CRAWFORD COUNTY

APPEARANCE DOCKET

BOOK 286A
Vol. 2

NOV 1989

PIRRELLO ENTEPRISES INC.
Scanned June 2017

Barrett & Dratler
Bruce A. BArrett

1001.

BRENDA SUE KISKADDEN

vs.

RICHARD DALE KISKADDEN

Filed Nov. 1, 1989
@ 10:03 a.m.

Tax & entry paid	$50.00
1 count paid	15.00
Pro Co pd 1/29/91	9.00
State pd 1/29/91	10.00

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE, EQUITABLE DISTRIBUTION

1 copy (atty)

Dec. 6, 1989 Affidavit of Servic e 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 alongwith a Count for equitable Distribution was sent by registered mail to the Defendant on November 30, 1989.

3. The registered mail was sent to Richard D. Kiskadden at R.D.# 1, Atlantic, Pa. 16111. The senders receipt is attached hereto.

4. That the Defendant received said registered mail on December 1, 1989. Said receipt card No. P 966 074 358 is attached hereto and signed by Richard Kiskadden.

Bruce A. Barrett, atty. Plaintiff

July 13, 1990 Affidavit Of Consent of Plaintiff filed.
Jan. 25, 1991 Affidavit of Consent of Defendant filed..

Jan. 25, 1991 Upon praecipe of Plaintiff Attorney For Review Under §201(c) of the Divorce Code, this case moved to court.

Jan. 25, 1991 Motion to discontinue Count II and Order filed. AND Now, February 5, 1991 The above motion allowed.
Gordon R. Miller, J

Feb. 8, 1991 Copy of order given to Bruce Barrett

Feb. 5, 1991 **D I V O R C E D E C R E E F I L E D .**

And Now, February 5, 1991, it is ordered and decreed that Brenda Sue Kiskadden, plaintiff, and Richard Dale Kiskadden, defendnat, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J

1989

Fuller, Kinnunen,
Petruso & Gamble
Ann Hansen Gamble

1002.

DANIEL B. DILLINGER

vs.

SHARON M. DILLINGER

Filed Nov. 2, 1989
@ 11:12 a.m.

Tax & entry Paid $50.50
1 count paid 15.00
Addt'l Counts pd 3/12/91 30.00
User's Fee pd 3/12/91 10.00
Proto Prot 4/8/91 9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

1 copy (atty)

Nov 14, 1989 Affidavit of Service 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 November 6, 1989, she sent a copy of the Complaint in Divorce to the Defendant by certified mail, restricted delivery, postage prepaid, receipt requested, to Sharon M. Dillinger, 226 Maple, Pleasantville, Pa 16341, the defendant's last known address. The said receipt being attached hereto.

Ann Hansen Gamble

Feb. 14, 1991 Affidavit of Service filed. Ann Hansen Gamble being first duly sworn deposes and says:
That is an atty. at law licensed to practice in the Com. of Pa., and that on the 13 day of Feb. 1991 she did send by reg. mail, the notice to Defendant on the Counterclaim - Plaintiff on the Counterclaim Affidavit under Section 201(d) of the Divorce Code, Notice of Intention to Request Entry of Divorce Decree, Defendants Counter-Affidavit Under Section 201(d) of the Divorce Code, to Sharon M. Dillinger, 226 Maple, Pleasantville, Pa. 16341, the same having been duly filed on Feb. 13, 1991 in the Office ofthe Prothonotary of Crawford County. Ann Hansen Gamble, Esq.

Feb. 14, 1991 Defendants Counter Affidavit Under Section 201(d) of theDivorce Code filed.

Feb. 14, 1991 notice of Intention to Request Entry of Divorce Decree filed.

Feb. 14, 1991 Plaintiff's Affidavit Under section 201(d) of theDivorce Decree filed.

Feb. 15, 1991 Petition For Bifurcation and Order filed. AND NOW, this 15th day of February 191, hearing on the Plaintiff's Petition for Bifurcation is set for April 4, 1991, in Courtroom 1 or 2, at 11:00 o'clock p.m., in Crawford County Courthouse in Pennsylvania.

Gordon R. Miller,J

Feb. 20, 1991 Copy of order mailed to Ann Hansen Gamble

Mar. 12, 1991 Defendant's Counter-affidavit Under Section 201(d) of the Divorce Code and Petition For Additional Claims filed. (Alimony, Alimony Pendente LIte, and Attorney fees and Expenses)

Apr. 3, 1991 Order and Decree filed. Counsel for the parties hereto having made known to the Court the agreement of the parties to bifurcate the action in divorce reserving the remaining economic issues and continuing the order of support as an order of alimony, the said remaing issues are hereby reserved and continued for dicisons at a later time.
AND NOW, April 3, 1991, IT IS ORDERED AND DECREED that Daniel B. Dillinger, Plaintiff, and Sharon M. Dillinger, defendant are divorced fromthe bonds of matrimony. The Court retains jurisdiction of any and all claims raised by the parties to this action for which a final order has not yet been entered.
IT IS FURTHER ORDERED AND DECREED that the outstanding spousal support order entered at D.R. No. 1989 -504 shall be deemded alimony pendente lite for the purposes of this divorce action and shall survive this decree of divorce utnil such time as the remaining economic claims of both parties are resolved.

James B. Dwyer, S.J.

1989

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

1003.

ROBERT F. LINN

vs.

CECILIA M. LINN

Filed Nov. 2, 1989
@ 2:20 p.m.

Tax & entry Paid	$50.50
Pro Co pd 4/3/90	9.00
State pd 4/3/90	10.00

COMPLAINT IN DIVORCE

1 copy (atty)

Mar. 8, 1990 Affidavit Of Consent of Plaintiff filed.

Apr 3, 1990 Affidavit of Consent of Defendant filed.

April 3, 1990 Upon Praecipe of Plaintiff's attorney for Review Under §201(c) of the Divorce Code, this case is moved to court.

April 9, 1990 Service Verification filed: I, James R. Irwin, do hereby verify that Cecilia M. Linn was served by Certified Mail, on November 4, 1989, with a Certified copy of the Divorce complaint filed at the above stated term and number.
James R. Irwin

Apr. 19, 1990 **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 from the bonds of matrimony to the abovenamed parties, on the grounds that the marriage is irretrievably broken and Ninety (90) days have elapsed fromthe 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. 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 19th day of April, 1990.

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

1989

Mason & Mason
M. Dan Mason

pro se

1004.

TRUMAN BOYD

vs.

DAN PHILLIPS

Filed Nov. 2, 1989
@ 3;15 p.m.

Tax & entry Paid $50.25 ✓

APPEAL OF PLAINTIFF FROM JUDGMENT OF
MAGISTERIAL DISTRICT 30-2-01

Nov. 3, 1989 Proof of Service filed.

Nov. 22, 1989 Complaint filed.

1989

Shafer, Swick Bailey
Irwin & Stack
Charles J. Swick
1005.

William Taggart

SAEGERTOWN SEWAGE AUTHORITY

vs.

JOHN N. BIERMAN AND
PEARL M. BIERMAN

APPEAL OF DEFENDANTS FROM JUDGMENT OF
ROBERT J. LEONHART, DISTRICT JUSTICE

Nov. 2, 1989, Rule Entered Upon Plaintiff to File Complaint Issued.

Nov 6, 1989 Proof of Service of Appeal and Rule to File Complaint filed.

Nov. 28, 1989, Complaint filed. 2 copies (atty)

Oct. 19, 1990 Answer, New Matter and Offset filed.

Jan 10, 1991 Answer to New Matter and Counterclaim or Offset filed.

Filed Nov. 2, 1989
@ 4:18 p.m.

Tax & entry Paid $50.25 ✓
Pro Arb pd. 8/20/91 $15.00
Pro Co Pd 1/9/92 9.00 ✓
Pro.Co. Pd 11/4/92 5.00

Aug. 20, 1991 UPon praecipe of plaintiff attorney for reference to arbitration, the following arbitrators are appointed: Bruce A. Barrett, Ch.
~~Kemp C. Scales~~ William B. Moore
Emil Spadafore

Oct. 4, 1991 ARbitrators Take the Qualifying Oath.

Oct. 18, 1991 Notice of Hearing before Board of ARbitrators filed. (12/6/91)

Dec. 9, 1991, Decision of ARbitrators filed in which they find in favor ofthe plaintiff in the sum of $1,039.88) (One Thousand Thirty Nine and 88/100 Dollars). We enter no award to the defendant on their counterclaim or offset.
Decision entered- 12/9/91
B - 94, 134
DECISION OF ARBITRATORS
James F. Simmons, Prothonotary

Dec. 9, 1991, copies of decision put in Attys. Swick's box and copy mailed to Atty Taggert

And Now, Jan. 9, 1992, at 10:56 a.m. upon praecipe of plaintiff attorney, Judgment is hereby entered upon the verdict of the Decision of the Arbitrators in favor of p laintiff and against the defendants in the amount of One thousand thirty Nine and 88/100 Dollars plus interest and costs of suit. This judgment is entered pursuant to Rule 1307(c) of Pa. Rules of Civil Procedure in accordance with above Decision.
Judgment entered - 1/9/92
B - 94, 134
Debt ---$1,039.88
plus int. and costs
Barbara H. King,
Prothonotary

Jan. 15, 1992, notice of entry of judgment mailed to defendants.

Nov. 4, 1992 Upon Praecipe of Plaintiff Attorney the above case mark Satisfied of Record.

1006.

LINDA IRLAM

vs.

CHARLES ROBEY

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plaintiff)

Filed Nov. 3, 1989
@ 8:56 a.m.

Tax & entry Pd 11/9/89 $50.50 ✓
Prothy Pd 11/9/89 9 00 ✓
Sheriffs costs 20.00

11/9/89 Recd $20.00 From DEFENDANT

11/9/89 Paid $20.00 TO Howard Stewart, SHERIFF costs #5318

TEMPORARY ABUSE ORDER:

AND NOW, this 3 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: Not go to premises of 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 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 termiated by further order of this court. Liability for payment offees 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 2:00 p.m. in C. R. No. 1 or 2 of the Crawford County Courthouse. The defendant isadvised eh may retain a lawyer torepresent 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. 9, 1989 Sheriffs Return filed. SERVED Charles Robey personally on Nov. 3, 1989, at 12:03 p.m. at his pla ce of employment, Crawford County Industrial Park, old Avtex Building, Meadville Crawford County, Pa.

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

Nov. 13, 1989 ORDER filed. AND NOW, Nov. 9, 1989, at the time set for hearing, the plaintiff in open court advises the Court that she wishes to withdraw this proceeding, and the petition is, therefore, DISCHARGED, and the Temporary Abuse Order VACATED. Record costs shall be borne in equal shares by the parties and shall be paid within thirty (30) days of this date.

By Order of The Court,
Robert L. Walker, Judge

Nov. 14, 1989 Copies of Order to Attys. Gerald Sullivan, Defendant.

Thomas, Truas,
Spadafore, Vardaro
& Walker
Emil M. Spadafore Jr.

1007.

Michael Halliday

Rec'd $68.50 11/1/90 From Defendant

Rec'd $68.50 11/1/90 From Plaintiff

Recd 2-1-90 $68.50 Vivian Stoltz

Recd 2-1-90 $68.50 Vivian Stoltz

6/4/90 $147.25 Received from Pff. S. Fisher

6/11/90 Recd from Aft. $147.25

Recd Aug 1, 1990 $294.50 Vivian Stoltz

3/13/91 Recd $130.39 From Defendant

3/14/91 Recd $130.38 From Plaintiff

Recd 3-1-91 $130.38 Vivian Stoltz

Recd 3-1-91 $130.37 Vivian Stoltz

9/23/91 Recd $76.00 From Plaintiff

Oct 1, 1991 paid Co. Comm $76.00

1-4-93 Received from Deft med. Deposit $150

3-22-93 Rec'd Deft Bal Med dep. $65.00 Ck#

4-13-93 Rec'd from Pff Med. Fee 76.00

4-27-93 Ck# 7462 to Co Comm med. fees 152.00

Record Continued from Pg 457 To Page 632 A

Pro Co Pd 4-27-93 Ck# 7483 9.00

STEVEN M. FISHER

vs.

CHRISTINE M. FISHER
(Christine M. Greenlee)

William Pineo, Mediator 152.00
Pro Co pd 4-28-93 9.00

Filed Nov. 3, 1989
@ 9:34 a.m.

Tax & entry Paid $50.50
William Pineo, Mediator 137.00
Pro Co Pd 11/1/90 9.00
William Pineo Mediator 294.50
Pro Co Pd 6/4/90 - 9.00
Pro Co Pd 2/14/91 9.00
William Pineo, Mediator 152.00
filing costs Pd 9/23/91 9.00

COMPLAINT FOR CUSTODY

4 copies (atty)
1 copy (mediator)

ORDER: AND NOW, this 3rd day of Nov. upon consideration of the foregoing Complaint and after hearing the testimony of the plaintiff, father, it appears that the defendant, mother, left the area with one, Terry Greenlee, on or about Oct. 27, 1989, and it appears that the defendant and Terry Greenlee have not communicated in any way with the plaintiff since that time, it is hereby ordered, adjudged, and decreed, that tmeporary custody of Magen M. Sifher and Patrick M. Fisher is hereby awarded to Steven M. Fisher, their father, until further order of court. Should the defendant wish to visit the children, she may visit the children only while the children are in the custody of the plaintiff at such time and places as the plaintiff may agree pending further hearing and order of court.

It is further hereby ordered that all parties and their counsel are to appear in person for a mediation conference before WILLIAM PINEO, CUSTODY MEDIATOR, at such time and place as the mediator may specify.

The plaintiff shall bring the minor children to the mediation conference.

BY THE COURT,
Robert L. Walker, J.

Dec 27, 1989 Temporary Order filed: AND NOW, this 27th 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. Legal and physical custody of the subject minor children is ehreby awarded to their father, the plaintiff.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and major events in the life of the subject minor 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. Each party shall keep the other informed of his or her telephone number and address.

3. The mother shall have the right of visitation and temporary physical custody every weekend from Friday at 5:00 p.m. through Saturday at 8:00 p.m., provided that said visitation is exercised at the home of her sister, Carol. The mother shall also have the right of visitation every Wednesday from 5:00 p.m. to 8:00 p.m.. The visitation may be exercised at the father's residence or the mother may take the children from the father's residence during these hours.

4. For Christmas, 1989, the mother shall have the right of visitation with her children from 10:00 a.m. to 2:00 p.m.

5. At no time shall the children be exposed to the company of one, Terry Greenlee, nor shall they be taken to his home.

6. Each party shall submit to the Mediator the name of a counselor who can evaluate the children and advise on what further counseling they may need.

7. The mother shall have the right to telephone the children each Monday for a period not to exceed 15 minutes. Said telephone call shall occur at 7:00 p.m. and the father shall have the chidlren ready to receive the call.

8. The transportation necessitated by this Order shall be arranged as follows:

For the weekend visitations, the father shall deliver the children to the home of the wife's sister by 5:00 p.m. Friday and he shall pick them up at the same place at 8:00 p.m. Saturday. Transportation, if any, necessitated by the Wednesday evening visits shall be the responsibility of the mother.

9. 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 children.

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

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

12. Neither parth 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 isntruct 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 shall arrange for further Mediation in this matter during the month of March, 1990.

15. The mother shall supply the Mediator with an Authorization for Release of Confidential Information for the sole purpose of conferring with her physicians at St. Vincents Medical Center.

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

17. 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 28, 1989 Copies of order put in Attys. Spadafore and Pineo's boxes, copy mailed to Atty Halliday and and copies mailed to Plaintiff and Defendant.

Jan. 26, 1990 Motion For Hearing De Novo and Order filed. AND NOW, this 24th day of January, 1990, upon consideration of the attached motion and on review of the recommendations of the Custody Mediator which specifically provides that the Mediator will schedule another hearing in March, 1990, a hearing de novo is not scheduled at this time. HOwever, either party shall have the right to request the hearing de novo after the review hearing is held by the Custody Mediator in March, 1990.

BY THE COURT,
Gordon R. Miller, J

Jan. 30, 1990 copy of order mailed to Michael Halliday and copies put in Emil Spadafore and William Pineo's box.

1989

McCarthy, Martone
& Peasley
Colleen C. McCarthy

1008.

Meyer, Darragh,Buckler,
Bebenek, Eck & Hall
By: Eric N. Anderson
for: Harned Oil Company

Michael J. Sweeney,
Robert Henretty and
Robert Brown

SANDI JOHNSTON

vs.

CHEVRON CORP., GULF OIL DIVISION OF CUMBERLAND FARMS, INC. HARNED OIL COMPANY, ROBERT BROWN AND ROBERT HENRETTY

Filed Nov. 3, 1989
@ 11:17 a.m.

Tax & entry paid	$50.50
Sheriff's costs	**105.56**
Pro Co pd 5/21/90	5.00

SUMMONS IN CIVIL ACTION

Issued (sheriff)

Jan 2, 1990 Appearance of Zimmer, Kunz, Loughren, Hart, [illegible] filed.

Lazaroff, Trenor, Banyas & Conaway, P.C. by George N. Stewart, Esquire for Chevron Corp., Gulf Oil Division of Cumberland Farms filed.

Jan. 9, 1990 Sheriff's return filed. Before me, the undersigned authority, personally appeared Louis Leon who being duly sworn according to law, deposes and says that on the 4 day of Dec. 1989 at 10:45 a.m., he served Summons, filed at No. 1008- 1989, Crawford Co. Pa. upon defendant Gulf Oil at 400 Grand Ave. Neville. By making known the contents thereof to R. Gumme, Mgr. and handing to and leaving with him the certified copy of the received from Crawford.

Louis J. Leon, Dep. Sheriff
So answers Eugene L. Coon, Sheriff
Allegheny Co.

Before me, the undergigned authority, personally appeared Sgt. Ziegler, who being duly sworn according to law, deposes and says that on the 22 day of Nov. 1989 at 12:30 P.M. her did not serve , filed at No. 1008, 1989, Crawford Co. Pa., upon defendant Chervon at Allegheny Co. Gulf Tower, 7th & Grant. By making known the contents thereof to No Service - Moved.

Sgt. C. Ziegler, Dep.Sheriff
So answers, Eugene L. Coon ,Sheriff
Allegheny,Co.

Not Found, as to defendant Chevron Corp. per Affidavit received from Allegheny County Sheriff and attached to return.
Served Gulf Oil by deputizing Sheriff of Allegheny Co. Pa. as per Affidavit of Service attached. Served: Dec. 4, 1989
Served Harned Oil Co. on Nov. 8, 1989 at 4:02 PM by serving Don Burchfield, Owner, at Pymatuning Ave. Conneaut Lake, Crawford Co. Pa. 16316
Serbed Robert Brown on Nov. 22, 1989 at 10:45 AM by serving his wife, Aino Brown, at residence, 112 North St., Springboro, Crawford Co.Pa.
Served Robert Henretty personally on Dec. 4, 1989 at 3:45 PM at his residence , R.D.# 2, Shadeland Rd., Springboro, Crawford Co. Pa.

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

Jan. 25, 1990 Praecipe for Appearance of Meyer, Darragh, Buckler, Bebenek, Eck & Hall, by: Eric N. Anderson, esquire,for defendant Harned Oil Company filed.

Jan 24, 1990 Rule Upon Plaintiff to file Complaint Issued.

Feb. 1, 1990 Service of the foregoing Rule is hereby accepted on 1/30/90 by Colleen C. McCarthy.

Apr. 18, 1990, Complaint filed. 3 copies (atty)

May 8, 1990 Acceptance of Service filed. I hereby accept service ofthe Plaintiff's Complaint on behalf of the defendant, Harned Oil company.
Dated: 5/2/90 Eric N. anderson

May 8, 1990 Acceptance of Service filed. I, hereby accept service of the Plaintiff's Complaint on behalf of the defendnat, Chevron Corp., Gulf Oil Division of Cumberland Farms, Inc.
Dated: 5/7/90 George N. Stewart

May 11, 1990 Acceptance of Service filed. I hereby accept service of the Plaintiff's Complaint on behalf of the defendants, Robert Henretty and Robert Brown.

Michael J. Sweeney

May 14, 1990 Preliminary Objections In The Nature Of A Motion To Strike filed.

May 14, 1990 Upon praecipe of Attorney Anderson the above-captioned matter is placed on the next available argument list.

1990 JUNE ARGUMENT LIST

May 17, 1990, Preliminary Objections of Defendants Robert Brown and Robert Henretty, filed.

May 21, 1990 Upon praecipe of Plaintiff's Attorney the above case is marked setlled and discontinued as to all defendant by the plaintiff, with prejudice.

1989

No. AD 1989 - 1009

AD 1989 - 1009

IN RE: The Marriage of:

JOHN W. ROYAL, JR.,
Husband,

and

SUSAN C. ROYAL,
Wife.

FINAL JUDGMENT OF DISSOLUTION OF MARRIAGE

This matter was heard this day by the Court. From the evidence presented, the Court finds that:

The Court has jurisdiction of the parties and the subject matter.

The marriage of the parties is irretrievably broken.

Therefore, it is ORDERED AND ADJUDGED that:

1. The bonds of marriage between the Husband and the Wife are dissolved and each is restored to the status of being single and unmarried.

2. The primary residence and custody of the children born of the marriage of the parties, REBEKAH MARIE ROYAL, date of birth, 14 December 1976, ELISABETH ANN ROYAL, date of birth, 11 October 1979 and JOHN CODY ROYAL, date of birth 25 February 1985, shall be with the Wife. Except as specifically set forth hereinafter, the Wife shall have the sole parental responsibility of the minor children.

3. In the year 1988 the Husband may visit with the said minor children from 31 July to 24 August, on which date they shall be returned to the Wife. This visitation is however specifically conditioned that the Husband's mother, Bertha Royal, shall at all times have the minor children in her presence. The said Bertha Royal has specifically accepted this condition as a condition of her own visitation with the minor children and understands and agrees by becoming a party to this action thereby, that her visitation is specifically so conditioned.

Filed Nov. 3 @11:31 a.m.

Tax & entry pd $10.50
Pro Co Pd 9.00

IN THE CIRCUIT COURT
FOURTH JUDICIAL CIRCUIT
CLAY COUNTY, FLORIDA

CASE NO.: 89-805-CA
DIVISION: "B"

CRAWFORD & COOK

THIS INSTRUMENT IN COMPUTER

NOV 3 1989

CLERK CIRCUIT COURT
CLAY COUNTY, FLORIDA

AD 10,50

AD 1989-1009

4. In the years following 1988, the Husband may, on the same condition as set forth hereinabove, visit with the minor children for a period of two weeks in the summertime by prior notice of at least two weeks to the Wife. Said notice to be valid and enforceable must specifically be in writing provided to the Wife by certified mail.

5. There is no real property or automobiles to be divided by the Court.

6. Each party shall be the sole owner of all other items of personal property in his or her possession from date hereof.

7. The Husband shall, at some date in the future, receive a settlement from a workers' compensation claim. The Husband shall do all acts as may be necessary and proper, including, but not limited to executing any and all documents as may be necessary to enable the Wife to receive one half thereof, it being understood by the parties that the injury which resulted in the workers' compensation claim and all benefits which may flow therefrom occurred during the course of the marriage and the Wife is entitled to said one half. The Wife or her counsel may file a Claim of Lien with a copy of this Final Judgment attached with the appropriate workers' compensation office for the enforcement of her claim. The Husband's visitation as set forth hereinabove is further specifically conditioned on his providing to the Wife and her counsel all information as may be necessary for the Wife or her counsel to file said Claim of Lien.

8. Neither party shall annoy, molest, harass, assault or harm the other in any way whatsoever or at any time or place whatsoever and neither party shall cause nor permit any other person to do so.

9. The Wife's maiden name is hereby restored and she shall henceforth be known as SUSAN CAMILLE THOMPSON.

10. There are no joint debts to be divided between the parties.

11. The Husband is unemployed at the present time and therefore unable to pay child support. The Court specifically retains jurisdiction for the payment of child support should the Husband become employed in the future.

12. Except as to the provisions of paragraph 1 hereof, this Court retains jurisdiction for the purpose of enforcing or modifying any of the other terms and provisions of this Final Judgment. Motions for such enforcement or modification and Notices of hearings or proceedings thereon pursuant to this paragraph may be served on the other party by U. S. Mail.

DONE AND ORDERED in Chambers, Clay County Courthouse, Green Cove Springs, Florida this 15 day of May, 1989.

JUDGE, CIRCUIT COURT

Copies furnished to:

Leo B. Hill, Attorney for Wife
2000 Wells Road, Suite H
Orange Park, Florida 32073

Mr. John W. Royal, Jr., Husband
76 Wilbur Street
Greenville, Pennsylvania 16125

This is a certified copy of the Original on file in this office. Witness my hand and Official Seal this 16 day of May A.D., 1989.

JOHN KEENE
Clerk Circuit Court
Clay County, Florida
By: [illegible] D.C.

89-11764

182

IN THE CIRCUIT COURT
FOURTH JUDICIAL CIRCUIT
CLAY COUNTY, FLORIDA.

'89 NOV -3 AM 11:31

CRAWFORD & COOK

CASE NO.: 89-805-CA
DIVISION: "B"

In re the marriage of:

JOHN W. ROYAL, JR.,
Husband,

and

SUSAN C. ROYAL,
Wife.

THIS INSTRUMENT IN THE COMPUTER

MAY 17 1989

JOHN KEENE
CLAY COUNTY FLORIDA
CLERK OF CIRCUIT COURT

STIPULATION AND AGREEMENT

This Stipulation and Agreement, made and entered into on the 29th day of July 1988, by and between JOHN W. ROYAL, JR., Husband, and SUSAN C. ROYAL, Wife, in the above-styled cause:

WITNESSETH:

THAT WHEREAS, the parties are desirous of amicably agreeing between themselves regarding the distribution of the property and other matters herein, and

THAT, WHEREAS, the parties are desirous of amicably agreeing between themselves regarding the care, custody and support of the minor children of the parties, and regarding the distribution of the property and other matters herein, and that

WHEREAS, the parties hereto have been fully advised of and understand their rights and obligations under Florida Statute 61.13 and have fully considered same in making and entering into this Stipulation and Agreement;

NOW THEREFORE, the parties hereto do Stipulate and Agree as follows:

1. The primary physical residence of the children born of the marriage of the parties, Rebekah Marie Royal, Elisabeth Ann Royal and John Cody Royal, shall be with the Wife. Except as specifically set forth hereinafter, the Wife shall have the sole parental responsibility of the said minor children.

2. In the year 1988, the Husband may visit with the said minor children from July 31, 1988 to August 24, 1988 on which dates they shall be returned to the Wife. This visitation is however specifically conditioned that the Husband's mother, Bertha Royal, shall at all times have the minor children in her presence. The said Bertha Royal specifically accepts this condition as a condition of her own visitation with the minor children and understands and agrees by becoming a party to this Agreement even though not a party to the above-styled action that her visitation is specifically so conditioned. Should she violate this provision, she shall waive all future visitation rights with the said minor children. Furthermore, the Husband does specifically understand and agree that, should he cause or permit the violation of this aforesaid condition by the said Bertha Royal, he shall likewise waive all future visitation as specifically set forth hereinafter.

3. In years following 1988, the Husband may, on the same condition as set forth hereinabove, visit with the minor children for a period of two weeks in the summertime by prior notice of at least two weeks to the Wife. Said notice to be valid and enforceable must specifically be in writing provided to the Wife by certified mail.

4. There is no real property or automobiles to be divided by the Court.

5. Each party shall be the sole owner of all other items of personal property in his or her possession from the date hereof.

6. The Husband and wife, parties hereto, do specifically understand and agree that the Husband shall, at some date in the future, receive a settlement from a workers' compensation claim. The Husband agrees that he shall do all acts as may be necessary and proper including by not limited to executing any and all documents as may be necessary to enable the Wife to receive one half thereof, it being specifically understood and agreed by and between the Husband and Wife, parties hereto, that the injury which resulted in the workers' compensation claim and all benefits which may flow therefrom occurred during the course of the marriage and the Wife is entitled to said one half. The Husband further specifically understands and agrees that the Wife or her counsel may file a Claim of Lien with a copy of this

document attached with the appropriate workers' compensation office for the enforcement of her claim. The Husband's visitation as set forth hereinabove is further specifically conditioned on his providing to the Wife and her counsel simultaneously with execution hereof all information as may be necessary for the Wife or her counsel to file said Claim of Lien.

7. The Husband and Wife, parties hereto, do agree to the entry of an injunction that neither shall harass, molest or annoy the other party or the minor children at any time or place whatsoever and that they shall not cause or permit any other person to do so.

8. The Wife may have her maiden name of Susan Camille Thompson restored to her in any Dissolution of Marriage proceedings that may be entered and in which this Agreement may be used.

9. The parties agree that there are no joint debts to be divided by the Court.

10. The parties do hereby request that any Court of competent jurisdiction which may enter a dissolution of marriage on Petition of either of the parties hereto should include the provisions hereof in any Final Judgment that the Court may enter.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals this 29th day of July 1988.

SWORN TO AND SUBSCRIBED BEFORE ME this 29th day of July 1988.

NOTARY PUBLIC

JOHN W. ROYAL, JR.
Husband.

SWORN TO AND SUBSCRIBED BEFORE ME this 29th day of July 1988.

NOTARY PUBLIC

SUSAN C. ROYAL
Wife.

LEO B. HILL,
Attorney for Wife

I do accept the terms and conditions of the foregoing Stipulation and Agreement.

Sworn to and Subscribed before me this 29th day of July, 1988.

NOTARY PUBLIC

This is a certified copy of the Original on file in this office. Witness my hand and Official Seal this [illegible] A.D., 1989.

JOHN KEENE
Clerk Circuit Court
Clay County, Florida
By: [illegible] D.C.

CONTINUED ON PAGE 463

460

1989

CULBERTSON, WEISS, SCHETROMA & SCHUG
Mary Ann Kirkpatrick

1010

CYNTHIA L. PURDY

VS.

M. REZA GAHANPOUR

Filed Nov 3, 1989 @ 1:56 P.M.

Pro Simmons Paid	$50.50
Pro Co. pd 6/12/90	9.00
State pd 6/12/90	10.00

COMPLAINT IN DIVORCE

1 copy (atty)

Feb. 15, 1990, Complaint Reinstated.

May 7, 1990 Acceptance of Service filed. I accept service of the Divorce Complaint
Date: 3-4-1990 R. Gahanpour

June 6, 1990 Affidavit of Consent of Plaintiff filed.

June 6, 1990 Affidavit of Consent of Defendant filed.

June 12, 1990 Upon praecipe of P laintiff Attorney For Review Under Section 201(c) of the Divorce Code, this case moved to court.

June 27, 1990 **D I V O R C E D E C R E E F I L E D .**

AND NOW, June 27, 1990, it is ordered and decreed that Cynthia L. Purdy, plaintiff and M. Reza Gahanpour, defnednat, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J

1989

1011.

STACEY L. GILSON

vs.

LEONARD E. BARKER, JR.

Filed Nov. 3, 1989
@ 2:00 p.m.

Tax & entry	$50.50
Sheriffs costs	31.40

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plff)

TEMPORARY ABUSE ORDER:

And now, this 3 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 in the petition.

2. Special Conditions: Defendant may not contact plaintiff in any fashion.

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 tothe 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 bedetermined 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. 16, 1989 at 9:00 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 todo so.

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

Nov. 9 1989, Sheriffs Return filed. SERVED Leonard E. Barker, Jr personally on Nov. 3, 1989 at 3:45 p.m. at Titusville Polcie Dept., Titusville, Crawford County, Pa.
So answers, Officer Alexander, Titusville, P.D.
Howard N. Stewart, sheriff

Nov 17, 1989 Order filed: AND NOW, November 16, 1989, after informal hearing, the following Order is entered:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of her minor children at any time.

2. The Defendant shall not go to the Plaintiff's place of residence at any time for any purpose.

3. Defendant shall have the right to temporary custody and visitation with his minor son, Chad M. Barker each Saturday from 12:00 o'clock noon until 6:00 o'clock p.m. Said visits to take place at the residence of the Defendant's parents, and the Plaintiff shall deliver the child for the purpose of such visits.

4. The Defendant shall have the right to go to the residence of the Plaintiff on this date between 4:00 o'clock p.m. and 6:00 o'clock p.m. for the purpose of obtaining his personal effects and those of his daughter, but shall engage in no verbal or physical altercations with the Plaintiff at that time.

5. This Temporary arrangement for visitation shall terminate upon an Order being entered in any custody preceeding instituted between the parties.

6. This Order may be enforced by the Titusville Police Department or any other police agency having jurisdiction of the premises in accordance with the Protection for Abuse Act.

7. The Court reserves decision on any order for the payment of costs in this matter, and in the event the Defendant becomes re-employed, he shall report that fact to the Court, and an Order will be made in relation to the payment of record costs.

8. This Orde shall remain in force and effect for a period of one (1) year from this date unless modified by the Court.

BY THE COURT,
Robert L. Walker, Judge

Nov 21, 1989 Copies of order mailed to plaintiff and defendant and copy given to Co. Control.

1989

McClure & Miller
Eugene J. Brew, Jr.

1012.

Knox, McLaughlin,
Gornall & Sennett, PC
Sean J. McLaughlin
for C. Mosier

MacDonald, Illig Jones
& Britton
T. Warren Jones
for J. Gallant

LAURA L. GALLANT,
ADMINISTRATRIX OF THE ESTATE
OF LEAH MAY GALLANT, DECEASED

vs.

CHARLES R. MOSIER

vs.

James Gallant

Filed Nov. 6, 1989
@ 10:57 a.m.

Tax & entry paid	$40.50
bal. Pd 11/8/89	10.00
Sherif's costs	31.40
Sheriff's costs	**38.60**

Pro Co. Pd 11/14/90-7.00

COMPLAINT

1 copy (sheriff)

Dec. 5, 1989 Appearance of Knox, McLaughlin, Gornall & Sennett, P.C. by Sean J. McLaughlin for Defendant filed.

Dec. 5, 1989 Notice Of Service Of INterrogatories To Plaintiff (First Set) filed.

Dec. 5, 1989 Notice Of Service Of Request For Production To Plaintiff (First Request) filed.

Dec. 6, 1989 Sheriff's Return filed. SERVED Charles R. Mosier personally on November 17, 1989 at 2:25 PM by handing copy of Complaint to him at his residence, R.D.# 2, Hecker Road, Cambridge Springs, Crawford County, Pa.

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

Dec. 12, 1989, Notice of Service of Interrogatories and Request for Documents to Defendant (First Set) filed.

Dec. 13, 1989 Complaint Against Additional Defendant filed.

Dec. 18, 1989 Preliminary Objections On Behalf Of Defendant Charles R. Mosier filed.

Jan. 4, 1990 Sheriff's Return filed. SERVED James Gallant on Dec. 27, 1989 at 1:09 PM by handing copy of Complaint to Laura Gallant, his wife, at their residence, R.D.# 2, Hecker Rd., Cambridge Springs, Crawford County, Pa.
So answers, Robert M. Stevens, Dep. Sheriff
Howard N. Stewart, Sheriff

Jan 4, 1990 Stipulation of Counsel and Order filed: AND NOW, this 3 day of Jan., 1990, the within Stipulation of counsel is approved, and made an order of Court.

P. Richard Thomas, J.

Jan 5, 1990 Copies of order mailed to Attys. Brew and McLaughlin.

Jan. 10, 1990, Answer on Behalf of Defendant, Charles R. Mosier, filed.

Jan. 11, 1990 Notice of Serving Answers to Interrogatories and Request for Production filed.

Jan. 29, 1990, Answer to Complaint Against Additional Defendant filed.

Mar. 1, 1990, Notice of Service of Interrogatories to Additional Defendant (First Set) filed.

Mar. 1, 1990, Notice of Service of Request for production to Additional Defendant, (First Set) filed.

Mar. 29, 1990 Notice of Taking Depositions Upon Oral Examination of Laura L. Gallant and James Gallant filed.

Nov. 14, 1990, Petition for Approval of Distribution of Proceeds of Settlement of Wrongful Death Action and Order of court filed. ORDER OF COURT: AND NOW, this 14 day of Nov. 1990, upon Petition for Approval of Distribution of Proceeds of the Settlement of a Wrongful Death Action - it is ordered:

1. The net proceeds from the settlement are ordered paid to the parents of the deceased, Leah May Gallant, under the Wrongful Death Action, specifically Laura L. Gallant, and James Gallant:

2. The settlement funds shall be disbursed as follows:

a. Eugene J. brew, Jr. Esq., counsel fees per agreement	$13,333.33
b. Eugene J. Brew, Jr. Esq. Reimbursement for Expenses set forth in the Petition	1,457.00
c. Laura L. Gallant and James Gallant, her husband	25,209.67
Total	$ 40,000.00

Robert L:. Walker, S. J.

Nov. 14, 1990, copies of order to Attys. E. Brew, Sean McLaughlin and T. Warren Jones.

Nov. 14, 1990, upon praecipe of plaintiff attorney, the above captioned case is hereby marked settled and discontinued of record.

1989

William J. Gregg

1013.

Gerald Sullivan
Legal Services

4/14/90 Rec'd #91.00 from Plaintiff
Rec'd $91.00
May 3, 1990
Vivian Stoltz

MARK HARNED

vs.

LINDA L. GREENAWALT

Filed Nov. 6, 1989
@ 11:13 a.m.

Tax & entry paid $50.50
William Pineo, custody mediator
Mediation Cost 182.00
Pro Rata 4/10/90 9.00

PETITION FOR CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER OF COURT:

You, have been sued in court to obtain custody of the child Joshua Paul Harned.

You are ordered to appear in person at the time and place selected by WILLIAM PINEO, CUSTODY MEDIATOR.

If you fail to appear as provided by this order, an order for custody, partial custody, or visitation may be entered against you, or 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 telephine the office set forth below to find out where you can get legal help.

Crawford County bar Assoc. c/o Prothonotary's Office
Meadville, Pa. 16335 814 724-4636.
Date: 11/6/89 BY THE COURT,
P. Richard Thomas, J.

December 27, 1989 TEMPORARY ORDER filed. AND NOW, this 27th day of Dec., 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 mother shall have 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. The father shall have the right of visitation and temporary physical custody from 12:00 noon of Christmas DAy, 1989, through Dec. 27, 1989 at 7:00 p.m. He shall also have the right of visitation and temporary physical custody from Dec. 30, 1989, at noon until Jan. 1, 1990 at 7:00 p.m. Thereafter, he shall ahve temporary physical custody and the right of visitation on alternate weekends, beginning with the weekend of Jan. 12, 1990, from Friday after school until Sunday at 7:00 p.m.
4. The Mediator has noted for the Court that Mediation was not held as scheduled because the mother's attorney had to withdraw at the last minute owing to a conflict of interest and the mother has had no time to secure legal representation. The Mediator will therefore schedule further Mediation on or after Jan. 15, 1990, in order to give the mother time to arrange for representation.
5. The father shall have the responsibility for providing transportation in the exercise of his visitation rights.
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 Pa.
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 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.

Dec. 29, 1989 Copy to Attys. William Gregg, Christopher Youngs, Wm. Pineo., Linda L. Greenawalt, Defendant.

Mar. 5, 1990, Appearance of Gerald Sullivan, of Northwestern Legal Services, attorney for defendant filed.

Mar. 26, 1990 Temporary Order filed. AND NOW, this 23 day of March, 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. Legal and physical custody of the subject minor child, Joshua Paul Harned, is hereby awarded to his father, Mark Harned.
2. During Joshua's school year, the mother shall have temporary physical custody and visitation each Monday, Wednesday and Friday, from after school until 7:00 p.m. During the summer vacation the mother shallhave visitation and temporary physical custody from 3:00 p.m. each Tuesday until 3:00 p.m. each Friday. The mo;ther shall also have visitation and temporary physical custody on the last weekend of every month from Friday at 7:00 p.m. to Sunday at 7:00 p.m.
3. Under the present Order, dated December 27, 1989, Joshua has been residing with his mother. She shall surrender physical custody to the father on Friday, March 23, at 7:00 p.m., after which time the parties shall adhere to the schedule set out herein.
4. Should the father change his residence from that of his parents, or should other substantial change and the circumstances occur, the parties shall have the right to have this matter reviewed
5. The Mediatore notes for the Court that the mother does not have an automobile but that the parties have assured the Mediator that they could arrange transportation. The parties are therefore directed to do so.

Continued on page 620

1014.

MATTHEW DUROVEY (ALLEN)

vs.

MATTHEW DUROVEY (ANTHONY)

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plaintiff)

Filed Nov. 6, 1989
@ 2:02 p.m.

Tax & entry Paid 12.8.89 $50.50
Sheriffs costs 22.28
Pro Co Pd 12/8/89- 9.00

12/8/89 Rec'd 22.28 Sheriffs costs

12/11/89 Paid $22.28 To Howard Stewart, Sheriff GH 5350

TEMPORARY ABUSE ORDER:

And now, this 6 day of Nov. 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 of the minor children named in the petition.

2. Special Conditions: The defendant shall not go to the marital residence at 121 S. Pymatuning St. Linesville, Pa for any reason, nor shall the defendant take the plaintiff in this action or any other children into his custody for any reason.

3. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe ti 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 fo fees and costs.

Hearing is hereby set for Nov. 9, 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 THE COURT,
Robert L. Walker, J.

Nov. 9, 1989, Sheriffs Return filed. SERVED Matthew Anthony Durovey personally on Nov. 8, 1989 at 9:05 a.m. at his place of employment Viking Tool & Gage, Rt. 18, Conneaut Lake, Crawford County Pa.

So answers, Robert M. Stevens, Dep. Sheriff
Edgar D. Householder, Ch. Dep. Sheriff
Howard N. Stewart, Sheriff

Nov. 15, 1989 Order filed. AND NOW, November 9, 1989, after hearing, the following Order is entered:

1. The Defendnat shall not assault, abuse, harass, or threaten the Plaintiff or any other members of the immediate family.

2. The Defendant shall not go to the former marital residence at 121 South Pymatuning Street unless invited thereby his wife, Cheryl Durovey, and an invitation initiated by her.

3. The children shall remain in the custody of their mother at least until Children and Youth Services completes its investigation of this matter and by copy of this Order, Children and Youth Services is requested to furnish the Court a copy of any report of its investigation and recommendations and thereafter, appropriate visitation between the children and their father will be arranged.

4. This Order may be enforced by the Police Department of the Borough of Linesville or any other police agency having jurisdiction in the premises.

5. This Order shall continue in full force and effect for three months unless extended by the Court upon application of the Plaintiff or his mother.

6. The Defendant shall pay the record costs inthis proceeding within thirty (30) days if this date.

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

Nov. 16, 1989 Copies of order put in Gerald Sullivan and County Control's box.

Gerald Sullivan

1015.

Brian Lindsay

REBECCA SCHRECKENGOST

vs.

WILLIAM SCHRECKENGOST

Filed Nov. 6, 1989
@ 2:13 p.m.

Tax & entry	$50.50
Sheriff's Costs	27.20

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plaintiff)

TEMPORARY ABUSE ORDER:

And now, this 6th day of Nov. 1989 upon review of the petition of plaintiff, the ccurt enters the following temporary order.

1. The defendant shall nto assault, abuse, harass, or threaten the plaintiff or nay ofthe minor children named in the petition.

2. Special Conditions: The defendant shall not go to the marital residence at 462 Willow St, Apt. F, Meadville Pa. for any reason whatsoever, and shall not go to any other place where the plaintiff may be residing.

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 ccrut. Liability for payment of fees and costs will be determined by further order.

7. The Defendant is reminded that this is an order of ccurt 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 ccurt reserves ruling on allocation of fees and costs.

Hearing is hereby set for Nov. 13, 1989 at 1:00 p.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 to do so.

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

Nov 9, 1989 Sheriff's Return filed: SERVED William Schreckengost personally on November 8, 1989 at 11:16 A.M. by handing copy of Protection from Abuse to him at Sheriff's Office, Crawford County, Courthouse, Meadville, Pa.
So answers, Carole Stefanucci, Deputy Sheriff
Howard N. Stewart, Sheriff

Nov. 16, 1989 Order filed. AND NOW, November 13, 1989, at the time this abuse matter is before theCourt, counsel advise the Court they have amicably resolved everything but the custody and visitaiton issue. Accordingly, we enter the following:

1. Defendant shall not threaten, annoy, harass the Plaintiff in any fashion nor procure others to do so on his behalf.
2. The marital residence at 462 willow Street, Apartment F, is awarded to the exclusive possession of the mother and children.
3. The defendant shall not go to the said residence for any purpose.
4. When the Defendant procures transportation, he will notify his wife of a date and time when he will come and pick up the remainder of his personal possessions. The wife will accord him the opportunity to do so. When the Defendant appears, he will not have consumed alcoholic beverages or illegal drugs for a period of at least twenty-four (24) hours before said visit to pick up his personal belongings.
5. The Defendant apparently has a drinking problem and is currently enrolle din some type of AA or Drug & Alcohol counseling, and the parties are unable to reach a satisfactory agreement regarding custody or visitation. The Court urges the parties acting through their counsel to try to reach some mutually satisfactory arrangement whereby the father can have meaningful visits with the children. If the same cannot be agreed to, either party may petition for the appointment of a custody mediator. Temporary custody of the children shall remain with the Plaintiff.
6. This Order shall remain in force and effect for a period of one (1) year.
7. If the Defendant violates this Order, any police officer having reasonable grounds to believe the Order has been violated, may arrest the Defendant without a warrant, have him arraigned before a District Justice of the Peace and commit him to the Crawford County Jail and request an immediate hearing.
8. Crawford County to pay costs in this action.

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

Nov. 20, 1989 Copies of order put in Gerald Sullivan, Brian Lindsay and County Control's box.

Dec 13, 1989 Order filed: AND NOW, this 13 day of December, 1989, in consideation of the attached petition of the parties hereto, the Court hereby modifies the Protection from Abuse Order dated November 13, 1989 and hereby Orders the following:

1. The defendant shall not abuse, threaten to abuse or harass the plaintiff.
2. The defendant shall be permitted to go to or reside at the marital residence located at 462 Willow Street, Meadville, Pennsylvania.
3. This Order shall remain in force and effect for a period of one (1) year.
4. If the defendant violates this Order, any police officer having reasonable grounds to believe the Order has been violated, may arrest the defendant without warrant, have him arraigned before a District Justice of the Peace and commit him to the Crawford County Jail and request an immediate hearing.

Copy to County Control.

BY THE COURT,
P. Richard Thomas, J

Dec 13, 1989 Copies of order put in Attys. Sullivan and Lindsay's boxes & copy to Co. Control.

Gerald Sullivan

1016.

JANE E. SHILLING

vs.

LEWIS A. SHILLING

Filed Nov. 8, 1989
@ 10:27 a.m.

Tax & entry Pd 11/30/89 $50.50 ✓
Sheriff's Costs 23.00
Pro Co Pd 11/30/89 9.00 ✓

11/30/89 Rec'd $23.00 From DEFENDANT
11/30/89 Paid $23.00 To Howard Stewart, Sheriff Costs 4th # 5335

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plaintiff)

TEMPORARY ABUSE ORDER:

And now, this 8 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 of the minor children named in the petition.

2. Special Conditions: The defendant shall not to to the Reynolds Road residence of the plaintiff for any reason.

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

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 on allocation of fees and costs.

Hearing is hereby set for Nov. 17, 1989 at 9:00 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,

Nov 9, 1989 Sheriff's Return filed: SERVED Lewis A. Shilling personally by handing copy of Protection From Abuse to him on November 8, 1989 at 3:30 P.M. at his place of residence, Williams Street, Meadville, Crawford County, Pa.
So answers,
Robert M. Stevens, Deputy Sheriff
Edgar D. Householder, Chief Deputy Sheriff
Howard N. Stewart, Sheriff

Nov 20, 1989 Order filed: AND NOW, November 17, 1989, the matter is before the Court on an abuse petition and the Court reviews the facts informally.

There is a dispute about who is at fault for the assault that allegedly occured on November 4, 1989, but the defendant does not dispute that an abuse Order should be entered. Accordingly the Defendant is directed not to abuse, assault, threaten, or harass his wife any fashion. The parties mutually agree that at least at this time the husband's removal from the marital household is appropriate. Accordingly, the wife is granted exclusive custody of the residence at Reynolds Street, Meadville, Pennsylvania.

The parties admit the Defendant has certain tools, sporting goods, clothing, family pictures, a canoe, a CB set, a Crock Pot, and a frying pan at the household and it appears that mutual friends will come and collect said items on November 17th or 18th and deliver them to the Defendant/Husband.

The Defendant/Husband agrees he will not go to the residence unless he is specifically invited by his wife and the Court awards exclusive occupancy of the marital residence on Reynolds Street to the wife.

This Order shall remain in force and effect for a period of one year. Any police officer having reasonable grounds to believe that the abuse portions of this Order have been violated may apprehend the Defendant, have him immediately arraigned before a District Justice, and lodge him in the County Jail and request an immediate contempt hearing from the Court.

Costs in this case will be paid by the Defendant within thirty (30) days of receipt of a bill therefore from the Prothonotary.

The parties mutually agree that the canoe may be stored at the residence and the husband can make arrangements to come and get it at his convenience at some unascertained tme in the future.

Likewise, the parties mutually agree that the husband has a number of tools in a tool shed outside the premises and the wife agrees he may go there during the daylight hours at his convenience and remove his tools.

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

Nov 22, 1989 Copies of order put in Atty. Sullivan's box, mailed to Defendant, and given to Co. Control.

1989

Paul J. Carney, Jr
Carney & Heberle

1017.

Mahany, Roeder &
Rothschild
Tamera Ochs Rothschild

KRAIG CAPELA

vs.

KAREN CAPELA

Filed Nov. 8, 1989
@ 11:06 a.m.

Tax & entry Paid	$50.50
2 counts paid	30.00
Pro Co Pd 10/25/90	9.00
State paid	10.00
Pro Co Pd 1-11-91	8.00

COMPLAINT IN DIVORCE, DISTRIBUTION OF MARITAL PROPERTY, AND SPECIAL RELIEF

2 copies (atty)

June 28, 1990, Appearance of Mahany, Roeder & Rothschild, By Tamera Ochs Rothschild, attorneys for defendant, filed.

July 11, 1990 Motion tp Discontinue Trial De Novo and ORDER filed. 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 cancelled and discontinued.
P. Richard Thomas, Judge
July 13, 1990 Copy of Order to Attys. Paul Carney, Jr. and Tamera Ochs Rothschild.

Oct. 24, 1990, Affidavit of Service of Complaint Under Section 201(c) of the Divorce Code filed. I, Paul J. Carney, Jr. atty. for plff., hereby certify that a true and attested copy of the Complaint in Divorce in the above captioned matter, was served upon the defendant by Restricted Delivery, Ret. REc. Req. on Nov. 18, 1989. The ret. rec. is attached hereto and marked as Exhibit "A". Paul J. Carney, jr. Esq.

Oct. 24, 1990, Affidavit of consent of plaintiff filed.

Oct. 24, 1990, Affidavit of Consent of defendant filed.

Oct. 24, 1990, Motion for Decree filed.

Oct. 24, 1990, Upon praecipe of plaintiff attorney, to transmit the record, this case is hereby moved to court.

Oct. 30, 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, 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 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 from the date of the filing ofthe 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. ALIMONY: The parties hereto have waived and given up any rights they may respectively have against the other for alimony, support or maintenance and it shall be form the execution date of this Agreement, the sole responsibility of each of the respective parties to sustain themselves without seeking any support from the other party.
3. PENSION, ETC.: Each of the parties shall retain all pension and/or profit sharing plans, bank accounts, stocks, bonds, securities, credit union accounts and individual retirement accounts listed in their individual names.
4. A. Personal Property: The personal property of the parties has been amicably divided between the parties and each par ty shall beocme the sole and separate owner of the property now in his or her possession.
B. Motor Vehicles: The motor vehicles belonging to the parties have been amicably divided by them and each party shall become the sole and separate owner of the vehicle now in his or her possession.
C. Tax Exemption: The parties hereto are the natural parents of one (1) minor child. If in any particular year the Defendnat, Karen Capela, earns less than Ten Thousand and00/100 ($10,000.00) Dollars, them in that event the Plaintiff, Kraig Capela, shall be entitled to claim their minor child as an e xemption for income tax purposes. This right to claim said exemption is contingent upon Kraig Capela being current on his child support obligation at the time the exemption is to be credited. It he is in arrears on child support at said time them he shall loose the right to claim the minor child as an exemption for income tax purposes.
5. DEBTS: Each party shall remain responsible for one-half of the debts owing Lakeside Obstetricians And Gynecologists, Inc. and Hamot Medical Center which debts were incurred at the time of the birth of their minor child. Credit shall be given for all payments made prior to the entry of this decree. Each par ty shall also be solely responsible for debts incurred in his or her individual name. Each pa rty shall hold theother harmless and indemnified for his or her respective share of said debts.
6. SPECIAL RELIEF: Each party shall be barred from bringin any further claims for special relief as per Count III of the Complaintif in Divorce filed in this action.
7. EXECUTION OF DOCUMENTS: Each party shall execute any and all documents which may require his or her signature for the purpose of effectuating all ofthe terms and conditions of this decree so as to give full force and effect to this decree.
8. INVENTORY AND INCOME AND EXPENSE STATEMENT: Neither party hereto shall be required to file an Inventory and Appraisement or Income and Expesne STatement in accordance with the Pennsylvania Rules of Civil Procedure.
BY THE COURT,
P. Richard Thomas, S.J.

