clock, P.M., in Courtroom 1 or 2 at Crawford County Courthouse, Meadville, Pennsylvania to hear the plaintiff's petition to modify custody and in the alternate to require a compliance bond.
Any and all other visitations to be accorded to the Respondent pending hearing are hereby suspended.
P. Richard Thomas, J.
Dec. 8, 1989 copy of order to Robert J. Felton, esq.

Dec. 7, 1989, Petition to Have Respondent Held in Contempt for Failure to Comply with Custody Order, and Order filed. ORDER: AND NOW, THIS 7 day of Dec. 1989, hearing is set for the 3 day of Jan. 1990 at 1:30 p.m. in Courtroom 1 or 2 at Crawford County Courthouse, Meadville Pa. to hear the plaintiff's petition for ocntempt.
Any and all other visitations to be accorded to the respondent pending hearing are hereby suspended. P. Richard Thomas, J.
(1 copy - atty)

Dec 27, 1989 Certificate of Mailing of Petition to Modify and Petition for Contempt filed.

**Jan. 10, 1990 Order filed. ORDER: AND NOW, January 3, 1990, the matter is before the Court on a Petition for Contempt of the defendant and a collateral Petition to Modify a previous consent custody Order entered into between the parties June 21, 1989 and recorded as a Court Order in the Common Pleas Court of Crawford ounty and the appropriate court in San Luis Obispo County California.**

**From testimony taken this date, the Court finds as a fact that the defendant willfully and deliberately violated the terms of the previous Court Order regarding custody in that he refused to return the custody of the children to the mother as provided in said agreement, and further, that he secreted hiswhere abouts to make it difficult or impossible for the mother to contact the defendant or the children. The children have now been returned to the custody of the mother at considerable expense to the mother, with counsel advising said expense totaled $3,500.00.**

**ACCORDINGLY, we find the defendant (who failed to appear after verbally acknowledging to the plaintiff that he received notice of this hearing), in willful and deliberate contempt of this Court's Order of October 17, 1989 regarding custody of the children.**

**Judgment is entered against the defendant in the sum of $3,500.00 for the expenses incurred by the mother in regaining custody of the children in the State of California and returning them to the City of Titusville, Pennsylvania. Counsel for the plaintiff shall file an itemized list of said expenses with the records in this case within ten (10) days.**

**The Court withholds any punishment of imprisonment against the defendant, and upon payment of the aforesaid $3,500.00, the Court will entertain a petition from the defendant asking for further hearing on this matter and asking that the Court not incarcerate him for his willful violation of a Court Order. The money must be paid and the petition filed within sixty (60) days of this date. Upon the filing, the Court will accord the defendant a prompt hearing in this court.**
**In regard to the mother/plaintiff's Petition to Modify the Custody Order, the request is GRANTED and the Court finds as a fact and conclusion of law that the best interest of the children would be served by having no further personal, written or oral contact with their father until further Order of Court.**
**ACCORDINGLY, the agreement heretofore entered in the form of a Consent Court Order regarding custody is rescinded and the mother is awarded exclusive custody of said children, Ivan Edward Johnson and Shaun Michael Johnson, and the father may not call, write, personally visit or take said children into his custody for any purpose.**
**In the event the father wishes to renew contact with his two minor children, this Court will entertain a petition to re-establish visitation rights and accord the defendant a hearing in the Court of Crawford County on said petition. The Court advises the defendant that if said petition is filed, no hearing will be scheduled until the defendant advises the Court that he will personally attend said hearing.**
**BY ORDER OF THE COURT,**
**P. Richard Thomas, P.J.**
**Jan. 11, 1990 copies of order to Ann Gamble and Robert Felton, attys.**

Jan 18, 1990 Expenses Incurred in Recovering Children filed by Atty. Gamble.

Continued on Pg. 629.

SEE VOL. 3

# 1989

Theodore E. Breault

884.

~~Gordon R. Miller~~
for D. and S. Leveto

Knox, McLaughlin,
Gornall & Sennett, P.C.
John M. McLaughlin
Robert N. Spaeder, Esq.

Pietrogallo, Bosick
& Gordon Robert E Dapper Jr.
Joseph J. Bosick
for dfts. McGill, Power Bell
& Co. & Robert Power SR

~~MacDonald, Illig Jones~~
~~& Britton~~
~~John J. Mizner~~
~~for Defendant Leveto~~

GARY B. MEANS AND CARLA J. MEANS, HIS WIFE

vs.

DAVID L. LEVETO AND SUSAN B. LEVETO, HIS WIFE
and
McGILL, POWER, BELL & COMPANY and ROBERT POWER, SR. CPA
and
ROBERT N. SPAEDER, ESQUIRE

Filed Oct. 4, 1989
@ 1:36 p.m.

Tax & entry Paid $50.50 ✓
Sheriff's Costs 72.50
Pro Co pd 6-12-96 6.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Oct. 13, 1989, Appearance of Gordon R. Miller, attorney for defendatns David L. Leveto and Susan B. Leveto, filed.

Oct. 13, 1989 Rule entered upon Plaintiffs to File Complaint Issued.

Oct. 23, 1989, Service of the foregoing Rule accepted on Oct. 20, 1989, by Theodore E. Breault, Esq.

Oct. 25, 1989 Writ Return filed. SERVED McGill, Power, bell & Company and Robert Power, Sr., CPA on October 10, 1989 at 9:32 AM by handing copy of Summons to Barbara Oates, Secretary, and person in charge at their place of business, 623 State Street, Meadville, Crawford County, PA. 16335.
SERVED David L. Leveto on October 10, 1989 at 2:00 PM by handing copy of Summons to Bruce Leveto, son, at their place of residence R.D.#2, Saegertown, Crawford County, PA 16433
SERVED Susan B. Leveto on October 10, 1989 at 2:01 PM by handing copy of Summons to Bruce Leveto, son , at their place of residence, R.D.#2, Saegertown, Crawford County, PA 16433
SERVED Robert N. Spaeder, Esquire by deputizing the Sheriff of Erie County, pas per Affidavit of Service attached. Served: October 10, 1989.
Before me, the undersigned authority, personally appeared Paul Greiner, Deputy Sheriff, who being duly sworn according to law, deposes and says that on the 10th day of October, 1989, at 11:00 a.m., he served Summons, filed at No. AD 1989-884, crawford County Pennsylvania, upon defendant, Robert N. Spaeder at Suite 300, 300 State Street, Erie County, Erie, Pennsylvania By making known the contents thereof to him personally and hadning to an dleaving with him the certified copy of the Summons received from Crawford County
So answer,

Paul Greiner, Deputy Sheriff
Robert N. Michel, Sheriff
Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

So answers,

Nov. 28, 1989, Complaint filed.

Dec. 13, 1989 Appearance of Knox, McLaughlin, Gornall & Sennett, P.C. by John M. McLaughlin for Defendant Robert N. Spaeder filed.

Jan 2, 1990 Preliminary Objections on Behalf of Defendant, Robert N. Spaeder, Esquire filed.

Jan. 8, 1990, Answer to Preliminary Objections on behalf of defendant Robert N. Spaeder Esq. filed.

Jan 16, 1990 Upon Praecipe of Attorney for Atty Spaeder, this case is place on the Argument List.

ON FEBRUARY 1990 ARGUMENT LIST

Feb. 12, 1990, Preliminary Objections filed on behalf of defendants McGill, Power, Bell & Company and Robert Power, Sr. CPA, filed,

Feb. 14, 1990, Answer to Preliminary Objections on Behalf of Defendants, McGill, Power, Bell & Company and Robert Power, Sr. CPA, filed.

Feb. 16, 1990, Deposition notice (of Gary B. Means and CArla J. Means) filed.

Feb. 21, 1990 Amendment To Preliminary Objections On Behalf Of defendant, Robert N. Spaeder, Esquire filed.

Feb. 21, 1990 Motion To Compel Discovery filed.

Feb. 21, 1990 Motion Of Plaintiffs To Quash Interrogatories and Notice Of Deposition Served Upon Them By Robert N. Spaeder filed.

Feb. 21, 1990 Order filed. And now, February 20, 1990, argument on the above motions will be heard March 8, 1990, at 1:30 p.m., before the undersigned. BY ORDER OF THE COURT,
P. Richard Thomas, P.J.

Feb. 21, 1990 Copies of order sent to Attys. by Court Administrator.

Feb. 27, 1990, Upon praecipe of attorneys for defendants McGill, Power, Bell & Company and Robert Power, Sr. preliminary objections placed on hearing date of March 8, 1990. (copies to T. Breault, G. Miller, J. McLaughlin and Jos. Bosick.)

Sept 27, 1990 Opinion and Order filed: AND NOW, September 27, 1990, the following order is entered as to the various preliminary objections:

1. The preliminary objections of Defendants, McGill, Power, Bell & Company and Robert Power, Sr. in the nature of a demurrer to Counts IV and VII are sustained.
2. The preliminary objections of the same defendants requesting a more specific pleading insofar as they relate to the count alleging fraud and deceit are sustained and the plaintiff shall file an amended complaint with more specific allegations within twenty (20) days of this order.
3. The preliminary objections relating to the claim for negligence are overruled.
4. The demurrer of Defendant, Robert H. Spaeder, to Count X of the complaint alleging a breach of contract is sustained.
5. The Defendant Spaeder's motion to strike paragraph 75 and its subparagraphs is moot under this ruling.
6. The motion of Defendant Spaeder to strike, or in the alternative, require a more specific pleading as to Count XI is overruled.
7. All demurrers as to Count XII relating to a lack of informed consent are sustained.

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

Sept 28, 1990 Copies of order mailed to all counsel of record.

Continued on Page 334A

Oct. 19, 1990, Amended Complaint filed.

Nov. 9, 1990, Preliminary Objections of Defendant Robert N. Spaeder, Esq., to Amended Complaint filed.

Nov. 16, 1990, Stipulation of plaintiffs filed.

Dec 5, 1990 **Answer of Robert N. Spaeder, Esquire to Amended Complaint and New Matter filed.**

Dec. 24, 1990 Answer To Interrogatories Of Defendant, Robert N. Spaeder, Esquire To Plaintiffs filed.

Dec. 24, 1990 Reply To New Matter filed.

Dec. 28, 1990 Notice Of Depositions of Gary G. Means and Carla J. Means filed.

Jan. 9, 1991, Answer and New Matter to Amended Complaint, on behalf of defendants McGill, Power, Bell and Company and Robert Power, sr. CPA, filed.

Jan. 28, 1991, reply to New Matter of McGill, Power Bell & Co. and Robert Power, Sr. CPA, filed. (Jury Trial Demanded)

Mar. 4, 1991, Nptice of Deposition of David L. Leveto filed.

Mar. 4, 1991, Notice of Deposition of Robert power, Sr. CPA, filed.

Mar. 4, 1991, Notice of Deposition of Robert N. Spaeder field.

Mar. 11, 1991 Answer and New Matter to Amended Complaint filed.

Mar. 20, 1991 Reply To New Matter Of Defendants Leveto filed.

May 15, 1991, Defendant spaeder's Motion to Amend New Matter and New Matter Under Pa. R.C.P. 2252(d) filed.

May 15, 1991 Motion of defendants McGill etc. and Power to Amend New Matter filed.

May 15, 1991, Defendant Spaeder's Answer, Amended New Matter and New Matter Under Pa. R.C.P. 2252(d) filed.

May 15, 1991 ORDER filed. AND NOW, May 10 1991 two requestes for leave to amend pleadings having been furnished to the court, argument thereon is scheduled for May 24, 1991 at 11:00 a.m. before the undersigned in a courtroom to be designated by the court.

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

May 15, 1991 copy of order mailed to all attys. in the case by court adm.

May 21, 1991, Motion to Compel Answer to Deposition Questions, filed.

May 21, 1991, Motion to Compel Execution fo Form 4506, Internal Revenue Service, Request for Copy of Tax Form, filed.

May 21, 1991 ORDER RESETTING HEARING filed. And Now, May 20 1991 hearing in the above matter heretofdore set for May 24th 1991, is hereby reset by teh court for june 18th 1991 at 9:30 a.m. in C. R. NO.' 1 or 2 before Senior Judge James B. Dwyer. FORTHE COURT,
Imogene Yetman Ct. Adm.

May 21, 1991 copies mailed to listed attys. by Ct. Adm.

May 21, 1991, Re: PLAINTIFFS' MOTION TO COMPEL ANSWER TO DEPOSITION QUESTIONS AND PLAINTIFFS" MOTION TO COMPEL EXECUTION OF EORM 4506 INTERNAL REVENUE SERVICE, REQUEST FOR COPY OF TAX FORM - ORDER filed. And Now, May 21, 1991, argument on the above motions is hereby scheduled for june 18, 1991 at 9:30 a.m. before the Hon. James B. Dwyer, Sen. Judge, specially presiding.

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

May 21, 1991 copies mailed to listed attys. by Ct. Adm.

May 31, 1991 Motion To Withdraw Appearance and Order filed. AND NOW, to-wit, this 31 day of May, 1991, upon consideration of the foregoing Motion to Withdraw Appearance, and appearing that said Motion should be granted pursuant to Rule 1012 of the Pennsylvania Rules of Civil Procedure,

IT IS HEREBY ORDERED, ADJUDGED and DECREED that MacDonald, Illig, Jones & Britton are granted leave to withdraw their Appearance on behalf of defendants Daivd L. Leveto and Susan B. Leveto in the above-captioned matter.

1 copy atty

P. Richard Thomas, S.J.

June 17, 1991 Reply to Motion to Compel A Answer to Deposition Questions filed.

June 19, 1991 **ORDER FILED.** AND NOW, this 18th day of June, 1991, after argument in open court, at which all counsel were present, it is ORDERED, ADJUDGED and DECREED that Defendant Robert Power, Sr. shall answer the questions asked of him at his deposition on March 13, 1991 which appear on pages 61, 62 and 63 of said deposition. It has been agreed that said answers will be submitted to Plaintiff by Defendant, Power's attorney in writing.

BY THE COURT
James B. Dwyer, S.J.
Specially Presiding

June 21, 1991 copies sent to David L. Leveto, Atty. T. Breault, Atty. S. Redman and Atty. J. McLaughlin

June 27, 1991 ORDER filed AND NOW, to-wit this 18th day of June, 1991 it is hereby ordered to fudge and decreed that the Petition to Amend New Matter of defendants, McGill, Power, Bell & Company and Robert Power, sr. is granted, and defendants are permitted to file the Amended New Matter within twenty (20) days after entry of this order.

BY THE COURT,
James B. Dwyer, S. J.

June 28, 1991, copies to D. Leveto, and Attys. Breault, Redman and McLaughlin.

RECORD CONTINUED ON PAGE 334b

# 1989



June 27, 1991 ORDER filed. AND NOW, this 18 day of June 1991 upon consideration of the fore going motion it is hereby ORDERED that defendant Spaeder is hereby granted leave to file and serve the Amended Answer, New Matter and New Matter under Pa. R.C.P. 2252(d) atta ched to the motion. (Motion to Amend New Matter)
James B. Dwyer, S. J. Specially presiding
June 28, 1991, copies toD. Leveto, and Atty. breault, Redman and McLaughlin.

June 27, 1991 Amended New Matter filed on Behalf of defendants McGill, Power, Bell & Company and Robert Power, Sr. CPA, filed.

July 5, 1991 Reply to Amended New Matter of McGill, Power Bell & Co. and Robert Power, Sr., CPA filed.

July 11, 1991 Reply Of McGill, Power, Bell & Company and Robert Power, Sr. To New Matter Pursuant to PA.R.C.P. 2252(d) filed.

**July 15, 1991 Defendant Spaeder's Motion to Amend New Matter and New Matter Under Pa. R.C.P. 2252(d) filed.**

July 22, 1991 Plaintiffs' Reply To Defendant Spaeder's Amended New Matter filed.

Aug 12, 1991 REQUEST FOR PRODUCTION OF DOCUMENTS, filed.

Sept. 5, 1991 Defendant Spaeder's MOtion For Summary Judgment filed.

sept. 5, 1991 Upon praecipe of Attorney McLaughlin the above matter is placed on the next available argument list.

1991 OCTOBER ARGUMENT LIST

Oct. 10, 1991, Opposition fo Plaintiffs to Defendant Spaeder's Motion for Summary Judgment filed.

Oct. 11, 1991, ORDER (defendant Spaeder's Motion for Summary Judgment) filed. AND NOW, Oct. 10, 1991 argument on defendant Spaeder's Motion for Sumamry Judgment is hereby set for Nov. 21, 1991 at 9:00 a.m. before Senior Judge Robert L. Walker.
BY ORDER OF THE COURT,
Robert L. walker, S. J.
Oct. 14, 1991, copies to T. Breault, Levetos prose, J. Bosick, and J. McLaughlin.

Feb. 14, 1992, Motion for Summary Judgment filed.

Feb. 14, 1992, Upon praecipe of Defendants McGill, Power, Bell and Co. and Robert Power, Sr. C.P.A., above Motion placed on next Argument List.

ON ARGUMENT LIST FOR MARCH 1992

Mar. 2, 1992, ASSIGNMENT OF ARGUMENT DATE filed. The Court administrator havng been directed by Court to set Argument Date in above matter, hereby sets argument for March 30, 1992 at 2:30 p.m. before Judge Robert L. Walker, J.
FOR THE COURT, Imogene Yetman, Ct. Adm.
Mar. 3, 1992, copies mailed to T. Breault, dft. Levetos, Robert dapper Jr. and John M. McLaughlin.

Mar. 26, 1992, Deposition of David L. Leveto filed.

Mar. 26, 1992, Deposition of Robert Power, Sr. filed.

Dec. 7, 1993 Stipulation of Counsel and ORDER filed. AND NOW,this 6th day of December 1993 upon consideration of the foregoing Stipulation Hon. Anthony J.Vardaro is hereby appointed to preside over the above litigation in substitution for the late Hon Robert A. Walker.
Gordon R. Miller, J.
12-14-93 Copy of Order to Attys. Breault, McLaughlin, Dapper, Jr., McLaughlin & Bosick.

Jan. 10, 1994 Notice of Law Firm Change of Address filed.

Mar. 22, 1994 Memorandum and Order Filed. ORDER. AND NOW, March 22, 1994, this matter is set for a conference with all counsel for May 26, 1994, at 1:30 P.M. in Courtroom No.2 Chambers.
BY THE COURT:
Anthony J.Vardaro, J.

3-22-94 Copies dist. by Court.

May 9, 1994 Deposition of James D. McDonald, Esquire filed.

May 9, 1994 Notice of Deposition of James A. Schaffner,C.P.A.,filed.

May 27, 1994 Order filed. We have now held an informal conference with counsel concerning how this case will proceed now that the undersigned is hearing it due to the death of Senior Judgment Robert L. Walker.
The parties agree that the matters before the Court to be determined are the summary judgment motion of Defendant Spaeder which was apparently argued in front of Judge Walker on November 21, 1991 and the summary judgment motion of Defendants McGill, Power, Bell & co. and Robert Power, Sr. which was argued before Judge Walker onMarch 30, 1992.
The parties indicate that they would prefer to orally argue this matter before the undersigned and we will direct the Court Administrator to schedule this matter for oral argument onJune 27, 1994 during the regular term of argument court.
We will consider the briefs previously filed by counsel and in addition, Plaintiff may file on or before June 12, 1994 any additional brief or memorandum of law in a formal or informal form and thereafter Defendants may file any brief or memorandum of law in a formal or informal form on or before June 22, 1994.
Once we have heard oral argument, we will endeavor to decide this case as promptly as possible.
We note that the Plaintiff has scheduled certain depositions for early June 1994 with the intention that the results of the same may be used for our consideration with rrespect to the current issues and we do not believe that would be appropriate since we believe this matter should be decided based on the record that was before Judge Walker when it was originally argued in 1991 and 1992.
Accordingly, it is ordered and directed that no party may take any further discovery from this day forward until the Court has entered an order or orders with respect to the summary judgment motions now before us.
BY THE COURT:
Anthony J. Vardaro, J

May 27, 1994 Copies dist to Breault, Dapper & McLaughlin

July 28, 1994 Memorandum and Order filed. AND NOW, July 27, 1994, Plaintiffs's claim against Defendant Spaeder for negligence in failing to insist on the insertion of a reliance clause in the sale agrement is dismissed without prejudice to reassert the claim when and if damages become ascertainable. Partial summary judgment is granted in favor of Defendant Spaeder with regard to Plaintiffs' claim of negligence against Defendant Spaeder in failing to explain to them the meaning of "judgment note" and "confession of judgment".
The Motions for summary judgment filed on behalf of McGill Power and Power, individually, are granted with respect to negligence [Counts V and VIII] and with respect to fraud and deceit [Counts VI and IX].
BY THE COURT,
Anthony J. Vardaro, J

July 29, 1994 Copies dist. to Breault, Leveto, Dapper & McLaughlin

CONTINUED TO PAGE 334 C

# 1989 TERM

Gary B. Means, et ux
vs
David L. Leveto,et al

Continued from Page 334 B
of Record
AD 1989 - 884

**********

Dec. 18, 1995 Certificate of Readiness filed.

ON FEBRUARY, 1996 TRIAL LIST

Dec. 21, 1995 Certificate of Service of Appearance filed.

Dec. 21, 1995 Appearance of MacDonald, Illig, Jones & Britton by John F. Mizner for Defendants Levetos filed.

Petition For Court Approval of Release and to Dismiss David L. Leveto and Susan B. Leveto as Defendants, filed.

Jan 23, 1996 Plaintiffs' Answer to Petition of Defendants Leveto for Court Approval of Release and to Dismiss David L. Leveto and Susan B. Leveto as Defendants, filed.

Jan 23, 1996 Order of January 23, 1996, removing case from the February 1996 civil trial list.
Jan 24, 1996 Ct Adm & all counsel (backup)

Mar. 25, 1996 ORDER filed. AND NOW, March15, 1996 at a time set by the Court for a conference in this matter, the issue raises as to whether the Defendants Leveto may participate in further discovery beyond that set forth in our order of January 23, 1996.

This issue is governed by the Crawford County Local Rules, and since by our order of January 23, 1996 this case was removed from the civil trial list and may not be placed back on the list until the preliminary issue with regard to a rerelease is resolved, discovery remains open. Once that preliminary issue is resolved, if the Leveto Defendants are still parties in this case, any party may thereafter file with the Prothonotary, notice of intention to complete discovery thereby limiting the other party to completing discovery within 30 days unless there is further order of Court, all of which is intended to place this matter on the next available trial list.

WE note that it is anticipated by the parties that all preliminary matters as well as all discovery will be completed so that this case can be tried in October of 1996.

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

3-25-96 Breault & Mizner (Backup)

Mar. 25, 1996 ORDER filed. AND NOW, March 15, 1996 the Court noting that our order of January23, 1996 placed a time limit of March 31, 1996 for the parties to undertake discovery as to the issue raised on behalf of Defendant Levetos and it appearing that depositions in this matter will not be completed until April 12, 1996,it is ORDERED and DIRECTED that the March 31, 1996 deadline is extended to April 15, 1996. If a party requires a further extension, it will have to be by further order of Court.

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

3-25-96 Breault & Mizner (Backup)

Apr. 10, 1996 Plaintiffs' Pretrial Statement filed.

Apr. 22, 1996 ORDER filed. AND NOW, April 22, 1996 the Motion to Amend Answer and New Matter filed by David L. Leveto and Susan B. Leveto,his wife, is granted. Those parties may amend their Answer and New Matter to include an averment that the plaintiffs' claims are barred by the applicable statute of limitations and that the plaintiffs have failed to state a cause of action upon which relief may be granted, so long as they file that Amended Complaint within 20 days fromthe date of this Order. The Amendments are consistent with those allowable by Pennsylvania Rule of Civil Procedure 1033 and the existing case law as most recently set forth in Capobianchi vs. BIC Corp. and Drug Palace. Pa. Super, 666 A. 2d 344 (1995). We note that the Amendments are not against a postive rule of law and will not surprise or prejudice plaintiffs in this case. Trial in this case will be no sooner than October 1996.

We also note that pursuant to Pennsylvania Rule of Civil Procedure 1032 (a) the defense, failure to state a claim upon which RElief can be granted, is a nonwaivable defense or objection.

BY THE COURT:
Anthony J.Vardaro,J.

4-22-96 Mailed Breault 4-22-96 Faxed Mizner

April 24, 1996, Amended Answer and New Matter to Amended complaint filed. (of dfts. Leveto)

May 9, 1996 Plaintiffs' Reply To Amended New MaTTER OF Defendants Leveto filed.

June 5, 1996 Upon praecipe of plaintiff attorney the above docket is marked settled and discontinued with prejudice, of record.

334
D

1989 TERM

# 1989

885.

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

vs.

MAUDE E. STEWART

Filed Oct. 4, 1989
@ 2:15 p.m.

Pro Simmons Paid $9.00 ✓
plff on orig 14.50

AGREEMENT TO REVIVE

of

DSB 1984 - 916

Revival of Judgment indexed in favor ofthe plaintiff and against the defendant in the amount of Seven thousand dollars, plus costs.

Debt -----$7,000.00
Dated....Sept. 15, 1989
S - 115 ---JUDGMENT

James F. Simmons,
Prothonotary

# 1989

886.

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

vs.

FELDER L. NETTLES
CLARA L. NETTLES

Filed Oct. 4, 1989
@ 2:15 p.m.

Pro Simmons paid $9.00 ✓
plff on orig 14.50

AGREEMENT TO REVIVE

of

DSB 1984 - 875

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

DEbt ------$7,000.00
dated-----Sept. 25, 1989
N - 65, 35 JUDGMENT
James F. Simmons,
Prothonotary

# 1989

887.

BOROUGH OF SPRINGBORO
PO Box 33
Springboro, Pa. 16435

vs.

MARK J. NAAS

Filed Oct. 4, 1989
@ 2:15 p.m.

Pro Simmons paid $9.00 ✓
plff on orig 14.50

AGREEMENT TO REVIVE

of

DSB 1984 - 876

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

Debt ------$7,000.00
Dated------Sept. 21, 1989
N - 116 JUDGMENT
James F. Simmons,
Prothonotary

# 1989

888.

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

vs.

EARL L. THOMPSON
RACHELLE L. THOMPSON

Filed Oct. 4, 1989
@ 2:15 p.m.

| | |
|---|---|
| Pro Simmons paid | $9.00 |
| plff on orig | 14.50 |

AGREEMENT TO REVIVE

of

DSB 1984 - 1010

Revival of Judgment indexed in the amount of Seven thousand Dollars, in favor ofthe plaintiff and against the defendants plus costs.

Debt -------$7,000.00
Dated-----Sept. 20, 1989
T - 208, 203 ----JUDGMENT

James F. Simmons,
Prothonotary

# 1989

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

889.

Fuller, Kinnunen,
Petruso & Gamble
Ann Hansen Gamble

6/18/90 Recd. $600 on Acct from Defendant.

4/19/91 Paid $115.00 To James McCloskey, Sheriff's Fee Ck # 6167

JOANNE L. HERING

vs.

FREDERICK F. HERING

Filed Oct. 5, 1989
@ 9:02 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 ✓ |
| 2 counts paid | 30.00 ✓ |
| Pro Co pd 11-25-97 | 9.00 ✓ |

Brian Lindsay, Master

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, COUNSEL FEES AND COSTS

1 copy (atty)

Oct. 25, 1989 Appearance of Fuller, Kinnunen, Petruso & Gamble by Ann Hansen Gamble for Defendant filed.

May 31, 1990 Counterclaim in Divorce Under Divorce Code filed.

May 31, 1990 Notice to the Defendant on the Counterclaim filed.

May 31, 1990 Defendant's Monthly Income and Expense Statement filed.

May 31, 1990 Inventory and appraisement of Defendant filed.

June 1, 1990 Affidavit of Servcie filed. Ann Hansen Gamble being first duly sworn deposes and says: That she is an attorney at law licensed to practice in the Commonwealth of PA., and that on the 31th day of May; 1990, she did send by regular mail a Counter Claim in Divorce, an Affidavit of Three Years Separation, Defendant's Monthly Income and Expense Statement, and Defendant's Inventory and Appraisment to R. Charles Thomas, attorney for plaintiff, 296 Chestnut St., Meadville, PA 16335, in the above captioned matter, the same having been duly filed on May 31, 1990 in the Office of the Prothonotary of Crawford County.

Ann Hansen Gamble, Attorney

June 7, 1990 Master's Appointment and Certification filed. AND NOW, June 7, 1990, Brian Lindsay is appointed Master in the above matter to hold a hearing and make report upon claims involving: Equitable Distribution, Counsel fees and costs.
Deposit required: By Plaintiff $ 0 By Defendant $600.00

PER CURIAM,
Gordon R. Miller, J.

June 13, 1990 Copy of Order to Attys. R. Charles Thomas, Ann Hansen Gamble, Brian Lindsay.

June 7, 1990 Petition For Bifurcation and ORDER filed. AND NOW, this 7th day of June, 1990, hearing on the Defendant's Petition for Bifurcation is setfor July 5, 1990, in Courtroom #1 of #2, at 9:30 o'clock, A.M., in Crawford County Courthouse in Meadville, PA.

Gordon R. Miller, J.

June 13, 1990 Copy of Order to R. Charles Thomas, Ann Hansen Gamble, Brian Lindsay.

June 14, 1990 Affidavit of Mailing filed. And Hansen Gamble, being duly sworn according to law, deposes and says that she is an Attorney at Law, duly authorized to practive law in the Commonwealth of Pennsylvania and tha ton May 31, 1990, she sent a copy of the Defendant's Counter CLaim in Divorce and Affidavit Of Three Years SEparation, to the Plaintiff by certified mail, restricted delivery, postage prepaid, receipt requested, to Joanne L. Hering, R.D.1, Guys Mills, PA 16327, the Pl aintiff's Law known address. The said receipt being attached hereto.

Ann Hansen Gamble.

July 2, 1990 Income and Expense Statement of plaintiff filed.

July 5, 1990 Plaintiff's First Set Of Interrogatories To Defendant and Request For Production of Documents filed.

July 10, 1990 Amended Inventory and Appraisement Of Defendant filed.

July 11, 1990 Inventory and Appraisement Of Joanne L. Hering, Plaintiff filed.

July 20, 1990 RE: REQUEST FOR BIFURCATION AND DECREE FILED.

**D E C R E E**

And now, July 20, 1990, it is ordered and decreed that Joanne L. Hering, Plaintiff, and Frederick F. Hering, Defendnat, are divorced from the bonds of matrimony.
This divorce is entered on the condition that the husband continue to pay at least $1,200.00 per year toward automobile insurance on the wife's car until such time as the parties amicably resolve this issue or the same is resolved in an ultimate decree of equitable distribution.
All remaining issues raised in the pleadings are reserved for future disposition.

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

July 23, 1990 copies given to R. Charles Thomas and Ann Hansen Gamble

Aug. 16, 1990 Notice of Master's Hearing and Certificate of Service of Hearing filed.

Aug. 17, 1990 Motion by Plaintiff's Attorney to amend the Divorce Complaint, to include a claim for alimony pendente lite and permanent alimony filed.

Aug. 17, 1990 ORder filed. ORDER: AND NOW, this 15th day of August, 1990 upon presentation and consideration of the within motion a rule to show cause is hereby granted and directed to the Defendant to show cause, if any he has, why the prayer of the motion should not be granted.
Said Rule is returnable for hearing and/or argument for September 6, 1990 at 11:00 a.m. in courtroom No. 1 or 2 of the Crawford County Courthouse.

BY THE COURT,
Gordon R. Miller, J.

Aug. 21, 1990 copies of order to R. Charles Thomas and Ann H. Gamble, attys.

Aug. 23, 1990 Notice Of Master's Hearing filed.

Oct. 24, 1990 MEMORANDUM AND ORDER Filed. ORDER: AND NOW, Oct. 23, 1990, Plaintiff's motion to amend the divorce co;mplaint is denied. BY THE COURT,
Gordon R. Miller, Judge

Oct. 24, 1990, Copy put in box for Atty. Thomas; copy mailed to Atty. Gamble.

Continued on Page 642

SEE VOL. 3

# 1989

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

890.

KIMBERLY A. MERRITT

vs.

MICHAEL F. MERRITT

Filed Oct. 5, 1989
@ 9:07 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| 1 count paid | 15.00 |
| Pro Co. pd. | 9.00 |
| State Surcharge pd. | 10.00 |

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

1 copy (atty)

Sept 13, 1990 Affidavit of Service of Divorce Complaint filed. R. Chas. Thomas, Esq. being duly sworn according to law, deposes and says that on Oct 9, 1989 he sent a true and correct copy of the complaint in divorce, properly endorsed with the notice to Defend, filed in above action to dft. at defendant's last known address of 471 Cussewago Rd. Meadville, Pa. 16335 by Cert. Mail NO. P 063 589 586 postage prepaid restricted del. ret. rec. req. and that attached hereto is a duly executed ret. rec. card showing date of del. as 10/18/89.
R. Charles Thomas, Esq.

Sept. 13, 1990, Affidavit of Consent of plaintiff filed.

Dec. 20, 1990 Affidavit of Consent of Defendant filed.

Jan. 11, 1991 Stipulation of parties filed.

Jan. 11, 1991 Upon Praecipe of Plaintiff Attorney for Review under Section 201(c) of Divorce Code, this case is moved to Court.

Jan. 23, 1991 **D E C R E E  F I L E D .**

AND NOW, this 22 day of Jan., 1991 it is hereby ordered and decreed that Kimberly A. Merritt and Michael F. Merritt are divorced from the bonds of matrimony pursuant to the provisions of Section 201(c) of the Divorce Code of 1980. IT IS FURTHER ORDERED AND DECREED AS FOLLOWS:

I. That the following marital property is awarded to the plaintiff:

a) A 1986 Ford Escort automobile.

b) All of the tangible marital personal property which the plaintiff presently has in her sole and exclusive possession at her residence at R.D.#2, Box 279(b), Saegertown, Pennsylvania and whcih was formerly located at the former marital residence of the Plaintiff and the Defendant at 1328 Laurel Drive, Meadville, crawford County, Pennsylvania.

II. That the following marital property is awarded to the Defendant:

a) A 1975 Ford Pickup Truck.

b) A 1987 Honda Motorcycle.

c) All benefits to which the defendant is entitled as a participant in the Defined Benefit Pension Plan established by Starn Tool & Manufacturing Company for the employees of Starn Tool & Manufacturing Company.

d) All funds invested by the defendant in the Credit Union maintained for and.or by Starn Tool & Manufacturing Company for employees of Starn Tool & Manufacturing Company.

e) All of the tangible personal property which the Defendant presently has in his sole and exclusive possession at his residence at 471 Cussewago Raod, Meadville, Pennsyvlania and which was formerly located at the former marital residence of the Plaintiff and the defendant at 1328 Laurel drive, Meadville, Crawford County, Pennsylvania.

III. The Plaintiff and defendant acknowledge that they have heretofore divided between themselves certain tangible and intangible marital personal property and both the Plaintiff and Defendant acknowledge that said property was distributed in an equitable manner and the Plaintiff and the Defendant are both satisified with the distribution thereof.

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

# 1989

891.

THERESA SPERDUTO

vs.

JOHN F. CHATTLEY

Filed Oct. 5, 1989
@ 10:05 a.m.

Tax & entry 11/1/89 $50.50
Bro as Pd 11/1/89 9.00
Sheriff's Costs 31.40

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT.

3 copies (sheriff)
1 copy (plaintiff)

TEMPORARY ABUSE ORDER:

AND NOW this 5 day of Oct. 1989, upon review of the petition of plaintiff the court enters the following Temporary Order.

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

2. Special conditions: Not contact Plaintiff for any purpose

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

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

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

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

7. The defendant is reminded that this is an order of court and violation of this order my 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 Oct. 16, 1989 at 3:30 p.m. in C. R. No. 1 or 2 of the Crawofrd County Court House, Meadville, Pa. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required todo so.

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

Oct 18, 1989 Order filed: AND NOW, October 16, 1989, at the time set for the hearing, there is not dispute about the fact that on the date in question, which was on or about October 3, 1989, that the Defendant assaulted and abused the Plaintiff. The parties are unmarried and have a minor child sixteen months of age.

The Defendant advises the Court he is attempting to take remedial steps regarding his alcoholic problems and will be entering some type of a therapy program. The parties mutually agree that the Defendant should have visitation rights with the minor child Laura (6-13-88) and, accordingly, the Defendant shall have the right to com to the apartment of the mother for the purpose of visiting the child or taking her from the apartment to a proper place every Saturday between the hours of 10:00 a.m. and 12:00 a.m. It shall be a specific condition of these visitation agreements that the Defendant shall not have consumed alcoholic beverages for a period of twenty-four hours in advance of the visit and shall not consume alcoholic beverages during the visit with the child. The Court urges the parties to modify this agreement if the mother is satisfied that the father of the child has his alcohol problem under control. In the event they cannot further modify this court order by agreement after a period of one month, either party may bring a custody and visitation action regarding the child.

The Defendant is prohibited and restrained from abusing the Plaintiff in any fashion or threatening her or having others do so on his behalf. The Defendant is advised that if he viloates the terms and conditions of this Order regarding assaulting his wife, he can be held in contempt of Court and punished appropriately.

Any police officer having reasonable cause to believe the terms and conditions of the abuse Order have been violated may apprehend the Defendant without a warrant, lodge him in the County Jail, and notify the Court forthwith that an immediate contempt hearing is necessary.

The Defendant is directed to pay the costs in this case in an amount determined by the Prothonotary within twenty (20) days of being billed for the same by the Prothonotary at his address at Mark Anthony's Restaurant, Drake Mall, in care of John D. Chattley, Titusville, Pennsylvania.

The Court notes that there is an assault charge against this defendant and the Defendant advises he waived the preliminary hearing and the same will be scheduled for the November term of court.

This order shall remain in effect for a period of twelve months unless recinded earlier by the parties.

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

Oct 19, 1989 Copies of order mailed to Plaintiff and Defendant and copies given to Co. Control and DA.

Oct. 25, 1989 Sheriff's Return filed. SERVED John F. Chattley personally on October 5, 1989 at 8:45 PM by handing a copy of Protection From Abuse to him at his place of employment, Mark Anthony's Restaurant, 506 Fletcher Street, Titusville, Crawford County, PA.

So answers,
R. J. Wakefield, Titusville Police Dep't.
Howard N. Stewart, Sheriff

# 1989

Withdrawn
~~Cauley and Conflenti~~
~~Franklyn E. Conflenti~~

892.

Israel and Wood
~~James A. Wood~~ Withdrawn

Ronald M. Puntil, Jr.

DAVID A. BODOSKY AND PATRICIA ANN BODOSKY

vs.

JOHN P. SCULLIN, III, M.D.

Filed Oct. 5, 1989
@ 1:17 p.m.

Tax & entry Paid $50.50 ✓
Sheriff's Costs 22.28

COMPLAINT IN A CIVIL ACTION

1 copy (sheriff)

Oct. 20, 1989, Appearance of Israel and Wood by James A. Wood, attorneys for defendant, filed.

Oct. 31, 1989 Sheriff's Return filed. SERVED John P. Scullin III on October 16, 1989 at 1:35 PM by handing copy of Complaint toDebra Flannagan, his Secretary, at his place of businss, Third Street, Conneaut Lake, Crawford County, PA. 16316.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Jan. 4, 1990, Notice of Deposition filed.

Feb. 2, 1990 Preliminary Objections To Plaintiffs' Complaint filed.

Feb. 2, 1990 Upon praecipe of Defendant Attorney the above matter is placed on the next available argument list.

ON 1990 MARCH ARGUMENT LIST

**Feb. 6, 1990 Notice of Deposition of custodian of records for Elena Valena, M.D. and Greenville Hosp. filed.**

Mar. 6, 1990, Plaintiffs' Preliminary Objections and Plaintiffs' Answer, to Defendant's Preliminary Objections to Plaitniffs' Complaint filed.

Mar. 6, 1990, First Amended Complaint in Civil Action filed.
Mar. 21, 1990, Motion to Strike Plaintiffs' Interrogatories, filed.
Mar. 22, 1990 Notice Of Service Of Interrogatories filed.

Mar. 23, 1990, Motion to continue Argument and Order filed. ORDER: AND NOW, to-wit, this 23 daY OF March, 1990, upon consideration ofthe foregoing Motion to Continue Argument to the April list, ti si hereby ORDERED, ADJUDGED AND DECREED that argument is continued to the April 1990 argument list, April 30, 1990, at a time to be designated on the printed list.
By the Court, Imogene Yetman, Ct. Adm.
Mar. 23, 1990, copies of order to F. Conflenti adn James A. Wood, attys.

ON APRIL 1990 ARGUMENT LIST

Mar. 29, 1990 Notice Of Deposition of Greenville Hospital, Gordon E. Banks, M.D., Francis K. Mainzer, M.D., Presbyterian University Hopsital filed.

Apr. 25, 1990 Motion To Dismiss Defendant's Objections To Plaintiffs' Interrogatories And To Direct That the Interrogatories Be answers filed.

May 8, 1990 Memorandum and Order filed. AND NOW, May 3, 1990, the defendant's preliminary objections to the plaintiffs' first amended complaint are dismissed. In view of this order, the preliminary objections of the plaintiffs to the preliminary objections of the defendant are likewise dismissed.
BY THE COURT,
Gordon R. Miller, J

May 8, 1990 copy maield to Atty's

May 14, 1990, Motion for Sanctions filed.

May 14, 1990, Upon praecipe of defendant attorney, Motion for Sanctions placed on next argument list.

ON JUNE 1990 ARGUMENT LIST

May 17, 1990, Notice of Service of Answers to Interrogatories filed on behalf of Plaintiffs, filed.

May 21, 1990 Answer And New Matter To The Plaintiffs' First Amended Complaint filed.

May 22, 1990, RE: DISC OVERY ISSUES - MEMORANDUM AND ORDER filed. ORDER: AND NOW, May 21, 1990, Defendant's Motion to Strike Plaintiffs' Interrogatories is granted. Plaintiffs may re-submit Interrogatories within 30 days covering essential trial preparation information and said Interrogatories shall be simple in form and not number more than 25.
Plaintiffs' Motion to Dismiss Defendant's Objections to Plaintiffs' Interrogatories is dismissed.
BY ORDER OF THE COURT,
P. Richard Thomas, J.
May 23, 1990, copies to Attys. Franklyn E. conflenti and James A. Wood.

June 6, 1990, Notice of Deposition of custodian of records of Robert A. Bazylak, MD filed.

June 6, 1990, Notice of Service of Plaintiffs' Amended First Set of Interrogatories Directed to the Defendant John P. Scullin, III, M.D. filed.

June 13, 1990, nOtice of Deposition of custodian of records for Dr. Savage, Dr. Collins, Presbyterian Hosp., Dr. Lasky, Meadville Pain Clinic, filed.

June 14, 1990, Plaintiffs' Reply to Defendant's New Matter filed.

June 25, 1990, Notice of Deposition of Custodian of Records for Greenville Hosp. filed.

Continued on next page 342A

Jan. 29, 1991, Notice of Deposition of custodian of records for Dr. Ordinario, Dr. Demeria, Stephen G. Paxon MD, Greenville Physical Therapy, filed.

July 2, 1991, Notice of Service of Request for Production of Documents filed.

Nov. 19, 1992 Notice of Deposition of Dr. John Moossy for Discovery Purposes filed.

Feb. 10, 1993 Appearance of Cauley & Conflenti by David J. Lozier filed.

May 28, 1993, Notice of Deposition of John P. Scullin, III, M.D. FILED.

Jun. 3, 1994 Notice of Deposition of Dr. Robert A.Bazylak, filed.

******

Oct. 20, 1994 Substitution of Counsel filed. Appearance of Ronald M.Puntil,Jr., Esquire and Israel and Wood, P.C. as counsel for John P. Scullin, III, M.D. and appearance of James A.Wood, Esquire, is withdrawn.

********** August 25, 1994 Motion to Compel Answers to Expert Interrogatories filed

August 25, 1994 Praecipe for Argument filed.

December 28, 1995 Upon Praecipe of Defendant's Attorney, this case is place on the January Argument List.

Mar.17, 1995 Motion to Withdraw Appearance of the Law Firm of Cauley and Conflenti as Counsel of Record for the Plaintiffs and Order of Court filed. ORDER OF COURT. AND NOW,to-wit, this 16th day of March,1995,upon Motion of Seymour A. Sikov,Esquire, Court-appointed Adminstrator of the law firm of Cauley and Conflenti,and after a review of the allegations set forth in the within Motion, and after due and deliberate consideration,it is hereby:
ORDERED, ADJUDGED and DECREED that the law firm of Cauley and Conflenti, and the members thereof by and are hereby permitted to withdraw its and their appearances of record as counsel for the Plaintiffs;
It is further ORDERED, ADJUDGED and DECREED that Plaintiffs be and are hereby given ninety (90) days from the date hereof to obtain new counsel to represent them in the within-captioned action, all proceedings tobe stayed during that period of time; thereafter,counsel for the Defendant may take such action as he deems necessary to proceed with this matter.,
It is further ORDERED and DECREED that delay damages pursuant to Rule 238 of the Pennsylvania Rules of Civil Procedure be and are hereby suspended from the date of this Order until such time as this matter is listed for trial inthis Court.

BY THE COURT:
Gordon R.Miller, J.

3-20-95 Faxed to Atty.Wood. Mailed Conflenti 3-23-95 Mailed to Atty. Puntil, Jr.

June 22, 1995 Motion To Compel Answers To Expert Interrogatories on behalf of Defendant, filed.

June 22, 1995 Upon Praecipe of Defendant attorney, this case placed on next Argument List, filed.

ON JULY 1995 ARGUMENT LIST

Aug. 15, 1995, MEMORANDUM AND ORDER filed. ORDER: AND NOW, Aug. 14, 1995, for the reasons set forth in th attached memorandum it is ordered as follows:
1. The plaintffs are ordered and directed to file supplemental answers tothe interrogatories submitted by the defendant within thirty (30) days from this date if they have in fact have hired an expert who eill be testifying at trial.
2. If the plaintiffs ahve not hired any expert(s) to testify at trial they shall be precluded from producing any expert witness at trial unless they hire andobtain said expert within sixty(60) days from the date of this order andfile supplemental answers to all interrogatories dealing with expert witnesses within ninety (90) days from the date of this order.

by the court,
Gordon R. Miller, P.J.

8/15/95 dist. to plffs and plant, and Puntil.

Oct 20, 1995 Motion to Preclude Expert Testimony, filed.

Oct 20, 1995 Praecipe to Place on Argument List Motion to Preclude Expert Testimony, filed.

ON ARGUMENT LIST FOR November 1995

Nov. 27, 1995 Proof of Service filed. I,Ronald M. Puntil, Jr., Esquire, Attorney for the defendant, John P.Scullin,III, M.D., certify that notice of the presentation of Defendant's Motion to Preclude Expert Testimony was sent via Certified Return Receipt Mail and Regular Mail, Postage Pre-Paid, on November 13, 1995 to:
David A. and Patricia A. Bodosky
Box 107, Conneaut Lake,PA 16316

Ronald M. Puntil, Jr., Esq.

Dec. 4, 1995 Memorandum and ORDER filed. AND NOW, December 1, 1995, the defendant's motion to preclude the plaintiffs from introducing expert testimony at trial is granted. The plaintiffs are precluded from introducing any expert testimony at trial as a sanction for continued violation of the discovery rules. BY THE COURT
Grodon R. Miller, P.J.

12-4-95 FAXED & mailed Sekor, mailed pltf & Puntil.

Dec. 8, 1995, Motion for Summary Judgment filed.

Dec. 8, 1995, Upon praecipe of defendant attorney, for argument, this case listed on next argument list.

ON ARGUMENT LIST FOR JANUARY 1996

Jan. 5, 1996 ORDER filed. AND NOW, January 4, 1996, the Court notes that the defendant's msotion for summary judgment is listed for the January 1996 Argument List. It is hereby ordered that there will be no oral argument but that the matter shall be decided on briefs of the parties which said briefs shall be filed with the Prothonotary no later than 4:30 o'clock p.m. on Wednesday,January 31, 1996.
Thereafter the matter shall be ripe for decision by the undersigned Judge.

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

1-5-96 dist. to Pltfs & Puntil

Jan. 4, 1996 CERTIFICATE OF SERVICE filed. I hereby certify that a true and correct copy of the defendant's Motion for Summary Judgment, Brief in Support of Motion for Summary Judgment and Praecipe to Place on the Argument List were served on the Plaintiffs', Mr. and Mrs. Bodosky,P.O.Box 107, Connaut Lake,PA16316 by Certified Mail, Return Receipt Requested. The certified card is attached hereto and marked as EXhibit "A".

Ronald M. Puntil, Jr., Esquire

Continued to Page 342 B

342 3

# 1989



FEb. 13, 1996 JUDGMENT filed. AND NOW, February 12,1996, the defendnt's motion for summary judgment is hereby granted and judgment is entered on behalf of the defendant and against the plaintiffs. Therfore the plaintiffs' action is dismissed.

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

2-14-96 Faxed James A.Wood, mailed Pltfs & Puntil

# 1989

Fuller, kinnunen,
Petruso & Gamble
John D. Petruso

893.

JOYCE A. STEVENS

vs.

DAVID L. STEVENS

Filed Oct. 5, 1989
@ 2:03 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| 2 counts paid | 30.00 |
| Pro Co pd 3/8/90 | 9.00 |
| State pd 3/8/90 | 10.00 |

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION,
CHILD CUSTODY

1 copy (atty)

Oct. 11, 1989, Acceptance of service of Complaint filed. And Now, this 9th of Oct. 1989, and in accordance with Rule of civil procedure 1920.4(e), I hereby accept service of a true and correct copy ofthe complaint in divorce.
David L. Stevens, dft.

Jan. 17, 1990, Affidavit of Consetn Under Section 201(c) of the divorce code filed.

Jan. 23, 1990, Affidavit of Consent of defendant filed.

Mar. 7, 1990 Upon praecipe of Plaintiff Attorney For Review Under §201(c) of the Divorce code, this case moved to court.

Mar. 15, 1990 Order Returning Divorce To Prothonotary filed This is a 201(c) divorce with ancillary counts of equitable distribution and child custody. The requisite 201(c) affidavits are filed and the matter is praeciped to the Court. Together with the praecipe is a proposed final Decree for the Court's signature containing a standard divorce award; ten paragraphs disposing of equitable distribution and an additional paragraph noting that visitaiton and custody are to be in accord with a written agreement dated July 7, 1989, between the parties and incorporated into the divorce decree by reference.
The so called separation, visitation and property settlement agreement does not form part of the record in this case. This Court is reluctant to sign a divorce decree disposing of equitalbe division of marital proper ty and visitation and custody matters without said agreement being made part of the record. Or in the alternative, a statement on the record signed by both parties that they consent to the proposed decree. acknowledging that the marital property and visitation and custody issues are resolved in accord with said decree, and that any proceedings regarding said issues will be litigated under the terms and conditions of said agreement and not as a contempt of a Court order.
We return this divorce to the Prothonotary until this troublesome area is clarified.
Date: March 13, 1990
BY ORDER OF THE COURT,
P. Richard Thomas, P.J.

Mar. 16, 1990 Copy of order put in John Petruso's box.

Mar. 19, 1990 Upon praecipe of Plaintiff Attorney To Associate Separation and Property Settlement Agreement with the Record.

Mar. 21, 1990 **DECREE FILED.**

AND NOW, March 20, 1990, it is hereby ORDERED, ADJUDGED AND DECREED as follows:
1. The marriage heretofore existing between JOYCE A. STEVENS and DAVID L. STEVENS, is hereby dissolved and the parties are hereby divorced and all legal duties, rights and claims of either of the parties to theother pursuant to said marriage are hereby terminated except as hereinafter set forth.
2. A. The Defendant is awarded the following stocks: (1) 65 shares - First National Bank (2) 100 shares - Spectrum Control (3) 100 shares - Allwaste (4) 100 shares - Restaurant Entertainment, Inc. (5) 125 shares - Vineyard Oil and Gas.
B. The Plaintiff is award the following stock: 1 share - Apple Valley Recquect Club
C. The Defendant is further awarded the sum of Two Hundred Fifty-Five ($225.00) Dollars, being a captition gain from Consumer Financial.
D. The Plaintiff shall receive the sum of One Thousand Five Hundred Thirty-Six ($1,536.00) Dollars, being a check from Excelan.
E. In addition, Defendant shall pay to Plaintiff the sum of One Thousand ($1,000.00) Dollars in cash.
F. The parties shall sign any necessary documentation to effect the above transfers.
3. All personal property in the possession of Defendant shall be the sole and separate property of Defendant, and all personal property in the possessionof Plaintiff shall be the sole and separate property of Plaintiff.
4. Defendant is awarded sole and exclusive ownership of his pension plan with First National Bank and in consideration thereof, Defendant shall pay to Plaintiff the sum of Four Thousand ($4,200.00) Dollars in cash.
5. The 1989 Chevrolet automobile is awarded to Defendant and Defendant shall be sonely responsible for any outstanding obligation due and owing on said vehicle and shall indemnify and hold plaintiff harmless from any liability.
6. Plaintiff is awarded the 1988 Nissan automobile and shall be soley responsible for all payments currently owing under a certainlease with Subaru Leasing through July, 1993, and shall indemnify and hold Defendant harmless from any liability.
7. In connection with the transfer of said vehicles, the parties will execute irrevocable special powers of attorney for the purpose of transferring said motor vehicle titles.
8. The parties have sold their residence and after payment of the following debts, including the existing mortgage, reasonable attorneys fees and costs in the approximate sum of Twenty-nine Hundred (29,900.00) Dolalrs, a VISA charge chard with an approximate balance of Three Thousand ($3,000.00) Dollars, a personal loan from Lyle and Virginia Stevens inthe sum of Five Thousand Three Hundred Twenty-Four (5,324.00) Dollars, and repayment of a Metropolitan Life Insurance loan of Three Thousand Two Hundred Thirty ($3,230.00) Dollars; the remaining balance of approximately Eighteen Thousand Three Hundred Forty-six ($18,346.00) Dollars will be divided equally between the parties.
9. Defendant shall provide Blue Cross/Blue Shield, Major Medical, or equivalent coverage for the children of the parties through his current employment paln, for so long as he is obligated to contribute to their support, and also agrees to be solely responsible for the deductible amount under said plan.
10. Defendant shall be responsible for seventy-five (75%) percent and Plaintiff shall be responsible for twenty-five (25%) percent for any non-covered or uninsured medical, dental or optical expenses of the children.

Continued on page 616

SEE Vol. 3

# 1989

Gary A. Fabian
Fuller, Kinnunen,
Petruso & Gamble

894.

pro se

ANDY MOLNAR, d/b/a
ANDY MOLNAR'S TIRE SERVICE-
SHORTY'S GARAGE

vs.

DONALD WILSON d/b/a
TAW TRUCKING

Filed Oct. 5, 1989
@ 3:20 p.m.

Tax & entry Paid $50.50 ✓
Sheriff's Costs 20.00
Pro co Pd. 3/13/90 5.00✓

COMPLAINT

1 copy (atty)

Oct. 25, 1989, Answer filed. 1 copy (dft)

Oct 30, 1989 Sheriff's Return filed: SERVED Donald Wilson d/b/a TAW Trucking on October 10, 1989 at 2:15 P.M. by handing copy of Complaint to Kim Gebhardt, Secretary at place of business, 340 Main St., Saegertown, Crawford Co., Pa.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Dec 29. 1989 Motion for Judgment on the Pleadings filed.

Dec 29, 1989 Upon Praecipe of Plaintiffs' Attorney this case is placed on the Argument List

ON JANUARY 1990 ARGUMENT LIST

Mar. 9, 1990, Upon praecipe of plaintiff attorney, the above captioned action is marked settled and discontinued of record.

# 1989

Pope, Pope and Drayer
Henry Ray Pope III

895.

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

FIRST UNITED NATIONAL BANK

vs.

HERMAN HORSTMAN AND DELORES HORSTMAN

Filed Oct. 6, 1989
@ 11:19 a.m.

Tax & entry paid $50.50 ✓

Sheriff's Costs 25.00
Pro Co 10/17/90 9.00 ✓
Pro Co Pd 11-30-90 5.00

COMPLAINT IN MORTGAGE FORECLOSURE

2 copies (sheriff)

Oct. 20, 1989, Appearance of Plate, Shapira, Hutzelman, Berlin, May Walsh and Brabender, by Stephen H. Hutzelman, attorneys for defendants, filed.

Oct. 20, 1989, Preliminary Objections filed.

Oct. 30, 1989 Amended Complaint In Mortgage Foreclosure filed.

Oct 30, 1989 Sheriff's Return filed: I accept service of the AD 1989-895 on behalf of Herman Horstman and certify that I am authorized to do so.
10-9-89 Dolores Horstman, authorized agent
Served Delores Horstman personally on October 9, 1989 at 3:23 P.M. by handing copy of Complaint to her at Sheriff's Office, Crawford County Courthouse, Meadville, Pa.
SERVED Herman Horstman on October 9, 1989 at 3:24 P.M. by serving his authorized agent, Delores Horstman, at Sheriff's Office, Crawford County Courthouse, Meadville, Pa. The signed acceptance of service is attached.
So answers, Catherine I. Allen, Deputy Sheriff
Howard N. Stewart, Sheriff

Nov. 15, 1989 Answer filed.

Nov. 15, 1989 Preliminary Objections filed.

Dec. 11, 1989, Praecipe to Place Case on Next Trial List filed.

Dec. 11, 1989, Certificate of REadiness filed.

ON CIVIL TRIAL LIST FOR FEBRUARY 1990.

Jan 31, 1990 Order filed: AND NOW, January 29, 1990, trial in this nonjury case is set for February 20, 1990, at 1:30 p.m. in Courtroom No. 1.
BY ORDER OF THE COURT
P. Richard Thomas, P.J.
Feb 5, 1990 Copies of order mailed to Attys Pope and Hutzelman.

And Now, Feb. 21, 1990 at 3:18 p.m., upon STIPULATION AGREED TO BY PARTIES, Judgment is hereby entered in favor of plaintiff and against the defendants in the amount of One Hundred Nineteen Thousand, Five Hundred Ninety Seven and 00/100 Dolalrs; interest accruing at 13¼% per annum on unpaid prin. balance. (see paper filed for int. fees etc. included)
Judgment entered 2/21/90
H - 84, 44

Debt -- $119,597.00

Int. at 13¼ per annum
James F. Simmons,
Prothonotary

EX/990 - 29

**Nov 30, 1990 Upon Praecipe of Plaintiff's Attorney, this judgment is marked satisfied. (see paper filed)**

# 1989

Pope, Pope and Drayer
Henry Ray Pope III

896.

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

FIRST UNITED NATIONAL BANK

vs.

HERMAN HORSTMAN AND
DELORES HORSTMAN

Filed Oct. 6, 1989
@ 11:24 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 ✓ |
| Sheriff's costs | 25.00 |
| Pro Co Pd 11-30-90 | 5.00 ✓ |

COMPLAINT

2 copies (sheriff)

Oct. 20, 1989, Appearance of Plate, Shapira, Hutzelman, Berlin, May Walsh and Brabender, by Stephen H. Hutzelman, attorneys for defendants filed.

Oct. 20, 1989, Preliminary Objections filed.

Oct. 30, 1989 Amended Complaint filed.

Oct 30, 1989 Sheriff's Return filed: I accept service of the AD 1989-896 on behalf of Herman Horstman and certify that I am authorized to do so.
10-9-89 Dolores Horstman
SERVED Delores Horstman personally on October 8, 1989 at 3:25 P.M. by handing copy of Complaint to her at Sheriff's Office, Crawford County Courthouse, Meadville, Pa 16335.
SERVED Herman Horstman on October 9, 1989 at 3:26 p.m. by serving his authorized agent, Delores Horstman, at Sheriff's Office, Crawford Co. Courthouse, Meadville, Pa. The signed Acceptance of Service attached.
So answers, Catherine I. Allen, Deputy Sheriff
Howard N. Stewart, Sheriff

Sept 12, 1990, AMENDED Complaint filed.

Sept. 26, 1990, Motion to Extend the Time to File An Amended Complaint, Certificate of Service, and Order of court filed. ORDER: AND NOW, this 26 dayof Sept. 1990, upon consideration of the within motion, the prayer thereof is granted and the plaintiff is extended a period of ten (10) days from the date of this order to file its Amended Complaint
1 copy (atty) BY THE COURT,
P. Richard Thomas, S.J.

Sept. 27, 1990, copies of order to Attys .Pope and S. Hutzelman.

Oct. 1, 1990 Second Amended Complaint filed.

Oct. 17, 1990 Preliminary Objections to Second Amended Complaint filed.

Oct. 26, 1990, UPon praecipe of plaintiff attorney, preliminary objections placed on next argument list.

Oct. 26, 1990 Certificate of Service of praecipe and brief filed.

ON NOVEMBER 1990 ARGUMENT LIST

Nov 30, 1990 Upon Praecipe of Plaintiff's attorney, this case is marked settled and discontinued of record, with prejudice.

# 1989

Jack, Kookogey &
Felton
John S. Kookogey

897.

CHARLES W. SMITH AND RUTH J. SMITH, HIS WIFE, AND CABOT & GAS CORPORATION

vs.

SIMEON LOONEY, HIS HEIRS AND ASSIGNS

Filed Oct. 6, 1989
@ 11:45 a.m.

Tax & Entry paid $50.50 ✓
Pro Co pd 12/20/89 9.00 ✓

COMPLAINT - ACTION TO QUIET TITLE

Oct. 9, 1989 Affidavit, Motion For Leave To Serve By Publication and Order filed. AND NOW, Oct. 6, 1989, on motion of John S. Kookogey, Attorney for Plaintiffs in the above-captioned matter, leave is hereby granted to serve SIMEON LOONEY and his heirs, personal representatives, and assigns, generally, Defendants in said Action, by publication of a notice of the facts set forth in the Complaint in the Titusville Herald a newspaper of general circulation, one (1) time and requiring the said Defendants to plead within twenty (20) days from last date of publication thereof.

PER CURIAM,
P R Thomas

Oct. 11, 1989 copy of order mailed to John Kookogey

Nov. 15, 1989 Affidavit, Motion for Judgment and Order filed. AND NOW, this 15 day of Nov., 1989, upon presentation of the foregoing motion and due consideration thereof, it is hereby ORDERED AND DECRRED that the defendant, Simeon Lonney, and his heirs, personal representatives, and assigns, are forever barred from asserting any right, title, lien or interest inconsistent with the claim of the Plaintiffs, as set forth in the Complaint in this case, of, in or any way attacking the title of th ePlaintiffs in said property; from issuing or conveying the same or any part thereof; unless the Defendant, Simeon Looney, and his heris, per sonal representatives, and assigns, take such action as is herein directed within thirty (30) days after the entry of this judgment. It if further ORDERED AND DECREED that if no Petition to open this judgment or set aside this Decree is presented by the defendnat, Simeon Looney, andhis heirs, personal representatives, and assigns, within thirty (30) days from and after the entry of this Decree, the same shall be final. If such action is not taken within said thirty day period, the Prothonotary, on praecipe of the Plaintiffs, shall enter judgment.

PER CURIAM,
P. Richard Thomas, J

Nov. 15, 1989 copy of order mailed to John Kookogey

And now, Dec. 19, 1989 at 11:19 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.

L-153

FINAL JUDGMENT
James F. Simmons
Prothonotary

Brian J. Lindsay
Barbara J. Walton
Fuller, Kinnunen,
Petruso & Gamble
Victor J. Kinnunen

898.

William J.Courtney
Terry A. Toomey

~~James R. Irwin~~ withdrawn

EUGENE G. LOVEN

vs.

JENNIFER L. LOVEN

Bruce Smith, Mediator 247.57
Pro Co pd 9-22-95 9.00

Filed Oct. 6, 1989
@ 11:54 a.m.

Tax & entry paid $50.50 ✓
2 counts paid 30.00 ✓
Pro Co Rd 3/21/90- #9.00 ✓
State Rd 3/21/90- #10.00
Pro Co. pd 7/1/91 9.00 ✓
Pro Co pd 5-2-93 9.00 ✓

Bruce Smith, Mediator 236.75
Pro Co 9.00

7/1/91 Recd $136.06 From Plaintiff

7/1/91 Recd. $136.06 From Defendant.

Aug 1, 1991 paid Co. Comm. $139.06

Aug. 1, 1991 paid Co. Comm $139.06

2-19-93 Received from Plff Med. dep. 150.00

4-29-93 Pd Plff Bal Med Dep Ck# 7514 22.62

5-20-93 Pd Cl. Com. mediation fees Ck# 7559 118.38

10-15-93 Rec from Plff 123.78 Med fees

10-26-93 Pd Co Med Fee Ck# 7874 123.29

1-21-94 Rec from Dept Med Fees $341.67

3-22-94 Pd Co #8179 341.67

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
CUSTODY

1 copy (atty)

Oct. 19, 1989, Acceptance of Service filed. Terry A. Toomey, Esq. 307½ Chestnut St, Meadville, Pa. hereby accepts service of a true and correct copy of the complaint in divorce filed in the above captioned proceeding. Terry A. Toomey, atty. for dft.

Feb. 8, 1990, Motion to Enter Agreement and Order filed. ORDER: AND NOW, Feb. 8, 1990 upon consideration of the within motion, the agreement dated August 31, 1989 between Eugene G. Loven husband, and Jeffifer L. Loven, wife, is hereby entered as an order of court, in its entirety.

P. Richard Thomas, Judge

Feb. 13, 1990 copy of order to V. Kinnunen and T. Toomey.

Feb. 8, 1990 Petition to Have Respondent Held in Contempt for failure to comply with custody and visitation order, and order filed. NOTICE AND ORDER TO APPEAR: TO: Jeffifer L. Loven, Terry A. Toomey, Joan D. Mason, Esq. Legal proceedings have been brought against you alleging you have willfully disobeyed an order of curt for cusotdy and 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 and objections.

Whether or not you file in writing with the court your defenses or objections, you must appear in person in Court on Feb. 28, 1990 at 2:00 p.m. in C. R. No. 2 at the Crawford County Court House, Meadville, Pa.

If you do not appear in person, the court may issue a warrant for your arrest.

If the court finds that you have willfully failed to comply with its order for custody and visitation, you may be found to be in contempt if court and committed tto 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, goto or telephone the office set forth below to find out where you can get legal help.

Fuller, Kinnunen, Petruso & Gamble and Crawford County Bar Assoc. Ser. to Public Comm.
(see paper filed for addresses and phone numbers)

BY THE COURT,
Dated: Feb. 8, 1990 P. Richard Thomas, Judge

Feb. 13, 1990 copies to T. Toomey and V. Kinnunen attys.

Mar. 5, 1990 Stipulation and Consent Custody Order filed. AND NOW, this 5th day of March, 1990, the court orders as follows:

1. The parties hereto shall share legal custody of their two minor children, russell E. Loven, born July 4, 1984, and Hope E. Loven, born December 9, 1987.

2. In regard to any emergency decisions that must be made, the parent having physical custody of the child at the time of the emergency shall be permitted to make any immediate decisions necessitated by the emergency. However, that parent shallimmediately inform th eother parent of the emergency and consult with him or her regarding the emergency.

3. Each parent shall be entitled to complete and full information from any doctor, dentist, teachor authority, and shallhave copies of any reports given to either party as a parent. These documents shall include, but not be limited to, medical reports, report cards, birth certificates and baptismal certificates.

4. Primary physical custody of the children shall be with their mohter, Jennifer L. Loven, with father to have temporary physical custody of the chidlren as follows:

a. Every other weekend beginning with the weekend of March 1st and 2, 1990, from Thursday at 8:00 a.m. until Friday at 5:00 p.m.; and

b. Every other weekend beginning with the weekend of March 8th through 11, 1990, from 8:00 a.m. Thursday morning until noonon Sunday.

c. Father shall have the right to pick either or both of the children up from the YMCA daycare, if either or both of the children are attending the daycare during the time set forth above, as the times that father shall have temporary custody, and at such additional times as he and mother shall agree. At the present time, on her way to work, the mother shall deliver daughter Hope to father's home at 8:00 a.m. each Thursday, in accordance with the above schedule. On those Fridays when father's temporary custody ends at 5:00 p.m., mother shall pick the children up from the home of the father by 5:00 p.m.

d. Physical custody of the children shall be alternated during the following holidays, with the hours to be from 9:00 a.m. to 7:00 p.m., unless specified otherwise below:

(1) Thanksgiving Day; (2) Christmas Eve, from 3:00 p.m. December 24th at 11:00 a.m. December 25th; (3) Christmas Day from 11:00 a.m. December 25th to 11:00 a.m. December 26th; (4) New Year's Day; (5) Easter Sunday; (6) Memorial Day; (7) Labor Day.

e. For the children's birthdays, July 4th and December 9th, father shall have the children from 9:00 a.m. until 2:00 p.m., and mother shallhave the children from 2:00 p.m. until 7:00 p.m.

f. In regard to holidays and the children's birthdays, the above schedule shall prevail, regardless of which parent would otherwise ahve had custody ofthe children.

g. Father shallhave the right to have the children in h is temporary custody during two separate two week periods each summer, said two week periods to be separated by at least one week, and said two week periods to be proceded by not less than thirty (30) days advance written notice form father to mother.

h. Each parent shall promptly and in a timely manner notify the other parent in writing, concerning travel plans, travel arrangements and destinations and itinerary, and any delays which may occur in regard to said travel plans. Travel shall be defined as traveling any distance more than fifty (50) miles from the home of the parent, or any stay away from h ome for over a three day period even if under fifty (50) miles away from the home of the parent who has the chidlren at the time.

5. In the event that either parent is scheduled to hav ecustody of the children, and is unable to watchthem or be with them personally, said parent shall have the option to contact the parent who is not scheduled to have custody of the children at the time, and go offer him or her the opportunity to have the children for a given and set period of time. If the parent not scheduled to have custody of the children at that time is unavailable or unwilling to assume responsilibility of the children for whatever reason, and chooses not to avail himself or herself of said extra time, the parent scheduled to hav ecustody of the chidlren at the time shallhave the responsibility to arrange for alternate child care at his or her own expense.

Continued on the next page

Eugene G. Loven

vs.

Jennifer L. Loven

Continued from page 348

of record

A.D. 1989 - 898

**********

6. Any changes in the above custody schedule shall be requested in writing two weeks beforehand (thirty days beforehand, if relating to summer extended visits). The mother notes that she may intend to take visits out of state, including possible trips to her relatives who live out of state, and the parties understand that she will make all efforts to comply with this notice requirement to allows father to know when she intends to travel out of state. On those occasions when she travels out of state, she willhave the option/right to have the children with her.

7. Neither party shall call the parent having custody of the chidlren, whether to speak to the parent or to the children, except for matters of extreme emergency. this provisions is made for the purpose of allowing each parent to have uninterrupted time with children. However, the chidlren shall be allowed to call the other parent if either child desires to do so, of his or her own free will. In no event shall either parent coerce or encourage the children to place calls while inthe custody of the other parent. Neither parent os to plan interaction with the children, nor to go to places where the children are known to be, when the other parent has physical custody as set forthin detail above.

8. Neither parent is to consume alcoholic beverages nor to expose the chidlren to others who are doing so, while having physical custody of the children.

9. At father's request, mother will provide at her own expense diapers for daughter Hope, for those times that father has Hope in his temporary physical custody.

BY THE COURT,
Gordon R. Miller, J

Mar. 6, 1990 Copy mailed to Victor Kinnunen and copies put in Terry Toomey and Joan Mason's box.

March 6, 1990 Affidavit of Consent of Defendant filed.

March 20, 1990 Affidavit of Consent of Plaintiff filed.

March 20, 1990 Upon Praecipe of Plaintiff Attorney For Review Under Section 201(c) of Divorce Code, this case is moved to Court.

**Mar. 27, 1990 DIVORCE DECREE FILED.**

**AND NOW, March 27, 1990, it is ordered and decreed that Eugene G. Loven, plaintiff, and Jennifer L. Loven, defendant, are divorced fromthe bonds of matrimony.**

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

April 19, 1991 Petition to Modify Custody filed.

April 19, 1991 Order filed: AND NOW, this 19 day of April, 1991, it is ordered that all parties in the above captioned case and their counsel shall appear for a mediation conference before the Mediator, Bruce Smith, at a time to be set by the Mediator in the Crawford County Courthouse with the Child Custody Mediator as Required by Rule 31(e) of the Court of Common Pleas of Crawford 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,
P. Richard Thomas, S.J.

April 19, 1991 Copies of order put in Attys. Irwin, Mason and Toomey's box and copies mailed to Attys. Smith and Kinnunen.

June 10, 1991 **TEMPORARY ORDER OF COURT** filed. AND NOW, this 10th day of June, 1991, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Russell Loven, age six, born July 4, 1984, and Hope Loven, age three, born December 9, 1987, the parties to this action, shall share legal custody of the said minor children. Said joint legal custody being shared shall entitle both of the parents to equal access to any records relating to the children held by a third party, including, but not limited to, school and medical records, and shall also entitle both parents to equal input with regard to the educational and religious upbringing of the children, as well as to elective surgery. School reports in the nature of report cards shall be photocopied and supplied by mail by the primary custodial parent to the non-primary custodial parent within three days of receipt.

2. Physical custody of the children shall remain with the natural mother, Jennifer L. Loven. She shall be permitted to relocate with the children to 154 W. Hanover Street, Randolph New Jersey, where she sall occupy the second floor of her parents' home (William and Nancy Moore). Temporary physical custody of the minor children shall be with the father as follows:

a. The children shall visit in the home of the natural father as early as possible on the second full day after the Christmas school recess begins until Janualry 1 each year.

b. The children shall visit in the father's home beginning the third day after school has recessed each summer until three days before school resumes each fall.

c. The children shall be available to the father to be picked up at their home at 154 W. Hanover Street, Randolph, New Jersey, or any other residence the mother establishes in northern New Jersey for whatever period of time the father is visiting in northern New Jersey upon written or telephone notice of forty-eight (48) hours. The mother's telephone number in New Jersey shall be provided to the father within three days of receiving it. If the father has appropriate accommodations while visiting in New Jersey, he shall be permitted overnight visitation with the children for his entire visit in northern New Jersey, not to exceed one full seven-day week.

d. The mother shall deliver and pick up the children from the father's residence. The father shall be responsible for paying the mother 20¢ per mile for travel one way for each pick up and drop off, plus one-half of the actual cost of fuel.

e. Any failure of the mother not to keep a shceduled visitation period for the father with the children shall entitle the father to file for additional Mediation and requirethe mother and the children to return to Crawford County for additional Mediation.

3. The parent having custody of the children at anytime shall notify the other parent as soon possible in the event of injury 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 detrmental to their development or to the development of their character or which would be commonly thought of as dangerous to their physical persons.

Continued on page 348B

348
B

1989

Continued from page 348A Eugene G. Loven vs. Jennifer L. Loven A.D. 1989 - 898

5. The parents are encouraged to di scuss arrangements for physical custody of the children; and, if the parties mutually agree to alternative arrangements to accommodate themselves 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. This paragraph shall not be interpreted to allow the mothe to modify the father's summer visitation in anyway without his full consent and approval.

6. Each of the parents shall teach the children to develop and express that natural love and respect due a parent from his or her children, and neither parent will do or say anything to blacken the character of the other parent in the eyes of the children. This admonition shall extend to the children's grandparents.

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 one the children resides in the Court's jurisdiction and for at least six months from the date of this Temporary Order.

9. The fee for Child Custody Mediation shall be paid 50% by the father and 50% by the mother.

10. This Order shall be a Temporary Order, but shall become a permanent Order unless exceptions are filed by either party within thirty days from the date of this Temporary Order.

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

June 17, 1991 copies to Atty. Kirkpatarick, Atty J. Irwin, Atty. Bruce Smith, Dft. and Plf.

July 29, 1991 Petition for Emergency Amendment of Custody Order filed.

July 29, 1991 Order filed: AND NOW, July 29, 1991, upon presentation of the within petition for emergency amendment of custody order a rule to show cause is granted and directed to the plaintiff-respondent to show cause if any he has why the prayer of the petition should not be granted. Said rule is returnable for hearing and argument on Thursday, August 1, 1991 at 12:00 noon in Courtroom No. 2 of the Crawford County Courthouse.

A true and correct copy of this petition shall be served upon the plaintiff and his counsel before the close of business this day.

In the meantime Russell Loven shall be permitted to remain with his mother, the defendant-petitioner, until further order of court,

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

2 copies (atty)

July 30, 1991 Affidavit of Service filed. I, Laurie A. Black, being an adult individual, do her eby verify that I personally served a true and correct copy of the Order dated July 29, 1991 upon the above named Plaintiff at his home address of 278 Walnut Street, Meadville, Pennsylvania on July 29, 1991 at 4:30 o'clock p.m.

Laurie A. Black

Aug. 2, 1991 Order filed. AND NOW, August 1, 1991, the Court finds as a fact that Russell Loven purposefully waited for his father to go to sleep and left home on a least three (3) occasion that the father did not know about. Therefore, some of the fault in this case lies with the seven (7) year old child. The Court also finds as a fact the father knew about this on at least the last occasion and did not take as fas as this record shows any appropriate steps to stop that other than telling the child not to do it. The father is given one final opportunity to control this child and make sure this child is safe during evening and nighttime hours. At this point the Court does not believe that it should deprive the father of his strong right of visitation but to give the father one final opportunity to make sure this child is secure.

Accordingly, it is ORDERED as follows:

1. The petition for emergency amendment of the custody Order is denied.

2. The child shall remain with the mother until 9:00 o'clock a.m. on Saturday, August 3, 1991 at which time she shall return the child to the father for the father to resume the visitation rights he has under the temporary Order of June 10, 1991. Provided, however, in the meantime, the father takes appropriate steps to make certain that the child cannot get out of the house unless in the company of the father after 8:00 o'clock p.m. The father shall make arrangements to secure his home an dto have another adult remain in theh one from at least 8:00 o'clock p.m. until 1:00 a.m. so that should the father go to sleep or not be able to hear the child, there will be another adult there to make certain the child does not leave the home.

The father shall disclose the identity of that person to the motehr and the motehr shall determine whether or not said person is acceptable. In the event that the mother finds persons unacceptable, the father may have the right to have those persons reviewed and intereviewed by a caseworker at Children & Youth Services to override the mother's veto of that person.

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

Aug. 2, 1991 Copies of order put in box for Atty.'s Kirkpatrick and Irwin

July 15, 1992 Appearance of Barbara J. Walton, Esq. for Defendant (Eugene G. Loven) filed.

July 15, 1992 Petition For Contempt filed.

July 15, 1992 Motion For Hearing and Order filed. And now, July 14, 1992 Hearing on the above motion set for July 29, 1992 at 10:30 a.m. A true and correct copy of this Petition and order shall be served on plaintiff's counsel forthwith.

Gordon R. Miller, J

July 15, 1992 Copies of order put in box for atty's Walton and Irwin

July 21, 1992 Petition to Modify Custody and Order Filed. AND NOW, this 20 day of July, 1992, upon consideration of the within Petition to MOdify Custody, a Rule is granted upon Respondent, Eugene G. Loven, to show cause why the relief requested in said Petition should not be granted.

RULE RETURNABLE, with hearing thereon on the 29th day of July, 1992, at 10:30 a.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville,Pennsylvania.

BY THE COURT:
Gordon R. Miller, J.

July 23, 1992 Copy of the Order to Attys. Kirkpatrick, Walton, Irwin, Smith, Kinnunen, Plft. & Deft.

July 27, 1992 Answer and Crosspetition to Modify and Order filed. AND NOW, this 27th day of July, 1992, upon consideration of the within Petition to Modify Custody, a Rule is granted upon Petitioner Jennifer L. Loven, to show cause why the relief requested in said Petition should not be granted.

RULE RETURNABLE, with hearing thereon on the 29 day of July, 1992, at 10:30 a.m. in Courtroom No. 1 or 2 or the Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT:
Gordon R.Miller, J.

July 27, 1992 Copy of the Order to Attys. Kirkpatrick, Walton, Irwin, Smith, Kinnunen, Plft. & Deft.

July 27, 1992 Withdrawal of Appearance of Mary Ann Kirkpatrick for Defendant, filed.

August 3, 1992 Order filed. AND NOW, July 29, 1992 after a formal hearing on the plaintiff's petition to hold the defendant in contempt, on the defendant's petition to modify, and on the plaintiff's cross petition to modify it is ordered as follows:

a. 1. The Court finds that the defendant did not comply with the prior order but was acting reasonably and not willfully and therefore dismisses the contempt petition.

CONTINUED OF RECORD TO PAGE 348 C

2. The cross petitions to modify are granted in part and denied inpart as hereinafter provided.

3. The defendant denied the plaintiff a portion of his summer 1992 visitations. Accordingly, the defendant shall deliver the children to the plaintiff no later than 7:00 o'clock p.m. this date and the children shall remain with their father until 6:00 o'clock p.m. on Friday, August 28, 1992 when they shall be picked up by their mother, at her expense.and returned to her custody.

4. The natural parents of Russell Loven, age eight, born July 4, 1984, and Hope Loven, age four, born December 9, 1987, the parties to this action, shall share legal custody of said minor children. Said joint legal custody being shared shall entitle both of t he 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 elective surgery. School reports in the nature of report cards shall be photocopied and supplied by mail by the primary custodial parent to the non-primary custodial parent within three days of receipt.

5. Physical custody of the childrenshall remian with the natural mother,Jennifer L. Loven. She shall be permitted to reside with them in Randolph, New Jersey,where she shall occupy the second floor of her parents' home. Temporary physical custody of the minor children shall be with t he father as follows:

a. The second weekend of each month for the months of September through June of each year between 6:00 o'clock p.m. on Sunday evening. For this purpose the first weekend of each month shall be the first weekend where Saturday and Sunday occur inthe same month. The father shall pay the full cost of transportation for these weekend visitations. However, in order to exercise these visitations he shall give the mother at least five (5) days advance notice verbablly or in writing.

b. In even numbered years,starting with 1992 the children shall be with the father from 12:00 o'clock noon on December 24th (or one hour after school recesses if the children are in school on December 24th) until 8:00 o'clock p.m. on December 27th with the right of the mother to have one telephone conversation with her children on Christmas Day. In odd numbered years starting with 1993 the childrenshall be with their father from 6:00 o'clock p.m. on December 27th until 12:00 noon the day before school recommences after the Christmas break. The party receiving the children shall be responsible for providing transportation and shall bear the full cost of that transportation.

c. During the summer recess from school beginning at noon on the third day after school recesses until 6:00 o'clock p.m. on the third day before school resumes in the fall. The defendant shall provide transportation to and from the summer visitations but the plaintiff shall pay the cost of one round trip which is estimated to be in the amount of$85.00. The plaintiff shall pay $85.00 to the defendant seven (7) days prior to the trip in June. If the plaintiff fails to pay the defendant, the summer visitations shall still occur and the defendant may take whatever action is necessary to enforce compliance with this payment provision. During the summer visitations with the father the mother shall have the right to take the children for one weekend, that is the weekend before the second full week in August, starting at 6:00 o'clock p.m. onFriday and ending at 6:00 o'clock p.m. on Sunday. The cost of transportation for that weekend visit shall be borne in full by the defendant.

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

7. Neither parent shall take the children into any environment which might be commonly thought of as detrimental to their character or which would be commonly thought of as dangerous to their physical, emotion or moral wellbeing.

8. The parents are encouraged to discuss arrangements for physical custody of the children; and, if the parties mutually agree to alternative arrangements to accomodate themselves 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. This paragraph shall not be interpreted to allow the mother to modify the father's summer visitation in anyway without his full consent and approval.

9. Each of the parents shall teach the children to develop and express that natural love and respect due a parent from his or her children, and neither parent will do or say anything to blacken the character of the other parent in the eyes of the children. This admonition shall extend the children's grandparents.

10. 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.

11. The Court of Common Pleas of CrawfordCounty, Pennsyvania, shall retain jurisdiction of this matter so long as either of the parents or one of the children resides in theCourt's jurisdiction.

12. The father shall take the necessary steps to make certain that the children, especially Russell, remain in his house of residence overnight so that they will not secretly leave unless they are spending the night with a responsible, competent adult, such as in the home of a friend and his/her parents.

13. The father shall not consumer alcoholic beverages or intoxicating liquors while the children are in his presence and in his custody.

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

Aug. 3, 1992 Copy of the Order to JamesR.Irwin, Esq. and Barbara Walton, Esq., Victor Kinnunen, Esq., Terry Toomey, Esq. Bruce Smith, Esq. Plft.& Deft. Atty. Kirkpatrick.

Aug. 19, 1992 Amended Order filed. AND NOW, August 18, 1992, the Order of July 29, 1992 is amended to correct certain errors. After a formal hearin gon the defendant's petition to hold the plaintiff in contempt, on the defendant's petition to modify, and on the plaintiff's cross petition to modify it is ordered as follows:

1. The Court finds that the plaintiff did not comply with the prior order but was acting reasonably and not willfully and therefore dismisses the ocntempt petition.

2. The cross petitions to modify are granted in part and denied in part as herien after provided.

3. The Plaintiff denied the defendant a portion of his summer 1992 visitations. Accordingly, the plaintiff shall deliver the children to the defendant no later than 7:00 o'clock p.m. this date and the children shall remain with their father until 6:00 o'clock p.m. on Friday, August 28, 1992 when they shall be picked up by their mother, at her expense and returned to her custoyd.

4. The natural parents of Russell Loven, age eight, born July 4, 1984, and Hope Loven, age four, born December 9, 1987, the parties to this action, shall legal custody of the said minor childrne. Said joint legal custody being shared shall entitle both of the parents to equal access to any records relating to the chidlren 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 educationa and religious upbringing of the chidlren, as well as to elective surgery. School reports in the nature of report cards shall be photocopied and supplied by mail by the primary custodial parent to the non-primary custodial praent within three days of rciept.

5. Physical custoyd of the children shall remain with the natural mother, Jennifer L. Loven. She shall be permitted to reside with them in Randolph, New Jersey, where she shall occopy the second floor of her parents' home. Temporary physical custody of the minor children shall be with the father as follows:

a. The second weekend of each month for the months of September through June of each year between 6:00 o'clock p.m. on Friday evening to 6:00 o'clock p.m. on Sunday evening. For this purpose the first weekend of each month shall be the first weekend where Saturday and Sunday occur in the same month. The father shall pay the full cost of transportation for these weeked vistiations. Howevery, in order to exercise these visitations he shall give the mother at least five (5) days advance notice verbally or in writing.

b. In even numbered years, starting with 1992 the children shall be with the father from 12:00 o'clock noon on December 24th (or one hours after school recessess if the chidlren are in school on December 24th) until 8:00 o'clock p.m. on December 27th with the right ofthe mother to have one telephone conversation with her childrenon Christmas Day. In odd numbered years starting with 1993 the children shall be with their father from 6:00 o'clock p.m. on December 27th until 12:00 noon the day before school recommences after the Christmas break. The party receiving the children shall be for providing transportation and shall bear the full cost of that transportation.

c. During the summer recess from school beginning at noon on the third day after school recessess until 6:00 o'clock p.m. on the third day before school resumes in the fall. The defendant shall provide transportation to and from the summer visitations but the plaintiff shall pay the cost of one round trip which is estimated to be in the amount of $85.00. The plaintiff shall pay $85.00 to the defendnat seven (7) days prior to the trip in June. If the plaintiff fails to pay the defendant, the summer visitations shall still occur and the defendant may take whatever action is necessary to enforce compliance with this payment provision. During the summer visitations with the father the mother shallhave the right to take the childrne for one weekend, that is the weekend before the second full week in August, starting at 6:00 o'clock p.m. on Friday and ending at 6:00 o'clock p.m. on Sunday. The cost of transportation for that weekend visit shall be forne in full by the defendant.

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

7. Neither parent shall takethe children into any environment which might be commonly throught of as detrimental to their development or to the development of their character or which would be commonl thought of as dangerous to their physical, emoitonal or moral wellbeing.

8. the parents are encouraged to discuss arrangements for physical custody of the children; and, if the parties mutually agree to alternative arrangements to accommodate themselves and/or the chidlren's schedules, they may adjust thephysical custody arrangements accordingly and are encouraged to do so by mutual consent and agreement. This paragraph shall not be interpreted to allow them other to modify the father's summer visitation in anyway without his full consent and approval.

9. Each of the parents shall teach the children to develop and express that natural love and respect due a parent from his or her children, and neither parent will do or say anything to blacken the character ofthe other parent in the eyes of the childrne. This admonition shall extend to the children's grandparents.

10. This Order shall not prejudice the irhgt of either party to request further Mediation if there are changed circumstances in the lives of the parties or the children or inthe event that the bestinterest of the children would be served by further Mediation.

11. The Court of Common Pleas of Crawford County, Pennsylvania, shall retain jurisdiction of this matter so long as either of the parents or one of the children resides in the Court's jurisdiction.

12. The father shal ltake the necessary steps to make certain that the children, especially Russell, remain in his house of residence overnight so that they willnot secretly leave unless they are spending the night with a responsible, competent adult, such as in the home of a friend and his/her parents.

13. The father shall not consume alcoholic beverages or intoxicating liquors while the chidlren are in his presence and in his cusotdy.

BY ORDER OF COURT,
Gordon R. Miller, J

Aug. 20, 1992 Copies of order put in box for atty's Irwin and Walton

Aug. 28, 1992 Second Amended Order filed. AND NOW,August 26, 1992, the original Order of July 19, 1992 and the amended Order of August 18, 1992 are both amednded to correct certain errors wherein we made reference to the plaintiff and defendant. This case was originally filed by Eugene G.Lovenas a plaintiff against Jennifer L. Loven as a defendant. All motions and orders carried the correct caption until one of the parties filed a petition or motion and reversed the names of the parties. Therefore after the names have been incorrectly reversed as a result of which this Court may have referred to the parties, individually, by the wrong label in the Orders of July 29, 1992 andAugust 18, 1992. We now correct those Orders and this caption.

After a formal hearing on the plaintiff's petition to hold the defendant in contempt, on the defendant's petition to modify, and on the plaintiff' cross petition to modify it is ordered as follows:

1. The Court finds that the defendant-mother did not comply with the prior order but was acting reasonably and not willfully ad therefore dismisses the contempt petition.

2. The cross petitions to modify are granted in part and denied in part as hereinafter provided.

3. The defendant denied the plaintiff-father a portion of his summer 1992 visitations. Acccordingly, the mother shall deliver the children to the father no later than 7:00 o'clock p.m. this date and the children shall remain with their mother, at her expense, and returned to her custody.

4. The natural parents of Russell Loven, age eight, born July 4, 1984, and Hope Loven, age four, born December 9, 1987, the parties to this action, shall share legal custody of the said minor children. Said joint legal custody being shared shall entitle both of the parents to equal access to any records relating to the children held by a third party, including, but not limited to, school and medical records, and shall also entitle both parents to equal input with regard to the educational and religious upbringing of the children, as well as to electrive surgery. School reports in the nature of report cards shall be photocopied and supplied by mail by the primary custodial parent to the non-primary custodial parent within three days of receipt.

5. Physical custody of the children shall remain with the natural mother, Jennifer L. Loven. She shall be permitted to reside with them in Randolph, New Jersey,where she shall occupy the second floor of her parents' home. Temporary physical custody of the minor children shall be with the father as follows:

a. The second weekend of each month for the months of September through June of each year between 6:00 o'clock p.m. on Friday evening to 6:00 o'clock p.m. on Sunday evening. For this purpose the first weekend of each month shall be the first weekend where Saturday and Sunday occur in the same month. The father shall pay the full cost of transportation for these weekend visitations. However, in order to exercise these visitations he shall give the mother at least five (5) days advance notice verbally or in writing.

b. In even numbered years, starting with 1992 the children shall be with the father from 12:00 o'clock noon on December 24th (or one hour after school recesses if the children are in school on December 24th) until 8:00 o'clock p.m. on December 27th with the right of the mother to have one telephone conversation with her children on Christmas Day. In odd numbered years starting with 1993 the children shall be with their father from 6:00 o'clock p.m. on December 27th until 12:00 noon the day before school recommences after the Christmas break. The party receiving the children shall be responsible for providing transportation and shall bear the full cost of that transportation.

c. During the summer recess from school beginning at noon on the third day after school recesses until 6:00 o'clock p.m. on the third day before school resumes in the fall. The mother shall provide transportation to and from the summer visitations but the father shall pay the cost of one round trip which is estimated to be in the amount of $85.00. The father shall pay $85.00 to the defendant seven (7) days prior to the trip in June. If the father fails to pay the mother, the summer visitations shall still occur and the mother may take whatever action is necessary to enforce compliance with this payment provision. During the summer visitations with the father the mother shall have the right take the children for one weekend, that is the weekend before the second full week in August, starting at 6:00 o'clock p.m. on Friday and ending at 6:00 o'clock p.m. on Sunday. The cost of transportation for that weekend visit shall be borne in full by the mother.

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

7. 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, emotional or moral wellbeing.

8. The parents are encouraged to discuss arrangements for physical custody of the children; and, if the parties mutually agree to alternative arrangements to accommodate themselves 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. This paragraph shall not be interpreted to allow the mother to modify the fat her's summer visitation in anyway without his full consent and approval.

9. Each of the parents shall teach the children to develop and express that natural love and respect due a parent from his or her children, and neither parent will do or say anything to blacken the character of the other parent in the eyes of the children. This admonition shall extend to the children's grandparents.

Continued of Record to Page 348 E

LOVEN VS. LOVEN A. D. 1989 - 898 Custody.

Continued from Page 348 D

10. 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.