Jan 11, 1991 Notice of Resumption of Maiden Name Upon Divorce filed. (To be Known as Karen Renae Snapp)

1989

Barrett & Dratler
Bruce A. Barrett

1018.

JENNIFER LEE MILLER

vs.

JERRY LEE MILLER

Filed Nov. 8, 1989
@ 11:12 a.m.

Tax & entry Paid	$50.50
1 count paid	15.00
Pro Co pd 1/25/91	9.00
State pd 1/25/91	10.00

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE, CUSTODY AND VISITATION

1 copy (atty)

Nov 14, 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 November 8, 1989.

The registered mail was sent to Jerry L. Miller at R.D.#3, Conneautville, Pa 16406. The senders receipt is attached hereto.

4. That the Defendant received said registered mail on November 9, 1989. Said receipt card number P 966 074 354 is attached hereto and signed by Jerry L. Miller.

Bruce A. Barrett,
Attorney for Plaintiff

Jan. 10, 1991 Affidavit Of Consent of Plaintiff filed.

Jan. 25, 1991 Affidavit of Consent of Defendant filed.

Jan. 25, 1991 Upon praecipe of Plaintiff Attorney For Review Under §201(c) of the Divorce Code, this case moved to court.

Feb. 5, 1991 **D I V O R C E D E C R E E F I L E D .**

AND NOW, February 5, 1991, it is ordered and decreed that Jennifer Lee Miller, plaintiff, and Jerry Lee Miller, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J

1989

Barrett & Dratler
Bruce A. Barrett

1019.

Brian J. Lindsay

JEFFREY LEE PARSONS

vs.

DARLENE ELIZABETH PARSONS

Filed Nov. 8, 1989
@ 11:13 a.m.

Tax & entry Paid	$50.50
1 count paid	15.00
1 count paid 9/20/90	15.00
State pd. 9/20/90	5.00
Pro Co Pd 10/23/90	9.00
State paid	10.00

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE
CUSTODY AND VISITATION

1 copy (atty)

Nov 14, 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 in the Attorney for th 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 November 8, 1989.

3. The registered mail was sent to Darlene Parsons at R.D.#5, Box 729, Meadville, Pa 16335. The senders receipt is attached hereto.

4. That the Defendant received said registered mail on November 10, 1989. Said receipt card number P063 588 977 is attached hereto and signed by Darlene Parsons.

Bruce A. Barrett,
Attorney for Plaintiff

Sept. 20, 1990 Request for Equitable Distribution filed. (1 copy atty.)

Sept 21, 1990, Acceptance of Service of Petition for Equitable Distribution on 21st day of Sept. 1990, by Brian J. Lindsay, attorney for defendant, filed.

Sept 21, 1990, Affidavit of Consent of plaintiff filed.

Sept. 21, 1990, Affidavit of Consent of defendant filed.

Oct. 23, 1990, UPon praecipe of plaintiff attorney for Review under 201(c) of the Divorce Code, this case moved to court.

Oct. 30, 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, after presentation and consideration of the attached Stipulation of the parties and the Court being satisfied that all requirements have bee met under Section 201(c) of the Pennsylvania Divorce Code, the Court hereby enters the following Decree of Divorce:

1. DIVORCE: the marital bond that has existed between Jeffrey Lee Parsons, (hereinafter referred to as "Husband"), and Darlene Elizabeth Parsons, (hereinafter referred to as "Wife), is dissolved.

2. PERSONAL PROPERTY: The Wife shall receive and retain sole ownership and possession of all items of personal property currently located in the jointly owned marital residence, together withthe contents of the out-building located upon the property.

3. MOTOR VEHICLES: The Wife shall retain sole ownership and possession of the 1982 Chevrolet Station Wagon, currently in her possession. The Husband shall receive sole ownership and possession of a motorcycle currently in his possession as well as an Ivero pickup truck currently in his possession.

4. PAYMENTS TO WIFE: As part of the division of marital property, the Husband shall to pay directly to the Wife the sum of Three Hundred Twenty-Five and No./100ths ($325.00) Dollars every two weeks commencing June 15, 1990. The parties agree that the Husband shall make said payments for a period of one (1) year, from June 15, 1990, however, in the event that the Wife shall sell the marital residence, as is set forth below, them the Husband's payment shall be reduced by the sum of One Hundred Nineteen and 50/100ths ($119.50) Dollars per month.

5. REAL ESTATE: The parties are the owners of real estate located at RD #5, Meadville, Crawford County, Pennsylvania, said property having been purchased during the parties' marriage.

With regard to the jointly owned real estate of the parties. Husband shall, within fifteen (15) days of the date that the Divorce Decree is approved by the Court, deliver to wife an executed Deed conveying his interest in the marital estate to wife.

6. MOBILE HOME: There is a 1973 Astro Mobile Home Trailer on the marital real estate and the parties acknowledge that the outstanding balance on the purchase money repayment obligation will be paid off in full in approximately four (4) years and that Wife shall assume responsibility for the repayment obligation on said mobile home. At the time the repayment obligation is paid in full, the Husband shall execute a transfer of title, conveying his interest inthe Astro Mobile Home to the Wife. Said transfer of title shall be delivered to Wife within fifteen (15) days after the Husband has been notified that the repayment obligation has been satisfied.

In the event that, prior to the repayment obligation for the Astro Mobile Home having been paid in full, and prior to the Astro title being transferred from the Husband to the Wife, Wife contracts to sell the astro Mobile Home, the Husband shall join in the conveyence and sign any and all documents necessary to effectuate the transfer of title to the Astro Mobile HOme. The Husband shall not receive compensation or share form the net proceeds of the sale.

7. INSURANCE POLICIES: Husband shall name the parties' four (4) minor children, and any children born to the Husband after this date, as equal beneficiaries on a life insurance policy provided by his employer, Astro Manufacturing, for as long as the policy is in effect.

8. PENSIONS: The parties hereby release each other form any claims or demands that they may now or hereafter have to share in th eother party's pension.

9. DEBTS: (a) Wife shall make payment to Wickes in the approximate sum of Twenty-Five ($25.00) Dollars per month for all obligations incurred at Wickes by Husband prior to August 1, 1990, in the approximate sum of Four Hundred ($400.00) Dollars. (B) The Husband shall pay to the Wife an amount equal to fifty (50%) percent of any lump sum settlement he receives as a result of a claim made for an accident suffered by the Husband during the course of his employment with Astro Manufacturing. The Wife shalln ot be entitled to receive any share of the Workmen's Compensation payments that are currently being made to Husband on a twice-per-month basis. (C) Wife shall soley repay and be responsible for a charge account with J. C. Penney's and that when the balance of approximately Eighty-five ($85.00) Dollars has been paid off, the account will either be closed or changed into the Wife's name alone, at her option. (D) Husband shall solely repay and be responsible for a charge account with Kaufman's and that then the balance has been paid off, the account shall either be closed or changed into the Husband's name alone, at his option. (E) Wife shall be solely responsible for any balance due on a charge account with the Fashion Bug.

10. CHILD CUSTODY: (A) The parties shall share legal custody of their minor children; Jennifer, Jason, Jessica and Justin, and shall discuss decisions concerning medical treatment, religious instructions, education and any other important matters aaffecting the children. Each parent shallhave access to medical and school records and shall be provided copies thereof promptly upon request. (B) Primary physical custody of the children shall be with Wife subject to visitation rights of the Husband, as may be mutually agreed between the parties. (C) In the event that the parties are not able to reach a muutal agreement concerning the Husband's right of visitation, then the Husband shall have the right to visit with all hims minor children and to have the children visit with him at his residence, every other weekend, being the first and third weekends of each month, commencing at 9:00 a.m. Saturday and ending at 5:00 p.m. on Sunday. Husband shall be provide transportation to return the children to their residence and Wife shall provide transportation to deliver the chidlren to the Husband's residence, unless the aprties otherwise agree. (D) Both parents shall teach the children to give the other parent the love and respect which is due to a parent and neither parent shall say or do anything that will in any way tend to turn the children agains tth eother parent. The parties agree to notify the other in the event that nay of the children become seriously ill or are involved in any accident resulting in injury.

BY THE COURT,

P. Richard Thomas, S.J.

1989

Barrett & Dratler
Bruce A. Barrett

1020.

W. W. GRAINGER, INC.

vs.

JAMES SCHWABB, INDIVIDUALLY
AND d/b/a
SCHWABB COLONIAL ESTATES

Filed Nov. 8, 1989
@ 11:13 a.m.

Tax & entry Paid	$50.50 ✓
Sheriff's Costs	37.40
Pro Co Pd 12/22/89	9.00 ✓

COMPLAINT

2 copies (sheriff)

Dec. 13, 1989 Sheriff's Return filed. SERVED James Schwabb on November 21, 1989 at 11:55 AM by handing copy of Complaint to Cynthia Schwabb, his wife, at residence, 522 E. Spruce Street, Titusville, Crawford County, PA.
SERVED J. B. Schwabb Colonial Estates on November 21, 1989 at 11:56 AM by handing copy of Complaint to Cynthia Schwabb, wife of owner, at his residence, 522 E. Spruce Street, Titusville, Crawford county, PA.
So answres, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

And Now, Dec. 22, 1989, at 11:20 a.m. upon praecipe of plaintiff attorney with default notice attached, Judgment is hereby entered in favor of the plaintiff and against the defendant for failure to file answer, in the sum of Two Thousand Eight Hundred Ninety One and 46/100 Dollars, with int. from 8/14/89.
Judgment entered - 12/22/89
S - 96, 186 Debt -- $2,891.46
Int. from 8/14/89
JUDGMENT
James F. Simmons,
Prothonotary

Ex 1990-65

1989

May, Long & Sanders
Russell R. Sanders

1021.

GENERAL MOTORS ACCEPTANCE CORPORATION

vs.

ROBERT R. NAPLES

Filed Nov. 8, 1989
@ 11:37 a.m.

Tax & entry Paid	$40.50
bal. pd 11/13/89	10.00
Sheriff's costs	20.00
Pro Co Pd 12-29-89	9.00

COMPLAINT IN CIVIL ACTION (ASSUMPSIT)

1 copy (sheriff)

Dec. 4, 1989 Sheriff's Return filed. SERVED Robert R. Naples on November 13, 1989 at 9:15 am by handing copy of Complaint to Sam Naples, his brother, at their residen ce, 632 Warren Avenue, Meadville, Crawford County, Pa.

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

AND NOW, Dec 29, 1989 @ 11:05 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 answers and damages are hereby assessed in the amount of Nine Thousand Seven Hundred Fifty-six and 44/100, with interest from September 12, 1987 and reasonable attorneys' fees on Court I, and judgment in the amount of Nine Thousand Thirty-seven and 01/100 Dollars with interest from October 7, 1987 and reasonable attorneys' fees on Court II.

N-141

Debt .....$19,693.45 + int & Atty fees

JUDGMENT

James F. Simmons
Prothonotary

Jan. 5, 1990 Notice of Judgment mailed defendant.

Kathleen R. Nelson

1022.

KIMBERLY S. PIERCE

vs.

JOHN T. PIERCE

Filed Nov. 8, 1989
@ 1:19 p.m.

Tax & entry Paid	$50.50
2 counts paid	30.00
William Pineo, Mediator	92.00
Pro Co 1/15/90	9.00
Pro Co. Pd 5/8/91	9.00
State Pd.	10.00

1/8/90 Recd $46.00 from Plaintiff
1/25/90 Recd $46.00 from Defendant
Recd 2-1-90
$46.00
Vivian Stoltz

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

1 copy (atty)

Nov. 15, 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, John To. Pierce, on Nov. 9, 1989.

3. The registered mail was sent to John T. Pierce, 231 McArthur Road, Jamestown, Pa 16134. The sender's receipt for said registered mail is attached hereto.

4. That the Defendant received said registered mail on Nov. 13, 1989. Return Receipt card P 076 254 139 is attached hereto, signed by John T. Pierce and made a part hereof.

Kathleen R. Nelson, Esq.

Nov. 17, 1989 Motion For Appointment Of Custody Mediator and Order filed. AND NOW, November 17, 1989, upon presentation of the herein Motion, the parties and their respective counsel are Ordered to appear before William Pineo, Child Custody Mediaotr, at such time and place as the Child Custody Mediator shall determine, and it is further Ordered that pending mediation, the Defendant/Father shall be entitled to visit and take the cihld into his custody each weekend from Saturday at 6:00 p.m. Until Monday at 3:00 p.m.

BY THE COURT,
P. Richard Thomas, J

1 copy (atty) 1 copy (mediator)

Jan 4, 1990 Temporary Order filed: AND NOW, this 3rd day of January, 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 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 minro child. Each party shall keep the other informed of his or her telephone number and address.

3. The father shall have physical cusotdy of the subject minor child every week from Sunday at 10:00 a.m. through Wednesday at 9:00 a.m. at which time he shall deliver the child to the preschool which the child attends in Jamestown. The mother shall have physical custody of the subject minor child each week fro Wednesday at 9:00 a.m. through Sunday at 10:00 a.m.. She shall pick the child up at the preschool when the session is over.

4. The parties have noted for the Court that there is friction between the father and the child's maternal grandmother. When the father picks his child up at the home of the child's mother, either the mother or the maternal grandfather shall deliver the child to him.

5. The mediator notes for the Court that the father is looking for work in Indiana and elsewhere out of the immediate area. Should his efforts prove successful and he moves from Crawford County, then the father shall have physical custody of his child each summer from June 15 through August 15 and the mother from August 15 through June 15 of the following year. In the event of such a move, holiday visitaitons shall be arranged as follows:

The Christmas visitations period shall be divided into two intervals, the first beginning on December 23, and ending December 27, and the second beginning on December 27 and ending January 1. For the first Christmas following the move, the mother shall have the first period and the father the second, and the parties shall thereafter alternate the periods. The Thanksgiving visitation period shall begin on the Wednesday prededing Thanksgiving at 5:00 p.m. and end the Sunday o
after at 5:00 p.m.. The Easter visitation period shall begin on Good Friday at 5:00 p.m. and end on Easter Sunday at 5:00 p.m.. The mother shall have the child for the Thanksgiving or Easter period directly following the fther's move and the parties shall thereafter alternate the Thanksgiving and holiday periods so defined. The party not having physical custody of the subject minor child shall have the right to telephone him at reasonable times afor reasonable lengths of time.

In addition, the parties shall arrange reasonable weekend visitation giving due regard to the distance to which the father has moved.

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, 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 do do likewise and also not to disparage the other party in the child's estimation.

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

12. Costs and fees of this Mediation, which are fixed at $92.00, 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.

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, J.

Jan 8, 1990 Copies of order put in Attys. Nelson, Barrett and Pineo's boxes and copies mailed to plaintiff and defendant.

Continued on Pg. 472A

1989

Continuation of Pierce vs. Pierce (No. AD 1989 - 1022)

Apr. 29, 1991, Affidavit of Consent of defendant filed.

May 1, 1991, Affidavit of Consent of plaintiff filed.

May 3, 1991 Motion to Withdraw Count and Order filed. AND NOW, May 3rd, 1991, Count II of the Divorce Complaint filed at A.D. 1989 - 1022 in the Court of Common Pleas of Crawford County is hereby withdrawn.

By the Court,
Gordon R. Miller, J

May 7, 1991 Copy of order to Kathleen Nelson

May 6, 1991 Upon Praecipe of Plaintiff attorney for review Under §201(c) of the Divorce Code, this case moved to Court.

May 13, 1991 **D I V O R C E D E C R E E F I L E D .**

And now, May 13, 1991, it is ordered and decreed that KIMBERLY S. PIERCE, plaintiff, and JOHN T. PIERCE, defendant, are divorced from the bonds of matrimony.

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

422B

1987

1989

Hutzelman, Walsh and Walsh
Stephen H. Hutzelman

1023.

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

William J. Shaaaf

MARY L. HICKS AND MICHAEL L. HICKS, HER HUSBAND

vs.

FULLER, KINNUNEN, PETRUSO AND GAMBLE, AND ANN HANSEN GAMBLE

Filed Nov. 8, 1989
@ 1:47 p.m.

Tax & entry Paid	$50.50
Sheriff's costs	43.40
Pro Co pd 1-12-93	6.00

SUMMONS IN CIVIL ACTION

Issued (sheriff)

Dec. 1, 1989 Notife Of Filing Request For Production filed.

Dec. 6, 1989 Sheriff's Return filed. SERVED Fuller, Kinnunen, Petruso and Gamble Law Firm on November 14, 1989 at 3:12 PM by handing copy of Summons to Attorney Vi ctor J. Kinnunen, Partner, ath Office, 206 Park Bldg,Titusville, Crawford Co., Pa.
SERVED Ann Hansen Gamble on Nov. 14, 1989, at 3:13 pm by handing copy of Summons to Attorney Victor J. Kinnunen, Partner, at Office, 206 Park Bldg. Titusville, Crawford Co., Pa.

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

Mar. 9, 1990 Complaint filed.

Mar. 9, 1990 Affidavit of Service filed. I, Stephen H. Hutzelman, esquire, hereby state that on March 8, 1990, I sent to Defendants, Fuller, Kinnunen, Petruso & Gamble, at 206 Park Building, Titusville, Pennsylvania 16354 and Ann Hansen Gamble, Esquire, at 206 Park Building, Titusville, Pennsylvania 16354, a copy of Plaintiff's Complaint at Law. Service was made by first class mail. Stephen H. Hutzelman

June 28, 1990 Motion For Preliminary Objection/ Motion To Strike On Behalf Of Defendants filed.

June 28, 1990 Upon praecipe of Defendant attorney the above case is placed on the next available argument list.

ON JULY 1990 ARGUMENT LIST

Aug. 7, 1990 Order filed. And now, this 6 day of August, 1990, we find that the facts as pled in the Plaintiffs' complaint do not support a cause of action for unfair trade practices under the Pennsylvania Consumer Protecton Act, 73 Pa.C.S.A. §201, et seq. Accordingly, we grant the Defendants' MOtion to Strike Counts V and VI alleging violations under that Act.
BY ORDER OF THE COURT,
P. Richard Thomas, J

Aug. 8, 1990 Copies mailed to counsel of record.

Sept 24, 1990, Amended Complaint at Law filed.

Sept. 24, 1990, Affidavit of Service of Amended Complaint at Law filed. I, Stephen H. Hutzelman, Esq. hereby state that on Sept 21, 1990 I sent to the Atty. for the Defendants, Eugene C. Sundberg, a copy of Plaintiff's Compalint at Law. Service was made by first class mail at the following address: Eugene C. Sundberg, esq. 300 state St. Suite 300, Erie, Pa. 16507. Stephen H. Hutzelman, Esq.

Nov. 26, 1990, Answer and New Matter of Fuller, Kinnunen, Petruso and Gamble, and Ann Hansen Gamble, filed.

Dec 6, 1990 Reply to New Matter filed.

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

1989

Bettie Peterson-Muth

Blystone & Blystone
Curtis E. Blystone

1024.

David P. Truax
Barbara J. Walton

Kathleen Nelson

JOHN B. WASHBURN

vs.

KATHLEEN I. WASHBURN (Burch)

COMPLAINT IN CUSTODY

1 copy (atty)

ORDER:

You, Kathleen I. Washburn dft. have been sued in court to obtain custody of a minor child, namely Dennis Allen WAshburn.

You are hereby ordered to appear in person in C. R. NO. 1 or 2, Crawford CountyCourthouse, Meadville, Pa. at 9:00 a.m. prevailing local time on Nov. 22, 1989.

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 Assoc. Ser. tothe public Comm. c/o Prothonotary, court House Meadville, Pa. 16335. 814 724-4636. (1 copy -atty)

Date: BY THE COURT:
Robert L. walker, J.

Filed Nov. 8, 1989
@ 3:24 p.m.

Taxx & entry Paid $50.50 ✓
Mediation Cost 47.00
Pd 1/2/90 9.00 ✓
William Pineo Mediator 152.00
William Pineo Mediator 102.00 ✓
Pro Co Pd 5-27-93 Ch#B560 9.00
Refund Pd 5-18-94 9.00

1/2/90 Ky Reed $ 23.50 from DEFENDANT

Nov. 8, 1989, Petition for Special Relief (Temporary Custody) filed. 1 copy (atty)

Nov. 8, 1989, ORDER filed. AND NOW, this 8th dayof Nov. 1989, upon consideration of the petition of John B. Washburn for Special REleif (temporary custody), the court hereby directs and orders as follows:

1. Counsel for petitioner, John B. Washburn, shall attempt to cause proper service of the Complaint in Custody endorsed with the order and notice of this court entered pursuant to Pa. Rule of Civil Procedure 1915.15(b) conjunctively herewith, the petition for Special Relief and this order to be properly served upon respondent/defendant, Kathleen I. Washburn, as expeditiously as possible and prior to 10 days before the hearing hereinafter scheduled.

2. Hearing on the Petition for Special RElief (temporary custody) is scheduled for Nov. 22, 1989 at 9:00 a.m. in Court Room No. 1 or 2, Crawford County, Courthouse, Meadville Pa. The respondent/defendant, Kathleen I. washburn is ordered to appear in person with t he child Dennis Allen Washburn at the hearing.

(1 copy - atty) Robert L. Walker, J.

1/2/90 Ky Reed. $23.50
From Plaintiff

Recd 12-29-89
$23.50
Vivian Stoltz

Recd 2/1/90
$23.50
Vivian Stoltz

Apr. 6, 1993 $150.00
mediator deposit
by Defendant

5-13-93 Rel Med Bal.
to dft ck# 7536 95.00

5-27-93 Pd Co Com
med fees 57.00
Ch# 7559

5-18-94 Rec from dft
Med Fee 76.00

6-2-94 Pd Comm
Med fee for 5-29-92 Co
Ch# 8355 76.00

10-11-96 Rec from Dft
med fee 127.00

Nov. 22, 1989 Order filed. AND NOW, November 22, 1989, at the time fixed for a hearing, the Defendant having failed to appear, and there apparently having been some confusion over the possible existence of an amicable agreement, this Court finds as a fact that jurisdiction of this matter under the Uniform Child Custody Jurisdic tion Act is in Crawford County, Pennsylvania. This case is referred to William Pineo, as Custody Mediator, to hold a custody mediation conference on December 1, 1989 at 2:00 o'clock p.m. After the mediation and the custody mediator's report and suggested temporary Order, the time within which to request a hearing de novo before the Court is fixed at ten (10) days from the date of the entry of the temporary Order, with the hope that a de novo hearing, if required, can be accomplished prior to Christmas.

The Defendant is advised that if she fails to appear with the child for the custody mediation hearing or any further proceedings in this court, she will be subject to sanctions for contempt and that this Court will request the assistance of the appropriate court in the State of Maryland in the enforcement of this Order or any future Orders under the Uniform Child Custody Jurisdiction Act.

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

Nov. 22, 1989 copies put in Curtis Blystone, David P. Truax and Wm. Pineo , atty's boxes.

Nov. 28, 1989, Affidavit of Service filed. The undersigned, Mark B. Smith, deposes and says that he is adult individual who resides at Sheriffs dept. Calvert Co Sheriff and that on Nov. 9, 1989, at 8 p.m. he served a true and attested copy of complaint in Custody and Order and Notice, Petition for Special Relief (Temporary Custody) and Order of Court dated Nov. 8, on dft. by handing same to her personally at her place of residence at 3619 7th sT. North beach Maryland, 20714. Dep. Mark B. Smith.

Dec. 7, 1989 Temporary Order filed. AND NOW, this 7th 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. counsel for the parties have advised the Mediator that the parties have resumed cohabitation and are attempting to reconcile their differences. The matter is therefore continued generally and further Mediation may be set on Motion of either party.
2. Neither party may remove the subject child from the jurisdiction of this Court without the consent of the other party.
3. Costs and fees of this Mediation, which are fixed at $47.00, 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.
4. 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,
Roberrt L. Walker, J

Dec. 8, 1989 Copies of order put in Curtis Blystone, David Truax and William Pineo's box and copies mailed to plaintiff and defendant.

Apr. 21, 1992 Custody Complaintand Order filed. ORDER: You, John Washburn, have been sued in Court to obtain custody of Dennis Allen Washburn.

You are ordered to appear for a hearing before William Pineo, Child Custody Mediator, at such time and place as he shall designate.

If you fail to appear asprovided 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.

Dated: April 20, 1992 BY THE COURT:
Anthony J. Vardaro, J.

Apr. 21, 1992 copy put in Atty Pineo's box. Apr. 27, 1992 copy in box for C. Blystone & D. Truax

Continued of Record to Page 657.

1989

Clarence D. Neish
Dep. Atty. General

1025.

COMMONWEALTH OF PENNSYLVANIA

vs.

1980 AUDI 4000 SEDAN 4 DOOR
AND $350.00 CASH

(Keith A. Butler)

Filed Nov. 8, 1989
@ 3:33 P.M.

Entry 11/11/89 $50.00

PETITION FOR FORFEITURE AND CONDEMNATION

1 copy (atty)

RULE TO SHOW CAUSE:
AND NOW, this 8 day of Nov. 1989 a rule is issued upon Deith A. Butler, owner and/or possessor of the within defendant/property, to show cause why the prayer and order of the 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 of the attached Petition and this Rule upon Keith A. Butler, 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 the said property, any law or rule of court to the Contrary notwithstanding.
Notice shall be given in accordance with the law.
BY THE COURT,
P. Richard Thomas, J.

Jan. 30, 1990 Motion For Order Of Forfeiture and Order filed.
AND NOW, this 25 day of Jan., 1990, a Petition for Forfeiture having been filed by the Commonwealth of Pennsylvania, and there appearing that no challenge 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 Keith A. Butler or any other claimant in the defendant/property are hereby declared to be terminated, revoked and rendered null and void. The One 1980 Audi 4000 4 door Sedan VIN No. 81A0089676 and $350.00 Cash is hereby condemned and forfeited to the Commonwealth of Pennsylvania, Office of Attorney General, Bureau of Narcotics Investigation and Drug Control pursuant to the Judicial Code, Chapter 68, Controlled Substances Forfeitures, Sections 6801-6802, 42 Pa. C.S.A. Section 6801 et seq, for use, sale or disposition in accordance with the law.
The registration heretofor 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 offical 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. 31, 1990 Copy mailed to Clarence D. Neish

1989

1026.

Watts, Pepicelli,
Youngs and Youngs PC
Theodore H. Watts

TAMMY KEENO

vs.

MICHAEL DEAN RATCHFORD, JR.

Filed Nov. 8, 1989
@ 4:14 p.m.

Tax & entry Paid $50.25 ✓

APPEAL OF DEFENDANT FROM JUDGMENT OF
HUBERT E. VOGAN, DISTRICT JUSTICE 30-3-02

Nov. 8, 1989, Rule Entered upon Plaintiff to file Complaint entered.

Nov. 13, 1989, Proof of Service filed.

1989

Thomas, Truax, Spadafore, Vardaro and Walker
R. Charles Thomas

1027.

BRYON D. BARNES, BY HIS MOTHER AND NATURAL GUARDIAN, DEBRA S. NOEY, AND DEBRA S. NOEY AND GEORGE NOEY IN THEIR OWN RIGHT

vs.

PENNSYLVANIA ELECTRIC COMPANY

Filed Nov. 8, 1989
@ 4:17 p.m.

Tax & entry Paid $50.50 ✓
Sheriff's Costs 23.00
Pro Co Pd. 4/12/91 6.00 ✓

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Dec. 5, 1989 Writ Return filed. SERVED Pennsylvania Electric Company on November 13, 1989 at 9:25 am by handing copy of Summons to Frederick Casper Yenny, General Supervisor, at place of business, Park Avenue Extension, Meadville, Crawford County, PA.
So answers,

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

Apr. 10, 1991 upon praecipe of pl aintiff attorneys, the above captioned case is hereby settled and discontinued of record.

Gerald Sullivan
Legal Services
1028.

PATTY PETERGAL

vs.

KERRY LOUCKS

Filed Nov. 8, 1989
@ 4:31 p.m.

Tax & entry	$50.50
Sheriffs costs	28.16
Pro co	9.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plaintiff)

TEMPORARY ABUSE ORDER:

And now, this 8 day of Nov. 1989, upon review of the petitoin of plaintiff, the court enters the followering 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 Go to Pl's premises.

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 Nov. 17, 1989 at 3:30 p.m. in C. R. No. 1 or 2 of the Crawford CuntyCourthouse. 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. 13, 1989, Sheriffs Return filed. SERVED Kerry Loucks personally on Nov. 9, 1989 at 4:00 p.m. by handing copy of Peotection From Abuse to him at Sheriff's Office, Crawford County Court House, Meadville, Pa.
So answers, Carole Stefanucci, Dep Sheriff
Howard N. Stewart, Sheriff

Nov. 20, 1989, ORDER filed. AND NOW, Nov. 17, 1989 after hearing, the court notes that the defendant is absent, but telephoned this office to advise that his planned transportation was not available, and that he would not be attending the hearing, at which time he was advised that the hearing would be concluded in any event, and the following Order is entered:

1. The defendant shall not assault, abuse harass or threaten the plaintiff or the plaintiff's minor child.

2. The defendant shall not go to the residence of the plaintiff at Springboro Country Place, Springboro, Pennsylvania, for any reason whatsoever.

3. The defendant shall pay the record costs in this matter within thirty (30) days of this date.

4. This order will remain in full force and effect for a period of one (1) year from this date unless modified or terminated by further order of court.

5. The Pennsylvania State police or any other police agency having jurisdiction may enforce this order in accordance with the Protection from Abuse Act.

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

Nov. 22, 1989 copies of order to Gerald Sullivan, dft. and county control.

1989

Mazzotta, McCague & Associates, P.C.
Donald S. Mazzotta

1029.

GENERAL MOTORS ACCEPTANCE CORPORATION

vs.

HOWARD W. ARTMAN

Filed Nov. 9, 1989
@ 2:39 p.m.

Tax & entry Paid $50.50 ✓

Sheriff's costs 26.00

Pro Co Pd 1-17-90 9.00 ✓

COMPLAINT IN CIVIL ACTION

1 copy (Sheriff)

Dec 29, 1989 Sheriff's Return filed: I accept service of the Complaint in Assumpsit No. AD 1989-1029 on behalf of Howard W. Artman and certify that I am authorized to do so.
12-8-89 Kay L. Artman

SERVED Howard W. Artman on December 8, 1989 at 2:25 P.M. by handing copy of Complaint to Kay L. Arman, his Authorized Agent, 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, Jan 17, 1990 @ 11:26 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 the same is liquidated in the amount claimed in Complaint, Four Thousand Three Hundred Fifty-eight and 63/100 Dollars; Interest from 5-3-89 to 1-16-90, One Hundred Seventy-four and 35/100 Dollars; Costs of suit; TOTAL Four Thousand Five Hundred Thirty-two and 98/100 Dollars.
A-84 Debt.....$4,532.98 + costs
JUDGMENT
James F. Simmons
Prothonotary
Jan 18, 1990 Notice of Judgment mailed defendant.

1989

Mazzotta, McCague &
Associates, P.C.
Donald S. Mazzotta

1030.

GENERAL MOTORS ACCEPTANCE
CORPORATION

vs.

JAMES A. BARKSDALE

Filed Nov. 9, 1989
@ 2:50 p.m.

Tax & entry Paid $50.50 ✓
Sheriff's Costs 26.00
Pro Co Pd 1/12/90 9.00 ✓

COMPLAINT IN CIVIL ACTION

1 copy (sheriff)

Dec. 6, 1989 Sheriff's Return filed. SERVED James A. Barksdale personally on November 17, 1989 at 11:20 AM by handing copy of Complaint to him at residence , R.D.#7, Box 308, Meadville, Crawford County, Pa.
So answers, Robert M. Stevens, Dep. Sheriff
Howard N. Stewart, Sheriff

And Now, Jan. 12, 1989, upon praecipe of plaintiff attorney, with affidavit of Non Military service and certification ofmailing of notice of intent to take default judgment attached, Judgment is hereby entered in favor of the plaintiff and against the defendant in the sum of Six Thousand Six Hundred Thirty Seven and 27/100 Dollars. (includes $331.07 interest)

Judgment entered - 1/12/90
B - 94 Debt - $6,637.27
JUDGMENT
James F. Simmons,
Prothonotary

Jan. 15, 1990, Notice of entry of judgment mailed to the defendant.

Mar. 1, 1990, Interrogatories for Discovery of Assets in Aid of Execution filed.

1989

Thomas, Truax , Spada-
fore, Vardaro & Walker
David P. Truax

1031.

DALLAS E. ANTHONY

vs.

ARVILLA L. ANTHONY

Filed Nov. 9, 1989
@ 2:55 p.m.

Tax & entry Paid $50.50

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

Nov. 16, 1989 Affidavit Of Service Of Complaint In Divorce filed. David P. Truax, Esquire, being duly sworn according to law, deposes and says that on November 10, 1989, he sent a true and correct copy oftheComplaint In Divorce, properly endorsed with the Notice To Defend, filed in the above action to the Defendant, ARvilla L. Anthony, at Defendant's last known address of Box 452, Atlantic, PA 16111, by Certified Mail No P 425 657 266, postage prepaid, restricted delivery, return receipt requested, and that attached hereto is a duly executed return receipt card showing date of delivery as 11/13/89

David P. Truax

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 11/16/89 . 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

Thomas, Truax , Spadafore, Vardaro & Walker
David P. Truax

1032.

PERRY M. RUBNER, JR.

vs.

CYNTHIA MARIE RUBNER

Filed Nov. 9, 1989
@ 3:14 p.m

Tax & entry Paid	$50.50 ✓
Pro Co pd 2/21/90	9.00 ✓
State pd 2/21/90	10.00

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

1 copy (atty)

Nov. 16, 1989 Affidavit of Service Of Complaint In Divorce filed. David P. Truax, Esquire, being duly sworn according to law, deposes and says that on November 10, 1989, he sent a true and correct copy ofthe Complaint In Divorce, properly endorsed with the Notice To Defend, filed in the above action to the Defendant, Cynthia M. Rubner, at Defendant's last known address o 180½ S. Main Street, Cambridge Springs, PA 16403, by Certified Mail No. P 425 657 225, postage prepaid, restricted delivery, return receipt requested, and that attached hereto is a duly executed return receipt card showing date of delivery as 11/13/89.
David P. Truax

Feb. 12, 1990, Affidavit of Consent of plaintiff filed.

Feb. 15, 1990 Affidavit Of Consent of Defendant filed.

Feb. 15, 1990 Upon praecipe of Plaintiff Attorney For Review Under Section 201(c) of the Divorce Code, this case moved to Court.

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

AND NOW, March7, 1990, it is ordered and decreed that Perry M. Rubner, Jr., plaintiff, and Cynthia Marie Rubner, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J

1989

Thomas, Truax, Spadafore, Vardaro & Walker
David P. Truax

1033.

MARY J. STEWART

vs.

JOHN E. SANDERS

Filed Nov. 9, 1989
@ 3:59 p.m.

Tax & entry	$50.50
William Pineo, mediator	47.00

COMPLAINT FOR CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER:

You, JOhn E. Sanders, Dft, have been sued in court to confirm custody in the plaintiff herein of the child, Jonell Rose sanders.

You are ordered to appear in person for a conference at such time and place as may be set by WILLIAM PINEO, ESQ., CHILD CUSTODY MEDIATOR.

If you fail to appear as provided by the 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 Assoc. Ser. to the Pub. Comm.
c/o Prothonotary, Courthouse, Meadville, Pa. 16335
814 724-4636.

BY THE COURT,
Date: 11/9/89 Robert L. Walker, J.

Nov. 22, 1989 Affidavit of Service filed. David P. Truax, Esq. being duly sworn according to law, deposes and says that on Nov. 15, 1989, he sent a true and correct copy of the Complaint For Custody, to the Defendant, John E. Sanders, by Certified Mail No. P425 657 227 Postage Prepaid, Restricted Delivery, Return Receipt Requested, at his last known address, 560 Vernon St., Meadville, Pa. 16335 further that there is attached hereto a duly executed return receipt card showing date of delivery as Nov. 20, 1989.

David P. Truax, Esq. Atty. for Plaintiff

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. Physical and legal custody of the subject minor child, Johnell Rose Sanders, is hereby awarded to his mother, the plaintiff.

2. The father shall have the right of visitation but not physical custody for a period not to exceed four hours per week. He shall notify the mother one week in advance of the four hour period he wishes to select.

3. 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.

4. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor child.

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

6. 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.

7. Costs and fees of this Mediation, which are fixed at $47.00. The Mediator notes for the Court that neither party is employed and the father is receiving public assistance. Costs are hereby opposed on Crawford County. Payment shall be made to the Prothonotary of Crawford County.

8. 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

Dec. 20, 1989 Copies of order put in Attys. Pineo and Truax's boxes.

Jan. 18, 1990, Motion for Technical Correction, and Order filed. ORDER: AND NOW, this 17 day of Jan. 1990, upon consideration ofthe foregoing Motion, the same is hereby granted and it us noted that the correct name of the subject minor child is Jonell Rose Sanders and all subsequent proceedings will refer to her by this spelling.

By the Court,
P. Richard Thomas, J.

Jan. 22, 1989, copies of order to Attys. Davud Truax, and W. Pineo.

1989

R. Charles Thomas
Thomas, Truax, Spada-
fore, Vardaro & Walker

1034.

JORDEN & WHITE
Harry Faber White, II

CAROL J. HERR

vs.

DONALD G. HERR

Filed Nov. 13, 1989
@ 8:59 a.m.

Tax & entry Paid	$50.50
2 counts paid	30.00
Pro Co. pd.10-24-90	9.00
State surcharge Pd.	10.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, TEMPORARY ALIMONY, COUNSEL FEES, AND COSTS

1 copy (atty)

March 22, 1990 Appearance of Jorden & White by Harry Faber White, II, Esq. for Defendant filed.

August 3, 1990 Petition For Special Relief and ORDER filed. AND NOW, this 3 day of August, 1990, upon presentation and consideration of the within Petition a Rule is entered upon the Defendant to show cause, if any he has, why the Petitioner herein should not be granted exclusive possession of the marital home during the pendency of this divorce action.

A hearing on this matter is set for the 21 day of Aug., 1990 at 2:30 o'clock P.M. in Court Room No. 2 of the Crawford Co. Court House, Meadville, PA.

Pending hearing on this Rule the Plaintiff/Petitioner shall have sole and exclusive possession of the marital home located at R D # 1, Autumn Dr., Meadville, PA. and the Defendant shall not enter upon the premises where the marital home is located pending the hearing in this case.

By The Court,
P. Richard Thomas, J.

Aug. 3, 1990 Copy of Order to Attys. R. Charles Thomas and Harry White, II.

Sept. 6, 1990 Af fidavit of Consent of defendant filed.

Oct 11, 1990 Acceptance of Service filed: AND NOW, this 21st day of March, 1990, I hereby accept service of a copy of the within Complaint in Divorce on behalf of the Defendant, Donald G. Herr, by a true and correct copy thereof and enter my appearance on behalf of said defendant.

JORDEN & WHITE
Harry F. White, II
Attorney for Defendant

Oct 11, 1990 Affidavit of Consent of Plaintiff filed.

Oct. 24, 1990 Upon Praecipe of Plaintiff Attorney For Review Under Section 201(c) of Divorce Code, this case is moved to Court.

Oct. 31, 1990, MEMORANDUM filed. The court has reviewed this matter pursuant to the plaintiff's praecipe for review under Section 201(c) of the divorce code.

The case is returned to the Prothonotary's Office for further proceedings consistent with this memorandum.

The divorce compalint was filed on Nov. 13, 1989. There was not reinstatment of the complaint nor an amended complaint. An appearance was entered for the defendant and service accepted on March 21, 1990. Service beyond the thrity (30) day period is not proper. Pa. R.C.P. 401(a)

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

Nov. 1, 1990, copies to R. C. Thomas and H. white, Esqs.

Nov. 5, 1990 Complaint Reinstated.

Nov. 13, 1990 Acceptance of Service filed. AND NOW, this 8th day of November, 1990, comes the Defendant, Donald G. Herr, and swears that he accepted service of a Divorce Complaint under Section 201(c), and a Notice to Defend and Claim Rights on the 18th day of November, 1989 in the above captioned matter, with the full force and effect of service under the Divorce Code of pennsylvania.

Donald G. Herr

Nov. 21, 1990, Upon praecipe of plaintiff attorney, Record Retransmitted to court in the above captioned case.

Dec. 10, 1990 **S T I P U L A T I O N A N D F I N A L D E C R E E F I L E D .**

AND NOW, this 7th day of December, 1990, it is ordered and decreed that CAROL J. HERR, Plaintiff, and DONALD G. HERR, Defendant, are divorced form the bonds of matrimony.

MARITAL PROPERTY

1. Husband shall convey to wife by quit-claim Deed all of his right, title and interest in and to the marital home situate at R.D.#3, Autumn Drive, Meadville, Crawford County, Pennsylvania.
2. Husband shall release, transfer and quit-claim to Wife, all right, title and interest in and to all personal property remaining on this date in the marital home with the exception of a desk which shall become the sole and exclusive property of Husband.
3. Upon the date of his final retirement from the Pennsylvania State Police, Husband shall apply for and secure all of the available lump sum severance benefit and within forty-eight (48) hours of his receipt of the same, Husband shall pay one-half of the proceeds of said lump sum severance benefit to Wife. Pending distribution of this fund Husban dshall not encumber, modify, terminate or alter the severance benefit to be paid in connection with his retirement from the Pennsylvania State Police
4. Wife shall be solely responsible for the payment of a first mortgage against the marital home, held by Marine Bank as Mortgagee, and shall have save, release, hold harmless and indemnify Husband from any and all future payments thereon.
5. Wife shall be solely responsible for the payment of a home equity loan, also with Marine Bank as obligee, and shall release, save, hold harmless and indemnify Husband form any and all future payments therefor.
6. Wife shall be solely responsible for an outstanding charge card bill to Kaufman's department store and Husband shall be solely responsible for all remaining charge cards, and other marital debts not mentioned above, including but not limited to, a Visa charge account and other existing charge accounts. Husband and Wife agree to save, hold harmless and indemnify each other form any and all future costs or charges associated with the marital debts apportioned individually above.
7. Wife her eby e xpressly releases, waives and quit-claims any right, title or interest she might have in Husband's retirement pension through the Pennsylvania State Police, except as outlined above in Paragraph 3.

Continued on the next page

CAROL J. HERR

vs.

Donald G. HERR

Record continued from page 484

of record

A.D. 1989 - 1034

****

ALIMONY/COUNSEL FEES

8. Husband shall pay to Wife the sum of Six Hundred Dollars ($600.00) per month for a period of four (4) years (forty-eight (48)months), which payments shall be made on the first day of each and every month.

9. Said six Hundred Dollar ($600.00) monthly payment shall commence in September 1990 and shall expire in August 1994. Nothing in this Decree shall prevent Husband from paying monies in excess of Six Hundred Dollars ($600.00) per month an din that event, Husband shall receive full credit for said additional monies paid to Wife.

10. Said Six Hundred Dollar ($600.00) monthly payment shall be allocated between September 1990 and August 1992 in the amount of Three Hundred Thirty Dollars ($330.00) for child support and Two Hundred Seventy Dollars ($270.00) for alimony.

11. Said Six HUndred Dollar ($600.00) payment shall be allocated for all months between September 1992 and August 1994 as alimony.

12. Husband shall pay Three Hundred Fifty Dollars ($350.00) in counsel fees for and on behalf of Wife to Wife's attorney. Said payment shall be due on or before six (6) months after the entrance ofthis final decree.

13. Husband and Wife shall each maintain existing life insurance policies on his or her own life and shall maintain children born of the mariage as at least partial beneficiaries on said life insurance policies in amounts equal to the fraction of one over the otal number of beneficiaries so listed.

14. In the event Wife cannot make any monthly Mortgage payments on the first Mortgage, with Marine Bank as Mortgagee, and securing the marital home as collateral, Husband shall have the opportunity to make any such payment for and on behalf of Wife and the specific amount so paid by Husband shall be deducted fromthe retirement severance lump sum benefit payment outlined above.

15. This Decree shall be binding upon the parties, their estates, successors and assigns.

16. Husband and Wife hereby mutually release, quit-claim and forever discharge the other and the estate of such other, of and from any and all rights, title and interest, or claims in or against other property of the other or against the estate of the other, whether arising out of former contracts, engagements or liabilities of each other, or by way of dower or curtesy, or widow's or widower's rights, family exemptions or similar allowances, or the right to take agianst the spouse's Will, or any other rights which either party may have for the past, present or future support or maintenance aliony, equitable distribution; costs or expenses except as hereinbefore provided.

17. Husband and Wife each represent and covenant that they have not heretofore incurred or contracted for any debt or liability of obligation for which the other party may be respons;ible or liable and each par ty hereafter shall indemnify or hold the other party harmless from and against all such debts, liabilities or obligations which may heretofore have been incurred by either. Husband and wife convenant, warrant and agree tha tthey will be solely responsible for all individual debts incurred from the date of the execution of the Stipulation by either party.

BY THE COURT,
Gordon r. Miller, J

Feb. 22, 1993, Motion to Amend Final Decree in Divorce and Order filed
ORDER: AND NOW, Feb. 22, 1993, the within motion is granted and the divorce Decree heretofore entered in this case is amended pursuant to the Amended Final Decree attached to the Stipulation of the Plaintiff and Defendant.

Gordon R. MIller, J.

Mar. 3, 1993, copies to R. C. Thomas and H. White, esqs.

Feb. 22, 1993, STIPULATION - Amended Final Decree in Divorce -filed.
AMENDED FINAL DECREE:
AND NOW, this 22 day of Feb. 1993, IT IS ORDERED AND DECREED that the Final Decree entered in this case on the 7 day of Dec. 1990 is amended pursuant tot he attached. Stipulation of the plaintiff and defendant.

BY THE COURT,
Gordon R. Miller, Judge

484
B

1989

1989

Fuller, Kinnunen, Petruso & Gamble John D. Petruso 1035.	JOHN B. PARISE vs. SHIRLEY M.PARISE Filed Nov. 13, 1989 @ 9:18 a.m. Tax & entry Paid $50.50 Pro Co Pd 3/27/90 5.00	COMPLAINT IN DIVORCE 3 copies (atty) Mar. 26, 1990, Upon praecipe of plaintiff attorney, the above captioned action is hereby discontinued of record; divorce obtained in Circuit Court of Collier County, Florida.

1989

Culbertson, Weiss, Schetroma and Schug
Kemp C. Scales

1036.

Bonya and Douglass
Robert D. Douglass

HARLAN A.NEFSTEAD AND VERNA L. NEFSTEAD, HIS WIFE, d/b/a COUNTY CROSSROADS RESTAURANT

vs.

WAYNE S. LOCKARD & SONS, INC.

Filed Nov. 13, 1989
@ 9:55 a.m.

Tax & entry Paid	$50.50
Sheriff's Costs	38.00
Pro Co pd 5/4/90	6.00

COMPLAINT

1 copy (sheriff)

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 Defendnat 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, denominated Harlan A. Nefstead and Verna L. Nefstead, his Wife, d/b/a Country Crossroads Restaurant, Plaintiffs, vs. Wayne Lockard & Sons Inc., t/a The Lackard Company, Defendant.
Rule returnable the 28 day of Nov., 1989, the Courtroom No. 1 or 2, Crawford County Courthouse, at 9:30 a.m.
By: P. Richard Thomas, J

Nov. 20, 1989 Copy of order put in Kemp Scales box and copy mailed to Robert Douglass

Nov. 21, 1989, Appearance of Bonya and Douglass, by Robert D. Douglass, attorneys for defendant, filed.

Dec. 6, 1989 Sheriff's Return filed: Before me, the undersigned authority, personally appeared David R. Luchsinger who being duly sworn according to law, deposes and says that on the 15th day of Nov. 1989, at 4:18 P.M. he served Wayne S. Lockard & Sons, Inc. Route 422 West Indiana White Twp Indiana County,Pa. By making known the contents thereof to Brenda Mocek, person in charge at time. and handing to and leaving with her the certified copy of the complaint received from Crawford Co.

David R. Luchsinger,Dep. Sheriff

So answers
Sheriff, Indiana Co. Pa.

SERVED Wayne S. Lockard & Sons, Inc. by deputizing the Sheriff of Indiana Co., Pa. as per his Affidavit of Service attached. Served: Nov. 15, 1989
So answers,

Howard N. Stewart, Sheriff

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 given to Attys.

Dec. 19, 1989 Answer filed.

May 1, 1990 Upon praecipe of Plaintiff's Attorney the above-referenced case is hereby marked settled and discontinued of record, with prejudice.

1989

Donald E. Lewis

1037.

David P. Truax

LAURIE JEAN MURRAY

vs.

DANIEL LEE MURRAY

Filed Nov. 13, 1989
@ 11:09 a.m.

Tax & entry	$50.50
Pro for Co.	9.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plaintiff)

TEMPORARY ABUSE ORDER:

And now, this 13 day of Nov. 1989, upon review of the petiton 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 marital residence at R. D. # , Cochranton, Pa. for any purpose whatsoever.

3. This order may be enforced without a warrant of arrest by any law envorcemnet 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, 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 costs and fees will be determined by final court order.

7. The defendant is reminded that this is an order of court and violation of this order shall be 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. 20, 1989 at 3:00 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 todo so..

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

Nov 14, 1989 Sheriff's Return filed: SERVED Daniel Lee Murray personally on November 13, 1989 by handing copy of Protection from Abuse to him at his residence, R.D.#3, Box 274, Cochranton, Crawford County, Pa.

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

Nov. 22, 1989 Order filed. AND NOW, November 20, 1989, at the time fixed for hearing in this matter, at the request of both parties, this case is continued generallyto be rescheduled at the request of any party in interest.

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

Nov 27, 1989 copies of order put in Donald E. Lewis and David P. Truax, Attys, boxes

1989

Edgar Snyder & Assoc.
James D. Belliveau

1038.

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

STEPHEN FARKUS AND MARY C. FARKUS

vs.

RANDY LEE KLINGENSMITH
dft.
Howard Coverdale, add'l dft

Filed Nov. 13, 1989
@ 11:19 a.m.

Tax & entry Paid $50.50 ✓
Sheriff's Costs 17.00
Sheriff's Costs 76.00
Pro co Pd 9/27/90 6.00 ✓

COMPLAINT IN A CIVIL ACTION

1 copy (sheriff)

(Jury Trial Demanded)

Dec. 6, 1989 Sheriff's Return filed: Before me, the undersigned authority, personally appeared James P. McGeehan who being duly sworn according to law, deposes and says that on the 16th day of Nov. 1989, at 3:25 PM, he served Complaint, filed Nov. 13, 1989 at No. AD 1989 - 1038 , Crawford Co. Pa., upon defendant Randy Lee Klingensmith at 126 Redbud Drive, Beaver Falls, Pa. 15010 By making known the contents thereof to Mother - Carol and handing to and leaving with her the certified copy of the Complaint received from Crawford Co.

James P. McGeehan, Dep. Sheriff
So answers Frank Policaro, Jr. Sheriff,Beaver Co.

SERVED Randy Lee Klingensmith by deputizing the Sheriff of Beaver County, Pa. as per his Affidavit of Service attached. Served: Nov. 16, 1989.

So answers, Howard N. Stewart, Sheriff

Jan. 5, 1990 Appearance of Culbertson, Weiss, Schetroma and Schug, By E. Max Weiss , Esq. for Defendant filed.

Jan 16, 1990, Praecipe for writ of Summons to Join Additional Defendant Howard Coverdale, filed. Issued (sheriff)

Jan. 17, 1990, Request for production of Documents and Materials Directed to Defendant filed.

Jan. 17, 1990, Notice of Service of Plaintiffs Interrogatories Directed to Defendant filed.

Jan. 23, 1990, Answer and New MaTTER of Randy Lee Klingensmith, Defendant, to Plaintiff's Complaint filed.

Jan. 23, 1990, Complaint of Original Defendant, Randy Lee Klingensmith, Against Additional Defendant filed. 1 copy (sheriff)

Jan. 24, 1990, STIPULATION between parties filed.

Mar. 15, 1990 Sheriff's Return filed. NOF FOUND as to Howard Coverdale, the above named defendnat, within the County of Philadelphia, State of Pennsylvania, as of Feb. 20, 1990 NOT FOUND as to Howard Coverdale, as per Affidavit received from Sheriff of Philadelphia County and hereto attached.
So answers, Howard N. Stewart, Sheriff

Sept 27, 1990, Upon praecipe of plaintiff attorney, the within captioned matter is hereby settled and discontinued of record.

Jan. 3, 1990 Writ return filed. Writ returned 1-3-91 to Prothonotary. No service instructions or costs received by Sheriff's OFfice.
So answers, Howard N. Stewart, Sheriff

1989

Knox, McLaughlin,
Gornall & Sennett, PC
Richard A. Levick

1039.