11. The Court of Common Pleas of Crawford County, Pennsylvania, shall retain jurisdiction of this matter so long as either of t he parents or one of the children resides in the Court's jurisdiction.

12. The father shall take the necessary steps to make certain that the children, especially Russell, remain in his house of residence overnight so that they will not secretly leave unless they are spending the night with a responsible, competent adult, such as in the home of a friend and his/her parents.

13. The father shall not consumer alcoholic beverages or intoxicating liquors while the children are in his presence and in his custody.

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

Aug. 28, 1992 Copies given to Attys. Walton & Irwin, Toomey and Mailed to Victor J. Kinnunen, Esq.

Feb. 19, 1993, Petition to Modify Custody and Order filed. 1 copy (mediator) 1 copy (atty)
ORDER: AND NOW, this 17 day of Feb. 1993, this matter is referred to child custody mediator BRUCE SMITH, ESQ, who shall set a mediation date to address the matters raised herein. Anthony J. Vardaro, J.
Mar. 3, 1993, copies to Attys. Walton, Irwin, Toomey and Vic Kinnunen, Bruce Smith.

Apr. 5, 1993 TEMPORARY ORDER OF COURT, filed. AND NOW, this 5th day of April, 1993, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordred and decreed that:

1. The order of President Judge, Gordon R. Miller, dated Aug. 26, 1992, shall remain in full force and effect until modified by a future Order of this Court, except as modified by other provisions of this Temporary Order.

2. The defendant mother shall immediately give to the plaintiff father or to the plaintiff father's counsel her new telephone number in New Jersey and shall allow the two children, Russell and Hope, to receive telephone calls from the father, made at h is own expense, between the hours of 8:30 a.m. and 12:00 noon, prevailing time, each Saturday. During the time that the children are with the father in the summer of 1993, the mother shall have the same right to call the children on Saturday, and the father shall have the responsibility of having the children available to talk with the mother.

3. The parties are reminded, under paragraph 7. of the Order of Aug. 26, 1992, that neither of the parents is to 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, emotional, or moral well-being. This would include taverns and clubs serving alcohol. The parents are further reminded that the father, under paragraph 13., is not to consume alcoholic beverages or intoxicating liquor while the children are in his presence and in his custody.

4. The parties are directed to appear for additional mediation before Bruce L. Smith, Child Custody Mediator, or, if he is not available or is no longer a Mediator, before a Mediator to be determined by the court with notice ot the parties. This mediation shall take place at 9:30 a.m., prevailing time, on Tuesday, Aug. 31, 1993, in the Green Room, Crawford County Courthouse, Meadville, Pennsylvania, or at such other time as agreed upon by the Custody Mediator to accommodate the schedules of the parties and their counsel.

5. The cost of mediation shall be equally shared with each party paying one-half of the costs.

6. This Order shall be a Temporary Order, but shall become a permanent Order unless exceptions are filed by either party within thirty days from the date of this Temporary Order.

BY THE COURT:
Anthony J. Vardaro, J.

Apr. 13, 1993 copy to B. Smith, B. Lindsay, J. Irwin, Plf. & Dft.

Apr. 29, 1993 Petition to Refund Mediation Deposit and Order filed. AND NOW, this 28 day of April, 1993, this Court directs Prothonotary to refund the balance ofthe Mediation fee to the above named Plaintiff, Eugene G. Loven $22.62

Anthony J. Vardaro, J

May 3, 1993 Copy of order to Atty's. Lindsay, Irwin and Smith

Sept. 21, 1993 TEMPORARY ORDER OF COURT, filed. AND NOW, this 20th day of September, 1993, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The Order of President Judge Gordon R. Miller, dated August 26, 1992, as amended and modified by Judge Anthony J. Vardaro, by Order dated April 5, 1993, shall remain in full force and effect, unless and until modified by a future order of court, except as modified by the following provisions of this Temporary Order:

a. When the children are in the custody of one of the parents, the other parent shall have the right to telephone the children during the hours of 8:00 a.m., prevailing time, and 9:00 p.m., prevailing time, until telephone contact has been made with each of the children each week.

b. No modification of the transportation provisions in the Order of August 26, 1992, will be made.

c. The cost of Mediation shall be equally shared with each party paying one-half of the costs.

d. This Order shall become a Temporary Order, but shall become a permanent Order unless exceptions are filed by either party within thirty (30) days from the date of this Temporary Order.

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

Sept. 30, 1993 copy to B. Lindsay, J. Irwin B. Smith, Plf. & Dft.

Sept. 23, 1993 REQUEST FOR DE NOVO HEARINGand Order, filed. ORDER: AND NOW, this 21st day of September, 1993, the above request for hearing De Novo is hereby granted and shall be scheduled on the 21st day of October, 1993, at 3:30 o'clock, p.m. at the Crawford County Courthouse in Court Room 1 or 2.

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

Sept. 30, 1993 copy to B. Lindsay, J. Irwin, B. Smith,

Oct. 25, 1993 Motion to Continue and ORDER filed. AND NOW, this 25 day of October, 1993 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.

11-3-93 Copy of Order to Attys. LIndsay, Irwin & Smith

Dec. 2, 1993 Motion to Reschedule De Novo Hearing and ORDER filed. AND NOW, this 16th day of November, 1993, the above request to reschedule the Hearing De Novo is hereby granted and shall be rescheduled on the 30th day of December, 1993, at 2:30 O'clock, p.m. at the Crawford County Courthouse in Courtroom 1.

BY THE COURT:
Anthony J. Vardaro, J.

12-7-93 Copy of Order to Attys. Lindsay, Irwin & Smith

Dec. 8, 1993 Petition for Special Relief and ORDER filed. ANDNOW, this 8th day of December, 1993, this court hereby Orders and directs that the Respondent/Mother comply withthe current Court Orders.

BY THE COURT:
Gordon R. Miller, J.

12-15-93 Copy of Order to Attys. Lindsay, Irwin & Smith.

Continued to Page 348 F

Loven vs Loven AD 1989 -898 Continued fromPage 348 E

Dec. 20, 1993 Petitionfor Contempt for ViolationofCustody Order filed.

Dec. 20, 1993 MotionforContinuance filed.

Dec.20, 1993 ORDERfiled. AND NOW, December 20, 1993 upon receipt,review and brief oralargument onthe plaintiff's petition for contempt for violationof a custody order and after review of a letter of December 16, 1993 from St.Clares Riverside Medical Center, a letter dated December 1, 1993 from Columbia Consultation Center and a letter of August 26,1993 from Gary D. Maine, it is ordered as follows:

1. The father's visitation periods withthechildren shall stilltake place however in a supervised setting until further Order of Court.

2. The parties shall make an exhaustive good faith effort to agree to the terms and conditions of the supervised visitations by Wednesday, December 22, 1993.

3. In the event that the parties cannot agree to the terms and conditions of the supervised visitations then the parties shall each make two proposals regarding supervised visitations, one proposal covering visitations in New Jersey and one proposal for visitations in Meadville, Pennsylvania. Counsel shall meet withthe undersigned judge at 2:30 o'clock p.m. on Wednesday, December 22, 1993 to present the four proposals totheCourt. The Court will then enter an order setting forth the terms and conditions of supervised visitations in the father.

4. A hearing on the petition for contempt shall be held in Courtroom No.1 of the Crawford County Courthouse on Wednesday, February 2, 1993 at 1:30 o'clock p.m. If the hearing is not concluded by the end of the court day the hearing will be concluded on Thursday morning,February 3, 1994 commencing at 9:00 o'clock a.m.

5. The defendant's motion to continue the hearing set for December 30, 1993 is granted, not for the reasons stated in the motion,but because it appears that the time the Court set aside for hearing is not sufficient. Said hearing shall now be held onWednesday,February 2, 1994 inCourtroom No. 1 of theCrawford County Courthouse commencing at 1:30 o'clock p.m. and, if necessary,continue over to Thursday morning,February3, 1994 at 9:00 o'clock a.m.

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

12-20-93 Copies distributed by Court.

Dec.23, 1993 ORDER filed. **AND NOW, December 22, 1993,**pursuant to this Court's Order of December 20, 1993, the parties have agreed upon the method by which the father may exercise his Chirstmas 1993 visitations in a supervised setting, but they have not totally agreed upon how transportation of the children shall occur.

Based upon the agreement of the parties, to the extend they agree,it is ORDERED as follows:

1. The father's visitation periods with the children shall take placein a supervised setting until further Order of Court.

2. The visitations in Meadville,Pennsylvania, including the Christmas 1993 visitation, shall take place as scheduled. The children shall reside at the home of Tracy Draudo at 1231 Livermore Road, Meadville, Pennsylvania,16335, and whose telephone number is 337-2325.

3. The father shall visit his children at the home of Tracy Draudo at such times as Tracy Draudo agress. FURTHERMORE, visitations may take place outside of the home of Tracy Draudo and the father may take the child out of the home of Tracy Draudo,provided that Tracy Draudo is present at alltimes. At no time shall the father be with the children without Tracy Draudo being nearby or in the same building.

4. Transportation shall be provided as follows:

A) The father, in the company of Josepha Summerfiled, shall provide transportation. It appears that Tracy Draudo willnot be able to participate in the transportation to and from New Jersey.

B) At the mother's election,she may provide transportation to and from Pennsylvania if she believes that she prefers to provide the transportation and is not willing to accept transportation by the father and Josepha Summerfield. The mother shall make such election and advise the father no later than 7:00 o'clock p.m. on Friday,December 24, 1993. She shall notify the father either way. If she fails to notify the father by said time, this Court will hold her in contempt of court for failure to do so. We do not want December 27, 1993 to commence without a clear understanding as to who is to provide transportation for the Christmas 1993 visitation.

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

12-28-93 Copies dist. to Attys.Lindsay and Irwin. 1-6-94 Copy toAtty.Smith

Jan. 11, 1994 Petition Declaring Pennsylvania as an Inconvenient Forum under the Uniform Child Custody Jurisdiction Act, filed.

Jan. 11, 1994 RULE TO SHOW CAUSE filed. AND NOW, this 3rd day of January, 1994, upon consideration of the within Petition Purusant to 23 PA CS §5348, a Rule is granted upon Respondent, Eugene G. Loven, to show cause why the relief requested in said Petition should not be granted.

RULE RETURNABLE, with hearing thereon on the 21st day of January, 1994, at 2:30 p.m. in Courtroom No. 1 of the Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT:
Gordon R. Miller, J.

1-13-94 Copy of Rule to Attys. Lindsay, Irwin & Smith

Feb. 1, 1994 Memorandum and Order, filed. ORDER: AND NOW, January 31, 1994, for the reasons set forth in the foregoing memorandum we find that Pennsylvania is an invonvenient forum to make custody determinations under the circumstances of this case and that the appropriate court in the State of New Jersey is a more appropriate forum. Thus the defendant's petition declaring Pennsylvania as an inconvenient forum under the Uniform Child Custody Jurisdiction Act is hereby granted.

In the event that the appropriate court in the State of New Jersey declines or refuses jurisdiction then on motion or petition of either party this Court will resume jurisdiction.

We hereby stay the custody proceedings, except for the contempt petitions, on the condition that one of the parties file an appropriate petition or complaint for custody in the appropriate Court of the State of New Jersey within thirity (30) days from this date.

When that is accomplished counsel for the party presenting the petition or complaint shall notify this Court and shall advise this Court as to the name and address of the New Jersey court athat will be hearing this matter. At that point we shall submit a true and correct copy of this memorandum and order to the New Jersey court for its use and benefit. (23 Pa.C.S.A. 5348(h).

This court does retain jurisdiction to determine the two pending contempt petitions filed by the father. A Hearing on said petitions shall be held on the 3rd day of June. 1994 at 1:30 o'clock p.m. in Courtroom No. 1 of the Crawford County Courthouse.

The contempt currently scheduled for February 2, 1994 at 1"30 o'clock p.m. is hereby cancelled. BY ORDER OF COURT
Gordon R. Miller, P.J

Feb. 3, 1994 copy to B. Lindsay, J. Irwin, T. Toomey, V.Kinnunen, B. Walton, B. Smith

Feb. 15, 1994 Petition to Reconsideration and for Special Relief filed.

Feb. 15, 1994 ORDER filed. AND NOW, February 14, 1994, the Petition for reconsideration is refused.

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

2-15-94 Copies dist. to Lindsay & Irwin

Continued to Page 348 G

May 20, 1994 Transcript of Closing Comments of the Court Taken at time of Custody hearing, filed.

May 20, 1994 Motion To Continue and Order, filed. AND NOW, this 16th day of May, 1994, the Motion to Continue and reschedule the Contempt Hearing set for June 3, 1994 at 1:30 p.m. is granted, and this matter will now be set for the 5th day of August, 1994 at 1:30 P.M. in Courtroom 1.

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

May 20, 1994 Faxed copies to Irwin & Lindsay

Aug. 10, 1994 Motion to Continue and Order, filed. AND NOW, this 9 day of August, 1994 upon presentationof the within Motion, the Contempt Hearing is hereby scheduled for the 27th day of September, 1994, at 1:30 o'clock P.M. in Courtroom 1.

BY THE COURT:
Anthony J. Vardaro, J.

Aug 11, 1994 Faxed Irwin & Lindsay

Sep.30, 1994 Motion to Continue and ORDER filed. AND NOW, this 28th day of September, 1994, the Motion to Continue and reschedule the Contempt Hearing set for September 27, 1994 at 1:30 p.m. is granted and this matter will now be set for the 23rd dayof November, 1994 at 3:00 P.M. inCourtroom 1 or 2.

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

10-3-94 Faxed Atty. Irwin & given Atty,Lindsay

Nov.28,1994 Motion to Continue and ORDER filed. AND NOW,this 23rd day of November, 1994,the Motion to Continue and reschedule the Contempt Hearing set for November 23,1994 at 3:00 P.M. is granted and this matter will now be set for the 26th day of January,1995, at 10:00 A.M.in Courtroom 1 or 2. No further continuances.

BY THE COURT:
Gordon R. Miller,J.

11-28-94 Faxed to Atty.Irwin, given to Atty.,Lindsay.

Dec. 20, 1994 Transcript of Testimony of Tracy Crystal Durham Taken at Time of Hearing, filed.

Jan. 27, 1995 Petition for Contempt filed.

Jan. 27, 1995 ORDER filed. AND NOW, January 26, 1995,at the time fixed for the contempt hearing, the mother did not appear. The only reason advanced for her failure to appear was the fact that she could not afford to come to Pennsylvania. That is not satisfactory. She, through her attorney, move for a continuance. The Court is granting the continuance and hereby orders as follows:

1. The hearing in this matter shall be held on Friday, April 7, 1995 at 9:30 o'clock a.m. in Courtroom No. 1 of the Crawford County Courthouse. The purpose of the hearing willbe to receive evidence and information relative to the last petition or petitions which the father filed to hold the mother in contempt of court for failing to comply with custody and visitation Orders. The mother shall appear without fail. If she fails to appear, the hearing will be held in her absence.

2. Normally, at a contempt hearing, the Petitioner (father) would present his evidence and if, at the conclusion of his case-in-chief, it appears that there has been a valid Court Order which has not been followed, then the burden would shift to the Respondent (mother), to explain why she did what she did and why she should not be held in contempt of court. We understand that the reasons she has not complied fully with the Crawford County Orders is that she believes that the father hasabused one or both of the children. We have never made a determination as to whether or not the father as abused one or more of the children and we have never made a determination as to whether her withholding visitation has been willful and illegal or appropriate and lawful. The simplest thing to do would be to have a full hearing, where all of the evidence would be presented and this Judge could make a determination. HOWEVER, it appears that there have been ongoing proceedings in New Jersey once we transferred jurisdiction to New Jersey, which includes hearings,depositions and Court Orders. There maybe further hearings in New Jersey before this date and April 7. Therefore, some of the material from New Jersey could be used in this hearing on April 7 and save the parties the expense and trouble of bring those witnesses and bringing that information from New Jersey to Pennsylvania. While we will not tell counsel how to try their cases, this Court will accept and receive at the time of the hearing certified transcripts of any depositions or testimony from any hearings, as well as certified copies of any findings, memorandums and Orders of the Family Court Judge in New Jersey to the extent that those matters relate to the contempt petitions here and further provided with respect to testimony and depositions, that at the time the testimony and depositions were taken, the parties were represented in person or by counsel or both and had adequate opportunity to examine and cross examine those who testified. This is not to say that the parties cannot present evidence if they wish. They may present live evidence or certified copies solely or a mix of both.

3. Counsel shall advise each other no later than March 7, 1995 of the materials they intend to produce from New Jersey so that they each may understand what those materials are, have an opportunity to review them and have an opportunity to review them and have an opportunity to react to them. If either attorney objects to the use of certain New Jersey information, he shall notify the other no later than March 13, 1995 so that the other may take appropriate steps to approach the Court for relief or to approach the case differently. For instance, if one of the attorneys objects to certain information from New Jersey being presented to this Court, the attorney proposing to present that might wish to approach the Court for an Order from this Court permitting the disputed information to be presented or the attorney may forego the attempt to present the information and bring live testimony or other information in lieu thereof. It is the intent of this Court that any information that is going to be brought from New Jersey, other than live testimony, be fully disclosed by March 7, sthat there be a response by March 13 in order to give the parties an opportunity to re-adjust their case or to approach this Court for relief.

4. Counsel for the father has prepared for this hearing and is prepared to proceed. He claims that he has spent 8.3 hours at $90 per hour for this purpose. We think some of the time he has spend is not wasted and can be used at the next hearing. We also find that some of the time he has devoted has been wasted because the mother did not see fit to come as she was required to do. Therefore, we ORDER and DIRECT the mother to pay Brian J. Lindsay, Esquire, the sum of $350 to apply to his attorneys fees in this case, which sum shall be paid to Mr.Lindsay no later than February 28, 1995.

BY THE COURT,
Gordon R. Miller, President Judge

1-27-95 Copies given to Attys. Lindsay & Irwin

Feb. 2, 1995 Transcript of Proceedings at Time of Scheduled Contempt Hearing Thursday, January 26, 1995, filed.

Mar.15, 1995 Motion to Withdraw Appearance and ORDER filed. AND NOW,this 15th day of March, 1995,upon presentation and consideration of the within Motion,Defendant's counsel,James R.Irwin,Esquire, is hereby authorized to withdraw his appearance on behalf of the Defendant in the above captioned case.

Gordon R.Miller, J.

3-15-95 Faxed to Attys.Lindsay & Irwin.

Mar. 27, 1995 Appearance of William J.Courtney,Esquire for Jennifer L. Loven, Defendant, filed.

Apr. 7, 1995 Motion to Continue and ORDER filed. AND NOW, this _____ day of April, 1995,upon presentation of the within Motion, the Contempt Hearing is hereby scheduled for the 8th day of June, 1995, at 9:15 o'clock A.M. in Courtroom 1. No further continuances for any reason for the Defendant.

BY THE COURT:
Gordon R.Miller, J.

4-7-95 copies dist. to Lindsay &Courtney

CONTINUED TO PAGE #348H

348
-h-

# 1989 TERM

Loven vs Loven AD 1989 - 898 Continued from Page 348 G

Jun. 9, 1995ORDER Filed. AND NOW, June 8, 1995,the parties appear before the Court at a hearing scheduled to resolve a contempt petition filed by the father against the mother on December 18, 1995 and January 17, 1994. They have ressolved this matter in a manner that is satisfactory to the Court; and accordingly, it is ordered as follows:

1. The mother shall pay the sum of $400 to Brian J. Lindsay, Esquire for the father by 4:30 p.m. on Monday, July 10, 1995.

2. If said sum is paid in a timely fashion, these contempt petitions shall be dismissed without any further action. In the event the payment is made as ordered, counsel for the father shall file a motion with the Court indicating that payment hasbeen made and asking the Court to dismiss the petitions in accord with this order.

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

6-9-95 Dist. to Lindsay, 6-14-95 mailed to Courtney

June 26, 1995 ORDER filed. AND NOW, June 8, 1995, the parties appear before the Court at a hearing scheduled to resolve a contempt petition filed by the father against the mother on December 18, 1993 and January 17, 1994. They have resolved this matter in a manner that is satisfactory to the Court; and accordingly, it is ordered as follows.

1. The mother shall pay sthe sum of $400 to Brian J. Lindsay, Esquire for the father by 4:30 p.m. on Monday, July 10, 1995.

2. If said sum is paid in a timely fashion, these contempt petitions shall be dismissed without any further action. In the event the payment is made as ordered, counsel for the father shall filed a motion with the Court indicating that payment has been made and asking the Court to dismiss the petitions in accord with this order.

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

June 26, 1995 copies dist to Lindsay & Courtney

# 1989

| | | |
|---|---|---|
| Shafer, Swick,<br>Bailey, Irwin & Stack<br>James R. Irwin<br><br>899. | ROGER P. MICKLE<br><br>vs.<br><br>VALERIE A. MICKLE<br><br>Filed Oct. 6, 1989<br>@ 1:59 p.m.<br><br>Tax & entry Paid $50.50 ✓<br>2 counts paid 30.00 ✓<br>Pro Co. Pd 10-12-89 5.00 ✓ | COMPLAINT IN DIVORCE, EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION, CHILD CUSTODY<br><br>1 copy (atty)<br><br>Oct. 12, 1989 Upon Praecipe of Plaintiff attorney, this case marked discontinued of record. |

# 1989

Culbertson, Weiss,
Schetroma and Schug
Mary Ann Kirkpatrick

900.

NICHOLETTE JOHNSON

vs.

DAVID JOHNSON

Filed Oct. 6, 1989
@ 3:07 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Pro Co pd. 11/30/89 | 15.00 |
| Pro Co pd 5/17/90 | 9.00 |
| State pd 5/17/90 | 10.00 |
| Pro Co Pd 9/6/90 | 5.00 |

COMPLAINT IN DIVORCE

1 copy (atty)

Oct. 13, 1989 Affidavit of Service filed. AND NOW, Oct. 12, 1989, comes Mary Ann Kirkpatrick, Esq., being duly sworn according to law, deposes and sets forth as follows:

1. That she is the Attorney for Nicholette Johnson, Plaintiff in the above captioned matter.

2. That on information furnished to her by the Plaintiff, she caused a certified copy of the Complaint in Divorce to be forwarded by Certified Mail No. P 401 441 417, postmarked Oct. 16, 1989, to the last known address of the Defendant, David Johnson, RD #7, Box 944, Meadville, PA 16335.

3. That the Defendant, DAvid Johnson, on Oct. 7, 1989, personally signed the return receipt card which was affixed to the Complaint in the above matter and which is attached hereto as Exhibit "A".

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

Mary Ann Kirkpatrick, Esq.

Nov. 29, 1989, Petition for Special RElief and Order filed. ORDER: AND NOW, November 29, 1989 upon presentation of the Petition for Special RElief, a hearing is scheduled for Dec. 18, 1989 at 1:45 p.m. in courtroom No. one or two oftheCrawford County Courthouse in Meadville, Pa.

BY THE COURT,
Robert L. Walker, J.

Nov. 30, 1989 copy of order to Atty. Mason.

Nov. 29, 1989, Amended Complaint filed. (adding Equitable Distribution Count)

Dec. 11, 1989 Affidavit Of Service filed. And Now, December 11th, 1989, comes Mary Ann Kirkpatrick, Esquire, being duly sworn according to law, deposes and sets forth as follows:

1. That she is the Attorney for Nicholette Johnson, Plaintiff in the above-captioned matter.

2. That on information furnished to her by the Plaintiff, she caused a certified copy of the Amended Complaint in Divorce to be forwarded by certified Mail No. P401 441 454, postmarked December 4, 1989, to the last known address of the Defendant, David Johnson, r.D. #7, Meadville, Pennsylvania 16335.

3. That the Defendant, David Johnson, on December 4, 1989, personally signed the return receipt card which was affixed to the Amended Complaint in the above matter and which is attached hereto as exhibit "A".

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

Mary Ann KIrkpatrick

Dec. 20, 1989 Order filed. AND NOW, December 18, 1989, at the time set for hearing on this matter, counsel for the Plaintiff appears, but neither party appears. Counsel advises there is a strong possibility the matter has been amicably resolved in view of the Defendant's departure from the marital home at issue. The hearing this date scheduled is continued until January 3, 1990 at 9:30 a.m. If counsel for the Plaintiff believes the hearing is not necessary she will promptly notify the Court Administrator to cancel the hearing.

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

Dec. 21, 1989 copies of order to Mary Ann Kirkpatirck, atty.

**Jan.4, 1990 Order filed. And Now, January 2, 1990, the attorney for Plaintiff having advised the Court Administrator that a hearing set in the above captioned matter for January 3, 1990, is not necessary, said hearing is hereby cancelled.**

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

**Jan 5, 1990 copies of order to Mary Ann Kirkpatrick, esq. and defendant David Johnson**

Apr. 3, 1990 Affidavit Of Consent of Plaintiff filed.

May 11, 1990 Affidavit Of Consent of Defendant filed.

May 15, 1990 Upon praecipe of Plaintiff Attorney for Review Under Section 201(c) of the Divorce Code, this case moved to court.

June 5, 1990 Order filed. This uncontested divorce matter is before theCourt for grant of a 201(c) divorce with the attached affidavit in proper order.

The Court notes in reviewing the file that an amended divorce complaint was filed, including a claim for equitable distribution. Following the practive of the Courts in this county, we decline to grant the diovrce at this time, as we are unsure whether the parties inted the Court to reserve for further ruling the equitable distributin claim, or whether the same has been amicably resolved between the parties.

Accordingly, we refer this matter back to the Prothonotary until the equitable division count is either withdrawn or a petition for birfurcation filed.

Date: June 1. 1990

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

June 11, 1990 Copies put in Mary Ann Kirkpatrick's box.

July 11, 1990 Motion To Withdraw Counts and ORDER filed. And Now, this 11 day of July, 1990, the within Motion is allowed.

July 13, 1990 Copy of Order to Atty. Mary A. Kirkpatrick and defendant.

By the Court:
P. Richard Thomas, J.

July 13, 1990 Upon Praecipe of Plaintiff Attorney for Review Under Section 201(c) of Divorce Code, this case is moved to Court.

July 20, 1990 **D I V O R C E D E C R E E F I L E D .**

And now, July 20, 1990, it is ordered and decreed that Nicholette Johnson, plaintiff, and David Johnson, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
P. Richard Thomas, J

Record Continued..

---

Aug. 31, 1990, Notice of Election to Retake Prior Name filed. To be Known As:

Nicholette Hehn

# 1989

| | | |
|---|---|---|
| Terry Toomey<br><br>901. | HAGAN BUSINESS MACHINES, INC.<br><br>vs.<br><br>RICHARD AND LAURA PERROTT<br>t/d/b/a PERROT ENTERPRISES<br><br>Filed Oct. 6, 1989<br>@ 3:21 p.m.<br><br>Tax & entry Paid $50.50 ✓ | SUMMONS IN A CIVIL ACTION<br><br>Issued (sheriff)<br><br>Nov 6, 1989 Writ Reissued.<br><br>Dec. 6, 1989 Writ Reissued.<br><br>Jan. 5, 1990, Writ REissued.<br><br>Jan. 3, 1990 Sheriff's Return filed. Summons returned 1-3-91 to Prothonotary. No service instructions or costs received by Sheriff's Office.<br>So answers, Howard N. Stewart, Sheriff |

Culbertson, Weiss,
Schetroma & Schug
~~Mary Ann Kirkpatrick~~
Withdrawn
902.

James R. Irwin

GARY D. HOPE

vs.

CYNTHIA J. HOPE

IN RE: TESS ELIZABETH HOPE

Filed Oct. 9, 1989
@ 10:55 a.m.

Tax & entry paid $50.50 ✓
William Pineo, mediator
**Mediation costs** $137.00 c/o Prothonotary courthouse, Meadville, Pa. 16335.
Tele: 814 724-4636

12/6/89 Recd mediation costs from dft. #68.50

Rec'd 12-29-89
$68.50
Vivian Stolby

3/1/90 Recd $68.50 From Plaintiff
Rec'd 3-1-90
Vivian Stolby

Received from attorney for Plff $150 on mediation fees 5-6-92

Pd Plff Bal of med fee Pen 6-24-92 order 40.00 Ck# 6906

Received from Defendant 8-20-92 Mediation fee $101.00

Paid Comm. Fee 9-14-92 Comm Fee 202.00 Ck# 7046

Pro & Rl 3/6/90 9.00 ✓
Pro Cs Pd 9-14-92 (7045) 9.00 ✓

COMPLAINT FOR CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER OF COURT:

You, Cynthia J. Hope, Defendant have been sued in court to obtain custody, partial custody or visitation ofthe child: Tess Elizabeth Hope.

You are ordered to appear in person before WILLIAM PINEO CHILD CUSTODY MEDIATOR for a conference.

You are further ordered tobring with you the child: Tess Elizabeth Hope.

If you fail to appear as provided by this order or to bring the child, an order for custody may be entered against you or the court may issue a warrant for your arrest.

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

Crawford county Bar Assoc. ser. to the Pub. Committee.

By the Court,
Robert L. walker, J.

Oct. 12, 1989 Affidavit Of Service filed. And now, October 12, 1989, comes Mary Ann KIrkpatrick, Esquire, being duly sworn accor ding to law, deposes and sets forth as follows:

1. That she is the Attorney for Gary D. Hope, Plaintiff in the above captioned matter.
2. That on information furnished to her by the Plaintiff, she caused a certified copy of the Complaint fo rCustody to be forwarded by Certified Mail No. P 401 441 423, postmarked October 9, 1989, to the last known address of the defendant, cynthia J. Hope, % Goodea Construction Co. Airport road, Meadville, Pennsylvania 16335.
3. That the Defendant Cynthia J. Hope, onOctober 10, 1989, personally signed the return receipt card which was affixed to the Complaint in the above matter and which is attached hereto as Exhibit "A".
4. Service of theComplaint against the defendan tis therefore effected in accordance with Pennsylvania Rules of Civil Procedure.

Mary Ann Kirkpatrick

Nov. 20, 1989 Temporary Order filed. AND NOW, this 17 day of November, 1989, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator, IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor child.
2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major envent sin th elife of the subject minor child. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidental information which they may have regarding the subject minor child.
3. The parties shall share physical custody of the subject minor child. The mother shallhave physical custody of the child each week from Sunday at 7:00 p.m. through Tuesday at 7:00 p.m. and the father, from Tuesday at 7:00 p.m. through Friday at 7:00 p.m. The weekend visitaiton schedule shall begin Friday at 7:00 p.m. and end on Sunday at 7:00 p.m. The mother shall have custody of the subject minor child for the weekend of December 2, 1989, and the parties shall thereafter alternate the weekends.
4. Holiday visitation shall be arranged as follows:

The Thanksgiving period shall be divided in two, with the first interval beginning onthe Wednesday preceding Thanksgiving at 7:00 p.m. and ending Saturday morning at 10:00 a.m. The second period shall begin Saturday at 10:00 a.m. and end Sunday at 7:00 p.m., Each year, the mother shallhave the first Thanksgiving visitaiton period, and the father shallhave the second. The Christmas visitation period shall be divided in two with the first interval beginning on Christmas Eve at 10:00 a.m. and ending Christmas Day at 10:00 a.m. and the second interval beginning Christmas Day at 10:00 a.m. and ending Christmas Day at 7:00 p.m. For Christmas, 1989, the mother shall have visitaiton with her daughter on the first period, the fathe ronthe second, and the parties shall thereafter alternate the Christmas visitation periods.

The other holidays are defined as New Years Day, Easter, Memorial Day, Independence Day, and Labor Day. The visitation periods shall begin at 9:00 a.m. and end at 7:00 p.m. The father shallhave visitation with the subject minor child on New Years Day and the parties shall thereafter alternate the holidays. The subject minor child shall spend Fathers Day with her father and Mothers Day with her mother between the hours of 9:00 a.m. and 7:00 p.m. Holiday visitaitons shall take precedence over the other provisions of this Order relating to the custodial and visitation periods.

5. The parties shall split responsibility for transportation with the party receiving the c hild in the exercise of his or her rights picking up the child at the home of the other.
6. Each party shall teach said child to give to the other par ty that love, respect and obedience which is due a parent from his or her child.
7. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said par ty has the care and custody of the subject minor child.
8. Any perosn transporting the child shall make sure that the seat belts or other restraints are used in accordance with the law of Pennsylvania
9. Neither party shall do or say anything to blacken the character of th eother in the child's estimation. Each parent shall treat the other in a polite and respectful manner when the child's presence and each parent shallinstruct his or her relatives and friends to do likewise and also not to disparage the other parent in the child's estimation.
10. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.
11. Either party may request a review of this Order during the summer previous to the entry of the subject minr child into kingergarten.
12. Costs and fees of this Mediation, which are fixed at $137.00; are divided equally between the parents with a share of each being assessed to him or her as cost sin this case. Payment shall be made to the Prothonotary of Crawford County.
13. Either parent may move the court for a hearing de novo for thirty (30) days from date hereof. If neither parent so moves, this Order shall be considered permanent.

BY THE COURT,
P. Richard Thomas, J

Nov. 21, 1989 Copies of order put in Mary Ann Kirkpatrick, James Irwin and William Pineo and copies mailed to Plaintiff and Defendant.

Nov. 20, 1989 Motion For Trial De Novo and Order filed. AND NOW, this 20 day of November, 1989, upon presentation and ocnsideration of the foregoing Motion for Trial De Novo, a hearing is set for the 13 day of Dec., 1989 at 9:30 o'clock a.m., in Courtroom No. 1 or 2 of the crawford County Courthouse, Meadville, Pennsylvania.

by the court,
P. richard Thomas, J

Nov. 21, 1989 Copies put in, Atty Irwin, Kirkpatrick & Pineo's box.

Continued on the next page

Gary D. Hope

vs.

Cynthia J. Hope

Record continued from page 352
of record

A.D. 1989 - 902

**********

Dec. 15, 1989 Order filed. AND NOW, December 13, 1989, after de novo hearing, the Court is satisfied that shared custody between mother and father is appropriate in this case, and that both parents are capable of giving adequate care to the minor 3 year old child while in their custody. Accordingly, theCourt fenerally adopts the temporary order with the following modifications: in regard to Paragraph 3 thereof, the father shall have physical custody each week from Wednesday at 4:15 p.m. through Friday at 7:15 a.m.

On the weekends when the father is accorded weekend visits (every other weekend), the father shall have custody from Wednesday at 4:15 p.m. until the following Monday at 7:15 a.m.

The parties mutually agree that Paragraph 4 of the temporary Order regarding Christmas holiday will be modified to the extent that the child will be with the father every Christmas Eve from December 24, 1989 at 10 a.m. until December 25, at 10 a.m., and the child will be in the home o of the mother each Christmas Day after 10 am.

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

dec. 14, 1989 copy put in Atty's box.

May 6, 1992 Petition to Modify Custody and Order filed. You, Cynthia J. Hope, defendant, have been sued in court to obtain custody of Tess Elizabeth Hope.

You are ordered to appear in person at such time and place as will be determined by the Mediator William PIneo, Esq., for a mediation conference.

If you fail to appear as provided by this order, an order for custody, partial custody or visitation may be entered agains tyou orthe court may issue a warrant for your arrest.

You Should Take This Paper To Your Lawyer At Once. If You Do Not Have A Lawyer Or Cannot Afford One, Go To Or Telephone The Office Set Forth Below To Find Out Where You Can Get Legal Help.

Court Administrator
Courthouse
Meadville, PA 16335
Telephone 814-336-1151, ext. 298
Date: 5-1-92

By the Court,
Gordon R. Miller, J

May 12, 1992 Copies of order put in box For Atty.'s Kirkpatrick and Irwin

June 25, 1992 REQUEST FOR HEARING DE NOVO and ORDER filed. ORDER: AND NOW, this 25th day of June, 1992 upon presentation and consideration of the foregoing Request for Hearing a hearing is scheduled with the Court of Common Pleas of Crawford County, Pennsylvania, on the 17th day of July, 1992 at 1:30 p.m. in Courtroom 1 or 2 of the Crawford County Courthouse, Meadville, Pa.

FOR THE COURT:
Imogene Yetman, Crt. Adm.

1 copy (atty)

June 25, 1992 TEMPORARY ORDER filed. AND NOW, this 25th day of June, 1992, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator.

IT IS HEREBY ORDERED AND DECREED THAT:

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

2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor child. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor child.

3a. Until Aug. 15, 1992, the parties shall alternate periods of visitation and custody in accordance with the order of Nov. 17, 1989, as modified by Order of Dec. 13, 1989. Beginning Aug. 15, 1992, at 5:00 p.m., the father shall have primary physical custody of the subject minor child each year, beginning at 5:00 p.m. of Aug. 15 and ending at 5:00 p.m. of the following June 15. Starting with the summer of 1993, the mother shall have primary physical custody each year from 5:00 p.m. of June 15 until 5:00 p.m. of the following August 15.

b. The parent not having primary physical custody shall have visitation and temporary plhysical custody of the subject minor child each weekend, except for the last full weekend of each month, from Friday at 5:00 p.m. through Sunday at 6:00 p.m. The last full weekend of each month is defined as one in which Saturday and Sunday occur in the same month.

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

4. Holiday visitation shall be arranged as follows:

a. Christmas: There shall be two Christmas holiday visitation periods. The first shall begin on Christmas Eve at noon and end on Christmas Day at noon, and the second shall begin on Christmas Day at noon and end on December 26 at noon. For Christmas 1992, the mother shall have the first period and the father, the second, and the parties shall thereafter alternate. The mother shall have visitation and temporary physical custody during the child's Christmas vacation from school from December 26 at noon until January 1 at noon.

b. Thanksgiving: There shall be two Thanksgiving holiday visitation periods, the first beginning at 4:00 p.m. of the Wednesday preceding Thanksgiving and ending on Thanksgiving Day at 2:00 p.m., and the second shall begin on Thanksgiving Day at 2:00 p.m. and end on the Friday following Thanksgiving at 5:00 p.m. For Thanksgiving 1992, the father shall have the first period, and the mother, the second, and the parties shall thereafter alternate periods.

c. Easter: There shall be two Easter visitation periods, the first beginning on Holy Saturday at 5:00 p.m. and ending Easter Sunday at 1:00 p.m., and the second beginning on Easter Sunday at 1:00 p.m. and ending on Easter Sunday at 6:00 p.m. For Easter 1993, 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 children may watch the fireworks. The mother shall have visitation for Labor Day 1992, 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.

CONTINUED ON PAGE 353B

352
B



Gary D. Hope
vs.
Cynthia J. Hope

CONTINUED FROM PAGE 352A
Of Record
A.D. 1989 - 902

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

5. Should it be necessary for either party to cancel or modify the visitations as set out in this Order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

6. The parties shall split responsibility for transportation with the party receiving the child in the exercise of his or her rights picking up the child at the home of the other.

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

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

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

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

11. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

12. The parties shall take care to discuss arrangements and problems arising out of their relationship with Tess between themselves and shall not make use of intermediaries unless absolutely necessary.

13. Costs and fees of this Mediation, which are fixed at $202.00 are divided equally between the parties with a share of each being assessed to him or her as costs in this case. Payment shall be made to the Prothonotary of Crawford County.

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

By the Court,
Anthony J. Vardaro, J.

July 1, 1992 copy in box for W. Pineo, M. A. Kirkpatrick, J. Irwin, mailed copy to Plf. & Dft.(hand del.)

June 26, 1992 ORDER filed. AND NOW, June 26, 1992, it appearing that the mediation conference in this matter has occurred and the total share of the Plaintiff for mediation costs is $101 together witha $9 cost to enter and order for a total of 110. Insofar as the Plaintiff has deposited $150, the Prothonotary is directed to refund to the Plaintiff the sum of $40 forthwith.

BY THE COURT:
Anthony J. Vardaro, J.

June 29, 1992 copies given to Atty's

July 1, 1992Motion for Continuance and Order filed. AND NOW, this 1 day of July, 1992 upon consideration of the foregoing Motion, above captioned hearing is rescheduled for the 31 day of July, 1992 at 1:30 o'clock p.m. in Courtroom No. 2 of the Crawford County Courthouse.

FOR THE COURT;
Imogene Yetman, Court Administrator

July 1, 1992 Copy of the Order to Attys. Pineo, Kirkpatrick and Irwin.

July 31, 1992 Exhibits filed.

Aug. 3, 1992, ORDER filed. AND NOW July 31, further hearing in regard to this de novo custody matter is scheduled for Aug. 31, 1992 at 8:45 a.m. in C. r. No. 2, Crawford County courthouse.

The party having physical custody ofthe child is directed to bring the child at the time of that continued hearing.

The court will make a decision as to whether the ccourt will hear testimony from the chld in chambers and if the court determines that it will do so that will be done first onthe new hearing date.

BY THE COURT,
Anthony J. vardaro, J.

Aug.3, 1992, copies to M. Kirkpatrick and J Irwin

August 21, 1992 Transcript of Certain Testimony Taken at Time of Custody Hearing filed.

August 31, 1992 Exhibits filed.

Sept. 1, 1992 Memorandum and Order, filed.

Continued on Page 352C

FILED
'92 SEP 1 PM 1 23
PROTHONOTARY
CRAWFORD COUNTY, PA

IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY, PENNSYLVANIA

CIVIL ACTION - LAW

GARY D. HOPE, PLAINTIFF
VS.
CYNTHIA J. HOPE, DEFENDANT
: A.D. NO. 1989 - 902

MEMORANDUM AND ORDER

Anthony J. Vardaro, J.

This matter is before the Court for a de novo custody hearing. We commenced taking testimony the afternoon of July 31, 1992 and completed testimony with almost a full day of testimony on August 31, 1992.

This matter basically arose because the child, Tess Elizabeth, is five years of age now and will be starting kindergarten in the next day or two thereby making it impossible for the custody arrangement that had been in effect since 1989 to work any longer. That arrangement allowed for about a 50-50 split of time with the child.

We hear numerous witnesses both sides obviously pointing out why their home is a better place for the child. It appears that father lives in the country with his new wife of approximately two years. They are expecting a child around September 10, 1992 and Tess has been involved in various activities including



Aug. 31, 1992 Copies of the Order hand delivered to Attys. Irwin and Kirkpatrick.

discussions about name picking for the child and apparently anxiously awaits the arrival of the child. Father works five days a week from about 7:30 A.M. until 4:00 P.M. but his new wife is available at home and will continue to be so with the new baby. She and Tess appear to enjoy a good relationship.

Natural mother, on the other hand, is not remarried and works from 8:30 A.M. until 4:30 P.M. each day. During the time she has had Tess, during her work day it has been necessary for Tess to go to Day Care. Mother's life seems to center around the care and well being of Tess.

On the negative side, mother was involved in a relationship in 1989 and 1990 that ended with one incident of physical assault against her. There was no evidence that the child was harmed and in fact there was evidence that other than this unfortunate ending to the relationship it appeared to be a fairly good relationship and Tess and the gentleman involved seemed to get along.

There was negative testimony presented about the father with regard to his social manners and the fact that he ascribes to a country life and does not believe a city life is appropriate. It appears that he spends quite a bit of time hunting and is an avid outdoorsman.

First of all, we are not persuaded that either parent is a bad parent. We think that the child has two good homes and two loving and nurturing parents and additionally a nurturing and loving step-mother.

We think that neither parent is a bad influence on the child.

CONTINUED FROM PAGE 352B


It is the Court's opinion that there should be an effort made to try to maintain as much time with both parents as possible with mother having primary physical custody for the school year.

The reasons for that are, first of all, that the child clearly wants to be with her mother and does not like the Day Care program. Our Order would allow as little time as possible in the Day Care program and a good bit of time with her mother.

Additionally, while the psychologist called on behalf of the Defendant admitted a bias on his part in areas the Plaintiff's attorney referred to as "unlawful", we are still somewhat persuaded by his opinions. For the most part, his testimony indicated that he tried to weigh the whole situation fairly and he had much good to say about father and step-mother.

His testimony that the child was having stress over this whole matter did concern the Court and that is one of the reasons why we believe it is in the best interest of the child to try to keep that stress to a minimum and allow her to continue to reside with her mother.

While we believe both parents present good households as we have indicated, we simply believe it is in the best interest of the child to be primarily with her mother during the school year and accordingly, we enter the following Order:



**ORDER**

AND NOW, August 31, 1992, after de novo hearing in this custody matter, we enter the following Order which will take the place of the Temporary Order of June 25, 1992.

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

2. The parties shall share with each other any and all information which each may have regarding the health, education and 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 have regarding the subject minor child.

3. The mother shall have primary physical custody beginning at 6:00 P.M. this day and continuing until 5:00 P.M. on the day in June 1993 which is one week after the last day of school for the child.

4. Father shall then have primary physical custody from that time until 5:00 P.M. on the day in August 1993 which is one week before school begins for the minor child.

5. Thereafter, it is the intention of the Court that mother shall have primary physical custody from 5:00 P.M. on the day one week before school starts until 5:00 P.M. on the day one week after the day school ends for that school year. Father will then have primary physical custody from 5:00 P.M. on the day one week after school ends for the school year till 5:00 P.M. one week before the next school year begins.

6. During such time as mother has primary physical custody, father shall have visitation and temporary physical



custody each weekend except the last full weekend of each month from Friday at 4:15 P.M. through Sunday at 6:00 P.M. During this school year while the child is in kindergarten for only half a day, on any Friday where the child will otherwise be in Day Care, father or his current wife may pick the child up at the end of kindergarten classes at approximately 11:30 A.M. at First District School to begin any such Friday visit early if they have given mother at least 48 hours telephone notice that they intend to do so, so that mother may make the appropriate arrangements with respect to Day Care and First District School knowing that such visitation will occur. Obviously, once the child is in school for full days, such an early visitation alternative will not be available.

7. During the summer, when father has primary physical of the child, mother shall have visitation and temporary physical custody every other weekend from Friday at 5:00 P.M. until Sunday at 6:00 P.M. beginning on the second Friday after the change of custody occurs for the summer or beginning on the next Friday after an exchange of custody occurs if such exchange shall occur on a Friday.

8. The father shall have visitation and temporary physical custody of the child each Wednesday in September, October, November, March, April and May except the Wednesday directly before Thanksgiving beginning at 4:15 P.M. through 7:00 P.M.

9. While the child is in kindergarten during any Wednesday when the child will otherwise be in Day Care, the father or step-mother may pick up the child at about 11:30 A.M. after the completion of kindergarten classes at First District School to



CONTINUED ON PAGE 352D

begin such visitation early provided mother has been notified at least 48 hours prior to that visit of the intention to do so, so that she may make appropriate arrangements with the Day Care center and First District School. Obviously, such extended visitation earlier than 4:15 P.M. will not be possible once the child is in school for a full day.

10. The Court would note that it is its intention that the child remain in morning kindergarten sessions and mother shall make no attempt to move the child to afternoon sessions to preclude such extended visitation if father desires to exercise the same.