Thomas, Truax, Spadafore
Vardaro & Walker
Anthony J. Vardaro
for Crawford County
Board of Assess. Appeals

IN RE: ASSESSMENT APPEAL

OF

TAX ASSESSMENT APPEAL OF
JAMES D. BERRY, III,
WILLIAM R. DICKSON, AND
SAMUEL B. McCARTER
FROM THE DETERMINATION

of

CRAWFORD COUNTY BOARD
OF ASSESSMENT APPEALS

Filed Nov. 13, 1989
@ 11:32 a.m.

Tax & entry Paid $50.50 ✓
Pro Co Pd 7/18/90 5.00 ✓

ASSESSMENT APPEAL PETITION

1 copy (atty)

Nov. 21, 1989, Answer to Assessment Appeal filed.

Feb. 22, 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 hereby set for June 8, 1990, at 1:30 p.m., in Courtroom No. 1 or 2, of the Crwaford County Courthosue. FOR THE COURT,
Imogene Yetman, C.A.

4/9/90 Copies to Attys. Levick & Vardaro

July 16, 1990, Upon praecipe of plaintiff attorney, the above captioned case is hereby discontinued of record.

1989

Swensen, Perer & McCandless
John W. McCandless

Berger and Green
Laurence B. Green

1040.

Elderkin, Martin, Kelly, Messina & Zamboldi
By: Craig A. Markham

Culbertson, Weiss, Schetroma & Schug
By: E. Max Weiss, atty. for Ronald A. Cribbs

MARY MICHELLE CHAPMAN AND JEFFREY CHAPMAN, HER HUSBAND

vs.

RONALD A. CRIBBS, INDIVIDUALLY, AND GREENLEAF CORPORATION

Filed Nov. 13, 1989
@ 1:39 p.m.

Tax & entry Paid $50.50 ✓
Sheriff's costs 41.00
Pro Co Pd 9/17/91 6.00 /

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Dec. 5, 1989 Appearance of Elderkin, Martin, Kelly, Messina & Zamboldi, By Craig A. Markham, Attorney for Defendants filed.

Dec. 5, 1989 Rule upon Plaintiff to file Complaint issued. **(mailed to Atty. Markham)**

Dec. 6, 1989 Sheriff's Return filed. SERVED Greenleaf Corporation on Nov. 17, 1989 at 2:00 PM by handing copy of Summons to Richard Cribbs, Plant Superintendant, at business One Greenleaf Drive, Saegertown, Crawford Co., Pa.
SERVED Ronald A. Cribbs on Nov. 17, 1989 at 3:10 P.M. by handing copy of Summons to his Mother, Pat Cribbs, at their residence, R.D. #6, Franklin Pike, Meadville, Crawford Co., Pa.
So answers, Robert M. Stevens, Dep. Sheriff
Howard N. Stewart, Sheriff

Dec. 6, 1989 Appearance of Culbertson, Weiss, Schetroma and Schug, By: E. Max Weiss for defendant, Ronald A. Cribbs.

Dec 18, 1989 Certificate of Service of Rule to File Complaint filed.

Dec 27, 1989 Complaint filed. 1 copy (atty)

Jan. 19, 1990, Answer and New Matter filed.

Jan. 19, 1990, Certificate of Service of Interrogatories to Plaintiffs (first set) filed.

Jan. 26, 1990 Notice Of Service of Interrogatories and Requests for Production filed.

Feb. 12, 1990, Reply to New Matter filed.

Mar. 7, 1990 Notice of Service of Answers To Interrogatories and Responses to Request for Production by defendants filed.

May 8, 1990 Notice of Service of Interrogatories and Request for Production directed to the Defendant filed.

Oct. 10, 1990, Certificate of REadiness filed.

ON FEBRUARY TRIAL LIST 1991

Jan 25, 1991 Notice of Taking Depositions Upon Oral Examination of Patrolman Wise, Mr. Charles Larson and Kristoff filed.

Jan. 28, 1991, ORDER filed. AND NOW, Jan. 28, 1991 this case is continued to the April 1991 term of civil trials at the request of all counsel.
BY ORDER OF THE COURT,
Gordon R. Miller, P.J.
Jan. 31, 1991, copies to Attys. McCandless, Green, Markham and Weiss.

Mar. 15, 1991 Summary Judgment Motion Of Defendant, Greenleaf Corporation filed.

ON APRIL 1991 TRIAL LIST

Mar 28, 1991 Motion for Continuance and Order filed: NOW, to-wit, this 22 day of March, 1991, upon consideration of the foregoing Motion for Continuance, it is hereby Ordered that this case be continued to the June, 1991, trial term.
BY THE COURT:
Gordon R. Miller, J.
April 1, 1991 Copies of ordr mailed to Attys McCandless, Green, Markham and copy put in Atty. Weiss's box.

Sept. 3, 1991, Notice of Videotape Deposition for Use at Trial of Richard E. Hershey, M.D. filed.

ON OCTOBER 1991 TRIAL LIST

Sept 17, 1991, Upon praecipe of plaintiff attorney, the above captioned action is hereby marked settled and discontinued of record.

Sept 8, 1995 Memorandum and Order filed: AND NOW, September 7, 1995 with consent of counsel for the Plaintiff, we grant summary judgment in favor of Defendant, Meadville Medical center.
We likewise grant summary judgment in favor of Defendants Crawford County Home and Hospital and Gerald Brooks, M. S.
BY THE COURT
P. RICHARD THOMAS, S.J.
Sept 8, 1995 Copies mailed all counsel.

1989

Altomare & Barnhart
Joseph C. Barnhart

1041.

RICHARD J. FILL, JR.

vs.

TINA M. FILL

Filed Nov. 13, 1989
@

Tax & entry Paid $50.50
Bruce Smith, Mediator 86.40
9.00

COMPLAINT IN CUSTODY
1 copy (atty)
1 copy (mediator)

ORDER OF COURT:

You, Tina M. Fill, defendant, have been sued in court to obtain custody or partial custody fo the child: Justin L. Fill.

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 thisaction.

Pending further court order neither party shall remove the the child, Justin L. Fill, from the jurisdiction of the court for any period of time in excess of two weeks.

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

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

Crawford CountyBar Association, Ser. to the Public Comm. c/o Prothonotary, Courthouse, Meadville, Pa. 16335 814 724-4636.

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

3/26/90 Recd. $ 86.40 from Prothonotary Recd 3-1-90 $86.40 Vivian Stoltz

Nov. 28, 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 as filed Nov. 10, 1989 upon the Defendant, at her address by United States certified, restricted mail. Delivery of same being evidenced by postal return receipt #P620 656 227 dated Nov.17,1989 attached hereto and incorporated herein by reference.

In Witness whereof, I hereunto set my hand and seal this 27th day of Nov., 1989.

. Joseph C. Barnhart, Esq.

Dec 11, 1989 Temporary Order of Court filed: AND NOW, this 11th day of December, 1989, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that

1. The natural parents of Justin L. Fill, age one, born October 12, 1988, the parties to this action, shall share legal custody of the said minor child. Said joint legal custody being shared shall entitle both of the parents to equal access to any records relating to the child held by a third party, including, but not limited to, school and medical records, and shall also entitle both parents to equal input with regard to the educational and religious upbringing of the child, as well as elective surgery.

2. Primary physical custody of the child shall remain with the natural mother, Tina M. Fill, the defendant in this action. Regular visitation and temporary custody of the child shall be granted to the plaintiff father, Richard J. Fill, Jr. Temporary physical cusotdy with the plaintiff father shall be as follows:

a. On the first, second and fourth weekends of each month, beginning at 10:00 a.m., prevailing time, Saturday, and ending at 11:00 a.m., prevailing time, Monday, the father shall have the right to take the child into his temporary phyical custody. He shall also have the right to take the child into his temporary physical custody each Wednesday morning from 8:30 a.m. to 11:30 a.m., prevailing time.

b. Beginning with the summer of 1990, the father shall have the right to have the child in his exclusive temporary physical custody for up to two weeks to coincide with his vacation period from his employment at General Electric. He shall inform the mother at least ten (10) days prior to the beginning of those weeks which may be consecutive or non-consecutive. Thereafter, he shall be allowed to have the child beginning the first day after his last day of work prior to beginning vacation.

c. The father shall be responsible for picking up and dropping off the child at the mother's residence. The mother shall be responsible for informing the father of her current residence and address at all times.

d. Holiday visitation shall take priority over any other scheduled visitation. On each of the later named holidays, the father shall have the right to take the child into his temporary physical custody between the hours of 2:00 p.m. and 6:00 p.m., prevailing time. The holidays involved in this subparagraph are New Year's Day, Easter, Memorial Day, July 4, Labor Day, the child's birthday. Thanksgiving and Christmas each year.

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

4. Neither of the parents shall take the child into any environment which might be commonly thought of as detrimental to his development or to the development of his character or which would be commonly thought of as dangerous to his physical person.

The parents are encouraged to discuss arrangements of 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 to so by mutual consent and agreement.

6. Each of the parents will teach the child to have and demonstrate that 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. This admonitionsshall extend to grandparents, stepparents and persons who live with either of the parents outside of marriage.

7. This Order shall nct prejudice the right of either party to request further Mediation if there are circumstances which would affect the best interest of the child or if it is believed that the best interest of the child 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 the child resides in the Court's jurisdiction and for at least six months from the date of this Temporary Order.

9. The fee for the Child Custody Mediator shall be paid 100% by the plaintiff 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,
Robert L. Walker, Judge

Dec 13, 1989 Copies of order mailed to Attys. Barnhart, Bruce Smith and Plaintiff.

1989

Quinn, Gent, Buseck & Leem-
huis, Inc.
George Joseph
Gordon R. Miller

1042.

CONNEAUT SCHOOL DISTRICT

vs.

LAKESIDE ENERGY, INC.

Filed Nov. 13, 1989
@ 1:25 p.m.

Tax & entry paid $50.50 ✓

Sheriff's Costs 23.80

Pro Co Pd 8-16-90 9.00 ✓

COMPLAINT

1 copy (atty)

Mar.19, 1990, Appearance of Quinn, Gent, Buseck, & Leemhuis, Inc. by George JOseph, Esq. attorneys for plaintiff, filed.

May 7, 1990 Complaint Reinstated.

May 23, 1990 Sheriff's Return filed: SERVED Lakeside Energy, Inc., on may 14, 1990 by registered mail No. P 482 878 314 c/o J. W. Grant Robertson, 1840840 Seventh Ave. S/W Calgary, Alberta, Canada T2P262. Signed return receipt attached. So answers, Howard N. Stewart, Sheriff

Aug 6, 1990 Motion for Entry of Default and for an Order Freezing Assets filed.

Aug 8, 1990 Upon Praecipe of Plaintiff's Attorney with Notice of Judgement attached, judgment is hereby entered in favor of the Plaintiff and against the Defendant for failure to file a responsive pleading within the time required and the same is liquidated in the amount of Six Hundred Fifty-one and 06/100 Dollars plus interest, costs and attorney's fees

L-186

Debt.....$651.06 + int., costs & atty. fees
JUDGMENT
James F. Simmons
Prothonotary

Aug 10, 1990 Affidavit of Service of Notice filed.

Aug 13, 1990 Re: Plaintiff's Motion for Entry of Default Judgment; Order for Production of Certain Records; and Order for Freezing of Defendant's Assets Located in Crawford County, Order filed: AND NOW, this 10th day of August, 1990, upon the above referenced motions

1. We grant entry of Default Judgment in favor of the Plaintiff for $651.06;
2. We order the Defendant to produce the charts and graphs requested by Plaintiff under Count II of its Complaint and;
3. We deny Plaintiff's request for the freezing of the Defendant's assets located in Crawford County.

BY ORDER OF THE COURT
P. Richard Thomas, PJ

Aug 16, 1990 Copies of order mailed to Atty. Joseph.

Joseph Altomare

1043.

MARSH, SPAEDER, BAUR, SPAEDER & SCHAAF
Will J. Schaaf
for Vrablik
W. Patrick Delaney

Quinn, Gent, Buseck and Leemhuis, Inc.
John M. Quinn Jr.
for dft. Mead. Med.Ctr.

MRS. PHYLLIS JUNE DeVORE, ADMINISTRATOR OF THE ESTATE OF KEITH DAVID DeVORE, AND MRS. PHYLLIS JUNE DeVORE, AND MR. DAVID DeVORE

vs.

RONALD M. VRABLIK AND MEADVILLE MEDICAL CENTER

Filed Nov. 13, 1989 @ 4:01 p.m.

Tax & entry Paid $50.50
Sheriff's Costs 35.00
Pr. Co Pd 11/18/91 5.00
Pr. Co Pd 11/15/91. 9.00

Copies 22, 1993
Returned all
Plaintiffs Exhibits
to Phyllis June
DeVore
Received by:
Phyllis J DeVore

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Dec 4, 1989 Appearance of Marsh, Spaeder, Baur, Spaeder & Schaaf by Will J. Schaaf, Esq. for Defendant, Vrablik filed.

Dec 4, 1989 Rule upon Plaintiff to file Complaint issued.

Dec. 5, 1989 Rule mailed to Jos. Altomare, atty.

Dec. 8, 1989 --- 12-6-89 Service of the foregoing Rule is hereby accepted. Joseph E. Altomare, atty.

Dec. 14, 1989, Appearance of Quinn, Gent, Buseck and Leemhuis, Inc. by John M. Quinn, Jr., attorneys for defendant Meadville Medical Center, filed.

Dec. 14, 1989, Upon praecipe of John M. Quinn, Jr., attorney for defendant Meadville Medical Center, Rule entered upon plaintiff to file Complaint, Issued.

Dec 18, 1989 Sheriff's Return filed: Served Ronald M. Vrablik personally on November 21, 1989 at 4:09 P.M. by handing copy of Summons to him at Sheriff's Office, Crawford County Courthouse, Meadville, Pa., 16335.

SERVED Meadville Medical Center on November 22, 1989 at 9:15 A.M. by handiang copy of summons to Louise Randolph, Administrative Secretary, at Liberty Street, Meadville, Crawford County, Pa 16335.

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

Dec. 21, 1989, on 12/18/89 Service of the foregoing Rule accepted by Jos. Altomare, attorney for plaintiffs.

Jan 12, 1990 Petition for Rule and Stay filed.

Jan 12, 1990 Order filed: AND NOW, this 12 day of Jan., 1990, upon consideration of Plaintiffs' Petition a Rule is hereby entered upon the Defendants to show cause why Plaintiffs should not be granted a reasonable extension of time within which to file a complaint in the above-captioned action, all proceediangs to be stayed meanwhile.

This Rule is made hereby returnable Feb, 1990 Argument list and the Prothonotary is instructed to list same and advise counsel accordingly.

BY THE COURT,
P. Richard Thomas,

Janl5,1990 Copies of order mailed to Attys. Schaaf, Altomare and Quinn.

ON ARGUMENT LIST FOR FEBRUARY 1990

Jan. 29, 1990, Notice of deposition of Custodian of Records of Hamot med. Hosp. filed.

Feb. 12, 1990 Answer of Ronald M. Vrablik, M.D. to Plaintiff's Petition for Rule and Stay filed.

Feb. 22, 1990, RE: PETITION FOR EXTENSION OF TIME TO FILE COMPLAINT - ORDER RESETTING ARGUMENT DATE filed. AND NOW, feb. 22, 1990, Judge P. Richard Thomas being presently involved in a lengthly civil jury trial, the argument in the above captioend matter hereto fore set for Feb. 26, 1990 is hereby reset for Apr. 9, 1990 at 9:00 a.m. in C. R. No. 1.

FOR THE COURT,
Imogene Yetman, Ct. Adm.

Feb. 26, 1990 copies mailed to attys. by Ct. Adm.

Mar. 23, 1990 Complaint filed.

Apr. 5, 1990 Answer filed.

Apr. 11, 1990, Answer and New Matter of Defendant, Ronald M. Vrablik, filed.

May 30, 1990, Plaintiffs' Answer to Defendant Vrablik's New Matter filed.

May 30, 1990, Plaintiffs' Answer to Meadville Medical Center's New Matter filed.

Mar. 19, 1991 Certificate of Readiness for Trial filed.

On October 1991 Trial List

Oct. 2, 1991 Motion IN Limine filed.

Oct. 3, 1991 Meadville Medical Center's Motion For Summary Judgment filed.

Oct. 3, 1991 Order filed. AND NOW, October 3, 1991, argument is hereby set for October 11, 1991, at 3:00 p.m., in Courtroom 1 or 2 before Senior Judge P. Richard Thomas,

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

Oct. 3, 1991 Copies mailed to Atty's by Court Administrator

Oct. 7, 1991, Appearance of Marsh, Spaeder, Baur, Spaeder & Schaaf, by W. Patrick Delaney Esq. attorneys for defendant Ronald M. Vrablik, MD filed.

Continued on Page 654

1989

Kathleen R. Nelson

1044.

WAYNE C. BROWN

vs.

MARSHA C. BROWN

Filed Nov. 14, 1989
@ 10:14 a.m.

Tax & entry Paid	$50.50 ✓
1 count paid	15.00 ✓
Pro Co Pd 3/1/91	5.00 ✓

COMPLAINT UNDER SECTION 201(c) OF DIVORCE CODE, EQUITABLE DISTRIBUTION

1 copy (atty)

Dec 4, 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, Marsha C. Brown, on November 14, 1989.

3. The registered mail was sent to Marsha C. Brown, 723 Graff Avenue, Meadville, Pa 16335. The sender's receipt for said registered mail is attached hereto.

4. That the Defendant received said registered mail on November 27, 1989. Return Receipt card P076 254 246 is attached hereto, signed by Marcia Brown and made a part hereof.

Kathleen R. Nelson, Esq.
Attorney for Plaintiff

Feb. 26, 1991, Upon praecipe of plaintiff attorney the above matter is marked settled and discontinued of record.

1989

Ambrose and Friedman
Philip B. Friedman
and
~~Lorry R. Bleiweiss~~
~~Patterson and Bleiweiss~~
withdrawn

1045.

JONNIE LEE GNALL, EXECUTRIX
OF THE ESTATE OF PAUL M. GNALL

vs.

RONALD J. NEISWONGER

Filed Nov. 15, 1989
@ 11:09 a.m.

Tax & entry Paid $50.50 ✓
Sheriff's costs 41.00
Sheriff's Costs 41.50
Pro Co. Paid 12/18/90 - 6.00 ✓

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Jan 10, 1990 Writ Returned: NOT FOUND, as to defendant Ronald J. Neiswonger, as per Affidavit received from Erie County sheriff and attached to this Return. Not at address given, could not locate.
So answers, Howard N. Stewart, Sheriff

Mar. 29, 1990 Writ Reissued.

Mar. 29, 1990 Appearance of Ambrose & Friedman by Philip B. Friedman for Plaintiff filed.

April 11, 1990 Sheriff's Return filed: Before me, the undersigned authority, personally appeared Roger Gunesch, Deputy Sheriff who being duly sworn according to law, deposes and says that on the 6th day of April, 1990, at 9:13 A.M., he served writ of summons filed at AD 1989-1045, Crawford County, Pa, upon defendant Ronald J. Neiswonger at 1022 Cascade St., Erie Co., Erie Pa by making known the contents thereof to Vickie King, Person in charge at time of service and handing to and leaving with her the certified copy of the Summons received from Crawford County.
Roger Gunesch, Deputy Sheriff
Robert N. Michel, Sheriff

SERVED Ronald J. Neiswonger by deputizing the Sheriff of Erie County, Pa as per his Affidavit of Service attached. Served: April 6, 1990.
So answers Howard N. Stewart, Sheriff

June 5, 1990, Upon praecipe of Lorry R. Bleiweiss, to withdraw appearance, appearance withdrawn.

Oct. 15, 1990, Complaint filed.

Dec. 17, 1990, Upon praecipe of plaintiff attorney, the above captioned matter is hereby settled and discontinued of record.

1989

1046.	APPLICATION FOR EXTENDED INVOLUNTARY TREATMENT of RONALD E. HARRIS Filed Nov. 16, 1989 @ 2:00 p.m.	APPLICATION FOR EXTENDED INVOLUNTARY TREATMENT Mental Health Procedures Act of 1976- Section 303

1989

1047.	APPLICATION FOR EXTENDED INVOLUNTARY TREATMENT vs. GERALD HEBETS Filed Nov. 16, 1989 @ 2:00 p.m.	APPLICATON FOR EXTENDED INVOLUNTARY TREATMENT Mental Health Procedures Act of 1976-Section 303

1989

1048.

REDEVELOPMENT AUTHORITY
OF THE CITY OF MEADVILLE

vs.

ROBERT L. MATTOCKS
MARCELLE M. MATTOCKS

Filed Nov. 16, 1989
@ 2;12 p.m.

Pro Simmons paid	$9.00
plff on orig	9.50

AGREEMENT TO REVIVE

of

DSB 1984 - 673

Revival of Judgment indexed in favor of plaintiff and against the defendants in the sum of Twelve Thousand Dollars plus costs.

Judgment Revival entered 11/16/89

Debt---$12,000.00
M - 145, 223
JUDGMENT of REVIVAL
James F. Simmons,
Prothonotary

Revived to:
AD 1994-1152

1989

1049.

REDEVELOPMENT AUTHORITY OF
THE CITY OF MEADVILLE

vs.

THOMAS P. TAYLOR
CAROL TAYLOR

Filed Nov. 16, 1989
@ 2:12 p.m.

Pro Simmons Paid $9.00
plff on orig 9.50

AGREEMENT TO REVIVE

of

DSB 1984 - 396

Revival of Judgment indexed in favor ofthe plaintiff and against the defendants in the sum of Six Thousand Dollars plus costs.

Judgment
entered
11/16/89

Debt --- $6,000.00
T - 161, 215
JUDGMENT OF REVIVAL
James F. Simmons
Prothonotary

Revived to:

AD 1994-1154

1989

1050.

Anthony Vardaro

JAMES LEE HYDE, JR.

vs.

ROBERT T. KINCAID

Filed Nov. 16, 1989
@ 3:57 p.m.

Tax & entry Paid $50.25 ✓
Pro Co Pd 12/13/89 9.00 ✓

APPEAL OF DEFENDANT FROM JUDGMENT OF
HUBERT VOGAN, DISTRICT MAGISTRATE

Nov. 16, 1989, Rule entered upon Plaintiff to file Complaint issued.

Nov. 17, 1989 Proof of Service filed.

Dec. 13, 1989 at 1:58 p.m., And Now, upon praecipe of defendant attorney, Judgment of Non Pros is hereby entered in favor of the defendant and against the plaintiff for failing to file complaint after being ruled so to do.
H - 96
Judgment entered
12/13/89

JUDGMENT OF NON PROS
James F. Simmons,
Prothonotary

Barrett & Dratler
Bruce A. Barrett

1051.

Brian Lindsay

DONNA MAE ZIRKLE

vs.

RAYMOND A. ZIRKLE

Filed Nov. 17, 1989
@ 10:11 a.m.

Tax & entry Paid $50.50 ✓
John Fuller, Mediator $140.00

COMPLAINT FOR CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER OF COURT:

You, Raymond A. Zirkle, defendant, have been sued in court to obtain custody of the children: Jonathan, Jason and Melissa.

You are ordered to appear in person for a conference at such time and place as may be set by JOHN FULLER, CUSTODY MEDIATOR.

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

You shoulds 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. to the Public Comm. 360 Chestnut St. Meadville, Pa. 16335, Telephone: 814 724-7719.

Pending further order of court, custody of the parties three minor children, Jonathan, Jason and Melissa, shall be with the plaintiff, subject tothe defendant's right of visitation on the first and third weekends of each month commencing at 11:00 Saturday and concluding at 7:00 p.m. Sunday.

Date: 11/17/89 BY THE COURT,
P. Richard Thomas, J.

Nov. 22, 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 ofthe Complaint For Custody was sent by registered mail to the Defendant on November 20, 1989.
3. The registered mail was sent to Raymond A. Zirkle at c/o Four Star Pizza, Penn Plaza, Meadville, PA 16335. The senders receipt is attached hereto.
4. That the Defendant received said registered mail on November 21, 1989. Said receipt card number P 966 074 357 is attached hereto and signed by Raymond A. Zirkle.

Bruce A. Barrett

Dec 21, 1989 Order filed: AND NOW, December 21, 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 Jonathan Zirkle, Jason Zirkle and Melissa Zirkle shall be shared between their mother, Donna Mae Zirkle and their father, Raymond A. Zirkle, 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, religious instruction, medical treatment and other such important decisions.

II. Physical custody of Jonathan Zirkle, Jason Zirkle and Melissa Zirkle shall be with their mother, Donna Mae Zirkle, subject to the following conditions:

A. Between September 1st and June 1st of each year the father shall be entitled to see the children and take them into his custody every Wednesday eveing from 5:00 p.m. until 8:00 p.m. During the Summer months of June, July and August the father shall be entitled to visit and take the children into his custody every Wednesday from 10:00 a.m. until 8:00 p.m.

B. Beginning January 5, 1990, the father shall be entitled to visit and take the children into his custody every other weekend from Friday at 7:00 p.m. until Sunday at 7:00 p.m.

C. During the Summer months of June, July and August the father shall be entitled to have the children in his custody the first week of each month from 9:00 a.m. on the first Monday of each month until 7:00 p.m. the following Sunday. During the remaining three weeks of each of the three Summer months when the children are in the custody of the mother, the father shall be entitled to have the children in his custody one weekend which unless otherwise agreed upon between the parties shall be the third full weekend of each of the three Summer months.

D. Holidays are defined as Christmas, Easter, Thanksgiving and the 4th of July. The father shall be entitled to have the children in his custody every Christmas Day from 12:00 noon until 9:00 p.m. and the mother shall be entitled to have the children in her custody every Christmass Eve and Christmas morning until 12:00 noon.

The mother shall be entitled to have the children in her custody every Easter Sunday morning until 2:00 p.m. and the father shall be entitled to have the children every Easter Sunday from 2:00 p.m. until 8:00 p.m. When the children are in the custody of the father on a weekend when Easter Sunday falls, the mother shall pick the children up at 9:00 a.m.

The mther shall have the children in her custody every Thanksgiving Day until 3:00 p.m. and the father shall have the children in his custody every Thanksgiving Day from 3:00 p.m. until 9:00 p.m.

The children shall spend the 4th of July with the mother on even numbered years and the 4th of July with the father on odd numbered years. In the event the children are in the custody of the other parent, the parent entitled to have the children on the 4th of July shall have the children in their custody from 4:00 p.m. until 10:00 p.m.

E. The father shall provide transportation for the children on Wednesday visits, weekend visits, Summer visits and hiliday visits.

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 children.

H. Neither mother nor father shall say or do anything in an attempt to turn the children against the other parent, but ont he 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 children to any person or situation which may be harmful to the children's health or well being.

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

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

Robert L. Walker, Judge

Dec 28, 1989 Copies of order put in Attys. Lindsay, Barrett and Fuller's office.

Continued on page 630

1989

Altomare & Barnhart
Joseph C. Barnhart

1052.

DENNIS R. BARKER

vs.

RITA D. BARKER

Filed Nov. 17, 1989
@ 11:44 a.m.

Tax & entry Paid	$50.50
Pro Co. Pd 11/28/89	9.00
State Surcharge Pd.	10.00

COMPLAINT IN DIVORCE

Nov. 28, 1989 Acceptance of Service filed. I Rita D. Barker, do hereby accept service of the Plaintiff's Complaint in Divorce and the Plaintiff's Affidavit under Section 201(d) of the Divorce Code in the above captioned matter as filed Nov. 20th, 1989.
Rita D. Barker

Nov. 28, 1989 Plaintiff's Affidavit Under Section 201(d) of the divorce code filed.

Nov. 28, 1989 Defendant's Counter-AFfidavit under Section 201(d) of the divorce code filed.

Nov. 28, 1989 Upon Praecipe of Plaintiff Attorney For Review Under Section 201(d) of Divorce Code, this case is moved to Court.

Jan. 31, 1990 **DECREE FILED.**

AND NOW, this 31 day of Jan., 1990, 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 pursuant to Section 201(d) on the grounds that the marriage is irretrievably broken and, upon a finding that the parties have lived separate and apart for a period in excess of two years.

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

1053.

Mahany, Roeder & Smith
Tamera Ochs Rothschild

TIM HICKS d/b/a
HICKS LOGGING & LUMBER

vs.

JOHN KELLOGG

Filed Nov. 20, 1989
@ 8:55 a.m.

Tax & entry Paid $50.25

Pro Co Pd 12/14/89 9.00

APPEAL OF DEFENDANT FROM THE JUDGMENT
OF RONALD A. COLE SR. # 30-3-06

Nov. 20, 1989 Rule entered upon plaintiff to file complaint issued.

Nov. 21, 1989, Proof of Service filed.

Dec. 1, 1989 Affidavit of Return of Service by Mail filed.
On Nov. 20, 1989, I mailed a true copy of the Notice of Appeal to:
Ronald A. Cole, Sr., District Justice, 106 E. Central Ave., Titusville, Pa 16354, by certified Mail No. P 899 145 557, Return Receipt Requested which receipt was signed by an agent of Ronald A. Cole on Nov. 21, 1989, the original of which is attached hereto and marked "Exhibit A"
ON Nov. 20, 1989, I mailed a true copy of the Notice of Appeal and Rule to File Complaint to the Appellee: Tim Hicks d/b/a Hicks Logging & Lumber,R.D.# 2, Spartansburg, Pa. 16434 by certified Mail No P 899 145 558, Return Receipt Requested, which receipt was signed on Nov. 21, 1989, the original of which is attached hereto and marked "Exhibit A ".
The receipts attached hereto and marked as "Exhibit A" were returned by the post office on Nov. 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,
By : Tamera Ochs Rothschild

Dec. 14, 1989, at 9:09 a.m., upon praecipe of defendant attorney, Judgment of Non Pros is hereby entered against the Appellee and in favor of defendant John Kellogg, for failure to file Complaint within 20 days,after being ruled so to do.
Judgment entered 12/14/89
K - 91

JUDGMENT OF NON PROS
James F. Simmons,
Prothonotary

Curtin and Heefner
Frank S. Guarrieri

1054.

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

JENNIFER J. HOULE
2044 Makefield Road
Yardley, Pennsylvania
19067

vs.

CATHERINE HERBRUCK
Old Mill Road
Gatesmill, Ohio 44040

Filed Nov. 20, 1989
@ 11:04 a.m.
Pro Co pd 12-17-92 1.00
Tax & entry Paid $50.50
Pro.Co. Pd 11/20/92 6.00

COMPLAINT

1 copy (atty)

(JURY TRIAL DEMANDED - 12 JURORS)

Dec. 28, 1989, Appearance of Thomas, Truax, Spadafore, Vardaro, and Walker, by R. Charles Thomas, attorneys for defendant filed.

Apr 16, 1990 Answer filed.

April 27, 1990 Plaintiff's Reply to New Matter filed.

Sept. 3, 1991 Notice of Deposition of Anderew Eller filed.

Sept 27, 1991, Discovery Notice; deposition of defendant, filed.

Jan. 14, 1992 Notice Of Video Deposition of David H. Fischer, M.D. filed.

Sept. [illegible] filed.

Feb. 18, 1992 Notice of Video Deposition filed.

Mar. 30, 1992, Certificate of Readiness for Trial filed.

Mar. 30, 1992, Upon praecipe of plaintiff attorney, this case placed on next Jury Trial list.

ON TRIAL LIST FOR OCTOBER 1992

Apr. 2, 1992 Notice of Videotape Deposition of Dr. David H. Fischer, filed.

May 21, 1992 Affidavit of Service Of Answers To Interrogatories filed.

sept. 18, 1992 Notice Of Videotape Deposition of dr. David H. Fischer filed.

Sept. 18, 1992 Notice of Videotape Deposition of dr. Andrew W. Eller filed.

Oct. 7, 1992 Pre-Trial Order filed. AND NOW, October 6, 1992, after a pretrial conference with counsel present the Court entered the following Order.

1. All discovery is completed. all parties are ready for trial and the trial shall take place during the two week October civil jury term to begin on October 12, 1992. Most likely the jury will be selected on October 12, 1992 for a trial to begin later that week. It is anticipated that this case shall take three (3) days to try.

2. The deposition of Dr. David H. Fischer for use at trial shall be taken on Thursday, October 8, 1992 in Philadelphia, Pennsylvania. It the parties are unable to work out payment of the expenses of R. Charles Thomas, Esquire, attorney for the defendant, one or both of the parties may approach the Court for an order. The Court is inclined to believe that the plaintiff should be prepared to pay, at least, one-half of Mr. Thomas' expenses to attend such deposition. The extent of the testimony of Dr. Fischer shall not go beyond the fair scope of any reports or statements which have been given to the defnedantor her counsel.

3. Thirteen (13) jurors shall be selected, one shall be an alternate.

4. The plaintiff claims she suffered personal injuries and other damages as a result of a one care automobile accident that occurred on November 22, 1987 when she was a passenger in a vehicle operated by the defendant. She claims the defendant was traveling too fast for conditions. The defendant claims that she suddenly came upon an unexpected patch of ice and was therefore not responsible for the accident. She further claims that the plaintiff is contributorily negligent for not having protested the manner in which the defendant drove.

5. The issues, factual and legal are:

a. Whether or not the defendant was negligent in the manner in which she operated her vehicle and whether said negligence was a substantial factor in causing the plaintiff's injuries.

b. Whether or not the plaintiff was contributorily negligent and whether or not her negligence was a substantial factor in causing her injuries.

c. If both parties were negligent then the percentage of substantial factor negligence attributable to each. d. The damages if anythe plaintiff is entitled to recover.

6. The plaintiff claims the following damages: a. Paind and suffering, past, present and future. b. Bills to date - $37,992.30. c. Future bills - costs of eye drops only. d. Lost wages to date only - $2,910.00. e. Lost tuition.

7. The plaintiff's case in chief: a. Witnesses. The plaintiff intends to call al of the witnesses listed in her pretrial narrative except for Dr. Rahner, Dr. Hickey and the custodians of Records at Edinboro Univerity and Meadville Medical Center. b. Bills. All ofthe bills have been submitted to the defendant. The plaintiff shall prepare and submit to the defendant a schedule listing the bills which may be recoverable as damages in this case. c. Exhibits. The exhibits listed on the plaintiff's pretrial narrative shall be presented at trial.

8. The defendant's case in chief: a. The witnesses listed on the defendant's pretrial narrative shall be called as witnesses in this case. b. Exhibits. The defendant may obtain a photograph of the plaintiff as she appeared prior to the accident.

9. If the parties hav enot already done so they shall pre-number all exhibits and provide true and correct copies of all exhibits to opposing counsel no later than 12:00 o'clock noon on Friday, October 9, 1992.

10. There may be objections to medical depositions. The parties shall tell the court prior to trial which objections still stand and should be ruled on by the court. The Court will attempt to rule on the objecitons after it has reviewed the har docpy of the deposition transcripts in advance of the time when the depositions will be used at trial.

BY ORDER OF COURT,
Gordon R. Miller, J

Oct. 7, 1992 Copies of order to Atty's Mabon and Thomas

Nov. 20, 1992 Upon Praecipe of Plaintiff attorney the above-captioned case is hereby marked settled, discontinued and ended of record.

1989

1055.

CHARLENE M. EDWARDS

vs.

ROBERT M. FINK

Filed Nov. 20, 1989
@ 3:06 p.m.

Tax & entry	$50.50
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 20 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 in the petition.

2. Special Conditions: Def. shall not go to apartment of wife.

3. This order may be enforced without a warrant of arrest by any law enforcemnt 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.

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 Nov. 30, 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 todo so.

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

Nov. 28, 1989 Sheriff's Return filed. SERVED Robert M. Fink, personally at his place of employment Pitt Campus Cafateria Titusville, PA, on November 21, 1989 at 11:25 a.m., with Protection From Abuse.

So answers,

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

Dec. 4, 1989 Order filed: And Now, November 30, 1989 , hearing in the above captioned matter heretofore set for November 30, 1989, is hereby reset for December 4, 1989, at 4:00 p.m. in Courtroom No. 1.

FOR THE COURT,

Imogene Yetman, Court Administrator

Dec. 7, 1989 ORDER filed. AND NOW, Dec. 4, 1989, the Defendant is prohibited from assaulting, annoying, threatening, or harassing the Plaintiff and may not go to her residence at 316 North Fourth St., Titusville, PA., or any other residence to which she may move for any purpose.

The parties mutually agree that a shotgun and two tapes (Motley Crew and Aerosmith) are the property of the Defendant and he may go to the residence of his girlfriend on Saturday, Dec. 16, 1989, at 4:00 p.m. for the purpose of picking up these possessions. He may not stay for any length of time.

The parties' oldest child, Donald, is the admitted son of the Defendant but the child Thomas is not his child. At this time the parties are unable to agree on a place for the father to visit the child Donald and the Court directs that before they leave the Court House this date that they pick a mutual friend where the Defendant/Father could take the child for a reasonable visit at least once a week during the month of December 1989 at a time of his choice. It shall be the father's responsibility to come to the residence of the mother to pick up the child and he may not stay at said residence for no more than five minutes during said pickup and may not threaten, harass, or annoy the Plaintiff during the pickup. The visits shall be for a period of not less than three hours and it shall be the responsibility of the father to return the child to the mother after said visits. Commencing in the month of January 1990, if the parties have not mutually agreed on more extended visits including weekend visits with the father, either party may refer the same to the Court for appointment of a custody mediator to resolve the custody and visitation issue.

The father agrees that the present time, he will not take the child to his residence at 504 Walnut St., which apparently is the residence of one Cynthia Simmons.

The Defendant will not procure others to go to his girlfriend's residence or call, harass, or threaten or annoy her in any fashion.

This Order shall remain in force and effect for a period of one year.

All costs in this case will be paid by the Defendant within thirty (30) days of the time he is billed therefor by the Prothonotary at the address shown on the petition.

Any police officer having reasonable grounds to believe that the abuse portions of this Order have been violated may arrest the Defendant forthwith without a warrant, take him before a District Justice for arraignment, and lodge him in the Crawford County Jail and request a contempt hearing.

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

Dec. 7, 1989 Copy of Order to Atty. Gerald Sullivan,Defendant, County Control.

Gerald M. Sullivan

1056.

Terry Toomey

PATRICIA ELAINE WHITNEY

vs.

BRIAN DEAN WHITNEY

Filed Nov. 20, 1989
@ 3:49 p.m.

Tax & entry pd 11/3/90 $50.50
Sheriff's Costs 20.00
Pro for Co. pd 11/3/90 9.00

11/3/90 Rec'd $20 on/from Defendant

11/3/90 bal $10 on TO
Howard Stewart, Sheriff
Lic # 5378

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plaintiff)

TEMPORARY ABUSE ORDER:

And now, this 20 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 of the minor children named in the petition.

2. Special Conditions: Defendant shall not go to the plaintiff's residence at 486 North street, Meadville, Pa. nor shall he go to plaintiff's place of residence at the Meadville, I.M.C.A., Meadville, Pa.

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

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

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

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

7. The defendant is reminded that this is an order of court and violation of this order may be punishable by a fine up to $1,000 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. 29, 1989 at 11:00 a.m. in Courtoom 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. 28, 1989 Sheriff's Return filed. SERVED Brian Dean Whitney, personally at his residence, 341 Arch Street, Meadville, PA 1635, on November 21, 1989 at 9:45 a.m. with Protection From Abuse.
So answers,

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

Nov. 30, 1989 Order filed: AND NOW, November 29, 1989, without admitting or denying any of the facts in the petition, the parties have agreed to the entry of the following Order:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff.

2. The defendant shall not go to the plaintiff's residence at 486 North Street, Meadville, Pennsylvania, or any other residence at which she may be living, for any purpose except as herein provided.

3. The defendant shall not contact the plaintiff at her place of employment.

4. Custody of the parties' minor child Ryan Christopher Whitney shall be shared as follows: T he defendant shall have custody of said child each week from 12:00 o'clock Noon on Sunday until 7:30 p.m. on Tuesday, and the balance of the time, the child shall be i n the custody of the plaintiff. The party receiving custody shall furnish transportation and the defendant shall pick up the child at the home of the child's maternal grandmother, Alice Nies, and the plaintiff shall arrange to have the child at that residence in time for the transfer of custody.

5. The defendant is permitted to go to the former marital residence on Sunday, December 3, 1989, between 12:00 o'clock Noon and 1:00 o'clock p.m. for the purpose of obtaining his clothing, personal effects and those household goods which the parties have agreed upon.

6. This Order shall remain in full force and effect for a period of one (1) year from this date.

7. The Meadville City Police or any other Police Agency having jurisdiction may enforce this Order in accordance with the Protection From Abuse Act.

8. 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, J.

Dec. 1, 1989 Copies of order to Gerald M. Sullivan, Terry Toomey, esqs. and Crawford County Control. Plaintiff and defendant.

1989

Gerald Sullivan

1057.

SUSAN MOREHEAD

vs.

FREDERICK MOREHEAD

Filed Nov. 21, 1989
@ 11:40 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 (plaintiff)

TEMPORARY ORDER:

And Now, this 21 dayof 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 of the minor children named inthe petition.

2. Special Conditions: Do not go to residence of pl. for any purpose.

3. This order may be enforced without a warrant of aRREST BY ANY LAW ENFORCEMENT OFFICER HAVING REASONABLE ground to believe it has been violated.

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

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

6. This temporary order shall 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 Dec. 1, 1989, at 3:30 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 COURT,
P. Richard Thomas,, J.

Nov. 28, 1989 Sheriff's Return filed. SERVED Frederick Morehead, personally at place of visitation, Salvation Army, Park Avenue, Meadville, PA 16335, on November 21, 1989 at 2:15 p.m. with Protection From Abuse.
So answers,

Nick Hoke, City Police Officer
Howard N. Stewart, Sheriff

ORDER filed: AND NOW, December 1, 1989, the abuse matter is before the Court, and the matter is handled informally with input from both parties and counsel for the wife. It appears the wife does not wish to reconcile with her husband, and her husband's argument is that the break up of the maggiage was entirely her fault, that he is anideal husband and an ideal father,, but the wife does not want him to return to the apartment she has now established in her name in Gill village.

The wife has no objection for visits between the father and the four (4) children, but the husband advises the Court that he has no desire and no place to see the children other than the apartment where the mother is now located.

Accordingly, the Court declines at this time to enter any Order regarding visitation of the children.

The Court further notes that the husbank advises the Court that he intends to sell some of his possessions and move permanently out of state. Accordingly, the COURT DIRECTS THAT THE Defendant/Husbank, Frederick Morehead, not go to the residence of the wife at 214 Walker Drive, Meadville, Pennsylvania, for any purpose nor will he threaten his wife, assault her, harass or annoy her or procure other persons to do so on his behalf.

As far as visitation is concerned, the Court enters no Order at this time, at the request of the father, as he says he does not want visitation rights with his children. In the event he changes his mind, he may bring a custody and visitation action seeking visitation or custody of the children, and the Court will grant him a hearing on this issue or refer the same to a custody mediator.

The Court requests Women's Services to keep in contact with the mother to make certain she is progressing satisfactorily and the children are in save and capable hands.

The wife agrees that the jointly owned automobile, a 1978 Ford Thunderbird is parked in front of her premises at 214 Walker Drive . Any time within the next ten days during the daylight hours, the Defendant may go and pick up the car, and the wife agrees to have the same unlocked, and both parties are aware of the location of the keys to operate the car.

The Defendant has some books at the wife's premises, and she agrees that she will place the books in the car for his use.

This Order shall remain in effect for a period of one (1) year.

Any police officer having reasonable grounds to believe that the Defendant has violated the abuse portions of this Order may apprehend the Defendant, have him arraigned before District Justice and lodge him in the County Jail and request an immediate hearing.

Costs in this case will be paid by the County.

Custody of the children is temporarily awarded to the mother until further Order of Court.

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

Dec. 5, 1989 copies of order to Gerald Sullivan, esq.; Defendant, County Control and Women's Services.

Feb. 22, 1990 Motion For Dismissal and Order filed. AND NOW, this 21 day of February, 1990 upon consideration of the foregoing Motion for Dismissal, said Motion is granted and the Court Order dated December 1, 1989 is hereby dismissed. P. Richard Thomas, J

Feb. 22, 1990 3 copies atty.

Brian Lindsay

1058.

LAURIE ANN RANSOM

vs.

MARVIN D. RANSOM

Filed Nov. 21, 1989
@ 2:41 p.m.

Tax & entry	$50.50
Sheriff's Costs	36.20
Pro for Co	9.00
Pro & Ptf 12/16/89	42.85

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plaintiff)

TEMPORARY ABUSE ORDER:

And now, this 21 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 nay of the minor children named in the petition.

2. Special Conditions: Defendant not to go to place plaintiff lives for any purpose. Sheriff or Constable will confiscate all firearms in residence on 121 N. Main St, Springboro, Pa.

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

4. A copy of this order shall be delivered to the polcie 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, 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 Nov. 30, 1989 at 2:30 p.m. in Courtroom 1 or 2 of the Crawford County courthouse.

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

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

Nov. 29, 1989 Sheriff's Return filed. SERVED Marvin D. Ransom personally at his residence, 121 N. Main Street, Springboro, PA on November 28, 1989 at 1:20 p.m. with Protection From Abuse So answers,

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

Dec. 4, 1989 Order filed: AND NOW, November 30, 1989, the matter is before the Court on an abuse petition and the matter is handled informally with an agreement among the parties along the following lines:

1. The Defendant shall not threaten, assault, harass, or annoy the mother in any fashion.

2. The husband is given exclusive custody of the residential premises at 121 North Main Street, Springboro.

3. The wife has removed most of her personal possessions but requests some baby furniture stored in the attic, a few dishes that were gifts from relatives, and miscellaneous personal items. The husband has no objection and the wife will pick the same up on December 5, 1989. The wife shall have exclusive possession of a 1979 pickup truck and if the husband has any keys for the same, he shall surrender the same to the wife. Likewise, the husband shall have exclusive possession of a 1989 Volare automobile and if the wife has keys for the same, she shall surrender them to the husband. The husband voices a willingness to reconcile and accept counseling but at this time the wife states she has no desire to do so.

4. In regard to custody of the child, the Court believes the parties have the ability in view of their mutual work schedules to devise an amicable agreement regarding custody and visitation. Accordingly, the minor child is awarded to the custody of the mother at this time subject, however, to the parties working out an amicable custody and visitation agreement and to this end,they have agreed to meet Tuesday, Decemberr 5, 1989, at 10:00 a.m. for the purpose of reaching said agreement reducing their thoughts to writing and requesting the same be redrafted in the form of a consent agreement by Plaintiff's attorney. If the parties cannot reach an agreement, either side may ask for custody and visitation mediation.

5. In the meantime, both parties agree the child may be in the exclusive custody of the father on Saturday, December 2, 1989, commencing at 10:00 a.m. until Sunday, December 3, 1989, at 5:00 p.m. when the child will be surrendered to the mother.

6. It appears the Court's Order of November 21, 1989, requiring confiscation of firearms was not capable of execution as the Defendant had turned over all firearms to his father. It shall be a condition of any association between the parties that the father will not have a firearm in his possession at any time during the time he is in the presence of his wife.

7. This Order shall remain in force and effect for a period of six months and any police officer having reasonable grounds to believe that the abuse portions of this Order have been violated may apprehend the Defendant on probable cause, have him arraigned before a District Justice, and lodge him in the County Jail and request an immediate hearing.

8. The Defendant is directed to pay one-half of the costs in this case upon receipt of a bill for the same from the Prothonotary and the balance of the other half will be paid by the County.

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

Dec. 5, 1989 copies of order to Brian Lindsay, esq., Defendant, and County Control

1989

Fuller, kinnunen,
Petruso & Gamble
Victor J. Kinnunen

1059.

ESTATE OF DAVID PRUCHENSKI

vs.

EDWARD PRUCHENSKI, HIS HEIRS, EXECUTORS, ADMINISTRATORS, AND ASSIGNS

Filed Nov. 22, 1989
@ 8:32 a.m.

Tax & entry Paid $50.50

Sheriff's Cost 263.85
Pro Co pd 2/21/90 9.00

COMPLAINT IN ACTION TO QUIET TITLE

Nov. 22, 1989 Affidavit, Motion for Publication and Order filed. AND NOW, to wit, Nov. 22, 1989, upon consideration of the foregoing motion, it appearing that the identity and/or whereabouts of the Defendant, Edward Pruchenski, his heirs, executors, administrators, and assigns, is unknown, it is therefore ordered that the Sheriff of Crawford County make service upon the Defendant, Edward Pruchenski, his heirs, executors, administrators, and assigns, by publication once in the Titusville Herald and in the Crawford County Legal Journal, the aforesaid legal publication to require Defendant, Edward Pruchenski, his heirs, executors, administrators, and assigns, to file an answer to said complaint within twenty (20) days after the date of the last publication of the notice.
P. Richard Thomas, J

Nov. 27, 1989 Copy of order mailed to Victor Kinnunen

Dec 29, 1989 Sheriff's Return filed: Published the Action to Quiet Title No AD 1989-1059 once only on December 6, 1989 in the Crawford County Legal Journal and the Titusville Herald, Titusville, Crawford County, Pa.
Proof of publications attached and made a part of this return.
So answers, Howard N. Stewart, Sheriff

Jan 18, 1990 Motion for Judgment and Order filed: AND NOW, January 18, 1990, it is ordered and decreed that Defendant, Edward Pruchenski, his heairs, executors, administrators and assigns, be, and they are forever barred from asserting any right, lien, title, or interest, in the premises hereinafter described, which is inconsistent with the interest or claim of Plaintiff as set forth in his Complaint:

ALL those three (3) certain pieces or parcels of land situate in Athens Township, Crawford County, Pennsylvania, bounded and described as follows:

1. BEGINNING at the southwest corner of land being conveyed; thence in a northerly direction to a post in line of land now or formerly of Giles Brown, et ux, bounded on the West side by land now or formerly of Alexander Pruchenski and John Rybka; thence from above mentioned post in an easterly direction along line of land now or formerly of Giles Brown, et ux, to public road between two Centerville Roads; thence in a southerly direction along said road to the original Gore line; thence Westwardly along line of land nor or formerly of A.W. Edminster along above mentioned Gore line to a post; thence in a southerly direction along line of land now or formerly of A. W. Edminster to a post in line of lands now or formerly of A. W. Edminster; thence westwardly along line of land now or formerly of A.W. Edminster to place of beginning; said post at place of beginning being thecorner of A. W. Edminster in line Alex Pruchenski; this piece of land containing fifteen and one-forth (15¼) acres, mor or less.

2. BEGINNING at a point in the West side of the public road, the same being midway between the South line of land now or formerly of Giles Brown and the North line of land now or formerly of Hervey Childs, and running thence in a westerly direction to the East line of land formerly of Vancise and Babcock to a post; thence in a southerly direction along the East lien of land formerly of Vancise to the North line of land now or formerly of Hervey Childs; thence in an easterly direction along the North line of land now or formerly of said Hervey Childs, formerly land of William H. Hart, to a post in the West side of the public highway; thence in a northerly direction along the West side of the public highway to a post in the center of the East line of land conveyed by E. Leon Allison to Louise Allison by deed dated April 14, 1917; containing about seventeen and one-half (17½) acres, more or less; having erected thereon a frame dwelling house and bar; excepting and reserving from this conveyance any right of any individual by virtue of any lease or contract for operating upon the same for oil.

3. BEGINNING at a post at road in the original Gore line; thence in a westerly direction along line of land now or formerly of Alexander Pruchenski to a post in line of land as mentioned above; thence in a southerly direction to line of land above described (being the second described parcel in this conveyance); thence easterly along line of said land to public road, said road between the two Centerville Roads; thence northerly along line of said road to placeof beginning; containing two and one-forth (2¼) cares, more or less.

AND IT IS FURTHER DECREED that Defendant, Edward Pruchenski, his hearis, executors, administrators, and assigns, be, and they are forever barred from impeaching, denying, or in any way attacking Plaintiff's title to said property, or any portion thereof; from issuing or maintaining any action attacking the same; and from encumbering, mortgaging, or conveying the same or any part thereof;

PROVIDED, HOWEVER, that this decree shall become final only if Defendant, Edward Pruchencki, his heirs, executors, administrators, and assigns, fails to take such action as is hereinafter directed within thirty (30) days from the date hereof.;

AND, IT IS FURTHER ORDERED AND DECREED THAT IF NO Petition to open this judgment or set aside this Order and Decree is presented by Defendant, Edward Pruchenski, his heirs, executors, administrators, and assigns, or no action of ejectment is commenced by said Defendant, Edward Pruchencski, his heirs, executors, administrators, or assigns, within thirty (30) days from and after the entry of this Decree, the same shall become final. If such action is not taken within said thirty (30) day period, the Prothonotary, on Praecipe of Plaintiff, shall enter final judgment.

P. Richard Thomas, Judge

Jan 23, 1990 Copy of order mailed to Atty. Kinnunen.

And now, Feb. 21, 1990 at 2:00 p.m. upon praecipe of plaintiff's attorney, final judgment is hereby entered in this case, in favor of the plaintiff and against the defendants, pursuant to the foregoing Order of Court.
FINAL JUDGMENT
P-54
James F. Simmons,
Prothonotary

Allen and Hall
Stephen E. Hall

1060..