11. Holiday visitations shall be arranged as follows:

a. Christmas: There shall be two Christmas holiday visitation periods. The first shall begin on Christmas Eve at noon and end on Christmas day at noon and the second shall begin on Christmas day at noon and end on December 26th at noon. For Christmas 1992, the mother shall have the first period and the father the second and the parties shall thereafter alternate. The father shall have visitation and temporary physical custody during the child's Christmas vacation from school from December 26th at noon until January 1st at noon.

b. Thanksgiving: Father shall receive visitation and temporary custody of the minor child on Thanksgiving at 2:00 P.M. and shall maintain such visitation and temporary custody through 5:00 P.M. on Saturday.

c. Easter: There shall be two Easter visitation periods, the first beginning on Holy Saturday at 5:00 P.M. and ending Easter Sunday at 1:00 P.M. and the second beginning on

Gary D. Hope
vs.
Cynthia J. Hope

CONTINUED FROM PAGE 352C
of Record
A. D. 1989 - 902

Easter Sunday at 1:00 P.M. and ending on Easter Sunday at 6:00 P.M. For Easter 1993, the father shall have the first period and the mother shall have the second and the parties shall thereafter alternate.

d. With respect to any midwinter vacation the child may have, father shall have visitation and temporary custody with her from 5:00 P.M. on the first full day of such vacation until 5:00 P.M. on the day before the last full day of said vacation.

e. The other holidays to be observed are Memorial Day, Independence Day and Labor Day. Holiday visitation shall be between the hours of 9:00 A.M. and 8:00 P.M. except for Independence Day when the holiday visitation shall be extended to 11:00 P.M. so that the child may watch fireworks. The father shall have visitation for Labor Day 1992 and the parties shall thereafter alternate the holiday periods.

f. The child shall spend Father's Day with her father from 9:00 A.M. until 7:00 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 visitation periods.

12. Should it be necessary for either party to cancel or modify the visitations as set out in this Order 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.

13. 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.

14. 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.

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

16. Any person transporting the child shall make sure that seatbelts or other restraints are used in accordance with the law of Pennsylvania.

17. Neither party shall do or say anything to blacken the character of the other party 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.

18. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and



are strongly encouraged to do so if they would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

19. The parties shall take care to discuss arrangements and problems arising out of their relationship with Tess between themselves and shall not make use of intermediaries unless absolutely necessary.

20. The record indicates that the mother has not paid $101 as her share of the mediation conference fees with respect to the mediation held on June 25, 1992. She shall pay the same within ten days of the date of this Order.

BY THE COURT:

J.

Attorney for Plaintiff:
Mary Ann Kirkpatrick, Esq.

Attorney for Defendant:
James R. Irwin, Esq.

Sept. 1, 1992 Copies of the Order hand delivered to Attys. Irwin and Kirkpatrick.

Feb. 23, 1994 Motion to Withdraw Appearance and ORDER filed. And Now, February 23, 1994, the motion for withdrawal of Appearance is granted.
By the Court:
Anthony J. Vardaro, J.

2-25-94 Copy of Order to Attys. Kirkpatrick & Irwin.

# 1989

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

903.

THOMAS A. HUSON AND
MARTHA J. HUSON

vs.

THOMAS A. HUSON II AND
ANN M. HUSON

Filed Oct. 9, 1989
@ 10:59 a.m.

TAx & entry Paid $50.50 ✓
John Fuller, mediator

PETITION FOR VISITATION

1 copy (atty)
1 copy (mediator)

ORDER:
AND NOW, this 9th day of Oct. 1989, 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 crawfordCounty Courthouse with the child custody mediator as required by Rule 31(e) OF THE Court of Common Pleas of Crawford County, Pennsylvania.

BY THE COURT,
Robert L. Walker, J.

Jorden and White
Harry Faber White II

904.

William Kuhar
Atty. for Commonwealth

IN RE:

LICENSE SUSPENSION
OF
DAVID C. PEEPLES

Filed Oct. 9, 1989
@ 2:28 p.m.

Tax & entry paid $50.50 ✓

APPEAL NUNC PRO TUNC FROM SUSPENSION OF
DRIVING PRIVILEGES

1 copy (atty)

ORDER:
AND NOW, this 9th day of Oct. 1989, upon consideration of the foregoing petition of appeal a hearing on the same is scheduled for the 30 day of Nov. 1989 at 9:00 a.m. in C. R. No. 1 or 2. Right to appeal nunc pro tunc to be decided first.

BY THE COURT,
Robert L. Walker, J.

Oct. 9, 1989 copy to Atty. White.

Dec. 20, 1989 MEMORANDUM AND ORDER FILED. Order: AND NOW, December 20, 1989 appellant's appeal from suspension and/or revocation of his driving privileges is dismissed.

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

Dec. 21, 1989 copies of order sent to William Kuhar and Harry White,II esqs.

Dec 20, 1989 Exhibits filed with papers.

# 1989

Kathleen R. Nelson

905.

pro se

JANET D. COOTS

vs.

KENNETH W. COOTS

Filed Oct. 10, 1989
@ 1:57 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Pro Co Pd 2/12/91 | 9.00 |
| state paid 2/12/91 | 10.00 |
| Pro Co pd 3/6/91 | 5.00 |

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

Nov 14, 1989 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, Kenneth W. Coots, on October 13, 1989.
3. The registered mail was sent to Kenneth W. Coots, in care of P.O. Box 720810, Houston, Texas 77272. The sender's receipt for said registered mail is attached hereto.
4. That the Defendant received said registered mail or or about October 26, 1989. Return Receipt card P 076 254 254 is attached hereto, signed by Kenneth Coots, and made a part hereof.

Kathleen R. Nelson,
Attorney for Plaintiff

Oct. 22, 1990, Answer letter of defendant filed.

Feb. 7, 1991 Affidavit of Consent of plaintiff filed.

Feb. 7, 1991, Affidavit of Consent of defendant filed.

Feb. 7, 1991 Upon praecipe of plaintiff attorney for review, this case moved to court.

Feb. 21, 1991 **D I V O R C E  D E C R E E  F I L E D .**

AND NOW, February 20, 1991, it is ordered and decreed that Janet D. Coots, plaintiff and Kenneth W. Coots, defendant, are divorced from the bonds of matrimony.

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

Mar. 6, 1991 Notice Of Election To Retake Prior Name filed. Janet d. Coots TO BE KNOWN AS: Janet D. Haworth

# 1989

906.

REDEVELOPMENT AUTHORITY
OF THE CITY OF MEADVILLE

vs.

GREGORY A. GRIFFITH
PATRICIA A. GRIFFITH

Filed Oct. 10, 1989
@ 4:04 p.m.

| | |
|---|---|
| Pro Simmons paid | $9.00 ✓ |
| plff on orig. | 14.50 |
| Pro Pd. 3/22/91 | 5.00 ✓ |

AGREEMENT TO REVIVE

of

DSB 1984 - 628

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

Debt.....$18,000.00
Dated.....
G - 74, 134...JUDGMENT REVIVAL

James F. Simmons,
Prothonotary

Mar. 22, 1991 This Judgment Satisfied. (see paper filed)

# 1989

907.

REDEVELOPMENT AUTHORITY OF
THE CITY OF MEADVILLE

vs.

JOHN J. PARISE

Filed Oct. 10, 1989
@ 4:04 p.m.

| | |
|---|---|
| Pro Simmons paid | $9.00 |
| plff on orig | 14.50 |
| Pro Co. pd. 9/30/91 | 5.00 |
| Pro Co. pd 4/21/94 | 5.00 |
| Pro.Co. pd 8/12/94 | 5.00 |
| Pro.Co pd. 11/17/94 | 5.00 |

AGREEMENT TO REVIVE

OF

AD 1984 - 961

Revival of Judgment indexed in favor of the plaintiff and against the defendant in the amount of Eighteen Thousand and 00/100 dollars, plus costs.
Debt.....$18,000.00
dated.....
P - 94....JUDGMENT REVIVAL
James F. Simmons,
Prothonotary

Sept. 27, 1919 Writing filed wherein plaintiff releases from the lien of the above entitled judgment the following property, to wit: ALL those certain pieces or parcels of land situate in Sadsbury Township, Crawford County, PA.(for more complete description, see paper filed).

April 21, 1994, Writing filed wherein plaintiff postpones the lien of the above stated judgment in favor of certain mortgage given by the said John J. Parise and Jane M. Parise to PNC Bank, National Association, in the sum of Twenty-nine thousand and 00/100 Dollars, dated March _____,1994.
This postponement to affect the lien and collection of said judgment out of the following described property: Craw. Co. Record Book_____ at Page _____.

Aug. 12, 1994 Writing filed wherein plaintiff subordiante in lien, priority and distribution to a certain Mortgage upon 508 Main Street, Saegertown, PA 16433 dated July ___, 1994 in the amount of $6,000.00 given by John J. Parise and Jane M. Parise to PNC Bank, National Association. This postponement to affect the lien and collection of said judgment out of the following described property: (For more Complete description, see Suboardination of Judgments filed.)

Nov. 17, 1994 This Lien Satisfied.
(see paper filed)

# 1989

908.

REDEVELOPMENT AUTHORITY
OF THE CITY OF MEADVILLE

vs.

GEORGE E. BARNES
PATRICIA E. BARNES

Filed Oct. 10, 1989
@ 4:04 p.m.

Pro Simmons paid $9.00
plff on orig 9.50

AGREEMENT TO REVIVE

of

DSB 1984 - 696

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

Debt..... $5,000.00
Dated....
B - 293, 134....JUDGMENT REVIVAL
James F. Simmons,
Prothonotary

Oct 1, 1991
This Judgment Satisfied
(see paper filed)

# 1989

Culbertson, Weiss, Schetroma and Schug
Mary Ann Kirkpatrick

909.

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

JANICE EAKIN

vs.

DAVID EAKIN

Filed Oct.10, 1989
@ 4:19 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| 3 counts paid | 45.00 |
| Pro Co Pd 7/19/90 | 9.00 |
| State pd. 7/19/90 | 10.00 |

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, ALIMONY PENDENTE LITE, COUNSEL FEES, COSTS, EXPENSES AND CHILD SUPPORT, AND CUSTODY

1 copy (atty)

Oct. 13, 1989, Upon praecipe of shafer, Swick, Bailey,, Irwin & Stack, by James R. Irwin, attorneys for defendant, appearance filed.

Oct. 13, 1989, Acceptance of service of complaint in Divorce field. And Now, this 13 dayof Oct. 1989, and in accordance with rule of Civil Procedure 1920.4(e), I hereby accept service of a true and correct ccpy ofthe complaint in divorce.
James R. Irwin Esq.

July 17, 1990, Seperation and Property Settlement Agreement filed.

July 17, 1990, Affidavit of Consent of defendant filed.

July 17, 1990, Affidavit of Consent of plaintiff filed.

July 17, 1990, Upon praecipe of defendant attorney, the above captioned case is transmitted to the court.

July 25, 1990 **DECREE FILED.**

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

2. Equitable Property Determination and Distribution: It is ordered and decreed that the marital property of the abovenamed parties shall divided in accordance with a Separation and Proper ty Settlement Agreement dated July 13, 1990, executed by the parties and filed in the Court of Common Pleas of Crawford County, Pennsylvania at the abovecaptioned number and term.

This Agreement, in part, provides that division of marital owned personal proepr ty shall be mad ein accordance with Paragraphs 11, and 12, of the Separation and Property Agreement dated July 13, 1990, which in part , provides:

a) The Defendant shall be the sole and exclusive owner of all maritally owned personal proper ty in the Defendnat's possession with the exception of those items listed on Exhibit "A" of the AGreement which shall become the sole and exclusive property of the Plaintiff.

b) The Defendant shall be the sole and exclusive of the 1989 Toyota, automobile.

c) On or before August 1, 1990 Wife shall refinance the existing automobile installment loan utilized to purchase the 1987 Buick vehicle, be soley responsible to repay said loan and be the sole and exclusive owner of the 1987 Buick, automobile.

3. Alimony, Counsel Fees and Child Support: In accordance with Paragraphs 10 and 14 of the July 13, 1990, Agreement neither of the to shall be awarded alimony or counsel fees.

PUrsuant to a Consent Support Order dated August 1, 1989 at D.R. 1989-261 of Crawford County the issue of child support has been resolved between the parties.

4. Child Custody: PUrsuant to Paragraphs 16, 17, 18 and 19 of the Separation and Property Settlement Agrement dated July 13, 1990 the issue of child custody has been resolve.d

5. A copy oft he Separation and Property Settlement Agreement of the parties, dated July 13, 1990, which sets in further detail the agreement of the parties concerning the matters her ein , shall be file diwth this Decree in the Prothonotary's Office at the above number and term.

6. No other matters or cause sof action provided under the Pennsylvania Divorce Code are reserved by either of the parties.

This Order shall be effective as of this 25 day of July, 1990.

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

# 1989

Kathleen R. Nelson

Brian J. Lindsay

910.

NANCY DeROS$

vs.

ROLAND A. DeROSS

Filed Oct. 11, 1989
@ 8:47 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 ✓ |
| 1 count paid | 15.00 ✓ |
| Bruce Barrett, Master | |
| Proto pd 9-8-92 | 15.00 ✓ |
| User's fee pd 9-8-92 | 5.00 |
| Pro.Co. pd 5/3/93 | 9.00 |
| State Paid 5/3/93 | 10.00 |

10-30-92 Received from Plaintiff Masters deposit #350

3-22-93 Received from deft masters fee dep $450

5-13-93 Pd Barrett, Master ck# 7537 75.00

5-13-93 Pd Plff ck# 7538 312.50

5-13-93 Pd Deft ck# 7539 412.50

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

1 copy (atty)

Oct. 18, 1989 Affidavit of Service filed. I, Brian J. Lindsay, Esq., after being duly sworn according to law, depose and say that I am the attorney of record for Nancy DeRoss, and that as such I am authorized to execute this Affidavit; that did on the 11th day of Oct., send a Certified Mail, Addressee Only, Return Receipt Requested to Roland A. DeRoss, Jr.,a true and correct copy of the Notice to Defend and Claim Rights and the Divore Complaint, at his last known address at Lot 1, Harmony Trailer Court, Harmonsburg, PA 16422, as evidenced by the attached sender's receipt No. P 276 200 299 and that on the 13th day of October, 1989, I did receive the duly executed return receipt dated teh 12th day of October, 1989.

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

Date: 10/16/89 Brian J. Lindsay, Esq.

Mar 1, 1991 Appearance of Kathleen R. Nelson, Esq. for Plaintiff filed.

Mar 1, 1991 Petition for Special Relief and Order filed: AND NOW, this 1 day of March, 1991, upon consideration of the attached Petition for Special Relief, hearing is set for the 14 day of March, 1991, at 9:00 o'clock A.M., Courtroom No. 1 or 2, Crawford County Courthouse, Meadville, Pennsylvania.

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

Mar 5, 1991 Copies of order put in Attys. Lindsay and Nelson's boxes.

Mar.8, 1991 Affidavit of Service of Petition for Special Relief and Order filed.

Oct. 21, 1991, Inventory and Appraisement of Roland A. DeRoss and Nancy C. DeRoss filed.

Oct. 21, 1991 Income and Expense Statement of Nan cy c. ReRoss filed.

Dec. 10, 1991, Affidavit of Consent of plaintiff filed.

Sept. 8, 1992 Supplemental Complaint in Divorce, Counsel Fees, Costs and Expenses filed.

Sept. 29, 1992 Affidavit of Service filed. Kathleen R. Nelson, Esq., being duly sworn acording 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 Supplemental Complaint in Divorce and Notice to Defend were sent by certified mail to the Defendant, on September 18, 1992.
3. The registered mail was sent to Roland A. DeRoss, Jr., at c/o Roland Plumbing and Supply, Box 7, Harmonsburg, PA 16422. the sender's receipt is attached hereto.
4. That the Defendant received said registered mail on September 18, 1992. Said Return Receipt card P 360 670 054 is attached hereto, signed by Roland A. Reross, Jr. and made a part hereof.

Kathleen R. Nelson

Oct. 2, 1992 Motion for Hearing and Order filed. AND NOW, this 30 day of September, 1992, upon presentation and consideration of the herein Motion for Hearing, a hearing is scheduled for the 1st day of december, 1992, at 2:30 o'clcok p.m. in Courtroom 1 or 2 of the Crawford County Courthouse.

For The Court,
Imogene Yetman, C.A.

Oct. 8, 1992 Copy of order put in box for Atty' Nelson

Oct.16, 1992 Motion for Appointment of Master in Divorce and Order filed. AND NOW, October 15, 1992, Bruce Barrett, Esquire is appointed Master in respect to the following claims: Eq.Dist., Divorce, Counsel Fees, Costs & Expenses.
Deposit required: By Plaintiff $350; By Defendant $450.

PER CURIAM,
Anthony J, Vardaro, Judge

Oct.16,1992 Copy of Order to Attys.Nelson & Barrett.

Oct. 16, 1992 Order Filed. AND NOW, October 15, 1992, this matter is before the Court on a Motion for appointment of master in divorce filed by the Plaintiff.

This is a 1989 divorce and the Defendant has not yet filed his income and expense statement and inventory and appraisement.

Accordingly, he is ordered to do so within 30 days of the date of this Order.

BY THE COURT:
Anthony J.Vardaro, J.

Oct. 16, 1992 Copy of the Order to Attys. Barret & Nelson and to Defendant.

Oct. 30, 1992 Inventory of Roland A. DeRoss filed.

**Nov. 25, 1992, Motion for continuance of hearing and Order filed. ORDER: AND NOW this 25th day of Nov., 1992, upon presentation and consideration of the herein motion, the hearing scheduled for Dec. 1, 1992, is hereby continued to until further order of court.**

**Gordon R. Miller J.**

**Dec. 1, 1992, copies of order to Attys. Nelson, Lindsay and Barrett.**

March 5, 1993 Petition for Contempt and ORDER filed. AND NOW, this 5th day of May, 1993, upon consideration of the herein Petition, hearing has been set for March 25, 1993, at 3:30 o'clock at p.m. in Courtroom No. 1.

For the Court,
Ann A. Walker, Court Administrator

March 10, 1993 Copy of Order to Attys. Kathleen Nelson, Brian Lindsay, Bruce Barrett.

Mar. 30, 1993 Notice Of Master's Hearing filed.

Nancy DeRoss

vs.

Roland A. DeRoss, Jr.

Record continued from page 360

of record

A.D. 1989 - 910

**********

Mar. 31, 1993 Motion to Withdraw Appearance and Order filed. AND NOW, this 31st day of March, 1993, this Honorable Court hereby grants Brian J. Lindsay, Esquire, to withdraw as counsel of record for the Plantiff, Nancy DeRoss.

Gordon R. Miller, J

Apr. 5, 1993 Copies of order to Atty's Lindsay, Nelson and Barrett

Apr. 29,1993 Affidavit of Consent by Roland A.DeRoss,Jr.Defendant,filed.

May 3, 1993 Upon praecipe of Plaintiff Attorney to transmit record, case moved to court.

DIVORCE DECREE FILED

May 7, 1993 STIPULATION AND DECREE filed. AND NOW, this 6 day of May, 1993, the Court ORDERS and DECREES as follows:

1. DIVORCE: Upon consideration of the Pleadings and Affidavits filed in the above-captioned case, this Court hereby grants an absolute divorce from the bonds of matrimony to the above-named parties on the grounds that the marriage is irretrievably broken and ninety (90) days have elapsed from the date of filing of the Complaint, and an Affidavit has been filed by each of the parties, pursuant to Section 3301(c) of the Divorce Code, evidencing that each consents to the divorce.

It shall be lawful for Plaintiff and Defendant at all times hereafter to live separate and apart from each other and to reside from time to time and in such place or places as they shall respectively deem fit, free from any control restraint or interference, direct or indirect by the other. Each party shall be of good behavior toward the other and shall not disturb or harass the other in any manner whatsoever.

2. TANGIBLE PERSONAL PROPERTY: The paraties hereto shall each retain those items of personal property now in his or her possession, such as jewelry, clothing, personal effects, household furnishings, life insurance policies, furniture and bank accounts, along with any liens, debts, taxes, claims, or other expenses thereon, with the exception of RO, ND microwave oven, which is currently in the possession of the Defendant but shall become the separate property of the Plaintiff. The Defendant shall deliver the said RO, ND microwave oven to the Plaintiff within 10 days of the date of this Decree.

The Defendant shall become the sole owner of th 1970 Star Mobile HOme, and Defendant shall be solely liable to pay all liens, debts, taxes, claims, damages, and other expenses in connection therewith, including any amount owed to Roland A. DeRoss, Sr.

Each party, if requested by the other, shall execute a Bill of Sale transferring title to said items to the other, and shall execute a Bill of Sale transferring title to said items to the other, and shall execute any Certificates of Title, Assignments of Title, Sales and Use Tax returns, or other documents reasonably required to transfer title to any of the assets listed.

3. EMPLOYEE BENEFITS: The Defendant waives any and all claim and entitlement he may have to Plaintiff's employment benefits with GTI Corporation. The Plaintiff waies any and all claim and entitlement she may have to any employment benefits to which the Defendant may be entitled by virtue of his employment during the marriage of the parties.

4. ALIMONY AND ALIMONY PENDENTE LITE, COSTS, FEES AND EXPENSES: The parties acknowledge that each has property which is sufficient to meet the reasonable needs of each, therefore, each waives any claim to alimony, alimony pendente lite, costs, fees and expenses, pursuant to the PA. Divorce Code.

5. TAX RETURNS: The 1989 Federal and State Income Tax refunds in the total amoutn of $1,272.00 shall become the separate property of the Defendant.

6. MASTER'S EXPENSE: Any expenses incurred in regard to the master's hearing scheduled in this matter shall bve divided equally between the parties.

BY THE COURT,
Anthony J. Vardaro, J.

May 13, 1993 Petition for Payment of Master's Fees and ORDER filed. AND NOW, this 12th day of May, 1993, upon the Petition of Kathleen R. Nelson, Esq., counsel for the Plaintiff, the Prothonotary is ordered to pay out the sum of $800.00 currently on deposit as follows:

| | |
|---|---|
| Bruce Barrett, Esq., Master | $ 75.00 |
| Nancy DeRoss,Plaintiff | 312.50 |
| Roland A.DeRoss, Jr. | 412.50 |
| | $800.00 |

By the Court,
Gordon R. Miller, J.

May 17, 1993 Copy of Order toAttys. Nelson, Lindsay & Barrett.

360

# 1989

# 1989

Carl M. Carlotti

911.

Doepken, Keevican & Weiss, PC
Jennifer Wilson Hewitt

UTILITY CONSTRUCTORS, INC.

vs.

THE DICKIRSON CORPORATION

Filed Oct. 11, 1989
@ 10:52 a.m.

Tax & entry Paid $50.50
Sheriff's costs 19.70

COMPLAINT

1 copy (sheriff)

Oct. 25, 1989 Sheriff's Return filed. SERVED The Dickirson Corporation by Certified mail on Oct. 16, 1989 at their last known address of P.O. Box 750, Interstate 77-Route 21, Ripley, WV 25271. The signed return receipt attached.
So answers, Howard N. Stewart, Sheriff

Nov. 14, 1989, Notice of Intention to File Judgment filed.

Nov. 22, 1989 Answer and New Matter filed.

Dec. 7, 1989 Reply of Plaintiff, Utility Constructors, Inc., to New Matter of Defendant, The Dickirson Corporation.1copy(atty)

Feb. 22, 1990 Notice of Service Of First Set of Interrogatories filed.

Apr. 19, 1990 Notice Of Service Of Answers To Interrogatories filed.

May 30, 1990, NOtice of Interrogatories by plaintiff propounded to Defendant filed.

June 27, 1990 Notice Of Service of Answers To Interrogatories filed.

# 1989

Devine & Kuftic
David R. Devine

912.

JAMES ROZAKIS

vs.

ELIZABETH ROZAKIS

Filed Oct. 11, 1989
@ 11:00 a.m.

| | |
|---|---|
| Tax & entry Paid | $40.60 |
| Bal. Pd 10/11/89 | 10.00 |
| Pro Co. Pd4/6/90 | 9.00 |
| State Surcharge Pd. | 10.00 |

COMPLAINT UNDER SECTION 201(c) OR 201(d) OF DIVORCE CODE

5 copies (atty)

Oct. 20, 1989 Affidavit Of Service filed. Before me, the undersigned Notary Public, personally appeared David R. Devine, Esquire of 201 Erie Street, Edinboro, Pennsylvania, Attorney for Plaintiff, James Rozakis, inthe above captioned case. Attorney Devine deposes and states that he mailed a true and certified copy of a Complaint in Divorce in the above captioned case to Defendant, Elizabeth Rozakis, by certified mail, return receipt requested, persuant to Rule 1920.4 (a)(ii). The original of the return receipt is attached to this Affidavit and made a part hereof.

Attorney Devine further states that he sent a second true and attested copy of the Complaint in Divorce in the above captioned to the Defendant. David Devine

Mar. 22, 1990 Affidavit Of Consent of Plaintiff filed.

March 29, 1990 Affidavit of Consent of Defendant filed.

April 6, 1990, Upon Praecipe of Plaintiff Attorney For Review under Section 201(c) of Divorce Code, this case is moved to Court.

David R. Devine, Esq.

Apr. 11, 1990 **DECREE FILED.**

AND NOW, April 11, 1990, it is ordered and decreed that James Rozakis, Plaintiff, and Elizabeth Rozakis, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of the following claims which have been raised of record int his action for which a final order has not yet been entered: none.

BY THE COURT:
P. richard Thomas, J

# 1989

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

913.

COMMONWEALTH OF PENNSYLVANIA
EX REL MICHAEL A. SWIGER

vs.

JACK B. BRICKNER, WARDEN
Crawford County Jail
360 Center Street
Meadville, Pennsylvania 16335

Filed Oct. 11, 1989
@ 4:19 p.m.

PETITION FOR WRIT OF HABEAS CORPUS

ORDER:
AND NOW, October 11, 1989, upon consideration of the foregoing Petition and upon Motion fo David P. Truax, esq., Attorney for the relator, it is directed that a writ of habeas corpus ad subjiciendum issue forthwith and that a hearing be held on the 16 day of Oct. 1989 at 9:30 a.m. in C. R. No. 1 or 2 Crawford County Court House, Meadville, Pa., and that the Prothonotary be directed to serve by personal service upon Jack B. Brickner, Warden of the Crawford County Jail, 360 Center Street, Meadville, Pa.
Notice of the said hearing to be given forthwith to the District Attorney of Crawford County.
BY THE COURT,
Robert L. Walker, Judge
Oct. 12, 1989, copy in box of Atty. Truax.

Oct. 13, 1989, Affidavit of Service filed.
James A. Simmons, hereby certifies that he is the Prothonotary of crawford County and that a copy of Habeas corpus was served on Jack B. Brickner, warden of crawford County Jail in his office on 360 center Street, Meadville, Pa. at 9:15 a.m on Oct. 12, 1989.
James F. Simmons,
Prothonotary

Oct. 18, 1989 Order filed. AND NOW, October 16, 1989, after chambers conference and with the consent of the Defendnats and their respective attorneys,, the Habeas Corpus hearing in this case is continued until October 23, 1989, at 9:00 a.m., The reason for the continuance is to allow Ohio prosecuting authorities time to make a decision as to whether appropriate charges will be filed in the State of Ohio and forward the necessary processing papers to Crawford County requesting the arrest and detention of the Defendants on Ohio warrants and a determination of whether or not extradition will be waived.
BY ORDER OF THE COURT,
P. Richard Thomas, P.J.
Oct. 19, 1989 Copies of order put in John Dawson, R. Charles Thomas and David Truax's box.

Oct. 23, 1989, WAIVER OF EXTRADITION AND CONSENT TO RETURN, signed by Michael A. Swiger, and Atty. David P. Truax, Atty., executed in Open Court before: P. Richard Thomas, , Judge on 10/23/89.
Received into my custody from Crawford County, Pa. above named Michael A. Swiger at be by me conveyed to Akron, in the State of Ohio, thereto answer a charge of Murder now pending against him. Ronald E. Suggett # 280
Akron P.D.

Oct. 24, 1989, RE: PETITION FOR WRIT OF HABEAS CORPUS - ORDER filed.
And now, October 23, 1989, at the time set for hearing on these habeas corpus actions, the Defendants together with their respective cousnel appear before the court and agree to waive extradition to the state of Ohio (Summit County). The extradition waivers were signed inthe Court's presence, and the court is advised that Ohio authorities will return the defendants to Summit County, Ohio, to face homicide charges lodged against them there.
Both defendants and their counsel agree that the issues in the habeas corpus actions are not moot in view of the waivers of extradition and, accordingly, the court directs that the above actions be discontinued.
BY ORDER OF THE COURT,
P. Richard Thomas, P.J.
Oct. 25, 1989 copies to Attys. Truax, R. C. Thomas and JOhn Dawson.

364.

# 1989

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

914.

MARY JANE YARKOSKY

vs.

MICHAEL YARKOSKY

Filed Oct. 12, 1989
@ 8:59 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 ✓ |
| Pro Co Pd 1-29-90 | 9.00 ✓ |
| State Pd 1-29-90 | 10.00 |
| Pro Co Pd 2/16/90 | 5.00 ✓ |

COMPLAINT IN DIVORCE UDNER SECTION201(c) OF DIVORCE CODE

1 copy (atty)

Oct. 20, 1989 Affidavit Of Service Of Complaint In Divorce filed. David P. Truax, Esquire, being duly sworn according to law, deposes and says that on October 13, 1989, he sent a true and correct copy of the Complaint In Divorce, properly endorsed with the NOtice To Defend, filed in the above action to the Defnednat, Michael Yarkosky at Defendant's last known address of R.D. 1 Box 209-A Cambridge Springs, PA 16403, by Certified Mail No. P063 589 579, postage prepaid, restricted delivery, return receipt requested, and that attached hereto is a duly executed return receipt card showing date of delivery as October 14, 1989.
David P. Truax

Jan 11, 1990 Affidavit of Consent of Defendant filed.

Jan. 23, 1990 Affidavit of Consent of plaintiff filed.

Jan 24, 1990 Upon Praecipe of Plaintiff's Attorney for Review Under §201(c) of the Divorce Code, this case is moved to Court.

Feb. 6, 1990 **DIVORCE DECREE FILED.**

AND NOW, February 6, 1990, it is ordered and decreed that Mary Jane Yarkosky, plaintiff and Michael Yarkosky, defendant, are divorced from the bonds of matrimony.
BY THE COURT,
Gordon R. Miller, J

Feb. 13, 1990 Notice of Election to REtake Maiden Name filed.

TO BE KNOWN AS: MARY JANE CHIDESTER.

# 1989

Phillips and Galanter
Cary w. Valyo

915.

MOTORIST MUTUAL INSURANCE COMPANY AS SUBROGEE OF PEGGY BEHRENDT

vs.

DONALD H. KIEHLMEIER

Filed Oct. 12, 1989
@ 10:34 a.m.

| | |
|---|---|
| Tax & entry paid | $50.50 |
| Sheriff's Costs | 17.00 |
| Pro Co Pd 1/22/90 | 9.00 |
| Bill of costs, plff. | 40.00 |
| Cert. Pd 6-15-90 | 2.00 |

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Nov. 16, 1989 Writ Return filed. Before me, the undersigned authority, personally appeared Harry Holmwood, Deputy who being duly sworn according to law, deposes and says that on the 20th day of October, 1989, at 1:00 p.m., he served Writ of Summons, filed at NO. 915, Term, 1989, Crawford County Pennsylvania, upon defendant Donald H. Kiehlmeier at 2360 Hershey road,. Erie County, Erie, Pennsylvania By making known the contents thereof to Donald h. Kiehlmeier, Sr., his father and handing to and leaving with him the certified copy ofthe Writ of summons received from Crawford County.
So answers Harry I. Holmwood, Deputy Sheriff
Robert N. Michel, Sheriff
SERVED Donald H. Kiemlmeier by deputizing the Sheriff of Erie County, PA as per his Affidavit of Service attached. Served: October 20, 1989.
So answers, Howard N. Stewart, Sheriff

Dec. 13, 1989 Complaint filed.

Dec. 27, 1989, Verification of Service filed. I, Cary W. Valyo, Esq. hereby swear or affirm that I am atty. for the plaintiff above and that service of a copy of the complaint was made upon the defendant Donald H. Kiehlmeier, at his address of 2360 Hershey Road, Erie, Pa. 16509, on Dec. 13, 1989 by cert. mail No. P 937 893 551, the original receipt is attached hereto. Cary W. Valyo, Esq.

Jan. 22, 1998 at 11:20 a.m., And Now, upon praecipe of plaintiff attorney, with Verification of Non Military Serice, Plaintiffs Bill of Costs, and copy of default notice attached, Judgment is hereby entered in favor of plaintiff and against the defendant,in the amount of Twenty thousand and 00/100 Dollars.
Judgment entered 1/22/90
K - 41 Debt -----$20,000.00
JUDGMENT
James F. Simmons
Prothonotary
Jan. 23, 1990, notice of entry of judgment mailed to DEFENDANT.

# 1989

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

916.

COMMONWEALTH OF PENNSYLVANIA
EX REL EDWARD MICHAEL SWIGER
JR.

vs.

GERALD L. BRITTON, WARDEN
VENANGO County Prison
1186 Elk Street
Franklin, Pa. 16323

Filed Oct. 12, 1989
@ 10:41 a.m.

PETITION FOR WRIT OF HABEAS CORPUS

ORDER:
AND NOW, October 11, 1989, upon consideration of the foregoing petition and upon Motion of R. Charles Thomas, esq. Attorney for the relator, it is directed that a writ of Habeas Corpus Ad Subjiciendum issue forthwith and that a hearing be held on the 16 day of October 1989 at 9:30 a.m. in court Room 1 or 2, Crawford Countycourt House, Meadville, Pa. and that a hearign be held on the 16 dayof Oct. 1989, at 9:30 a.m. in Court Room 1 or 2, crawford countycourt House, Meadville, Pa. and that the Prothonotary be directed to serve by personal service Gerald L. Britton, Warden, venango County Prison, 1186 Elk st., Franklin, Pa.
Notice of said hearing to be given forthwith to the District attorney of Crawford County.

BY THE COURT,
Robert L. walker, Judge

Oct. 18, 1989 Order filed. AND NOW, October 16, 1989, after chambers conference and with the consent of the Defendants and their respective attorneys, the Habeas Corpus hearing in this case is continued until October 23, 1989, at 9:00 a.m. The reason for the continuance is to allow Ohio presecuting authorities time to make a decision as to whether appropriate charges will be filed in the State of Ohio and forward the necessary processing papers to Crawford County requesting the arrest and detention of the Defendants on Ohio warrants and a determination of whether or not extradition will be waived. BY ORDER OF THE COURT,
P. Richard Thomas, P.J.

Oct. 19, 1989 Copies of order put in John Dawson, R. Charles Thomas and David Truax's box.

Oct. 23, 1989, WAIVER OF EXTRADITION AND CONSENT TO RETURN filed. Signed by Edward MIchael Swiger, Jr., and Atty. R. Charles Thomas,, attorney for defendant, and executed in Open Court before: P. Richard Thomas, on 10/23/89.
Received into my custody form Crawford County, Pa. Edward Michael Swiger, Jr. to be by me conveyed to Akron in the State of Ohio, there to answer a charge of murder now pending against him.
Signed: Ronald E. Suggett #280
Akron P.D.

Oct. 24, 1989, RE: PETITION FOR WRIT OF HABEAS CORPUS - ORDER filed. And now, Oct. 23, 1989 at the time set for hearing on these habeas corpus actions, the defendants together with their respective cousnel appear before the court and agree to waive extradition to the STate of Ohio (Summit County). The extradition waivers were signed in the Court's presence, and the Court is advised that Ohio authorities will return the defendants to Summit County, Ohio, to face homicide charges lodged agaisnt them there.
Both defendants and their counsel agree that the issues in the habeas corpus actions are now moot in view of the waivers of extradition and, accordingly, the court directs that the above actions be discontinued.

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

Oct. 25, 1989, copies to Attys. R. Charles Thomas, David Truax , and John Dawson

# 1989

917.

DENISE PARKER

vs.

JACK PARKER

Filed Oct. 12, 1989
@ 11:17 a.m.

Tax & entry pd 10/31/89 $50.50 ✓
Sheriff's Costs 20.00
Pro Co pd 10/31/89 9.00

10/31/89 Recd. 20.00 from Defendant

10/31/89 Paid $20.00 to Howard Stewart, Sheriff Costs 4th 5305

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)

TEMPORARY ABUSE ORDER:

And now, this 12 day of Oct. 1989, upon review of the petition of plaintiff, the court enters the following order:

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

2. Special Conditions: The defendant shall not go to the present residence of the plaintiff who is residing with her mother for any purpose whatsoever, nor shall he go to any place where he knows the plaintiff will be such as her place of employ ment.

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

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

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

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

7. The defendant is reminded that this is an order of ocurt 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 Oc.t 18, 1989 at 11:00 a.m. in C. R. No. 1 or 2 of the Crawford County courthouse.

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

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

Oct 17, 1989 Sheriff's Return filed: SERVED Jack Parker personally on October 13, 1989 at 8:26 A.M. by handing copy of Protection from abuse to him at his place of employment, American General Life Insurance, Rt. 322, Conneaut Lake Rd., Meadville, Crawford Co., Pa.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Oct. 19, 1989 Order filed. AND NOW, October 18, 1989, at the time scheduled for hearing in this matter and an informal discussion having produced essential agreement, the following Order is entered:

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

2. The defendant shall not go to the present residence of the plaintiff, who is residing with her mother at R.D. #3, LInesville, Pennsylvania nor to the plaintiff's place of employment, nor shall he intentionally go to any place where he knows she will be.

3. The defendant shall have the right to temporary custody and visitation with the children Anthony Parker and Brittany Parker each Sunday from 1:00 o'clock p.m. until 8:00 o'clock p.m. The pl aintiff shall take the two children to the residence of the defendant's brother, Stanley Parker, in LInesville, Pennsylvania not later than 1:00 o'clock p.m, the defendant may pick the children up at that location and return them to the same location at or about 8:00 o'clock p.m., where the plaintiff will pick up the children. In the event the defnedant for any reason does not wish to or is unable to exercise that visitation right, he shall give notice to the plaintiff by telephone not later than 7:00 o'clock p.m. on the preceding Saturday.

4. The defendant shall have the right to visit Samantha Parker, who is seventeen years of age and has a driver's license and reasonably available transportation, at such times as he and Samantha shall agree upon and Samantha is encouraged to maintain a relationship with her father.

5. Except for necessary calls relating to the visitaiton or the welfare of the children, each party shall refraim from telephoning the other and the parties are encouraged to deal as to other economic matters raised by this separation through their counsel.

6. This Order shall continue in full force and effect for a period of one (1) year; provided that in the event of any subsequent custody or visitation Order, either in a separate custody proceeding or as a part of a divorce proceeding, such Order shall supersede the Order herein entered in relation to the subject matter.

7. This Order may be enforced by the Pennsylvania State Police or any other Police Agency having jurisdiction in accordance with the Protection From Abuse Act.

8. The defendant shall pay the record costs in this proceeding on or before October 31, 1989

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

Oct. 20, 1989 Copy of order mailed to Plaintiff, Copies of order put in David Truax and County Control's box.

# 1989

Specter Law Offices
Howard A. Specter

918.

MacDonald, Illig,
Jones & britton
T. Warren Jones

DANA DUREC AND WENDY DUREC,
HIS WIFE

vs.

GARY ZOCK

Filed Oct. 12, 1989
@ 11:27 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Sheriff's Costs | 24.68 |
| Pro co Pd 9/16/91 | 6.00 |

COMPLAINT IN CIVIL ACTION

1 copy (sheriff)

(Jury Trial before Twelve Jurors demanded)

Oct. 31, 1989 Sheriff's Return filed. SERVED Gary Zock on October 18, 1989 at 2:18 PM by handing copy of Complaint and Interrogatories, Request for Documents to Linda Zock, his wife at residence, R.D.#1, Conneautville, Crawford County, PA 16406. So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Feb. 1, 1990 Notice of entry of Default Judgment filed.

Feb. 15, 1990, Appearance of MacDonald, Illig, Jones & Britton, by T. Warren Jones, attorneys for defendant filed.

Mar. 1, 1990, Answer and New Matter filed.

May 23, 1990, plaintiff's Reply to New Matter filed.

Aug. 12, 1991 CERTIFICATE OF READINESS, filed. ON OCT.1991 TRIAL LIST.

Sept 13, 1991 Upon praecipe of plaintiff attorney, this case is marked settled and discontinued of record.

# 1989

Richard W. Kooman, II

919.

VENUS MOTOR COMPANY

vs.

DAVID P. THOMPSON

Filed Oct. 12, 1989
@ 11:40 a.m.

| | |
|---|---|
| Pro Simmons Paid | $15.00 ✓ |
| Plff on orig | 9.50 |
| Sheriff's Costs | 28.40 |

WRIT OF REVIVAL

of

DSB 1985 - 177

Revival of Judgment indexed in favor of the plaintiff and against the defendant in the amount of Three Thousand Four Hundred Fifty five and 61/100 Dollars, with interest from Feb. 18, 1985.

Debt ---- $3,455.61
Int. from Feb. 18, 1985
T - 42 - REVIVAL OF JUDGMENT
James F. Simmons, Prothonotary

Issued (sheriff)

Oct. 31, 1989 Sheriff's Return filed. Not Found, as to David P. Thompson. Moved to Pittsburgh, PA area. No forwarding address at Post Office
So answers, Howard N. Stewart, Sheriff

9-28-94 Revived to AD1994-967

# 1989

Ferguson & Spataro
Douglas Ferguson

920.

BARBARA S. BRUNNER

vs.

CLAIR E. BRUNNER

Filed Oct. 12, 1989
@ 11:48 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| 2 counts paid | 30.00 |
| Pro Co pd 5/25/90 | 9.00 |
| State pd 5/25/90 | 10.00 |

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

1 copy (atty)

Oct. 31, 1989 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 October 17, 1989. The Defendant acknowledged service on October 21, 1989, by accepting delivery on that date as evidenced by the attached signed return receipt.
Douglas Ferguson

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

Feb. 20, 1990, Affidavit of Consent of defendant filed.

**May 25, 1990 Upon Praecipe of Plaintiff's Attorney for Review Under §201(c) of the Divorce Code, this case is moved to Court.**

May 25, 1990 Motion To Withdraw Counts and Order filed. AND NOW, May 31, 1990, the within Motion is allowed.
Gordon R. Miller, J

June 1, 1990 Copy put in Douglas Ferguson's box.

June 1, 1990 **D I V O R C E  D E C R E E  F I L E D .**

AND NOW, June 1, 1990, it is ordered and decreed that Barbara S. Brunner, plaintiff, and Clair E. Brunner, defendant, are divorced from the bonds of matrimony.
BY THE COURT,
Gordon R. Miller, J

# 1989

Bruce L. Smith

921.

CHARLES M. EMERY

vs.

EDNA M. EMERY

Filed Oct. 12, 1989
@ 3:04 p.m.

Tax & entry Paid $50.50
Pro Co. PD. 4/24/90 9.00
State Surcharge Pd. 10.00

to court.

COMPLAINT IN DIVORCE

1 copy (atty)

Oct. 23, 1989 Affidavit of Service filed. Bruce L. Smith, being duly sworn according to law, deposes and says that on the 16th day of October, 1989, 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 her residence at HIll Side, Apt. D-1506, Robin Wood Drive, Clarion, PA., 16214, and that the Complaint and accompanying notice to Defend and Claim Rights were received by the Defendant on Oct. 17, 1989, as evidence by return Receipt No. P-620 647 520 attached hereto, all pursuant to Pennsylvania Rule of Civil Procedure No. 412.

Bruce L. Smith

April 24, 1990 Affidavit of Consent of Plaintiff filed.

April 24, 1990 Affidavit of Consent of Defendant filed.

April 24, 1990 Upon Praecipe of Plaintiff Attorney For Review under Section 201(c) of Divorce Code, this case is moved

Apr. 30, 1990 **DIVORCE DECREE FILED.**

AND NOW, April 30, 1990, it is ordered and decreed that Charles M. Emery, plaintiff, and Edna M. Emery, defendnat, are divorced from the bonds of matirmony.

BY THE COURT,
Gordon R. Miller. J

# 1989

Culbertson, Weiss,
Schetroma and Schug
Mary Ann Kirkpatrick

922.

TRUDY STAGL

vs.

JAMES J. STAGL, JR.

Filed Oct. 12, 1989
@ 3:07 p.m.

| | |
|---|---|
| Tax & entry paid | $50.50 |
| Pro Co pd 4/17/90 | 9.00 |
| State pd 4/17/90 | 10.00 |

COMPLAINT IN DIVORCE

1 copy (atty)

Nov. 13, 1989, Acceptance of Service filed. I hereby accept service of the Divorce Complaint filed in this matter.
Date: Oct. 17, 1989 James J. Stagl, Jr.
R. D. #1, Box 240
Springboro, Pa. 16435

Jan. 23, 1990, Affidavit of Consent of plaintiff filed.

**Feb. 8, 1990, Affidavit of Consent of defendant filed.**

Apr. 12, 1990 Upon praecipe of Plaintiff Attorney For Review Under Section 201(c) ofthe Divorce Code, this case moved to court.

Apr. 20 , 1990 DIVORCE DECREE filed.

And NOw, April 20, 1990, it is ordered and decreed that Trudy Stagl, plaintiff, and James J. Stagl, Jr., defendant, are divorced from the bonds of matrimony.

BY THE COURT,
P. Richard Thomas, J.

# 1989

Legal Services
Gerald Sullivan

923.

SHARON HOPKINS

vs.

DAVID HOPKINS

Filed Oct. 12, 1989
@ 4:28 p.m.

| | |
|---|---|
| Tax & entry | $50.50 |
| Sheriff's costs | 23.00 |
| | 9.00 |

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plaintiff)

TEMPORARY ABUSE ORDER:

And now, this 12 day of Oct. 1989, 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 petiiton.

2. Special Conditions: Not contact plaintiff or threaten Pl. 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 ccntrol.

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

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

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

8. The c ourt reserves ruling on allocation of fees and costs.

Hearing is hereby set for Oct. 17, 1989 at 2:30 p.m. in C. R. No. 1 or 2 of the Crawford County Court House.. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Oct. 16, 1989 Sheriff's Return filed. SERVED David Hopkins personally by handing copy of Protection From Abuse to him on Oct. 13, 1989 at 11:15 AM at his place of residence, Reed Ave., Conneaut Lake, Crawford Co., PA.
So answers,

Robert M. Stevens, Deputy Sheriff
Edgar D. Householder, Chief Deputy
Howard N. Stewart, Sheriff

Oct. 18, 1989, ORDER filed. AND NOW, Oct. 17, 1989, after informal hearing and with the essential agreement of the parties, the following Order is entered:

1. The defendant shall not assault, abuse, harass or in any way threaten the plaintiff nor shall the defendant solicit or arrange for any third party toengage in like conduct.