Anthony Vardaro,
County Solictor

IN RE:
PRIVATE SALE OF TAX CLAIM LAND, TO-WIT 1 (ONE) ACRE OF LAND LOCATED IN RICHMOND TOWNSHIP, CRAWFORD COUNTY, PENNSYLVANIA

(property of Leo B. Hutchison)

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

Tax & entry Paid $50.50 ✓

PETITION TO DISAPPROVE TAX SALE PURSUANT TO 72P.S. Sect. 5860.613

Nov. 22, 1989, Order filed. ORDER: AND NOW, NOv. 22, 1989, upon consideration of the foregoing Petition to Disapprove Tax Sale, a Hearing is scheduled for 1:30 p.m. Dec. 18, 1989, in Court Room No. 1 or 2 Crawford County Court House, Meadville, Pa. where at such time the court will consider confirming or disapproving the private tax sale as it appears just and if such sale is disapproved the court shall carry out such procedures as set forth in 72 P.S. Section 5860.613 relating to the sale of such property as appropriate. The following shall be notified of the date and time of this hearing and provided with copies of the order and the petition:

1. Crawford County Tax Claim Bureau
2. Fred E. Rahal, p.O. Box 672, Fairview, Pa. 16417
3. Leo B. Hutchinson, R. D. #1, Cambridge Springs, Pa. 16403
4. Lois Y. Scott, by her attorney, Stephen e Hall, Esq.

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

Nov. 22, 1989 copy of order to S. Hall, atty.

Dec. 20, 1989, ORDER filed. AND NOW, Dec. 18, 1989, at the time set for hearing on a request to disapprove a private sale of approximately one acre of real estate in Richmond Township, the Court disapproves the proposed sale to Fred E. Rahal of Fairview, Pennsylvania, as being too low.

After receiving input regarding County expenses involved in this sale, the court sets a minimum bid of $400.00 as the minimum amount for sale of this property. The court opens the matter for public bidding and only one bidden appears and offers $400.00. Accordingly, the court directs the County Tax Claim Bureau deed the property to Lois Y. Scott, Route 1, Box 230A Cambridge Springs, Pa. 16403, upon receipt of the payment of $400.00 forthwith.

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

Dec. 21, 1989, copies to S. Hall and A. Vardaro, attys.

1989

Barr, Barr & Shaffer
Michael S. Barr

1061.
William J. Gregg

JAMES D. HINES, JR. AND GEORGE E. HINES, CO-EXECUTORS OF THE ESTATE OF JAMES D. HINES, SR., DECEASED

vs.

RICHARD DENNIS

Filed Nov. 22, 1989
@ 11:12 a.m.

Tax & entry paid	$50.50
Sheriff's Costs	21.72
Pro Co pd 9-29-98	5.00

COMPLAINT IN CIVIL ACTION

1 copy (sheriff)

January 12, 1990 Sheriff's REturn filed. Complaint returned to Prothonotary January 12, 1990 unserved.
Sheriff's Office received no instructions, no service costs.
So answers, Howard N. Stewart, Sheriff

May 30, 1990 Complaint Reinstated.

June 29, 1990 Sheriff's Return filed. SERVED Richard Dennis, personally, onJune 6, 1990 at 11:35 AM, with complaint at his place of employment, Classic Sale, RD 4, Route 618, Conneaut Lake, PA, County of Crawford.
So answers, Robert M. Stevens, Deputy
Howard N. Stewart, Sheriff

Sept. 20, 1990 Answer to Plaintiffs' Complanit filed. (1 copy atty.)

July 25, 1991 Notice of Deposition of Richard Dennis filed.

June 30, 1992 Motion for Summary Judgment filed.

Sept. 9, 1993 Upon praecipe of Michael S. Barr, Esquire, Attorney for Plaintiffs, the above captioned matter is placed on the next available Argument List.

ON OCTOBER, 1993 ARGUMENT LIST

Oct. 15, 1993 Motion to Continue and ORDER filed. AND NOW, this 15th of October, 1993, the above captioned matter is continued to the December Argument List.
Gordon R. Miller, J.
10-21-93 Copy of Order to Atty. Barr & Gregg

ON DECEMBER, 1993 ARGUMENT LIST

Jan. 4, 1994 Assignment of Argument Date. December 29, 1993, argument in the above matter is hereby set for January 31, 1994, at 1:30 P.M. in Courtroom 2.
FOR THE COURT,
Ann A. Walker, Court Administrator
12-29-93 Copies dist. by Ct.Adm.

Jan. 31, 1994 Motion to Continue and Order, filed. ORDER: AND NOW, this 27th day of January, 1994, the above captioned matter is continued to the February Argument List. Gordon R. Miller, P.J
Feb. 1, 1994 copy to M. Barr, W. Gregg, A. Walker

ON ARGUMENT FOR FEBRUARY 1994

Mar. 4, 1994 ORDER filed. AND NOW, Marach 3, 1994, Plaintiffs' motion for summary judgment is denied. The basis for the motion is that, when the Defendant answered the Plaintiffs' first set of Interrogatories, he stated that he was the only witness expected to be called at the time of trial and that he would be testifying with respect to the payment of the amount in question in the lawsuit to the decedent prior to the time of the decedent's death and therefore such testimony was banned by the Pennsylvania Dead Man's Act [42 Pa. C.S.A. Section 5930].
The mere fact that interrogatories were sent to the Defendant and answered by him as indicated in the Plaintiffs' motion for summary judgment means that the Plaintiffs have waived any protection afforded by the Pennsylvania Dead Man's Act. Anderson v. Hughes, 417 Pa. 87, 208 A.2d 789 (1965); Perlis v. Kuhs, 202 Pa. Super, 80, 195 A.2d 156 (1963).
BY THE COURT:
Anthony J. Vardaro, J.
Mar. 3,1994 copies dist. Barr & Gray

Feb. 8, 1996 Notice to Complete All Pre-Trial Discovery filed.

June 6, 1997 Certificate of Readiness, filed.

ON TRIAL LIST FOR October 1997

SEpt 29, 1997 Motion For Continuance and Order: AND NOW, upon consideration of the within Motion for Continuance, IT IS HEREBY ORDERED that this case be continued to the next available civil trial term. Gordon R. Miller P.J.
Sept 30, 1997 Faxed Gregg & Mailed Barr

Jan. 30, 1998 Statement of Both Attorneys stating the case is ready for trial.

Mar 4, 1998 ORDER: AND NOW, this 4th day of March, 1998, non jury trial in the above matter is hereby scheduled for Tuesday, March 24, 1998, at 9:00 a.m., CR #3, Crawford County Courthouse, Meadville, PA. Ann A. Walker, C.A.
Mar 4, 1998 Faxed Barr & Gregg

Mar. 17, 1998 Order Resetting Nonjury Trial Date filed. AND NOW, this 16th day of March, 1998 due to a miscommunication regarding unavailability of counsel for trial on March 24, 1998, the above non jury trial is hereby rrescheduled for Tuesday, April 14, 1998, at 9:15 a.m., CR #3 Crawford County Courthouse, Meadville, PA.
FOR THE COURT,
Ann A. Walker, J

Mar. 17, 1998 Faxed Gregg & Barr

Sept 11, 1998 Upon praecipe of Plaintiff attorney the above-captioned case is marked settled and discontinued of record.

Bruce L. Smith

1062.

BARBARA J. THOMPSON

vs.

ARTHUR W. THOMPSON

Filed Nov. 22, 1989
@ 11:18 a.m.

Tax & entry Paid	$50.50 ✓
Pro Co pd 3/2/90	9.00 ✓
State pd 3/2/90	10.00

COMPLAINT IN DIVORCE

I copy (atty)

Feb. 26, 1990 Affidavit Of Consent of Plaintiff filed.

Feb. 26, 1990 Affidavit Of Consent of Defendant filed.

Feb. 26, 1990 Upon praecipe of Plaintiff Attorney To Transmit Record, this case moved to court.

Mar. 1, 1990 Affidavit of Service filed. BRUCE L. SMITH, being duly sworn according to law, deposes and says that on the 17th day of November, 1989, he served the Complaint and Notice to Defend and Claim Rights in the above-captoined matter on the above-named defendant by mailing a true and correct copy of said Complaint and Notice to Defend and Claim Rights to the Defendant at his residence, c/o P.O. Box 82, Titusville, Pennsylvania, 16354, and that the Complaint and accompanying Notice to Defend and Claim rights were received by the Defendant on November 29, 1989, as evidenced by return Receipt No. P-620-647 528 attached hereto, all pursuant to Pennsylvania Rule of Civil Procedure No. 412.

Bruce L. Smith

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

And now, March 6, 1990, it is ordered and decreed that Barbara J. Thompson, plaintiff, and Arthur W. Thompson, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
P. Richard Thomas, J

1989

1063.

PETITION OF QUALIFIED ELECTORS OF ELECTION DISTRICT IN WOODCOCK TOWNSHIP

Filed Nov. 22, 1989
@ 1:09 p.m.

Tax & entry Paid $50.50

PETITION FOR NAME RECOGNIZATION OF VOTES CAST IN WOODCOOK TOWNSHIP SUPERVISORS ELECTION

Nov. 22, 1989, ORDER filed. AND NOW, Nov. 22, 1989, a pro se request form Edward Powell directed to the court requests a ruling as to the validity of votes cast for Edward Powell. Apparently the Election Board has not officially certified final results of the November election at this time. The court refers this matter to the County Election Baord and their solicitor and requests a written reporttwithin forty-eight (48) hours of the time the election returns are officially certified together with a clarification of any problems the Board observed in approving final court of the election for supervisor of Woodcock Township.

The court will consider the Petitioner's request as a formal objection to the final tabulation and either the Board or the Petitioner may request a future hearing to ultimately resolve any issues arising from the final approved court of votes.

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

Nov. 22, 1989, copies delivered by court.

1989

Blackwood Law Offices
James E. Blackwood

1064.

Quinn, Gent, Buseck, and Leemhuis, Inc,
John M. .Quinn, Jr.
for Mead. Medical center

Marsh, Spaeder, Baur, Spaeder & Schaaf
Francis J. Klemensic
Dr. Gerald Brooks, MD

John Spataro
Crawford Co Homes

THOMAS ROHA, Executor of the Estate of Arthur J. Roha, Deceased
~~ESTATE OF ARTHUR J. ROHA~~

vs.

MEADVILLE MEDICAL CENTER, CRAWFORD COUNTY HOME AND HOSPITAL, AND DOCTOR GERALD BROOKS, M.D.

Filed Nov. 22, 1989
@ 1:26 p.m.

Tax & entry Paid $50.50 ✓
Sheriff's Costs 38.00
Pro Pd 9/14/95 9.00
Pro Co Pd 9-21-95 9.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Dec. 13, 1989, Appearance of Quinn, Gent, Buseck and Leemhuis, Inc. by JOhn M. Quinn, Jr., attorneys for defendant, Meadville Medical Center, filed.

Dec. 13, 1989, Upon praecipe of John M. Quinn, Jr. attorney for defendant Meadville Medical Center, Rule entered upon plaintiff, to file complaint, issued.

Dec. 14, 1989 Writ Return filed. SERVED Meadville Medical Center on NOvember 28, 1989 at 9:03 AM by handing copy of Summons to Zeline Euler, Manager of Risk Management, at Medical Center Grove Street, Meadville, crawford County, PA.
SERVED Crawford County Home on NOvember 28, 1989 at 9:25 AM by handing copy of Summons to William Free, Assistant Administrator, at R.D. Saegertown, Crawford County, PA.
SERVED Dr. Gerald Brooks, M.D. on November 28, 1989 at 9:34 AM by handing copy of Summons tohim at 403 Euclid Avenue, SAegertown, Crawford County, PA.
So answers, Robert M. Stevens, deputy sheriff
Howard N. Stewart, Sheriff

Dec. 20, 1989 Appearance of Marsh, Spaeder, Baur, Spaeder, & Schaaf by Francis J. Klemensic for Dr. Gerald Brooks, M.D. filed.

Mar. 2, 1990 Service of the foregoing Rule is hereby accepted on February 21, 1990 by James E. Blackwood.

Mar. 8, 1990 Complaint filed.

Mar. 30, 1992 Preliminary Objections filed.

Mar. 30, 1992 Upon praecipe of Atty. Klemensic the above captioned matter is placed on the next available argument list.

APRIL 1992 ARGUMENT LIST

April 3, 1992 Re: Preliminary Objections of Defendant Brooks Assignment of Argument Date filed. April 1, 1992, Argument in the above matter is set for May 4, 1992, at 1:30 P.M., before Senior Judge P. Richard Thomas in Courtroom 1 or 2 of the Crawford County Courthouse.

FOR THE COURT,
Imogene Yetman
Court Administrator

April 8, 1992 Copy to Attys. James Blackwood, John Quinn,Jr.,Francis Klemensic,John Spataro.

April 24, 1992PRELIMINARY OBJECTIONS FILED.

May 1, 1992 Preliminary Objections filed.

May 1, 1992 Upon Praecipe for Attorney for Defendant Crawford County Home and Hospital, this case is place on the argument List. (To be held May 1, 1992 before Judge P. Richard Thomas.)

May 6, 1992 MOTION TO AMEND CAPTION and ORDER AMENDING CAPTION, filed. ORDER: AND NOW this 6 day of May, 1992, it is ordered, adjudged and decreed that the caption in this matter shall be amended to read as follows:

THOMAS ROHA, Executor of the Estate of Arhtur J. Roha, Deceased
vs.
MEADVILLE MEDICAL CENTER, CRAWFORD COUNTY HOME AND HOSPITAL and DOCTOR GERALD BROOKS, M.D.

P. Richard Thomas, S.J.

May 13, 1992 copy mailed to J. Blackwood, J. Quinn & F. Klemensic

May 28, 1992 MEMORANDUM AND ORDER, filed. Re: Defendant's Preliminary Objections. This is a lawsuit brought by the estate of the deceased, incompetent Plaintiff. He was a resident of the Crawford County Home and on or about NOv. 28, 1987 suffered a shortness of breath and arrythmia and some critical distress. Dr. Brooks, who was the supervising physician at the home, determined immediate hospitalization was necessary and had him transferred to the Meadvilel Medical Ctr. allegedly because he feared the onset of a cardiac incident. Apparently the Defendant was a veteran entitled to free hospitalization and medical attention at the Erie Veterans Hospital. After a week's stay at the Meadville Medical Ctr., he was transferred to the Veterans Administration Hospital in Erie and died Nov. 26, 1988. Meadville Medical Ctr. apparently billed his estate for some $14,800. The complaint alleges the deceased's estate has about $9,000 in assets. The thrust of this lawsuit sounding in negligence or, in the alternative, express or implied contract is that the Meadville Medical Ctr., the Crawford County Home and Hospital and Dr. Gerald Brooks should individually or collectively be held responsible for the aforesaid hospital bill or should see to the exoneration of the estate's liability for the payment of the same. The trhrust is that the Defendants knew or should have known that veterans hospital care benefits were available to the veteran and instead of transferring him to the Meadville Medical Ctr. he should have been transferred to the veterans hospital at Erie where he could be cared for at no cost.

The initial preliminary objections address an obvious oversight by Plaintiff's counsel in commencing the action in the name of the estate before Thomas Roha, the son of the deceased, had qualified as Administrataor of his father's estate. Prior to the time of argument on the preliminary objections, Thomas Roha qualified as Executor of his father's estate and accordingly, preliminary objections addressing this issue became moot. All counsel agreed on an appropriate amendment to the caption.

The remaining preliminary objections were motions in the nature of a request to strike or, in the alternative, a demurrer or a request for more specific pleadings and raise complex factual, legal and procedural issues that the defendants believe the Court should resolve by a careful

CONTINUED ON PAGE 514 A

Thomas Roha, Executor of the Estate of Arthur J. Roha, Deceased.
vs.
Meadville Medical Ctr., et al

CONTINUED FROM PAGE 514
of Record
A.D. 1989 - 1064

review of the inadequacies of the Plaintiff's complaint, to the end that the Plaintiff's case should be dismissed at this stage of the proceedings. We disagree. While the excellent briefs of the defendants raise challenging and interesting arguments, we do not believe that the case is ripe for decision on the Plaintiff's cause of action at this procedural stage.

Accordingly, the preliminary objections of the various Defendants are dismissed and the Defendants are accorded twenty days from the date of the filing of this Court's order to file appropriate answers to the Plaintiff's complaint.

Date: May 28, 1992

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

June 30, 1992 Answer and New Matter filed.

Nov. 6, 1992 Answer and New Matter filed.

Nov.18, 1992 Responde To New Matter filed.

Jan. 13, 1993 ANSWER AND NEW MATTER ON BEHALF OF DEFENDANT, GERALD BROOKS,M.D., filed.

Jan. 13, 1993 NOTICE OF SERVING INTERROGATORIES AND REQUESTS FOR PRODUCTION, filed.

Feb. 2, 1994 NOtice of INtent to Complete Discovery, filed.

Apr. 4, 1994 Notice Of Taking Deposition of (Representatives) Crawford County HOme and Hospital filed.

Apr. 4, 1994 Notice of Taking Deposition of (Representatives) Meadville Medical Center filed.

Apr. 4, 1994 Notice of Taking Deposition of Dr. Gerald Brooks filed.

Apr. 4, 1994 Notice Of Serving Interrogatories and Requests For Production filed (Crwaford County Home & Hospital)

Apr. 4, 1994 Notice of Serving Interrogatories and requests for Production filed (Meadville Medical Center)

Apr. 4, 1994 Notice Of Serving Interrogatories and Requests for Production filed. (Gerald Brooks, M.D.)

June 17, 1994 Notice of Service of Answers To Interrogatories and Request For Production of Documents filed.

Feb. 21, 1995 Upon praecipe of Francis J. Klemensic, Esq., Motion for Summary Judgment on behalf of defendant, Gerald Brooks, M.D, placed on next Argument List, filed.

Feb. 21, 1995 Motion for Summary Judgment on behalf of defendant, Gerald Brooks, M.D., filed.

Feb. 27, 1995 Upon praecipe of Arthur D. Martinucci, Esq., Motion for Summary Judgment on behalf of defendant, Meadville Medical Center, placed on next Argument List, filed.

Feb. 27, 1995 Motion for Summary Judgment on behalf of defendant, Meadville Medical Center, filed.

ON MARCH 1995 ARGUMENT LIST

March 14, 1995 Motion For Summary Judgment filed.

Mar. 22, 1995 Upon praecipe of John F.Spataro,Esquire,Attorney for Defendant, Crawford County Home and Hospital, the Motion for Summary Judgment is placed on the next available argument list.

ON APRIL, 1995 Argument List

Apr. 5, 1995 Motion to Reschedule Time for Plaintiff to File Brief and for Argument filed.

Apr. 5, 1995 Reassignment, Assignment of Argument Date filed. AND NOW, April 5, 1995, on plaintiff's "Motion to Reschedule Time for Plaintiff to File Brief and for Argument", it is ordered as follows:

1) The arguments (on motions for summaryjudgment filed by defendants Meadville Medical Center and Dr.Brooks) heretofore set for March 27, 1995 are hereby continued to May 5, 1995,at 3:15 p.m. in Courtroom #3 of theCrawford County Courthouse before the undersigned; and

2) Argument on the motion for summary judgment filed by defendant Crawford County Home & Hospital, which in the ordinary course would have been set for argument on the Court's April argument list, is hereby set for argument before the undersigned at the same time as set forth above for the other summary judgment arguments; and

3) Anything to the contrary in the local rules notwithstanding, Plaintiff is ordered and directed to file and serve his brief(s) and/or any other response(s) to all of the defendants' motions for summary judgment on or before April 19, 1995. Replies, if any, must be filed and served on or before April 28, 1995.

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

4-5-95 copies dist.by Court.

Sept. 8, 1995, MEMORANDUM AND ORDER filed. ORDER: AND NOW, Sept. 7, 1995, with consent of counsel for the plaintiff we grant summary judgment in favor of defendant Meadville Medical Center.

We likewise grant summary judgment in favor of defendants Crawford county Home and Hospital and Gerald Brooks, M.D.

by the court,
P. Richard Thomas, S.J.

9/8/95 copies dist. to all counsel.

And Now, Sept. 13, 1995, at 1:29 p.m., upon praecipe of attorneys for defendant Dr. Gerald Brooks, MD, Judgment is hereby entered in favor of the defendant Dr. Gerald Brooks, MD and against the plaintiff Thomas A. Roha, Executor of the Estate of Arthur J. Roha, deceased, on the Memorandum and order of Hon. P. Richard Thomas, S.J. dated Sept. 7, 1995, granting dft's motion for Summary Judgment.

Judgment entered
9/13/95
R - 166, 16

JUDGMENT
Barbara H. King,
Prothonotary

9/14/95 Notice of entry of judgment mailed to plffs.

Cont. on Page 514B

514
-6-

1989

	Thomas Roha, Executor of the Estate of Arthur J. Roha, Deceased vs. Meadville Medical Center, Crawford County Home and Hospital, and Doctor Gerald Brooks, M.D.	CONTINUED FROM PAGE 514A of Record A. D. 1989 - 1064

****

Sep 14, 1995 Defendant, Crawford County Home and Hospital's, Praecipe To Enter Judgmetn Pursuant to Pa.R.C.P. Section 227.4(2), filed. Please enter judgment in favor of the defendant, Crawford County Home and Hospital and against plaintiff, Thomas A. Roha, Executor of the Estate of Arthur J. Roha, deceased, on the Memorandum and Order of the Homoraable P. Richard Thomas, S.J., dated September 7, 1995, granting defendant's Motion for Summary Judgment.

I certify that a copy of this Praecipe has been mailed to all counsel of record. John f. Spataro, Esq.

R - 16, 160 JUDGMENT
Barbara H. King, Pro.

Sep 18, 1995 Praecipe For Entry Of Judgment, filed. Please enter judgment in the above-captioned matter in favor of the Defendant, Meadville Medical Center, and agaisnt the Plaintiff, Thomas Roha, Executor of the Estate of Arthur J. Roha, in accordance with the Memorandum and Order of Senior Judge Thomas, copy of which is attached hereto.

R - 16, 160 JUDGMENT
Barbara H. King, Pro.

1989

Culbertson, Weiss, Schetroma and Schug
Mary Ann Kirkpatrick

1065.

RONALD L. POWER

vs.

LYNN M. POWER

Filed Nov. 22, 1989
@ 1:50 p.m.

Tax & entry Paid $50.50 ✓
Pro Co pd 1/8/90 46.00 ✓
Pro Co pd 3/8/90 9.00 ✓
State pd 3/8/90 10.00

COMPLAINT IN DIVORCE

1 copy (atty)

Dec. 1, 1989 Affidavit of Service filed. And Now, November 30, 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 Ronald L. Power, 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. P401 452, postmarked November 22, 1989, to the last known address of the Defendant, Lynn M. Power, 963 Maple Lane, Meadville, Pennsylvania 16335.

3. That the Defendant, Lynn M. Power, on November 25, 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.

Dec. 27, 1989, Memorandum of Agreement as to divorce, Equitable Distribution, Alimony, Counsel Fees, Child custody and Support, filed. 2 copies (atty)

Mar. 6, 1990 Affidavit Of Consent of Defendant filed.

Mar. 6, 1990 Affidavit Of Consent of Plaintiff filed.

Mar. 7, 1990 Upon praecipe of Plaintiff Attorney for Review Under Section 201(c) of the Divorce Code, this case moved to court.

Mar. 15, 1990 **DIVORCE DECREE FILED.**

And now, March 14, 1990, it is ordered and decreed that Ronald L. Power, plaintiff and Lynn M. Power, defendant, are divorced from the bonds of matrimony.

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

June 22, 1990, Petition of plaintiff for Order filed.

June 22, 1990, ORDER filed. AND NOW, June 22, 1990, upon review of the attached petition said petition and prayer are denied as this court does not have the power to enter orders regarding property rights and interest between spouses since that matter was not raised in any pleadings (23 P.S. 301(a)).

It is true that where this court has jurisdiction it also has the power to determine property matters, to enter decrees affecting property matters, to retain continuing jurisdiction (23 P.S. 301(a)) and to enforce and agreement voluntarily entered into between the parties. (23 P.S. 401(a)). We also have the right to enforce an agreement entered into between the parties whether or not that agreement was merged into a decree to the same extent as though the agreement had been an order of court (23 P.S. 401.1(a)). Since our ritht to enforce agreemetns of the parties that have not been merged into a decree is the same as our ability to enter an order on an agreement, both are limited to those matters raised in the pleadings.

BY THE COURT,
Gordon R. Miller, J.

June 25, 1990, copies to M. A. Kirkpatrick atty. and dft.

Donald E. Lewis

1066.

KIPP H. SHONGO

vs.

ELIZABETH A. SHONGO

Filed Nov. 22, 1989
@ 2:55 p.m.

Tax & entry Paid $50.50 ✓
1 count paid 15.00 ✓

COMPLAINT IN DIVORCE, CUSTODY

1 copy (atty)

Dec. 6, 1989 Affidavit filed. I, DONALD E. LEWIS, ESQUIRE, after being duly sworn according to law, depose and say that I am the attorney of record for Kipp H. Shongo, Plaintiff herein, and that as such I am authorized to execute this Affidavit, that I did on the 4th day of December, 1989, send by Certified Mail, Return Receipt Requested, a true and correct copy of the Notice to Defend and the Complaint in Divorce to the Defendant, Elizabeth A. Shongo, at her last known address of 794 Vernon street, meadville, Pa. 16508, as evidenced by theattached sender's receipt No. P 276 200 310, and that on the 6th day of Dec., 1989, I did receive the duly executed return receipt dated the 5th day of December, 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.

Donnald E. Lewis, 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 12/6/89 . 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

Blystone & Blystone
Peter E. Blystone

1067.

Thomas, Truax, Spadafore
Vardaro & Walker
Anthony J. Vardaro
for dft. Peggy Sue Brown

ROSE B. BERRY

vs.

PEGGY SUE BROWN AND
DWAYNE STUART THOMPSON

Filed Nov. 27, 1989
@ 9:12 a.m.

Indigent filing

COMPLAINT FOR CUSTODY

2 copies (atty)
1 copy (mediator)

ORDER OF COURT:

You, Peggy Sue Brown and Dwayne Stuart Thompson, defendants have been sued in court to obtain cusotdy, partial custody or visitation of the child, Brandon Scott Brown.

On consideration of the complaint, it is ordered that the matter is referred to JOHN FULLER, CUSTODY MEDIATOR, for a concillation conference to be held at a date, time and place to be scheduled by the mediator.

If you fail to appear at the time and place fixed by the mediator, an order for custody partial custody or visitation may be entered against you or the court may issue a warrant for your arrest. Brandon Scott Brown shall remain in the custody of the plaintiff, Rose B. Berry, pending further order of this court.

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, Pa. 16335 814 724-4636.

DAte: 11/27/89

BY THE COURT,
P. Richard Thomas,

Nov. 27, 1989, Petition for leave to Proceed in Forma Pauperis and Order filed. Affidavit in Support of Petition for leave to Proceed in Forma Pauperis, and order filed. ORDER: AND NOW, this 27 day of Nov. 1989, upon consideration of the foregoing Petition it is ORDERED AND DIRECTED that the plaintiff, Rose B. Berry, may proceed in Forma pauperis in the above action for custody in accordance with Pa. R.C.P. No. 240.

2 copy (atty) 1 copy (mediator) P. Richard Thomas, Judge

Nov. 27, 1989, Motion for Service of Complaint Pursuant to Pa. R.C.P. No. 430, and Affidavit Pursuant to Pa. R.C.P. No. 430, and Order filed. ORDER: AND NOW, this 27 day of Nov. 1989 upo consideration of the foregoing Motion and the Affidavit submitted in support of thereof, it is ORDERED AND DECREED that service of the Complaint shall be made on the defendant, Dwayne Stuart Thompson, by regular mail at last known address.

2 copies (atty) P. Richard Thomas, Judge

Dec. 6, 1989 Affidavit of Service filed.

1. The undersigned, Peter E. Blystone, is attorney for Rose B. Berry, plaintiff in the above captioned custody action.

2. On November 27, 1989, affiant mailed a true and correct copy of (1) Complaint for Custody of Brandon Scott Brown with copy of Order directing service on Dwayne Stuart Thompson at last known address by regular mail; (3) Petition for Leave to Proceed in Forma Pauperis and Order, to Peggy Sue Brown addressed to her last known address, viz 4006 Highland Ave. Jonesboro, Arkansas, 72401, by certified mail posted at Meadville, Pa., with delivery restricted to the addressee only.

3. The aforesaid certified mail item, being article No. P 724 950 711 was delivered to Peggy Sue Brown and signed by her personally on Dec . 1, 1989, as indicated by the mailing receipt and certified mail return receipt attached hereto.

4. On Nov. 27, 1989, affiant mailed a true and correct copy of (1)Complaint for Custody of Brandon Scott Brown with copy of Order appointing Custody Mediator; (2) Motion for Service of Complaint and Order directing service on Dwayne Stuart Thompson at last known address by regular mail; (3) Petition for Leave to Proceed in Forma Pauperis and Order, to defendant, Dwayne Stuart Thompson, by first class United States mail pursuant to the Order of Court of Nov. 27, 1989 addressed to his last known address, viz 350 E.Fifth St., Erie, Pa. 16507 as indicated by the certificate of mailing attached. This item of ordinary mail was returned by the Post Office Department marked "Addressee Unknown", a photocopy of the fact of the envelope being attached.

I hereby verify that the statements of fact set forth in the foregoing Affidavit are true and correct to the best of my knowledge,information and belief. I understand that false statements made herein are subject to the penalties of 18 Pa.C.S. No 4904 relating to unsworn falsification to authorities.

Peter E. Blystone

Jan. 23, 1990, Appearance of Anthony J. Vardaro, of Thoms, Truax, Spadafore, Vardaro and Walker, attorneys for defendant Peggy Sue Brown, filed.

May 2, 1990 Motion To Withdraw Appearance and Order filed. AND NOW, this 2nd day of May, 190, upon consideration of the foregoing MOtion, Anthony J. Vardaro, Esquire, is permitted to withdraw his appearance on behalf of the Defendant, Peggy Sue Brown.

BY THE COURT,
Robert L. Walker, J

May 4, 1990 Copies of order put in Peter Blystone and Anthony Vardaro's box.

May 3, 1990 ORDER filed. AND NOW, May 2, 1990, after mediation conference before John Fuller, Esq., IT IS ORDERED AND DECREED AS FOLLOWS:

I. Legal custody of Brandon Scott Brown shall be with his grandmother, Rose B. Berry.

II. Physical custody of Brandon Scott Brown shall be with his grandmother, Rose B. Berry. Neither the mother, Peggy Sue Brown, nor thefather, Dwayne Stuart Thompson, shall be entitled to any visits or temporary custody of the child unless and until there has been a further order of this Court.

III. This order is entered without prejudice to the right of the mother or father to request a further mediation conference or hearing at some time in the future to review matters of custody and visitation.

IV. This order is a temporary order but shall become a permanent order unelss exceptions thereto are filed by either party within thirty (30) days of the date hereof.

V. Cost of the mediation conference is to be paid by Crawford County.

Gordon R. Miller, Judge

May 4, 1990 Copy of Order to Attys. Peter Blystone, Anthony Vardaro and Peggy Sue Brown, Atty. John Fuller.

1068.

CHRISTINE L. LOGSDON

vs.

CHARLES D. LOGSDON

Filed Nov. 27, 1989
@ 10:11 a.m.

Tax & entry	$50.50
Sheriff's Costs	36.20

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)

TEMPORARY ABUSE ORDER:

And Now, this 27 day of Nov. 1989 upon review of the petition of plaintiff, the court enters the following Temporary order;.

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

2. Special Conditions: Wife granted cusotdy of children. Wife and children have occupancy of the marital home R. D. #2, Springboro immediately. Husband vacate premises and take only personal possessions and clothing. All firearms in home (3) be confiscated by law enforcement officers. Husband not contact wife or go to marital residence. Car and all keys be surrendered to wife. (title in wif's name)

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, 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 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 Dec. 7, 1989 at 3:00 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 as said hearing if he so desires but he is not required todo so.

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

Dec. 5, 1989 Sheriff's Return filed. SERVED Charles D. Logsdon personally on November 30, 1989 at 12:35 PM by handing copy of Protection From Abuse, Petition and Order to him at his residence, R.D.# 2, Box 53, Springboro, Crawford County, Pa. All firearms (3) confiscated at that time.

So answers,

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

Dec. 11, 1989 ORDER filed. AND NOW, Dec. 7, 1989, the matter is before the Court on an abuse hearing. It appears that in spite of the Order entered by this Court of Nov. 27, 1989, the Plaintiff Wife did not move back into the premises. Her contention is that she does not feel safe there without a telephone, and because prior bills were not paid, it will take a considerable sum of money to reimburse the telephone company for past bills and pay a deposit for a new telephone installation.

In the meantime, the Defendant/Husband does not object to the wife having exclusive occupancy of the home, but wishes to move back in, himself, until a telephone is procured, and will promptly vacate once the telephone is in, and the wife and children move back in.

In re-occupying the home, the Husband admits that virtually all of the household furnishings were furnished by the wife's parents, and he agrees he will not remove, damage or destroy the same during his occupancy or take them with him when he leaves the premises.

The guns now in the possession of the Sheriff having been confiscated in accordance with our prior Order will remain in the custody of the Sheriff until further Order of Court.

Both parties agree it was in the best interest of the children to have weekly visits with the father, and accordingly, the father may pick up the children for a visit each Saturday at 10 a.m. and return them Sunday at 7 p.m.

The visits will be at the residence of Joseph and Bobbie Franklin, who appear in court this day, and the mother advises she believes they are appropriate people and has no objection to the visits in their premises.

For a period of eight (8) hours before the visit or at any time during the visits, the father will not consume alcoholic beverages or illegal drugs of any kind.

It shall be the father's responsibility to make arrangements for transportation of the children to and from the Franklin home, and the Court is advised by the Plaintiff's parents that if he lacks transportation, they will assist in transporting the children for these visits.

The wife will continue to have possession of the automobile.

Once the telephone is installed, the husband agrees he will vacate the premises peacefully and take nothing with him except as the parties mutually agree is his exclusive property.

The preliminary Order regarding ceasing threatening, annoying, harassing or assaulting the Plaintiff will continue in existence.

This hearing is continued generally and may be reset on the written request of either party.

This Ordr shall remain in effect for a period of one (1) year, and any police officer having reasonable grounds to believe that the Defendant has violated the abuse provisions of this Order may apprehend the Defendant, have him promptly arraigned and lodge him in the Crawford County Jil and notify the Court requesting a prompt hearing.

In view of the fact both parties are unemployed, the County id DIRECTED to pay costs in this case.

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

Dec. 11, 1989 Copy of Order to Gerald Sullivan, William Walker, County Control.

Jan. 3, 1990, Letter to Judge Thomas and Order filed. ORDER FOR RETURN OF GUNS: AND NOW, Dec. 28, 1990 the court notes that in an abuse order dated Dec. 7, 1989 guns in possession of the defendant were confiscated and placec in the custody of the Sheriff of Crawford County. The defendant now requests the return of said guns. The court notes the abuse order was in force and effect for a period of one year and there has been no citations for contempt of said order and ACCORDINGLY, we direct the Sheriff's Office to return the guns to the possession and custody of the defendant upon his appearance in the Sheriff's Office requesting the same and upon his signing a receipt for the return of said guns. BY ORDER OF THE COURT, P. Richard Thomas, S. J. 1/3/91 - copy to Sheriffs Office 1/4/91 copies to plff & dft, mailed.

1989

Paul J. Carney, Jr.
Carney & Heberle

1069.

Mahany, Roeder & Rothschild
Tamara Ochs Rothschild

JEFFREY S. MILLER

vs.

KIMBERLY MILLER

Filed Nov. 27, 1989
@ 11:13 a.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 OF MARITAL PROPERTY, AND SPECIAL RELIEF

2 copies (atty)

Mar. 1, 1990, Appearance of Tamera Ochs Rothschild, of Mahany, Roeder & Rothschild, attorneys for defendant filed.

Apr. 16, 1990 Affidavit Of Service Of Complaint Under §201 (c) Of The Divorce Code filed. I, Paul J. Carney, Jr., Attorney for the Plaintiff, Jeffrey S. Miller, hereby certify that a true and attested copy of the complaint in Divorce in the above-captioned action, was served upon the defendant, Kimberly Miller, by United States Mail, Certified ARticle No. P 120 832 979, Restricted Delivery, Return Receipt Requested on December 1, 1989. The return receipt is attached hereto and marked as Exhibit "A". Paul J. Carney, Jr.

Apr. 16, 1990 Affidavit Of Consent of Plaintiff filed.

Apr. 16, 1990 Affidavit of Consent of defendant filed.

Apr. 16, 1990 Motion For Decree filed.

Apr. 16, 1990 Upon praecipe of Plaintiff Attorney To Transmit Record, this case moved to court.

May 2, 1990 ORDER-DIVORCE ACTION FILED: This is a 201(c) divorce action with an additional count requesting equitable distribution and another count for unspecific special relief. The matter is praeciped to the Court for grant of a divorce and we are unable to do so.

The Courts of this county have long followed the practice of not granting divorces when the record reflects outstanding collateral remedies have been requested in the divorce pleading and remain undisposed of on the record.

It may well be the parties have amicably resolved the equitable distribution and special relief issues, but this court has no way of knowing whether it is to grant the divorce and reserve these issues for future resolution, or whether the parties in actuality have amicable resolved the same.

Accordingly, we return this divorce to the Prothonotary's Office until such time as the Plaintiff withdraws the aforesaid two additional prayers for relief, or until the parties sign and file a consent that the same have been amicably resolved. When this has been done counsel for the Plaintiff may repraecipe for the grant of a divorce.

Date: May 2, 1990

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

May 7, 1990 Copies of order mailed to Attys. Ochs Rothchild and Carney.

May 14, 1990 Upon praecipe of Plaintiff Attorney To Transmit Record, this case moved to Court.

May 17, 1990 D E C R E E F I L E D .

AND NOW, this 17 day of May, 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 decree fromthe bonds of matrimony to the above-named parties, on the grounds that the marriage is irretrievably broken and ninety (90) days have elapsed from the date of the filing of the Complaint, and an affidavits 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. Each of the parties has waived and given up any rights they may repsectively have against the other for alimony, support or maintenance, an dit shall be, on the date of this Decree, the osle responsiblitiy of each of the parties to sustain themselves without seeking any support from the other party.
3. Each of the parties hereto will retain all pension and/or profit sharing plans, bank account listed in their individual names and waive any interest they may have in the other party's stated property.
4. (a) **Personal Property:** The personal property of the parties has already been amicably divided by the parties and it is hereby decreed that each party will retain and beocme the sole and separate owner of any and all property in his or her possession as of the date of this decree.
(b) **Motor Vehicles:** Defendant agrees to convey to Plaintiff all her right, title and interest to a 1989 Pontiac Sunbird automobile and in return Plaintiff agrees to be soley responsible for the debt owing Marine Bank incurred for the purchase of the same and to hold Defendant harmless and indemnified.
(c) **Separate Assets:** The parties agree that, as to all assets not specifically mentioned herein which are presently titled in the sole name of one of the parties he reto or, if untitled, are presently in the sole possession of the parties hereto, the party not having title hereto or possession thereof hereby waives, releases, relinquishes and forever abandons any and all claims therein, and acknolwedges that the party having title or possession of such items shall be the sole and the exclusive owner thereof.
5. **Debts:** Plaintiff shall be soley responsible for the debts owning Marine Bank (incurred for the purchase of the Pontiac Sunbird automobile), Sears credit card account in his name alone, and FNB Consumer Discount bill and hold Defendant harmless and indemnified. defendant shall be soley responsible for the debt owing Sears for a Credit card in her name alone.
6. Each of the parties hereto shall execute any and all documents which may require his or her signature for purposes of effectuating all the terms and conditions of this decree so as to give full force and effect to this decree.
7. Neither party hereto shall be required to file an income and expense statement in accordance with the Pennsylvania Rules of Civil Procedure.

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

1070.

MARY BETH ROBERTS

vs.

MARK ROBERTS

Filed Nov. 27, 1989
@ 12:01 p.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 27 dayof 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 in the petition.

2. Special Conditions: Husband will not contact wife or children nor go to the residence at R. D. #2 Watson Run Road, for any purpose. Defendatn will allow Plaintiff access to trailer to remove personal effects and clothing for wife and children.

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

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

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

6. This temporary order shall remain in full force and effect until modified or terminated by further order of this court. Liability for payment of fees and costs will be de= termined 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 Dec. 7, 1989 at 9:00 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 COURT,
P. Richard Thomas, J.

Dec. 5, 1989 Sheriff's Return filed. SERVED Mark Roberts personally on November 29, 1989 at 3:15 PM by handing copy of Protection From Abuse, Petition and Order to him at residence, R.D.# 2, Conneaut Lake, Crawford County, Pa.

So answers,

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

1989

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

1071.

Buchanan Ingersoll Professional Corp.
By: Bruce E. Stanley

SHAFER ENVIRONMENTAL ASSOCIATES, LTD., A PENNSYLVANIA CORPORATION, FORMERLY CON/ESH SERVICES

vs.

PERFECT PLASTICS INDUSTRIES, INC.

Filed Nov. 27, 1989
@ 3:29 p.m.

Tax & entry Paid	$50.50
Sheriffs costs	**49.00**
Pro Co pd 4/5/90	15.00
Pro Co Pd 6/14/90	6.00

COMPLAINT

1 copy (sheriff)

Dec. 21, 1989, Sheriffs Return filed. Now, Dec. 7, 1989, at 11:40 a.m. served the within notice and complaint upon Perfect Plastics Industries, Inc. at place of business, Schreiber Industrial District, Bldg 213, New Kensington, Pa. by handint to Gary Russenegger, Owner/Vice-Pres., and as person in charge at time of service a cert. copy of the original notice and complaint and made known to him the contents thereof.
Costs $32.00
so answers Regis J. Kelley, Sheriff of Westmoreland County, Pa.
SERVED Perfect Plastics Industries, Inc. by deputizing the Sheriff of Westmoreland County, Pa. as per their affidavit of Service attached.
Served: Dec. 7, 1989.
So answers, Howard N. Stewart, Sheriff

Jan.8, 1990 Appearance of Buchanan Ingersoll Professionnal Corp., By Bruce E. Stanley, Esq. as Counsel for Defendant filed.

Jan 16, 1990 Answer and New Matter filed.

Jan. 22, 1990, Reply to New Matter filed.

Apr. 5, 1990 Upon praecipe of Plaintiff Attorney For Reference To ARbitrators the following are hereby appointed:
Richard D. Roeder, Chairman
Emil Spadafore, Jr.
Christopher J. Youngs

May 2, 1990 Arbitrators take qualifying oath.

May 11, 1990 Notice Of Arbitrator's Hearing filed.

June 14, 1990, Upon praecipe of plaintiff attorneys, the above captioned case is hereby marked settled and discontinued with prejudice.

1072.

CHRISTINE A. IRWIN

vs.

GARY L. BELL

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plaintiff)

12/4/89 Paid to Sheriff of Craw. County Check #27.68 #5341

Filed Nov. 28, 1989
@ 11:24 a.m.

Tax & entry 12/4/89-$50.50 ✓
Sheriffs costs 27.68
Pro Co Pd 12/4/89 - 5.00 ✓

TEMPORARY ABUSE ORDER:

And now, this 28th dayof Nov. 1989, upon review of the petition of palintiff, the court enters the following temporary order.

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

2. Special Conditions: Defendant shall not go to the plaintiffs present residence or place of employment, and shall immediately return plaintiff's motor vehicle and her purse with all contents.

3. This order may be enforced without a warrant of arrest by any lawenforcementofficer 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, POLICE or competent adult.

6. This temporary order shall remin 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 Dec. 8, 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 THE COURT,
Robert L. Walker J.

Dec. 5, 1989 Sheriff's Return filed. SERVED Gary L. Bell personally on November 29, 1989 at 10:15 am by handing copy of Protection from Abuse and Petition, Order to him at Mental Health Dept., Meadville Medical Center, Grove Street, Meadville, crawford County, PA.
So answers,

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

1989

Mason and Mason
Joan D. MaSON

1073.

BRUCE R. KEYES, JR.

vs.

ROBIN KAY KEYES

Filed Nov. 28, 1989
@ 1:12 p.m.

Tax & entry Paid $50.50

COMPLAINT IN DIVORCE

1 copy (atty)

Dec. 19, 1989 Affidavit of Service filed. I, Joan D. Mason Esquire, attorney for the Plaintiff inthe above entitled case, and being duly sworn according to law, despose and say that I did on December 4, 1989, mail to the above defendant, Robin Kay Keyes by certified mail #P 966 073 961 return receipt requested, deliver to addressee only, a complaint in the above divorce action. Said notice was received on December 12, 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

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 12/19/89 . 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,
Anthony J. Vardaro, J

Date: February 13, 1998

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)

*524

1989

Knox McLaughlin Gornall & Sennett P.C.
Richard A. Levick

1074.

Thomas, Truax, Spadafore, Vardaro & Walker
Anthony J. Vardaro

IN RE:
TAX ASSESSMENT APPEAL OF PENNBANK FORM THE DETERMINATION OF THE BOARD OF ASSESSMENT APPEALS OF CRAWFORD COUNTY
(Linesville)

Filed Nov. 29, 1989
@ 10:15 a.m.

Tax & entry paid $50.50 ✓
Pro Co Pd 7/18/90 5.00 ✓

ASSESSMENT APPEAL PETITION

1 copy (atty)

Dec. 19, 1989, Answer to Assessment Appeal filed.

Feb. 22, 1990, Certificate of Readiness filed.

ON TRIAL LIST FOR APRIL 1990

Apr. 5, 1990 Order Setting Nonjury Trials filed. And now, April 4, 1990, nonjury trials in the above captioned cases are hereby set for June 7, 1990, commencing at 9:00 a.m., in Courtroom No. 1 or 2, of the Crawford County Courthouse.

FOR THE COURT,
Imogene Yetman, C.A.

4/9/90 Copies to Attys. Levick and Vardaro

July 16, 1990, Upon praecipe of plaintiff attorney, the above captioned case is hereby discontinued of record.

1989

Knox McLaughlin Gornall & Sennett PC
Richard A. Levick

1075.

Thomas, Truax, Spadafore, Vardaro & Walker
Anthony J. Vardaro

IN RE:

TAX ASSESSMENT APPEAL OF PENNBANK FROM THE DETERMINATION OF THE BOARD OF ASSESSMENT APPEALS OF CRAWFORD COUNTY

(Titusville)

Filed Nov. 29, 1989
@ 10:15 a.m.

Tax & entry Paid $50.50 ✓
Pro Co Pd 7/18/90 5.00 ✓

ASSESSMENT APPEAL PETITION
1 copy (atty)

Dec. 19, 1989, Answer to Assessment Appeal filed.

Feb. 22, 1990, Certificate of Readiness filed.

ON TRIAL LIST FOR APRIL 1990

Apr. 5, 1990 Order Setting Nonjury Trials filed. And now, April 4, 1990, nonjury trials in the above captioned cases are hereby set for June 7, 1990, commencing at 9:00 a.m., in Courtroom No. 1 or 2, of the Crawford County Courthouse.

FOR THE COURT,
Imogene Yetman, C.A.

4/9/90 Copies to Attys. Levick and Vardaro

July 16, 1990, Upon praecipe of plaintiff attorney, the above captioned case is hereby discontinued of record.

1989

Knox McLaughlin Gornall & Sennett PC
Richard A. Levick

1076.

Anthony J. Vardaro
Thomas, Truax, Spadafore, Vardaro & Walker

IN RE:

TAX ASSESSMENT APPEAL OF PENNBANK FROM THE DETERMINATION OF THE BOARD OF ASSESSMENT APPEALS OF CRAWFORD COUNTY
(North ST, Meadville)

Filed Nov. 29, 1989
@ 10:15 a.m.

Tax & entry Paid $50.50 ✓
Pro Co Pd 7/18/90 5.00 ✓

ASSESSMENT APPEAL PETITION

1 copy (atty)

Dec. 19, 1989, Answer to Assessment Appeal filed.

Feb. 22, 1990, Certificate of Readiness filed.

ON TRIAL LIST FOR APRIL 1990

Apr. 5, 1990 Order Setting Nonjury Trials filed. And now, April 4, 1990, nonjury trials in the above captioned cases are hereby set for June 7, 1990, commencing at 9:00 a.m., in Courtroom No. 1 or 2, of the Crawford County Courthouse.

FOR THE COURT,
Imogene Yetman, C.A.

4/9/90 Copies to Attys. Levick and Vardaro

July 16, 1990 Upon praecipe of attorney for plaintiff, the above captioned case is hereby marked discontinued of record.

1989

Knox McLaughlin Gornall & Sennett PC
Richard A. Levick

1077.

Thomas, Truax, Spadafore, Vardaro, Walker
Anthony J. Vardaro

IN RE:

TAX ASSESSMENT APPEAL OF PENNBANK FROM THE DETERMINATION OF THE BOARD OF ASSESSMENT APPEALS OF CRAWFORD COUNTY
(Chestnut ST. Meadville)

Filed Nov. 29, 1989
@ 10:15 a.m.

Tax & entry Paid $50.50 ✓
Pro Co Pd 7/16/90 5.00 ✓

ASSESSMENT APPEAL PETITION

1 copy (atty)

Dec. 19, 1989, Answer to Assessment Appeal filed.

Feb. 22, 1990, Certificate of Readiness filed.

ON APRIL 1990 TRIAL LIST

Apr. 5, 1990 Order Setting Nonjury Trials filed. And now, April 4, 1990, nonjury trials in the above captioned cases are hereby set for June 7, 1990, commencing at 9:00 a.m., in Courtroom No. 1 or 2, of the Crawford County Courthouse.

FOR THE COURT,
Imogene Yetman, C.A.

4/9/90 Copies to Attys. Levick and Vardaro

July 16, 1990, UPon praecipe of plaintiff attonrey, the above captioned case is hereby discontinued of record.

1989

Specter Law Offices
Paul J. McArdle

1078.

KnoxMcClaughlin Gornall
& Sennett, P.C.
By:Mark E. Mioduszewski

ETHEL FRISINA AND FRANK
FRISINA, HER HUSBAND

vs.

ROMAN CATHOLIC DIOCESE
OF ERIE

Filed Nov. 29, 1989
@ 10:36 a.m.

Tax & entry Paid $50.50 ✓
Sheriff's Costs 20.00
Pro Co. paid 9/25/90 6.00 ✓

COMPLAINT IN A CIVIL ACTION

1 copy (atty)
1 copy (sheriff)

(Jury of Twelve Demanded)

Nov. 29, 1989, Plaintiff's Interrogatories to Defendant and Requests for Production of documents, filed.

Dec. 8, 1989 Appearance ofKnox McLaughlin Gornall & Sennett, P.C. by: Mark E. Mioduszewski attorney for defendant filed. (JURY TRIAL OF TWELVE DEMANDED.)

Dec. 11, 1989, Notice of Service of Interrogatories to Plaintiffs (First Set) filed.

Dec. 11, 1989, Notice of Service of REquest for Production to Plaintiff (first Set) filed.

Dec. 19, 1989 Sheriff's Return filed. SERVED Roman Catholic Diocese of Erie on NOvember 30, 1989 at 10:10 AM by handing copy of Complaint and Interrogatories to Father Richard Butryn, person in charge at St. Brigid Church, 383 Arch Street, Meadville, Crawford County, PA.
So answers,

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

Dec. 20, 1989 Answer and New Matter filed.

Jan. 4, 1990, Reply to New Matter filed.

Mar. 16, 1990 Notice Of Taking Deposition Upon Oral Examination of Ethel Frisinia filed.

Mar. 21, 1990 Notice Of Deposition of the Roman Catholic Diocese of Erie filed.

June 20, 1990 Certificate Of Readiness filed.

1990 OCTOBER CIVIL TRIAL LIST

Sept. 24, 1990, Upon praecipe of plaintiff attorneys, the above captioned case is hereby settled and discontinued of record.

1989

Elderkin, Martin, Kelly, Messina & Zamboldi
James H. Richardson, Jr.

1079.

PENNBANK

vs.

MICHAEL M. NUNEMAKER AND LORY A. NUNEMAKER, HIS WIFE

Filed Nov. 29, 1989 @ 10:47 a.m.

Tax & entry Paid	$50.50
Sheriff's Costs	50.00
Pro Co pd 3/6/90	9.00

COMPLAINT IN MORTGAGE FORECLOSURE

2 copies (sheriff)

Dec. 19, 1989 Sheriff's Return filed. SERVED Lory A. Nunemaker personally on NOvember 30, 1989 at 11:15 AM by handing copy of Complaint to her at residence, R.D.#2, Box 13A, Union City, Crawford County, PA.
SERVED Michael M. Nunemaker on November 30, 1989 at 11:15 AM by handing copy of Complaint to Lory A. Nunemaker, his wife, at residence, R.D.#2, Box 13A, Union City, Crawford County, PA.
So answers
Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

And Now, Mar. 6, 1990 at 1:31 p.m. upon praecipe of plaintiffs 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 Eight Thousand Six Hundred Sixty-eight and 54/100 plus additional insterest from Nov. 14, 1989 and cost of suit.

N-113-103
judgment entered 3/6/90
Notices mailed 3/6/90 to dfts.

Debt $8,668.54
Int. Nov. 14, 1989
Judgment
James F. Simmons
Prothonotary

EX 1990 - 19

530

1989

Kevin W. Barron

1080.

LAURA A. COKE

vs.

ROBERT M. COKE

Filed Nov. 30, 1989
@ 10:51 p.m.

Tax & entry paid $50.50 ✓

Pro Co Pd 7/18/90 9.00 ✓
State pd. 7/18/90 10.00

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

3 copies (atty)

JUly 16, 1990, Affidavit of Service filed. Before me, the subscriber, a Notary Public in and for said Commonwealth and County, personally appeared Kevin W. Barron, who being first duly sworn according to law, deposes and says that he mailed first class, postage prepaid, ret. rec. req., a true and attest ocpy of the above divorce complaint upon the named defendant on Dec. 4 1989, said receipt signed by the defendan and attached to this affidavit. Kevin W. Barron.

July 16, 1990 Affidavit of Consent of plaintiff filed.

July 16, 1990 Affidavit of Consent of defendant filed.

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

July 24, 1990 **D I V O R C E D E C R E E F I L E D .**

AND NOW, to-wit, this 24th day of July, 1990, it is hereby ORDERED and DECREED that, LAURA L. COKE, Plaintiff, and, ROBERT M. COKE, Defendnat, are her eby forever divorced from the bonds of matrimony.

No other claims have been raised. Gordon R. Miller, J

1989

William J. Gregg

R. Charles Thomas

1081.

Ferguson & Spataro
Douglas W. Ferguson
H. Russell Hudson

Shafer, Swick, Bailey, Irwin & Stack
Louis J. Stack
for dfts. Gammon

11/1/91 Recd $160.00 Arbitration Fee (Appeal)

11/1/91 Paid $160.00 To Crawford County Commissioners #4511

WILLIAM L. HOWELLS AND VIRGINIA A. HOWELLS, HIS WIFE

vs.

SCOTT W. GAMMON AND MARY ANN GAMMON AND H. RUSSELL HUDSON d/b/a RUSS HUDSON CONSTRUCTION

Filed Nov. 30, 1989 @ 11:10 p.m.

Tax & entry Paid	$50.50
Sheriff's Costss	40.08
Arb. pd. 8/20/91	15.00

NON JURY TRIAL

COMPLAINT

3 copies (sheriff)

Dec. 20, 1989 Appearance of Ferguson & Spataro by Douglas Ferguson for H. russell Hudson filed.

Dec. 20, 1989 Defendant, H. Russell Hudson d/b/a Russ Hudson Construction Preliminary Objections To Plaintiff's Complaint filed.

Dec. 20, 1989 Sheriff's Return filed. SERVED Scott W. Gammon by Certified Mail on Dec. 5, 1989 at 623 West Virginia Ave. Martinsburg, West Virginia 25401. Signed receipt attached.
SERVED Mary Ann Gammon by Certified Mail on Dec. 5, 1989 at 623 West Virginia Ave. Martinsburg, West Virginia 25401. Signed receipt attached.
SERVED H. Russell Hudson personally on Dec. 4, 1989, at 11:50AM at his residence, R.D.# 3, Cochranton, Crawford Co. Pa. 16314.

So answers,

Robert M. Stevens, Dep. Sheriff
Howard N. Stewart, Sheriff

Dec. 28, 1989, Appearance of Shafer, Swick Bailey, Irwin & Stack, by Louis J. Stack, attorneys for defendants, Scott W. and Mary Ann Gammon, filed.

Dec. 28, 1989, Preliminary Objections of defendants Scott W. and Mary Ann Gammon filed.

Mar. 26, 1990 Upon praecipe of Plaintiff Attorney the above captioned case is placed on the April 1990 Argument List.

1990 ARGUMENT LIST - APRIL

July 31, 1990 Memorandum and ORDER filed. AND NOW, July 30, 1990, it is ordered as follows:
1. All preliminary objections of the defendants are denied except as hereinafter provided.
2. The preliminary objections in the nature of a demurer to the plaintiffs' claim for attorney's fees are granted and the plaintiffs' claim for attorneys fees, as an item of damage, is stricken.
3. The preliminary objections as to the plaintiffs' request for punitive damages are granted and the plaintiffs are given leave to file an amended complaint within twenty (20) days from the date of this order to plead more specific averments that would entitle them to punitive damages.

By The Court,
Gordon R. Miller, J.

July 31, 1990 Copy of Order to Attys. R. Charles Thomas, Douglas Ferguson, Louis J. Stack, placed in Attorneys mailbox.

Dec. 27, 1990 Answer and New Matter filed.

Aug. 20, 1991 REPLY TO NEW MATTER, filed.

Aug. 20, 1991, Upon praecipe of plaintiff attorney, for reference to arbitration, the following arbitrators are appointed:
JOhn D. Petruso, Ch.
Lisa P. Youngs
Glenn A. W. Thompson

Aug. 13, 1991 Arbitrators Take the Qualifying Oath.

Oct. 3, 1991 Defendant H. Russell Hudson's Answer To Plaintiff's Complaint filed.

Oct. 4, 1991 DECISION OF THE ARBITRATORS filed in which they find all motions are denied and further find in favor of the plaintiffs and against all defendant s in the amount of $2,898.28.
Decision entered
10/4/91
G - 152, 112
H - 218, 183

DECISION OF THE ARBITRATORS
James F. Simmons,
Prothonotary

Oct. 4, 1991 copies to Attys. R. C. Thomas, D. Ferguson and L. sta ck.

Nov. 1, 1991 Upon praecipe of Attorney for H. Russell Hudson, d/b/a Russ Hudsdon Construction the above case is hereby appeal from Arbitrator's Decision.

Nov. 1, 1991 Notice Of Appeal From Award of Board of Arbitrators by Scott W. Gammon and Mary Ann Gammon filed.

Mar. 23, 1994 Appearance of William J. Gregg, Esquire for William L.Howells and Virginia A. Howells, Plaintiffs, filed.

Mar. 23, 1994 Certificate of Readiness filed.

ON JUNE, 1994 TRIAL LIST

Jul. 6, 1994 ORDER filed. AND NOW, this 5th of July, 1994, non-jury trials are hereby scheduled in the following cases on the dates and at the times set forth below:

# on June, 1994 Civil Trial List	(Abbrvd.) & Docket Number	Non-Jury Trial Date and Time: Courtroom
#16	William L. Howells and Virginia A.Howells, his wife vs. Scott W. Gammon and Mary Ann Gammon and H.Russell Hudson d/b/a Russ Hudson Construction AD 1989 - 1081	August 4, 1994 (1/2)Day) 1:30 P.M. #1, 2 or 3

7-6-94 Copies dist. to all counsel.

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

Cont. on Page 665

1989

Elderkin, Martin,
Kelly, Messina &
Zamboldi
Kenneth G. Vasil

1082.

Bettie J. Peterson-Muth

SEARS, ROEBUCK AND COMPANY
800 Millcreek Mall
Erie, Pennsylvania

vs.

JODIE W. ~~FAITH~~ FAIT

Filed Nov. 30, 1989
@ 11:19 a.m.

Tax & entry paid	$50.50
Sheriff's Costs	**29.00**
Pro co Pd 2/1/90	6.00

COMPLAINT

1 copy (sheriff)

Jan. 3, 1990 Sheriff's Return filed.
SERVED Jodie W. Faith on Dec. 14, 1989 at 1:39 PM by handing copy of Complaint to her Attorney, Bettie Peterson Muth, at Sheriff's Office, Crawford County Courthouse, Meadville, Pa.
So answers, Robert M. Stevens, Dep. Sheriff
Howard N. Stewart, Sheriff

Jan. 10, 1990, Answer filed. 1 copy (atty)

Jan. 29, 1990, Upon praecipe of plaintiff attorney, the above captioned action is marked settled and discontinued of record.

1989

Paul E. Allen

1083.

WILLIAM L. KAISER

vs.

PATRICIA J. KAISER

Filed Nov. 30, 1989
@ 3:56 p.m.

Tax & entry Paid	$50.50
Pro Co pd 3/6/90	9.00
State pd 3/6/90	10.00

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

Nov. 30, 1989, Acceptance of Service filed. I, the undersigned defendant in the above captioned matter, hereby accept service of the complaint in divorce.
Dated: Nov. 30, 1989 Patricia J. Kaiser.

Mar. 6, 1990 Affidavit Of Consent of Defendant filed.

Mar. 6, 1990 Affidavit Of Consent of Plaintiff filed.

Mar. 6, 1990 Upon praecipe of Plaintiff Attorney For Review Under 201(c) of the Divorce Code, this case moved to court.

Mar. 12, 1990 **DIVORCE DECREE FIEED.**

AND NOW, March 12, 1990, it is ordered and decreed that William L. Kaiser, plaintiff and Patricia J. Kaiser, defendant are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J

~~Gerald Sullivan~~

Watts , Pepicelli,
Youngs & Youngs
By: Lisa Pepicelli Youngs

1084.

Robert Bailey

Gregory A. Keenan

THOMAS A. ANDERSON

VS.

MARY ANN BEIERSCHMITT

filed Dec. 1, 1989
@ 9:45 a.m.

Tax and entry paid $50.50

John Fuller, Mediator 135.00

Pro Co fd 3/28/90 9.00

COMPLAINT FOR CUSTODY

1 copy atty, 1 copy mediator

ORDER OF COURT:

You, Mary Ann Beierschmitt, Defendant, have been sued in Court to obtain custody of the child: Kelly Marie Anderson.

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.

You are ordered not to remove said child, Kelly Marie Anderson, from Crawford County pending said mediation conference.

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

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

Crawford County Bar Association, Service to the Public Committee, Prothonotary's Office, Crawford County Court House, Meadville, Pa. 16335, Telephone: (814) 724-4636

BY THE COURT,
P. Richard Thomas, J.

Feb 9, 1990 Order filed: AND NOW, February 7, 1990, after mediation conference before John Fuller, Esquire, IT IS HEREBY ORDERED AND DECREED AS FOLLOWS:

I. Legal custody of Kelly Marie Anderson shall be shared between the father, Thomas A. Anderson and the mother, Mary Ann Beierschmitt, that is, each parent shall be entitled to full access to school records, medical records and other important records and each parent shall be entitled to take part fully in important decisions affecting the child's medical treatment, education, religious instruction and other such important decisions.

II. Physical custody of Kelly Marie Anderson shall be with her mother, Mary Ann Meierschmitt, subject to the following conditions:

A. The father shall be entitled to visit and take the child into his custody every other weekend beginning February 2, 1990 from 6:30 p.m.Friday evening until 6:00 p.m. sunday evening. Transportation of the child on such weekend visits shall be the responsibility of the father.

B. The father shall be entitled to call his daughter once a week, each Wednesday evening prior to 8:00 p.m., which telephone call shall not be charged to the mother or the mother's parents.

C. Beginning with the Summer of 1990, the father shall be entitled to three separate, non-consecutive one week visits each summer. The father shall notify the mother at least thirty (30) days in advance of any such Summer visit to provide the mother the date of the visit and to provide the mother with the name of the person who shall care for the child during such visits while the father is working.

D. The father shall be entitled each year to pick up the child at 12:00 noon on Christmas Day and shall be able to keep the child until January 1st, seven days later, and shall return the child to the home of the mother on January 1st at 12:00 noon.

E. Neither mother nor father shall say of do anything in an attempt to turn the child against the other parents, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the 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. Costs of the mediation conference shall be paid by Crawford County.

Gordon R. Miller, Judge

Feb 14, 1990 Copies of order put in Attys. Bailey and Youngs, boxes.

July 10, 1995, Petition for Custody Contempt and Notice and Order to Appear filed. Legal proceedings ahve been brought against you alleging you have wilfully disobeyed an order of court for custody.

If you wish to defend against the claim set forth you may but are not required to, file in writing with the ocurt 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 July 27, 1995 at 10:30 a.m. in C. R. No. 1 or 2 of the Crawford County courthouse, Meadville, Pa.

If you do not appear in person, the court may issue a warrant for your arrest.

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

This petition and order shall be served by any competent adult or by reg. mail.

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

Court Adm. Crawford County Courthouse, Meadville, Pa. 16335, 814- 336-1151- ext. 298

Dated: July 10, 1995

BY THE COURT,
Gordon R. Miller, J.

7/10/95 faxed to Sullivan and Bailey.

Aug. 2, 1995 ORDER filed. AND NOW, July 27, 1995, at the tiem set for hearing on a contempt custody petition for violation of an order entered Feb. 7, 1990 involving minor child, Kelly Anderson, the Court meets with counsel in chambers before hearing.

The Court is advised that if a hearing were held opposition to visitation between father and minor child, Kelly age 10 would be contested because of an allegation of sexual abuse of minor child soem 4 years ago; but apparently, there has been little contact between father and child in the last several years. The Court is advised that a criminal investigation of the alleged sexual abuse is under investigation by the District Attorney's Office and Police Officer Stefanucci. This investigation is ongoing, and the results thereof are unascertainable at this time.

CONTINUED ON PAGE 534A

1989 TERM

Thomas A. Anderson
vs.
Mary Ann Beierschmitt

CONTINUED FROM PAGE 534
of Record
A. D. 1989 - 1084

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Accordingly, the Court and counsel agree that the results of this investigation may have some impact on a custody hearing and agaree that the matter should be continued pending the outcome of the investigation. Accordingly, this case is continued generally until such time as counsel for the father moves the Court to reset hearing in this regard. The Court suggests to the District Attorney that the outcome of the investigation should be reviewed with counsel for the Plaintiff, Thomas Anderson in this civil action to the end that he may receive imput and ascertain whether to advise his client to insist on a hearing, withdraw the petition, or take other appropriate action.

Accordingly, this matter is continued generally without prejudice to the right of counsel for Plaintiff to request a further hearing date on the custody issue pending further hearing. There shall be no contact between Plaintiff, father, and minor child.

For the Court Administrator's enlightenment, any judge may hear this matter at a De Novo Hearing.

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

Aug. 2, 1995 copies dist to Sullivan & Keenan & Ct. Adm.

5348

1989 TERM

1989

Allen and Hall
By: Stephen E. Hall

1085.

ROBERT G. BEATTY

VS.

JOYCE A. BEATTY

filed Dec. 1, 1989
@ 1:20 P.M.

Tax and entry paid $50.50
Pro Co. Pd. 1/5/90 9.00
State pd. 1/5/90 10.00

COMPLAINT UNDER SECTION 201(c) or 201(d) of the DIVORCE CODE

Dec. 1, 1989 Plaintiff's Affidavit Under Section 201(d) of the Divorce Code filed.

Jan. 5, 1990, Acceptance of Service filed. I, the undersigned defendant in the above captioned action, hereby accept service of the complaint in divorce.
Date: 12/1/89 Joyce Beatty.

Jan. 5, 1990, Notice of Intention to Request Entry of Divorce Decree and Defendant's Counter-Affidavit Under Section 201(d) of the Divorce Code filed.

Jan. 5, 1990, Acceptance of Service of defendant of Notice of Intention to Request Entry of Divorce Decree and Plaintiff's Affidavit Under Section 201(d) of the Divorce Code, and Defendant's Counter-Affidavit Under Sect. 201(d) of the Divorce code filed.

Jan. 5, 1990, Upon praecipe of plaintiff attorney to Transmit the Record, this case moved to court.

Jan. 19, 1990 DIVORCE DECREE FILED

AND NOW, January 19, 1990, it is ordered and decreed that Robert G. Beatty, plaintiff, and Joyce A. Beatty, defendant, are divorced from the bonds of matrimony.

BY THE COURT,

Gordon R. Miller, J.

withdrew
~~Fuller, Kinnunen, Petruso & Gamble~~
~~By: Gary A. Fabian~~
Shafer, Swick, Bailey, Irwin
James R. Irwin
1086.
withdrew
~~James W. Granat~~

MICHAEL J. SCHUWERK

VS.

APRIL J. SCHUWERK

Filed Dec. 4, 1989
@ 1:36 P.M.

Tax and entry paid	$50.50
2 counts paid	30.00
Pro Co Pd 9/5/90	9.00
State paid 9/5/90	10.00

COMPLAINT UNDER SECTION 201 (c) of the DIVORCE CODE, EQUITABLE DISTRIBUTION AND CUSTODY

1 copy (atty)

Jan. 5, 1990 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 Dec. 21, 1989, he had deposited in the United States Mail by certified mail, return receipt requested, Certified Mail No. P414 752 764 as evidenced by Certified Mail Receipt No. P414 752 764 attached hereto and made a part hereof, a true and correct copy of a Complaint in divorce addressed to Mrs. April J. Schuwerk said Complaint naming April J. Schuwerk as the defendant in the above captioned matter.

4. Service was obtained upon the defendant, April J. Schuwerk on Dec. 26, 1989, as evidenced by Return Receipt for Certified Mail No. P414 752 764 attached hereto and made a part hereof, said receipt being signed by April J. Schuwerk.

FURTHER, DEPONENT SAYETH NOT.

Gary A. Fabian

Aug. 31, 1990, Affidavit of Consent of plaintiff filed.

Aug. 31, 1990, Affidavit of consent of defendant filed.

Aug. 31, 1990, Upon praecipe of defendant attorney, for Review Under 201(c) of the divorce code, this case moved to court.

Sept. 24, 1990, MEMORANDUM filed. These divorce actions have been presented to the court for a final decree. The complaints filed in each case contain additional counts other than the count in divorce., So far the record does not indicate the manner in which those additional counts are to be disposed of. The court will not enter a decree in divorce until the additional counts have been disposed of in a proper manner such as by a praecipe and order withdrawing said additional counts.

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

Sept 25, 1990, copies to Attys. G. Fabian and James W. Granat,

Oct. 12, 1990 Motion To Withdraw and Order filed. AND NOW, this 12th day of October, 1990, the request of the foregoing motion is granted, and GaryA. Fabian is hereby granted leave to withdraw as counsel for plaintiff.

BY THE COURT,
Robert L. Walker, J

Oct. 15, 1990 Copies of order put in Gary Fabian and James Granat's box.

Nov. 28, 1990 Motion To Withdraw and Order filed. 11/27/90 Granted - see separate order.
P Richard Thomas, S.J.

Nov. 29, 1990 copy of order put in James Granat's box.

Nov. 28, 1990 Order filed. AND NOW, this 27 day of November, 1990, the request of the foregoing motion is granted. and James W. Granat is hereby granted leave to withdraw as counsel for defendant.

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

Nov. 29, 1990 Copy of order put in James Granat's box.

Jan. 16, 1991 Appearance of Shafer, Swick, Bailey, Irwin & Stack By Jaems R. Irwin, Atty. for Plaintiff filed.

Jan. 18, 1991 Motion To Appoint Mediator and Order filed. AND NOW, this 18 day of January, 1991 it is ordered that all parties in the above captioned case and their counsel shall appear for a mediation conference before the Mediator, John Fuller, at a time to be set by the Mediator in the Crawford County Courthouse, with the child custody Mediator as Required by Rule 31 (e) of the Court of Common Pleas of Crawford County, Pennsylvania, it is further ordered and decreed that pending final determination by the Court, the children shall not be removed from the jurisdiction of the Cour tby either party hereunder, under possible punishment for Contempt of Court.

BY THE COURT,
Gordon R. Miller, J

Jan. 21, 1991 Copies of order put in James Irwin and John Fuller's box.

Mar. 27, 1991 Motion To Withdraw Count From Divorce Complaint and Order filed. AND NOW, this 27th day of March, 1991 Count II of Plaintiff's Divorce Complaint filed at the above captioned number is hereby withdrawn.

BY THEK COURT,
Robert L. Walker, J

Mar. 28, 1991 Copy of order put in James Irwin's box.

Apr. 1, 1991, Upon praecipe of plaintiff attorney, this case moved to court.

Apr. 10, 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 from 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 been filed by each of the parties evidencing that each ofthe parties consents to the entry of a divorce decree, pursuant to Section 201(c) of the Pennsylvania Divorce Code.

2. **CUSTODY: the Court recognizes that the issue of child custody has been resolved by a Custody Order entered by this Court at No. A.D. 1989-1086 by Mediator John Fuller.**

3. **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 9th day of April, 1991.

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

Record continued on page 536A

Michael J. Schuwerk

vs.

April J. Schuwerk

Record continued from page 536

of record

A.D. 1989 - 1086

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Apr. 10, 1991 Order filed. AND NOW, April 8, 1991, 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 David M. Schuwerk and Andrew Schuwerk shall be shared between the parties and each pa rty shall be entitled to full access to school records, medical records and other important records and ea ch par ty shall be entitled to take part fully in important decisions affecting the children such as the children's education, medical treatment and religious instruction.

II. Physical custoyd of David M. Schuwerk and Andrew Schuwerk shall be shared in the following manner:

A. Physical custody of David M. Schuwerk and Andrew Schuwerk shall be with their mother, April J. Schuwerk, from August 15th until June 15th, eachyear, subject to the following conditions:

(1) The father shall be entitled to visit and take the children into his custody every o ther weekend, from Friday afternoon at 5:00 p.m. until Sunday evening at 8:00 p.m.

(2) The father shall also be entitled to visit and take the children into hus custody every Wednesday evening from 5:30 p.m. until 8:30 p.m.

B. Physical custody of David M. Schuwerk and Andrew Schuwerk shall be w ith father, Michael J. Schuwerk, from June 15th until August 15th, each year, beginning June 15, 1991, subject to the following conditions:

(1) The mother shall be entitled to visit and take the children into her custody every other weekend beginning Friday, June 21, 1991 from Friday at 5:00 p.m. until Sunday at 8:00 p.m.;

C. The major holidays, defined as Thnaksgiving, Christmas and Easter, shall be shared between the mother and the father and unless otherwise agreed between the parties the children shall be in the home of the mother on the aforesaid three holidays until 1:00 p.m. and in the home of the father on the aforesaid three holidays from 1:00 p.m. until 8:00 p.m. The minor holidays, defined as Memorial Day, 4th of July, and Labor Day, shall be alternated between the parties as follows: In 1991 and odd years thereafter the children shall be in the home of the fathe ron the 4th of July and in the home of the mother on Memorial Day and Labor Day. In 1991 and even years thereafter the children shall be in thehome of the father on Memorial Day and Labor Day from 9:00 a.m. until 9:00 p.m. and in the home of the mother on the 4th of July form 9:00 a.m. until 9:00 p.m.

D. All transportation of the children on holidays, weekends and weekdays shall be furnished by the father .

E. The holiday visitation schedule set forth above shall take precedence over other custody provisions contained herein.

F. Neither mother nor father shall say or do anything in an attempt to turn the children against the other parent, but on the other hand shall do everything on 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 the children and both pa rents 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 divided with the father paying one-half ofthe cost thereof and the remaining one-half being paid by Crawford County.

P. Richard Thomas, S.J.

Apr. 16, 1991 Copies of order put in box for Atty.'s Irwin, Brode and Fuller and copy mailed to Michael Schuwerk.

536
B

1989

1989

Shafer, Swick, Bailey
IRwin & Stack
By: James R. Irwin

1087.

SHARON A. TINGLEY

VS.

KEVIN J. TINGLEY

Filed Dec. 4, 1989
@ 2:34 P.M.

Tax and entry paid	$50.50
Pro Co pd 8-28-90	9.00
State pd 8-28-90	10.00

COMPLAINT IN DIVORCE UNDER SECTION 201 (c) or 201 (d)

1 copy (atty)

Dec. 6, 1989 Petition for Special Relief Exclusive Possession of Marital Residence and Order filed. 1 copy (atty) Order: AND NOW, this 6 day of December, 1989, it is hereby Ordered, Adjudged and Decreed, that the above named Petitioner is granted exclusive possession of the premises located at R.D.# 3, Box 216, Conneautville, Pennsylvania evicting Respondent from said premises pending a final hearing on the merits of this Petition.

A rule is hereby granted on the Respondent to show cause why the foregoing Order should not be made final.

Rule Returnable and hearing on the 27 day of December, 1989 at 9:00 o'clock a.m. in the Courtroom No. 1 or 2 of the Crawford County Courthouse, MeaDVILLE, Pennsylvania.

BY THE COURT:
P. Richard Thomas, J.

Dec. 7, 1989 copy of order put in James R. Irwin's box.

Jan. 10, 1990 ORDER filed. AND NOW, Dec. 28, 1989, at the time this matter is before the Court on a petition for special relief, counsel and the parties appear and advise the Court the matter has been amicable resolved, and requests the Court enter the following Order: The Defendant shall not go to the former marital residence at Box 216, RD #3, Conneautville, for any purpose, except for compliance with the terms and conditions of a custody Order previously entered between the parteis requiring the father to pick up the child at the mother's residence.

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

Jan. 10, 1990 Copy of Order to Attys. James Irwin, R. Charles Thomas.

Mar. 8, 1990 Affidavit OF Consent of Plaintiff filed.

Aug. 28, 1990 Affidavit of Service filed. I, JAMES R. IRWIN, ESQ., being duly sworn according to law, depose and say that I am the attorney of record, and as such say that I served a true and correct copy of the Complaint in Divor ce certified by the Prothonotary of Crawford County, Pa. on the above named Defendant by certified mail, addressee only, return receipt requested, dated Dec. 4, 1989. The Defendant acknowledged service on Dec. 5, 1989 by accepting delivery on that date as evidenced by the attached signed return receipt.

James R. Irwin, Esquire

Aug. 28, 1990 Affidavit of Consent of Defendant filed.

Aug. 28, 1990 Upon Praecipe of Plaintiff's Attorney 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 Sharon A. Tingley, plaintiff, and Kevin J. Tingley, defendant, are divorced from the bonds of matrimony.

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

1989

Fuller, Kinnunen,
Petruso & Gamble
By: John D. Petruso

1088.

KIMBERLY K. STYBORKSI

VS.

TIMOTHY M. STYBORKSI

filed Dec. 5, 1989
@ 1:36 PM

Tax and entry paid	$50.50
Pro Co pd 3/12/90	9.00
State pd 3/12/90	10.00
Pro Co pd 3/27/90	**5.00**

COMPLAINT IN DIVORCE

1 copy (atty)

Dec. 6, 1989 Acceptance of Service filed. I accept Service of a true and correct copy of the Complaint in Divorce.
Dated: December 5, 1989 Timothy M. Styborski

Mar. 9, 1990 Affidavit Of Consent Under Section 201(c) of the Divorce Code of Plaintiff filed.

Mar. 9, 1990 Affidavit Of Consent Under Section 201(c) of the Divorce Code of Defendant filed.

Mar. 9, 1990 Uopn praecipe of Plaintiff Attorney For Review Under Section 201(d) 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 Kimberly K. Styborski, plaintiff, and Timothy M. Styborski, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J

Mar. 27, 1990 Notice Of Intent To Retake Prior Name filed. Kimberly K. Styborski TO BE KNOWN AS: Kimberly K. Wenzel

1989

Thomas, TRuax, Spadafore
Vardaro & Walker
By: David P. Truax

1089.

VIRGINIA G. DRIVER

VS.

CLIFTON WAYNE DRIVER

filed Dec. 5, 1989
@ 3:07 P.M.
Tax and entry paid $50.50 ✓

COMPLAINT UNDER SECTION 201 (C) OF THE DIVORCE CODE

1 copy (atty)

Jan. 3, 1990 Reinstatement of Complaint filed.

Jan 16, 1990 Affidavit of Service filed: David P. Truax, Esquire, being duly sworn according to law, deposes and says that on January 3, 1990, he sent a true and correct copy of the Complaint in Divorce, to the defendant, Clifton Wayne Driver, by Certified mail No. P425 657 233 postage prepaid, restricted delivery, return receipt requested, at his last known address, 917 N. 11th St., Onawa, Iowa 51040, further that there is attached hereto a duly executed return receipt card showing date of delivery as January 8, 1990.

David P. Truax,
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 1/16/90 . 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

Ferguson & Spataro
By: Douglas W. Ferguson

1090.

MATTHEW KALEIDA AND
JEANNE R. KALEIDA, his wife

vs.

THE ZONING HEARING BOARD OF
CAMBRIDGE TOWNSHIP

Filed Dec. 5, 1989
@ 3:12 P.M.

Tax and entry paid $50.50 ✓

NOTICE OF APPEAL

Dec. 5, 1989, Certiorari and copy (certified) of Notice of Appeal mailed to Mr. Phillip Right, Chairman of Cambridge Township Zoning Hearing Board at 198 Forest, Cambridge Springs, Pa. 16403. Mailed by Certified Mail, Ret. Rec. Requested.

Dec. 20, 1989, Certiorari Returned. The plea above mentioned, with all things touching the same, so full and entire as before me they remain, I hereby respectfully certify and send, together with this writ, as above I am commanded.

Devon K. Hummel,
Zoning Officer

1989

Watts, Pepicelli,
Youngs and Youngs
By: Christopher J. Youngs

1091.

R. Charles Thomas

JEAN M. COPELAND

VS.

RAYMOND E. COPELAND

Filed Dec. 5, 1989
@ 4:13 P.M.

Tax and entry paid $50.50 ✓

Pro Co pd 12/13/89 15.00 ✓

Pro Co Pd 1-17-90 15.00 ✓

COMPLAINT IN DIVORCE

2 copies (atty)

Dec. 11, 1989 Petition For Special Relief and Order filed. AND NOW, December 11, 1989, upon presentation of the foregoing Petition for Special Relief, it is ORDERED:

1. Defendant is prohibited from spending or disposing of any portion of the $59,974.50 formerly contained in a Certificate of Deposit at American Federal Savings until further Order of Court;
2. If he has not already done so, Defendant shall immediately re-deposit said funds in an American Federal Savings Certificate of Deposit with a term of ninety (90) days or less.
3. A Rule is issued upon the Defendant to appear and show cause, if any, why he should not be permanently prohibited from spending or disposing of any of the above-mentioned funds without Order of Court. Said Rule is returnable and a hearing shall be held thereon on Dec. 27, 1989 at 1989, at 1:30 o'clock p.m., Court Room 1 or 2, Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT,
P. Richard Thomas

Dec. 11, 1989 Copy of order to Christopher Youngs' box.

Dec. 11, 1989 Petition For Counsel Fees and Order filed. AND NOW, December 11, 1989, upon presentation of the foregoing Petition for Counsel Fees, a Rule is hereby issued upon the Defendnat, Raymond E. Copeland, to appear and show cause, if any, why the relief requested by the Plaintiff should not be granted. This Rule is returnable and a hearing shall be held thereon on 27 Dec., 1989, at 1:30 o'clock p.m., Court Room1 or 2, Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT,
P. Richard Thomas, J

Dec. 11, 1989 Copy of order put in Christopher Youngs' box.

Dec. 27, 1989, Defendant's Income and Expense Statement filed.

Dec. 27, 1989, Plaintiff's Budget Information filed.

Jan. 10, 1990 Order filed. AND NOW, December 27, 1989, the matter is before the Court on a petition for special relief in relation to a savings account presently existing at American Federal Savings in an amount of approximately $60,000.00. It appears the husband surrendered a certificate of deposit and placed the entire proceeds in a savings account, which he now agrees to make into a joint account, and the wife agrees to sign the necessary documentation to do so. By agreement of the parties, a new $55,000.00 certificate of deposit issued in joint name of both parties at the prevailing rate of interest for a period of ninety days will be immediately established by the parties. The balance remaining in the present savings account of approximately $5,600,00 will remain in a jointly-titled savings account at current passbook savings rate with American Federal. Both parties shall sign the necessary documentation.

Neither party may attempt to surrender the certificate of deposit except at its termination. When absent a different agreement between the parties, the same will be rolled over into an additional ninety day account. Neither party will withdraw money from the savings account except as hereafter provided without further Order of Court.

AWARD OF ATTORNEY'S FEES

After review of the 1988 income tax return and after receipt of evidence of income of both parties, the Court believes an award of attorney's fees for the wife is appropriate. In view of the fact both parties are without cash reserves at this time, the award of said fees will be made from the above-established joint savings account and both parties are directed to sign the necessary documentation to accomplish the same.

The wife is awarded total counsel fees in the amount of $1,000.00, payable from said account as follows: January 15, 1990, $500.00; February 15, 1990, $300.00; and March 15, 1990,$200.00. This award of counsel fees is made without prejudice to the right of the Master or the Court to ultimately require payment of counsel fees of both parties as equity requires in the final divorce decree.

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

Jan. 10, 1990 copies of order to Christopher Youngs and R. Chas. Thomas, Esq.s

Jan 15, 1990 Petition for Equitable Distribution filed.

Feb. 17, 1998 Important Notice and Court Order notifying the parties that if nothing is filed the case will be terminated as of April 24, 1998.

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
By: James R. Irwin

1092.

Fuller, Kinnunen, Petruso & Gamble
Ann Hansen Gamble

Tamera Ochs Rothschild

WAYNE E. BOGARUS, JR.

VS.

PAMELA JANE BOGARDUS

filed Dec. 6, 1989
@ 10:14 a.m

Tax and entry paid	$50.50
William Pineo, Mediator	114.50
Pro Co pd 11/26/90	9.00
William Pineo, Mediator	152.00
Pro Co pd 9-19-94	9.00

PETITION FOR CUSTODY (UCCJA)

1 copy (atty)
1 copy (mediator)

Dec. 6, 1989 Order filed: AND NOW, this 6 day of December, 1989, it is ordered that all parties in the above captioned case and their counsel shall appear for a mediation conference before the Mediator, William Pineo, at a time to be set by the Mediator in the Crawford County Courthouse with the Child Custody Mediator as Required by Rule 31(e) of the Court of Common Pleas of Crawford County, Pennsylvania.

It is further ordered and decreed that pending said mediation conference the Petitioner shall have visitation withhis minor daughter on alternating weekends from 6:00 P.M. Friday until 8:00 P.M. Sunday, with said visitations to commence the weekend of December 9, 1989; and further the Petitioner shall have visitation on Christmas Day, 1989 from 5:00 p.m. to 8:00 p.m. Pending final determination by the Court, the aforesaid minor child shall not be removed from the jurisdiction of the Court by either party hereunder, under possible punishment for Contempt of Court.

BY THE COURT:
P. Richard Thomas, J.

Dec. 12, 1989, Appearance of Fuller, Kinnunen, Petruso & Gamble, by Ann Hansen Gamble, attorneys for defendant filed.

11/26/90 Recd $57.25 from Plaintiff

Recd 2-1-90 $57.25 Vivian Stoltz

3/1/90 Recd $57.25 from Defendant

Recd 3-1-90 $57.25 Vivian Stoltz

5-25-94 Rec from Plty mtg fee 150.00 deposit

8-16-94 Pd Mediator ck# 8503 med report 65.00

9-12-94 Pd G. #8549 76.00

9-20-94 Pd Mather Chk# 8566 Refund 65.00

Jan 18, 1990 Temporary Order filed: AND NOW, this 17 day of January, 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 child.

2. The parties ahll share with each other any and all information which each may have regarding the health, education and the major event in the life of the subject minor chkld. 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. The parties shall share physical custody of the subject minor child. The child will reside with her father every Thursday from 6:00 p.m. through Sunday at 7;00 p.m., except for the second weekend of each month. On the second weekend of each month, the child will reside with her father from Thursday at 6:00 p.m. through Saturday at 9:00 a.m.. The mother shall have physical custody the rest of the time, except as provded below.

4. Holiday visitation and custodial periods shall be arranged as follows:

The Christmas visitation period shall be divided in two, the first period beginning Christmas Eve at 6:00 p.m. and ending Christmas Day at 2:00 p.m. and the second period beginning Christmas Day at 2:00 and ending the day after Christmas at 6:00 p.m.. For Christmas, 1990, the father shall have the first period and the mother the second and the parties shall thereafter alternate the periods. The Thanksgiving period shall also be divided in two with the first period beginning on Wednesday preceding Thanksgiving at 6:00 p.m. and ending on Thanksgiving Day at 2:00 p.m., and the second period beginning Thanksgiving day at 2:00 p.m. and ending Thanksgiving Friday at 8:00 p.. For Thanksgiving, 1990, the mother shall have the first period and the father the second and the parties shall thereafter alternate the periods. The other holidays are defined as New Years Day, Easter, Memorial Day, Independence Day and Labor Day. Holiday visitations for these days shall begin at 9:00 a.m. and end at 7:00 p.m.. For Easter ,1990, Megan shall be with her mother and the parties shall thereafter alternate the holidays so defined.

5. The parties shall split responsibility for tranportation 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 shll 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 anyting 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 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 custodail 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. Costs and fees of this Mediation, whichare fixed at $114.50 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.

12. 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.

Jan 22, 1990 Copies of order put in Attys. Irwin, and Pineo's boxes and copies mailed to Atty. Gamble and Plaintiff and defendant.

May 25, 1994 Petition for Mediation to Modify Custody Order and NOTICE AND ORDER TO APPEAR, filed.

You, Wayne E. Bogardus, Respondent, have been sued in Court to obtain custody of child, Megan Bogardus.

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

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

Date: 6/1/94 Anthony J. Vardaro,J.

6-2-94 Faxed copy to Attys. Pineo, Irwin & Rothschild

Aug. 11, 1994 TEMPORARY ORDER, filed. AND NOW, this 11 day of August, 1994, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor child, Hegan M. Bogardus.

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

CONTINUED ON PAGE 542 A

1989 TERM

Wayne E. Bogarus, Jr.
vs.
Pamela Jane Bogardus

CONTINUED FROM PAGE 542
of Record
A. D. 1989 - 1092

****

3. a. The provisions of this Order shall take effect on and after 5:00 p.m. on the friday precedign Labor Day, 1994. Until then the Order of January 17, 1990, shall remain in effect.

b. The parties shall share the physical custody of the subject minor child. The mother shall have physical custody of the subject minor child from 5:00 p.m. on the eighth day precedign the opening of the child's school session in late summer until 5:00 p.m. of the day after the closing of the school session the following late spring. The father shall have primary physical from 5:00 p.m. the day after the close of the child's school session in late spring until 5:00 p.m. of the eighth day precedign the reopening of school for the following session in late summer.

c. During the mother's custodial period, the father shall have visitation and primary physical custody of alternate week-ends from friday at 5:00 p.m. through sunday at 5:00 p.m. In odd numbered years, the visitation shall begin with the week-end of Labor Day and in even numbered years, with the week-end following the week-end of Labor Day. The parent having care of the child for Labor Day week-end shall also have care of the child from 5:00 p.m. of the sunday preceding Labor Day through 5:00 p.m. of Labor Day itself.

d. The father shall also have visitation temporary physical custody each year from 6:00 p.m. of December 26 through 6:00 p.m. of December 30. If the subject minor child has a spring or Easter vacation from school longer than three days, the parties shall also arrange to split as evenly as practicable, said vacation so the father may have the child for one-half of it.

e. During the father's summer custodial period, the mother shall have the right to designate the period of one week (seven days) during which time she shall have temporary physical custody and visitation with the child. The mother shall give the father notice by April 1st of the period she wishes to select. The father shall have the right to schedule a two week period (fourteen days) during which time no visitation shall be accorded to the mother. Said designation shall be made by May 1st. The mother shall by June 1st then disignate five week-ends durign which she may have visitation temporary physical custody. No such week-ends shall be designated during the two week period previously designated by the father. Each week-end shall begin on Friday at 5:00 p.m. or after and end on the following Sunday at 6:00 p.m. or before.

4. Holiday visitation shall be arranged as follows:

a. Christmas: The Christmas visitation period shall be divided in two, the first period beginning on Christmas Eve at 6:00 p.m. and ending Christmas Day at 2:00 p.m. and the second period beginning Christmas Day at 2:00 p.m. and ending on December 26 at 6:00 p.m. for Christmas, 1994, the father shall have the first period,and the mother, the second, and the parties shall thereafter alternate the periods.

b. Thanksgiving periods shall be divided in two, with the first period beginning on the Wednesday preceding Thanksgiving at 6:00 p.m. and ending on Thanksgiving Day at 2:00 p.m. and the second period beginning Thanksgivign Day at 2:00 p.m. and ending the friday after Thanksgiving at 8:00 p.m. For Thanksgiving, 1994, the mother shall have the first period, and the father, the second, and the parties shall thereafter alternate the periods.

c. The other holidays are defined as New Year's Day, Easter, Memorial Day, Independence Day and Labor Day. Holiday visitations for these days shall begin at 9:00 a.m. and end at 7:00 p.m., except for Independence Day, when the period shall end at 11:00 p.m. so the child may watch the fireworks. For Easter, 1994, the child shall be with her mother and the parties shall thereafter alternate the holidays so defined.

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

6. 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.

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

8. Neither party shall do or say anything to blacken the character of the other in the child's estimation. East 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 esitmation.

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 are fees are fixed at $152.00. The ~~father~~ mother made the deposit required for the appointment of the custody mediator. Said deposit shall first be applied against his share of costs and fees and the remainder shall be remitted to him. The ~~mother~~ father shall pay her share to the Prothonotary of Crawfor dcounty within thirty (30) days of this date.

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

By the Court.
Anthony J. Vardaro, J.

Aug. 22, 1994 Faxed to Pineo, Irwin, Gamble, Rothschild, sent to Plf. & Dft.

542
-6-

1989 **TERM**

1989

1093.

Bruce Barrett

PETITION FOR INVOLUNTARY TREATMENT

VS.

ROBERT WARRING

filed DEc. 6, 1989

PETITION FOR INVOLUNTARY TREATMENT
Mental Health Procedures Act of 1976
(Sections 304 and 305)

Dec. 27, 1989, Report of Mental Health Review Officer, and Order filed. ORDER: AND NOW, this 22nd of Dec. 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 Mental Health Review Officer, it is hereby ORDERED AND DIRECTED that the said Robert Warring be committed to Warren St. Hosp. for a period not ot exceed 90 days. BY THE COURT,
P. Richard Thomas, J.

Dec. 27, 1989, copies to MH/MR, WSH and Atty. Barrett

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 relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Rober Warring be committed to Warren State Hospital for treatment for a period not to exceed 180 days.
BY THE COURT,
Gordon r. Miller, J

Apr. 2, 1990 Copies to WSH, MH/MR and Bruce Barrett

Aug. 31, 1990, Petition for Involuntary Treatment filed.

Sept. 20, 1990, Report of Mental Health Review Officer, Recommendation and Order filed. ORDER: AND NOW, this 19 dayof Sept. 1990, upon cnsideration of the petition filed at the above no. and other relevant matter, and after a review of the report of the Mental Health Officer it is hereby ORDERED AND DIRECTED that the said Robert Warring be ocmmitted to Warren State Hospital for treatment for a period not to exceed 180 days. BY THE COURT,
P. Richard Thomas, S.J.

Sept. 24, 1990, copies to WSH, Atty. Barrett, and MH/MR.

Mar. 5, 1991 Petition for Involuntary Treatment filed.

1989

1094	E.F.T. CORP. VS. EDMOND L. MOFFAT Filed Dec. 7, 1989 @ 2:00 P.M. Tax & Entry Paid $50.25 ✓	APPEAL FROM JUDGMENT OF DISTRICT JUSTICE ROBERT J. LEONHART AND RULE TO FILE COMPLAINT Dec 6, 1989 Proof of Service of Notice of Appeal and Rule to File Complaint filed.

1989

May, Long & Sanders
Russell R. Sanders

1095

GENERAL MOTORS ACCEPTANCE CORPORATION

VS.

JOHN A. CHIZMAR and
JOHN H. CHIZMAR

Filed Dec 7, 1989

Tax & Entry Paid	$50.50
Sheriff's Costs	28.28
Pro Co Pd 2-21-90	9.00

COMPLAINT - ASSUMPSIT

2 copies (sheriff)

Dec. 22, 1989 Sheriff's Return filed. SERVED John A. Chizmar personally on December 8, 1989 at 1:06 PM by handing copy of Complaint to him at his residence, R.D.#4, Box 381, Conneaut Lake, Crawford County, PA.
SERVED John H. Chizmar on December 8, 1989 at 1:05 PM by handing copy of Complaint to his son, John A. Chizmar, at residence, R.D.#4, Box 381, Conneaut Lake, Crawford County, PA.
So answers Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

AND NOW, Feb 21, 1990 @ 2:08 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 in the above-captioned matter failure to file an answer and damages are hereby assessed in the amount of Three Thousand Eight Hundred twenty-eight and 73/100 Dollars with interest from December 7, 1988 and reasonable attorney fees.
C-92,92 Debt.....$3,828.73 + w/ interest & Atty. fees
JUDGMENT
James F. Simmons
Prothonotary

Feb 26, 1990 Notice of Judgment mailed defendants.

546

1989

May, Long & Sanders
Russell R. Sanders

1096

Filed Dec 7, 1989

GENERAL MOTORS
ACCEPTANCE CORPORATION

VS.

RICHARD E. CHANEY

Filed Dec 7, 1989

Tax & Entry Paid	$50.50
Sheriff's Costs	27.56
Pro Co pd 1/26/90	9.00

CIVIL ACTION - ASSUMPSIT

1 copy (sheriff)

Dec. 22, 1989 Sheriff's Return filed. SERVED Richard E. Chaney personally on December 8, 1989 at 1:40 PM by handing copy of Complaint to him at his residence, R.D. #3, Box 83, Conneaut Lake, Crawford County,PA.
So answers, Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

And Now, Jan. 26, 1990 at 11:03 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 Six Thousand One Hundred Fifty-seven and 95/100 with interest and cost of suit.

C-143
judgment entered 1/26/90
notice mailed to defendant 1/30/90

Debt $6,157.95
Int. from Oct. 12, 1988
Judgment
James F. Simmons
Prothonotary

1989

Joseph F. Kulwicki

1097

DEAN S. HEPLER

VS.

KAREN S. HEPLER

Filed Dec 7, 1989
@ 3:49 P.M.

Tax & Entry Paid	$50.50
ProCo pd 3/7/90	9.00
State pd 3/7/90	10.00

COMPLAINT UNDER SECTION 201(c)
of the Divorce Code

1 copy (atty)

Dec. 13, 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 December 8, 1989, she placed a certified copy of the Complaint inDivorce in the above matter above captioned, in the United States Mail, addressed to the defendant as follows: Karen S. Hepler, R.D. #2 Box 369-8, albion, PA 16401. The said Divorce Complaint as sent certified mail, restricted delivery, being certified mail item number P 724 954 526. The signature card for said certified mail item mail number was returned to the office of Joseph F. Kulwicki bearing the signature of Karen S. Hepler as having received same on December 11, 1989. The receipt and signature card for certified mail item number P 724 954 526 are attached hereto and made a part hereof.
FURTHER DEPONENT SAITH NOT. Brenda A. Withers

Mar. 9, 1990 Affidavit Of Consent of Plaintiff filed.

Mar. 9, 1990 Affidavit Of Consent of Defendant filed.

Mar. 9, 1990 Upon praecipe of Plaintiff Attorney For Review, this case moved to court.

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

AND NOW, March 16, 1990 it is ordered and decree dthat Dean S. Hepler, plaintiff, and Karen S. Hepler, deffendant, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J

1989

JACK, KOOKOGEY & FELTON
Robert J. Felton

1098

JAMES S. MUNN, II

VS.

VALERIE S. MUNN

Filed Dec 8, 1989
@ 8:38 A.M.

Tax & Entry Paid	$50.50
Pro Co. Pd. 4/23/90	9.00
State Surcharge Pd.	10.00

COMPLAINT UNDER SECTION 201(c) of the DIVORCE CODE

L COPY (atty)

Jan 2, 1990 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 Divorce Complaint in this matter on Defendant, Valerie S. Munn, by sending her the same by certified mail, return receipt requested. A complaint was mailed to the Defendant on December 21, 1989, and receipted for a member of defendant's residence, as reflected in the receipt for the mailing and the return receipt attached hereto.

Robert J. Felton, Esquire

April 23, 1990 Affidavit of Consent of Plaintiff filed.

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 decreed that James S. Munn, II, plaintiff, and Valerie S. Munn, defendnat, are divorced from the bonds of matirmony.

BY THE COURT,
Gordon R. Miller, J

1989

Joseph Kulwicki

1099

Culbertson, Weiss, Schetroma & Schug
ALAN R. SHADDINGER of Service of Writ of Summons by Culbertson

GERALD W. LEACH

VS.

MARYLAND CASUALTY COMPANY

Filed Dec 8, 1989 @ 8:54 A.M.

Tax & Entry paid $50.50

Pro Co Pd 12/13/89 6.00

SUMMONS IN CIVIL ACTION

Issued

Dec 8, 1989 Acceptance of Service of Writ of Summons by Culbertson, Weiss, Schetroma and Schug by Alan R. Shaddinger, Esq. of behalf of Defendant filed.

Dec. 13, 1989 Petition for Approval of Settlement of No-Fault Claims filed.

Dec. 13, 1989 Order filed. And Now, this 13 day of Dec. 1989, upon consideration of the Petition for Approval of Settlement of No-Fault Claims submitted byGerald W. Leach and Maryland Casualty Company to compromise and settle any and all past and future claims for no-fault benefits arising out of the vehicle accident of Oct. 19, 1982 and which claims are or could be covered under the insurance policy issued by Maryland CAsualty Company to Gerald W. Leach as described in the Petition, upon the payment by Maryland Casualty Company of the sum of $11,000.00 to Gerald w. Leach in exchange for full and final settlement and satisfaction of all claims that have or could arise under the subject no-fault insura nce policy including attorney fees and interest. Maryland Casualty Company is further discharged from any claims of geraLD W. Leach arising out of said accident, and Gerlad w. Leach will execute the Release attached to the Petition which will have the effect of forever releasing and discharging Maryland Casualty company from all claims arising under the no-fault insurance policy. Defendant will pay record costs and the action commenced in conjunction with this Petition will be discontinued.

BY THE COURT,
P. Richard Thomas, J.

Dec. 13, 1989 copies of order to Attys. Kulwicki and A. Shaddinger

Dec. 13, 1989, Upon praecipe of plaintiff attorney, the above referenced matter is marked settled, discontinued, and ended of record.

1989

Daniel J. Kuhn

1100

KAYE E. MCCRAY

VS.

CHARLES L. MCCRAY

Filed Dec 8, 1989 @ 9:15 A.M.

TaX & Entry paid $50.50 ✓
Pro Co pd 3/21/90 9.00

COMPLAINT UNDER SECTION 201(c) of the DIVORCE CODE

1 copy (atty)

Dec. 22, 1989, Affidavit of Mailing filed. I, Daniel J. Kuhn, Atty. for the plaintiff, after geing duly sworn a ccording to law, hereby state that I mailed by Cert. Mail No. P 890 981 973, Ret. Rec. rëq., a true and correct copy ofthe complaint in this case, Notice to Defend and Claim Rights and Notice of Counselling to the defendant at P.O. Box 277, Elgin, Pa. 16413, and that the defendant did receive same on Dec. 19, 1989, as evidenced by the signed receipt attached hereto as Exhibit "A".
Daniel J. Kuhn, Esq.

Mar. 20, 1990 Affidavit Of Consent of Defendant filed.

Mar. 20, 1990 Affidavit Of Consent of Plaintiff filed.

Mar. 20, 1990 Upon praecipe of Plaintiff Attorney to Transmit Record, this case moved to court.

Mar. 27, 1990 DIVORCE DECREE FILED.

AND NOW, March 26, 1990, it is ordered and decreed that Kaye E. McCray, plaintiff and Charles L. McCray, defendant, are divorced from the bonds of matrimony.
BY THE COURT,
Gordon R. Miller, J

1989

Daniel J. Kuhn

1101

James J. Stuczynski

MARY K. LORMAN

VS.

MICHAEL E. LORMAN

Filed Dec 8, 1989 @ 9:18 A.M.

Tax & Entry Paid $50.50

COMPLAINT UNDER SECTION 201(c)
OF THE DIVORCE CODE

2 copies (atty)

Jan. 3, 1990 Petition for Interim Exclusice Possession of the Marital Residence Pursuant to §401(h) of the Divorce Code and Rule to Show Cause filed. Order: AND NOW, this 3rd day of January, 1990, after consideration of the above captioned Petition, a Hearing is set for the 6th day of February, 1990 at 9:00 o'clock A.M. , whereat Respondent shall show cause, if any, why exclusive possession of the marital residence shall not be granted to the Petitioner as she requests the same.

By the Court:
Gordon R. Miller, J.

Jan. 4, 1990 copy of order to Daniel J. Kuhn,esq.

Jan. 31, 1989 Affidavit of Mailing filed. I, Daniel J. Kuhn, Attorney for the Plaintiff, after being duly sworn according to law, hereby state that I mailed by Certified Mail No. P 890 981 972, Return Receipt Requested, a true and correct copy of the Complaint in this Action, Notice to Defend and Claim Rights and Notice of Counseling to the Defendant, at R.D.#2, Box 63A, Spartansburg, PA 16434, and that the Defendant did receive same on December 21, 1989, as evidenced by the signed receipt attached hereto as Exhibit "A".

Daniel J. Kuhn

Feb 1, 1990, Order filed: AND NOW, January 30, 1990, at the time set for hearing on this abuse case, the record shows the Defendant was served by certified mail signed receipt on or about January 25, 1990. The Defendant fails to appear.

Accordingly, the Court adopts its temporary Order of January 8, 1990 as a permanent abuse Order in this case and as noted therein, the wife is granted exclusive possession of the marital residence, and the husband is excluded therefrom. Additionally, the husband may not go to the residence of the wife for any purpose, as an additional condition of this Order.

All other conditions including the enforcement provisions of the temporary Order are adopted and become part of this final abuse Order.