2. The defendant shall be permitted to continue to occupy the marital domicile on Reed Avenue, Conneaut Lake, Pa.

3. The plaintiff may go to the former marital residence for the purpose of obtaining her clothing, personal effects and medications on Thursday morning at or about 11:00 a.m. and the defendant agrees to leave the marital domicile unlocked and go to his mother's so that he will not be present at the time she obtains those items, but the plaintiff shall take no personal property other than her personal effects, clothing and medications.

4. There is some indication from the parties that there my ultimately be a reccnciliation; and in that event, this Order shall continue in full force and effect insofar as it prohibits the defendant form assaulting, abusing, harassing or threatening the plaintiff.

5. This order may be enforced by the Pa. State police or any other Police Agency having jurisdiction in accordance with teh Proteciton From Abuse Act.

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

7. Costs in this matter shall be paid by Crawford County.

BY ORDER OF THE COURT
Robert L. Walker, Judge

Oct. 18, 1989, copies to Gerald Sullivan, dft. and CountyControl.

# 1989

Mason and Mason
M. Dan Mason

924.

AARON CATHEY, BY HIS PARENT AND NATURAL GUARDIAN, LESSIE CATHEY

vs.

RIVERSIDE MARKETS

Filed Oct. 13, 1989 @ 8:49 a.m.

Tax & entry Paid $50.50 ✓

SUMMONS IN A CIVIL ACTION

Oct. 13, 1989, Petition to Settle Minor's Claim and Order filed. ORDER: AND NOW, October 13, 1989, upon consideration of the foregoing Petition, Lessie Cathey, parent of Aaron Cathey, is hereby authorized to settle the claim of Aaron Cathey for the sum of $3,000.00. Upon payment to M. Dan Mason, atty. for the plaintiff, of the aforesaid sum of $3,000.00, less costs and the present payoff to the Department of Public Welfare, the defendant shall be released and furthermore shall be released from any duty to see to the application of the proceeds. M. Dan Mason is hereby directed upon receipt of the aforesaid $3,000.00 to pay $750.00 to Mason and Mason as atty. fees, and to pay the balance of the $3,000.00, less costs, to Lessie Cathey as custodian for Aaron Cathey under the Pa. Uniform Gift to Minor's Act. Lessie Cathey is hereby authorized to execute releases on behalf of her son, Aaron Cathey in full settlemtn of this claim.

Per Curiam,
Robert L. Walker, J.

Oct. 13, 1989, copy of order to M. DAn Mason. (box)

Dec. 15, 1989 Amendment To Petition To Settle Minor's Claim and Order filed. AND NOW, December 15, 1989, upon consideration of the foregoing petition, the court amends the Order of October 13, 1989 by approving the deposit of the$1,567.50, which represents the net proceeds of the settlement to Aaron Cathey, in an IDS Installment Investment certificate, with M. Dan Mason as trustee, with the principal and interest to be owned by Aaron Cathey and turned over to him when he reaches the age of eighteen.

per curiam,
Robert L. Walker, J

Dec. 15, 1989 Copy of order put in Dan Mason's box.

# 1989

| | | |
|---|---|---|
| Culbertson, Weiss, Schetroma and Schug<br>Alan R. Shaddinger | KATHY L. HAYLETT | COMPLAINT FOR CUSTODY<br>1 copy (atty) |
| 925. | vs. | Oct. 13, 1989, Petition to Proceed In Forma Pauperis filed. |
| | GORDON L. RHOADES | |
| | IN RE: AMBER RHOADES | |
| | Filed Oct. 13, 1989<br>@ 9:51 a.m. | |
| | Indigent filing | |

# 1989

William L. Walker

Thomas, Turax, Spadafore Vardaro & Walker

926.

Eugene C. Sundberg, Jr.

JACK BROWN

vs.

ORVILLE F. HUBER, AND/OR AMERICAN SAFETY SERVICE, INC.

Filed Oct. 13, 1989
@ 11:08 a.m.

| | |
|---|---|
| Tax & entry paid | $40.25 |
| bal. pd. 10/20/89 | 9.75 |
| Pro Co Pd 1/31/90 | 15.00 |
| Sheriffs costs | 41.60 |
| Pro Co pd 5/16/90 | 6.00 |
| Pro Co pd 5/30/90 - | 4/02 |

APPEAL OF DEFENDANTS FROM JUDGMENT OF MAGISTERIAL DISTRICT 30-3-02

Oct. 13, 1989, Rule entered upon plaintiff to file Complaint issued.

Oct. 24, 1989 Proof of Service filed.

Dec. 5, 1989 Complaint filed.

Jan. 25, 1990 Defendants' Answer and New Matter filed.

Jan. 31, 1990, Reply to New Matter filed.

Jan. 31, 1990, Upon praecipe of plaintiff attorney, for reference to the arbitrators, the following arbitrators are appointed: ~~William F. Gorman~~, Ch. Terry Toomey
~~Donald E. Lewis~~ David Pickens
Betti J. Peterson-Muth

Feb. 26, 1990, Arbitrators Take the Qualifying Oath.

Mar. 13, 1990 Notice Of Hearing Before Board of ARbitrators filed.

April 12, 1990, Decision of ARbitrators filed in which they find in favor of plaintiff and against defendants and award plaintiff the sum of $371.25 with costs and interest from date of judgment.

Decision entered 4/12/90
H - 124
A - 182

DECISION OF ARBITRATORS
James F. Simmons, Prothonotary

Apr. 12, 1990, copy in box of W. Walker and copy mailed to Atty. sundberg.

Apr. 17, 1990, Subpoena returned. SERVED robert Repa Apr. 5, 1990 at 11:30 a.m. by handing cpy of subpoena to him personally at his palce of employment Dailey and Kocan 1198 Hydetown Rd., titusville, Crawford County Pa.
So answers,
Robert M. Stevens, Dep. sheriff
Howard N. Stewart, sheriff

May 15, 1990 Upon praecipe of Plaintiff Attorney the above captioned case is marked settled and discontinued of record.

# 1989

Brian J. Lindsay

927.

Culbertson, Weiss, Schetroma & Schug
Mary Ann Kirkpatrick

STEVEN F. HOFFMAN

vs.

MELANIE A. HOFFMAN

Filed Oct. 13, 1989
@ 1:18 p.m.

Tax & entry Paid $50.50 ✓

COMPLAINT FOR CUSTODY/VISITATION

1 copy (atty)
1 copy (mediator)

ORDER OF COURT:

You, Melanie a. Hoffman, defendant, have been sued in court to obtain custody/visitation of the children: Shawn Wayne Fortney and Stephanie Ann Hoffman.

You are ordered to appear in person for a conference at such time and place as may be set by WILLIAM PINEO, CHILD CUSTODY MEDIATOR. You are specifically Ordered by this court to make both children available at the mediation and the Mediator is directed to include this requirement in his Notice of Mediation.

If you fail to appear as provided by the order, an order for custody/visitation may be entered against you or the court may issue a warrant for your arrest.

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

Crawford County Court House, Ser. tothe Pub. Committee c/o Prothonotary Office, Courthouse, Meadville, Pa. 16335. Telephone: 814 724-4636.

Date: Oct. 13, 1989 BY THE COURT,
Robert L. Walker, J.

Nov. 8, 1989 Appearance of Culbertson, Weiss, Schetroma & Schug by Mary Ann Kirkpatrick for defendant filed.

Nov 13, 1989 Preliminary Objections and Petition for Determination of Jurisdiction and for Travel Expenses and Court Costs and Order filed: AND NOW, November 13, 1989 hearing on Defendant's Preliminary Objections and Petition is scheduled for Nov 27, 1989 at 10:30 A.M. o'clock in Court Room 1 of the Crawford County Court House in Meadville, Pennsylvania.

Defendant is not required to attend the hearing.
Pending further order of Court no mediation of this matter shall be held

By the Court,
Robert L. Walker, J

Nov 15, 1989 Copies of order put in Attys. Lindsay and Kirkpatrick boxes, and copy put in Atty. Pineo's box.

Nov. 29, 1989 ORDER filed. AND NOW, November 27, 1989, the matter is before the Court on preliminary objections for determination of jurisdiction and a collateral issue of travel expenses for the mother and child to return from Las Vegas, Nevada for a custody mediation hearing in Crawford Co. There appears to be no dispute that the mother's leaving suddenly was unannounced and both parties allege to the Court they are without sufficient financial recourse to afford a trip by mother and two children back to Crawford County for a mediation conference.

The Court is satisfied that under the facts of this case, the proper jurisdiction to determine custody and visitation issues for the two children in Crawford County. The Court believes this case should be heard and decided by a Court ratehr than referral to a Custody Mediator, and accordingly, the prior referral to Custody Mediator Pineo is rescinded.

The mother postulates that she is financially strapped and cannot afford the airline fare or the ground transportation to return for a hearing. The mother is emloyed and the father is employed.

Accordingly, the Court directs the mother through counsel to ascertain the lowest possible tourist rates for air transportation from Las Vegas to Pittsburgh or Cleveland, and upon establishing the same, the Court directs that the father pay one-half of said sum and the mother pay one-half of said sum.. This Order is entered without prejudice to th eright of the Court to ultimately allocate these expenses in any fashion it deems appropraite.

The Court directs that no hearing be held on this case until at least January 5, 1990, and directs counsel for the parties to recontact the Court on or before December 15, 1989 to establish a fixed date on January 5, 1990 or shortly thereafater for a judge to hear this matter de novo.

By Order of The Court,
P. Richard Thomas, P.J.

Nov. 30, 1989 Copy of Order to Attys. Brian Lindsay, Mary A. Kirkpatrick, William Pineo.

**Dec. 21, 1989, ORDER filed. And now, Dec. 19, 1989, Mary Ann Kirkpatrick, atty. for defendant having requested a specific date and time for hearing in the above matter, hearing is set for Jan. 5, 1990, at 9:30 a.m. in Courtroom No. 1.**

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

**Dec. 27, 1989, copies to Attys. Lindsay, Kirkpatrick, Pineo.**

Jan. 12, 1990 RE: Preliminary Objections to Custody Complaint And Petition For Determination of Jurisdiction And Request For Travel Expenses And Costs and ORDER filed. Plaintiff father commenced a custody and visitation action in Crawford County Oct. 13, 1989, and following usual practices the matter was referred to Custody Mediator William Pineo. An appearance was entered on behalf of the mother November 7, 1989. At issue is the custody of a five year old minor child, Stephanie.

The mother filed preliminary objections and objection to jurisdiction of the court in view of the fact that on Sept. 11, 1989, she moved to Las Vegas, Nevada, with the minor child. Her complaint was that the misconduct of the Child's father required such move, and that if she was to return to Crawford County for a mediation conference or subsequent hearing before the Court, the Plaintiff father should be responsible for underwriting all or a portion of her costs and attorney fees.

At the time this matter was scheduled for argument and hearing Jan. 5, 1990, the Court was contacted by counsel for the Plaintiff, who advised that after conference with the Defendant's attorney it was determined that neither of the parties intended to appear at the hearing.

CONTINUED ON PAGE 618 ...

SEE VOL. 3

# 1989

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

928.

Howard Hain ?
Hain and Hain

LINDA K. RANSOM

vs.

ERNEST D. RANSOM

Filed Oct. 13, 1989
@ 3:10 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 ✓ |
| 1 count paid | 15.00 ✓ |
| Pro Co pd 3/8/91 | 9.00 ✓ |
| State pd 3/8/91 | 10.00 |

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE
EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION

1 copy (atty)

Oct. 23, 1989, Affidavit of Service filed.
Debra Mattocks, being duly sworn according to law, deposes and says that she is the sec. to Wm. L. walker, Esq. atty. for plff. in the above action and certifies that on Oct. 18, 1989 she delivered to the Post Office in Meadville, Pa. for delivery to Ernest D. Ransom at 198 East Norrisville Rd. Conneautville, Pa. 16406 by cert. mail, ret. rec. req. del. rest. to addressee only, at rue and correct copy of complaint for which deponent received at the time receipt for cert. art. No. P 063 589 573 which is attached hereto as Ex. "A". Thereafter on Oct. 23, 1989 it was returned to Wm. L. Walker, Esq. ret. rec. card bearing the same no. and signed by Ernest D. Ransom said ret. rec. card being attached hereto as Ex. "B". Debra Mattocks.

Feb. 21, 1991, Motion to Withdrawn Count II for Equitable Distribution fo Property and Order filed. ORDER: AND NOW, this 21 day of Feb. 1991 upon consideration of the foregoing Motion, Count II for EQuitable distribution of Property is hereby withdrawn.
BY THE COURT,
P. Richard Thomas, S.J.

Feb. 25, 1991 copies of order put in Wm. Walkers box and copy mailed to Howard Hain.

Mar. 8, 1991 Affidavit of Consent of Defendant filed.

Mar. 8, 1991 Affidvait of Consent of Plaintiff filed.

Mar. 8, 1991 Upon praecipe of Plaintiff Attorney To Transmit Record, this case moved to court.

Mar. 15, 1991 DIVORCE DECREE FILED.

AND NOW, March 13, 1991, it is ordered and de creed that Linda K. Ransom, plaintiff, and Ernest D. Ransom, defendant, are divorced from the bonds of matrimony..

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

# 1989

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

929.

TURNER'S MILL, INC.

vs.

JULIA MILLER

Filed Oct. 13, 1989
@ 3:53 p.m.

| | |
|---|---|
| Pro Simmons paid | $15.00 |
| Plff on orig | 9.50 |
| Sheriff's Costs | 27.20 |

WRIT OF REVIVAL

of

DSB 1984 - 877

Writ of Revival of Judgment indexed in favor of plaintiff and against the defendant in the sum of Eighteen Thousand Eight Hundred Ninety six and 09/100 Dollars with int. of 15% from date of original judgment.

Debt --------$18,896.09
Int. from date of orig. judgment at 15%
M - JUDGMENT REVIVAL
James F. Simmons, Prothonotary

Issued (sheriff)

Nov. 30, 1989 Writ Return filed. SERVED Julia Miller personally on October 31, 1989 at 2:09 PM by handing a copy of Writ of Revival to her at her residence, R.D.#1, Route 77, Townville, Crawford County, PA
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

# 1989

| | | |
|---|---|---|
| Allen and Hall<br>Stephen E. Hall<br><br>930. | MICHAEL J. LACEY AND<br>ELIZABETH A. LACEY, HIS WIFE<br><br>vs.<br><br>JULIA LYNN PEARSON-FENDER<br><br>Filed Oct. 13, 1989<br>@ 3:57 p.m.<br><br>Tax & entry Paid $50.50 ✓<br>Sheriff's Costs 23.00 | COMPLAINT IN EJECTMENT<br><br>1 copy (atty) .<br><br>Nov. 21, 1989 Sheriff's Return filed. SERVED Julia Lynn Pearson-Fender on October 27, 1989 at 11:20 AM by handing copy of Complaint to her sister, Cindy Stainbrook, person in charge of residence, R.D.#1, Townline Road, Meadville, Crawford County, PA.<br>So answers, Robert M. Stevens, deputy sheriff<br>Howard N. Stewart, Sheriff |

# 1989

Watts, Pepicelli, Youngs and Youngs

931.

Lillian M. Moody

~~D. L. MOODY AND LILLIAN M. MOODY, HIS WIFE~~

vs.

GARY L. MOODY AND JEFF L. MOODY

Filed Oct. 13, 1989
@ 4:17 p.m.

| | |
|---|---|
| Pro Simmons paid | $9.00 |
| Plff on orig. | 14.50 |
| Pro Co. pd 1/16/92 | 5.00 |

AGREEMENT TO REVIVE

of

DSB 1984 - 700

Debt ------$150,000.00 plus costs
Dated------Oct. 11, 1989
M - 96 (against dft. Jeff L. Moody only)
JUDGMENT
James F. Simmons,
Prothonotary

Jan. 16, 1992 This Judgment assigned to Lillian M. Moody, Trustee of the Lillian M. Moody Trust.

# 1989

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

932.

SAINT VINCENT HEALTH CENTER

vs.

KATHERINE H. FLYNN

Filed Oct.16, 1989
@ 10:59 a.m.

| | |
|---|---|
| Pro Simmons paid | $15.00 ✓ |
| plff on orig | 72.80 |
| Sheriff's Costs | 32.00 ✓ |
| Pro Co pd 12/1/89 | 9.00 ✓ |

WRIT OF REVIVAL

of

AD 1985 - 695

Writ of Revival of Judgment indexed in favor of plaintiff and against the defendant in the sum of One thousand Nine Hundred Sixty Five and 85/100 Dollars, with int. from Aug. 2, 1985 and costs of action.

Debt -- $1,965.85
Int. from Aug. 2, 1985

F - 101 --- JUDGMENT REVIVAL
James F. Simmons, Prothonotary

Issued (sheriff)

Oct. 31, 1989 Writ Return filed. SERVED Katherine H. Flynn personally on October 18, 1989 at 2:43 PM by handing copy of Writ of Revival to her at her residence, R.D.#2, Springboro, Crawford County, PA. 16435.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

And Now, Dec. 1, 1989 at 10:50 a.m. upon praecipe of plaintiff attorney, judgment is hereby entered in favor of the plaintiff and against the defendant for failure to file an answer and the damages are assessed at the sum of One Thousand Nine Hundred Sixty-five and 85/100 plus interest and cost of suit.

F-101
judgment entered 12/1/89

Debt $1,965.85
Int. from Aug. 2, 1985
Judgment
James F. Simmons
Prothonotary

Revived AD1993-866

# 1989

Altomare & Barnhart
Joseph E. Altomare

933.

Mahany, Roeder & Smith
Barbara L. Smith

JOHN C. ROBERTS, d/b/a ROBERTS PAINTING & CLEANING SERVICE

vs.

THOMAS S. BEASON, JR. AND JEAN V. BEASON, HUSBAND AND WIFE

Filed Oct. 16, 1989
@ 2:39 p.m.

Tax & entry Paid $50.50
Sheriff's costs 23.00

COMPLAINT ON MECHANIC'S LIEN

2 copies (sheriff)

Oct. 25, 1989 Sheriff's Return filed. SERVED Thomas S. Beason, Jr. personally on Oct. 19, 1989 at 2:26 PM by handing copy of Complaint on Mechanic's Lien to him at his residence, 605 Maxwell Drive, Titusville, Crawford Co., PA. 16354
SERVED Jean V. Beason on Oct. 19, 1989 at 2:27 PM by handing copy of Complaint on Mechanic's Lien to her husband, Thomas S. Beason, Jr. at their residence, 605 Maxwell Dr., Titusville, Crawford Co., PA 16354
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Oct. 27, 1989 Preliminary Objections filed.

Oct. 27, 1989 Certificate Of Service of Preliminary Objections filed.

Oct. 31, 1989 Complaint On Mechanic's Lien (Amended) filed.

Nov. 30, 1989, Answer to Complaint on Mechanic's Lien and New Matter filed.

Dec. 4, 1989 Certificate of Service of Defendants' Answer to Complaint on Mechanic's Lien and New Matter filed.

Dec. 27, 1989, Plaintiff's Answer to New Matter filed.

Jan. 26, 1990 Certificate Of Readiness For Trial filed.

**ON APRIL 1990 CIVIL TRIAL LIST**

Apr 9, 1990 Order Setting Nonjury Trial filed: AND NOW, April 9, 1990 nonjury trial in the above case is hereby set for May 23, 1990 at 9:00 a.m., in Courtroom No. 1 or 2.
FOR THE COURT,
Imogene Yetman, Court Administrator
April 10, 1990 Copies of order mailed to Attys. Altomare and Roeder.

May 23, 1990 Affidavit of Return Of Service filed. Richard W. Roeder, Esq., being duly sworn according to law, deposes and says:
1. on May 21, 1990, at 4:30 p.m., service of a Notice of Produce in the above action was made by the undersigned by delivering a copy to the office of Joseph E. Altomare, Esq., Attorney for Plaintiff, and by facsimile transmission to the office of Joseph E. Altomare, Esq., at No. (814) 827-9143.
2. Service occurred at 228 East Central Avenue, Titusville, Crawford County, Pennsylvania
Richard W. Roeder

May 23, 1990 Exhibits filed.

July 17, 1990 Memorandum and Verdict filed. And now, July 16, 1990, after nonjury trial, we hereby award a verdict in favor of the Plaintiff against the defendants in a total amount of $4,000.00 based on the Plaintiff's Mechanic's LIen Claim without interest.
BY ORDER OF THE COURT,
P. richard Thomas, P.J.
B-163-93
7/17/90 Copy maield to Atty's

July 25, 1990, Motion of plaintiff for Post Trial Relief filed.

July 31, 1990 RE: Motion For Post-Trial Relief ORDER filed. And now, July 30, 1990, the Defendants Motion for Post-Trial Relief is scheduled for the Sept. 24, 1990, argument list, and the Prothonotary is directed to place the same on the argument list.
The Plaintiff has requested that the entire trial record be transcribed to assist the Court in disposing of the motion. Said request is granted, but the expense of producing the same shall be the responsibility of the Plaintiff.
By Order Of The Court,
P. Richard Thomas, P.J.
Aug. 1, 1990 Copy of Order to Attys. Joseph Altomare, Richard Roeder.

Aug. 3, 1990 Motion For Post-Trial Relife filed.

Aug. 3, 1990 MOtion To Limit Transcription of Testimony and Order filed. AND NOW, Aug. 3. 1990 Denied.
By the Court:
P. Richard Thomas, J
Aug. 3, 1990 copies of order mailed to Joseph Barnhart and Richard Roeder

**1990 SEPTEMBER ARGUMENT LIST**

Sept 7, 1990 Argument set for Sept 24, 1990 at 11:00 a.m.

Sept. 20, 1990, Transcript of Proceedings of Non-Jury Trial filed.

Sept. 25, 1990 Motion For Continuance and Order filed. AND NOW, this 24 day of September, 190 Plaintiff's Motion to continue argument on Defendants' Motion for Post-Trial Relief so as to schedule same simultaneously with P laintiff's Motion for Post-Trial Relief is hereby granted. The Prothonotary is directed to schedule both of the same for argument on October 29, 1990.
BY THE COURT:
P. Richard Thomas, S.J.
Sept. 25, 1990 Copies mailed to Joseph Altomare and Richard Roeder

**1990 OCTOBER ARGUMENT LIST**

Continued on Page 641

SEE VOL. 3

Mary Ann Kirkpatrick

934.

Paul E. Allen

DENNIS J. MATTERN

vs.

SUSAN M. BALSBAUGH

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plaintiff)
1 copy (children & Youth)

Filed Oct. 17, 1989
@ 9:43 a.m.

| | |
|---|---|
| Tax & entry | $50.50 |
| Sheriff's Costs | 20.00 |
| | 9.00 |

TEMPORARY ABUSE ORDER:

And now, this 17 dayof Oct. 1989 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 Assault or abuse plaintiff or 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 court. Liability for payment of costs and fees will be determined by a final court order.

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

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

Hearing is hereby set for Oct. 26, 1989 at 3:30 p.m. in C. r. No. 1 or 2 of the Crawford Countycourthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Oct 25, 1989 Sheriff's Return filed: SERVED Susan M. Balsbaugh personally by handing copy of Protection from Abuse to her on October 17, 1989 at 1:50 P.M. at her residence, R.D.#6, Box 816 Meadville, Crawford County, Pennsylvania.
So answers, Howard N. Stewart, Sheriff

Oct 30, 1989 Order filed: AND NOW, October 26, 1989, after hearing, the following Order is entered:

1. Neither of the parties shall assault, abuse, harass, or threaten the other or any child of the Petitioner in any manner.

2. The Defendant shall remove herself from the residence where she is now residing and which is owned by the Plaintiff on or before 12:00 noon on November 2, 1989, and may take her personal effects and the clothing and furniture utilized by the child at the time of here removal and she shall not return to that home for any purpose thereafter. Pending that removal, the Plaintiff shall not go to the home until the deadline by which the Defendant is required to move.

3. During their continued occupancy of the home, the Defendant shall not in any way physically damage either the mobile home or any of the contents thereof and may be found guilty of contempt in this proceeding if she does and that finding of contempt can carry with it a jail sentence of up to six months.

4. The Defendant shall keep the Plaintiff advised of her whereabouts after she moves and the Defendant shall have basic custody of the child subject to the visitation rights of the Plaintiff as set forth herein.

The Plaintiff shall have the right to take the child into his custody for visitation purposes every other weekend from 10:00 a.m. on Saturday until 7:00 p.m. on Sunday beginning with the weekend of November 4th and 5th and shall furnish transportation to and from the mother's residence, wherever that may be, for the purpose of such visits.
In the event of any visitation or custody Order entered in a regular custody proceeding, it shall supersede this temporary order.

5. The Plaintiff may go to the former joint residence upon leaving court for a period to expire by 6:00 p.m. this date for the purpose of obtaining clothing or other personal effects that he needs during the interim period in which he will not be occupying the premises.

6. The Plaintiff shall pay the record costs in this proceeding.

7. The West Mead Township Police Department or any other police department having jurisdiction may enforce this Order in accordance with the Protection from Abuse Act.

8. This Order shall continue in full force and effect for a period of one year from this date.

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

Oct 31, 1989 Copies of order put in Atty. Allen's box and copy given to Atty. Kirkpatrick and Co. Control.

# 1989

William B. Moore

935.

RANDY ALAN BARBER

vs.

LORI DENISE BARBER

Filed oct. 17, 1989
@ 10:35 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Pro Co pd 5//29/90 | 9.00 |
| State pd 5/29/90 | 10.00 |

COMPLAINT IN DIVORCE UNDER SECTION 201(c) -DIVORCE CODE

1 copy (atty)

Feb 28, 1990 Petition for Leave to Amend Complaint filed.

Feb 28, 1990 Order filed: AND NOW, this 26th day of February, 1990, upon presentation and reivew of the plaintiff's petition for leave to amend his complaint to aver entitlement to a divorce under Section 201(d) of the Divorce Code the prayer of said petition is granted and the plaintiff is given leave to amend his complaint.

BY THE COURT,
Gordon R. Miller, J.

Mar 5, 1990 Copy of order put in Atty. Moore's box.

Feb 28, 1990 Motion for Leave to Substitute Service and Order filed: AND NOW, this 26th day of February, 1990, upon consideration and review of the foregoing Motion a request for the same is denied as the Court believes, from the contents of the motion and affidavit, that service may be accomplished in the manner provided under Pa. R.C.P. 402(b).

The plaintiff shall attempt service under Rule 402(a)(1) and 40(2) before the Court will, at this time, consider a less certain form of service under Rule 430.

BY THE COURT,
Gordon R. Miller, J

Mar 5, 1990 Copies of order put in Atty. Moore's box.

Mar. 6, 1990, Complaint in Divorce under Section 201(d) of the Divorce Code filed.

Mar. 30, 1990, Complaint Reinstated.

Apr. 19, 1990 Acceptance of Service filed. I accept service of the Complaint and the Notice to the Defendant.
Dated: 4-5-90 Lori Denise Barber

May 23, 1990 Upon praecipe of Plaintiff Attorney To Transmit Record, this case moved to Court.

June 1, 1990 **D I V O R C E  D E C R E E  F I L E D .**

AND NOW, June 1, 1990, it is ordered and decreed that Randy Alan Barber, pl aintiff, and Lori Denise Barber, defendant, are divorced fr om the bonds of matirmony.

BY THE COURT,
Gordon R. Miller, J

# 1989

Barrett & Dratler
Sylvia 1. Dratler

936.

KATHLEEN A. KROLL

vs.

EDWARD M. MULLEN

Filed Oct. 17, 1989
@ 11:09 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 ✓ |
| 1 count paid | 15.00 ✓ |
| Pro Co Pd 11/22/89 | 5.00 ✓ |

COMPLAINT UNDER SECTION 201(c) OF DIVORCE CODE
CUSTODY AND VISITATION

1 copy (atty)

Nov. 22, 1989, Upon praecipe of plaintiff attorney, the above captioned action is marked discontinued and satisfied of record.

# 1989

937.

PAULA LEE WALKER

vs.

KEITH ALAN PHELPS

Filed Oct. 17, 1989
@ 1:10 p.m.

Tax & entry Pd 12/5/89. $50.50 ✓
Sheriff's Costs 20.00
Pro Pd 12/5/89. 9.00 ✓

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy (plaintiff)
3 copies (sheriff)

TEMPORARY ABUSE ORDER:

And now, this 17 day of Oct. 1989, upon review of the petition of plaintiff, the court enters the following Temporary Order:

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

2. Special Conditions: Not contact Pl. in any fashion.

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 tocounty control.

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

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

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

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

Hearing is hereby set for Oct. 26, 1989 at 11:00 a.m. in C. R. No. 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Oct 25, 1989 Sheriff's Return filed: SERVED Keith Allen Phelps personally on October 18, 1989 by handing copy of Protection from Abuse to him at Sheriff's Office, Crawford County Courthouse, Meadville, Pa 16335.
So answers,
Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Oct 26, 1989 Order filed: AND NOW, October 26, 1989, after hearing, the following Order is entered:

1. The Defendant shall not abuse, harass, or threated the Plaintiff or any minor child of the Plaintiff or any other member of her immediate family.

2. The Defendant shall not go to the Plaintiff's residence at 894 F Street, Meadville, Pennsylvania, for any purpose whatsoever, nor to any other place where he knows or has reason to believe the Plaintiff is at the time.

3. This Order may be enforced by the Meadville City Police or any other police agency having jurisdiction in the matter in accordance with the Protection from Abuse Act.

4. This Order shall continue in full force and effect for a period of one year from the date hereof.

5. The record costs in this matter shall be paid by the Defendant, one-half on or before November 30, 1989 and one -half on or before December 31, 1989.

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

Oct 27, 1989 Copies of order mailed plaintiff and defendant and Co. Control.

Mar. 20, 1990 Order filed. And now, March 20, 1990, the Court having been advised that the Defendant has been lodged in the Crawford County Jail in violation of the Court's Order of October 26, 1989, hearing is hereby set for March 21, 1990, at 3:00 p.m., in Courtroom 1 or 2 of the Crawford County Courthouse.

FOR THE COURT,
Imogene Yetman, C.A.

3/20/90 copy mailed to Plaintiff, Copy To dft & County Control

Mar. 23, 1990, ORDER filed. AND NOW, Mar. 21, 1990 after hearing the court is of the opinion that the ocnduct of the defendant while not appropriate, did not constitute a direct violation of the order of Oct. 26, 1990, and we therefore decline to hold him in contempt. We strongly urge, however, that he avoid doing those things which are irritating even though they may be outside the contrmplation ofthe court order.

The Warden of the Crawford County Jail is authorized to release the defendant forthwith.

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

Mar. 23, 1990, copies to plff, dft. and county control.

# 1989

Barrett & Dratler
Bruce A. Barrett

938.

ANDOVER BANCORP INC.

vs.

JAMES D. ROSEBERRY

Filed Oct. 17, 1989
@ 1:26 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 ✓ |
| Sheriff's Costs | 31.40 |
| Pro Co pd 11/28/89 | 9.00 ✓ |

COMPLAINT

1 copy (sheriff)

Nov. 21, 1989 Sheriff's Return filed. SERVED James D. Roseberry on October 27, 1989 at 12:30 PM by handing copy of Complaint to Charlene Roseberry, his wife, at their residence, R.D. #2, Box 139 A, Middle Road, Cambridge Springs, Crawford County, PA.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

And Now, Nov. 28, 1989 at 3:21 p.m. upon praecipe of plaintiff's attorney, with NOtice of Intention to File Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendant for failure to file an answer and the damages are assessed at the sum of Seven Thousand Seven Hundred Twenty-two and 05/100 plus interest and cost of suit.
R-94
judgmented entered 11/28/89

Debt $7,722.05
Int. from August 9, 1988
Judgment
James F. Simmons
Prothonotary

Ex 1990-62

# 1989

Barrett & Dratler
Bruce A. Barrett

939.

ANDOVER BANCORP INC.

vs.

ROBERT G.SANDERSON

COMPLAINT

1 copy (sheriff)

Oct. 31, 1989 Sheriff's Return filed. SERVED Robert G. Sanderson personally on October 19, 1989 at 2:50 PM by handing copy of Complaint to him at Sheriff's Office, Crawford County Couthouse, Meadville, Crawford County ,PA. 16335
So answers, Catherine I. Allen, Deputy Sheriff
Howard N. Stewart, Sheriff

And Now, Nov. 22, 1989, upon praecipe of plaintiff attorney, with a default notice copy attached, Judgment is hereby entered in favor of plaintiff and against the defendant for failure to answer, in the sum of Four Thousand Eight Hundred Fifty Eight and 36/100 Dollars, with interest from Aug. 31, 1988.
Judgment entered - 11/22/89
S - 143 DEBT - $4,858.36
Int. form 8/31/88
JUDGMENT
James F. Simmons,
Prothonotary

Filed Oct. 17, 1989
@ 1:28 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Sheriff's Costs | 23.00 |
| Pro Co Pd 11/22/89 | 9.00 |

Ex 1990-64

# 1989

Barrett & Dratler
Bruce A. Barrett

940.

ANDOVER BANCORP INC.

vs.

RANDALL L. MOORE AND
WENDY A. MOORE

Filed Oct. 17, 1989
@ 1:30 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 ✓ |
| Sheriff's Costs | 17.00 |
| Sheriff's costs | 35.00 |
| Pro Co pd 4/17/90 | 9.00 ✓ |

COMPLAINT

2 copies (sheriff)

Nov. 16, 1989 Sheriff's Return filed. Not Found as to defendnat Randall L. Moore, MOved, left no forwarding address. Not Found as to defendant Wendy A. Moore. Moved, left no forwarding address.
So answers, Howard N. Stewart, Sheriff

Mar. 13, 1990, Complaint Reinstated.

March 28, 1990 Sheriff's Return filed. SERVED Wendy Moore personally on March 14, 1990 at 4:10 PM by handing copy of Complaint to her at Sheriff's Office, Crawford County Courthouse, Meadville, PA.
SERVED Randall Moore personally on March 15, 1990 at 2:54 PM by handing copy of Complaint to him at his place of employment, Findley Welding, 1259 S. Main St., Meadville, Crawford Co., PA.
So answers,
Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

And Now, Apr. 17, 1990 at 4:24 p.m. upon praecipe of plaintiff's attorney, with Notice of Intention to File Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendant for failure to file an answer and the damages are assessed at the sum of Five Thousand One Hundred Six and 08/100 plus interest and cost of suit.

| | |
|---|---|
| M-254-174 | Debt $5,106.08 |
| jdugmented entered | Judgment |
| 4/17/90 | James F. Simmons |
| | Prothonotary |

Ex 1990-63

# 1989

Barrett & Dratler
Bruce A. Barrett

941.

ANDOVER BANCORP INC.

vs.

BETTY J. GESSNER

Filed Oct. 17, 1989
@ 1:39 p.m.

Tax & entry Paid $50.50 ✓
Sheriff's Costs 27.68
Pro Co pd 11/28/89 9.00 ✓

COMPLAINT

1 copy (sheriff)

Nov. 1, 1989 Sheriff's Return filed. SERVED Betty J. Gessner personally on October 23, 1989 at 2:10 PM by handing copy of Complaint to her at Sheriff's Office, Crawford County Courthouse, Meadville, PA.
So answers, Catherine I. Allen, Deputy Sheriff
Howard N. Stewart, Sheriff

And Now, Nov. 28, 1989 at 3:18 p.m. upon praecipe of Plaintiff Attorney, with Notice of Intention to File Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the derfendant for failure to file an answer and the damages are assessed at the sum of Three Thousand Four Hundred Ten and 33/100 plus interest, and cost of suit.
G-23 Debt $3,410.33
judgment entered 11/28/89 Int. from 3/18/88
Judgment
James F. Simmons
Prothonotary

Ef 1990-66

# 1989

Jorden and White
Harry Faber White II

942.

ARTHUR P. PRINGLE

vs.

DORIS G. PRINGLE

Filed Oct. 17, 1989
@ 1:43 p.m.

Tax & entry Paid $50.50 ✓

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

Nov. 17, 1989 Acceptance of Service filed. AND NOW, this 23 day of Oct., 1989, comes the Defendant, Doris G. Pringle, and swears that she accepted service of a Divorce Complaint under Section 201(c) of the Divorce Code and a Notice to Defend and Claim Rights on the 23 day of Oct., 1989.

Doris G. Pringle

Mar. 30, 1990 Affidavit of Consent of Plaintiff filed.

Feb. 17, 1998 Important Notice and Court Order filed. Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 3/30/90 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

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

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

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

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

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

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

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

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

# 1989

Culbertson, Weiss,
Schetroma and Schug
Mary Ann Kirkpatrick

943.

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

SHAWN W. SMITH

vs.

LINDA J. SMITH

Filed Oct. 17, 1989
@ 2:25 p.m.

| | |
|---|---|
| Tax & entry paid | $50.50 |
| Pro Co. Pd. | 9.00 |
| State pd. | 10.00 |

COMPLAINT IN DIVORCE

1 copy (atty)

Oct. 25, 1989 Affidavit Of Service filed. And Now, October 24th, 1989, come Mary Ann Kirkpatrick, Esquire, being duly sworn according to law, deposes and sets forth as follows:
1. That she is the Attorney for Shawn W. Smith, Plaintiff in the above captioned matter.
2. That on information furnished to her by the Plaintiff, she caused a certified copy of the Complaint in Divorce to be forwarded by Certified Mail No. P 401 441 426, postmarked October 17, 1989, to the last known address of the Defendnat, Linda J. Smith, P.O. Box 2, Saegertown, Pennsylvania 16433.
3. That the Defendant, Linda J. Smith, on October 19, 1989, personally signed the return receipt card which was affixed to the Complaint in the above matter and which is attached hereto as Exhibit "A".
4. Service of the Complaint against the Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.
Mary Ann Kirkpatrick

Dec. 4, 1989 Answer and Counterclaim filed.

Dec. 11, 1989 Acceptance of Service of Linda Smith's answer and Counterclaim filed.

Dec. 19, 1989 Plaintiff's Inventory and Appraisement filed.

Jan. 26, 1990 Inventory And Appraisement of Linda J. Smith filed.

**Feb. 7, 1990, Affidavit of Consent of plaintiff filed..**

March 20, 1991 Affidavit of Consent of Plaintiff filed.

April 22, 1991 Upon Praecipe of Plaintiff attorney for Review under Section 201(c) of Divorce Code, this case is moved to Court. (Two cpys. Atty.)

Apr. 19, 1991 Memorandum of Agreement as to Equitable Distribution filed.

Apr. 19, 1991 Affidavit of consent of Defendant filed.

Apr. 30, 1991 **D I V O R C E  D E C R E E  F I L E D .**

And now, April 30, 1991, it is ordered and decreed that SHAWN W. SMITH, plaintiff, and LINDA J. SMITH, defendant, are divorced from the bonds of matrimony.

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

# 1989

James T. Marnen

Knox, McLaughlin
Gornell & Sennett PC
~~William C. Wagner~~
withdrawn

944.

Anthony J. Vardaro

SALT PAINTING, INC.

vs.

JOSEPH FORRO

Filed Oct. 17, 1989
@ 3:17 p.m.

Tax & entry Paid $40.50
bal. Pd 10/19/89 10.00
Pro Co pd 10/31/91 6.00

COMPLAINT

Nov 3, 1989 Acceptance of Service filed: I, the undersigned, hereby accept service of the complaint on behalf of defendant, Joseph Forro.
Date: Nov 3, 1989 Anthony J. Vardaro, Esq.

Nov. 13, 1989, Answer and New Matter filed.

Nov. 27, 1989, Defendants Consent to filing of Amended Complaint filed.

Nov. 27, 1989, Acceptance of service of defendant, of the amended complaint by Anthony J. Vardaro, Esq. on behalf of the defendant, filed.

Nov. 29, 1989, Plaintiff's Reply to New Matter field.

Dec. 1, 1989 Amended Complaint filed.

Dec 18, 1989 Answer and New Matter filed.

Dec 29, 1989 Plaintiff's Reply to New Matter filed.

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

July 11, 1990 Notice Of Taking Deposition of Conrad Delp filed.

Mar. 19, 1991 Motion To Continue and Order filed. AND NOW, to-wit, this 20th day of March, 191, it is hereby ORDERED, ADJUDGED and DECREED that the within matter be continued to the next available trial term.
By the court:
Gordon R. Miller, J
Mar. 19, 1991 1copy Atty. Vardaro, 1 copy Atty. Beck

Mar. 21, 1991 Certificate Of Readiness filed.

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

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

On October 1991 Trial List

Sept. 19, 1991 Notice Of Taking Deposition of David S. Summers, M.D. filed.

Oct. 1, 1991, Upon praecipe of Attorney William Wagner, appearance withdrawn.

Oct. 1, 1991, Appearance of James T. Marnen, of Knox McLaughlin Gornall & Sennett, attorneys for plaintiff filed.

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

Oct. 3, 1991 Defendant's Motions In Limine filed.

Oct. 9, 1991 ORDER filed. AND NOW, Oct. 9, 1991 after a pre-trial conference with all counsel present the Court enters the following order:

1. This case is ready for trial during the October 1991 term of civil jury trials. The parties shall be available to select the jury on Monday, Oct. 14, 1991, however if the civil trial list remains as long as it now is, said jury may be picked at a later time. The Court will attempt to give counsel notice of that if there is a change in the jury selection date from Oct. 14, 1991.

2. This case shall commence on Tuesday, Oct. 22, 1991 at 9:00 o'clock a.m. in Courtroom No. 2 of the Crawford Co. Courthouse.

3. This case arises out of a motor vehicle accident that occurred on June 9, 1988 at approximately 6:40 o'clock p.m. when a 1988 Chevrolet truck owned by Salt Painting, Inc.(Salt) operated by its employee, Conrad Delp (Delp) collided with a motor vehicle owned by Joseph Forro husband/plaintiff) in which his wife, Zelma Forro (wife/plaintiff) was a passenger. The Forros allege that they had entered a driveway and were struck while in a private driveway. Salt and Delp allege that the Forros made a left turn in front of Delp. As a result there was property damage to the Forro vehice, property damage to the Salt truck and alleged personal injuries suffered by the Forros.

4. The wife/plaintiff claims that she is entitled to the following damages:
a. Pain and suffering, past, present and future.
b. Loss of wages to the date of trial.
c. Diminution of future earning capacity.
d. Loss of consortium.
e. Emotional distress, fright, etc. upon knowing and seeing that her husband was injured, or possibly injured, in the accident.
f. Medical bills, past, present and future.

5. Husband plaintiff claims that he is entitled to the following damages:
a. Pain and suffering, past, present and future.
b. Loss of wages to the date of trial.
c. Diminution of future earning capacity.
d. Loss of consortium.
e. Emotional distress, fright, etc. upon knowing and seeing that his wife was injured, or possibly injured, in the accident.

Continued on Page 394(a)....

# 1989

Salt Painting, Inc.

vs.

Joseph Forro

Record Continued from Page 394

OF

AD 1989 - 944

**********

f.Medical bills, past, present and future.

g. Property damage.

6. The Court will not permit the wife/plaintiff or husband/plaintiff to claim, prove or recover damages for distress or concern about the condition of the other (except as may be recovered by reason of seeing the other injured in the accident); or distress about the payment of their bills; or distress about the fact that the wife/plaintiff cannot work; or distress about one dying and leaving the other surviving. Therefore the defendants' motion in limine numbered A is granted.

7. Salt claims damages for the following:

a. Property damage in the amount of $7,151.80.

b. The defendants' motion in limine number "B" is denied. The Forros are granted leave to amend their complaint to include a claim for property damage provided that said amended complaint is filed no later than Oct. 11, 1991 and further provided that they furnish counsel for the defendants the name and address of each person the Forros expect to call as an expert witness at trial on property damage, to state the subject matter on which the expert is expected to testify or otherwise furnish a copy of the expert's report and opinions. In the event that the defendants intend to call an expert on the Forros' property damage they shall, no later than Oct. 18, 1991 furnish counsel for the Forros with the name and address of each person whom they expect to call as an expert witness at trial on property damage, to state the subject matter on which the expert is expected to testity and furnish a copy of the report and opinion of that expert.

8. The Forros shall have four preemptory challenges and the defendants, Delp and Salt, shall have a combined total of four preemptory challenges.

9. Counsel shall serve on the other written voir dire questions no later than Oct. 11, 1991. If either counsel has an objection about the other's voir dire questions said objections shall be made in writing or orally to the trial judge prior to the selection of the jury. Counsel shall be permitted to ask additional voir dire questions if reasonably required in response to questions asked by the Court and opposing counsel.

10. Since the case at 1989-944 where Salt is the plaintiff was filed first, Salt shall be required to proceed first unless counsel agree otherwise.

11. If either counsel wish the court to use a particular form for a verdict slip, said form shall be delivered to the Court prior to the close of the testimony.

12. The motions in limine filed by Salt and Delp, numbered C and D are granted.

13. The issues to be resolved at the trial of this case are:

a. Whether or not Joseph Forro and/or Delp and Salt were negligent and, if so, their respective percentages of negligence.

b. The amount of damages that husband/plaintiff, wife/plaintiff and/or Salt are entitled to recover.

14. The parties will endeavor to stipulate as to the medical bills which husband/plaintiff and wife/plaintiff incurred as a proximate result of the accident. Said bills shall be listed in list form and the bills themselves shall not become evidence in this case.

15. The Forros shall call one or more medical experts whose depositions have been or will be taken and for whom counsel for Salt and Delp have already received reports.

16. Some additional depositions for the use at trial shall be taken beteen now and the time of trial. In the event that there are any objections for the Court to rule upon counsel shall highlight those objections on the transcripts and submit the same to the Court prior to the commencement of trial so that the Court may rule on those objections. If there are only a few objections then, if counsel desire, those objections may be ruled on by the trial judge when those objections come up in the reading of the transcripts.

17. All parties shall arrange their exhibits, pre-number them, and give opposing counsel copies of those exhibits no later than Friday, Oct. 18, 1991.

18. The witnesses listed by the parties may be called either in person or by deposition. The parties indicated at the pretrial conference that some of the witnesses they have named in their pretrial narratives will not be called. It is not expected that any persons no named will be called.

19. The parties agree that the property damage suffered by Salt by reason of this accident is in the amount of $7,151.80. Salt shall not be required to produce evidence of the property damage it suffered in this accident.

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

Oct. 9, 1991 Copy of Order mailed to Atty. James Marnen. Copy of Order put in Atty. Vardaro's box.

Oct. 25, 1991 Upon praecipe of Plaintiff Attorney the consolidated claims filed in this action are hereby marked settled and discontinued of record.