The Court notes that a companion divorce action is ongoing between the parties at 1989-1101, and that a hearing on a request for exclusive possession of the marital residence has been set for February 6, 1990, at 9 a.m. In view of the Order in the abuse case granting the wife exclusive custody of the marital residence, this same issue in the divorce action now becomes moot, and the hearing set for February 6, 1990 is cancelled.

The Defendant is DIRECTED to pay all costs in this abuse action within ten (10) days of being billed by the Prothonotary's Office of Crawford County at P.O. Box 126, Centerville, Pa.

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

Feb 6, 1990 Copies of order mailed to Atty Kuhn, Defendant and given to Co. Control.

Apr. 6, 1990 Petition To Prevent Dissipation Of Marital Assets and Order filed. AND NOW, this 6 day of April, 1990, upon consideration of the within Petition to Prevent dissipation of Marital Assets, a Rules is hereby entered agianst respondent, Michael E. Lorman, to show cause why the relief requested should not be granted.

RULE RETURNABLE with hearing thereon the 2 day of May, 1990 at 9:30 a.m. in Courtroom _____, Crawford county Courthouse, Meadville, Pennsylvania.

BY THE COURT,
P. Richard Thomas, J

Apr. 9, 1990 copy of order mailed to Daniel J. Kuhn

April 23, 1990 Motion to Reschedule Hearing and ORDER filed. AND NOW, this 23 day of April, 1990, after due consideration of the foregoing Motion to REschedule Hearing, the Show Cause Hearing is rescheduled with Hearing thereon the 23rd day of May, 1990, at 130 o'clock p.m. in Court Room 1 or 2 Crawford County Court House, Meadville, Pa.

For The Court:
Imogene Yetman, Ct. ADm.

April 25, 1990 Copy of Order to Atty. Daniel J. Kuhn.

May 24, 1990, Motion to Continue Generally, and Order filed. AND NOW, this 24th day of May, 1990, after due consideration of the foregoing Motion to Continue Generally the Hearing scheduled for May 23, 1990, and 1:30 p.m. is hereby continued generally pending further negotiations between the plaintiff's respective attorneys.

P. Richard Thomas, J.

May 24, 1990, copies to Daniel Kuhn and James J. Stuczynski.

1989

Joan D. Mason

1102

Barbara J. Walton

QUINTIN HAMILTON

VS.

BARBARA ANN HAMILTON

Filed Dec 8, 1989

Tax & Entry paid	$50.50
State Pd 4/20/94	10.00
Pro.Co.pd 4/20/94	9.00

COMPLAINT IN DIVORCE

4 copies (atty)

Dec. 21, 1989 Affidavit Of Service filed. I, Joan D. Mason, Esqurie, attorney for the Plaintiff in the above entitled case, and being duly sworn according to law, depose and say that I did on December 8, 1989, mail to the above Defendant, Barbara Ann Hamilton, by certified mail #P 966 073 962 return receipt requested, deliver to addressee only, a complaint in the above divorce action. Said notice was received on December 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

Mar. 10, 1994 Appearance of Barbara J. Walton for Defendant filed.

Mar. 10, 1994 Affidavit Under Section 3301(d) of Defendant filed.

Mar. 10, 1994 Answer to Complaint in Divorce filed.

Mar. 21, 1994 Affidavit of Service filed. And Now, March 21, 1994, comes Barbara J. Walton and avers as follows:
1. A true an dcorrect copy of the Affidavit under Section 3301(d) of the Divorce Code was mailed to the Defendant via Certified Mail, return receipt on March 11, 1994.
2. That the Defendant signed the rreturn card on March 18, 1994 and in accordance with Pa. R.C.P. 412, service of the Affidavit was made as is evidenced by the United States Postal Service Return Receipt (Certified No. P 845718 823 attached hereto as Exhibit A.
I verify that the statements made in this Affidavit are true and correct. I understand that false statements hereinare made subject to the penalties of 18 Pa. C.S. 4904, relating to unsworn falsification to authorities.
Barbara J. Walton

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

Apr. 20,1994 Affidavit of Consent of Barbara Ann Hamilton, Defendant, filed.

Apr. 20, 1994 Upon Praecipe of Barbara J. Walton, Esquire, Attorney for Defendant, to transmit record, case moved to Court.

DIVORCE DECREE FILED

April 28, 1994 AND NOW, this 25th 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 QUINTIN HAMILTON, Plaintiff and BARBARA ANN HAMILTON, Defendant, are divorced from the bonds of matrimony.
The Court retains jurisdiction of any claims raised by the paraties to this action for which a final order has not yet been entered.
BY THE COURT:
Gordon R. Miller, J.

1989

Bettie Peterson-Muth

1103

BARBARA A. HAMILTON

VS.

QUINTIN S. HAMILTON

Filed Dec 8, 1989 @ 10:32 A.M.

Tax & Entry $50.50 ✓

Pro Co 9.00 ✓

PETITION FOR PROTECTION FROM ABUSE
WITH TEMPORARY ORDER

1 copy (atty)

Order: AND NOW, this 8 day of December, 1989, upon presentation and consideration of the within Petition, a hearing thereon is scheduled for the 20 day of Dec., 1989, at 11:00 a.m. o'clock in Courtroom 1 or 2 of the Crawford County Courthouse in Meadville, Pennsylvania.

The defendant is directed to refrain from abusing and/or threatening to abuse or harassing the plaintiff and/or the minor children of the parties.

The defendant is directed to stay away from the plaintiff's apartment, except for the sole purpose of exercising visitation rights pursuant to an Order of this Court:

The Crawford County Sheriff Department is directed to serve a certified copy of this 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 Commonwealth of Pennsylvania are directed to enforce this Order and to prevent the defendant from being at the aforesaid premises as provided herein by any appropriate means.

This Petition and Order shall be filed and served without payment of costs; the Court shall determine at the hearing is 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 SCHEDULED 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 Association C
Service to the Public Committee
c/o Prothonotary
Meadville, Pa 16335
Telephone 724-4636

BY THE COURT,
P. Richard Thomas

Dec. 11, 1989 Copies of order to Co. Control

Dec. 19, 1989 Consent Agreement Under "Protection From Abuse Act" and Order filed. AND NOW, this 19 day of December, 1989, upon consideration of the Consent Agreement of the parties hereto attached, the following Protection Order is hereby entered:

1. The Consent Agreement as executed by the parties is hereby approved.
2. The parties are hereby directed to comply with the terms and conditions ofthe Consent Agreement for the period of time specified therein or unless otherwise ordered by this Court.

A true and correct copy of this Order shall be provided to the parties hereto, County Control, and the Meadville City Police Department which has appropriate jurisdiction to enforce this Order.

The pa rties are hereby advised that violation of this Order may subject the violating party to punishment for contempt.

By the Court:
P. Richard Thomas, J

Dec. 20, 1989 Copies put in Atty. Muth and County Control's box.

Dec. 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 A. Hamilton, and that she did mail a true and correct copy of the Petition for Protection From Abuse and Temporary Order filed in the aboave matter, by certified mail, return receipt requested, deliver to addressee only, to the respondent, Quintin S. Hamilton, on December 11, 1989, at his last known address, P.O. Box 243, Meadville, Crawford County, Pennsylvania 16335. The signed receipt is attached hereto as Exhibit "A". Bettie J. Peterson-Muth

in error should be on A.D.1989-1102

Dec. 21, 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 December 8, 1989, mail to the above Defendant, Barbara Ann Hamilton, by certified mail #P 966 073 962 return receipt requested, deliver to addressee only, a complaint in the above divorce action. Said notice was received on December 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

1989

Daniel J. Kuhn

1104

FLORENCE M. BOWMAN

VS.

F. R. YOUNG, S. M. YOUNG, SOPHIE YOUNG, O. D. TAYLOR, V. L. GREELEY, their heirs and assigns, and their predecessors and successors in title and ALL other Parties in General

Filed Dec 8, 1989
@ 10:32 A.M.

Tax & Entry paid $50.50 ✓
Pro Co pd 4/19/90 9.00 ✓

COMPLAINT IN ACTION TO QUIET TITLE

Motion for Publication and Order: AND NOW, TO-WIT, December 8, 1989, upon motion of Attorney for Plaintiffs, leave is hereby granted to serve the Defendants by publicaiton of a notice of the facts, as set forth in the Complaint, in the Crawford County Legal Journal and in the Meadville Tribune Newspaper, on e time each, with notice to plead within twenty (20) days or a default judgment may be entered against them.

P. Richard Thomas, J.

Dec 11, 1989 Copies of order mailed to Atty. Kuhn.

Feb 22, 1990 Motion to Enter Final Judgment in Action to Quiet Title, Affidavit of Service of Complaint and Order filed: AND NOW, TO-WIT, February 21, 1990, it appearing that the Plaintiff's Complaint has been duly served by publication, with notice to plead within twenty (20) days of service thereof, it is hereby Decreed that by vertiue of his Deed recorded in Crawford County Deen Book 211, page 270, and by vertue of his establishing adverse possession for over twenty-one (21) years, B.C. Ruggles, also known as Benjamin C. Ruggles, held good, marketable, valid and indefeasible title to the following described land:

ALL of that certain piece or parcel of land situate in Bloomfield Township, Crawford County, Pennsylvania, bounded and described as follows, to-wit: BOUNDED on the North by land of C. N. Payne, et al, on the east by the public road leading from Page's Corners to Lincolnville; on the south by land now or formerly of Canadohta Club; on the west by Canadohta Lake, containing thirty (30) acres of land, be the same more or less.

and that when B. C. Ruggles, alson known as Benjamin c. Ruggles, subdivided said land into the new plan of lots of Ruggles Park, Canadohta Lake, he held good, marketable, valid and indefeasible title to said Lots, and that the title of the Plaintiff to the following described lots:

ALL those certain pieces or parcels of land situate in the Township of Bloomfield, County of Crawford and State of Pennsylvania, bounded and described as follows, to-wit: ALL those certain lots situate on the south side of Ruggles Street and the west side of Glenwood Street and being known as Lots 15, 14, and 13 of Block 13 in the new Plan of Lots of Ruggles Park, Canadohta Lake, Bloomfield Township, Crawford County, Pennsylvania. The said plan of lots being recorded in the Recorder's Office of Crawford County, Pennsylvania, Map Book 2, Page 58.

is valid and indefeasible as against all rights and claims of the Defendants whatsoever and the Defendants are forever barred from asserting any rights, title, liens or interests in ay of the aforedescribed lands that are inconsistent with the interest of claims of the Plaintiff, as set forth in her Complaint, unless the defendants bring an Action of Ejectment against the Plaintiff within thirty (30) days after entry of this Decree.

P. Richard Thomas, J.

Feb 28, 1990 Copy of order mailed to Atty. Kuhn.

And now, Apr. 19, 1990 @ 9:34 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.

Y-63-153-153; T-121; G-164

FINAL JUDGMENT
James F. Simmons
Prothonotary

1989

Daniel J. Kuhn

1105

JERRY G. KERR, LONANA M. KERR, KERR, PAUL E. ALTMAN, VIOLET MAY ALTMAN, BRUCE ALLEN KERR, KRISTINE ANN KERR, LARRY K. ROBINSON, SUSAN K. ROBINSON, JOHN R. MEEHAN and EMMA R. MEEHAN

VS.

WILLIAM E. STOVER, A/K/A W. E. STOVER, A/K/A W .C. STOVER, his heirs ans assigns

Filed Dec 8, 1989
@ 10:33 A.M.
Tax & Entry paid $50.50
Pro Co pd 4/19/90. 9.00

COMPLAINT IN ACTION TO QUIET TITLE

Motion for Publication and Order: AND NOW, TO-WIT, December 8, 1989 , upon motion of Attorney for Plaintiffs, leave is hereby granted to served the Defendants by publication of a notice of the facts, as set forth in the Complaint, in the Crawford County Legal Journal and in the Meadville Tribune Newspaper, one time each, with notice to plead within twenty (20) days or a default judgment may be entered against him.

P. Richard Thomas, J.

Dec 11, 1989 Copy of order mailed to Atty. Kuhn.

Feb 22, 1990 Motion to Enter Final Judgment in Action to Quiet Title, Affidavit of Service of Complaint and Order filed: AND NOW, TO-WIT, February 21, 1990, it appearing that the Plaintiffs' Complaint has been duly served by Publication, with notice to plead within twenty (20) days of service thereof; it is hereby Decreed that the title of the Plaintiffs, to the following described property:

ALL that certain piece or parcel of land situate in Bloomfield Township, Crawford County, Pennsylvania, bounded and described as follows, to-wit: BOUNDED on the North by land now or formerly owned by Pratt; on the East by land now or formerly owned by Westgage; on the South by the public road and land now or formerly owned by Farrington; and on the West by land now or formerly owned by Lewis, containing one hundred (100) acres of land, more or less.

is valid and indefeasible as against all rights and claims of the Defendants whatsoever and the Defendants are forever barred from asserting any rights, title, lien or interest and said premises inconsistent with interest or claims of the Plaintiffs, as set forth in their Complaint, unless the Defendant brings an Action of Ejectment against the Plaintiffs within thirty (30) days after entry of this Decree.

P. Richard Thomas, J

Feb 27, 1990 Copies of order mailed to Atty Kuhn.

And now, April 19, 1990 @ 9:34 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.

S-175

FINAL JUDGMENT
James F. Simmons
Prothonotary

1989

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

1106

Stephen A. Tetuan

Mary Ann Kirkpatrick

DOROTHY A. SCHOFIELD

VS.

RICHARD J. SCHOFIELD

Filed Dec. 8, 1989
@ 11:11 A.M.

Tax & Entry paid	$50.50
2 counts paid	30.00
Stephen Hall, Master	
State Pd 7-10-92	10.00
Pro Co Pd 7-10-92	9.00

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

3 copies (atty)

Dec 8, 1989 Petition for Special Relief Exclusive Possession of Marital Residence and Order filed: AND NOW, this 8 day of December, 1989, it is hereby Ordered, Adjudged and Decreed, that the above named Petitioner is granted exclusive possession of the premises located at R.D.#8, Box 390, Meadville, Pennsylvania evicting Respondent from said premises pending a final hearing on the merits of this Petition.

A rule is hereby granted on the Respondent to show cause why the foregoing Order should not be made final.

Rule Returnable and hearing on the 21 day of December, 1989 at 9:30 o'clock p.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT,
P. Richard Thomas, J.

3 copies (atty)

Dec. 22, 1989, Appearance of Stephen A. Tetuan, attorney for defendant filed.

Dec. 22, 1989, Defendants Answer to Plaintiff's Complaint in Divorce filed.

Dec 29, 1989 Stipulation and Consent Granting Special Relief and Exclusive Possession of the Marital Residence filed.

Dec 29, 1989 Order filed: AND NOW, this 29th day of December, 1989, upon presentation of the of the Stipulation and Consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED and DECREED THAT:

1. The Petitioner, Dorothy A. Schofield shall have exclusive possession of the parties' marital residence located at R.D.#8, Box 390, Meadville, Pennsylvania pending final judicial determination of the equitable ownership interest of the parties in said residence.

2. The Petitioner and Respondent are enjoined and restrained from disposing, transferring, or in any other way, alienating or distributing property acquired during the marriage in which the other party may assert equitable interest.

BY THE COURT,
Robert L. Walker, J

Jan 4, 1990 Copies of order put in Atty. Irwin's box and copy mailed to Atty. Tetuan.

Feb 5, 1990 Motion to Set Hearing Date and Order filed: AND NOW, upon presentation and consideration of the foregoing Motion to Set Hearing Date a hearing is scheduled with the Court of Common Pleas of Crawford County, Pennsylvania, on the 19th day of January 1990 at 3:30 o'clock P.M. in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT,
P. Richard Thomas, J

Feb 5, 1990 copies of order put in Atty. Irwin's box and mailed to Atty Tetuan.

Feb 5, 1990 Motion to Continue Hearing and Order filed: AND NOW, to-wit, this 18th day of January, 1990, upon consideration of the foregoing Motion to Continue Hearing, that hearing scheduled before the court undersigned for January 19, 1990 at 3:30 p.m. is continued to the 6th day of February, 1990, at 10:00 o'clock a.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania.

For the court,
Imogene Yetman, Ct. Adm.

Feb 5, 1990 Copies of order put in Atty Irwin's box and copy mailed to Atty. Tetuan.

Feb. 9, 1990 ORDER filed. AND NOW, this 7th day of February, 1990, after hearing and argument on a motion to determine issues of alimony pendente lite, counsel fees and maintenance of insurance policies as parts in Counts 3 through 5, inclusive, of the plaintiff's complaint it is hereby ordered as follows:

1. The defendant is ordered and directed to pay alimony pendente lite to the plaintiff at the rate of $500 per month for three (3) months commencing with the month of February 1990. Each monthly payment shall be made on or before the 15th day of each month with the first payment to be paid no later than Feb. 15, 1990. This award takes into account the fact that the defendant is paying, and shall continue to pay, all mortgage payments, taxes and insurance on the marital residence where the plaintiff continues to reside. This award is based upon the plaintiff's net take home pay from her employment of $760.00 per month and approximate expenses of $1,400.00 per month. This award takes into account the defendant's net take home pay from his employment of approximately $2,700.00 per month and approximate expenses per month of $1,600.00, not including the mortgage, tax and insurance payments on the marital residence or an IRA deposit and pension deposit. This award does not take into account any consideration of any possible obligation of the plaintiff to pay fair rental value for the marital residence she now occupies. That issue is left for ultimate disposition by the Master or the Court if in fact it is an issue.

2. The defendant is ordered and directed to pay the sum of $250.00 to apply on the plaintiff's counsel fees which said payment shall be made directly to James R. Irwin, attorney for the plaintiff, no later than Feb. 28, 1990.

3. The defendant shall continue to keep the plaintiff as a beneficiary on any life insurance, retirement programs or other benefit programs that he currently maintains until such time as an equitable distribution of marital property becomes final.

4. Both parties shall have the right to take from the joint accounts that were frozen by the Order of Dec. 29, 1989 an amount up to $500 each to be used to assist each party in paying the cost of any expert fees to appraise any marital asset, including any pension or profit sharing plan. The mechanics of how this is done shall be worked out by counsel. The issue of ultimate responsibility for the allocation of expert fees is reserved until final disposition of this case.

BY THE COURT,
Gordon R. Miller, J.

Feb. 9, 1990 Copy of Order placed in Attys' James Irwin and Mary Ann Kirkpatrick box. Copy mailed to Atty.Stephen Tetuan.

Received from deft. Masters Fees dated 9-92 500.00

Received from deft. Masters Fees dated 3-16-92 400.00

Paid Stephen Hall Master's Fees 7-2-92 Ck#6920 621.00

Paid deft Refund 7-2-92 Masters Fees Ck#6921 184.50

Pd Pltff 7-2-92 Masters Fees Refund #6922 89.50

Continued on Page 556A

June 18, 1990, Inventory and Appraisement of Dorothy A. Schofield filed.

Aug 9, 1990 Exhibits filed with papers.

Dec. 31, 1990 Appearance of Mary Ann Kirkpatrick for Defendant filed.

Mar.5, 1991, Affidavit of Consent of defendant filed.

April 17, 1991 Inventory and Appraisement of Richard J. Schofield filed.

Oct. 7, 1991 Petition for Special RElief and Order filed. ORDER: AND NOW, Oct. 7, 1991 hearing on Defendants Petition for Special Relief is scheduled for Nov. 26, 1991 at 1:30 p.m. in Courtroom No. 1 or 2 of the Crawford Cuonty Courthouse, Meadville, Pa.
By the Court,
Gordon R. Miller, J.
Oct. 9, 1991 copies to Attys. Tetuan, Kirkpatrick and J. Irwin.

Nov. 13, 1991 Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code filed.

Nov. 20, 1991 Counter-Claim For Divorce filed.

Nov 25, 1991 Affidavit of Service of Counter-Claim for Divorce filed.

Dec. 4, 1991 ORDER filed. AND NOW, Nov. 26, 1991 after informal hearing on this matter, where the defendant is asking for an order to prevent or limit the plaintiff's control over a water supply that services the marital residence which she has exclusive possession of and also services the mobile home where the defendant's mother lives, said petition if REFUSED because this court does not have the ability to grant special relief in favor of a third party. BY ORDER OF THE COURT,
Gordon R. Miller, p.J.
Dec. 4, 1991, 2 copies each to attys. J. Irwin and M. Kirkpatrick.

Feb. 27, 1992 Income and Expense Statement of Richard J. Schofield filed.

Feb. 27, 1992, Motion for Appointment of Master in divorce and Order Appointing Master filed. ORDER: AND NOW, February 27, 1992, STEPHEN HALL is appointed master in respect tothe following claims: Deposit required: By Plaintiff $400.00 By Defendant $500.00
BY THE COURT,
Anthony J. Vardaro, J.
Feb. 27, 1992, copies to J. Irwin, M. Kirkpatrick and S. Hall.

May 28, 1992 Defendant's Pre-Trial Statement filed.

May 28, 1992 Plaintiff's Income and Expense Statement filed.

May 28, 1992 AFFIDAVIT OF CONSENT by Dorothy A. Schofield filed.

June 12, 1992 Addendum to Defendant's Income and Expense Statement, filed.

June 19, 1992 PRE-TRIAL NARRATIVE OF DOROTHY A. SCHOFIELD, filed.

June 19, 1992 NOTICE OF RESCHEDULED PRE-HEARING CONFERENCE, filed.

June 19, 1992 NOTICE OF CONTINUED MASTER'S HEARING, filed.

June 19, 1992 ORDER filed. AND NOW, April 20, 1992 after a pretrial conference, the Master schedules the Master's Hearing for Wednesday, June 3, 1992, at 9:30 a.m., in the Green Room third floor of the Crawford County Courthouse, Meadville, Pennsylvania. Pretrial narratives shall be filed on or before May 20, 1992. Any supplements to pretrial narratives shall be filed on or before May 27, 1992. Plaintiff shall file an updated income and expense statement with her pretrial narrative. Plaintiff's counsel further indicates that Plaintiff shall file an affidavit of consent, which will resolve the divorce issue.
The parties shall supply each other with most recent information regarding their respective pensions, all information available regarding valuation of accounts as of date of separation and most recently available information no later than May 4, 1992. Defendant's counsel shall supply Plaintiff's counsel with the most current appraisal of the marital residence performed by Kaufman Appraisal Services along with any estimates or actual invoices regarding repair work necessary to the well on the marital residence property by May 4, 1992. Stephen E. Hall, Esq., Master
June 23, 1992 copy in box for M.A. Kirkpatrick & J. Irwin

June 23, 1992 Affidavit of Service filed. I, James R. Irwin, Esquire, being duly sworn according to law, depose and say that I am the attorney of record, and as such say that I served a true and correct copy of the Complaint in Divorce certified by the Prothonotary of Crawford County, Pennsylvania on the above named Defendant by certified mail, addressee only, return receipt requested, dated December 8, 1989. The Defendant acknowledged service on December 12, 1989 by accepting delivery on that date as evidenced by the attached signed return receipt. James R. Irwin, Esquire

July 2, 1992 Memorandum of Agreement filed.

July 2, 1992, Motion to set Master's fee and Cost and Order filed. ORDER: AND NOW, July 1, 1992, the Prothonotary is instructed to pay Stephen E. Hall, Esq. the sum of $621.00 with $310.50 taken from the deposit of each party and to return the balance of each deposit to counsel for each party.
By the Court,
Gordon R. Miller, J.
July 9, 1992, copies to Attys. J. Irwin, M. Kirkpatrick and S. Hall.

July 10, 1992 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED.

July 16, 1992 And Now, July 16, 1992, it is ordered and decreed that Dorothy Schofield, Plaintiff, and Richard J. Schofield, Defendant, are divorced from the bonds of matrimony.
It is further ordered that the provisions of the parties' AGreement filed of record in this matter are incorporated herein and are fully enforceable.
By the Court:
Gordon R. Miller, j.

556B

1989

1989

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

1107

William Gray

JUANITA C. VAUGHN

VS.

WILLARD R. VAUGHN

Filed Dec 8, 1989 @ 11:13 A.M.

Tax & Entry paid $50.50 ✓

PETITION FOR CUSTODY (UCCJA)

Order: AND NOW, this 8th day of December, 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. Primary legal physical custody of Michael Vaughan is awarded to the Petitioner, Juanita C. Vaughan.

2. Visitation is awarded to the Respondent as such times as the parties shall agree, with it being contemplated by and between the parties that visitation by the Respondent with his minor child Michael Vaughan, shall take place on alternate weekends during the school year, and as agreed upon between the parties during the summer.

Consent order.

BY THE COURT,
P. Richard Thomas, J

Dec 11, 1989 Copies of order put in Atty. Irwin's box.

Dec 8, 1989 Stipulation and Consent to Entry of Custody Order filed.

Dec 20, 1989 Acceptance of service of Petition for Custody filed: I accept service of Juanita Vaughan's Petition for Custody behalf of Willard Vaughan and certify that I am authorized to do so.

Willian Gray
Attorney for Defendant

1108

CINDY VOGT

VS.

JAMES ELMEN

Filed Dec 8, 1989

Sheriff's costs $19.00

Sheriff's Costs 23.00

Tax & entry pd 3/12/90 $50.50

to Co pd 3/12/90 9.00

3/12/90 Reed $42.00 From Defendant

3/12/90 Paid $42.00 To Howard Stewart 4h # 5498

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy (pltf)
1copy (sheriff)

ORDER:

And Now, this 8 day of Dec., 1989, upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. the Defendant shall not assault, abuse, harass or threated 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 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 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 Orde 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 order of 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 reserveds ruling on allocation of fees and costs.

Hearing is hereby set for Dec. 14, 1989, at 3:00 P.M., in Courtroom 1 or w 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.

Dec 12, 1989 Sheriff's Return filed: SERVED James Elmin personally on December 11, 1989 at 9:10 A.M. by handing copy of Protection from Abuse, Petition and Order to him at his place of employment, Tru-Weld, Saegertwon, Crawford County, Pa.

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

Dec. 18, 1989 Order filed. AND NOW, December 14, 1989, at the time set for hearing on this abuse matter, the defendant fails to appear. The Court is advised by the Sheriff that he personally served the defnedant on December 11, 1989 at his place of employment.

This Hearing is continued until December 21, 1989 at 11:00 o'clock a.m. in Courtroom 1 or 2. The Sheriff is DIRECTED to serve a copy of this Order upon the Defendant. The defendant is advised that if he fails to appear at said hearing, the Court will promptly issue a Bench Warrant for his immediate arrest, apprehension and lodging in the county Jail until further hearing can be set.

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

Dec. 18, 1989 copy given to Sheriff's Office & County Control and copy mailed to Plaintiff

Dec. 20, 1989 Sheriff's Return filed. SERVED James Elmen personally on Dec. 19, 1989 at 3:40 PM at his place of employment, Tru-Weld, Saegertown, Crawford Co. Pa.

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

Jan. 10, 1990, ORDER filed. And now, Jan. 5, 1990, this case has been twice continued and the court hereby sets the date of Jan. 24, 1990 at 3:00 p.m. as the time for further hearing.

The court is advised by the plaintiff that the defendant has voluntarily undertaken some counseling, but this court is desirous of disposing of this matter either by dismissal or by hearing. If the parties do not intend to proceed with the hearing, the court will dismiss the petition providing unpaid court ocsts in the amount of $101.50 are paid prior to the hearing scheduled for Jan. 24, 1990.

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

Jan. 10, 1990, copies to plaintiff and defendant.

Jan. 29, 1990 Order filed. AND NOW, January 24, 1990, at the time set for hearing on this Abuse Petition, the Plaintiff appears and the Defendant fails to appear. The Plaintiff advises she wishes to withdraw the Petition, and agrees to pay the costs totalling $78.50. Accordingly, the Plaintiff will pay to the Prothonotary's Office $25.00 every two (2) weeks commencing January 26, 1990 until the costs are paid in full.

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

Jan. 31, 1990 Copies mailed to plaintiff and defendant and copy put in County Control's box.

1989

Joseph F. Kulwicki 1109	RANDY E. PRUGH VS. JONI L. PRUGH Filed Dec 8, 1989 Tax & Entry paid $50.50	COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE 3 copies (atty) Dec. 13, 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 December 8, 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: Joni L. Prugh, 14 Harrison St. Greenville,PA 16125. The said Divorce Complaint was sent certified mail, restricted delivery, being certified mail item number P 262 246 371. The signature card for said certified mail item mail number was returned to the office of Joseph F. Kulwicki bearing the signature of Joni L. Prugh as having received same on December 11, 1989. The receipt and signature card for certified mail item number P 262 246 371 are attached hereto and made a part hereof. FURTHER DEPONENT SAITH NOT. Brenda A. Withers

ALTOMARE & BARNHART
Joseph C. Barnhart

1110

KELLY B. FOLEY

VS.

MARK E. FOLEY

Filed Dec. 8, 1989

Tax & Entry Paid $50.50
3 counts paid 45.00
Pro Co pd 9/13/90 9.00
State pd 9/13/90 10.00

DIVORCE, CUSTODY, EQUITABLE DISTRIBUTION OF PROPERTY, CHILD SUPPORT

Jan. 10, 1990, Acceptanc eof Service filed. I, Mark E. Foley, do hereby accept service of the plaintiff's Complaint in Divorce in the above captioned matter as filed 12/8/89.
Dated: 1/9/90 Mark E. Foley.

June 8, 1990 Plaintiff's Affidavit Of Consent To Divorce filed.

Sept. 7, 1990 Defendant's Affidavit Of Consent To Divorce filed.

Sept. 7, 1990 Upon praecipe of Plaintiff Attorney To Transmit Record, this case moved to court.

Sept 24, 1990, MEMORANDUM filed. These divorce actions have been presented to the court for a final divorce decree. The Complaints filed in each case contain additional counts other than the court in divorce. So far the record does not indicate the manner in which those additional counts are to be disposed of. the court will not enter a decree in divorce until the additonal counts have been disposed of in a proper manner such as by a praecipe and order withdrawing said additional counts.
BY THE COURT
Gordon R. Miller, P.J.
Sept. 25, 1990, copies to Jos. Barnhart, atty.

Apr.9, 1991, Motion for Order of Court Confirming Stipulation for Custody of Minor Children, STIPULATION concerning custody of minor children and Order filed. ORDER: AND NOW, this 5th day of April 1991, upon consideration fo the foregoing Stipulation, same is hereby incorporated herein in its entirety and entered as an Order of court.
BY THE COURT:
Gordon R. MIller, J.

July 15, 1991 Upon Praecipe of Plaintiff attorney for Review under Section 201(c) of Divorce Code, this case moved to Court.

July 22, 1991 Memorandum filed. This matter is returned to the Prothonotary for a second time after it has been referred to the Court for final decree.
There has been no disposition of the counts for support or equitable distribution. Until those counts are disposed of or withdrawn by the plaintiff the Court will not grant a divorce decree for a variety of reasons, the greatest of which is that is would be tantamount for a bifurcation.
BY THE COURT,
Gordon r. Miller, J

July 23, 1991 Copy of order mailed to Atty. Barnhart

Sept. 27, 1991 Motion To Withdraw Additional Coutns In Divorce Complaint and ORDER filed. AND NOW, this 30th day of September, 1991, the foregoing Motion is granted. Counts III and IV of Plaintiff's Complaint are withdrawn.
By The Court:
Gordon R. Miller, J.

Oct. 2, 1991 Copy of Order to Atty. Joseph Barnhart.

Oct. 1, 1991 Upon Praecipe of Plaintiff attorney for Review under Section 201(c) of Divorce Code, this case moved to Court.

Oct. 9, 1991 **D E C R E E F I L E D .**

AND NOW, this 9th day of October, 1991, IT IS ORDERED AND DECREED AS FOLLOWS:
1. Upon consideration of the pleadings and Affidavits filed in the above-captioned matter, the Court her eby grants ab absolute divorce from the bonds of matrimony to the above-named parties, on the grounds that the marriage is irretrievably broken and ninety (90) days have elapsed form the date of the filing of the Complaint, and an Affidavit has been filed by each of the parties evidencing that each of the party's consent to the divorce, pursuant to §201(c) of the Pennsylvania Divorce Code.
2. No other matters or causes of action provided under the Pennsylvania Divorce Code of 1980, as amended, are reserved by either of the parties.
BY THE COURT,
Gordon R. Miller, J

1989

MAHANEY, ROEDER &
ROTHCHILD
Tamera Ochs Rothschild

1111

SUSAN J. DLONIAK

VS.

FRANCIS R. DLONIAK

Filed Dec 8, 1989
@ 1:14 P.M.

Tax & Entry Paid	$50.50
Pro Co pd 3/21/90	9.00
State pd 3/21/90	10.00

DIVORCE COMPLAINT

2 copies (atty)

Dec. 13, 1989 Certificate of Service filed. On December 11, 1989, I mailed a certified copy of a Divorce Complaint in the above cpationed matter by Certified Mail No. P 899 145 572 Return Receipt Requested, Restricted Delivery, postage prepaid, to Francis P. Dloniak.

I make this statement pursuant to 18 Pa. C.S. Section 4904 relating tounsworn falsification to authorities and understand that false statements may subject me to criminal penalties under that statute. Tamera Ochs Rothschild

dec. 18, 1989 Affidavit of Return of Service By Mail filed. On December 11, 1989, I mailed a true copy of the Divorce Complaint in the above captioned matter by Certified Mail No. P 899 145 572 Restricted Delivery to the Defendant, FRancis P. Dloniak. Defendant signed a return receipt upon delivery December 12, 1989. The receipt attached hereto and marked as 'Exhibit A" was returned by the post offic eon December 12, 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

Mar. 20, 1990 Affidavit Of Consent of Plaintiff filed.

Mar. 20, 1990 Affidavit Of Consent of Defendant filed.

Mar. 20, 1990 Upon praecipe of Plaintiff Attorney To Transmit Record, this case moved to court.

Mar. 26, 1990 DIVORCE DECREE FILED.

AND NOW, this 26th day of March, 1990, it is ORDERED, ADJUDGED AND DECREED that Susan J. Dloniak, Plaintiff, and Francis P. Dloniak, 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: Nono.

BY THE COURT,
Gordon R. Miller, J

1989

1112.

KUHN & KUHN
Daniel J. Kuhn

COMMONWEALTH OF
PENNSYLVANIA

VS.

DENNIE LEROY DANIELSON

Filed Dec 8, 1989
@ 1:26 P.M.
Tax & Entry paid $50.50

PETITION FOR APPEAL FROM ORDER OF
DEPARTMENT OF TRANSPORTATION SUSPENDING
DRIVER'S LICENSE

3 copies (atty)

PRELIMINARY ORDER:

AND NOW, December 8, 1989, upon consideration of the foregoing Petition and on Motion of Daniel J. Kuhn, Esq., Attorney for the Petitioner, a Hearing de novo is granted to determine whether the action of the Department of Transportation in suspending the driver's license of the petitioner should be set aside.

Hearing is fixed for March 1, 1990 at 9:30 A.M. Courtroom 1 or 2 and the Department of Transportation shall be notified forthwith.

For the Court,
P. Richard Thomas, J

Feb 28, 1990 Motion to Transfer and Order filed: AND NOW, to-wit: this 26th day of February, 1990, upon consideration of the foregoing motion and agreement of the parties, the above-captioned matter is transferred to the Court of Common Pleas of Erie County. All Costs due Crawford County shall be paid by the Petitioner Dennie Leroy Danielson.

BY THE COURT,
Gordon R. Miller, J

Mar 2, 1990 Copies of order mailed to Attys. Kuhn and Kuhar.

(transferred to Erie County, per const order)

1989

1113.

VENIRE FOR THE SECOND AND
THIRD WEEK OF FEBRUARY 1990

Filed Dec. 8, 1989
@ 3:20 p.m.

ORDER FOR EIGHTY (80) QUALIFIED PERSONS
TO COME AND SERVE FOR TRIAL COMMENCING
FEBRUARY 12, 1990

TO SHERIFF:

We command you, in your official capacity to draw from the jury wheel in ac cordance with the law, the names of 80 persons to serve as Jurors in the court of common pleas, to be held at court house in Meadville Feb. 12, 1990 at 9:00 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, Pres: Judge at Meadville this 8th day of Dec. 1989.

James F. Simmons, Prothonotary

Mar. 23, 1990, sheriffs return filed. I do hereby make return that I have summoned the 80 persons whose names appear on schedulechereto attached to serve as jurors at a term of court to be held in Meadville, Pa. commencing on Feb. 12, 1990 at 9:00 a.m.

So answers; Howard N. Stewart, Sheriff

The Schedule hereto attached is a correct list of the above jurors drawn by us.

Nancy L. Hanes,
Dorothy H. Kennedy,
JuryCommissioners

William A. Kuhar, Jr.

1114.

Thomas, Truax, Spadafore
Vardaro and Walker
David P. Truax

COMMONWEALTH OF PENNSYLVANIA

vs.

KENNETH M. ONSPAUGH

Filed December 8, 1989
@ 3:45 p.m.

Tax & entry 12/13/89 $50.50

PETITION FOR APPEAL FROM ORDER OF DEPARTMENT
OF TRANSPORTATION SUSPENDING DRIVER'S LICENSE

1 copy (atty)

ORDER:
AND NOW, Dec. 8, 1989, upon consideration of the foregoing Petition, and upon motion of David P. Truax, Esq. Atty. for petitioner, a hearing is hereby scheduled to determine whether the action of the Dept. of TraNS. IN SUSPENDING THE OPerating privileges of the petitioner should be set aside.

The above matter is set for hearing on the 1st day of March 1990 at 9:30 a.m. at the courthouse at Meadville, Pa. in Court room 1 or 2.

Petitioner is directed to give sixty (60) days written notice to (1) Department of TraNSPORTATION, Bureau of Driver Licensing, Citation Processing Division, Rm. 302, Transportation and Safety Building, Harrisburg, Pa. 17120, and (2) Dept. of Transportation, Office of chief Counsel 1209 State Office Building, Pgh., Pa. 15222, said notice to be by Cert. Mail in each case return receipt requested.

BY THE COURT,
P. Richard Thomas, Judge

Mar 2, 1990 Order filed: AND NOW, March 1, 1990, the Petitioner shall file a brief or memorandum of law in support of his position on or before March 7, 1990, and shall submit a copy thereof to counsel for the Commonswealth. Counsel for the Commonwealth shall file his brief or memorandum of law on or before March 14, 1990, and submit a copy thereof to the attorney for the Petitioner.

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

Mar 1, 1990 Copies of order put in Atty. Truax's box and copy mailed to Atty Kuhar.

Mar 15, 1990 Order filed: AND NOW, this 13th day of March, 1990, upon a telephone request from William Kuhar, Jr., Attorney for the Commonwealth, for a extension of time to file the Commonwealth's brief in this case wherein he alleged that he had not yet received petitioner's brief, the Court grants Mr Kuhar an extention of time to March 21, 1990 to file his brief. Thereafter the Court will reach a decision and enter an order whether or not there are any briefs filed.

BY THE COURT,
Gordon R. Miller, J

Mar 19, 1990 Copies of order put in Atty. Truax box and copy mailed to Atty. Kuhar.

Mar 26, 1990 Memorandum and Order filed: AND NOW, this 23rd day of March, 1990, petitioner's appeal is denied and the action of the Secretary of Transportation is sustained.

BY THE COURT,
Gordon R. Miller, J.

Mar 27, 1990 Copies of order mailed to Atty Kuhar and put in Atty Truax' box.

Barrett & Dratler
Bruce A. Barrett

1115.

Thomas, Truax, Spadafore, Vardaro & Walker
By: David P. Truax

DENISE J. PARKER

vs.

JACK L. PARKER

Filed Dec. 8, 1989
@ 4:18 p.m.

Tax & entry paid $50.50

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

Dec. 14, 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 ofthe Complaint Under Section 201(c) of the Divorce Code was sent by registered mail to the Defendant on December 8, 1989.
3. The registered mail was sent to Jack Parker at 1496 Conneaut Lake Road, Meadville,PA 16335. The sender's receipt is attached hereto.
4. That the Defendant received said registered mail on December 11, 1989. Said receipt card number P 966 074 360 is attached hereto and signed by Jack L. Parker. Bruce A. Barrett

Jan. 11, 1990 Appearance of Thomas, Truax, Spadafore, Vardaro and Walker, by, David P. Truax, Esq. for Defendant 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 1/11/90 . 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)

1116.

BILLIE JO HURTA

vs.

THOMAS ALBERT HURTA

Filed Dec. 11, 1989
@ 10:16 a.m.

Tax & entry	$50.50
Sheriff's Costs	24.68
	9.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plaintiff)

TEMPORARY ABUSE ORDER:

AND NOW, this 11 day of Dec. 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 inthe petition.

2. Special Conditions: Defendant shall not go to the former marital residence at R. D. #1, Fisher Road, Conneautville, Pa. for any purpose, and shall not go tothe plaitiff's place of employment, the Conneautville courier, for nay purpose. Defendant shall return possession of the plaintiff's automobile to her forthwith.

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 orcer 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 Dec. 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 to do so.

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

Dec. 13, 1989 Sheriff's Return filed. SERVED Thomas A. Hurta personally on December 12, 1989 at 3:15 PM by handing copy of Protection From Abuse, Petition and Order to him at his place of employment, Tri-State Builders, Conneautville, Crawford County, PA.
So answers,

Robert A. Fischer, Deputy Sheriff
Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Dec. 20, 1989 Order filed. AND NOW,December 18, 1989, the parties are before the Court without counsel. The Defendant admits the allegations of the abuse petition. Accordingly, the Defendant is directed not to assault, abuse, annoy or harass his wife in any fasion or procure others to do so on his behalf.

The wife is granted exclusive custody of the residence at R.D. 1, Fisher Road, Conneautville.

The Husband and wife agree that the husband has some hand tools and perhaps other personal possessions in the house and they mutually agree that the defendant/Husband can have another mutual acquaintance go to the home at a time satisfactory to the wife to pick up the husband's personal possessions as aforesaid.

The Court is presented with a series of pictures and hospital bills evidencing damage done to the wife in the assault and directs that the Defendna tpay any medical expenses incurred as a result of said assault that are not covered under any other medical plans.

This Order shall remain in effect for a period of one year from this date. Any police officer having reasonable grounds to believe that the abuse portions ofthis Order have been violated may apprehend the Defendant without a warrant, have him preliminarily arraigned before a District Justice, and committed to the Crawford County Jail with notice to the Court to schedule an immediate contempt hearing.

The defendant is directed to pay the costs within fifteen (15) days of the time he receives a bill from the Prothonotary at his current address, in care of the Ski-Tow Motel, Conneaut Lake. It shall be the duly of the Defendant to notify the Prothonotary's Office within twenty four (24) hours of any change of residence.

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

Dec. 21, 1989 Copies of order mailed to plaintiff and defendant.and copy given to County Control

1989

Carney & Heberle
Paul J. Carney, Jr.

1117.

DIANE EDEBURN

vs.

ROBERT EDEBURN, II

Filed Dec. 11, 1989
@ 11:10 a.m.

Tax & entry Paid	$50.50
2 counts paid	30.00
Pro Co pd 10/15/90	9.00
State pd 10/15/90	10.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION OF MARITAL PROPERTY, MAINTENANCE OF INSURANCE POLICIES, ALIMONY, ALIMONY PENDENTE LITE, COUNSEL FEES AND EXPENSES, SPECIAL RELIEF

2 copies (atty)

Oct. 12, 1990 Affidavit Of Service Of Complaint Under Section 201(c) Of The Divorce Code filed. I, Paul J. Carney, Jr. attorney for the Pl aintiff, Diane Edeburn, hereby ceritfy that a true and assested copy of the Complaint in Divorce in the above-captioned action, was served upon the Defendant, Robert Edeburn, II by Restricted Delivery, Return Receipt Requested, on January 16, 1990. The return receipt is attached hereto and marked as Exhibit "A". Paul J. Carney, Jr.

Oct. 12, 1990 Affidavit Of Consent of defendant filed.

Oct. 12, 1990 Affidavit Of Consent of Plaintiff filed.

Oct. 12, 1990 Motion For Decree filed.

Oct. 12, 1990 Upon praecipe of Plaintiff Attorney To Transmit Record, this case moved to court.

Oct. 22, 1990 **D E C R E E F I L E D .**

AND NOW, this 22 day of Oct., 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. ALIMONY: The parties hereto have waived and given up any rights they may respectively have against the other for alimony, support or maintenance and it shall be from the execution date of this Agreement, the sole responsibility of each of the respective parties to sustain themselves without seeking any support from the other party.

3. PENSION, ETC.: Each of the parties shall retain all pension and/or profit sharing plans, banks accounts, stocks, bonds, securities, credit union accounts and individual retirement accounts listed in their individual names.

4. A. Personal Property: The personal property of the parties has been amicably divided between the parties and each par ty shall become the sole and separate owner of the property now in his or her possession.

b. MOTOR VEHICLES: The motor vehicles belonging to the parties have been amicably divided by them and each party shall become the sole and separate owner of the vehicle now in his or her possession.

C. REAL ESTATE: Defendant shall convey to Plaintiff by properly executed quit claim deed all right, title or interest he may have in all that certain piece or parcel of real estate located at and commonly known as R.D. #1, Thompson Run Road, Titusville, Pennsylvania as described in Crawford County Deed Book 550 at page 379. In return for Defendant's interest Plaintiff shall be solely responsible for the debt owing for the purchase of the real estate and to hold Defendant harmless and indemnified. Additionally, Defendant shall convey to Plaintiff all interest he may have in the cemetery plots located at Woodlawn Cemetery, Titusville, Pennsylvania.

5. DEBTS: Defendant shall be solely responsible for the debt owing Gordon B. Garrett Funeral Home and hold Plaintiff harmless andindemnified. Each party shall also be solely responsible for debts incurred in his or her individual name. Each par ty shall hold th eother harmless and indemnified for his or her respective share of said debts.

6. HEALTH INSURANCE - CHILDREN: Defendant shall provide Blue Corss, Blue Shield, Major Meidcal or equivalent coverage for the benefit of the parties' minor children so long as he is able to obtain the same through his employment. Any and all bills not covered by insurance shall be the obligation of the Plaintiff and the Defendant with each party paying one-half (½) of the same. Except in an emergency situation the decision to incur extraordinary, or non-covered medical and/or dental expenses shall be a joint one between the aprties. His or her consent shall not be withheld for anysuch expense which would be reasonably necessary.

7. CUSTODY: Custody of the parties' minor children, Ashley Edeburn, age eight (8) and Alisha Edeburn, age seven and one-half (7½) shall be with Plaintiff. Defendant shallhave partial custody visitation of said children at times to be determined by mutual agreement of the parties. It is further agreed that if, when the children are older, they want to visit Defendant in Denver and Defendant is, at that time, making regular support payments, and Plaintiff agrees that it is in the best interest of the children to travel to Denver to see Defendant, them appropriate arrangements will be made at that time for the children to visit Defendant in Denver, Colorado.

8. SPECIAL RELIEF: Each party shall be barred from bringing any further claims for special relief as per Count III of the Complaint in Divorce filed in this action.

9. EXECUTION OF DOCUMENTS: Each party shall execute any and all documents which may require his or her signature for the purpose of effectuating all of the terms and conditions of this Decree so as to give full force and effect to this Decree.

10. INVENTORY AND INCOME AND EXPENSE STATEMENT: Neither party hereto shall be required to file an Inventory and Appraisement or Income and Expense Statement in accordance with the Pennsylvana Rules of Civil Procedure.

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

1989

Mason and Mason
Joan D. Mason

1118.

DEBRA LEE DURRANT

vs.

JAMES J. DALE

Filed Dec. 11, 1989
@ 11:48 a.m.

Tax & entry Paid $50.50
1 count paid 15.00

COMPLAINT IN DIVORCE, ALIMONY PENDENTE LITE,
COUNSEL FEES, AND COURT COSTS

1 copy (atty)

Dec. 21, 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 December 11, 1989, mail to the above Defendant, James J. Dale by certified mail #P 966 073 964 return receipt requested, deliver to addressee only, a complaint in the above divorce action. Said notice was received on December 14, 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. 19, 1991 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 12/18/91 . 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

Hayt, Hayt & Landau
Arthur Lashin

1119.

Ferguson & Spataro
Douglas W. Ferguson

FORD MOTOR CREDIT COMPANY
One American Road
Dearborn, Michigan 48122

vs.

GREGORY L. BESONSON AND
PATRICIA A. BESONSON
R. D. # 2
Union City, Pa. 16438

Filed Dec. 11, 1989
@ 1:20 p.m.

Tax & entry Paid	$40.50
Bal. 12/21/89	10.00
Sheriff's Costs	41.92
Pro Co Pd 2/14/90	9.00
Pro Co Pd 3/5/90	5.00

COMPLAINT IN CIVIL ACTION

2 copies (sheriff)

Jan 12, 1990 Sheriff's Return filed: SERVED Gregory L. Besonson personally on January 10, 1990 at 4:04 p.m. by handing copy of Complaint to him at Courthouse, Meadville, Crawford County, Pa 16335.

SERVED Patricia A. Besonson personally on January 10, 1990 at 4:05 P.M. by handing copy of Complaint to her at Courthouse, Crawford County, Pa 16335.

So answers, Edgar D. Householder, Deputy Sheriff

Howard N. Stewart, Sheriff

Feb. 12, 1990 Appearance of Ferguson & Spataro, by Douglas W. Ferguson, attorneys for defendant, Patricia A. Besonson, filed.

Feb. 12, 1990, Patricia A. Besonson's Answer to Plaintiffs Complaint and New Matter filed.

And Now, Feb. 14, 1990 at 3:21 p.m., upon praecipe of plaintiff attorney, with military affidavit and notices of intention to take judgment attached, Judgment is hereby entered in favor of the plaintiff and against the defendant Gregory L. Besonson, - damages assessed in the amount of One Thousand eight Hundred Six and 51/100 Dollars including interest of $171.66.

Judgment entered 2/14/90
B - 73 Debt -- $1,806.51

JUDGMENT
James F. Simmons,
Prothonotary

Feb. 15, 1990, notice of entry of judgment mailed to dft. Gregory L. Besonson.

Feb. 20, 1990, UPon praecipe of plaintiff attorney, Judgment in the above matter is stricken as to defendant Patricia A. Besonson, only.

Feb. 28, 1990, Upon praeipe of palintiff attorney, the above captioned matter is discontinued of record without prejudice, against Patricia A. Besonson, only.

EX/1990-36

EX/1990-80

1120.

Christopher J. Youngs

MARY ANN BEIERSCHMITT

vs.

TOM ANDERSON

Filed Dec. 12, 1989
@ 10:27 a.m.

Tax & entry 3/27/90 $50.50
Sheriffs costs 26.00
Pro for Co. 3/27/90 9.00

3/27/90 Recd $26.00 from Defendant

3/27/90 Pd $26.00 To Howard Stewart Sheriffs Costs Ck #5525

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plaintiff)
1 copy (John Fuller)
1 copy (Lisa Pepicelli Youngs)

TEMPORARY ABUSE ORDER:

AND NOW, this 12 day of Dec. 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: Pl. may move her personal possessions and clothing and children's clothing and toys. No furniture to be moved until final hearing. Pl. intends to move to Erie with mother and def. will not interfere with this move.

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

6. This temporary order shall remain in full force and effect until modified or terminated by further order of this court. Liability for payment offees 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 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 Dec. 22, 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.

Dec 15, 1989 Petition for Relief filed:

Dec 19, 1989 Supplemental Order filed: AND NOW, December 15, 1989, the defendant appears at Motion Court, together with his counsel, presenting a problem to the Court regarding the Court's Order of December 12, 1989, containing special conditions that no furniture could be moved from the residence at 721½ Park Avenue. It appears the defendant is behind in his rent and is facing eviction by the landlord. He advises the Court he has located a new place to live at 539½ East Henry Street, Meadville, Pennsylvania, and together with his counsel requests the Court to modify the previous Order to the end that he may move his furniture and possessions to his new residence

The defendant admits that a microwave oven and certain other furniture in the household are apparently claimed by the plaintiff in the abuse action. The defendant advises that if it is left on the premises, he is fearful the landlord will dispose of the same to the detriment of both parties.

ACCORDINGLY, the Order heretofore entered December 12, 1989 is modified to the extent that the defendant may move his own personal possessions, all furniture and possession in the premises at 721½ Park Avenue to the new residence and take along with him items that belong to the plaintiff in this action.. By future Order, we will attempt to accord the plaintiff the right to recover possessions belonging to her from the new residence.

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

Dec 19, 1989 Copies of order mailed to Plaintiff, put in Atty. Youngs box and given to Co. Control.

Dec. 21, 1989, Sheriffs Return filed. SERVED Tom Anderson personally on Dec. 14, 1989 at 10:00 a.m. by handing a copy of Protection From Abuse, Notice, Petition and order to himat his residence 721½ Park Ave, Meadville, Crawford County, Pa. 16335.

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

Jan. 10, 1990 Order filed. ORDER: AND NOW, December 22, 1989, at the time this abuse matter is before the Court, the Defendant amicably agrees the entry of an Order without an official hearing. Neither party desires a hearing on the matter, and most of the issues are emicably resolved. Accordingly, the Defendant will not assault, threaten harass or annoy the Plaintiff in any fashion. In this regard, the Court notes that the Plaintiff has now mowed to 2931 Highland Road, Erie, Pennsylvania 16506, (814) 833-1743, with her parents. She has the two children in her custody.