# 1989

| | | |
|---|---|---|
| Phillips & Galanter<br>Cary W. Valyo<br><br>945, | NATIONWIDE INSURANCE COMPANY,<br>AS SUBROGEE OF HELEN S. ITTEL<br><br>vs,<br><br>JANET MILLER<br><br>Filed Oct. 17, 1989<br>@ 3:24 p.m.<br><br>Tax & entry Paid $50.50 ✓<br>Sheriff's Costs 16.28<br>Sheriff's Costs 22.28 | COMPLAINT IN CIVIL ACTION<br><br>1 copy (sheriff)<br><br>Oct. 31, 1989 Sheriff's Return filed. Not Found as to Janet Miller. Moved to Pittsburgh, PA. Exact address unknown.<br>So answers, Howard N. Stewart, Sheriff<br><br>Nov. 22, 1989 Complaint reinstated.<br><br>Dec. 14, 1989 Sheriff's Return filed. Not Found as to Janet Miller. Reportedly moved to Pittsburgh area. No forward address.<br>So answers, Howard N. Stewart, Sheriff |

# 1989

Cauley & Conflenti
Franklyn E. Conflenti
Dominic D. Salvatori

946.
withdrawn
~~Marianne C. Mnich~~

Culbertson, Weiss,
Schetroma & Schug
E. Max Weiss

LISA M. STALLARD

vs.

ROBERT W. WOODROW;
~~WAYNE D. SHEETS and~~
~~SUE ANN SHEETS, HIS WIFE~~

Filed Oct. 17, 1989
@ 3:45 p.m.

Tax & entry paid $50.50 ✓
Pro Co Pd 3/25/92 6.00 ✓
Pro Co. Pd 4/9/92 6.00

COMPLAINT IN CIVIL ACTION

4 copies (sheriff)

(Jury Trial Demanded)

Nov. 15, 1989 Sheriff's Return filed. Before me, the undersigned authority, personally appeared Ronald L. Clark, Chief Deputy Sheriff who being duly sworn according to law, deposes and says that on the 25th day of October 1989, at 9:35 A.M., he served Complaint at No. 946 AD Term, 1989, Crawford Co. PA., upon defendants Wayne D. Sheets and Sue Ann Sheets at Mercer County Sheriff's Office, 9 Mercer Co. Courthouse, Mercer, PA. By making known the contents thereof to Wayne Sheets and Sue Ann Sheets personally and handing to and leaving them the certified copy of the complaint received from Sheriff of Crawford Co.

Ronald L. Clark, Chief Dep. Sheriff
William H. Romine, Jr., Sheriff
Mercer County, PA.

Dec. 5, 1989 Appearance of Marianne C. Mnich, Esquire, for Defendants filed.

Dec. 5, 1989 Answer and New Matter filed.

Dec. 7, 1989 Demand for Jury Trial filed.

Nov. 19, 1990Affidavit of Service of Interrogatories filed.

Nov. 19, 1990 Notice of Deposition of Wayne D. Sheets filed.

Nov. 19, 1990 Notice of Deposition of Robert W. Woodrow filed.

Dec. 27, 1990 Upon praecipe of Marianne C. Mnich her appearance is hereby withdrawn and the appearance of Culbertson, Weiss, Schetroma & Schug by E. Max Weiss for defendants filed.

Feb. 4, 1991, Stipulation for Partial Voluntary Discontinuance filed.

Feb. 4, 1991, Upon praecipe of plaintiff attorney, and Stipulation above, this case is discontinued as to defendants Wayne D. Sheets and Sue Ann Sheets.

Mar. 21, 1991 NOtice of Deposition of Lisa M. Stallard filed.

Mar. 24, 1992, Upon praecipe of plaintiff attorney, the above captioned case is marked settled and discontinued of record.

April 9, 1992 Upon Praecipe of plaintiff attorney this case marked settled and discontinued of record.

# 1989

Thomas, Truax, Spadafore
Vardaro and Walker
R. Charles Thomas

947.

GLORIA A. ANTONIOTTI

vs.

WILLIAM HARKNESS

Filed Oct. 18, 1989
@ 10:04 a.m.

Indigent filing

COMPLAINT FOR CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER OF COURT:

You, William Harkness, dft. have been sued in court to obtain custody of the following child: carrie Harkness.

You are hereby ordered to appear in person at such time and place as is hereby designated by teh Custody Mediator hereinafter appointed for a conference.

JOHN FULLER, ESQUIRE, is hereby appointed as Custody Mediator in this case.

If you fail to appear at the time specified by the custody Mediator hereby appointed by this court, an order for Custody may be entered against you or the court may issue a warrant for your arrest.

You should take this paper to your lawyer at once. If you do not have a LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE the office set forth below to find out where you can get legal help.

Crawford County Bar Association Service to the Public Committee c/o Prothonotary, Crawford Countycourt House, Meadville Pa. 16335 814 724-4636

BY THE COURT,
Oct. 18, 1989 Robert L. Walker, J.

Oct. 18, 1989, Petition to Proceed In Forma Pauperis and Order filed. ORDER: ANC NOW, upon presentation and consideration of the within Petition the Plaintiff is authorized to proceed with this custody complaint in forma pauperis. The determination ofthe assessment of costs for filing this complaint shall be made by the custody mediator appointed by this court.

Oct. 18, 1989
BY THE COURT,
Robert L. Walker, J.

# 1989

Specter Law Offices PC
Howard A. Specter
Robert A. Sambroak

948.

Thomas, Truax, Spadafore,
Vardaro and Walker
R. Charles Thomas

LIELANI R. BRYER AND ROBERT BRYER, HER HUSBAND

vs.

FRED IVAN SANNER
vs.
Lielani R. Bryer
Additional defendant

Filed Oct. 18, 1989
@ 10:51 a.m.

| | |
|---|---|
| Tax & entry Paid | $40.50 |
| bal Pd 10/24/89 | 10.00 |
| Sheriff's Costs | 22.28 |

COMPLAINT

1 copy (atty)
1 copy (sheriff)

Oct. 18, 1989, Notice of Service of Interrogatories to Defendants and Request for Production of Documents filed.

Nov. 13, Appearance of Thomas, Truax, Spadafore, Vardaro and Walker, by R. Charles Thomas, Attorney for defendant filed.

Nov. 17, 1989 Sheriff's Return filed. SERVED Fred Ivan Sanner on October 26, 1989 at 12:50 PM by handing copy of Complaint, Interrogatories, and Request for Documents to his Father-in-Law, Robert Jacobs, person in charge of the residence at R.D. #3, Cochranton, Crawford County, PA 16314
So answers Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Dec. 14, 1989, Answer to Plaintiffs' Complaint filed. 2 ocpies (atty)

Jan. 4, 1990, Reply to New Matter filed.

Mar. 30, 1990 Notice Of Serving Answers To Interrogatories filed.

June 29, 1990 Notice Of Serving Plaintiff's Responses To Request For Production filed.

June 29, 1990 Certificate Of Readiness filed.

June 29, 1990 Notice Of Serving Certificate Of Readiness filed.

**1990 OCTOBER CIVIL TRIAL LIST**

Sept. 10, 1990 Notice Of Deposition of Fred Ivan SAnner filed.

Sept. 28, 1990 Motion For Continuance and Order filed. AND NOW, to-wit this 28th day of September, 1990 upon Motion of the Plaintiff for a Continuance of the trial in this matter scheduled for October 8, 1990, and the Court being advised that Defense Counsel has consented to the continuance, and good cause appearing,
IT IS HEREBY ORDERED that the trial of the above-entitled matter scheduled for October 8, 1990 is continued and that the Prothonotary is directed to place this case on the next trial list.
IT IS FURTHER ORDERED that no further continuances will be granted.
Dated this 28th day of September, 1990. BY THE COURT:
1 copy atty P. Richard Thomas, S.J.

Oct. 5, 1990 Notice Of Deposition of Kenneth A. Unice, D.O. filed.

Oct. 5, 1990 Notice of Deposition of Daniel R. Neagoy, M.D., filed.

Oct. 22, 1990, Notice of Deposition of John C. Lyons, M.D. filed.

Oct. 29, 1990, Notice of Deposition of John C. Lyons, M.D. filed.

Dec. 7, 1990, notice of Deposition of Daniel R. Neagoy, M.D., filed.

On February 1991 Trial List

Jan. 31, 1991 Order filed. AND NOW, January 31, 1991 , a Pre-trial Conference in the above captioned matter is set for February 8, 1991, at 8:45 A.M., before Senior Judge P. Richard Thomas.
FOR THE COURT,
Imogene Yetman, Court Administrator

Jan.. 31, 1991, Copy mailed to Robert A. Sambroak, Jr. and R. Charles Thomas by Court Administrator.

Feb. 11, 1991 Exhibits filed.

FEb. 6, 1991, Plaintiff's Proposed Points for charge filed.

Feb. 6, 1991, Plaintiff's Proposed Voir Dire filed.

Feb. 11, 1991, PRETRIAL CONFERENCE - ORDER filed.

Feb 14, 1991, copies to Attys. Thomas and Sambroak.

Feb. 19, 1991, ORDER filed. And Now, Feb. 11, 1991, at the close of the plaintiff's case, the defendant moves for a non-suit, and after argument inchambers, the court grants the same.
BY ORDER OF THE COURT
P. Richard Thomas, P.J.

Feb. 21, 1991, copies of order to attys. Robert sambroak and R. C. thomas, esqs.

Feb. 20, 1991, Motion for Post-Trial Relief filed (plfs motion)

Mar. 28, 1991, Transc ript of Proceedings at Time of Jury Trial filed.

Apr. 17, 1991 Order Re: Posttrial Motion filed. AND NOW, April 17, 1991, the Court noting a transcript of the trial has been filed, argument on the Motion for Posttrial Relief shall be scheduled for the argument list commencing May 28, 1991. The Prothonotary is directed to place the same on the May ARgument List.
Counsel forthe plaintiff will file their brief on or before May 15, 1991 and counsel for the defendant may file their brief at the time of argument.
BY THE COURT,
P. Richard Thomas, S.J.

Apr. 18, 1991 Copy of order mailed to Atty. Sambroak and copy put in Atty. Thomas' box.

On May 1991 Argument List

Continued on Pg. 398a.

1989

Continuation of Bryer al vs. Fred Ivan Sanner (No. AD 1989 - 948

May 17, 1991, Notice of Service of Plaintiff's Brief in Support of Motion for Post Rial Relief filed.

June 7, 1991 Re: Post Trial Motion to Remove Compulsory Non-suit, MEMORANDUM AND ORDER FILED. AND NOW, June 6, 1991, the Plaintiff's Post Trial Motion to remove the compulsory non-suit is denied.

By Order Of The Court,
P. Richard Thomas, Senior Judge

June 7, 1991 Copy of Order mailed to Atty. Robert A. Sambroak, Jr., copy to R. Charles Thomas.

398 B

# 1999

# 1989

D.S. MAZZOTTA & Assoc.
Donald S. Mazzotta

949.

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

GENERAL MOTORS ACCEPTANCE CORPORATION

vs.

MARILYN A. RICE

Filed Oct. 18, 1989
@ 11:06 a.m.

Tax & entry Paid $50.50
Sheriff's Costs 25.28

COMPLAINT - CIVIL ACTION

1 copy (sheriff)

Nov. 1, 1989 Sheriff's Return filed. SERVED Marilyn A. Rice personally on October 25, 1989 at 8:45 AM at Sheriff's Office, Crawford County Courthouse, Meadville, PA.
So answers, Carole Stefanucci, Deputy Sheriff
Howard N. Stewart, Sheriff

Nov. 28, 1989 Appearance of Thomas, Truax, Spadafore, Vardaro & Walker by R. Charles Thomas for Defendant filed.

Nov. 28, 1989 Answer To Plaintiff's Complaint filed.

Dec. 4, 1989 Reply to New Matter filed.

# 1989

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

950.

CAROL L. FOSTER

vs.

JEFFREY S. FOSTER

Filed Oct. 18, 1989
@ 4:09 p.m.

Indigent filing

COMPLAINT IN DIVORCE

1 copy (atty)

Oct. 18, 1989, Petition to Proceed In Forma Pauperis and Order filed. ORDER: AND NOW, upon presentation and consideration of the within petition the plaintiff is authorized to proceed with this divorce complaint in forma pauperis.
BY THE COURT,
10/18/89 P. Richard Thomas, J.

Sept. 17, 1990 Affidavit Of Service Of Complaint In Divorce filed. R. CHARLES THOMAS, Esquire, being duly sworn according to law, deposes and says that on October 20th, 1989, he sent a true and correct copy of the Complaint In Divorce, properly endorsed with the Notice to Defend, filed in the above action to the Defendant, Jeffrey S. Foster, at Defendant's last known address of SRCF #AP6644, State Correctional INstitution, 801 Butler Pike, Mercer PA. By Certified Mail No. P063589590, postage prepaid, restricted delivery, return receipt requested and that attached hereto is a duly executed return receipt card showing date of delivery as 10.26.89. R. Charles Thomas

Sept. 17, 1990 Affidavit Of Consent of Plaintiff filed.

Sept. 17, 1990 Affidavit of Consent of defendant filed.

Sept. 17, 1990 UPon praecipe of Plaintiff Attorney For Review Under Section 201(c) of the Divorce Code, this case moved to court,

Oct. 4, 1990 **D I V O R C E D E C R E E F I L E D .**

AND NOW, October 3, 1990 it is ordered and decreed that CarolL. Foster, plaintiff, and Jeffrey S. Foster, defendant, are divorced from the bonds of matrimony
BY THE COURT,
John Q. Stranahan, J

# 1989

Joseph F. Kulwicki

951.

Terry Toomey

KAYE M. PATTON

vs.

MICHAEL PATTON

Filed Oct. 18, 1989
@ 4:12 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Pro Co. Pd 4/23/90 | 9.00 |
| State Surcharge Pd. | 10.00 |

COMPLAINT UNDER SECTION201(d) OF THE DIVORCE CODE

1 copy (atty)

Oct. 18, 1989, Plaintiff's Affidavit Under Section 201(d) of the Divorce Code filed. 1 copy (atty)

Oct. 30, 1989, Acceptance of Service aND Entry of appearance filed. I Terry Toomey, Esq. do hereby direct the Prothonotary to enter my appearance on behalf of the defendant Michael Patton. Further, as atty., for the defendant, I hereby accept service of the plaintiff's Affidavit and Complaint in divorce under Section 201(d) of the divorce code.
10/30/89 Terry Toomey, Esq.

Mar. 21, 1990 Affidavit Of Consent of Plaintiff filed.

Apr. 18, 1990 Petition To Amend Complaint and Order filed. AND NOW, this 18th day of April, 1990, upon presentation and consideration of the Plaintiff's Petition to Amend Divorce Complaint and defendant's counsel's Consent and Joinder, it is hereby ORDERED that said Petition is granted.

BY THE COURT,
P. Richard Thomas, J

Apr. 20, 1990 copies of order put in Jospeh Kulwicki and Terry Toomey's box.

April 23, 1990 Affidavit of Consent of Defendant filed.

April 23, 1990 Upon Praecipe of Plaintiff Attorney For Review under Section 201(c) of Divorce Code, this case is moved to Court.

Apr. 30, 1990 **DIVORCE DECREE FILED.**

AND NOW, April 30, 1990, it is ordered and decree dthat Kaye M. Patton, plaintiff, and MIchael Patton, defendnat, are divorced from the bonds of matirmony.

BY THE COURT,
Gordon R. Miller, J

# 1989

Clarence D. Neish
Attorney General's
Office

952.

COMMONWEALTH OF PENNSYLVANIA

vs.

ONE 1983 CHEVROLET 2 DOOR
COUPE AND $136.00 CASH
U.S. CURRENCY

(Michael Anthony Rumph)

Filed Oct. 18, 1989
@ 4:25 p.m.

PETITION FOR FORFEITURE AND CONDEMNATION

RULE TO SHOW CAUSE:

AND NOW, this 18 day of Oct, 1989, a rule is issued upon Michael Anthony Rumph, owner and/or possessor of the within defendant/property, to show cause why the prayer and order ofthe attached petition fo forfeiture should not be granted.

Rule Returnable, for the purpose of filing an Answer only, within thirty (30) days from the date of service ofthe attached Petition and this rule upon Michael Anthony Rumph, owner and/or possessor.

Failure to Answer this petition within 30 days of service hereof will result in an order of forfeiture being entered against said property, any law or rule of court to the contrary notwithstanding.

Notice shall be given in accordance with law.

BY THE COURT,
P. Richard Thomas, J.

Oct. 19, 1989, cert. copy of order to Atty. Neish.

Jan 15, 1990 Motion for Order of Forfeiture and Order filed: AND NOW, this 12 day of Jan., 1990, a Petition for Forfeiture having been filed by the Commonwealth of Pennsylvania, and there appearing that no challange to this action by way of answer or otherwise, and upon motion by Clarence D. Neish, Deputy Attorney General, for order of forfeiture by default made by the Commonwealth, it is Ordered and Decreed as follows:

All claims of right, title and interest of Michael Anthony Rumph or any other claimant in the defendant/property are hereby declared to be terminated, revoked and rendered null and void. The One 1983 Chevrolet 2 Door Coupe VIN No. 161AP87SXDL158817 and $136.00 Case, U.S. Currency is hereby condemned and forfeited to the Commonwealth of Pennsylvania, Office of Attorney General, Bureau of Narcotics Investigation and Drug Control pursuant tot eh Judicial Code, Chapter 68, Controlled Substances Forfeitures, Sections 6801-6802, 42 Pa C.S.A. Section 6801 et seq, for use, sale or disposition in accordance with the law.

The registration heretofore issued by the Commonwealth of Pennsylvania for said vehicle is hereby declared to be terminated and revoked and the Department of Transportation is directed to reissue said registration in the name of the Department of General Services for official use, sale or disposition by the Office of Attorney General, Bureau of Narcotics Investigation and Drug Control.

BY THE COURT,
P. Richard Thomas, J.

Jan 16, 1990 Cert Copy mailed to Atty. Neish.

# 1989

953.

Bruce A. Barrett

APPLICATION FOR EXTENDED
INVOLUNTARY TREATMENT

of

AILEEN L. HOPKINS

Filed Oct. 19, 1989
@ 9:30 a.m.

APPLICATION FOR EXTENDED INVOLUNTARY TREATMENT
Mental Health Procedures Act of 1976-Section 303

Oct. 20, 1989, AND NOW, Oct. 18, 1989 the matter is before the court on an emergency request from the Office of Mental Retardation arising form a commitment to the Mental Health Center. It appears this former juvenile, now an adult was processed into a group home operated by teh Association for Retarded Citizens on or about sept. 11, 1989, and problems have arisen because of her uncontrollability and her thinking that she can leave the group home anytime she wishes and return to the home of her father, floyd Hopkins. The staff at the home has difficulty controlling the client and the client is now apparantly confined at the Mental Health Center on an emergency basis and a section 303 petition has been filed involving her and she was unable to attend the hearing this day because of aSSAULTS COMMITTED UPON THE STAFF.

The father and mother are in attendance and an informal hearing is held with the father's position being that he will not discourage his daughter from leaving the group home and visiting him and the mother's position is that with Aileen's manipulative nature, her processing at the group home cannot be stablized so long as she has the option of leaving the home without permission and going to the home of her father in the hopes that he will temporarily or permanently keep her in his home. Accordingly, the request of the Mental Retardation officials and the group home supervisor is an Order by this court absolutely prohibiting Aileen form leaving the home to go to the home of the father and requesting a Court Order that directs the father not to take her in if she does the same. This court agrees that stability ofthe client cannot be aCHIEVED IF SHE BELIEVES AND HER FATHER ENCOURAGES HER IN THE belief that she can leave the group home at will and go tothe home of her father.

Accordingly, the court directs that aileen Hopkins not be permitted without the express consent of the group home staff to go to the home of her father for any purpose and if she does so, the father is directed not to take her in and direct her to return to the group home.

Nothing in this order express or implied precludes the father from visiting his daughter at the group home in accord with any visiting rules and regulations established by the superintendant of the home.

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

Oct. 23, 1989, copies to Bruce Barrett, MH Center at Mead. Med. center, and 2 copies to MH/MR.

Dec. 8, 1989, Petition for Commitment for Person Who is Mentally Disabled (Mental Health Mental REtardation Act of 1966) filed.

Dec. 13, 1989, RE: PETITION FOR COMMITMENT - ORDER filed. And now, Dec. 12, 1989, Mental Retardation Association requests postponement of a hearing onthe petition filed Dec. 8, 1989 as the patient is now in a group home setting and appears to be somewhat stabilized. Accordingly, this court postpones said hearing until Jan 11, 1990 at 1:;30 p.m. in C. R. No. 1.

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

De c. 14, 1989, copies to MH/MR. (3)

**Jan. 8, 1990 Continuance Order filed. And Now, December 28, 1989, the Mental Retardation Association has advised the Court that the above subject is progressing satisfactorily in a group home setting, and they believe there is no need for the scheduled hearing January 11, 1990, at which time the Court would be called upon to decide whether a commitment to Polk Center was appropriate.**

**Accordingly, this case is continued generally, and in the event adjustment in the group home deteriorates to the point that the Mental Retardation staff believe commitment to Polk Center is appropriate, they may petition the Court to reschedule a hearing without filing a new petition.**

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

**Jan. 10, 1990 copies of order to Bruce Barrett and to MH/MR**

# 1989

Mahany, Roeder & Smith
Tamera Ochs Rothschild

954.

WOOD GRAVEL CO.

vs.

WISH-U-WELL SPRINGS, INC.

Filed Oct. 19, 1989
@ 11:07 a.m.

Tax & entry paid $50.50 ✓

Sheriff's costs 76.00

Pro Co Pd 3-23-90 9.00✓

COMPLAINT

2 copies (atty)

Dec. 5, 1989 Praecipe to Reinstate Complaint filed.

Jan. 3, 1990, Complaint Reinstated.

Mar 1, 1990 Sheriff's Return filed: SERVED AND MADE KNOWN TO Wish-U-Well Springs, Inc., Defendant Company by handing a true and attested copy of the within Summons/Complaint, issued in the above captioned matter on 23 January, 1990, at 1:15 p.m. EST at 1342 66th Ave., in the County of Philadelphia, State of Pennsylvania to Dr. Alphonso M. Clark, agent or person for the time being in charge of defendant's office or usual place of business.
So answer, John Green, III, Sheriff
Richard Murdock, Deputy Sheriff

Mar 1, 1990 SERVED Wish-U-Well Spring, Inc., by deputizing the Sheriff of Philadelphia County, Pa as per his affidavit of service attached. Served: Jan 23, 1990.
so answers Howard N. Stewart, Sheriff

Mar. 13, 1990 Certificate Of Service Of Notice Of Intention To File A Praecipe For Entry Of Default Judgment filed.

Mar 23, 1990 Certificate of Last Known Address and Non Military Service filed.

AND NOW, March 23, 1990 @ 10:47 A.M. Upon praecipe of plaintiff's attorney with Notice of Judgment attached, judgment hereby entered in favor of the Plaintiff and against the defendant for failure to file an Answer and damages are assessed in the amount of Five Thousand Eight Hundred Forty-four and 25/100 Dollars plus interest at the legal rate and costs.
W-186 Debt.....$5,844.25 + int. & costs.
Judgment entered 3-23-90 JUDGMENT
James F. Simmons
Prothonotary

Mar 23, 1990 Notice of Judgment mailed defendant.

# 1989

| | | |
|---|---|---|
| Thomas, Truax, Spadafore, Vardaro, Walker<br>Emil M. Spadafore Jr.<br><br>955.<br><br>Schroeck & Segel, P.C.<br>George M. Schroeck | MARINE BANK<br><br>vs.<br><br>BERNARD R. WAGNER AND<br>DAVID L. WAGNER t/d/b/a<br>WAGNERCREST FARMS<br><br>Filed Oct. 19, 1989<br>@ 2:49 p.m.<br><br>Tax & entry Paid $50.50<br>Sheriff's Costs 26.00 | COMPLAINT ON NOTE<br><br>2 copies (sheriff)<br><br>Nov. 17, 1989 Sheriff's Return filed. SERVED David Wagner personally on October 26, 1989 at 12:15 PM by handing copy of Complaint to him at his residence, R.D.#6, Meadville, Crawford County, PA.<br>SERVED Bernard R. Wagner on October 26, 1989 at 12:16 PM by handing copy of Complaint to David L. Wagner, his brother, and person in charge of the residence, R.D. #6, Meadville, Crawford County, PA.<br>So answers Robert M. Stevens, Deputy Sheriff<br>Howard N. Stewart, Sheriff<br><br>Nov. 17, 1989 Answer filed. (w New Matter)<br>Dec. 7, 1989 Reply To New Matter filed.<br><br>Jan 2, 1990 Request for Admissions filed. |

# 1989

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

956.

Culbertson, Weiss,
Schetroma & Schug
Nancy M. Sennett
JOhn Brautigam

LAWRENCE A. DEEB

vs.

DIANA M. HEISEY

Filed Oct. 20, 1989
@ 10:24 a.m.

| | |
|---|---|
| Tax & Entry paid | $50.50 ✓ |
| Sheriff's Costs | 23.00 |
| Pro Co Pd 12/14/89 | 6.00 ✓ |

COMPLAINT IN REPLEVIN

1 copy (sheriff)

Oct. 20, 1989, Motion for Issuance of Writ and Order filed. ORDER: AND NOW, this 20th day of October 1989, upon presentation and consideration of the within Motion a hearing on this matter is set for the 25 day of Oct. 1989, at 2:00 p.m. in C. R. No. 1 or 2, Crawford County Court House, Meadville, Pa.
1 copy (sheriff) BY THE COURT,
P. Richard Thomas, Judge

Oct. 26, 1989 Motion For Continuance and Order filed. And Now, October 26, 1989 This hearing is continued until the 6th day of November, 1989 at 2:15 o'clock p.m., in Courtroom 1 or 2.
Imogene Yetman, C.A.
Oct. 26, 1989 copy of order put in R. Charles Thomas' box.

Oct 31, 1989 Sheriff's Return filed: SERVED Diana M. Heissey personally on October 30, 1989 at 2:13 P.M. by handinag copy of Motion, Order and Complaint to her at her residence, R.D.#8, Inlet Road, Meadville, Crawford Co., Pa.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Nov. 3, 1989 Motion ton Continue Hearing and Order filed. And Now, November 3, 1989 upon consideration of the foregoing motion of the Defendant said motion is granted and the hearing is rescheduled for Nov. 8, 1989 at 11:00 a.m., in Court Room 1 or 2 of the Crawford County Court House, Meadville, Pennsylvania.
By the Court
Robert L. Walker, J
Nov. 3, 1989 Copies of order put in R. Charles Thomas and Nancy Sennett's box.

Nov. 8, 1989, RE: MOTION FOR WRIT OF SEIZURE - ORDER filed. ORDER: AND NOW, Nov. 8, 1989, at the time set for hearing on this matter counsel for the parties advised the court they believe the matter has been amicably resolved and, accordingly, no hearing is necessary at this time. This case is continued for a period of 10 days to accomplish the settlement and if the same is not resolved the court will entertain a motion from either counsel to reset the hearing.
By agreement of the parties court costs will be paid by the defendant.
BY ORDER OF THE COURT,
P. Richard Thomas, P.J.
Nov. 8, 1989 copies to R. C. Thomas, and John Brautigam.

Dec. 14, 1989, Upon praecipe of plaintiff attorney, the above captioned case is hereby settled and discontinued of record.

# 1989

Culbertson, Weiss,
Schetroma & Schug
By: Kemp C. Scales

957.

Mack, Bonya & Douglass
Robert D. Douglass

HARLAN A. NEFSTEAD,
CO-OWNER OF COUNTRY CROSSROAD
RESTAURANT

vs.

WAYNE S. LOCKARD & SONS, INC.
t/a THE LOCKARD COMPANY

Filed Oct. 20, 1989 at 11:03 a.m.

Tax & entry Paid $50.25

APPEAL OF DEFENDANTS FROM JUDGMENT OF
DISTRICT MAGISTRATE ROBERT LEONHART

Oct. 20, 1989 Rule entered upon plaintiff to file complaint issued.

Oct. 24, 1989, Proof of Service filed.

Nov. 17, 1989 Plaintiffs' Motion for Issuance of Rule to Show Cause Why Two Actions Should Not Be Consolidated and Order filed. And Now, this 17th day of November, 1989, upon consideration of Plaintiffs' Motion, a Rule is granted upon Defendant Wayne S. Lockard & Sons Inc. to show cause why the action at A.D. 1989-957 and the action at A.D. 1989-1036 should not be consolidated into a single action at A.D. 1989-957, donominated Harlan A. Nefstead and Verna L. Nefstead, his Wife, d/b/a Country Crossraods Restaurant, Plaintiffs, vs., Wayne Lockard & Sons, Inc., t/a The Lockard Company, Defendant.
Rule returnable the 28 day of Nov., 1989, in Courtroom No 1 or 2, Crawford County Courthouse, at 9:30 a.m.
By: P. Richard Thomas, J

Nov. 20, 1989 Copy of order mailed to Robert Douglass and copy put in Kemp Scales

Dec. 6, 1989 Order filed: And NOw, November 22, 1989, in view of the attached letter, the above cases are consolidated and the hearing heretofore scheduled for November 28, 1989, is cancelled.

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

Dec. 7, 1989 copies of order to Attys. Kemp C. Scales and Robert D. Douglass.

# 1989

Bukac and Toomey
Terry Toomey

958.

JOSEPH DAVID IZZO

vs.

MARY S. IZZO

Filed Oct. 20, 1989
@ 11:39 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 ✓ |
| Pro Co Pd 3/21/90 | 9.00 ✓ |
| State pd 3/21/90 | 10.00 |

COMPLAINT IN DIVORCE

1 copy (atty)

Oct. 20, 1989, Plaintiff's Affidavit Under Section 201(d) of the Divorce Code filed.

Mar. 20, 1990, Affidavit of Service filed. I, Terry Toomey esq. after being duly sworn according to law, depose and say that I am the attorney of record for plaintiff and that as such I am authorized to execute this affidavit; that I did, on Oct. 24, 1989 send by Cert. Mail, Ret. Rec. req. to Mary S. Izzo, a true and correct copy of complaint in Divorce at her last known address of 12863 Sandy Mt. Road, Orrstonw, Pa. 17244 as evidenced by the attached sender's receipt No. P. 724 955 410 and that on Oct. 30, 1989 I did receive the duly executed ret. rec. dated Oct. 27, 1989.
Date: 3/19/90 Terry Toomey, Esq.

Mar. 20, 1990, Affidavit of Service of Notice of Intention to Request Entry of Divorce filed.

Mar. 20, 1990, Upon praecipe of plaintiff attorney, for review Under Section 201(d) of the Divorce Decree, with copy of Notice of Intention to Request Entry of Divorce Decree and Defendant's counter-Affidavit Under Section 201(d) of the Divorce Code attached, this case is moved to court.

**Mar. 26, 1990 DIVORCE DECREE FILED.**

**AND NOW, March 26, 1990, it is ordered and decreed that Joseph David Izzo, plaintiff, and Mary S. Izzo, defendant, are divorced from the bonds of matrimony.**

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

# 1989

Jorden & White
William Jorden

.959.

Thomas, Truax, Spadafore,
Vardaro and Walker
R. Charles Thomas

SONYA R. BOBAN

vs.

JOHN D. TRACY

Filed Oct. 20, 1989
@ 2:43 p.m.

Tax & entry Paid $50.50 ✓
Sheriff's costs 23.00
Pro Co pd 5/21/90 6.00 ✓

COMPLAINT

Nov. 13, 1989 Appearance of Thomas, Truax, Spadafore, Vardaro and Walker, by R. Charles Thomas, Attorney for defendant filed.

Nov. 17, 1989 Sheriff's Return filed. SERVED John D. Tracy personally on October 27, 1989 at 8:59 AM by handing copy of Complaint to him at Sheriff's Office, Crawford County Courthouse, Meadville, PA. 16335
So answers, Catherine I. Allen, Deputy Sheriff
Howard N. Stewart, Sheriff

Dec. 7, 1989 Answer to Plaintiff's Complaint filed.

Jan. 31, 1990, Notice of Filing Answers to Interrogatories of Defendant Directed to Plaintiff, Sonya Boban, filed.

**Mar. 26, 1990 Notice Of Service Of Requests For Admissions filed.**

Apr. 3, 1990, Answer to New Matter filed.

May 18, 1990 Upon praecipe of Plaintiff Attorney, the above captioned action is marked settled and discontinued of record.

# 1989

Jorden and White
William T. Jorden

960.

BARBARA PRENATT

vs.

LARRY PRENATT

Filed Oct. 20, 1989
@ 2:43 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Pro Co. Pd 4/2/90 | 9.00 |
| State Surcharge Pd. | 10.00 |

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

Jan 12, 1990 Affidavit of Service filed: WILLIAM T. JORDEN, ESQUIRE, attorney for plaintiff in the above captioned matter being duly sworn according to law, deposes and says that he seerved the Notice to Plead and Complaint under Section 201(c) of the Divorce Code upon the defendant, Larry Prenatt, by Certified mail, return receipt requested, on November 26, 1989, at the defendant's address, 415 May Avenue, Titusville, Pennsylvania, 16354. The Defendant's acceptance of the same is attached hereto.

William T. Jorden Esq.
Attorney for Plaintiff

April 2, 1990 Affidavit of Consent of Plaintiff filed.

April 2, 1990 Affidavit of Consent of Defendant filed.

April 2, 1990 Upon Praecipe of Plaintiff Attorney for Review Under Section 201(c) of Divorce Code, this case is moved to Court.

April 11, 1990 **DIVORCE DECREE FILED.**

AND NOW, April 11, 1990, it is ordered and decreed that Barbara Prenatt, plaintiff, and Larry Prenatt, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J

# 1989

961.

Mason and Mason
M. Dan Mason

ERIE INSURANCE EXCHANGE

vs.

KATHY DEETS

Oct. 20, 1989
@ 3:13 p.m.

Tax & entry Paid $50.25 ✓
Pro Co pd 11/28/89 9.00 ✓

APPEAL OF DEFENDANT FROM JUDGMENT OF
MAGISTERIAL DISTRICT 30- 2- 01

Oct. 20, 1989 Rule entered upon plaintiff to file complaint issued.

Oct. 25, 1989 Proof of Service filed.

And Now, Nov. 22, 1989 at 3:08 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.

E-184

JUDGMENT OF NON PROS
James F. Simmons
Prothonotary

# 1989

Barrett & Dratler
Bruce A. Barrett

962.

THE LYDEN COMPANY

vs.

DICK BROWN FORD, INC.

Filed Oct. 20, 1989
@ 3:59 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 ✓ |
| Sheriff's Costs | 31.40 ✓ |
| Pro Co Pd 12/1/89 | 9.00 ✓ |

COMPLAINT.

1 copy (sheriff)

Nov. 30, 1989 Sheriff's Return filed. SERVED Dick Brown Ford, INc., now known as Titusville Ford, on Octoberr 31, 1989 at 3:00 p.m. by serving Jim Dimitroff, Chief Executive Officer, at place of business, 1185 Hydetown Road, Titusville, Crawford County, PA.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

And Now, Dec. 1, 1989 at 10:15 a.m. upon praecipe of plaintiff, with copy of default notice attached, Judgment is hereby entered in favor of plaintiff and against the defendant for want of an answer, in the sum of Two Thousand Four Hundred Ninety Six and 29/100 Dollars, plus interest from Oct. 30, 1989 and costs of suit.
Judgment entered 12/1/89 Int. from 10/30/89
B- 184 Debt --- $2,496.29
JUDGMENT
James F. Simmons,
Prothonotary

EX 1989- 118
EX 1990- 9

# 1989

Barrett & Dratler
Bruce A. Barrett

963.

STANLEY W. RIDDLE AND
MARTHA RIDDLE, HIS WIFE

vs.

MICHAEL HETRICK AND MARY
JANE HETRICK, HIS WIFE

Filed Oct. 20, 1989
@ 3:59 p.m.

Tax & entry Paid $50.50
Sheriff's Costs 25.00

COMPLAINT

2 copies (sheriff)

Nov. 16, 1989 Sheriff's Return filed. SERVED Michael Hetrick personally on October 26, 1989 at 2:24 PM by handing copy of Complaint to him at residence, R.D. #1, Saegertown, Crawford County, PA.
SERVED Mary Jane Hetrick on October 26, 1989 at 2:25 PM by handing copy of Complaint to her husband, Michael Hetrick, at their residence, R.D.#1, Saegertown, Crawford County, PA.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

# 1989

Terry Toomey

964.

Edith Benson
legal services

TERESA RUIZ

vs.

RONALD E. SMITH

Filed Oct. 20, 1989
@ 4:35 p.m.

Indigent filing

APPEAL OF DEFENDANT FROM JUDGMENT OF
WILLIAM D. CHISHOLM, DISTRICT JUSTICE

Oct. 20, 1989, Rule entered upon plaintiff to file complaint issued.

Oct. 20, 1989, Affidavit to Proceed In Forma Pauperis and Praecipe to Proceed In Forma Pauperis filed.

Oct. 20,1989, Petition for Waiver of Bond and Order filed. ORDER: AND NOW, OCT. 20, 1989 this appeal shall act as a supersedeas pending outcome of appeal provided the appellant deposits his currently due rental payments monthly in an escrow account to be controlled by his counsel.

Robert L. Walker, J.

Oct. 20, 1989 copy of order to Edith Benson.

Oct. 24, 1989 Proof of Service filed.

Nov. 9, 1989 Complaint in Ejectment filed. 1 copy (atty)

Dec 13, 1989 Petition for Rule to Show Cause filed.

Dec 13, 1989 Order filed: AND NOW, this 13 day of December 1989, upon Petition of the Plaintiff, a Rule to Show Cause is directed against the Defendant, Ronald E. Smith, as to why the Defendant's Appeal should not be dismissed by the reason of the Defendant's alleged failue to make rental payments into excrow as required by this Court in its Order dated October 20, 1989.

Hearing and argument Dec. 19, 1989, 1:30 P.M. Ct Rm 2.

Dec. 14, 1989 Copies of order put in Attys. Benson and Toomey's boxes.

Dec. 19, 1989 Order filed. AND NOW, December 19, 1989, at the time scheduled for hearing and argument in connection with the supersedeas heretofor granted, both parties have appeared with their counsel and the Defendant admits that he has not made the deposits the Escrow Fund required under the Order of October 20, 1989, and therefor, the supersedeas heretofor, the supersedeas heretofor granted is vacated by reason of the fact that the Defendnat has not complied with the conditions of the supersedeas. The writ of possession heretofor issued by District Justice Chisholm is reinstated, andthe Defendant shall vacate the premises at the expiration of fifteen (15) days from this date; provided that if the Defendant deposits with the Prothonotary the sum of $525.00 on or before January 2, 1990, upon praecipe, the court will reinstate the supersedeas for a period not to exceed thirty (30) days.

BY ORDER OFTHE COURT,
Robert L. Walker, J

Dec. 20, 1989 Copies of order put in Terry Toomey and Gerald Sullivan's box and copy mailed to D.J. Chisholm

# 1989

Douglas W. Ferguson
Ferguson & Spataro

965.

TERRY G. YARNELL

vs.

SUSAN E. YARNELL

Filed Oct. 23, 1989
@ 10:33 a.m.

Tax & entry Paid $50.50 ✓

COMPLAINT IN DIVORCE

1 copy (atty)

Feb. 17, 1998 Important Notice and Court Order filed. Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 10/23/89 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

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

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

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

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

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

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

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

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

# 1989

| | | |
|---|---|---|
| 966.<br><br>Robert J. Felton | WALTER E. GRATKOWSKI<br><br>vs.<br><br>JOHN AND NANCY MADDEN<br>d/b/a<br>MADDEN TRUCKING<br><br>Filed Oct. 23, 1989<br>@ 11:16 a.m.<br><br>Tax & entry paid $50.25 ✓ | APPEAL OF DEFENDANTS FROM JUDGMENT OF<br>RONALD A. COLE, SR. DISTRICT JUSTICE 30-3-06<br><br>Oct. 23, 1989 Rule entered upon plaintff to file complaint issued. |

# 1989

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

967.

CHRISTOPHER PAUL SWICK AND MARK ALAN SWICK, JR., MINORS, BY THEIR PARENTS AND NATURAL GUARDIANS, MARK ALAN SWICK AND DEBORAH L. SWICK, AND MARK ALAN SWICK AND DEBORAH L. SWICK, INDIVIDUALLY, IN THEIR OWN RIGHT

vs.

ERIC E. ALDERMAN

Filed Oct. 23, 1989
@ 1:14 p.m.

Tax & entry Paid $50.50
Pro Co Pd 8/8/91 6.00

SUMMONS IN TRESPASS

Issued (atty)

May 7, 1991 Affidavit of Service filed. Richard L. Stinson, having been duly sworn in accordance with law, deposes and says that he served a Writ of Summons In Trespass personally upon Erie E. Alderman on Monday, Oct. 23, 1989, at 3:45 p.m. at Lawson's (now Dairy Mart) at 390 Water St., Conneaut Lake, PA. A copy of the aforesaid Writ of Summons is hereto attached and designated Exhibit "A".
Dated: October 25, 1989
Richard L. Stinson

August 5, 1991 PETITION FOR APPROVAL OF SETTLEMENT OF A MINOR'S CLAIM and ORDER filed. And now, this 5th day of August, A.D., 1991, it appearing to the Court that the Plaintiffs have consented hereto and counsel for all parties have consented hereto, it is hereby ORDERED, AUJUDGED AND DECREED that the Settlement Agreement and Release attached to the Petition is hereby approved and leave is granted to Plaintiffs to compromise and settle the within litigation as follows:

1. To the Minor Plaintiff:
a.) Cash at settlement: $3,000.00
b.) Monthly payments: $200.00 per month beginning October 10, 20000 to life, thirty years guaranteed.
c.) Counsel fees in the amount of $5,647.00 and payable upon exchange of all necessary closing documents.
d.) Record costs.

2. All said sums to be payable to Mark Alan Swick, Jr., in care of Mark Alan Swick and Deborah L. Swick, Parents and Natural Guardians, and in the event of their death, to be payable to their estate or any other persons designated by them in writing and communicated to the insurer.

3. It is further ordered, adjudged and decreed that the Settlement Agreement and Release, a copy of which is attached hereto, and all of the terms and provisions thereof, are incorporated herein by reference and made a part of this Order.

4. Plaintiffs Counsel is hereby authorized and directed to file a Praecipe with the Prothonotary to settle and discontinue this action.

By the Court,
P. Richard Thomas, S.J.

August 7, 1991 copy in box for Atty. Truax

August 5, 1991 PETITION FOR APPROVAL OF SETTLEMENT OF A MINOR'S CLAIM and ORDER filed. And now, this 5th day of August, A.D., 1991, it appearing to the Court that the Plaintiffs have consented hereto and counsel for all parties have consented hereto, it is hereby ORDERED, ADJUDGED AND DECREED that the Settlement Agreement and Release attached to the Petition is hereby approved and leave is granted to Plaintiffs to compromise and settle the within litigation as follows:

1. To the Minor Plaintiff, Christopher Swick:
a.) Cash at settlement: $5,000.00
b.) Monthly payments: $100.00 per month beginning September 1, 1991 to August 1, 2000. $1,000.00 per month beginning March 22, 2004 for life, with 30 years guaranteed.
c.) Lump sum deferred payments guaranteed payable as follows:

| Age/Year | Amount |
|---|---|
| 19/March 22, 2000 | $2,800.00 |
| 20/March 22, 2001 | $2,800.00 |
| 21/March 22, 2002 | $2,800.00 |
| 22/March 22, 2003 | $2,800.00 |
| Total | $11,200.00 |

d.) Counsel fees in the amount of $25,000.00 and payable upon exchange of all necessary closing documents.
e.) Record costs.

2. All said sums to be payable to Christopher Paul Swick, in care of Mark Alan Swick and Deborah L. Swick, Parents and Natural Guardiams, and in the event of their death, to be payable to their estate or any other persons designated by them in writing and communicated to the insurer. Upon attainment of age 18, Christopher will receive payments directly.

3. It is further ordered, adjudged and decreed that the Settlement Agreement and Release, a copy of which is attached hereto, and all of the terms and provisions thereof, are incorporated herein by reference and made a part of this Order.

4. Plaintiffs Counsel is hereby authorized and directed to file a Praecipe with the Prothonotary to settle and discontinue this action.

By the Court,
P. Richard Thomas, S.J.

August 7, 1991 copy in box for Atty.Truax

Aug. 6, 1991 Upon praecipe of plaintiff attorney, the above captioned case is marked settled and discontinued of record; all claims and causes of action arising from the above litigation having been resolved.

# 1989

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

968.

Margaret Eglinton
Legal Services

ERIE INSURANCE EXCHANGE
WILLIAM WELTON, ADJUSTOR, FOR JUDITH RIDLE
vs.
DEBORAH SZYMANSKI

Filed Oct. 23, 1989
@ 3:09 p.m.

Indigent filing

Arb paid 10/25/90 15.00 ✓
Pro Co. Paid 2-20-91 9.00 ✓
Cert paid 3-9-92 2.00 ✓

APPEAL OF DEFENDANT FROM JUDGMENT OF
WILLIAM CHISHOLM, DISTRICT JUSTICE

Oct. 23, 1989, Rule entered upon plaintiff to file complaint issued.

Oct. 23, 1989, Praecipe to Proceed In Forma Pauperis and Affidavit to Proceed In Forma Pauperis filed.

Oct. 24, 1989, Proof of Service filed.

Nov. 13, 1989, Complaint filed. 1 copy (atty)

Apr. 26, 1990 Answer With New Matter and Counterclaim filed.

June 7, 1990, Reply to New Matter and Answer to Counterclaim filed.

Oct. 24, 1990, Upon praecipe of plaintiff attorney, for reference to the arbitrators, the following arbitrators are appointed: Bruce L. Smith, Ch.
William B. Moore
Robert J. Felton

Dec. 6, 1990 Arbitrators take qualifying oath.

Jan. 7, 1991 DECISION OF ARBITRATORS filed in which they find: in favor of the plaintiff Erie Insurance Ezchange in the amount of $2,038.67 and the plaintiff Judith Ridle in the amount of $2,000 and against the defendant Deborah Szymanski.

Decision entered 1/7/91
S - 42

DECISION OF ARBITRATORS (Arb. Felton not present)
James F. Simmons,
Prothonotary

Jan. 7, 1991, copies of Decision to R. C. Thomas and Legal SErvices.

AND NOW, Feb 20, 1991 @ 9.00 A.M. Upon Praecipe of Plaintiffs' Attorney, judgment is hereby entered in the above captioned matter in accordance with the decision of the Board of Arbitrators entered theron.

S-42

Debt.....$2,238.67
JUDGMENT
James F. Simmons
Prothonotary

# 1989

Fuller, Kinnunen,
Petruso & Gamble
John D. Petruso

969.

BEN F. MILLER, III:

vs.

LUCILLE ROBINSON MILLER

Filed Oct. 24, 1989
@ 9:04 a.m.

Tax & entry Paid $50.50 ✓

COMPLAINT UNDER SECTION 201(d) OF DIVORCE CODE

1 copy (atty)

January 12, 1990, Complaint Reinstated.