The parties have also filed an ancillary custody action of Anderson versus Beierschmitt at A.D. 1989 - 1084, addressing the custody of minor child Kelley Anderson. Until a mediation hearing can be held, the parties mutually agree that the child, Kelly, will be in the custody of the mother over the Christmas holiday weekend, but that on December 26, 1989, the father may pick up the child at the mother's residence in Erie and the child in his exclusive custody until January 1, 1990. The father will pick up the child December 26th between the hours of Noon and 5 P.M. and will return the child on January 1st not later than 6 p.m. on that date.

Neither parent will attempt to influence the minor child born of this

Continued on page 570A

relationship or the other minor child, Vicki, against the other parent and neither parent will make uncomplimentary remarks about the other in the presence of the children.

When the Defendant picks up the child in accord with this Order, he may go to the residence, but may not cause any disturbance and may not stay any longer than is necessary to pick up and return the child.

In the event a custody mediation hearing cannot be held immediately, the Court DIRECTS the father may have another weekend visit with his minor child January 19 through 21 under the same conditions as aforestated.

It appears that the Defendant has now moved from 721½ Park Avenue, where the parties formerly lived, but still has a key and the move has not been totally completed. Accordingly, immediately after this hearing, the Defendant willpermit the Plaintiff and her parents to enter the residence at 721½ Park Avenue for the purpose of picking up Christmas presents lodged there for the children, and any other personal items that are listed on the Plaintiff's list, which the Defendant has seen. Since the Defendant is in the moving stages, it may not be possible to find all items this date, but after the Defendant moves to his new address at 539½ East Henry Street (814) 337-6375, the parties may make an arrangement for a date certain when the Plaintiff may go to the new residence to claim personal items listed on the mutually agreed list. She shall give the Defendant at least 24 hours notice by telephone of the date and time she will arrive, and the Defendant will attempt to accommodate her in separating out such items before her arrival or in allowing her to look any place in the new residence to secure said items.

This Order shall remain in effect for a period of nine (9) months from this date, and any police officer in any jurisdiction having reasonable grounds to believe that the abuse portions of this Order have been violated may immediately apprehend the Defendant, have him arraigned before a District Justice and committed to the Crawford County Jail and request an immediate contempt hearing.

Defendant is DIRECTED to pay costs in this case upon receipt of a bill at his above address from the Prothonotary, with said costs to be paid in full not later than February 15, 1990.

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

Jan. 11, 1990 Copies of order mailed to Plaintiff, put Atty.Youngs box and given to C. Control.

1989

Mahany, Roeder &
Smith
Tamera Ochs Rothschild

1121.

FREDERICK L. WEAGRAFF AND
VIOLA M. WEAGRAFF, HIS WIFE

RAYMOND E. CARBIN

Filed Dec. 12, 1989
@ 10:51 a.m.

Tax & entry Paid $50.50

Sheriff's Costs 45.80
Pro Co Pd 2/12/90 9.00

COMPLAINT IN MORTGAGE FORELCOSURE

3 copies (atty).

Dec. 14, 1989, Certificate of Residence and Non Military Service filed.

Dec. 20, 1989, Motion for Service by Publication Pursuant to Special Order of Court, Attorney for plaintiff Affidavit, and Order for publication filed. ORDER FOR PUBLICATION: AND NOW, this 20 day of Dec. 1989, upon consideration of the foregoing motion for Service by Publication Pursuant to Special Order of Court, it appearing the whereabouts of the defendant Raymond E. Carbin, is not known, it is, therefore, Ordered that the Plaintiffs make service upon the Titusville Defendant by publication once (1) in the Titusville Herald the aforesaid legal publication to require the defendant 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,
P. Richard Thomas, J.
1 copy (atty)

Dec. 20, 1989, Affidavit of Service as to Defendant's Whereabouts, filed.

Jan 10, 1990 Sheriff's Return filed: SERVED Sue Fulmer, person in possession of property, on January 3, 1990 at 2:53 P.M. by handing copy of Complaint in Mortgage Foreclosure to her at residence R.D.#5, Titusville, Crawford County, Pa.
So answers,
Robert M. Stevens, Deputy Sheriff
Howard N. Stewart, Sheriff

Jan 11, 1990 Certificate of Service of Notice to Defend and Complaint by Publication filed: I hereby certify that Notice to Defend and Complaint was served upon the Defendant, Raymond E. Carbin by publication pursuant to the Court Order entered in this matter on December 20, 1989, on the following dates in the following publications:
January 2, 1990 The Titusville Herald; and
January 3, 1990 Crawford County Legal Journal,
as per the attached Proof of Publication of The Titusville Herald and The Crawford County Legal Journal.
MAHANY, ROEDER & ROTHCHILD
Tamera Ochs Rothchild, Esq.
Attorneys for Plaintiff

Feb. 7, 1990, Certificate of Service of Notice of Intention to File a Praecipe for Entry of Default Judgment filed.

And Now, Feb. 7, 1990, at 2 30 p.m. upon praecipe of plaintiff attorney, Judgment by Default is hereby entered in favor of the plaintiff and against the defendants for failure to file answer; damages assessed in the amount of Sixteen Thousand Two Hundred Sixty Tow and 24/100 Dollars.

Judgment entered 2/7/90
C - 144

/Debt -- $16,262.24
plus damages
James F. Simmons,
Prothonotary

Feb. 12, 1990 Notice of entry of Judgment mailed to dft.

EX/1990-23

Brian Lindsay

1122.

BEVERLY A. OGELLO

vs.

DANIEL J. OGELLO

Filed Dec. 13, 1989

Tax & entry Paid	$50.50
Pro Co pd 3/16/90	9.00
State pd 3/16/90	10.00
Pro Co pd 3/30/90	5.00

COMPLAINT UNDER SECTION 201(c) OR 201(d)-DIVORCE CODE

2 copies (atty)

Jan. 10, 1990 Affidavit filed. I, Brian J. Lindsay, after being duly sworn according to law, depose and say that I am the attorney of record for Beverly A. Ogello, Plaintiff herein, and that as such I amauthorized to execute this Affidavit, that I did on the 14th day of December, 1989, send by Certified Mail, Return REceipt Requested, a true and correct copy of the Notice to Defend and the Complaint in Divorce to the Defendant, Daniel J. Ogello, at his last known address of A4, Manchester House, Meadville, PA 16335, as evidenced by the attached sender's receit No. P 276 200 318, and that on the 20th day of December, 1989, I did receive the duly executed return receipt dated the 18th day of December, 1989.

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., Section 4904, relating to unsworn falsification to authorities.

Brian J. Lindsay, Atty.

Mar. 16, 1990, Affidavit of Consent of defendant filed.

Mar. 16, 1990, Affidavit of Consent of plaintiff filed.

Mar. 16, 1990, Upon praecipe of plaintiff attorney, to transmit the record, this case moved tocourt.

Mar. 27, 1990 DIVORCE DECREE FILED.

AND NOW, March 27, 1990, it is ordered and decreed that Beverly Ogello, plaintiff, and Daniel J. Ogello, defendant, are divorced fromthe bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J

Mar. 30, 1990 Notice Of Election To Retake Prior Name filed. Beverly Ogello to be known as: Veverly Nies

1989

George Joseph Quinn, Gent, Buseck, & Leemhuis, Inc. 1123.	IN THE MATTER OF THE ASSESSMENT OF LAND AND IMPROVEMENTS OF PPG INDUSTRIES INC. Filed Dec. 13, 1989 @ 3:17 p.m. Tax & entry Paid $50.50 ✓ Pro Co Pd 7/25/90 5.00 ✓	ASSESSMENT APPEAL July 16, 1990, STIPULATION OF SETTLEMENT signed by counsel for Conneaut School District, PPG INdustries, and Crawford County Board of Assessment Appeals.

Gerald Sullivan
Legal Services

1124.

ANDY L. PARKER

vs.

RUSSELL HALL AND
CAROL HALL

Filed Dec. 13, 1989
@ 3:50 p.m.

Indigent filing
John Fuller, Mediator

COMPLAINT FOR CUSTODY/PARTIAL CUSTODY/VISITATION

4 copies (atty)

ORDER OF COURT:

You, Russell Hall aND Carol Hall, defendants, have been sued in court toobtain custody/ partial custody/visitation of the minor child, tanya Parker.

You are ordered to appear in person at the time and place selected by JOHN FULLER, CUSTODY MEDIATOR.

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

The crawford CountySheriff's Department is directed to serve a certified copy of this complaint and order upon the defendants. In the alternative, this petition and order may be served by any competent adult or by certified mail.

Plaintiff is allowed to proceed without payment of court costs reserving 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, Ser. to the Pub. Committee, c/o Prothonotary, Crawford County Courthouse, Meadville, Pa. 814 724-4636.

BY THE COURT,
P. Richard Thomas, J.

Dec. 13, 1989, Praecipe to Proceed in Forma Pauperis, Petiton for Leave to Proceed IN Forma Pauperis filed.

Dec 29, 1989 Proof of Service filed: I hereby certify that a copy of the foregoing Order and Complaint for Custody was served on Defendants Russell Hall and Carol Hall by certified mail on December 18, 1989, by United States Mail, Return Receipt Requested, Restricted Delivery.

Northwestern Legal Services
Gerald Sullivan

Mar. 5, 1990, MOtion for Dismissal, and Order filed. ORDER: AND NOW, this 5th day of Mar. 1990, uponconsideration of the foregoing Motion for Dismissal, said Motion is granted.

The plaintiff is permitted to proceed in forma pauperis.

2 copies (atty)

BY THE COURT,
Gordon R. Miller, J.

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

1125.

AMERICAN FEDERAL SAVINGS

vs.

MARK B. ZIMMERMAN AND
DONNA M. ZIMMERMAN

Filed Dec. 14, 1989
@ 3:03 p.m.

Tax & entry Paid $50.50
Sheriff's Costs 26.00

Pro Co Pd 1-16-90 9.00

COMPLAINT IN MORTGAGE FORECLOSURE

2 copies (sheriff)

Jan. 3, 1990 Sheriff's Return filed.
SERVED Mark B. Zimmerman personally on Dec. 18, 1989 at 1:48 PM by handing copy of Complaint to him at residence, 1413 Leslie Rd., Meadville, Crawford Co. Pa.
SERVED Donna M. Zimmerman on Dec. 18, 1989 at 1:49 PM by handing copy of Complaint to Mark B. Zimmerman her husband, at residence, 1413 Leslie Rd., Meadville, Crawford County, Pa.
So answers, Robert M. Stevens, Dep. Sheriff
Howard N. Stewart, Sheriff

AND NOW, Jan 16, 1990 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 damages are assessed as follows: Principal debt, Twenty-six Thousand Eight Hundred Thirty-seven and 77/100 Dollars; Interest to 12-1-89, One Thousand One Hundred Nine and 29/100 Dollars; Late charges Fifty-seven and 60/100 Dollars; Taxes and insurance escrow, Four Hundred Sixty-five and 70/100 Dollars, Attorney's Commission, Two Thousand, Six Hundred Eighty-three and 77/100 Dollars; TOTAL Thirty-one Thousand, One Hundred Fifty-four and 13/100 Dollars, together with interest on principal debt at a rate of 10.00% per annum from 12/1/89 and costs of suit.

Z-112, 42

Debt.....$31,154.13 + Int. & costs
JUDGMENT
James F. Simmons
Prothonotary

EXECUTION 1990-5

1989

William J. Gregg, 1126. Legal Services Alexander W. Banks	RICHARD SNYDER vs. BEVERLY KING Filed Dec. 14, 1989 @ 3:36 p.m. Indigent filing	APPEAL OF DEFENDANT FROM JUDGMENT OF DISTRICT JUSTICE CHISHOLM, 30 - 2 -1 Dec. 14, 1989, Rule entered Upon plaintiff to file Complaint issued. Dec. 14, 1989, Praecipe to Proceed In Forma Pauperis andAffidavit To Proceed In Forma Pauperis filed. Dec 18, 1989 Proof of Service of Notice of Appeal and Rule to File Complaint filed. **Jan. 3, 1990 Complaint filed. (1 copy atty.)** Feb. 2, 1990 Answer , New Matter and Counterclaim filed. And Now, Apr. 25, 1991 upon praecipe of defendant attorney, Judgment of Non Pros is hereby entered against the within plaintiffs for failure to Plead to the New Matters/Counterclaims within 30 days. Judgment entered- 4/25/91 S - 264, 53 JUDGMENT OF NON PROS James F. Simmons, Prothonotary

Lovitz and Gold
By: Sidney L. Gold

Joseph F. Kulwicki

1127.

Cohen & Grigsby
John E. Lyncheski
Thomas J. Madigan

LARRY MANUEL AND ALICE MANUEL, HIS WIFE

vs.

UNITED CEREBRAL PALSY OF CRAWFORD, VENANGO AND CLARION COUNTY, INC. AND AUDREY ACKERSON, PEGGY DIXON, MARGIE WINTERS, SUE HACKWORTH, KIM CHALMERS, LEANN SEVERO

Filed Dec. 14, 1989
@ 3:39 p.m.

Tax & entry Paid $50.50
Sheriff's Costs 43.00

SUMMONS IN A CIVIL ACTION

Issued

Feb. 22, 1990, Summons Reissued.

Mar. 21, 1990 Appearance of Cohen & Grigsby by John E. Lyncheski and Thomas J. Madigan for the Defendants filed.

Mar. 21, 1990 Upon praecipe of Defendants attorney Rule To File Complaint Issued.

Mar. 26, 1990 Sheriff's (Writ) Return filed. SERVED Kim Chalmers personally on March 12, 1990 at 10:15 AM by handing copy of Summo;ns to her at place of employment, United Cerebral Palsy, 400 Cussewago Road, Meadville, Crawford County, PA. SERVED Sue Hackworth, on March 12, 1990 at 10:16 AM by handing copy of Summons to Kim Chalmers, Personnel Analyst, at place of employment, United Cerebral Palsy 400 Cussewago Road, Meadville, PA SERVED Peggy Dixon on March 12, 1990 at 10:17 AM by handing copy of Summons to Kim Chalmers, Personnel Analyst, at place of employment, United Cerebral Palsy 400 Cussewago Road, Meadville, PA. SERVED Leann Severo on March 12, 1990 at 10:18 AM by handing copy of Summons to Kim Chalmers, Personeel Anaylst, at place of employment, United Cerebral Palsy 400 Cussewago Road, Meadville, PA So answers, Robert M. Stevens, Dep. Sher. Howard N. Stewart, Sheriff

May 9, 1990 Complaint filed.

June 6, 1990, Answer and New Matter of United Cerebral Palsy of Crawford, Venango and Clarion counties, Inc. filed.

July 31, 1990 Notice Of Deposition of United Cerebral Palsy of Crawfrod, Venango and Clarion County, Inc., Peggy dixon, Sue Hackworth, Kim Chalmers, and Leann Severo filed.

Aug. 13, 1990 Plaintiff's Response To Defendants' United Cerebral Palsy of crawford, Venango and Clarion Counties, Inc., New Matter filed.

Aug. 23, 1990 Stipulation for Dismissal with Prejudice and Order filed.
ORDER: AND NOW, to-wit, this 22nd day of August, 1990, the within Stipulation having been presented to the Court, it appearing that the plaintiff has agreed to a dismissal of this action with prejudice as to the defendants, Peggy Dixon, Sue Hackworth, Kim Chalmers, and Leann Severo only, and it appearing that the other defendants in the case do not object to such a dismissal, therefore,
IT IS ORDERED, ADJUDGED AND DECREED that this action be and the same hereby is dismissed with prejudice as to the defendants Sue Hackworth, Kim Chalmers and Leann Severo only.
BY THE COURT:
Gordon R. Miller, J.

Aug. 30, 1990 copies of order to Jos. Kulwicki and mailed to John E. Lyncheski and Thomas J. Madigan.and Sidney L. Gold, esqs.

Sept. 5, 1990 Motion For Entry of Corrected Order and Order filed. AND NOW, to-wit, this 6th day of September, 1990, upon consideration of the foregoing.
IT IS ORDERED, ADJUDGED AND DECREED that this actionbe and the same here by is dismissed with prejudice as to the defendants Pe ggy Dixon, Sue Hackwoth, Kim Chalmers and Leann Severo only.
BY THE COURT,
Gordon R. Miller, J

1 copy atty

1989

1128.

Watts, Pepicelli, Youngs and Youngs PC
Alan L. Pepicelli

COMMONWEALTH OF PENNSYLVANIA

vs.

ERNEST F. ZIMMERMAN

Filed Dec. 14, 1989
@ 3:47 p.m.

Tax & entry Paid $50.50 ✓

APPEAL FROM SUSPENSION OF OPERATING PRIVILEGES

2 copies (atty)

ORDER:

AND NOW, this 14 day of dec. 1989 upon presentation and consideration of the within Petition, it is hereby ordered, adjudged and decreed that a hearing on the within Appeal shall be held on Mar. 1, 1990, at 9:30 a.m. in Courtroom No. 1 or 2 Crawford County Courthouse, Meadville, Pa. It is further ordered that thirty (30) days, written notice shall be given by counsel for the defendant to the Dept. of Transportation, Bureau of Driver Licensing, citaton Processing Division, Rm. 302, Trans. and Safety Bldg. Harrisburg, Pa. 17120 by cert. mail, ret. rec. req., with an appropriate Cert. of Ser. to thereafter be filed with the Prothonotary.

It is further ordered and decreed that the Appellant, Ernest F. Zimmerman, shall retain his operating privilege and license pending the outcome of this Appeal, which shall act as a supersedeas.

BY THE COURT,
Robert L. Walker, J.

Jan. 3, 1990 Certificate of Service filed. I, Alan L. Pepicelli, am an attorney duly authorized to practice law in the Commonwealth of Pa., and on Dec. 15, 1989, I sent a copy of Appeal From Suspension of Operating Privilege filed at the above number, properly endorsed, to Department of Transportation, Bureau of Driver Licensing, Citation Processing Division, Room 302, Transportation and Safety Building, Harrisburg, Pa. 17120, by Certified Mail No. P 425 661 395 and I received a return receipt for said certified mail signed by Scott A. Klouser and dated Dec. 19, 1989, a copy of which is attached hereto as Exhibit "A"/

Alan L. Pepicelli, esq.

Mar 1, 1990 Motion to Continue Hearing on Pennsylvania Department of Transportation Appeal and Order filed: AND NOW, this 28 day of February, 1990, upon consderation of the within Motion, Hearing in the above-captioned case is hereby continued until May 31, 1990 at 9:30 A.m., in Courtroom 1 or 2.

FOR THE COURT,
Imogene Yetman, Ct. Adm

Mar 2, 1990 Copies of order put in Atty Pepicelli's box and mailed to Atty. Kuhar.

May 31, 1990 Motion For Leave To Withdraw Appeal and Order filed. AND NOW, this 3rd day of May, 1990, upon consideration of the within Motion, allowance to withdraw the within appeal is hereby granted and the within appeal is deemed withdrawn.

BY THE COURT,
Gordon R. Miller, J

May 31, 1990 Copy of order mailed to William Kuhar and copy put in Alan Pepicelli's box.

1989

Bruce A. Barrett
Barrett & Dratler

1129.

J. Barnhart

4/18/90 Recd. $ 91.00
From Plaintiff
Recd $91.00
May 3, 1990
Gillian Stoltz

ROBERT L. HALL

vs.

SHEILA A. HALL

Filed Dec. 15, 1989
@

Tax & entry paid	$50.50
John Fuller, mediator	
MediationCost	**182.00**
	9.00
Sheriff's costs	39.60

Pro Se Fd 4/18/90

COMPLAINT IN CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER OF COURT:

YOu, Sheila A. Hall, defendant, have been sued in court to obtain custody of the child: Jamie Hall.

You are ordered to appear in person for a conference at such time and place as may be set by JOHN FULLER, CUSTODY MEDIATOR.

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

You should take this apper 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 to the Public Committee, c/o Prothontoary, Crawford County Courthouse, Meadville Pa. 16335 814 724-4636.

Date: 12/18/89 BY THE COURT,
Robert L. Walker, J.

Jan. 5, 1990 Acceptance of Service filed. AND NOW, this 29th day of Dec. 1989, I, Joseph Barnhart, Esq., the Attorney for Sheila A. Hall, the Defendant in the above captioned matter, hereby accepts service of the Complaint for Custody.

Joseph Barnhart, Esq.

Feb. 16, 1990 Motion to withdraw as Mediator and Order filed. AND NOW, February 15, 1990, the appointment of John Fuller, Esquire as Child Custody Mediator is vacated and William Pineo is hereby appointed child Custody Mediator.

By the Court:
Gordon R. Miller, J

Feb. 16, 1990 Copies (2) atty. Barrett, 1 copy Atty. Fuller and 1 copy Atty. Pineo

Mar. 27, 1990 Temporary Order filed. AND NOW, this 26 day of March, 1990 after Mediation in the above referenced matter and upon the recommendation of the Child Custody Mediator, IT IS HEREBY ORDERED AND DECREED THAT:

1. Custody of the subject minor child, Jamie Hall, is awarded to his mother, defendant Sheila A. Hall.
2. The father shall have the right of visitation and temporary physical custody every weekend from Friday at 6:00 p.m., to Sunday at 6:00 p.m., except for the last complete weekend of every month. A complete weekend is defined as a weekend in which Friday, Saturday and Sunday fall within the same month.
3. The father shall also have the right of visitation and temporary physical custody for a two week period each summer. The two week period shall be defined as beginning on a Friday at 6:00 p.m. and ending onthe second Sunday thereafter at 6:00 p.m. The father shall notify the mother by MemorialDay of Each year of the two week summertime period he wishes to seleet.
4. Holidays are defined as New Years Day, Easter, Memorial Day, Independence Day, Labor Day, Thanksgiving, andChristmas. The visitation periods shall begin at 6:00 p.m. on the evening before the holiday and end at 6:00 p.m. of the holiday. The father shall have visitation for Easter, 1990 and the prties shall threeafter alternate the holidays.
5. The party receiving the child in the exercise of his or her custodial or visitation rights shall pick up the child at a point to be agreed upon by the parties. If the parties cannot agree, thenthe father shall pick up the child at the Titusville Police Department and the mother shall pick up the child at the Meadville Police Department.
6. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events inthe 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.
7. The parties shall arrange for counseling for Jamie. The parties shall negotiate and attempt to agree upon the identity of a reputable child counselor. If they cannot agree then counseling shall be arranged through the Mental Health Center in Titusville and the father shall be responsible for seeing that the costs are paid if they are not covered by the mother's welfare medical card.
8. Each party shall teach said child togive to the other party that love, respect and obedience which is due a parent from his or her child.
9. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said partye has the care and custody of the subject minor child.
10. Any person transporting the child shall make sure that the seat belts or other restraints are used in accordance withthe law of Pennsylvania.
11. Neither party shall do or say anything to blacken the character of the other inthe child's estimation. Each party shall treat the other ina polite and respectful manner when in the child's presence and each party shallinstruct his or her relatives and friends to do likewise and also mot to disparage the other party inthe child's estimation.
12. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Orer shall govern.
13. Costs and fees of this Mediation which are fixed at $182.00, are divided equally between the parties. The mother's share shall be born by Crawford County, the Mediator having noted that she is indigent. The father's share is assessed to him as costs inthis case. Payment shall be made bythe Prothonotary of Crawford County.
14. Either party may move the Court for hearing de novo for thirty (30) days from date hereof. If neither party so moved, this Order shall be considered permanent.

By the court,
Gordon R. Miller, J

Mar. 27, 1990 Copies to B. Barrett, J. Barnhart, W. Pineo and Plaintiff

Continued on Page 644

1989

Watts, Pepicelli,
Youngs & Youngs PC
Lisa Pepicelli Youngs

1130.

JOYCE A. FLOYD

vs.

FRANK W. FLOYD

Filed Dec. 15, 1989
@ 3:23 p.m.

Tax & entry Paid	$50.50
Pro Co Pd 2/2/90	9.00
State Pd 2/2/90	10.00

COMPLAINT IN DIVORCE UNDER SECTION 201(d) -DIVORCE CODE

1 copy (atty)

Dec. 15, 1989, Plaintiff's Affidavit Under Section 201(d) of the Divorce Code filed. 1 copy (atty)

Jan. 2, 1990 Certificate of Service filed. I hereby certify that a Complaint in Divorce under Section 201(d) of the Divorce Code with Notice to Defend and Plaintiff's Affidavit under Section 201(d) of the Divorce Code was mailed to the Defendant, Frank W. Floyd, on December 15, 1989 by Certified Mail, Restricted Delivery, Return Receipt Requested to Rt. 2,Box 267H, Boyd, Texas and was received by Frank W. Floyd on December 23, 1989. Said receipt is attached as Exhibit "A".
Lisa Pepicelli Youngs, Esq.

Jan. 2, 1990 Defendant's Counter-AffidavitUnder Section 201(d) of the Divorce Code filed.

Jan. 30, 1990, Acceptance of Service filed. I hereby certify that I received Notice of Intention to Request Entry of Divorce Decree in connection with the above Divorce with a form Defendant's counter-Affidavit under Section 201(d) of the Divorce Code attached thereto mailed to Frank W. Floyd, on Jan. 2, 1990 by Cert. Mail, Ret. Rec. REq to Rt. 2, Box 267H Boyd, Texas 76023 and received by Mary Jayme on my behalf on Jan. 5, 1990, as evidenced by said return receipt attached as Exhibit "A".
Date: 1/24/90 Frank W. Floyd.

Jan. 30, 1990, UPon praecipe of plaintiff attorney, to transmit the record, with 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.

Feb. 8, 1990 **DIVORCE DECREE FILED.**

AND NOW, February 8, 1990, it is ordered and decreed that Joyce A. Floyd, plaintiff and Frank W. Floyd, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J

1989

Ruthanne Beighley

1131.

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

LARRY E. PROPER

vs.

GLENDA PROPER

Filed Dec. 18, 1989
@ 11:27 a.m.

Tax & entry Paid $50.50 ✓

COMPLAINT IN DIVORCE

1 copy (atty)

Dec. 29, 1989, Appearance of Shafer, Swick, Bailey, Irwin & Stack, by James R. Irwin, attorneys for defendant filed.

Feb 28, 1990 Petition by Indigent Party UnderPa. R.C.P. 1920.62 filed.

Feb 28, 1990 Order filed: AND NOW, this 28th day of February, 1990, after consideration of the foregoing Petition of Glenda Proper, alleging indigency, Petitioner is hereby granted permission to proceed as an indigent without the payment of costs, with this Court reserving, however, the right to allocate costs to either party at the time of the entry of a final order.

BY THE COURT:
Gordon R. Miller, J

Mar 2, 1990 Copies of order mailed to Atty. Beighley and copy put in Atty. Irwin's box.

Aug. 6, 1990, Amended Complaint in Divorce filed.
1 copy (atty)

Aug. 6, 1990, Plaintiff's AFfidavit Under Section 201(d) of the Divorce Code filed. 1 copy (atty)

Aug. 9, 1990 Defendant's counter-Affidavit Under Section 201(d) of the Divorce Code filed.

Aug 22, 1990 Answer and Counterclaim filed. (Equitable Distribution, Alimony Pendente Lite, Counsel Fees and Expert Fees.)

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 8/22/90 . 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)

of the Divorce Code filed.

582

1989

Gaitens, Tucceri
& Nicholas, PC
Romel L. Nicholas

1132.

JOSEPH HRUSKA AND
CHARLOTTE HRUSKA

vs.

MICHAEL DAMRATOSKI AND
ROBERT DAVIS

Filed Dec. 19, 1989
@ 10:46 a.m.

Tax & entry Paid $50.50
Sheriff's Costs 28.28
Pro Co Pd 10/9/91 5.00

COMPLAINT IN TRESPASS

2 copies (sheriff)

Jan. 3, 1990 Sheriff's Return filed. SERVED Michael Damratoski personally on Dec. 20, 1989 at 12:29 PM by handing copy of Complaint to him at residence, R.D.# 2, Box 908, Conneaut Lake, Crawford County, Pa.
SERVED Robert Davis on Dec. 20, 1989 at 12:30 PM by handing copy of Complaint to Michael Damratoski, his step-son, at their residence, R.D # 2, Box 908, Conneaut Lake, Crawford County, Pa.
So answers, Robert M. Stevens, Dep. Sheriff
Howard N. Stewart, Sheriff

May 1, 1990 Acceptance of Service Of Writ of Summons filed. I hereby accept service of the Writ of Summons issued inthe above captioned action. Michael Damratoski

May 1, 1990 Acceptance of Service of Writ of Summons filed. I hereby accept service of the Writ of Summons issued in the above captioned action on behalf of the defendants, Charlotte Hruska and Joseph Hruska. Romel L. Nicholas

May 1, 1990 Consent Motion For Consolidation of Cases and Amendment To Caption and Order filed. AND NOW, this 3rd day of May, 1990 upon consideration of the within Motion to Consolidate and to amend Caption, it is hereby ordered, adjudged and decreed that the case docketed at No. 1132 of 1989 be consolidated with the instant case at NO. 1152 of 1989 and the caption be amended to read: Mark Damratoski vs. Charlotte Hruska and Michael Damratoski.
Gordon R. Miller, J

May 8, 1990 Copies mailed to Thomas Schmitt and Romel Nicholas

(See papers filed at A.D. 1989 - 1152)

July 11, 1990 Notice Of Deposition of Mark Damratoski filed.

Oct. 7, 1991, Upon praecipe of plaintiff attorney, the above captioned case is hereby marked settled, discontinued and ended of record.

1989

Halliday & Halliday
Michael Halliday

1133.

CRISTINE M. FISHER

vs.

STEVEN M. FISHER

Filed Dec. 19, 1989
@ 11:00 a.m.

Tax & entry Paid	$50.50
2 counts paid	30.00
Pro Co. Pd 4/27/90	9.00
State Surcharge Pd.	10.00

COMPLAINT IN DIVORCE, DIVISION OF PROPERTY; ALIMONY ALIMONY PENDENTE LITE, COUNSEL FEES AND EXPENSES

April 27, 1990 Affidavit of Service filed. AND NOW, this 26th day of April, 1990, before me, the undersigned officer, personally appeared Michael Halliday, Esq., who being duly sowrn according to law, deposes and states that the following facts are true and correct to the best of his knowledge, information and belief:

1. That he is an attorney-at-law authorized to practice law in the Commonwealth of PA., with offices at 273 Main St., Greenville, Mercer Co, PA. 16125.

2. That on Dec. 20, 1989, at the Crawford Co. Courthouse, Meadville, PA., he did personally serve the Defendant, Steven M. Fisher, with a certified copy of the Complaint in Divorce filed at the above term and number.

Michael Halliday, Esq.

April 27, 1990 Affidavit of Consent of Plaintiff filed.

April 27, 1990 Affidavit of Consent of Defendant filed.

April 27, 1990 Upon Praecipe of Plaintiff Attorney for review under Section 201(c) of Divorce Code, this case is moved to court.

Apr. 27, 1990 Motion To Withdraw and Order filed. AND NOW, this 1 day of May, 1990 upon consideration of the within Motion, it is hereby ORDERED AND DECREED that the following Counts of Plaintiff's Complaint in Divorce are herjeby withdrawn: Count II - Division of Property: Count IV - Alimony pendente LIte, counsel fees and Expenses; and Count V - Alimony. FURTHER, that Count III - Child Custody, shall be determined by the custody Mediator, William Pineo, Esquire.

BY THE COURT:
P. Richard Thomas, J

May 3, 1990 copy mailed to Michael Halliday

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 Christine M. Fisher, plaintiff, and Steven M. Fisher, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
P. Richard Thomas, J

May 3, 1990 Separation and Property Settlement Agreement filed.

1989

William B. Moore

1134.

Jorden and White

TODD THOMAS LOHR

vs.

IRIS MARIE McINTYRE LOHR

Filed Dec. 19, 1989
@ 12:04 p.m.

Tax & entry Paid	$50.50
Pro Co Pd 4/20/90	9.00
State pd 4/24/90	10.00
Pro Co pd 8/22/90	5.00

COMPLAINT UNDER SECTION 201(c) OF THE DIVORCE CODE

1 copy (atty)

Apr. 17, 1990, Affidavit of Consent of defendant filed.

Apr. 20, 1990 Affidavit Of Service filed. William B. Moore, 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 the 19th day of December, 1989, he depositied in the United States mails, by certified mail, restricted delivery, return receipt requested, postage prepaid, certified mail number as evidenced by the receipt attached hereto and made a part hereof, a true and correct copy of the Divorce Complaint, naming IRIS MARIE MCINTYRE LOHR as the defendant in the above captioned matter,and addressed to said defendant at R.D.#2, box 44, Saranac, New York 12981.
4. The said Article was delivered to Defendatn's last known address at R.D. #2 Box 44, Saranac, New York, 12981 on December 26, 1989 and received by IRIS MARIE MCINTYRE LOHR, as evidenced by the return receipt for certified mail number P 063 587 075 attached hereto and a part hereof

Further, Deponent saith not. William B. Moore

Apr. 19, 1990 Affidavit Of Consent of Plaintiff filed.

Apr. 19, 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 Todd Thomas Lohn, plaintiff, and Iris Marie McIntyre Lohr, defnedant, are divorced from the bonds of matrimony.

BY THE COURT,
P. Richard Thomas, J

Aug. 22, 1990 Notice of Election To Retake Maiden Name filed. Iris Marie McIntyre Lohr TO BE KNOWN AS: Iris Marie McIntrye

1989

Mason and Mason
Joan D. Mason

1135.

RANDALL LYNN MOORE

vs.

WENDY ANN MOORE

Filed Dec. 19, 1989
@ 2:20 p.m.

Tax & entry Paid	$50.50
Pro Co pd 2-24-93	9.00
State	10.00

COMPLAINT IN DIVORCE

1 copy (atty)

Jan. 5, 1990 Affidavit of Receipt filed. I, Wendy Ann Moore, the Defendant in the above entitled case, being further identified by Pa. photo driver's license #20 708 682, and being duly sworn according to law, state and affirm that I did on Jan. 3rd, 1990, at 4:26 o'clock p.m. receive from the office of Atty. Joan D. Mason, at 973 Liberty St., Meadville, Pa. 16335, a certified copy of the divorce complaint in the above divorce action, which was filed Dec. 19, 1989.
Wendy Ann Moore, Defendant

Oct. 30, 1991 Affidavit of Consent of defendant filed.

Jan. 13, 1992 Affidavit Of Consent of Plaintiff filed.

Feb. 24, 1993 Uponpraecipe of Plaintiff attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

March 11, 1993 AND NOW, March 8, 1993, it is hereby ordered and decreed that R A N D A L L L Y N N M O O R E , Plaintiff, and W E N D Y A N N M O O R E , 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.

1989

James M. Lemieux

1136.

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

CAROLINE HATCHER
P.O. Box 82
Albion, Pa. 16401

vs.

EUGENE J. BREW, JR.
501 Marine Bank Building
Erie, Pa. 16501

Filed Dec. 19, 1989
@ 3:57 p.m.

Tax & entry Paid $50.50
Sheriffs costs 36.50
Pro.Co. pd 11/10/92 5.00

COMPLAINT

2 copies (atty)

(Jury Trial Demanded)

Dec. 19, 1989, Motion Pro Hoc Vice filed. 2 copies (atty)

Dec. 19, 1989, Order filed. The aforegoing Motion Pro Hoc Vice filed by James M. Lemieux, Esq., having been submitted, read and considered, and for good cause shown, it is hereby:
ORDERED that James M. Lemieux, Esq. may enter his appearance pro hoc vice as counsel for the plaintiff in the instant action.
12/19/89 P. Richard Thomas, Judge
(2 copies (atty)

Jan. 22, 1990,, Complaint Reinstated.

Jan. 24, 1990 Preliminary Objections Of Defendant, Eugene J. Brew, Jr. filed.

Jan. 24, 1990 Upon praecipe of Defendant Attoreny the above captioned matter is placed on the next argument list.

1990 FEBRUARY ARGUMENT LIST

Feb. 1, 1990, Verified Amended Complaint With Demand for Jury Trial filed.

Feb. 15, 1990, Sheriff's Return filed. SERVED Eugene j. brew, Jr. by deputizing Sheriff of Erie County, Pa. as per his affidavit of Service attached. Served: Feb. 2, 1990.
So answers, Howard N. Stewart, Sheriff

May 7, 1990, Notice of Service of First Set of Discovery Requests Directed to Defendant filed.

July 19, 1990 Default Notice filed.

July 27, 1990 Motion For Sanctions filed.

July 27, 1990 Upon praecipe of Plaintiff Attorney the above matter is placed on the next available argument list.

1990 AUGUST ARGUMENT LIST.

Aug. 6, 1990, RE: MOTION FOR SANCTIONS AND ORDER SETTING ARGUMENT DATE filed. And now, Aug. 2, 1990, argument in the above matter is hereby set for Sept. 6, 1990, at 1:30 a.m. in Courtroom No. 1 of the Crawford County Courthouse, Meadville, Pa.
FOR THE COURT,
Imogene Yetman, Ct. Adm.
Aug. 7, 1990, copies to James Lemieux, and Wm. Schaaf and E. Sundberg, Esqs.

Aug. 10, 1990 Defendant's Answer and New Matter To Plaintiff's Amended Complaint filed.

Aug. 13, 1990 Praecipe of Motion For Judgment By Default filed.

Sept. 10, 1990 Answer To New Matter filed.

Feb. 5, 1991, Motion of defendant for Summary Judgment filed.

Feb. 5, 1991, Upon praecipe of defendant attorney, Motion for Summary Judgment placed on next argument list.

ON ARGUMENT LIST FOR MARCH 1991 - (Apr. 15, 1991 @ 9:00 a.m C.R. #1)

Mar. 11, 1991 Answer Memorandum In Opposition To Defendant's Motion For Summary Judgment filed.

Mar. 25, 1991, Motion for Summary Judgment filed.

Mar. 27, ORDER filed. AND NOW, this 27 day of March 1991, the foregoing Motion for Summary Judgment filed by plaintiff is hereby placed on the argument list of April 15, 1991, to be heard at the same time that defendant's Motion for Summary Judgment is scheduled, at which time the defendant may show cause, if any there may be, as to why summary judgment should not be issued in the above-captioned matter. Judge P. Richard Thomas, S.J.

Mar. 27, 1991 copies mailed to Attys of record.

May 23, 1991 ORDER: RE: PLAINTIFF'S AND DEFENDANT'S REQUEST FOR SUMMARY JUDGMENT filed. AND NOW, May 22, 1991 after argument and review of briefs, this court finds that upon the present state of the record in this case, summary judgment requested by both parties is inappropriate and accordingly is denied.
We ntoe the supplemental opinion ofthe Supreme Court in Muhammad v. Strassburger, et al, referred to the Court's attention by the defendant is not factually analogous to the present case and the court deems it not controlling.
BY ORDER OF THE COURT,
P. Richard Thomas, S. J.
May 24, 1991, copies of order to J. Lemieux and William J. Schaaf.

Continued on page 586 A

Caroline Hatcher
Plaintiff
Gregory C. Hatcher and Elaine M. Hatcher
Substituted

vs.

Eugene J. Brew, Jr.

Record continued from page 586

of record

A.D. 1989 - 1135

****

Aug. 5, 1991 Motion For Substitution of Parties filed.

Aug. 8, 1991 Order filed. The aforegoing Motion for Substitution of Parties filed by the plaintiffs having been submitted, read, and considered, and for good cause shown, it is hereby

ORDERED that the motion to Substitute Gregory C. Hatcher and Eleain M. Hatcher is here by granted.

8/7/91 P. Richard Thomas. S.J.

Aug. 8, 1991 Copies of order mailed to James Lemieux and William Schaaf

Aug. 5, 1992 Motion For Reconsideration of Summary Judgment filed.

Aug. 5, 1992 Upon praecipe of Defendant attorneys the above matter is placed on the next available argument list.

ON SEPTEMBER 1992 ARGUMENT LIST

Aug. 24, 1992, Upon praecipe of plaintiff attorney, Defendants Motion for Summary Judgment and Plaintiff's Memorandum in Opposition Thereto, placed on next argument list.

Aug. 24, 1992, Certificate of Readiness for Placement on next Trial (Jury) List filed. (by plff atty)

ON OCTOBER 1992 TRIAL LIST - JURY

Sept. 3, 1992 Motion for Summary Judgment Opposition to Motion for Summary Judgment and Order filed.

Sept. 3, 1992 Order filed. AND NOW, September 2, 1992, argument in the above matter is set for October 6, 1992, at 10:00 A.M., in Courtroom 1 or 2 of the Crawford County Courthouse, before Senior Judge P. Richard Thomas.

FOR THE COURT,
Imogene Yetman, Court Administrator

Sept, 3, 1992 Copy of the Order mailed to Attys. Lemieux, Schaaf & Sundberg.

Nov. 10, 1992 Upon Praecipe of Defendant Attorney the above case marked settled and discountinued of record.

586
B

1989

1989

Mahany, Roeder
& Smith
Tamera Ochs Rothschild

1137.

COLLEEN RUTH KILBURY

vs.

THOMAS JAMES BOARTS

Filed Dec. 20, 1989
@ 9:33 a.m.

Indigent filing

COMPLAINT FOR CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER:

You, Thomas James Boarts, Defendant, have been sued in court to obtain custody of the child, to wit: Rikki Dawn Boarts.

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, Esq. is hereby appointed Custody Mediator in this case.

Until further order of court, temporary custody of said chil child is hereby granted to plaintiff, Colleen Ruth Kilbury.

If you fail to appear as provided by this order, an order of 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 help.

Crawford County Bar Assoc. Ser. tothe Pub. Committee c/o Prothonotary, Courthouse Meadville, Pa. 16335, 814 724-4636.

Date: Dec. 20, 1989

BY THE COURT,
P. Richard Thomas, Judge

Dec. 20, 1989, Petition To Proceed In Forma Pauperis-Affidavit in Support of Petition to Preceed In Forma Pauperis, Verification and Order filed. ORDER: AND NOW, Dec.20, 1989, upon consideration of Plaintiff's Petition to Proceed In Forma Pauperis, this court finds that plaintiff, Colleen Ruth Kilbury, is indigent and is without financial resources to pay the costs involved in bringing this action, and for these reasons it is ORDERED AND DIRECTED that:

Plaintiff's Petition to Proceed in Forma Pauperis is granted and she shall be required to pay only the following costs.

BY THE COURT,
P. Richard Thomas,
Judge

Jan 3, 1989 Certification of Service and Return of Service filed. One Dec. 22, 1989, I mailed a true copy of the Custody Complaint and Order in the above captioned matter by Certified Mail No. P 899 145 561 Restricted Delivery to the Defendant Thomas James Boarts as follows: Thomas James Boarts, 806 East 11th St., Erie,Pa. 16503, On December 24, 1989, Defendant signed the return receipt upon delivery of the certified mail. The receipt is attached hereto and marked "Exhibit A".

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 & Rothschild
By: Tamera Ochs Rothschild, esq.

May 3, 1990 Order filed. AND NOW, May 2, 1990, after mediation conference before John Fuller Esquire, IT IS ORDERED AND DECREED AS FOLLOWS:

I. Legal custody of Rikki Dawn Boarts shall be with the mother, Colleen Ruth Kilbury.

II. Physical custody of the child, Rikki Dawn Boarts, shall be with the mother, Colleen Ruth Kilbuery, subject to the following conditions:

A. The father shall be entitled to visit and take the child into his custody the first Saturday of each month from 10:00 a.m. until 5:00 p.m.

B. In the event the father decides to exercise such Saturday visits with the child, he must notify th emother by calling her attorney's office in Titusville, Telephone No.: (814) 827-1844, sometime in the week prior to the Saturday visitation. If no such notice is received from the father, the mother can consider the visit cancelled.

C. On such Saturday visits, the father shall pick up the child at Perkins Restaurant in Titusville, Pennsylvania at 10:00 a.m. and shall return the child to the mother at Perkins Restaurant in Titusville, Pennsylvania at 5:00 p.m.

D. During these Saturday visits, the father shall not leave the minor child, Rikki Dawn Boarts, under the care of his other children.

III. This order is entered without prejudice to the right of the father to request a further mediation conference or hearing for the purpose of reviewing his visitation rights.

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

V. Costs of the mediation conference is to be paid by Crawford County.

Gordon R. Miller, J

May 4, 1990 Copies of order put in John Fuller's box and copies mailed to Tamera Rothschild and Defendant.

1989

Jorden and White
Harry Faber White II

1138.

N/W Legal Services
By: Gerald Sullivan

JOHN T. ROBINSON

vs.

JULIA McCORMICK

COMPLAINT FOR CUSTODY

1 copy (sheriff)
1 copy (mediator)

ORDER:
AND NOW, this 15 day of December 1989, upon presentation of the foregoing Compalint for Custody, the same is referred to WILLIAM PINEO, CHILD CUSTODY MEDIATOR for mediation conference.
BY THE COURT,
P. Richard Thomas, J.

Dec. 20, 1989, Motion to Proceed In Forma Pauperis and Order filed. ORDER: AND NOW, this 15 day of Dec. 1989, upon consideration of the foregoing Motion to Proceed In Forma Pauperis, leave to proceed in forma pauperis is hereby granted. The court shall specifically retain the ability to impse costs in this case, if, in fact, the same is appropriate at the time of ultimate resolution of this case.
BY THE COURT,
P. Richard Thomas,J.

Filed Dec. 20, 1989
@ 3:06 p.m.

Indigent filing
William Pineo, mediator
Sheriff' Costs $36.20

Jan. 8, 1990 Appearance of Northwestern Legal Services, By Atty. Gerald Sullivan for defendant filed.

Jan. 9, 1990 Sheriff's Return filed. SERVED Julia McCormick personally on January 3, 1990 at 12:58 PM by handing copy of Complaint to her at residence, 207 East State Rd.,Jamestown, Crawford Co. Pa. 16134 So answers,
Robert M. Stevens, Deputy
Howard N. Stewart, Sheriff

Feb. 12, 1990 TEMPORARY ORDER filed. AND NOW, this 9 day of February, 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. Custody of the subject minor child, Andrew McCormick, is hereby awarded to his mother, the defendant.
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. The father shall have the right of visitation and temporary physical custody on alternate weekends from Saturday morning at 10:00 a.m. through Sunday evening at 6:00 p.m. Visitation shall take place at the home of the father's father in Steubenville, OH.
4. Holidays for holiday visitation are defined as Christmas and Andrew's birthday. Visitation shall take place between the hours of 10:00 a.m. and 6:00 p.m. The father shall have Andrew for visitation for Christmas, 1990, and the parties shall thereafter alternate the two holidays so defined.
5. The parties shall split responsibility for transportation to and from the mother's home and the palce of visitation in Steubenville, OH, with the father picking up Andrew for visitation at the home of the mother and the mother picking up Andrew when visitation is over at the paternal grandfatehr's home in Steubenville, OH.
6. If the father is to be late in exercising his visitation, he shall call ahead and let the mother know. If the father has not appeared within one-half hour of the time scheduled for visitation and has not called ahead, then the mother may consider that the visitation has been waived and no compenstory visitation need be arranged. Neither party may cancel any visitation except for good reason. If either party has to cancel, then the cancelling party shall notify the other party as soon as the circumstances requiring cancellation become known and the parties shall arrange compensatory visitation.
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 otehr 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 otehr party in the child's estimation.
11. The parties are free to make additional or alternative arrangements respecting the custodial and visistation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.
12. Either party may request a review of this Order two years from date hereof to make to make any adjustments, including consideration of the question of shared legal custody.
13. Costs and fees of this Medition, which are fixed at $137.00, are assessed to Crawford County. The Mediator has noted for the Court that both parties are indigent.
14. Eitehr party may move the Court for a hearing de novo for thirty (30) days from date hereof. If neitehr party so moves, this Order shall be considered permanent.
By the Court,
Gordon R. Miller, J.

Feb. 15, 1990 Copy of Order to Attys. Harry White, Gerald Sullivan, William Pineo.

1989

Bukac and Toomey
Terry Toomey

1139.

JOHN C. GROVE AND
LISA M. GROVE

vs.

ERIE INSURANCE GROUP,
ERIE INSURANCE EXCHANGE AND
ERIE INSURANCE COMPANY

Filed Dec. 20, 1989
@ 3:21 p.m.

Tax & entry Paid $50.50

SUMMONS IN A CIVIL ACTION

Issued (atty)

Jan. 29, 1990 Acceptance of Service filed. I, GaryL. Dunsmore, Claims supervisor with the Erie Claims dept. for the Erie Ins. Group, Erie Ins. exchange, and Erie Ins. Co., de hereby accept service of the Writ of Summons filed in the above captioned matter and I further certify that I am authorized to do so. Date 1-15-90 Gary L. Dunsmore.

Brian J. Lindsay

1140.

GREGORY M. BEVERIDGE

vs.

COMMONWEALTH OF PENNSYLVANIA
Department of Transportation

Filed Dec. 21, 1989
@ 2:35 p.m.

Tax & entry Paid $50.50

APPEAL
(LICENSE SUSPENSION)
2 copies (atty)

Dec. 22, 1989, Motion to Schedule Hearing Date and Order filed. ORDER: AND NOW this 22 day of Dec. 1989, upon consideration of the above motion, a hearing is set for the 1 day of March 1990, at 9:30 a.m. in C. R. No. 1 or 2.

Notice of said Appeal and this order shall be served by appellant's attorney, by regular mail, on the appropriate representatives of the Commonwealth of Pennsylvania, Department of Transportation.

Pl. is directed to file a Petition for appeal alleging in detail reasons for the appeal.

BY THE COUR T,
2 copies (atty) P. Richard Thomas, J.

Mar. 8, 1990 Affidavit of Service of Brief to Commonwealth of Pennsylvania Department of Trans. in Harrisburg, PA filed.

Mar. 15, 1990 Order filed. AND NOW, this 13th day of March, 1990, upon a telephone request from William Kuhar, Jr., Attorney for the Commonwealth, for an extension of time to file the Commonwealth's brief in this case wherein he alleged that he had not yet received petitioner's brief, the Court grants Mr. Kuhar an extension of time to March 21, 1990 to file his brief. Thereafter the Court will reach a decision and enter an order whether or not there are any briefs filed.

BY THE COURT,
Gordon R.Miller, J

Mar. 19, 1990 Copy of order put in Brian Lindsay's box and copy mailed to William Kuhar

March 22, 1990 Memorandum and ORDER filed.. AND NOW, March 22, 1990, petitioner's appeal is dismissed and the action of the Secretary of Transportation is sustained.

BY THE COURT
Gordon R. Miller, J.

March 22, 1990 Copy of Order put in Atty. Brian Lindsay's box, copy mailed to William Kuhar.

August 9, 1990 Exhibits filed with papers.

1989

R. Charles Thomas

1141.

Fuller, Kinnunen,
Petruso & Gamble
Gary A. Fabian

JOHN A. BISH

vs.

JOHN DAVID PRATHER

Filed Dec. 21, 1989
@ 2:54 p.m.

Tax & entry Paid	$50.50
Sheriffs costs	21.00
Pro Co Pd 8-8-90	6.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Jan. 17, 1990 Writ Returned. SERVED John David Prather by cert. Mail at his address, 45 Riverwalk Terrace, Durham, North Carolina 27704 on Jan. 9, 1990. Return receipt attached. So answers, Howard N. Stewart, Sheriff

Feb. 1, 1990 Appearance of Fuller, Kinnunen, Petruso & Gamble by Gary A. Fabian for defendant filed.

July 18, 1990, UPon praecipe of defendant attorney, Rule entered upon plaintiff to file Complaint issued.

Aug 8, 1990 Upon Praecipe of Plaintiff's Attorney this case is marked settled and discontinued of record.

1989

Jorden and White
Harry Faber White II

1142.

Gary Fabian

THOMAS R. FILDES

vs.

ROSEMARIE FILDES

Filed Dec. 22, 1989
@ 10:11 a.m.

Tax & entry paid	**$50.50**
Pro CO. Pd 2/22/90	45.00
Pro Co pd 5/8/90	9.00
State pd 5/8/90	10.00

COMPLAINT UNDER SECTION 201(c) - DIVORCE CODE

1 copy (atty)

Jan. 18, 1990, Affidavit of Service filed. Harry Faber White II, esq. atty. for plaintiff in the above 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 RoseMarie Fildes, by cert. mail, ret. rec. req., on Jan. 4, 1990 at the defendant's address, 849 Liberty St, Meadville, Pa. 16335. The defendant's acceptance of the same is attached hereto. Harry Faber White, esq.

Feb. 22, 1990, Answer to Divorce and Counterclaim of Equitable Distribution, Custody and Child Support filed. 1 copy (atty)

Apr. 24, 1990 Affidavit Of Consent of Plaintiff filed.

May 3, 1990, Affidavit of Consent of defendant filed.

May 3, 1990, Marital Property, child Custody and Child Support Agreement filed.

May 4, 1990 Upon praeacipe of Defendant Attorney For Review Under §201(c) of the Divorce Code, this case moved to Court.

May 11, 1990 **D I V O R C E D E C R E E F I L E D .**

AND NOW, May 11, 1990, it is ordered and decreed that Thomas R. Fildes, plaintiff, and Rosemarie Fildes, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J

1989

Richard P. Gilmore

1143.