Mar. 16, 1990 Affidavit Of Service filed. I, Joanne Cochran, having been duly authorized to make service of the: Notice, Complaint in the above entitled case, hereby depose and say: That my age is 32 years old, and my date of birth is May 11, 1957. That my business address is 1802½ T. Street, N.W., Washington, DD.C. 20009. That I am not a party to or otherwise interested in this suit. That at 3:00 o'clock p.m. on the 20th day of February, 1990, I served the within named defendant Dr. Lucille Robinson Miller by leaving a copy of the above documents at her usual place of abode at 2601 Woodley Plaza, Washington, DC with Dr. Lucille Miller, personally, described herein: Sex: female, Height: 5'8" Weight: 140; Age: 60 Hair; black Color: Black.

Joanne Cochran

Feb. 17, 1998 Important Notice and Court Order filed. Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 3/16/90 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

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

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

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

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

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

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

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

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

# 1989

Bettie J. Peterson-Muth

970.

WENDY S. MILLER

vs.

RAYMOND A. MILLER

COMPLAINT IN DIVORCE

1 copy (atty)

Filed Oct. 24, 1989
@ 11:12 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 ✓ |
| Pro Co pd 2/26/90 | 9.00 ✓ |
| State pd 2/25/90 | 10.00 ✓ |
| Pro Co pd 3/22/90 | 5.00 ✓ |

Feb. 22, 1990 Affidavit Of Service filed. Bettie J. Peterson-Muth, being duly sworn according to law, deposes and says that she is a competent adult; that she served the Complaint in Divorce filed in the above matter on Raymond A. Miller, personally, by handing to him a true and correct copy thereof and informing himof its contents at Cochranton Co-operataive, on October 24, 1989, at 3:30 p.m.

Deponent further avers that the defnedant is known to her and that it was he who recieved the Complaint in Divorce.

Bettie J. Peterson-Muth

Feb. 22, 1990 Affidavit Of Consent of Plaintiff filed.

Feb. 22, 1990 Affidavit of Consent of Defendant filed.

Feb. 22, 1990 Upon praecipe of Plaintiff Attorney To Transmit Record, this case moved to court.

Mar. 6, 1990 **DIVORCE DECREE FILED.**

And now, March 6, 1990, it is ordered and decreed that Wendy S. Miller, plaintiff, and Raymond A. Miller, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
P. Richard Thomas, J

Mar. 21, 1990 Notice Of Election To Resume Prior Named filed. Wendy S. Miller TO BE KNOWN AS Wendy S. Wagner

# 1989

971.

KAREN Z. HENRY

vs.

JACK L. HENRY

Filed Oct. 24, 1989
@ 11:20 a.m.

Tax & entry $50.50

Sheriff's Costs 27.56

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plaintiff)

TEMPORARY ABUSE ORDER:

AND NOW, this 24th day of Oct. 1989, upon review of the petition of plaintiff, the court enters the following temporary order.

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

2. Special Conditions: Defendant shall not go to any place that the plaintiff may be living or employed for any purpose whatsoever.

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

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

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

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

7. The defendant is reminded that this is an Order of court and violation of this order my be punishable by afine 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 Nov. 2, 1989 at 9:30 a.m. in C. R. No. 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required todo so.

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

Oct 30, 1989 Sheriff's Return filed: SERVED Jack L. Henry personally on October 24, 1989 at 4:05 P.M. by handing copy of Protection from Abuse to him at Sheriff's Office, Crawford County Courthouse, Meadville, Pa 16335.

So answers, Robert M. Stevens, Deputy Sheriff
Edgar D. Householder, Chief Deputy Sheriff
Howard N. Stewart, Sheriff

Nov. 3, 1989 Order filed. AND NOW, November 2, 1989, the matter is before the Court on an abuse petition filed by the Plaintiff. Both parties are represented by counsel, and without the necessity of a hearing, advise the Court they have amicably resolved the issue on the following conditions:

1. The Defendnat will not go to the Plaintiff's residence or any place of employment for any purposes.

2. The Defendant will not contact or phone or follow or annoy the Plaintiff in any fashion or procure others to do so on his behalf.

3. The parties mutually agree that the Defendnat shall continue to occupy the former residence at R.D.#2 Ryan Road.

4. The parties agree the Plaintiff may go to said residence November 5, 1989 at approximately 11 a.m. and pick up her personal property as evidenced by a list attached to this Order.

5. The Defendant will not be present at said time, but his sister will be present when said items are moved. Upon removal of sai ditems, the Plaintiff will leave th ekeys to the residence on the premises of the residence in a conspicuous place.

6. The parties mutually agree that a Christmas Club check from Dollar Savings in the amount of $125.00 is the exclusive possession of the Plaintiff, and when received, the proceeds therefrom shall be exclusively hers. It is reported that the check has been mailed, but the Defendant advises he never received it in the mail, and in the event he comes into possession of it in anyf fashion, he will see that it is surrendered to the Plaintiff.

7. The Plaintiff mutually agrees that hse will not try to contact the defendant or return to the residence unless she is specifically invited to do so by the Defendnat and wishes to do so

8. The intent of this Order is that the Defendnat will not in any fashion assault, annoy, or abuse or harass the Plaintiff or procure others to do so on his behalf.

9. this Order shall remain in force and effect for a period of one (1) year and any police officer having reasonable grounds to believe that the conditions have been violated may apprehend the Defendant, take him before a District Justice for immediate arraignment and confinement in the Crawford County Jail until a hearing can be held.

10. In view of theprecarious financial condition of both parties, the Court DIRECTS the County to pay all costs in this case.

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

Nov. 3. 1989 Copies of order put in Gerald Sullivan, Dan Mason and County Control box.

# 1989

Halliday & Halliday
Michael Halliday

972.

MacDonald, Illig, Jones & Britton
Irving Murphy
James R. McLamb, M.D.

Quinn, Gent, Buseck & Leemhuis, Inc.
John M. quinn, Jr.
Meadville Medical Center

MacDonald, Illig, Jones & Britton
J. Douglas Murphy
Orthopedic Assoc. of Meadville, PC

Quinn, Gent, Buseck & Leemhuis, Inc
John M. Quinn, Jr.
Seung Chan Lee, M.D. and Lee & Associates, P.C.

WILLIAM BURNS AND DOROTHY E. BURNS, HSUBAND AND WIFE

vs.

MEADVILLE MEDICAL CENTER AND JAMES R. McLAMB, M.D.
ORTHOPEDIC ASSOCIATES OF MEADVILLE, P.C., SEUNG CHAN LEE, M.D., AND LEE & ASSOCIATES, P.C.

Filed Oct. 24, 1989
@ 11:46 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Sheriff's Costs | 29.00 |
| Sheriff's Costs | 31.00 |
| Pro Co Pd 10/21/91 | 6.00 |

COMPLAINT IN CIVIL ACTION

2 ocpies (sheriff)

(Jury Trial Demanded)

Nov. 2, 1989 Sheriff's Return filed. SERVED Meadville Medical Center on October 25, 1989 at 3:18 PM by handing copy of Complaint to Louise Randolph, Administrative Secretary, at place of business, 751 Liverty Street, Meadville, crawford County, PA 16335
SERVED James R. McLamb, M.D. on October 25, 1989 at 3:55 PM by handing copy of complaint to betty Kaye Smith, Receptionist, at place of business, 640 Alden Street, Meadville, Crawford County PA 16335.
So answers, Robert M. Stevens, deputy sheriff
Howard N. Stewart, sheriff

Nov. 8, 1989 Appearance of MacDonald, Illig, Jones & Britton by Irving Murphy for James R. McLamb, M.D. only filed.

Nov. 8, 1989 Appearance of Quinn, Gent, Buseck & Leemhuis, Inc. by John M. Quinn, Jr. for Meadville Medical Center filed.

Dec. 4, 1989 Preliminary Objections To Plaintiffs' Complaint filed.

Feb. 1, 1990 Answer Of defendant Meadville Medical Center filed.

Feb. 5, 1990 Answer of Defendant James R. McLamb, M.D. filed.

Feb. 15, 1990 STIPULATION of Parties filed.

**June 4, 1990 Motion to Amend Complaint and Order filed: AND NOW, this 4 day of June, 1990, upon consideration of the within Motion, it is hereby ORDERED AND DECREED that Plaintiffs be permitted to join Orthopedic Associates of Meadville, P.C., Seung Chan Lee, M.D., and Lee & Associates, P.C., as original defendants in the above-captioned action.**
**BY THE COURT,**
**P. Richard Thomas, J**
**June 7, 1990 Copies of order mailed to Attys. Halliday, Murphy and Quinn**

June 7, 1990, Notice of Amended Complaint in Civil Action and Amended Complaint filed. 2 copies (sheriff)

June 12, 1990 Upon praecipe of MacDonald, Illig, JOnes & Britton by J. Douglas Murphy his appearance is her eby entered on behalf of the Defnednat, Orthopedic Associates of Meadville, PC inthe above-captioned action. I hereby accept service of and acknowledge receipt of a certified copy of the Amended Complaint in Civil Action f iled in the above matter.

June 22, 1990 Appearance of Quinn, Gent, Buseck & Leemhuis, Inc by John M. Quinn, Jr for Seung Chan Lee, M.D. and Lee & associates, P.C. filed.

June 25, 1990, Answer of Defendants James R. McLamb, M.D. and Orthopedic Associates of Meadville, P.C. to Plaintiffs' Amended Complaint, filed.

June 29, 1990 Sheriff's REturn filed. SERVED Seung Chan Lee, personally, with Amended Complaint, on June 7, 1990 at 4:28 PM, at the Sheriff's Office, Crawford County Courthouse, Meadville,PA
SERVED Lee and Associates, with Amended Complaint, on June 7, 1990 at 4:29 PM, at the Sheriff's Office, Crawford County Courthouse, Meadville, PA, by handing Amended Complaint to Seung Chan Lee.
So answers, Edgar D. Householder, Chief Deputy
Howard N. Stewart, Sheriff

July 9, 1990 Answer To Amended Complaint Of Defendants Meadville Medical Center Seung Chan Lee, M.D. and Lee & Associates,P.C. filed.

Sept. 4, 1990 Motion For Summary Judgment on Behalf of Defendant James R.McLamb, M.D. filed

Sept. 4, 1990 Upon praecipe of Plaintiff Attorney this case is placed on the next available argument list.

**1990 OCTOBER ARGUMENT LIST**

Sept. 14, 1990 Motion For Summary Judgment On Behalf of Defendant Seung Chan Lee, M.D. filed.

Sept. 14, 1990 Upon praecipe of Atty. Quinn the above motion is hereby placed on the next available argument list.

Oct. 30, 1990, ORDER filed. AND NOW, Oct. 29, 1990, at the time set for argument onthe motions for summary judgment presented by individual defendants McLamb and Lee, counsel for all parties advise the court that the plaintiff ocnsents to the granting of summary judgment in favor of individual defendants McLamb and Lee. Accordingly, the motions for summary judgment on behalf of James R. McLamb individually and Seung Chan Lee individually is granted without opposition and with consent of the plaintiffs. The grant of summary judgment in favor of the two individual defendants does not impact on the pending proceedings agaisnt their professional corporations.
BY ORDER OF THE COURT,
P. Richard Thomas, S.J.
Nov. 1, 1990 copies to all counsel of record.

sept. 13, 1991 Certificate of Readiness filed.

Sept. 13, 1991 Upon praecipe of Plaintiff Attorney this Case is hereby listed For Trial List

**1991 OCTOBER TRIAL LIST**

Continued On Pg. 422a

1989



Sept. 30, 1991, Motion for Summary Judgment on behalf of Defendant Orthopedic Associates of Meadville, P.C., filed.

Sept. 30, 1991, APPENDIX to Motion for Summary Judgment on Behalf of Defendant Orthopedic Associates of Meadville P.C., filed.

Sept. 30, 1991, Upon praecipe of attorneys for Orthopedic Associates of Meadville, PC, above Motion listed for October Argument List.

ON OCTOBER 1991 ARGUMENT LIST

Sept. 30, 1991 Notice of Depositions of Sandy Howick, Wanda Spangler, Maribeth Thomas and Jay Parker filed.

Sept. 30, 1991 Notice of Depositions of Lois MacQuarrie, Peggy Hahn, Sandy Miceli and Karen Konsla filed.

Sept. 30, 1991, Notice of Depositions of Rene Ray, William Dross, Curtis Laub, MD. filed.

Sept. 30, 1991 Notice of Depositions of Dr. Seung Chan Lee and Dr. James R. McLamb filed.

Oct 1, 1991 Re: Motion for Summary Judgment on Behalf of Orthopedic Associates of Meadville, P.C., Memorandum and order filed: AND NOW, October 1, 1991 Motion for Summary Judgment by Orthopedic Associates of Meadville, P.C., is denied and the motion to set further argument on this issue is likewise denied. The case is scheduled for trial commencing October 14, 1991, at approximately 10:00 a.m.

BY ORDER OF THE COURT,
P. Richard Thomas, Senior Judge

Oct 3, 1991 Copies of Memorandum and Order mailed to Attys. Halliday, Quinn and Murphy.

Oct. 11, 1991 Proposed Voir Dire of Defendantrs Meadville Medical Center, Orthopedic Associates of Meadville, P.C. and Lee & Associates, P.C. filed.

Oct. 18, 1991, UPon praecipe of plaintiff attorney, the above captioned case is hereby marked settled and discontinued of record, upon payment of costs.

422B

1989

# 1989

Theodore J. Peduzzi

973.

PENNSYLVANIA ELECTRIC COMPANY

vs.

MICHAEL J. CONNELLY AND RAYMOND ZEDKIER

Filed Oct. 24, 1989
@ 11:47 a.m.

Tax & entry Padi $50.50
Sheriff's Costs 93.98

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Dec. 8, 1989 Writ Return filed. Before me, the undersigned authority, personally appeared Jay D. Swigart who being duly sworn according to law, deposes and says that on the 14 day of Nov., 1989, at 9:20 a.m., he served Raymond Zediker-Summons, filed. at No. Term, 19, County Pennsylvania, upon defendant Raymond Zediker, personally at 529 Whitestown Road, Butler, Pa., Butler Twp. Butler Co. By making known the contents thereof to Raymond Zediker, personally and handing to and leaving with him the certified copy of the Summons received from Pa. Electric Co.
So answers, Jay D. Swigart, Dep. Sheriff
Dennis C. Rickard, Sheriff

Before me, the undersigned authority, personally appeared Robert Cherep who being duly sworn according to law, deposes and says that on the 13 day of Nov. 1989 at 11:20 a.m. he did not serve summons, filed at No. 973 Term, 1989, Crawford County, Pennsylvania, upon defendant Michael J. Connelly at 1406 Schauffuer Dr., Homestead. No service - attempts - people inside house but will not come to door.
So answers, Robert Cherep, Dep. Sheriff
Eugene L. Coon, Sheriff

NOT FOUND, as to Michael J. Connelly, as per Affidavit received from Sheriff of Allegheny County, dated November 13, 1989.
SERVED Raymond Zedkier by deputizing the Sheriff of Butler County PA as per his affidavit of Service attached. Served: November 14, 1989.
So answers, Howard N. Stewart, Sheriff

# 1989

| | | |
|---|---|---|
| Bernstein & Bernstein<br>Nicholas D. Krawec<br><br>974. | KLASEN OIL COMPANY, INC.<br><br>vs.<br><br>CARL RHOADES<br><br>Filed Oct. 24, 1989<br>@ 1:17 p.m.<br><br>Tax & entry Paid $50.50 ✓<br>Sheriff's Costs 21.28<br>Pro Co Pd 12/15/89 5.00 ✓ | COMPLAINT<br><br>1 copy (sheriff)<br><br>Nov. 17, 1989 Sheriff's Return filed. SERVED Carl Rhoades on October 26, 1989 at 12:30 PM by handing copy of Complaint to Carla Rhoades, his wife, at their residence, R.D.#2, Box 532, Cochranton, Crawford County, PA 16314<br>So answers, Robert M. Stevens, Deputy Sheriff<br>Howard N. Stewart, Sheriff<br><br>Dec. 15, 1989, Upon praecipe of plaintiff attorney, the above captioned case is settled and discontinued of record. |

# 1989

Kemp C. Scales
Culbertson, Weiss,
Schetroma & Schug

975.

Christopher Youngs

NORTHWEST PACKAGING, INC.

vs.

KIMBERLY K. MURRAY

Filed Oct. 24, 1989
@ 2:55 p.m.

| | |
|---|---|
| Tax & entry paid | $50.25 |
| Arb. pd 2/7/90 | 15.00 |
| Pro Co pd 4/3/90 | 5.00 |

APPEAL OF DEFENDANT FROM JUDGMENT OF
WAYNE E. HANSON, DISTRICT JUSTICE

Oct. 24, 1989, Rule entered upon plaintiff to file complaint issued.

Oct. 26, 1989 Proof of Service filed.

Nov. 14, 1989, Complaint filed. (1 copy -sheriff)

Dec. 14, 1989 Answer and New Matter filed.

Dec. 22, 1989, Reply of Northwest PaCKAGing Inc. to New Matter, filed.

Jan. 31, 1990 Notice of Service of Answers to Interrogatories filed.

Feb. 1, 1990, Upon praecipe of defendant attorney, for reference to the arbitrators, the following arbitrators are appointed: John F. Spataro, Ch.
Gary A. Fabian
Brian J. Lindsay

Feb. 27, 1990, Upon praecipe of plaintiff attorney, the above captioned case is marked settled and discontinued of record.

# 1989

| | | |
|---|---|---|
| Anthony J. Vardaro<br><br>976. | IN REPORT AND RETURN OF FREDERIC A. WAGNER, DIRECTOR OF THE CRAWFORD COUNTY TAX CLAIM BUREAU, PENNSYLVANIA, OF THE PUBLIC SALE OF LANDS AND PROPERTIES, ADVERTISED TO BE HELD THE SECOND MONDAY OF SEPTEMBER 1989<br><br>Filed Oct. 25, 1989 | REPORT AND RETURN OF FREDERIC A. WAGNER, DIRECTOR OF THE CRAWFORD COUNTY TAX CLAIM BUREAU, PENNSYLVANIA<br><br>ORDER:<br>Presented to Court October 25, 1989. File with Prothonotary. P . Richard Thomas, P.J.<br>Dated: 10/25/89<br>(papers filed under "T" in file cabinet)<br><br>And Now, Nov. 29, 1989 at 1:56 p.m., upon praecipe of Solicitor Anthony J. Vardaro, a Decree of Absolute Confirmation of the public sale advertised and held by Frederick A. Wagner, Director of Crawford CountyTax Claim Bureau of September 11, 1989, and of the sale return filed Oct. 30, 1989 is hereby entered of record.<br>Decree entered - 11/29/89<br>DECREE OF ABSOLUTE CONFIRMATION<br>James F. Simmons,<br>Prothonotary |

# 1989

Jack, Kookogey & Felton
Robert J. Felton

977.

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

PAUL W. CAMPBELL

vs.

KARLA I. CAMPBELL

Filed Oct. 25, 1989

Tax & entry Paid $50.50 ✓
Bruce L. Smith, mediator
Mediation Cost 135.95 ✓
Pro Co Ad 12/19/89 9.00 ✓
Pro Co Ad 10/4/90 9 ✓

COMPLAINT - CHILD CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER:
AND NOW, this 27th day of Oct. 1989, upon presentation of the foregoing Complaint for Custody, the parties hereto and their respective counsel are ordered to appear before BRUCE L. SMITH, CHILD CUSTODY MEDIATOR, who is hereby appointed in this case. The said parties ard their respective counsel shall appear at such time or times that the child cusotdy mediator shall hereinafter determine.

Robert L. Walker,
J.

Nov. 9, 1989 Appearance of Shafer, Swick, Bailey, Irwin & Stack; James R. Irwin, Attorney for Defendant filed.

Nov 13, 1989 Affidavit of Service filed: I, Robert J. Felton, Esquire, Attorney at Law, 144 West Spring Street, Titusville, Pennsylvania, do hereby certify that, in my capacity as attorney for the plaintiff in the above-captioned matter, served a certified copy of the Child Custody Complaint in this matter on Defendant, Karla I. Campbell, by sending the same by certified mail, return receipt requested. A complaint was mailed to the defendant on November 1, 1989, and receipted for by defendant on November 2, 1989, as reflected in the receipt for mailing and the return receipt attached hereto.

Robet J. Felton

Dec. 4, 1989 Temporary Order Of Court filed. AND NOW, this 4th day of December, 1989, after Mediation and upon recommendationof the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Krystal Ann Campbell, age twelve, and Scott Arron Campbell, age six, the aprties 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 elective surgery.
2. Primary physical custody of the children shall remain with the natural mother, Karla I. Campbell. REgular visitation and temporary custody of the children shall be granted to the plaintiff father, Paul W. Campbell. Temporary physical custody with the plaintiff father shall be as follows:
   a. Upon written notice of thirty (30) days from the fther to the mother, the father shall be allowed totake the children into his home for visitation for up to thirty (30) days each summer beginning in 1990, which said thirty (30) days shallinclude the Cytempt shut-down period as it may shift form year to year during the summer months of June, July and August. In the event that the father doe snot notify the mother of the visitation period, that visitation period shall be the month of July each summer.
   b. anytime the mother is going to be in the Titusville area visiting friends and relatives with the children in her company for more than two consecutive days, she shall notify the father at least five (5) days prior to her arrival. The children shall be made available during her visitaitonin the Titusville area to be with their father and to haveovernight visitation with him for at least one-half of the time she spends in the Titusville area.
   c. In the event that the father expects to be in the Florida area near where the children are living, he shall be permitted to have the chidlren with him upon written or telephone notice of three (3) days to the mother.
   d. In the event that the father wishes, at his own expense, to transport the children from Florida to the Titusville area during their Christmas school recess in any given year, he shallhave that opportunity upon written or telephone notice to the mother. He shall be permitted to have the children with him for the period from two days after the school recess begins until one day abefore the recess is over. Said periods with the father shall include travel time so the children have vacation of two days in the mother's home at the beginning of the vacation andone day of the end of vacation.
   e. Cost of transportation of the children between Titusville and Florida during summer visitation shall be the equal responsibility of the parents. The father shall be entitled to elect the method of transportation, whether it be air, trail, or bus, and the mother shall participate in the cost thereof to the extent of one-half.
3. The parent having custody of the children at any time shall notify the other parent as soon as possible in the event of injury to orillness of either of the children requiring medical treatment. For the purposes of this paragraph, both of the parents will have to keep the other informed as to their current mailing addresses and telephone numbers at all times.
4. Neither of the parent shall take the children into any environment which might be commonly thought of as detrimental to their development or to the development of their characters or which would be commonly thought of as dangerous to their physical persons.
5. THe parents are encouraged to discuss arrangements for physical custody of the children; and, if the parties mutually agree to alternative arrangements to accommodate themselves 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 will teach the children to have and demonstrate that love and respect due a parent from his or her child, and neither of the parents will do anything or say anything to blacken the character ofthe either parent in the eyes of the children. This admonition shall extend to grandparents, stepparents, and persons who live with either of the parents outsid eof marriage.
7. This Order shall not prejudice the right of either party to request further Mediation if there are circumstances which would affect the best interest ofthe children or if it is believed that the best interest ofthe children would require further Mediation at anytime.
8. The Court of Common Pleas of Crawford County, Pennsylvania, shall retain jurisdiction of this matter so long as either parent or either of the children resides in the Court's jurisdicton and for at least six months from the date of this Temporary Order.
9. The fee for the Child Custody Mediator shall be paid 75% by the plaintiff father and 25% by the defendant mother.
10. This Order shall be a Temporary Order, but shall become a permanent Order unless exceptions are filed by either party within thirty (30) days from the date of this Temporary Order.

BY THE COURT
Robert L. Walker,

Dec. 5, 1989 Copies of order mailed to Bruce Smith, Robert Felton, plaintiff and defendant a copy put in James Irwin's box.

12/19/89 Recd $101.94 from Plaintiff
Recd 12-29-89
$101.94
Vivian Stoltz

2/7/90 Recd $33.99
from Defendant
Rec'd 3-1-90
$33.99
Vivian Stoltz

8/15/90 Rec'd $84.62
from defendant (Karla)
Recd 9-5-90
$84.62
Vivian Stoltz

10/4/90 Recd $84.63
From Plaintiff
Rec'd 11-2-90
$84.63
Vivian Stoltz

Continued on Page 634

SEE VOL. 3

# 1989

978.

Bukac and Toomey
Terry Toomey

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION
appellee
and
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF INSURANCE
party in interest

and

KENNETH G. LACOMBE
appellant

Filed Oct. 25, 1989
@ 11:36 a.m.

Tax & entry Paid $50.50

APPEAL FROM ORDER OF DEPARTMENT OF TRANSPORTATION
SUSPENDING MOTOR VEHICLE REGISTRATION PRIVILEGES

2copies (atty)

Oct. 30, 1989 Order of Court filed. AND NOW, upon presentation of the Appellant's Notice of Appeal, it is hereby ORDERED that the suspension of Appellant's motor vehicle registration privileges is hereby stayed until a Hearing before this Court on the merits of Petitioner's Appeal, which Hearing is hereby scheduled for Dec. 13, 1989 at 9:30 a.m. at the Crawford County Courthouse in Meadville Pennsylvania Courtroom Two.

BY THE COURT:
Robert L. Walker, J

Oct. 31, 1989 copy of order to Terry Toomey

Nov 1, 1989 Certificate of Service of Notice of Appeal and Order Scheduling Hearing filed.

Dec. 12, 1989, Motion to Withdraw Appeal and Order of Court filed. ORDER OF COURT: AND NOW, upon consideration of the Appellant's Motion to Withdraw his Appeal, the Motion is granted and Appellants Appeal is hereby withdrawn and said Appeal is Dismissed.

BY THE COURT,
Robert L. Walker, J.

Dec. 13, 1989, copies of order to Terry Toomey & Wm. Kuhar, Commonwealth Atty.

# 1989

Fuller, Kinnunen,
Petruso & Gamble
Ann Hansen Gamble

979.

Robert J. Felton

PEGGY HARVEY

vs.

LAWRENCE L. HARVEY

Filed Oct. 25, 1989
@ 1:21 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| 2 counts paid | 30.00 |
| Pro Co. Pd 12-20-91 | 9.00 |
| State Pd. | 10.00 |

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

Nov. 2, 1989 Affidavit Of Mailing filed. Ann Hansen Gamble, being duly sworn according to law, deposes and says that she is an Attorney, duly authorized to practice law in the Commonwealth of Pennsylvania and that on October 27, 1989, she sent a copy of the Complaint in Divorce to the Defendant by certified mail, restricted delivery, postage prepaid, receipt requested, to Lawrence L. Harvey, Main Street, Hydetown, PA 16328, the Defendant's last known address. The said receipt being attached hereto.
Ann Hansen Gamble

Dec. 7, 1989 Motion for Court to hear the plaintiff's claims and Order filed. ORDER: AND NOW, this 1st day of December, 1989, hearing is fixed for February 1, 1990, at 1:30 o'clock p.m., in Courtroom # 1 or 2, at the Crawford County Courthouse, Meadville, Pennsylvania.
FOR THE COURT,
Imogene Yetman , Ct. Adm.

Dec. 7, 1989 copies of order to Ann Hansen Gamble and Robert J. Felton.

Jan. 26, 1990 Motion To Continue and Order filed. AND NOW, this 25 day of January, 1990, the hearing now set for February 1, 1990, on plaintiff's petition for alimony, pendente lite and counsels fees is hereby continue generally. This said hearing may be reschedule on motion of either party.
P. Richard Thomas,

Jan. 30, 1990 Copies of order mailed to Ann Gamble and Robert Felton

Apr. 17, 1991 Plaintiff's Affidavit Under Section 201(d) of the Divorce Code filed.

May 6, 1991 Affidavit of Mailing filed. Ann Hansen Gamble, being duly sworn according to law, deposes and says that she is an Attorney at Law, duly authorized to practice law in the Commonwealth of Pennsylvania and that on April 30, 1991, she sent a copy of the Plaintiff's affidavit under Section 201(d) ofthe Divorce Code, a form of Defendant's Counter Affidavit under 201(d) of the Divorce Code, a Notice of Intention to Request of Divorce Decree, and Proposed Praecipe for Review under Section 201(d) of Divorce Code, to the Defendant by certified mail, restricted delivery, postage prepaid, receipt requested, to Lawrence L. Harvey, Bank St., Hydetown, PA 16328 the Defendant's last known addresse. The said receipts being attached hereto.
Ann Hansen Gamble

Dec. 13, 1991 Notice of Intention to Request Entry of Divorce Decree filed.

Dec. 13, 1991 Defendant's Counter-Affidavit Under Section 201(d) of the Divorce Code filed.

Dec. 13, 1991 Upon Praecipe of plaintiff attorney for review under Section 201(d) this case moved to Court.

Dec. 16, 1991 Motion To Withdraw Claims and ORDER filed. AND NOW, this 16 day of December, 1991, the claims for Alimony, Alimony Pendente LIte, Counsel Fees, Costs and Expenses and for Equitable Distribution are hereby withdrawn.
By The Court:
P. Richard Thomas, S. J.

Dec. 20, 1991 Copy of Order to ATtys. Ann Hansen Gamble and Robert Felton.

Jan. 3, 1991 **D I V O R C E  D E C R E E  F I L E D .**

AND NOW, December 31, 1991, it is ordered and decreed that Peggy Harvey, plaintiff, and Lawrency L. Harvey, defendant, are divorced from the bonds of matrimony.
BY THE COURT,
Gordon R. Miller, J

# 1989

Prather, Prather & Pineo
Mark D.Prather

980.

IN RE:

STEVEN PAUL COOPER

Filed Oct. 25, 1989
@ 1:48 p.m.

Tax & entry 11/30/89 $50.50 ✓
Pro for Co. 11/29/89 9.00 ✓

PETITION FOR CHANGE OF NAME

ORDER:
NOW, this 25 day of October, 1989 upon consideration of the within petiton, petitioner is directed to publish notice of hearing in a newspaper of general circulation and in the Crawford County Legal Journal, one time, as to hearing which is hereby set for Nov. 22, 1989 at 9:00 a.m.

Per Curiam,
P. Richard thomas, Judge

Oct. 25, 1989, copy of order to Atty. Prather.

Nov. 22, 1989 Affidavit of Service filed. Donna J. Needler, being duly sworn according to law, deposes and says that service of notice of hearing in the above case has been effected pursuant to proofs of publication attached hereto and made a part hereof.

Donna J. Needler.

Nov. 22, 1989 Order filed. NOW, this 22 day of Nov. 1989, upon hearing of the within Petition for Change of Name, following presentation of proofs of publication as required, and there being nojudgments or decrees of record against the petitioner, and it appearing that there is no legal objection to the granting of said petition.

It is ordered and decreed that the name of petitioner be and it is hereby changed to STEVEN PAUL SPEN CER.

P. Richard Thomas, Judge.

Nov. 27, 1989 copy of order to Atty. Prather.

# 1989

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

981.

BRENDA S. BARKER

vs.

LEONARD E. BARKER, JR.

Filed Oct. 25, 1989
@ 3:22 p.m.

Tax & entry Paid $50.50

COMPLAINT FOR CUSTODY

2 copies (atty)
1 copy (mediator)

ORDER:
AND NOW, this 25 day of October, upon consideration of the foregoing Complaint for Custody, JOHN FULLER is appointed custody mediator. Effective immediately and continuing until the custody mediation, the plaintiff shall have primary physical custody of the children, Shannon L. Barker and Nathan C. Barker, with the Defendant Leonard E. Barker, Jr., to have visitation rights with the two children for a period beginning 6:00 p.m. friday, Nov. 3, 1989 and continuing until 6:00 p.m. Sunday, Nov. 5, 1989, at which time the father will deliver the children to the residence of the plaintiff. The father will have visitation rights during the same forty-eight (48) hour period of time on alternate weekends commencing Nov. 3, 1989. The father shall provide transportation to and from the visitations.
If you fail to appear asprovided by this order or to bring the children, in order for custody, partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.
You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.
Crawford County Bar Assoc. ser. to the Publ Committee
c/o Prothonotary, Courthouse, Meadville, Pa. 16335 Tele: 814-724-4636.
Date: 10/25/89
BY THE COURT,
P. Richard Thomas, J.

Dec. 15, 1989 Affidavit of Service filed. Debra Mattocks, being duly sworn according to law, deposes and says that she is the secretary to william L. Walker, Esquire, Attorney for Plaintiff in this action and certified that on October 30, 1989 she delivered to the Post Office in Meadville, PA for delivery to Leonard e. Barker at 412 west Central Avenue, Titusville, Pennsylvania by certified mail, return receipt requested, delivery restricted to addressee only, a true and correct copy ofthe Complaint for Custody in this matter for which deponent received at the time receipt for certified article no. P 063 589 578 which is attached hereto as Exhibit "A". Thereafter on NOvember 10, 1989 it was returned to William L. walker, Esquire, return receipt card bearing the same number and signed by Leonard E. Barker, said return receipt card being attached hereto as Exhibit "B". Debra Mattocks

Jan. 12, 1990 ORDER filed. AND NOW, Jan. 12, 1990, after mediation conference before John Fuller, Esquire, and based upon an agreement of the parteis, It is Ordered and Decreed As Follows:
I. Legal custody of Shannon L. Barker and Nathan C. Barker shall be shared between the mother, Brenda S. Barker, and the father, Leonard E. Barker, Jr., that is, each parent shall be entitled full access to school records, medical records and other important records and each parent shall be entitled to take part in important decisions affecting the children's education, religious instruction, medical treatment and other such important decisions.
II. Physical custody of Shannon L. Barker shall be with her father, Leonard E. Barker,Jr., subject to the following conditions:
A. The mother shall be entitled to visit and have the child in her custody every other weekend, beginning Jan., 12, 1990, from 5:00 p.m on Friday until 7:00 p.m. on Sunday.
III. Physical custody of Nathan C. Barker shall be with his mother, Brenda S. Barker, subject to the following conditions:
A. The father shall be entitled to visit and have teh child in his custody every other weekend, beginning Jan. 19, 1990, from 5:00 p.m. on Friday until 7:00 p.m. on Sunday.
IV. Miscellaneous Provisions:
A. Transportation of the children on weekend, holiday and Summer visits shall be provided by the parent receiving custody of the particular child, that is, if the father was to receive custody of Nathan on Friday afternoon, the father would have to pick up Nathan at the home of the mother and on Sunday evening when Nathan is returned to the home of the mother, the mother would have to pick up Nathan at the home of the father in Titusville, The same provisions would apply to Shannon.
B. Each parent is encouraged to have the child in their custody maintain telephone contact with the otehr parent on a regular basis.
C. Neither mother nor father shall abuse alcohol or use drugs while either child is in their custody.
V. Holidays shall be defined as Christmas, Thanksgiving and Easter. The parties shall divide Christmas, with each parent having both Nathan and Shannon in their custody for a continuous five day period so that the Christmas vacation of the children from school is approximately evenly divided between the parents. The parents shall agree between themselves as to which five days which parent is entitled to have the children. The parents shall alternate having the children in their custody on Easter and Thanksgiving with the mother having custody of the children on EAster and Thanksgiving on even numbered years and the father having custody of the children on Easter and Thanksgiving on odd numbered years.
VI. Custody and visitation of the two children during the three month Summer periods shall be handled in the following manner:
A. The father shall have both children in his custody for the first two weeks of the children's Summer vacation from school then the mother shall have the children in her custody for the next two weeks and the parents shall continue to alternate having the children in their custody in the same manner for the remainder of the summer months.
VII. 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 th epart of the children towards both parents.

Record Continued on
Page 624 . . . . . .

SEE VOL. 3

# 1989

Watts, Pepicelli,
Youngs and Youngs PC
Alan L. Pepicelli

982.

R. Charles Thomas
Thomas, Truax, Spadafore
Vardaro & Walker
for dfts. Proper & D & R
Hardware

Jorden & White
Harry F. White
James R. Faunce

RICHARD G. PEGAN AND SUSAN E. PEGAN, HIS WIFE

vs.

W. RAY PROPER, INDIVIDUALLY, AND t/a/d/b/a D & R HARDWOODS, AND JAMES R. FAUNCE, INDIVIDUALLY

Filed Oct. 25, 1989
@ 3:49 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 ✓ |
| Sheriff's Costs | 50.00 |
| Pro Co pd 2-27-98 | 15.00 ✓ |
| | 6.00 |
| Pro Co Pd 3/9/99 | 9.00 ✓ |

COMPLAINT IN CIVIL ACTION

2 copies (sheriff)

(JURY TRIAL DEMANDED)

Nov. 22, 1989, Appearance of Thomas, Truax, Spadafore, Vardaro and Walker, by R. Charles Thomas, for defendants W. Ray Proper, individually, and T/a/d/b/a D & R Hardwoods, filed.

Nov. 30, 1989 Sheriff's Return filed. SERVED James R. Faunce personally on October 31, 1989 at 2:29 PM by handing copy of Complaint to him at his residence, R.D.#1, Box 296-A, Townville, Crawford County, PA 16360.
SERVED W. Ray Proper on November 1, 1989 at 11:40 AM by handing a copy of Complaint to his Autho;rized Agent, Karen Proper, at 120 Adams Street, Cochranton, Crawford County, PA. Her signed Acceptance of Service attached.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Dec. 15, 1989 Answer, New Matter and Cross-Claim of Defendant James R. Faunce filed.

Jan 10, 1990 Reply to New Matter of Defendant Faunce filed.

Nov. 12, 1991 Answer, New Matter and Counter-Claim Of Defendant Proper filed.

Nov. 12, 1991 Reply To New Matter Of Defendant Faunce filed.

Dec. 17, 1991 Reply to New Matter and Answer to Counterclaim filed.

Feb. 26, 1992 Notice Of Service of Requests for Production of Documents and Interrogatories filed.

Aug. 20, 1993 Certificate of Mailing of Interrogatories and Request for Production filed.

Aug. 20, 1993 Certificate of Mailing of Interrogatories and Request for Production filed.

Oct. 18, 1993 Notice of Service of Request for Production of Documents (Second Set), filed.

Oct. 18, 1993 NOtice of Service of Answers to Interrogatories and Request for Production, filed.

May 2,1995 Notice of Intent to Complete Discovery filed.

Dec. 30, 1996 Certificate of Readiness filed.

**February 1997 Civil Trial List.**

Jan 27, 1997 Stipulation to Continue: Continued to April 1997, Term of Court.

Jan. 29, 1997 Order filed. AND NOW, January 27, 1997, pursuant to a stipulation of all counsel this case is continued to the April Term of Court.

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

1-29-97 Distributed to all counsel

Sept 29, 1997 Stipulation and Order: AND NOW, this 29 day of September 1997, upon stipulation and agreement of the parties, it is hereby ordered, adjudged and decreed as follows:

1. The above-referenced case will be referred to binding arbitration, thus foregoing any right to jury trial or right to appeal from arbitration.
2. Arbitrators shall be selected pursuant to Crawford County Local Rule L130202.
3. The monetary jurisdiction of the arbitrators shall be increased for the purposes of this case to the sum of $20,000, and , in the event the arbitrators find liability against the Defendant(s), they may award damages up to the full lamount of Plaintiffs' claim of $19,685.00.
6. The Defendant Faunce was discharged from the within case upon filing of a Petition in Bankruptcy in the United States Bankruptcy Court. Consequently, neither said Defendnat Faunce, nor his counsel, shall be considered a party to the within proceeding, nor shall be required to participate therein. Gordon R. Miller, P.J.

(FOR COMPLETE ORDER SEE PAPER FILED)
Sept 29, 1997 Faxed Pepicelli, Thomas & White

Feb. 18, 1998 Plaintiff's Attorney filed praecipe for reference to arbitrators, whereupon the following arbitrators are appointed: Bruce Barrett, Chairman
Christopher Brode
~~Kathleen Nelson~~ Kemp C. Scales

March 17, 1998 Arbitrators take Qualifying Oath, filed.
March 17, 1998 FAXED Attys. Barrett, Brode, White.

Apr 15, 1998 Notice of Arbitrator's Hearing, filed.

May 20, 1998 UPon praecipe of Kathleen Nelson, she is hereby withdrawn from the board of arbitrators.

Dec. 4, 1998 Notice of Arbitrator's Hearing filed.

Jan. 27, 1999, Decision of the Arbitrators filed in which they find: in favor of the plaintiffs and against W. Ray Proper, ind. and t/a/d/b/a D & R Hardwoods in the sum of $5,000.00 together with costs of suit, with no prejudgment interest.

Dec. entered
1/27/99
P - 174, D - 186

DECISION OF ARBITRATORS,
Barbara H. King, Prothonotary

Continued on Page 432-A

432-A

1989

S30410

| | | |
|---|---|---|
| | Richard J. Pegan and<br>Susan E. Pegan<br>vs<br>W Ray Proper, Indiv. and<br>t/a/d/b/a D & R Hardwoods and<br>James R. Faunce Indiv. | Continued from Page 432<br>of record<br>AD 1989-432 |

**********

March 3, 1999 Praecipe to Settle and Discontinue Filed. Upon Praecipe of Watts & Pepicelli by Alan L. Pepicelli, Esq. the above-captioned case is settled and discontinued of record.

# 1989

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

983.

~~Brian J. Lindsay~~

VICKIE & KEVIN FLEEK

vs.

ROBERT PETRUSO
CRITTER CO.

Filed Oct. 25, 1989
@ 4:22 p.m.

Tax & entry paid $50.25 ✓

APPEAL OF DEFENDANT FROM JUDGMENT OF
WILLIAM D. CHISHOLM, DISTRICT JUSTICE

Oct. 25, 1989, Rule entered upon plaintiffs to file Complaint issued.

Oct. 26, 1989 Proof of Service filed.

Nov. 16, 1989 Complaint filed.

**Dec. 21, 1989, Preliminary Objections of Defendant to Plaintiff's Complaint filed.**

Dec. 20, 1991 Motion To Withdraw Appearance and ORDER filed. AND NOW, This 20 day of Dec., 1991, upon consideration of the foregoing Motion, Anthony J. Vardaro, Esq., is permitted to withdraw his appearance on behalf of the Plaintiffs, Vickie Fleek and Kevin Fleek.

By The Court:
P. Richard Thomas, S. J.

Dec. 31, 1991 Copy of Order to Atty. Anthony Vardaro and Brian Lindsay.

Dec. 20, 1991 Motion For Leave To Withdraw Appearance of Brian J. Lindsay and Order filed. AND NOW, this 20 day of Dec., 1991, the above motion is granted. P R Thomas, S.J.

Dec. 31, 1991 Copies of order to Anthony Vardaro and Brian Lindsay

# 1989

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

984.

Gordon R. Miller

CHRISTOPHER SWICK, A MINOR, BY HIS MOTHER AND NATURAL GUARDIAN, DEBORAH SWICK

vs.

MARK SWICK

Filed Oct. 26, 1989
@ 4:20 p.m.

Tax & entry Paid $50.50

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Dec. 27, 1989, Acceptance of Service and Entry of Appearance filed. And Now this 27 day of Dec. 1989, I hereby waive the issuance and service of a summons in this case with the same force and effect as if the summons had been duly issued, served upon the defendant by the sheriff and return thereof duly made, and I further direct the Prothonotary to enter my appearanc e for the defendant Mark Swick. Gordon Miller, Esq.

Jan. 12, 1990 Writ Return filed. Summons returned to Prothonotary January 12, 1990 unserved. Sheriff's Office received no instructions, no service costs.
So answers, Howard N. Stewart, Sheriff

Aug 10, 1990 Petition for Authority to Settle and Compromise a Claim of a Minor and Order filed: AND NOW, this 10 day of Aug., 1990, upon consideration of the foregoing Petition, it is ordered as follows:

a. That the proposed structured settlement as described in the foregoing Petition shall be payment in full for all claims that Christopher Swick my have against Mark Swick arising out of the accident referred to in said Petition; and said settlement is approved and Deborah Swick, as mother and natural guardian of Christopher Swick, is authorized and directed to execute the Settlement Agreement in the form attached hereto as Exhibit "A" on behalf of said minor; and,

b. Said settlement shall be a full and complete settlement of all rights and claims that the minor, Christopher Swick, has or may have against the Defendant or his insurance carrier arising out of the accident referred to in said Petition, either generally or through the contribution amoung Joint Tortfeasors Acr; and,

c. Deborah Swick is authorized and directed to execute the Assignment and Assumption Agreement attached hereto as Exhibit "B" as mother and natural guardian of Christopher Swick.

d. That Deborah Swick, as mother and natural guardian of Christopher Swick, is authorized and directed to mark this case settled and discontinued with prejudice.

By the Court,
P. Richard Thomas, P.J.

Aug 13, 1990 Copies of order put in Atty Truax's box and copy given to Judge Miller.

# 1989

David W. Pickens

985.

IN RE:
NAME CHANGE OF
MELISSA BETH WILLEY

BY HER GUARDIAN
ANGEL M. ZILHAVER
(to Zilhaver)

Filed Oct. 27, 1989
@ 8:39 a.m.

Tax & entry Paid $50.50 ✓
Pro Co Pd 11/15/89 - 5.00
Pro Co Pd 12/22/89 9.00 ✓

PETITION FOR NAME CHANGE

1 copy (atty)

PRELIMINARY ORDER:
AND NOW, October 27, 1989, upo consideration of the within petition, it is ordered and decreed that a hearing be held on the 28th day of Nov. 1989, at 9:00 a.m. in Courtroom No. 1 or 2, of and Notice of the filing of the within petition and of the date of hearing be published in the Meadville Tribune and The Crawford County Legal Journal one time.

P. Richard Thomas, J.

Nov. 28, 1989, Affidavit of Mailing, Proofs of Publication, Certificate from Recorder of Deeds Office, Certificate of no Liens from Prothonotary's Office, Acceptance of Service, and Consent filed.

Nov. 28, 1989, ORDER: AND NOW, this 28 day of Nov. 1989 upon hearing of the within Petition, and upon motion of David W. Pickens, attorney for the petitioner and upon presentation of proof of publicaton 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 agaisnt the petitioner and upon presentation of consent of natural father and it appearing that there is no legal objection to the granting of the prayer of petition, it is ordered that the name of the petitioner be and hereby is changed form Melissa Beth Willey to Melissa Beth Zilhaver.

Natural father appeared and agreed to change.

P. Richard Thomas, J.

Nov. 28, 1989 copy of order to Atty. Pickens.

Watts, Pepicelli,
Youngs and Youngs PC
Theodore H. Watts

986.

1-29-95 Recd from dept (plaf) Sheriff's costs 26.00
1-30-95 Pd Sheriff 26.00
#8844

LAURIE A.BRECHT

vs.

JAMES R. BRECHT

Filed Oct. 27, 1989
@ 9:25 a.m.

Tax & entry Pd. 10/27/89 $50.50
Sheriff's Costs 26.00
Pro Se Pd 1-30-95 9.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

2 copies (sheriff)

TEMPORARY ABUSE ORDER:

AND NOW, this 27 day of Oct. 1989, upon review of the petition of plaintiff, the court enters the following Temporary order.

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

2. Special Conditions: --

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

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

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

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

7. The defendant is reminded that this is an order of court and violation of this order may be punishable by a fine up tp $1,000.00 and a jail sentence of up to six months.

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

Hearing is hereby set for Nov. 8 1989 at 9:30 a.m. in C. R. No. 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required todo so.

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

Nov. 1, 1989 Sheriff's Return filed. SERVED James R. Brecht personally on November 1, 1989 at 8:38 AM by handing copy of Protection From Abuse to him at Sheriff's Office, Crawford County Courthouse, Meadville, PA
So answers,

Edgar D. Householder, Deputy Sheriff
Howard N. Stewart, Sheriff

Nov. 14, 1989 Order filed. AND NOW, November 8, 1989, at the time this abuse petition is before the Court with both parties represented by counse, the attorneys and the parties advise the Court ehy have entered into a consent decree. The terms and conditions of the same are as follows:

1. The Defendant agrees that he will not annoy, assault, threaten or contact the Plaintiff for any purpose except as it may relate to any emergency affecting the child.

2. The parties have agreed to a separate arrangement for return of the personal possessions of the wife, which are now lodged in the former marital residence.

3. A former custody Order dealing with the minor child, Pamela, is contained in an action at 1989-646. The parties supplement said agreement by providing additional visitation for the father with the child on laternating weekends commencing Saturdays at 10 a.m. and terminating Sundays at 6:00 p.m.; commencing with the weekend of November 11. In regard to these augmented visitations between father and child, the parties mutually agree that one Darlene McCauley, 567 Penn Street, Linesville, will act as intermediary so neither parent willhave to go to the residence of the other parent to accomplish the Satuday and Sunday visits set forth herein. Other visitations than these weekends agreed to by the parents under the Order of 1989-646 will likewise contain an agreement as towho is responsbile for picking up and returning the child. On any weekend that the father for health, employment or reserve duty cannot keep the visits, he shall timely notify Darlene McCauley of this fact, and Darlene McCauley agrees to communicate this to the mother.

4. This agreement shall remain in force and effect for a period of one (1) year.

5. Any police officer having reasonable grounds to believe that the abuse portions of this Order have been violated, may apprehend the Defendnat without warrant, arraign him before a District Justice of the Peace, and if ordered to do so, lodge him in the County Jail until a hearing can be held.

6. By agreement of the parties, each party agrees to pay one-half (1/2) of the total costs in this case within ten (10) days of receipt of a billing therefor by the Prothonotary.

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

Nov. 15, 1989 Copies of order put in Theodore Watts, Terry Toomey and County Control's box and copies mailed to Plaintiff and Defendant

Feb. 12, 1990 Motion To Withdraw As Counsel and ORDER filed. AND NOW, this 12th day of February, 1990, upon consideration of the within Motion, the same is allowed and counsel for the Plaintiff is granted leave to withdraw.

By the Court,
Gordon R. Miller, J.

Feb. 14, 1990 Copy of Order to Atty. Theodore Watts, Terry Toomey and County Control.

# 1989

Mason and Mason
Joan D. Mason

987.

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

KEVIN VANDERVEEN

vs.

INTERSTATE BATTERY OF WESTERN PENNSYLVANIA AND JEFFREY WILLISON

Filed Oct. 27, 1989
@ 2:15 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Sheriff's Costs | 32.00 |
| Pro Co pd 11/16/90 | 6.00 |
| Pro Co Pd 1/23/91 | 1.00 |

SUMMONS IN CIVIL ACTION

Issued (sheriff)

Dec. 4, 1989 Sheriff's Return filed. SERVED Interstate Battery of Western Pennsylvania on Oct. 30, 1989 at 10:20 AM by handing copy of Summons to Jeanette Willison, person in charge, at 36 Murray Road, Meadville, Crawford County, Pa.

SERVED Jeffrey Willison on Oct. 30, 1989 at 10:21 AM by handing copy of Summons to Jeanette Willison, his wife at residence, 36 Murray Road, Meadville, Crawford County, Pa.

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

June 28, 1990, Appearance of Thomas, Truax, Spadafore, Vardaro and Walker, by R. Charles Thomas, attorneys for defendants filed.

June 28, 1990, Upon praecipe of defendants attorneys, Rule entered upon plaintiff to File Complaint, Issued.

July 17, 1990, Service of Rule accepted by Joan D. Mason, attorney for plaintiff.

Nov. 13, 1990 Upon Praecipe of Plaintiff's Attorney, the above captioned case is marked settled and discontinued of record.

# 1989

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

988.

DELBERT L. HUMES AND GRACE L. HUMES, HIS WIFE

vs.

DARLENE S. RICHARDSON

Filed Oct. 27, 1989
@ 3:36 p.m.

Tax & entry Paid $50.50 ✓
John Fuller, Mediator
Mediation Cost 90.00

COMPLAINT FOR CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER:

You, Darlesne S. Richardson, defendant, have been sued in ccurt to confirm custody in the plaintiffs herein of the child, Anthony W. Humes.

You are ordered to appear in person for a conference at such time and place as may be set by JOHN FULLER, ESQUIRE, CHILD CUSTODY MEDIATOR.

If you fail to appear as provided by teh order, an order for custody may be entered against you or the court may issue a warrant for your arrest.

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

Crawford County Bar Association, Ser. tothe Pub. Committee c/o Prothonotary Crawford County Courthouse, Meadville, Pa. 16335 Phone: 814 724-4636.

Dated: 10/27/89

BY THE COURT,
P. Richard Thomas, J.

Nov 16, 1989 Affidavit of Service of Complaint for Custody filed:David P. Truax, Esquire, being duly sworn according to law, deposes and says that on October 31, 1989, 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, Darlene S. Richardson, at Defendant's last known address of R.D.#2, Saegertown, Pennsylvania 16433, by Certified Mail No. P425 657 223, postage prepaid, return receipt requested, restricted delivery, and that attached hereto is a duly executed return receipt card showing date of delivery as November 8, 1989.

THOMAS, TRUAX, SPADAFORE, VARDARO AND WALKER
David P. Truax, Esquire
Attorney for Plaintiff

Feb. 21, 1990 Order filed. AND NOW, February 20, 1990 after mediation conference before John Fuller, esquire, IT IS ORDERED AND DECREED AS FOLLOWS:

1. Legal custody of Anthony W. Humes shall be with his grandparents, Delbert L. Humes and Grace L. Humes.

II. Physical custody of Anthony W. Humes shall be with his grand parents, Delbert L. Humes and Grace L. Humes, subject to the following conditions:

A. The mother, Darlene S. Richardson, shall be entitled to see and visit the minor child, Anthony W. Humes, at reasonable times as agreed upon from time to time by her and her parents, the legal custodians, Delbert L. Humes and Grace L. Humes.

B. Cost ofthe mediation conference shall be paid by Crawford County.

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

Gordon R. Miller, J

Feb. 23, 1990 Copies put in David Truax and John Fuller's box.

# 1989

William J. Gregg

989.

ROBERT W. CASZATT, SR.

vs.

EDNA CASZATT

Filed Oct. 27, 1989
@ 4:18 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| Pro Co pd 3/14/90 | 9.00 |
| State pd 3/14/90 | 10.00 |

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

Nov. 15, 1989 Affidavit Of Service filed. WILLIAM J. GREGG, ESQUIRE, being duly sworn according to law, deposes and says that the following facts in support of his Affidavit of Service are true and correct to the best of his knowledge, information and belief.

1. That the Affiant is the Attorney for the Plaintiff inthe above-captioned action.
2. That a true and correct copy of the Complaint in Divorce and NOtice were sent by registered mail tothe Defendant, Edna Caszatt, on October 30, 1989.
3. The registered mail was sent to Edna Caszatt, 84 Harrison Street, Greenville, Pennsylvania 16125. The sender's receipt for said registered mail is attached hereto.
4. That the Defendant received said registered mail on November 2, 1989. Return Receipt card P 076 254 250 is attached hereto, signed by Edna Caszatt and made a part hereof.

William J. Gregg

Feb. 12, 1990 Affidavit of Consent of plaintiff filed.

Mar. 13, 1990 Affidavit of consent of Defendant filed.

Mar. 13, 1990 Upon praecipe of Plaintiff Attorney Fore Review Under §201(c) of the Divorce Code this case moved to court.

Mar. 16, 1990 **DIVORCE DECREE FILED.**

AND NOW, March 16, 1990, it is ordered and decreed that Robert W. Caszatt, Sr., plaintiff and Edna Caszatt, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J

# 1989

| | | |
|---|---|---|
| 990. | T-K TIRES<br>vs.<br>WAYNE WOOD | APPEAL OF DEFENDANT FROM JUDGMENT OF<br>GEORGE W. HERZBERGER, III, DISTRICT JUSTICE |
| pro se | | Oct. 30, 1989 Rule entered on plaintiff to file complaint issued.<br><br>Oct. 30,1989, Proof of service filed. |
| | Filed Oct. 30, 1989<br>@ 9:51 a.m.<br><br>Tax & entry paid $50.25 ✓ | |

# 1989

Thomas, Spadafore,
Walker & Keenan
Gregory A. Keenan
~~Paul J. Carney, Jr.~~
Carney & Heberle withdrawn

991.

Mason and Mason
Joan D. Mason

KRAIG CAPELA

vs.

KAREN CAPELA

Filed Oct. 30, 1989
@ 11:07 a.m.

Tax & entry Paid $50.50 ✓
Bruce Smith, Mediator 138.80
9.00
John Fuller, Mediator 6/15/90
Pro Co Pd 1-26-98 9.00

6/14/90 Rec'd $69.40 From Plaintiff

Rec'd 7-3-90
$69.40
Vivian Stalty

8-4-97 Rec. $200.00
from Plf.

11-21-97 Pd pett/refund 74.11
1-26-98 Refund to dept 25.00
116.88

8-26-98 Pd Co. medtx # 11612 141.88

Pd Co. Bal from Dept # 11702 100.88

COMPLAINT FOR CUSTODY

2 copies (atty)
1 copy (mediator)

ORDER:

AND NOW, this 31st dayof October 1989, upon presentation of the foregoing Complaint for Custody the parties hereto and their respective counsel are ordered to appear before BRUCE SMITH, CHILD CUSTODY MEDIATOR, who is hereby appointed in this case. The said parties and their respective counsel shall appear at which time or times that the child custody mediator shall hereinafter determine.

Robert L. Walker,
J.

June 4, 1990 Temporary Order of Court filed: AND NOW, this 4th day of Juane, 1990, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Heather Capela, not yet a year old, born July 19, 1989, the parties to this action, shall share legal custody of the minor child. Said joint legal custody being shared shall entitled both of the parents to equal access to any records relating to the child held by a third party, including, but not limited to, school and medical records, and shall also entitle both parents to equal input with regard to the educational and religious upbringing of the child, as well as elective surgery.

2. Primary physical custody of the child shall remain with the natural mother, Karen Capela. Regular visitation and temporary custody of the child shall be granted to the plaintiff father, Kraig Capela. Physical custody by the plaintiff father shall be as follows:

a. On Tuesday, June 5, 1990, the father shall be entitled to take the child into his temporary custody Juane 6-10,. 1990, and return the child at 8:30 p.m., prevailing time, on June 10 to the mother. If the father comtemplates a trip to Florida during that time and at which time he wants the child to accompany him, that is authorized.

b. Beginning in June, 1990, covering the months of June, July and August, 1990, and each of those months thereafter, the father shall have the right to take the child into his temporary custody on the first, second and fourth weekends of each month from Saturday at 10:00 a.m., prevailing time, through Sunday at 8:30 p.m., prevailing time. During the months of September through May, inclusive, beginning 1990, the father shall have the same right to take the child into his temporary custody on weekends for thefirst and third weekends only. Additionaly, the father shall have the right to take the child into his temporary custody every Tuesday and Thursday, year around, during the hours of 5:30 P.M. through 8:30 p.m., prevailing time.

c. The picking up and dropping off of the child shall be the responsibility of the father. In the event that the father is one hour late for pick up of the child, that visitation shall be considered cancelled, unless satisfactory, prior arrangements have been made with the mother.

3. Holiday visitation shall take priority over other scheduled visiation. The parties are encouraged to agree as to holiday visitation; however, in the event that they cannot, the child shall be with the father from 9:00 a.m. through 3:00 p.m., prevailing time, on Easter, Memorial Day, the 4th of July, and Labor Day. On Father's Day, the child shall be with the father from 9:00 a.m. through 8:00 p.m., prevailing time, and the child shall spend Mother's Day with the mother. The child shall spend her birthday with the mother and shall spend July 20 of each year with the father from 9:00 a.m. through 8:00 p.m., prevailing time. On Thanksgiving each year, the child shall spend from 9:00 a.m. until 6:00 p.m., prevailing time, with the father. On Christmas Day each year, the child shall be with the father from noon until 6:00 p.m., prevailing time.

4. The father shall be entitled to one week of uninterrupted visitation with the child each summer in addition to regular visitation. He shall give the mother a notice of one full week of that visitation.

5. The parent having custody of the child at anytime shall notify the other parent as soon as possible in the event of injury or illness of the child requiring medical treatment from a physician or in a hospital.

6. Neither parent shall take the child into any environment which might be commonly thought of as detrimental to her development or to the development of her character or which would be commonly thought of as dangerous to her physical person.

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

8. Each of the parents and any grandparents will teach the child to develop and display that love and respect due a parent or a grandparent from his or her child or grandchild, and neither the parents nor the grandparents will do or say anything to blacken the character of either parent or any grandparent in the eyes of the child, nor will the parents permit anyone else to do so in their presence.

9. This Order shall not prejudice the right of either party to request a Mediation Conference if further Mediation would be in the best interest of the child or there are changed circumstances in the lives of the parties or the child.

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

11. The fee for the Child Custody Mediator shall be paid 50% by the plaintiff father and 50% by the County of Crawford on behalf of the defendant mother.

12. This Order shall be a Temporary Order, but shall become a permanent Order unless exceptions are filed by either party within thirty days from the date of this Temporary Order.

BY THE COURT,
Gordon R. Miller, J

June 12, 1990 Copies of order mailed to Attys. Smith and Carney and Plaintiff and copy put in Atty. Mason's box.

June 13, 1990, Motion to Sc hedule Hearing de novo and order filed. ORDER: AND NOW, 6/13/90, hearing set for July 16, 1990 at 1:30 p.m.

P. Richard Thomas, J.

June 18, 1990, copies to J. Mason and Paul Carney, Jr. & Bruce Smith.

July, 11, 1990, Motion to Discontinue Trial De Novo, and Order filed. ORDER: AND NOW, THIS 11 day of July 1990, it is hereby ORDERED AND ADJUDGED that the hearing de novo set for july 16, 1990, at 1:30 p.m. is concelled and discontinued.

P. Richard Thomas, Judge

July 13, 1990, copies to Attys. P. Carney, Jr. and tamera O. Rothschild.

Cont. on Pg. 453

# 1989

| | | |
|---|---|---|
| Perkin, Rapoport, Schattenstein & Feldman<br>Ronald Amato<br><br>992. | DECISION DATA SERVICES<br><br>vs.<br><br>SERRINS AUTOMOTIVE WAREHOUSE, INC.<br><br>Filed Oct. 30, 1989<br>@ 11:14 a.m.<br><br>Tax & entry paid TAX.25 $2~~4.00~~ .25<br>bal Pd 11/6/89 25.25<br>Pro Co Pd 9/14/90 5.00 | APPEAL OF PLAINTIFF FROM JUDGMENT OF DISTRICT JUSTICE RONALD A. COLE 30-3-06<br><br>Nov 6, 1989 Proof of Service of Notice of Appeal and Rule to File Complaint filed.<br><br>Nov. 22, 1989 Complaint in Civil Action filed.<br><br>Sept 14, 1990, UPon praecipe of plaintiff attorney, the above captioned case is hereby discontinued of record with prejudice. |

# 1989

Dallas W. Hartman

993.

BONNIE EASLER AND REGIS EASLER, HUSBAND AND WIFE

vs.

CINCINNATI INSURANCE COMPANY
CRAWFORD & COMPANY
ERIE INSURANCE GROUP, AND
MUTUAL BENEFIT INSURANCE COMPANY

Filed Oct. 30, 1989
@ 4;07 p.m.

Tax & entry Paid $50.50
Sheriff's Costs 43. 20
Pro Co. pd. 5.00

SUMMONS IN CIVIL ACTION

Issued (sheriff)

Dec. 1, 1989 Sheriff's Return filed.Before me, the undersigned authority, personally appeared Toby Rigazzi , Deputy who being duly sworn according to law, deposes and says that on the 20th day of November, 1989, at 10:15 a.m. he served Summons filed at No. 993 -1989, Crawford Co. Pa. upon defendant Erie Insurance Group at 100 Erie Ins. Place, Erie Co. Erie Pa.
By making known the contents thereof to Janet Pfister, Receptionist and handing to leaving with her the certified copy of the Summons received from Crawford Co.

Toby Rigazzi, Dep. Sheriff
So answers Robert N. Michel, Sheriff, Erie Co

Before me, the undersigned authority, personally appeared Mark E. Leamer, Jr., Sheriff who being duly sworn according to law, deposes and says that on the 8th day of Nov., 1989, at 10:25 a.m. he served the within Writ of Summons, filed date unknown at No. 993, 1989, Crawford Co. Pa. , upon defendant Mutual Benefit Ins. Co. at 417 Penn sT., Huntingdon, Huntingdon County, Pa.
By making known the contents thereof to Julie Reed, Secretary and handing to and leaving with Julie Reed the certified copy of the Writ of Summons received from Crawford Co.

So answers, Mark E. Leamer, Jr. Sheriff,
Huntingdon County, Pa.

SERVED Crawford & Company on Nov. 1, 1989 at 11:00 am by handing copy of Summons to David Drake, Adjuster in charge, at 800 N. Main St. Meadville, Crawfor d Co. Pa.

SERVED Cincinnati Insurance Company by Certified Mail on Nov. 3, 1989 at P.O. Box 145496, Cincinnati, OH 45250-5496. Return receipt attached.

SERVED Erie Insurance Group by deputizing the Sheriff of Erie Co. Pa. as per his Affidavit of Service attached. Served: Nov. 20, 1989.

SERVED Mutual Benefit Insurance Company by deputizing Sheriff of Huntingdon County, Pa. as per his Affidavit of Service attached. Served: Nov. 8, 1989.

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

Dec. 17, 1991 Upon Praecipe of plaintiffs attorney, this case marked settled, ended, and discontinued.

# 1989

Burns, White & Hickton
MIchael W. Burns

994.

ANTHONY D. MOTTILLO
JEANNE E. MOTTILLO
JOSEPH L. MOTTILLO, AND
ALICE MOTTILLO

vs.

KATULICH ENTERPRISES, INC.,
t/d/b/a THE SPARE TIME
LOUNGE, and
J. ROBERT KATULICH, and
JOHN DOES AND JANE DOES

Filed Oct. 31, 1989
@ 10:51 a.m.

Tax & entry Paid $ 50.50 ✓
Sheriff's Costs 32.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Nov. 30, 1989 Writ Return filed. SERVED J. Robert Kutulich on November 1, 1989 at 12:13 PM by handing copy of Summons to Tom Archacki, employee and person in charge, at his place of business, 135 Smock Highway, Meadville, Crawford County, PA
SERVED The Spare Time Lounge on November 1, 1989 at 12:12 PM by handing a copy of Summons to Tom Archacki, person in charge, at place of business of owner, 135 Smock Highway, Meadville, Crawford County, PA.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

# 1989

995.

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

vs.

JANET D. HAWORTH REDDEN
NOW BY DIVORCE
JANET D. HAWORTH

Filed Oct. 31, 1989
@ 12:51 p.m.

Pro Simmons Paid $9.00
plff on orig 14.50

Sat. Rd. 2/13/94 - $5.00

AGREEMENT TO REVIVE

of

DSB 1984 - 917

Revival of Judgment indexed in favor ofthe plaintiff and against the defendant in the sum of Seven thousand Dollars plus costs.

Debt - $7,000.00
Dated - Oct. 12, 1989
R - 93 ----JUDGMENT
H- 94 James F. Simmons,
Prothonotary

Feb. 13, 199 This Judgment Satisfied
(see paper filed)

# 1989

Thomas, Truax, Spadafore, Vardaro and Walker

Anthony J,. Vardaro

996.

**Theodore H. Watts**

KENNETH MELVIN CHESS

vs.

GLORIA J. CHESS

Filed Oct. 31, 1989
@ 1:27 p.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 ✓ |
| 1 count paid | 15.00 ✓ |
| State Pd 1-30-92 | 10.00 |
| Pro Co Pd 1-30-92 | 9.00 ✓ |

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

1 copy (atty)

Nov 9, 1989 Affidavit of Service filed: Vicki Bradshaw, being duly sworn according to law, deposes and says that she is the secretary to Anthony J. Vardaro, Esquire, Attorney for Plaintiff in this action and certifies that On October 31, 1989 she sent a true and correct copy of the Complaint in this matter to Gloria J. Chess at 121 Race Street, Meadville, PA 16335 by certified mail, postage prepaid, return receipt requested, delivery restricted to addressee only, by certified mail no. P 063 588 767 which is attached hereto as Exhibit "A". Thereafter on November 2, 1989, it was returned to Anthony J. Vardaro, Esquire, return receipt card bearing the same number and signed by Gloria J. Chess said return receipt card being attached hereto as Exhibit "B".

Vicki Bradshaw

**FEb 12, 1991 Amended Complaint filed. (Request for a No-Fault Divorce Under Section 201(d) of the Divorce Code)**

**Feb Affidavit of Service filed: Vicki Bradshaw, being duly sworn according to law, deposes and says that she is the secretary to Anthony J. Vardaro, Esquire, Attorney for Plaintiff in this action and certifies that on February 12, 1991 she sent a true and correct copy of the Amended Complaint and Plaintiff's Affidavit Under Section 201(d) of the Divorce Code in this matter to Theodore H. Watts, Esquire, Attorney for Defendant, at his address of 916 Diamond Park, Meadville, Pa 16335 by regular mail, postage prepaid.**

**Vicki Bradshaw.**

June 20, 1991 Complaint Reinstated.

July 22, 1991 Affidavit of Service filed. Vicki Bradshaw, being duly sworn according to law, deposes and says that sh eis the secretary to Anthony J. Vardaro, Esquire, Attorney for Plaintiff in this action and certified that on June 20, 1991 she sent a true and correct copy of Reinstated Amended Complaint in this matter to gloria Chess at 121 Race Street, Meadville, PA 16335 by certified mail, postage prepaid, return receipt requested, delivery restricted to addressee only, by certified mail no. P 398 121 437 which is attached hereto as Exhibit "A". Thereafter on June 24, 1991 it was returned to Anthony J. Vardaro, Esquire, return receipt card bearing the same number and signed by Gloria Hess said return receipt card being attached hereto as Exhibit "B".

Vicki Bradshaw

Sept. 4, 1991 Petition For Bifurcation Of Trial and Order filed. AND NOW, this 4th day of September, 1991, upon consideration of the foregoing Petition, he aring is set for the 1st day of October, 1991, at 9:30 o'clock a.m. in Courtroom No. 1 or 2, Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT,
Gordon R. Miller, J

Sept. 9, 1991 Ccpy of order put in box for atty. Vardaro

Sept. 25, 1991 Motion to Continue and Order filed. ORDER: AND NOW, this 25 day of Sept. 1991, upon presentation and consideration of the foregoing Motion to Continue, said Bifurcation hearing is continued until Oct. 10, 1991 at 2:00 p.m. in Courtroom No. 1 or 2 of Crawford County Courthouse.

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

Sept. 26, 1991 copy of order to Atty. vArdaro.

**Oct 11, 1991 Order filed: AND NOW, October 10, 1991, after hearing on the plaintiff's request for bifurcation, the Court notes that the assets to be distributed are relatively minimal, but neither party has filed an inventory and appraisement to permit the Court any accurate assessment of the value of the assets.**

**The plaintiff shall file an inventory and appraisement on or before October 28, 1991 and serve a copy thereof on the defendant. The defendant shall file her inventroy and appraisement on or before November 12, 1991. Once inventory and appraisement forms have bee filed, the Court will further consider bifurcation, and in the event on Order of bifurcation is made, it would be the Court's intention to ensure that the defendant may continue to live in her present quarters at least through the current school year unless the property is sold with the consent of both parties to a third person.**

**This hearing is continued for further consideration to November 25, 1991 at 1:30 p.m. in a courtroom to be assigned.**

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

**Oct 11, 1991 Copies put in Attys. boxes.**

Oct. 28, 1991 Inventory and Appraisement of Plaintiff Kenneth Melvin Chess filed.

Nov. 12, 1991 Inventory and Appraisement of Defendant filed.

Dec. 31, 1991 MOTION TO WITHDRAW APPEARANCE and ORDER filed. ORDER: AND NOW, this 30th day of Dec., 1991, upon consideration of the foregoing Motion, Anthony J. Vardaro, Esw., is permitted to withdraw his appearance on behalf of the Plaintiff Kenneth Melvin Chess.

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

Jan. 7, 1992 copy in box for T. Watts and copy given to A. Vardaro

Jan. 28, 1992 MEMORANDUM and ORDER filed. ORDER: AND NOW, Jan. 27, 1992, the plaintiff is granted leave to submit this divorce action to the Court for disposition of the question of dissolution of the marriage without the remainder of the issues being submitted to the Court at the same time.

In the event a decree is granted dissolving the marriage the defendant Gloria J. Chess may continue to occupy that portion of the property at 121 Race St., Meadville, Pa. presently occupied by her without any hindrance or interference by the plaintiff. Conversely the plaintiff is granted leave to occupy that portion of said premises presently occupied by him without any hindrance by the defendant. This order regarding possession of the premises shall remain in full force and effect until amended by a further order of Court of until a final decree regarding distribution of the marital assets is entered.

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

Jan. 28, 1992 Copy mailed to Plf. and copy put in Atty Watts box

Continued on margin

Jan. 30, 1992 Upon praecipe of Plaintiff, case moved to Court.

Feb. 6, 1992 **DIVORCE DECREE FILED**

AND NOW, Deb. 6, 1992, it is ordered an decreed that Kenneth Melvin Chess, Plaintiff, and Gloria J.Chess, Defendant, are divorced from the bonds of matrimony.
BY THE COURT,
Gordon R. Miller, P.J.

# 1989

Gerald Sullivan

997.

KIMBERLY BECK

vs.

WALTER BECK

Filed Oct. 31, 1989
@ 1:56 p.m.

Tax & entry Pd. 4/28/94 $50.50
Sheriff's Costs Pd. 4/28/94 23.00
Pro. Co. Pd. 4/28/94 9.00

4-28-94 Received from dft Sheriff's Costs 23.00
4-29-94 Pd Sheriff 23.00
Ck # 6269

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plaintiff)

TEMPORARY ABUSE ORDER:

And now, this 31st day of Oct. 1989, upon review of the petition of plaintiff, the court enters the following temporary order.

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

2. Special Conditions: Defendant shall not go to the plaintiff's residence or that of the parties child, and shall have no contact whatever with the plaintiff or Walter C. Beck, child of the parties.

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

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

5. Service of a copy of the petition and this order shall be made upon the dft. 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. Laabilitity for payment of fees and costs will be determined by final court order.

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

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

Hearing is hereby set for Nov. 9, 1989 at 11:00 a.n. in C. R. No. 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Nov. 2, 1989 Sheriff's Return filed. SERVED Walter Beck personally on November 1, 1989 at 2:35 PM by handing a copy of Protection From Abuse to him at Sheriff's Office, Crwaford County Courthouse, Meadville, PA
So answers,

James Withers, Deputy Sheriff
Howard N. Stewart, Sheriff

Nov 9, 1989 Order filed: AND NOW, November 9, 1989, at the time fixed for hearing, the parties have agreed that the following Order be entered without admission or denial of the facts alleged in the petition:

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

2. The Defendant shall not go to the Plaintiff's residence at 1177 Elm Street, Meadville, Pennsylvania, for any purpose at any time.

3. Either party may institute proceedings relating to the custody of and/or visitation with the child of the parties and such action shall proceed in the normal course. Pending any such custody Order, temporary custody of the child shall be with the Plaintiff.

4. This Order may enforced by the Meadville City Police Department or any police agency having jurisdiction of the premises in accordance with the Protection from Abuse Act.

5. This Order shall remain in full force and effect for a period of one year from this date.

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

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

Nov 14, 1989 Copies of order put in Gerald Sullivan's box and copy mailed to defendant. and Co. Control.

998.

PETITION FOR INVOLUNTARY TREATMENT

of

KAREN A. PHILLIPS

Filed Oct. 31, 1989

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

Nov 8, 1989 Report of Mental Health Review Officer, Recommendation and Order filed: AND NOW, this Nov 8, 1989 upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED AND DIRECTED that the said Karen A. Phillips be committed to Warren State Hospital for treatment for a period not to exceed 90 days.

BY THE COURT,
P. Richard Thomas, J

Nov 9, 1989 Copies of order given to Atty. Barrett, MHMR, hospital.

# 1989

Altomare & Barnhart
Joseph Barnhart

999.

CYNTHIA G. DINGFELDER

vs.

SCOTT J. DINGFELDER

Filed Nov. 1, 1989
@ 8:49 a.m.

| | |
|---|---|
| Tax & entry Paid | $50.50 |
| 3 counts paid | 45.00 |
| Bruce Smith, Mediator Pro Co pd 1-21-98 | 9.00 |

COMPLAINT IN DIVORCE, CUSTODY, EQUITABLE DISTRIBUTION OF PROPERTY, ALIMONY PENDENTE LITE, ALIMONY, ATTORNEY FEES, COSTS, EXPENSES

1 copy (mediator)
2 copy (atty)

Nov. 1, 1989, Motion for Appointment of Child Custody Mediator, and Order filed. You, Scott J. Dingfelder, defendant, have been sued in court to obtaincustody of Kyle J. Dingfelder.

Upon motion of plaintiff, BRUCE SMITH, is hereby appointed Custody Mediator and is hereby directed tohold such custody mediation conferences as the mediator deems appropriate and to make recommendations thereafter to this court. The parties are ordered to appear before the custody mediator at such times as the mediator shall direct and to bring with them the children, the subject of this action.

If you fail to appear before the custody mediator as the custody mediation shall hereafter direct, and order for custody partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.

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

Crawford County bar Association, Ser. tothe Pub. Committee, c/o Prothonotary, Crawford County Courthouse, Meadville, Pa. 16335. 814 724-4636.

Dated: Nov. 1, 1989
BY THE COURT:
P. Richard Thomas, J.

1 copy (mediator) 2 copy (atty)

Nov. 1, 1989, Motion for Special Relief Pursuant to 401(c) of the Divorce Court, and Order filed. ORDER: AND NOW, this 1st day of Nov. 1989, upon consideration of the plaintiffs Motion for Special Relief pursuant to 401(c) of the Pa. Divorce Code, the court hereby sets the matter for hearing on Nov. 21, 1989 at 3:00 p.m. in Courtroom 1 or 2 of the Crawford County Court House, Meadville, Pa.

BY THE COURT,
P. Richard Thomas, J.

1 copy (mediator) 2 copies (atty)

Nov 13, 1989 Affidavit of Service filed: Before me, the undersigned officer, personally apopeared JOSEPH C. BARNHART, ESQ., attorney for the above-captioned Plaintiff, who being duly sworn according to law, did depose and say that he did serve a certified copy of the Complaint in Divorce upon the above-named Defendant at R.D.#2, Canadota Lake Park, Union City, Pa 16438 by United States certified mail, restricted delivery, evidenced by postal return receipt #P 620 656 226 purportedly signed by said Defendant and dated November 8, 1989, attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, I hereunto set my hand and seal this 10th day of November, 1989.
Joseph C. Barnhart, Esq.

Nov 2, 1990 Motion to Set Hearing Date on Plaintiff's Motion for Special Relief filed.

Nov 2, 1990 Order filed: AND NOW, this 2nd day of November, 1990, upon consideration of the within Motion requesting hearing date, said Motion is granted and hearing on Plaintiff's Motion for Special Relief is set for November 21, 1990 at 2:30 o'clock p.m., in Court Room 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT,
Gordon R. Miller, J.

Nov 5, 1990 Copies of order mailed to Joseph Barnhart, Esq.

Nov. 9, 1990 Affidavit Of Service filed. Before me, the undersigned officer, personally appeared JOSEPH C. BARNHART, ESQ., attorney for the above-captioned Plaintiff, who being duly sworn according to law, did depose and say that he did serve a certified copy of a Motion to Set Hearing Date on Plaintiff's Motion for Special Relief upon the above-named Defendant at his mailing address of c/o Leah Lilpchick, R.D. #2, Union City, Pennsylvania 16438 by United States certified mail, restricted delivery, evidenced by postal return receipt #P 620 656 410 purportedly signed by said dEfendant and dated November 6, 1990 attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, I hereunto set my hand and seal this 8th day of November 1990.
Joseph C. Barnhart

Dec. 5, 1990, Certificate of Service of First Set of Interrogatories upon Plaintiff filed.

Dec. 6, 1990 Stipulation for Court Order in Re: Plaintiff's Motion for Special Relief and Order filed. ORDER: AND NOW, this 5 day of December, 1990 upon consideration of the foregoing Stipulation of the parties, said Stipulation is hereby entered as an Order of Court and shall remain in full force and effect for a period of one year from the date of said Stipulation unless otherwise modified or extended by further Order of Court.

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

Dec. 7, 1990 Copy of Order mailed to JOseph Barnhart, Esq.

Continued on page 645
SEE VOL. 3

# 1989

1000.

ELIZABETH A. SHONGO

vs.

KIPP H. SHONGO

Filed Nov. 1, 1989
@ 9:00 a.m.

Tax & entry pd 11/22/89 $50.50 ✓
Sheriff's Costs 23.00
Pro Co pd 11/22/89 9.00 ✓

11/22/89
Recd. $23.00 From Defendant

11/22/89 Paid $23.00
To Howard Stewart, Sheriff
Check # 5328

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plff)

TEMPORARY ABUSE ORDER:

And now, this 1 day of Nov. 1989, upon review of the petition of plaintiff, the court enters the following temporary order;

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

2. Special Conditions: Defendant will vacate the premises at 794 Vernon St. and wife & children shall have exclusive occupancy Defendant may not go to the home after vacating. Def. may not call wife on the phone.

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 make upon the defendant by a sheriff, constable, police officer or competent adult.

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

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

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

Hearing is hereby set for Nov. 9, 1989 at 1:30 p.m. in C. R No. 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Nov. 2, 1989 Sheriff's Return filed. SERVED Kipp H. Shongo personally on November 1, 1989 at 4:20 PM by handing copy of Complaint to him at Sheriff's Office, Crawford County Courthouse, Meadville, PA.
So answers,

Diane Severo, Sheriff's Office
Howard N. Stewart, Sheriff

Nov. 15, 1989 Order filed. AND NOW, November 9, 1989, by agreement of the parties and without confirming or denying the allegations of the petition, the following Order is entered:

1. The Defendant shall not assault, abuse, harass, or threaten the Plaintiff or any of the Plaintiff's minor child at any time

2. The Defendant shall not go to the former marital residence at 794 Vernon Street, Meadville, Pennsylvania, for any purpose.

3. The Defendant has indicated that he intends to institute proceedings for partial custody or visitation of the parties' child, Christina Natalie Shongo, and therefore, the primary custody of that child is placed with the Plaintiff subject to any orders that are ultimately entered after the mediation conference regarding the visitation and partial custody rights of the defendant.

4. The Defendant is ordered to pay $85.00 per week towards the support of his wife and child until such time as a support order is entered, at which time this Order will be superseded. This Order is based on a reported take-home pay of $224.00 per week.

5. This Order may be enforced by the Vernon Township, Crawford County, Police Department or any other police agency having jurisdiction of the premises in accordance with the Protection From Abuse Act.

6. The record costs in this proceeding will b epaid by the Defendant within thirty (30) days of this date.

7. This Order shall continue in full force and effect for a period of one year from this date unless modified by the Court.

BY ORDER OF THE COURT,
Robert L. Walker J

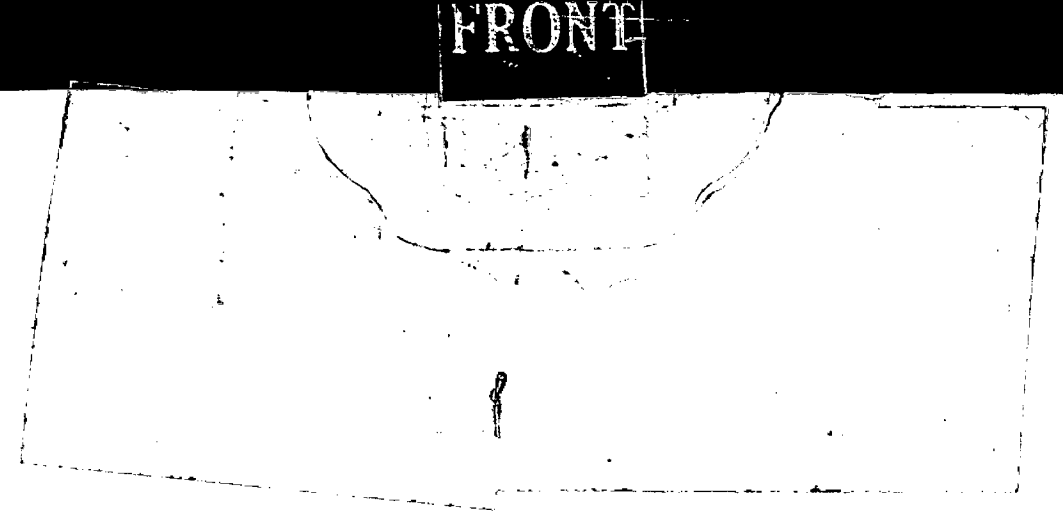
Nov. 16, 1989 Copies of order put in Gerald Sullivan, Donald Lewis and County Control's box

Nov. 22, 1989 Motion For Allowance filed.

Nov. 22, 1989 Order filed. AND NOW,this 22 day of November, 1989, upon consideration of the foregoing, the Motion is hereby granted and Donald E. Lewis,Esquire,attorney for Petitioner shall accompany Kipp Shongo to the residence located at 794 Vernon Street, Meadville, Pa. for the purpose of removing the personal items listed on the within Motion. At a time to be mutually arranged - otherwise any Thur. at 4:30 p.m. at defendants desegration.

BY THE COURT,
P. Richard Thomas, J.

Nov. 27, 1989 copies of order put in Gerald Sullivan, Donald Lewis and County Control's box.


FRONT

Sheryl A. Higby
vs.
Robert L. Higby

CONTINUED FROM PAGE 67
of Record
A. D. 1989 - 617

**********

B. Beginning February 11, 1995 the mother's visits shall be increased so that the children may be in her custody every other weekend from 10:00 o'clock a.m. on Saturday to 7:00 o'clock p.m. on Sunday. These visits need not be supervised.

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

D. Transportation of the children on weekends and holidays shall be shared with the person 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 so that there may be reasonable telephone contact between mother and the children.

H. Mother shall not consume alcohol or use illegal drugs while the children are in her custody, nor within eitht (8) hours prior thereto.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within ten (10) days of the date hereof. However, the order is entered without prejudice to the right of either party to request a further mediation conference or hearing on or after May 1, 1995.

IV. Cost of the mediation conference will be equally divided between the parties. The Prothonotary of Crawford County is hereby directed to refund a portion of the deposit paid in advance by the Plaintiff, less the cost of the custody order.

Gordon R. Miller, P.J.

Nov. 28, 1994 Faxed to Kirkpatrick & Fuller, sent Cooper, Plf. & Dft.

Jan. 31, 1995 Motion to Schedule Mediation and Order, filed. And Now, January 30, 1995, the above-captioned matter is referred to John Fuller, Esq. who shall promptly schedule mediation. By the Court:

Gordon R. Miller, P.J.

Jan. 31, 1995 Faxed Kirkpatrick, Fuller, mailed Cooper

Mar. 1, 1995 Order filed. AND NOW, February 28, 1995 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Jessica L. Higby and Joshua R. Higby shall be shared between the mtoher 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 Jessica L. Higby and Joshua R. Higby shall be with their father, subject to the following conditions:

A. The mother shall be entitled to visit and take the chidlreninto her custody up to three (3) times a month, 10:00 o'clock am., or later, on Saturday at 7:00 o'clock p.m., or earlier, on Sunday, beginning withthe month of March, 1995, provided such visits are supervised by either Jane Kemp, the maternal grandmother, or Sue Fritz, mother's sister. Requests for such visits must be made by either the maternal grandmother, or mother's sister, at least seventy-two (72) hours in advance ofthe intended visit.

B. Transportation ofthe children on weekend visits shall be shared as follows: The mother's siter or maternal grandmother shall pick up the children at the beginning of a visit and the father shall pick up the children at the end of a 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 on the power of each to foster a favorable and loving attitude on the part of the chidren 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 eing. Mother shall not consume alcohol or sue drugs during any visit.

E. 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 tempoary order but shall beocme a permanent order unless exceptions thereto are filed by either party within ten (10) days of the date hereof.

IV. cost ot the mediation conference will be divided as follows: One-half (½) Crawford County and one-half (½) Robert Higby. 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

Mar. 13, 1995 Faxed Kirkpatrick & Fuller, mailed Higby

452

1989 TERM

| 807. | KIMBERLY A. HYDE, Plaintiff<br>VS.<br>MICHAEL W. HYDE, Defendant | CONTINUED FROM PAGE 257<br>OF RECORD<br>A. D. 1989 - 807 |
|---|---|---|

Aug. 14, 1996 Praecipe for resubmit divorce action to court filed.

DIVORCE DECREE FILED

Aug. 23, 1996 AND NOW, Aug. 20, 1996, it is hereby ordered and decreed that KIMBERLY A. HYDE, Plaintiff, and MICHAEL W. HYDE, 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.

KRAIG CAPELA
VS
KAREN CAPELA

CONTINUED FROM PAGE 441
of Record
A.D. 1989 - 991

**********

Aug 4, 1997 ORDER: AND NOW, this 6th day of August, 1997, it is ordered and decreed that the parents in this matter shall satisfactorily complete the Seminar for Separating Parents in accordance with Crawford County Civil Rule L1930. Applications for the seminar may be obtained at the Center for Family Services, Inc.; Prothonotary Office or Court Administrator.

Application for attendance at the seminar must be made by the Plaintiff or Petitioner within fifteen (15) days after the pleading or petition is filed; and by the Defendant or Respondent within fifteen (15) days after he or she is served with the pleading or petition. Gordon R. Miller, P.J.

Aug 7, 1997 Faxed Mason, Carney, Keenan & Fuller

**AND**

ORDER: You, Karen Capela, Defendant, have been sued in Court by Petition to Modify Custody Order regarding the custody of the minor child Heather Capela.

Your are Ordered to appear in person at such time and place as will be determined by the Mediator, John Fuller, Esquire, for a Mediation Conference. The Mediator shall send you a Notic eof the Hearing by mail to the address listed on the complaint or petition that has been filed recently.

Date: 8-6-97 Gordon R. Miller, P.J.

Aug 7, 1997 Faxed Mason, Carney, Keenan & Fuller

Sept 3, 1997 Appearance of Thomas, Spadafore, Walker & Keenan by Gregory A. Keenan, Esquire on behalf of Plaintiff.

Sept 3, 1997 Affidavit of Service: I, Gregory A. Keenan, Esquire, being duly sworn according to law, deposes and says that on July 28, 1997, I sent a true and correct certified copy of a Petition to Modify Custody Order, A.D. No. 1989-991, filed in the above action, to the Defendant, Karen Capela, at her last known address of 43319 St. Hwy. 77, Spartansburg, PA, 16434, by Certified Mail No. P 427 474 094, postage prepaid, return receipt requested, restricted delivery, and that attached hereto is a duly executed return receipt card showing date of delivery as July 31, 1997.

Sept 3, 1997 Motion To Withdraw Appearance and Order: AND NOW, this 3 day of September 1997, upon consideration of the Motion of Paul J. Carney, Jr., Esquire to withdraw his appearance in this matter, said Motion is hereby granted.

Anthony J. Vardaro, J.

Sept 3, 1997 Faxed Carney & Keenan
Sept 10, 1997 Faxed Mason & Fuller

Sept 24,1997 Certificate of completion of the Seminar for Separating Parents for Kraig Capela, filed.

Oct. 14, 1997 Certificate of Completion of Seminar for Separating Parents of Karen R. Snapp filed.

Nov. 21, 1997 ORDER FILED. AND NOW, Nov. 18, 1997, after mediation conference before John Fuller, Esq., IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

1. Legal custody of Heather Capela shall be shared between the mother and the father, the defendant and plaintiff herein, that is, each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions affecting the child such as the education, medical treatment and religious instruction of the subject child.

II. Physical custody of Heather Capela shall be with her mother, subject to the following conditions:

A. The father shall be entitled to visit and take the child into his custody every weekend, except the second weekend of each month when the child shall be in mother's custody, from 6:00 o'clock p.m. on Sunday, beginning Nov. 7, 1997. The second weekend shall be deemed to be the weekend on whcih the second Friday falls.

The father shall also be entitled to visit and take the child into his custody every Tuesday and Thursday evenings from 4:00 o'clock P.M. to 6:00 o'clock p.m.

B. Holidays shall be defined as Christmas, Easter, Thanksgiving and the child's birthday. custody of the child shall be shared on the aforesaid holidays and in the absence of an agreement to the contrary, the child shall be in the custody of the mother on the aforesaid holidays until 1:00 o'clock p.m. and in the custody of the father on the aforesaid holidays form 1:00 o'clock p.m. until 7:00 o'clock p.m. Father shall also be entitled to have the child for two (2) hours Christmas Eve from 5:00 o'clock p.m. to 7:00 o'clock p.m.

C. Beginning with the Summer of 1998, the parents shall alternate having the first two weeks of June.

D. Transportation of the child on weekends, holidays and Summer visits shall be provided by the parent receiving custody.

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 int he 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 situtation which may be harmful to the child's health or well being.

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

H. The parents, or their attorneys, shall arrange a custody evaluation of the child by Kathy Berkey. On completion of the evaluation, a copy of the evaluation shall be furnished to each attorney representing the parents, and within twenty (20) days of receipt of the evaluation either parent may request a further mediation conference.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within twenty (20) days of the date hereof.

IV. The fees (240.00) and costs (9.00 court order filing fee and 2.77 certified mailing fee) in this case are to be paid as follows:

A. The father has deposited with the Prothonotary the requested $200.00 which shall be partially applied toward the fees and costs representing his one-half (½) share of the fees and costs. The Prothonotary is hereby directed to refund to father $74.11.

B. The mother shall within thirty (30) days of the date of this order pay the Prothonotary $125.88 representing her share of the fees and costs.

GORDON R. MILLER, JUDGE

11/21/97 Faxed Keenan, Fuller & DeSantis