Robert F. Felton

ROBERT L. TROUTMAN

vs.

JOHN M. CLARK,
d/b/a CLARK CONSTRUCTION CO.

Filed Dec. 27, 1989
@ 11:14 a.m.

Tax & entry paid $50.25
Arb paid 11/25/92 15.00

APPEAL OF DEFENDANTS FROM JUDGMENT OF RONALD A. COLE, SR., D: J. 30-3-06

Dec. 27, 1989, Rule entered upon Plaintiff to file Complaint Issued.

Jan 2, 1990 Proof of Service of Notice of Appeal and Rule to File Complaint filed.

Jan. 16, 1990, Complaint filed. 2 copies (atty)

Feb. 8, 1990, Answer and Counterclaim filed. (1 copy (atty)

Feb 4, 1992, Answer to Counterclaim filed.

March 24, 1992 Acceptance of Service of defendant's Answer filed.

Nov. 25, 1992, Upon praecipe of plaintiff attorney, for reference to the arbitrators the following arbitrators are appointed: Stephen Hall, Ch.
Mary Ann Kirkpatrick
Kathleen Nelson

Dec 17, 1992 Arbitrators take qualifying oath.

Feb. 1, 1993 Decision of Arbitrators filed. And now, the 1st day of February, 1993, we the undersigned Arbitrators chosen in this case, after having been duly sworn and having heard the evidence and allegations of the parties find in favor of Plaintiff and against Defendant in the amount of $900.00 & costs & interest from this date.

Arbitrator Mary Ann Kirkpatrick, Esq. was not available & both parties agreed to proceed with 2 arbitrators.

Stephen Hall, Chairman
Kathleen R. Nelson

Feb. 2, 1993 Copies mailed to Attys.Gilmore & Felton.

Specter Law Offices
Paul J. McArdle

1144.

MARSH, SPAEDER, BAUR, SPAEDER AND SCHAAF
Francis J. KLEMENSIC
for Defendants Beers

Fuller, Kinnunen, Petruso & Gamble
By:John D. Petruso
for: Brothers II Enterprises, Inc.

RITA D. DODD, A MINOR, BY HER GUARDIANS AD LITEM GARY SMITH AND FAYE SMITH AND GARY SMITH AND FAYE SMITH IN THEIR OWN RIGHT

vs.

KEITH DIETRICH, HOWARD BEERS AND HELEN BEERS, HIS WIFE, AND BROTHERS II ENTERPRISES, INC. t/d/b/a MULLIGANS

Filed Dec. 27, 1989
@ 11:25 a.m.

Tax & entry paid $50.50
Sheriff's costs 61.50
Pro Co pd 3-19-91 6.00

COMPLAINT

1 copy (atty)
4 copies (sheriff)

(JuryTrial Demanded)

Jan. 16, 1990 Appearance of Marsh, Spaeder, Baur, Spaeder & Schaaf by Francis J. Klemensic, Attorney for Defendants Beers filed.

Jan. 16, 1990 Preliminary Objections On Behalf of Defendants, Howard Beers and Helen Beers filed.

Jan. 16, 1990 Upon Praecipe of Marsh, Spaeder Baur,Spaeder & Schaaf By Francis J. Klemensic, Attorney for Defendants Howard Beers and Helen Beers, the above Preliminary Objections placed on the next Argument List.

ON FEBRUARY 1990 ARGUMENT LIST.

Jan 16, 1990 Notice of Service of Interrogatories filed.

Jan. 17, 1990, Notice of Depositions of Dfts. Howard Beers and Helen Beers filed.

Jan. 19, 1990, Request for production of Document and things filed.

Jan. 19, 1990, Notice of Service of Interrogatories filed.

Jan. 19, 1990 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 4th day of January, 1990 he served Notice to Defend - Complaint at No. AD 1144 Term, 1989, Crawford Co., PA., upon defendant Keith Dietrich at Not Served - Moved - No forwarding Order (7-1-89), per Utica Post Office. By making known the contents thereof to _____ and handing to and leaving with _____ the certified copy of the_____received from Crawford County.

Terry L. Schultz, Deputy Sheriff
So answers, Gene Price, Sheriff
Venango Co., PA.

Not Found, as to Keith Dietrich as per Affidavit received from Sheriff of Venango Co. PA. and hereto attached.

Served Howard Beers personally on Dec. 28, 1989 at 1:54 PM at his residence, Tamarack Rd., Meadville, Crawford Co. PA.

Served Helen Beers personally on Dec. 28, 1989 at 1:53 PM ta her residence, Tamarack Rd., Meadville, Crawford Co. Pa.

Served Brothers II Enterprises, Inc. t/d/b/a Mulligan's on Dec. 28, 1989 at 2:15 PM by serving Joseph LaBruzzo, owner, at place of business, 272 Chestnut St., Meadville, Crawford Co. PA.

So answers,

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

Jan. 25, 1990 Preliminary Objections of Brothers II Enterprises, Inc filed.

Jan. 25, 1990 Brief of Defendant Brothers II Enterprises, Inc. in support of its Preliminary Objections filed.

Jan. 29, 1990, Notice of Depositions of Howard Beers and Helen Beers filed.

Jan. 29, 1990, NOtice of Depositions of Brothers II Enterprises, Inc. filed.

Feb. 5, 1990 Notice of Deposition of Brothers II Enterprises, Inc. adn Howard Beers and Helen Beers filed.

Feb. 22, 1990, RE: PRELIMINARY OBJECTIONS ORDER RESETTING ARGUMENT DATE filed. And now, Feb. 22, 1990, Judge P. richard Thomas being presently involved in a lengthy civil jury trial, the argument in the above captioned matter heretofore set for Feb. 26, 1990, is hereby reset for April 5, 1990, at 9:00 a.m. in C. R. #1.

FOR THE COURT,
Imogene Yetman Ct. Adm.

Feb. 23, copies to attys. by Ct. Adm.

Apr. 9, 1990 Petition For Leave Of Court To Serve The Defendant, Keith A. Dietrich By PUblication and Order filed. AND NOW, to wit, this 9 day of April 1990 it is hereby Ordered, Adjudged, and Decreed that the plaintiff's Petition For Leave Of Court To Serve The Defendant, Keith A. Dietrich By Publication is hereby granted.

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

Apr. 10, 1990 Copies of order mailed to John Evans and Francis Klemensic and copy of order put in John Petruso's box.

Sept. 24, 1990 Petition For Leave To Discontinue Action As To Defendants, Howard Beers and Helen Beers, his wife, and Brothers II Enterprises, Inc., t/d/b/a/ Mulligan's and Order filed. NOW, this 24 day of September, 1990, upon presentation and consideration of the foregoing Petition, it is hereby ORDERED, ADJUDGED and DECREED that the action ass to the defendants, Howard Beers and Helen Beers, his wife, and Brothers II Enterprises, Inc. t/d/b/a Mulligan's, is discontinued with prejudice and the prothonotary is directed, without further praecipe, to mark the docket discontinued with prejudice as to defendants, Howard beers and Helen Beers, his wife, and Brothers II Enterprises, Inc. t/d/b/a Mulligan's.

BY THE COURT,
P. R Thomas

Sept. 25, 1990 Copies mailed to Paul McArdle and Francis Klemensic and copy put in John Petruso's box.

Mar. 19, 1991 Upon praecipe of Plaintiff's attorney, the above captioned case is hereby settled and discontinued of record. Certificate issued to plaintiff attorney.

Continued on margin

1989

The McDonald Group
Frank J. Scutella

1145.

Watts, Pepicelli, Youngs & Youngs
By: Alan L. Pepicelli

FLOYD E. SMITH

vs.

SMITH-GRAY CADILLAC

Filed Dec. 27, 1989
@ 11:29 a.m.

Tax & entry Paid $50.50
Sheriff's costs 20.00
Pro co Pd 5/7/90 6.00

COMPLAINT

1 copy (atty)
1 copy (sheriff)

Jan. 5, 1990 Sheriff's Return filed. SERVED Smith-Gray Cadillac on Dec. 28, 1989 at 10:30 AM by handing copy of Complaint to Dick Gray, owner, at place of business, 1241 Conneaut Lake Road, Meadville, Crawford County, Pa.
So answers, Robert M. Stevens, Dep.Sheriff
Howard N. Stewart, Sheriff

Jan. 9, 1990 Appearance of Watts, Pepicelli, Youngs and Youngs, by: Alan L. Pepicelli, Esq. for defendant filed.

May 3, 1990, Upon praecipe of plaintiff attorney, the above captioned case is hereby settled and discontinued of record, certificate issued to plaintiff counsel.

1989

James R. Irwin

Shafer, Swick, Bailey, Irwin & Stack

1146.

DAVID B. CHALLINGSWORTH

vs.

WENDY SUE CHALLINGSWORTH

Filed Dec. 27, 1989
@ 2:38 p.m.

Tax & entry Paid $50.50 ✓
Pro Co Pd 8/9/90 9.00
State paid 8/9/90 10.00
Pro Co. Pd. 7-16-91 5.00 ✓

COMPLAINT IN DIVORCE

1 copy (atty)

Aug. 3, 1990 Affidavit Of Consent of Defendnat filed.
Aug. 6, 1990 affidavit Of Consent of Plaintiff filed.

Aug. 9, 1990, 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 7th day of Feb., 1990, send by Certified Mail, Ret. Rec. Req., addressee ONly, to Wendy Sue Challingsworth, the above named defendant, a true and correct copy of the divorce Compalint filed at the above no. at his lask known address of c/o K-MART, 2660 Highland Ave., Staton Island, NY, 10306, as evidenced by the attached sender's receipt No. P 063 586 068 and that on the 10th day of Feb. 1990 I did receive the duly executed ret. rec. dated the 9th day of Feb. 1990.

James R. Irwin, Esq.

Aug. 9, 1990, SEPARATION AND PROPERTY SETTLEMENT AGREEMENT filed.

Aug. 9, 1990, Upon praecipe of plaintiff attorney, to transmit the record, this case moved to court.

Aug. 27, 1990 Memorandum filed. The record is now returned to the Prothonotary for further proceddings consistent with this memorandum.
1. Return of service. The return of service in this case is done by "verification" not affidavit as required by Pa. R.C.P. 405(d).
2. Matters collateral to divorce. The Plaintiff has filed of record a separation and property settlement agreement signe donly by one of the parties. He also has submitted to the Court a decree disposing of equitable property matters. The Court does not have jurisdiction over proper ty matters since such matters were not raised by the complaint or any amended complaint. 23 P.S. 301(a), 401(b).
Therefore the Plaintiff must file and serve an amended complaint or file an appropriate petition unde rthe law and rules if he desires the decree disposing of property matters. In the alternative he should indicate to the Court that he does not want those matters disposed of but simply only wants a decree of divorce entered.

BY THE COURT,
Gordon R. Miller, J

Aug. 27, 1990 copies to James Irwin, Esq. and dft.

Aug. 28, 1990 Upon praecipe of Plaintiff's attorney, to transmit the record, this case moved to court.

Au. 28, 1990 Affidavit of Service filed. I,JAMES R. IRWIN, Esquire, being duly sworn according to law, depose and say that I am the attorney of record, and as such say that I served a true and correct copy of the Complaint in Divorce certified by the Prothonotary of Crawford County Pennsylvania on the above named Defendant by certified mail, addressee only, return receipt requested, dated Feb. 7, 1990. The Defendant received service on Feb. 9, 1990 as indicated by the attached return receipt.

James R. Irwin, Esquire.

Aug. 30, 1990 **D I V O R C E D E C R E E F I L E D .**

AND NOW, August 31, 1990, it is ordered and decreed that David B. Challingsworth, plaintiff, and Wendy Sue Challingsworth, defendant, are divorced fromt he bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J

July 15, 1991 Notice of Election to Resume Prior name filed, to be known as Wendy Sue Zingarelli.

1989

Ferguson & Spataro
John F. Spataro

1147.

MILDRED M. HOPPER

vs.

AGNES LEE

Filed Dec. 27, 1989
@ 2:38 p.m.

Tax & entry Paid $50.50
Sheriff's Costs

SUMMONS IN A CIVIL ACTION

Issued (atty)

Jan. 24, 1990, Writ Reissued.

Feb. 20, 1990 Writ Reissued.

Mar. 20, 1990 Writ Reissued.

Apr. 19, 1990, Writ Reissued.

May 18, 1990 Writ Reissued.

Jan. 3, 1990 Writ Return filed. Summons returned 1-3-91 to Prothonotary. No service instructions or costs received by Sheriff's Office.
So answers, Howard N. Stewart, Sheriff

1148.

DEBORAH J. MALONEY

vs.

ROBERT MALONEY

Filed Dec. 27, 1989
@ 2:59 p.m.

Tax & entry pd 1/16/90 $50.50 ✓
Pro Co Pd 1/16/90 9.00 ✓
Sheriff's costs 27.20

1/16/90 Rec'd #27.20 From Defendant

1/18/90 Paid #27.20 To Howard Stewart Sheriff #5401

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plff)

TEMPORARY ABUSE ORDER:

And now, this 27 day of Dec. 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 to have exclusive use and possession of marital home and exclusive custody of minor child.

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 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, polcie officer or competent adult.

6. This temporary order shall remain in full effect and force 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 reminde dthat 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 Jan. 4, 1990, 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 todo so.

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

Dec 29, 1989 Sheriff's Return filed: SERVED Robert Maloney personally on December 28, 1989 at 2:04 P.M. by handing copy of Protection from Abuse, Notice and Petition to him at Sheriff's Office, Crawford County Courthouse, Meadville, Pa.

So answers, Howard N. Stewart

January 10, 1990 ORDER FILED. AND NOW, Jan. 4, 1990, the matter is before the Court on an abuse petition. The husband admits he did assault his wife but claims he had more than adequate provocation to do so because she had previously assaulted him. Under any circumstances, the Court believes the parties should live separate and aprt, at least for the present period of time, and the Court notes that the wife has been in the past a patient at the Mental Health Center and is now a patient at the Mental Health Center scheduled for release on or about Jan. 8, 1990.

After rview of the situation of both parties, the Court awards exclusive custody of the marital residence at Box 331, Espyville, to the wife. In this regard, the husband may, if he desires, stay in the residence until Jan. 7, 1990, and when he leaves, he may take his personal clothing, a black and white television set, the tools of his trade, and a snowmobile. All other property in the marital residence will remain.

The parties have a 1984 Pontiac automobile and under all of the circumstances and in view of the fact the wife will be returning to her housekeeping employment and will need transportation, the vehicle is awarded to the wife. The husband shall leave all car keys at the residence when he leaves and will leave the vehicle at the residence.

The husband shal not threaten, annoy, assault, or harass his wife in any fashion nor have others do so on his behalf. The Defendant shall not go to the residence of the wife for any purpose once he leaves the residence in accord with this Order but if the parties have to communicate, he may call the wife on the telephone.

This Order shall remain in force and effect for a period of six months from this date. Any police officer having reasonable grounds to believe that the husband has violated the abuse portions of this Order may promptly apprehend the Defendant, have him preliminarily arraigned before a District Justice, and commit him to the Crawford County Jail and advise the Court that an immediate hearing is necessary.

The Defendant will pay the costs in this case within ten (10) days of the time he receives a bill from the Prothonotary addressed to him at Box 105, Andover, OH 44003.

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

Jan. 10, 1990 Copy of Order to Plaintiff, Defendant and County Control.

1989

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

1149.

MARQUETTE SAVINGS ASSOCIATION

vs.

WILLIAM E. HART AND CAROL S. HART

Filed Dec. 27, 1989
@ 3:24 p.m.

Tax & entry Paid $50.50 ✓

Sheriff's costs 39.80
Pro paid 1/19/90 5.00 ✓

COMPLAINT IN MORTGAGE FORECLOSURE

2 copies (sheriff)

Dec. 27, 1989, Affidavit of Non Military Service of Defendants filed.

Jan 10, 1990 Sheriff's Return filed: SERVED William E. Hart on December 29, 1989 at 10:28 am by handing copy of Complaint to his wife, Carol S. Hart, at residence, R.D.#5, Waterford, Crawford County, PA.

SERVED Carol S. Hart on December 29, 1989 at 10:29 a.m. by handing a copy of Complaint to her personally at residence, R.D.#5, Waterford, Crawford County, PA.

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

Jan. 17, 1990, Upon praecipe of plaintiff attorney, defendants having cured the default by payment of arrearages of principal and interest, reasonable attorneys fees and costs in accordance with Act 6 of 1974, this case is settled and discontinued of record without prejudice to commence further actions in event of additional default.

600.

1989

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

1150.

MARQUETTE SAVINGS ASSOCIATION

vs.

JAMES C. KROUSE, AND
LINDA M. KROUSE

Filed Dec. 27, 1989
@ 3:28 p.m.

Tax & entry Paid	$50.50
Sheriff's costs	23.60
Pro Co Pd 1/24/91	5.00

COMPLAINT IN MORTGAGE FORECLOSURE

2 copies (sheriff)

Dec. 27, 1989, Affidavit of Non Military Service of Defendants filed.

Jan. 10, 1990 Sheriff's Return filed. Not Found as to defendants James C. Krouse and Linda M. Krouse. Property at R D #1, 575 Adamsville Rd., Jamestown, PA 16134 vacant.
So answers, Howard N. Stewart, Sheriff

Jan. 24, 1991, Upon praecipe of plaintiff attorney, the above captioned case is marked discontinued of record.

1989

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

1151.

MARQUETTE SAVINGS ASSOCIATION

vs.

RAY A. FISHER, AND NAOMI ELAINE MARGO

Filed Dec. 27, 1989
@ 3:31 p.m.

Tax & Entry Paid	$50.50
Sheriff's c	80.28
Sheriff's Costs	76.50
Pro Co pd 8/8/90	9.00

COMPLAINT IN MORTGAGE FORECLOSURE

3 copies (sheriff)

March 1, 1990 Sheriff's REturn filed. Before, me, the undersigned authority, personally appeared Sgt. Robert Noone who being duly sworn according to law, deposes and says that on the 5th day of Janaury, 1989, at 7:30 p.m., he did not serve Mortgage Foreclosure at No. 1151 Terlm, 1989, Crawford Co. PA., upon defendant Naomi Elaine Margo - By making known the contents thereof to No Service made: circle not in Monroeville per police.

Noone, Deputy Sheriff
Eugene L. Coon, Sheriff
Allegheny County, PA.

Before me, the undersigned authority, personally appeared Sgt. Clifford Ziegler who being duly sworn according to law, deposes and says that on the 8th day of Jan., 1990, at 10:30 A.M. he served Mortgage foreclosure at no. 1151 Term, 1989, Crawford County PA., upon defendant Ray A. Fisher. By making known the contents thereof to him personally and handing to and leaving with him the certified copy of the [illegible] received from Crawford County Sheriff.

Sgt. Clifford Ziegler
Eugene L. Coon, Sheriff
Allegheny Co. PA.

SERVED Ray A. Fisher by deputizing Sheriff of Allegheny Co. PA. as per his Affidavit of Service attached. Served: January 8, 1990.

NOT FOUND as to defendant Naomi Elaine Margo as per Affidavit received from Sheriff of Allegheny County and hereto attached.

SERVED person in possession of property, Art Pringle, on Dec. 28, 1989 at 12:02 PM at the mortgaged property, RD # 2, Conneaut Lake, Crawford Co., PA.
So answers,

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

Mar. 15, 1990 Complaint Reinstated.

June 8, 1990, Complaint Reinstated.

July 25, 1990 Sheriff's Return filed. Before me, the undersigned authority, personally appeared Sgt. Clifford Ziegler who being duly sworn according to law, deposes and syas tha ton the 3rd day of July, 1990, at 10:15 A.M., he served Complaint in Mortgage Foreclosure, filed June 13, 1990, at No. 1151 TErm, 1989, County, Pennsylvania, upon defendant Naomi Elaine Margo at P.O.E. Kaufmann's Dept. Store, 5th & Smithfield, PIttsburgh By making known the contents thereof to her, personally an dhanding to an dleaving with her the certified copy of the complaint received from Crawford County.
So answers,

Sgt. C. Ziegler, Deputy Sheriff
Eugene L. Coon, Sheriff

SERVED Naomi Elaine Margo by deputizing the Sheriff of Allegheny County, PA as per his affidavit of Service attached. Served: July 3, 1990.
So answers,

Howard N. Stewart, Sheriff

And now, Aug. 8, 1990 at 2:52 p.m. upon praecipe of plaintiff's attoreny, judgment is hereby entered in favor of the plaintiff and agianst the defendants for failure to file an answer and the damages are assessed at the sum of Twenty-one Thousand Six Hundred Fourty-nine and 50/100 plus interest, and cost of suit.

F-144; M-124
judgment entered 8/8/90

Debt $21,649.50
INt. from 12/31/89
Judgment
James F. Simmons
Prothonotary

Ex 1990-78

602.

1989

DiPaolo & Russo
Thomas O. S chmitt

1152.

GAITENS, TUCCERI & NICHOLAS
Romel L. Nicholas

MARK DAMRATOSKI

vs.

CHARLOTTE HRUSKA, JOSEPH HRUSKA AND MICHAEL DAMRATOSKI

Filed Dec. 28, 1989
@ 10:00 a.m.

Tax & entry Paid $50.50
Pro Co pd 10/4/91 5.00

SUMMONS IN A CIVIL ACTION

Issued (atty)

Jan 19, 1990 Appearance of Gaitens, Tucceri & Nicholas, P.C by Romel L. Nicholas, Esq. for Charolotte & Joseph Hruska. filed.

Feb. 8, 1990, Upon praecipe of defendant attorney, Rule entered upon plaintiff to file complaint, Issued.

Mar. 7, 1990 Service of the foregoing Rule is hereby accepted by Thomas O. Schmitt for Plaintiff.

Mar. 7, 1990 Complaint filed.

Apr. 20, 1990 Answer and New Matter filed.

Apr. 20, 1990 Notice Of Service Of Defendants' First Set OF Interrogatories Directed To Plaintiff filed.

Apr. 20, 1990 Notice Of Service Of Defendants' First Request For Production Of documents To Plaintiff filed.

May 1, 1990 Acceptance of Service Of Writ of Summons filed. I hereby accept service of the Writ of Summons issued inthe above captioned action. Michael Damratoski

May 1, 1990 Acceptance of Service of Writ of Summons filed. I hereby accept service of the Writ of Summons issued in the above captioned action on behalf of the defendants, Charlotte Hruska and Joseph Hruska. Romel L. Nicholas

May 1, 1990 Consent Motion For Consolidation of Cases and Amendment To Caption and Order filed. AND NOW, this 3rd day of May, 1990 upon consideration of the within Motion to Consolidate and to amend Caption, it is hereby ordered, adjudged and decreed that the case docketed at No. 1132 of 1989 be consolidated with the instant case at NO. 1152 of 1989 and the caption be amended to read: Mark Damratoski vs. Charlotte Hruska and Michael Damratoski.
Gordon R. Miller, J

May 8, 1990 Copies mailed to Thomas Schmitt and Romel Nicholas

July 11, 1990 Notice Of Deposition of Mark DAmratoski filed. (see paper filed at AD 1989-1132)

July 3, 1991 Certificate of Readiness filed.

ON OCTOBER JURY TRIAL LIST

Aug. 21, 1991 NOTICE OF SERVICE OF DEFENDANTS' SECOND SET OF INTERROGATORIES DIRECTED TO PLAINTIFF, filed.

Sept. 27, 1991 Notice of Service of Answers to Defendants' First Set of Interrogatories Directed to Plaintiff, filed.

Sept. 30, 1991 Plaintiff's Reply To Defendant's New Matter filed.

Oct. 4, 1991 Upon praecipe of Plaintiff Attorney this action is marked settled and discontinued of record.

1989

Mason and Mason
M. Dan Mason

1153.

BUFFALO PRINTERS SUPPLY, INC.

vs.

MICHAEL D. LAND, SR., AND VICTOR L. NONCLERG, d/b/a NuIMAGE ASSOCIATES, and/or PROFESSIONAL BUSINESS FORMS

Filed Dec. 28, 1989
@ 3:08 p. m.

Tax & entry Paid $50.50
Sheriff's Costs 19.28

Sheriff's costs 43.28
Pro Co pd 2/28/90 9.00
Pro Co Pd 5/15/90 9.00

COMPLAINT

2 copies (sheriff)

Jan. 5, 1990 Sheriff;s Return filed. Not Found as to Defendant Michael D. Land, Sr. Moved, no forwarding address.
Not Found as to defendant Victor L. Nonclerg. Moved no forwarding address.
So answers, Howard N. Stewart, Sheriff

Jan. 17, 1990 Complaint Reinstated.

Jan 26, 1990 Sheriff's Return filed: I accept service of the Complaint AD 1989-1153 on behalf of Michael D. Land and certified that I am authorized to do so.
1-25-90 Linda Beckel, Sec for Atty Wm. Gregg
Authorized Agent

SERVED Victor L. Nonclerg, personally, on January 19, 1990 at 10:09 a.m. by handing copy of Complaint to him at residence, 112 South River Drive, Jamestown, Crawford County, Pa. 16134.

SERVED Michael D. Land, Sr., on January 25, 1990 at 2:10 P.M. by handing copy of Complaint to his authorized agent, Linda Beckel, Secretary to his Atty. William Gregg, at Sheriff's office, Crawford County Courthouse, Meadville, Pa. Signed Acceptance of Service attached.
So answers, Robert M. Stevens, Deputy Sheriff
Carole Stefanucci, Deputy Sheriff
Howard N. Stewart, Sheriff

And now, Feb. 28, 1990 at 12:48 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 Victor L. Nonclerg, ONLY, for failure to file an answer and the damages are assesset at the sum of Six Thousand Four Hundred Seventy-three and 28/100 plus interest and cost of suit.
N-163
judgment entered 2/28/90

Debt $ 6,473.28
Judgment
James F. Simmons
Prothonotary

And Now, May 15, 1990, upon praecipe of plaintiffs attorney, with notice of intention to file default judgment to Michael Land and Atty. W. Gregg, Judgment is hereby entered in favor of plaintiff and against the defendant Michael D. Land, Sr. in the sum of Six Thousand Four Hundred Seventy Three and 28/100 Dollars, plus interest and all costs of suit for failure to answer.
Judgment entered 5/15/90
L - 113

Debt -- $ 6,473.28
JUDGMENT
James F. Simmons, Prothonotary

Oct. 3, 1990, Motion for Sanctions and Order filed. ORDER: AND NOW, this 3 day of Oct. 1990, upon consideration fo the Motion fo M. Dan Mason, Esq. on behalf of the plaintiff, a hearing on said Motion is set for the 12 day of Oct. 1990, at 11:00 a.m. in C. R. No. 1 or 2 of the Crawford County Courthouse.
The plaintiff shall serve a copy ofthe Motion for Sanctions and this order on the defendants Michael D. Land, Sr. and Victor 1. NonClerg, by cert. Mail and regular mail to their last known addresses. P. R. Thomas, S. J.
Oct. 4, 1990, copy of order to M. Dan Mason.

Oct. 5, 1990 Notice Of Service Of Interrogatories in Aid of Execution To Defendant, Michael D. Land, Sr. filed.

Oct. 5, 1990 Notice Of Service Of MOtion For Sanctions filed.

Oct. 15, 1990 Motion to cancel hearing and Order filed. And now, October 12, 1990, motion granted. Robert L. Walker, J
Oct. 16, 1990 Copy of order put in Dan Mason's box.

604.

1989

1154.

SUSAN ROSSEY

vs.

NORMAN ROSSEY

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plaintiff)

Filed Dec. 28, 1989
@ 3:54 p.m.
Index Entry Pd 11-13-96 30.50
Tax & entry Pd 11-3-94 20.00
$50.50

11-13-96 Pd Sheriff #10349 23.00

Sheriff's costs Pd 23.00
Pres Co Pd 11-13-96 9.00

TEMPORARY ABUSE ORDER:

AND now, this 28 day of Dec. 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: Def May not contact Pl. in any manner or go to her residence. No child visitation for father until further order of court.

3. This order may be enforced without a warrant of arrest by any law enforcemnt 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 of the petition adn 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 Jan. 8, 1990, 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 siad hearing if he so desires but he is not required to do so. BY ORDER OF THE COURT,

P. Richard thomas, J.

Jan 2, 1990 Sheriff's Return filed: SERVED Norman Rossey personally on December 29, 1989 at 12:43 P.M. by handing copy of Protection From Abuse to him at his residence, 399 Randolph Street, Meadville, Crawford County, PA.

So answers,

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

Jan 11, 1990 Order filed: AND NOW, January 8, 1990, at the time fixed for hearing, the following Order is entered:

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

2. The Defendant may visit his children at the residence of the plaintiff, including other children of the Plaintiff to whom the Defendant has been a father-like position, betwenn 4:00 p.m. and 8:00 p.m. each Wednesday and Saturday but under no circumstances shall he exercise his visitation rights at a time when he has had anything of an alcoholic nature to drink or is under the influence of any mind-altering substance.

3. On the visit of January 10, 1990, the Defendant may obtain and remove from the household his personal effects, clothing, and things of that nature.

4. During child visitation periods, the Defendant may, with the consent of the Plaintiff, take the children to any appropriate place but under no circumstances to any establishment licensed for the sale of alcohol.

5. The Defendant will pay the costs in this proceeding within thirty (30) days of this date.

6. The Meadville City Police or any other police department having jurisdiction in the premises shall have the right to enforce this Order in accordance with the Protection from Abuse Act.

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

Jan 11, 1990 Copies of order mailed to Plaintiff and Defendant and copy given to Co. Control.

1989

William E. Barney 1155.	CORRY SAVINGS AND LOAN ASSOCIATION vs. ARTHUR R. CHAMBERLIN AND DEBRA A. CHAMBERLIN Filed Dec. 29, 1989 @ 9:18 a.m. Tax & entry Paid $50.50 ✓ Sheriff's Costs 48.92 ✓ Pro Co Pd 3/2/90 5.00 ✓	COMPLAINT IN MORTGAGE FORECLOSURE 2 copies (atty) Jan. 24, 1990 Sheriff's Return filed. SERVED Arthur R. Chamberlin on Jan. 23, 1990 at 3:39 PM by handing copy of Complaint to Debra A. Chamberlin at their residence, Spring St., Spartansburg, Crawford Co. Pa. SERVED Debra A. Chamberlin personally on Jan. 23, 1990 at 3:38 PM by handing copy of Complaint to her at residence, Spring St., Spartansburg, Crawford Co. Pa. So answers, Robert M. Stevens, Deputy Sheriff Howard N. Stewart, Sheriff Feb. 28, 1990, Upon praecipe of plaintiff attorney, the above captioned case is marked settled and discotninued of record. the default having been cured.

606.

1989

Thomas, Truax ,
Spadafore, Vardaro
and Walker
R. Charles Thomas

1156.

DEBRA DIANE HENRY

vs.

WILLIAM CHARLES HENRY

Filed Dec. 29, 1989
@ 9:30 a.m.

Tax & entry 12/5/90 $50.50 ✓
Bro & 12/5/90 9.00 ✓

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (atty)
1 copy (county control)

TEMPORARY PROTECTION ORDER:

AND NOW, this 29 day of Dec. 1989, upon motion of R. Charles Thomas, Esq. atty. for the plaintiff, and upon consideration of the within Petition for relief and further, upon plaintiff's showing during an ex parte proceeding to the court's satisfaction that there is an immediate and present danger of abuse tothe plaintiff, the following Temporary Order is hereby entered:

1. That the defendant is directed and prohibited from :

a. Threatening,harassing and abusing the plaintiff or in any way contacting the plaintiff until further order of this corut.

2. That plaintiff is permitted to proceed without payment of costs pending hearing by the court.

3. That the Pa. State Police and any other municipal police department having authority to make arrests are hereby authorized and directed to arrest the defendant for violation of this order.

That a true and correct copy of this petition and order shall be served upon the defendant by the Sheriff of Crawford County or a constable or by other competent adult in the same manner as a complaint in an action at law. A true and correct copy of this order shall likewise be dleivered to the Pa. State Polcie and also to any municipal polcie department that has authority to make arrests in Woodcock Township, Crawford County, Pa.

A hearing on this matter is scheduled for the 5 day of Jan. 1990 at 2:30 p.m. in C. R. 1 or 2 of the Crawford CountyCourt House, Meadville, Pa.

That the respondent is hereby advised of his right ot be represented by counsel at the time and place of the aforesaid hearing on this matter.

BY THE COURT,
Robert L. Walker, J.

Jan 10, 1990 Order filed: AND NOW, January 5, 1990, at the time fixed for hearing, both parties being present in open court and represented by counsel, the following Order is entered by consent and without admission or denial of any of the facts alleged in the petition:

1. The defendant shall not threaten, harass or abuse the plaintiff, go to her place of residence for any reason or to her place of employment except for legitimate business of the employer.

2. Any Police Officer having jurisdiction in the premises shall have the right to enforce this Order in accordance with the Protection from Abuse Act.

3. The record costs in this proceeding will be paid by the defendant within thirty (30) days of this date.

4. This Order shall continue in full force and effect for a period of one (1) year from this date.

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

Jan 11, 1990 Copies of order put in Attys. Irwin and Thomas' boxes and copy given to Co. Control.

1989

Brian J. Lindsay
Donald E. Lewis

1157.

JEFFREY NORTON

vs.

THERESA NORTON

Filed Dec. 29, 1989
@ 3:02 p.m.

Tax & entry Paid 1/2/90	$50.50
Pro Co pd 6/6/90	9.00
State pd 6/6/90	10.00

COMPLAINT IN DIVORCE

1 copy (atty)

Jan. 23, 1990, Affidavit filed. I, Donald E. Lewis, after being duly sworn according to law, depose and say that I am the atty. of record for jeffrey Norton, Plff. herein, and that as such I am authorized to execute this affidavit, that I did on the 3rd day of Jan. 1990, send by Cert. Mail, Ret. Rec. req., a true and correct copy of the notice to Defendand the Complaint in Divorce to the defendant Theresa Norton, at he last known address of 5230 N. Hampshire, fort worth Texas 76112, as evidenced by the attached sender's receipt No. P. 276 200 321, and that on the 11th day of Jan. 1990, I did receive the duly executed ret. rec. dated the 8 dayof Jan. 1990. Donald E. Lewis, Esq.

June 6, 1990 Appearance of Brian J. LIndsay as Co-Counsel for Pl ainiff filed.

June 6, 1990 Affidavit Of Consent of Plaintiff filed.

June 6, 1990 Affidavit Of Consent of defendant filed.

June 6, 1990 Upon praecipe of Plaintiff Attorney To transmit record, this case moved to court.

June 15, 1990 **D I V O R C E D E C R E E F I L E D .**

And now, June 15, 1990, it is ordered and decreed that Jeffrey Norton, plaintiff, and Theresa NOrton, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
P. Richard Thomas, J

608.

1989

Brian J. Lindsay

1158.

Ferguson & Spataro
John F. Spataro

4/17/90 Recd. $9.00 from Defendant

Recd $9.00
May 3, 1990
Vivian Stoltz

4/4/6 Recd 45.50 From Plaintiff

LAURIE ANN RANSOM

vs.

MARVIN D. RANSOM

Filed Dec. 29, 1989
@ 3:02 p.m.

Tax & entry Paid $50.50✓
1 count paid 15.00✓
William Pineo, Mediator

Pro Co Pd 4/4/91 9.00✓
Pro Co Pd 4/8/91 9.00✓
state paid 10.00

COMPLAINT IN DIVORCE, CUSTODY

1 copy (atty)

Jan. 10, 1990 Affidavit filed. I, Brian J. Lindsay, after being duly sworn according to law, depose and say that I am the attorney fo record for Laurie Ann Ransom, Plaintiff herein, and that as such I am authorized to execute this Affidavit, that I did on the 3rd day of January, 1990, send by Certified Mail, Return Receipt REquested, a true and correct copy of the Notice to Defend and the Complaint in Divorce to the Defendant, Marvin D. Ransom, at his last known address of 121 N. Main St., Springboro, PA 16435, as evidenced by the attached sender's receipt No. P 276 200 320, and that on the 5th day of January, 1990, I did receive the duly executed return receipt dated the 4th day of January, 1990.

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

Brian J. Lindsay, Atty.

Jan. 25, 1990 Motion for appointment of Custody Mediator and Order filed. And Now, Jan. 24, 1990, the above motion allowed. William Pineo, Esq., is hereby appointed Child Custody Mediator.

1 copy atty 1 copy mediator Gordon R. Miller,J

March 20, 1990 TEMPORARY ORDER filed. AND NOW, this 13 day of March, 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 child, Jeremy Ransom.

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, except that which the child has legally requested be kept confidential from anyone.

3. The mother shall have primary physical custody of Jeremy each year from one week previous to the opening of Jeremy's school session in late summer until one week after the closing of his school session the following summer. The father shall have primary physical custody of Jeremy from one week after the closing of the school session for the summer vacation until one week previous to its reopening in late summer. During the school year, the father shall have the right of temporary physical custody and visitation every weekend, except for the last weekend of every month, from Saturday morning at 9:00 a.m. through Sunday evening at 6:00 p.m. If the father's working hours permit hm to be free on Friday evening, then his visitation shall begin Friday at 6:00 p.m. and run through Sunday at 6:00 p.m.

During the father's physical custody period in the summer, the mother shall have visitation each weekend, except for the last weekend of every month, from Friday at 6:00 p.m. through Sunday at 6:00 p.m.

4. Holiday visitation shall be arranged as follows:

a. The father shall have temporary physical custody and visitation with Jeremy from 9:00 a.m. on Good Friday through 5:00 p.m. on Holy Saturday and the mother shall have temporary physical custody and visitation from 5:00 p.m. Holy Saturday until 6:00 p.m. of Easter.

b. The Thanksgiving holiday period shall be divided into two intervals, the first beginning the WEdnesday preceding Thanksgiving at 6:00 p.m. and ending on Thanksgiving Day at 3:00 p.m. The second interval shall begin on Thanksgiving Day at 3:00 p.m. and end on the Sunday following Thanksgiving at 6:00 p.m. For Thanksgiving, 1990, the father shall have the first period and the mother the second, and the parties shall thereafter alternate.

c. The Christmas visitation period shall also be divided into two intervals. The first shall begin on Christms Eve at 7:00 p.m. and end on Christms Day at 3:00 p.m. and the second shall begin on Christmas Day at 3:00 p.m. and end on December 26 at 6:00 p.m. For Christms, 1990, the mother shall have the first period and the father the second, and the parties shall thereafter alternate the periods.

d. The other holidays are defined as New Years Day, Memorial Day, Independence Day, and Labor Day. Holiday visitations shall begin at 9:00 a.m. and end at 6:00 p.m., except for Independence Day, when visitation shall end at 11:00 p.m. The mother shall ahve visitation and temporary physical custody of Jeremy for Memorial Day and Labor Day for 1990, and the father shall have visitation and temporary physical custody on Labor Day, 1990 and New Years Day, 1991. The parties shall thereafter reverse the holdiays.

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 otehr 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 otehr 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 arrangemetns 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 the date hereof to make any adjustments.

Continued on Page 608 (a).....

1989

Laurie Ann Ransom

VS.

Marvin D. Ransom

Record Continued From Page 608

OF

AD 1989 - 1158

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12. Costs and fees of this Mediation, which are fixed at $182.00, are divided equally between the parties. The father's share is assessed to him as costs in this case. One -fourth of the costs are assessed to the mother as costs in this case and the remaining one-fourth shall be paid by Crawford County, the Mediator having noted for the Court that neither party has very much money and the mother has almost none to spare. 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, J.

March 21, 1990 Copy of Order to Attys. Brian Lindsay, John Spataro and Wm. Pineo.

May 14, 1990 Affidavit Of Consent of Defendant filed.

Apr. 4, 1991 Affidavit of Consent of plaintiff filed.

Apr. 4, 1991, UPon praecipe of plaintiff attorney, to transmit the record, this case moved tocourt.

Apr. 10, 1991 **D I V O R C E D E C R E E F I L E D .**

AND NOW, April 9, 1991, it is ordered and decreed that Laurie Ann Ransom, plaintiff, and Marvin D. ransom, defendant, are divorced form the bonds of matrimony.

BY THE COURT,
Gordon R. Miller, J

608B

1989

P. Michael Dubrosky and
Janice Dubrosky, his wife

vs.

Paul Sheckler, Ind. and d/b/a
Sheckler Building and
Remodeling

REcord Continued from page 71
of
AD 1989 - 621

Dec. 5, 1991, RE: PLAINTIFFS' MOTION TO COMPEL PRODUCTION OF DEFENDANT'S PRETRIAL STATEMENT AND EXPERT REPORTS and ORDER filed. ORDER: AND NOW, Dec. 4, 1991 upon the motion of plaintiffs to compel the defendant to produce his pretrial statement and expert reports, the court denies said motion, finding no rule upon which to compel a party to file a pretrial statement prior to five (5) days before trial or pretrial conference. See Crawford County Local Rule of procedure 21(c).

We note that plaintiffs and defendant have listed this case for trial on several prior jury trial terms. We accordingly order a pretrial conference to be scheduled on Dec. 17, 1991, at 3:30 p.m. in C. R. No. 1. Defendant shall file his pretrial statement and attached reports five (5) days before said conference as required by Rule 21(c).

BY ORDER OFTHE COURT,
P. R. Thomas, S. J.

Dec. 9, 1991, copies of above order to Attys. James Irwin and R. C. Thomas, and Jeffrey Millin.

Dec. 20, 1991, PRETRIAL CONFERENCE MEMORANDUM filed.
Dec. 30, 1991 copies to J. Irwin and R. C. thomas, Attys.

On February 1992 Trial List

Jan. 30, 1992 ORDER filed. AND NOW, this 29th day of January, 1992, upon presentation and consideration of the within Motion, the time for inspection of the Plaintiffs' home is extended to Feb. 9, 1992 but only for the purpose of permitting access to said home to the Defendant's real estate appraiser, Patricia Marsh.

The Defendant shall make arrangements with Plaintiffs' counsel for such access as soon as possible it being the Court's intention that this case not be delayed for trial insofar as it is currently listed for trial during the February 1992 term of Court which begins on Feb. 10, 1992.

Upon receipt of an expert's report from Patricia marsh, Defendant's counsel will promptly furnish a copy of the same to Plaintiffs' counsel also not so as to delay trial.

BY THE COURT:
Anthony J. Vardaro, J.

Jan. 30, 1992 copies of order given to Attys.

Jan. 30, 1992 MOTION FOR EXTENSION OF DISCOVERY ORDER and ORDER filed. ORDER: AND NOW, this 5thf day of February, 1992, upon presentation and consideration of the within Motion, the time for inspection of the plaintiffs' home is extended to Beb. 10, 1992, at 5:00 p.m., 1992 but only for the purpose of permitting access to said home to the Defendant's real estate appraiser, Patricia Marsh.
Feb. 5, 1992 talk with Cheryl by phone, also; put copy in box for R.C. Thomas

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

Feb. 7, 1992 SUPPLEMENTAL ORDER ON DEFENDANT'S EXPERT filed. AND NOW, Feb. 7, 1992, it appears that Patricia Marsh, Defendant's expert and the Plaintiffs have been unable to agree on a time for inspection of the premises in dispute. Accordingly, this date the Court meets with counsel and directs that if any inspection is to be made by real estate expert appraiser Patricia Marsh you will appear promptly at 5:30 P.M. Feb. 10, 1992 at the residence of the Dubroskys and will be permitted access to the grounds and the entire premises for a reasonable period of time to make an inspection in preparation for submission of a written appraisal report. Dubroskys will arrange for the house to be open for inspection at said time and if neither are able to be present will designate a third person of their choice to open the premises for the appraiser.

The appraiser will submit a written report to both counsel on or before Feb. 12, 1992 at 5:30 p.m.

The jury may be picked in this case at the direction of the President Judge but counsel agree that trial of the case shall not start before Feb. 1, 1992.

By The Court:
P. Richard Thomas, P.J.

Feb. 7, 1992 Copy of Order placed in Attys. James Irwin and R. Charles Thomas box.

Feb. 14, 1992, ORDER AND VERDICT filed. AND NOW, Feb. 13, 1992, the parties and their counsel mutually agree that this case has been amicable resolved, and consetn that the court on its own signature enter a verdict in favor of the plaintiffs against the defendant, in a total sum of $10,000 payable within 30 days of this date, and this verdict includes full settlement fo the defendant's counterclaim.

The parties and their counsel mutually agree that a condition of this amicable resolution of the case is that the plaintiffs will permit an inspection of the exterior of the premises by a representative of Barden HOmes within 60 datsm upon notice to the plaintiffs 48 hours in advance.

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

Feb. 14, 1992, copies of order given to attys. of record.
Verdict entered 2/14/82
S - 131, 181

VERDICT
Barbara H. King,
Prothonotary

1989

Ferguson & Spataro
Douglas W. Ferguson

1159.

MICHAEL J. CARRERA

vs.

RUTH A. CARRERA

Filed Dec. 29, 1989
@ 3:10 p.m.

Tax & entry Paid	$50.50
1 count paid	15.00
Pro Co Pd 4/11/90	9.00
State pd. 4/11/90	10.00

COMPLAINT IN DIVORCE, EQ UITABLE DISTRIBUTION

1 copy (atty)

Jan 11, 1990Affidavit of Service filed. I, the undersigned being duly sworn according to law , depose and say that I served a true and correct copy of the Complaint in Divorce certified by the Prothonotary of Crawford County, Pa. on the above named Defendant by certified mail, addressee only, return receipt requested, dated Jan. 2, 1990. The Defendant acknowledged service on Jan. 4, 1990, by accepting delivery on that date as evidenced by the attached signed return receipt.

Ferguson & Spataro
By :Douglas W. Ferguson, Esq.

Apr. 11, 1990, Affidavit of Consent of plaintiff filed.

Apr. 11, 1990, Affidavit of Consent of defendant filed.

Apr. 11, 1990, Upon praecipe of plaintiff attorney, to Transmit the Record, this case moved to court.

April 17, 1990 Motion to withdraw Count Two - Equitable Distribution of Property and Debts and Order filed.
Order: AND NOW, April 20, 1990, the within motion is allowed.

P. Richard Thomas, J.

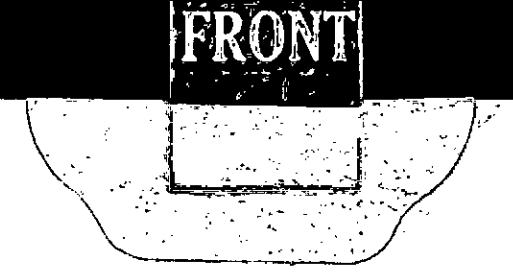
April 20, 1990 DIVORCE DECREE FILED.

And now, April 20, 1990, it is ordered and decreed that Michael J. Carrera, plaintiff, and Ruth A. Carrera, defendant, are divorced, from the bonds of matrimony.

BY THE COURT,
P. Richard Thomas, J.

610.

1989


FRONT

Willard T. Moreland

VS.

Cindy Lou Daly

Record Continued from Page 235

OF

AD 1989 - 785

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Oct. 20, 1989 Motion for Hearing De Novo From Custody/Visitation Mediation and ORDER OF COURT filed. And now, October 20, 1989 Hearing Nov. 3, 1989 at 2:30 P.M.
P. Richard Thomas, J.
Oct. 23, 1989 Copy of Order to Brian J. Lindsay, John Fuller, David Truax.

Nov. 6, 1989 Memorandum and Order filed. AND NOW, November 3, 1989, the following Order is entered:

1. Since the Plaintiff is in Crawford County at the present time, he may take the children with him from the close of this hearing until 9:00 o'clock p.m. on November 4th, at which time they will be returned to the custody of the mother.
2. The provision of II(c) of the temporary Order regarding transportation is affirmed, provided that all support payments due by the Plaintiff to the Defendant are current as of June 1st of the year in which transportation is to be provided.
3. Paragraph II(a) of the temporary Order is amended to provide for a summer, 1990 visit of six (6) weeks in the same manner as is provided in II(b) for the summer of 1991 an d thereafter. All Orders being subject to the reservation exposessed in Paragraph II(g) permitting either party to request further mediation conference.

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

Nov. 6, 1989 Copies of order put in Brian Lindsay, David Truax and John Fuller's box.

Feb. 12, 1990, MOTION and Order filed. ORDER: AND NOW, Feb. 12, 1990 this matter is referred to John Fuler toact as custody mediator.

BY THE COURT
Gordon R. Miller, Judge

Feb. 12, 1990 copies to Brian Lindsay, D. Truax, J. Fuller and J. Kulwicki.

May 8, 1990 Order filed. AND NOW, May 4th, 1990, after mediation conference before John Fuller, Esquire, which was not attended by the Father, nor anyone on his behalf, IT IS ORDERED AND DECREED AS FOLLOWS:

I. Physical custody of Willard Timothy Moreland, Jr. and Amanda J. Moreland, shall be with their mother, Cindy Lou Daly, until further order of Court. The father, Willard T. Moreland, shall not remove the children from the mother's custody until such further order has been entered.
II. This order is entered without prejudice to the right of the Father to request a further mediation conference or hearing at any time for the purpose of determining his custody and visitation rights with respect to the children.
III. Cost of the mediation conference shall be paid by Crawford County.

Gordon R. Miller, J

May 9, 1990 Copies of order put in Brian Lindsay, Joseph Kulwicki and John Fuller's box.

Sept. 21, 1990 Complaint for Modification of Custody and Visitation and order filed. NOTICE AND ORDER TO APPEAR: YOU, Cindy Lou Daly, respondent have been sued in court to obtain custody, partial custody, or visitation of the,children: Willard Timothy Moreland, Jr. and Amanda J. Moreland.

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

If you fial to appear asprovided by this order or to bring the child, an order for custody partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.

You should take this paper to your lawyer at once. if you do not ahve 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 Pub. Comm. c/o Prothonotary Office, Crawford County Courthouse, Meadville, Pa. 16335 814 724-4636.

9/21/90 BY THE COURT,
1 copy (atty 1 copy (mediator) P. Richard Thomas, S.J.

Sept. 25, 1990 Vertification Of Service filed. I, MARK E. SMITH, do hereby verify that I am an adult male, and that I am 18 years of age; that I did onthe 23rd day of September, 1990, at or about 6:00 p.m., deliver a true and correct copy of the Complaint for Custody/Visitation, filed at the above term and number, upon the Defendant/Respondent, Cindy Lou Daly, at County Acres Trailer Park, Guys Mills, Crawford County, Pennsylvania, by handing the true and correct copy to said Cindy Lou Daly. I further verify that I am not related to the Plaintiff/Petitioner and that I have no personal interest in the minor child or in the custody matter between Petitioner and Respondent. I made this verification with notice that willful flase statements made herein are subject to the penalties of perjury under §4904 of the Pennsylvania Crimes Code, relating to unsworn falsificaton to authorities.

Mark E. Smith

Oct. 3, 1990, Appearance of Thomas, Truax, spadafore, Vardaro and Walker, by R. Charles Thomas, attorneys for defendant filed.

Oct. 15, 1990, Motion to Withdraw Appearance and Order filed. ORDER: AND NOW, this 15 day of Oct. 1990, Motion Allowed. BY THE COURT,
Robert L. Walker, S. J.

O ct. 15, 1990, copies to Attys. B. Lindsay, J. Kulwicki, J. Fuller and R. C. Thomas.

Continued on page 647

1989

John C. Bush

vs.

Dorothea L. Bush

Record continued from page 163

of record

A.D. 1989 - 713

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Oct. 25, 1989 Motion For Hearing De Novo and Order filed. AND NOW, this 25 day of October 1989, hearing on the Plaintiff's Petition to Modify Custody is set for the 28 day of November, 1989, in courtroom #1, at the Crawford County Courthouse, Meadville, Pennsylvania, at 1:00 p.m.

Imogene Yetman, C.A.

Oct. 25, 1989 Copies of order mailed to Ann Hansen Gamble and Joseph Barnhart

Nov. 14, 1989 Motion For Mental Examination Of Persons And/Or Special Relief and Order filed. AND NOW, this 15 day of November, 1989, upon consideration of plaintiff's MOTION FOR MENTAL EXAMINATION OF PERSONS AND/OR SPECIAL RELIEF, in the above-matter, theCourt hereby enters the following order;

1. Plaintiff and Plaintiff's spouse, Patricia Bush, together with the defendant and the minor children the subject of the above custody action, shall submit to a mental evaluation through Family Service and Children's Aid Society on the earliest possible date that such evaluations may be conducted at their facility located at Northwest Savings Building, Spring and Franklin Streets, Titusville, Pennsylvania. Plaintiff shall arrange for appropriate dates as the Egency may request and shall give notice in writing of such appointment date and time to defendant at least ten (10) days prior to such appointment.
2. Plaintiff and defendant shall permit representatives of Family Services and Children's Aid Society to visit their homes for purposes of conducting a home evaluation on such date and at such time as is mutually convenient to the parties and the Agency.
3. The Agency shall submit a report of its finds to the Court and to the a ttorneys of record in this matter.
4. Plaintiff shall be responsible for the costs of the evaluation in accordance with the fee schedules of the examining agency.

BY THE COURT,
P. Richard Thomas, J

Nov. 16, 1989 Copies of order mailed to Jospeh Barnhart and Ann Hansen Gamble

Nov. 30, 1989 ORDER filed: AND NOW, November 28, 1989, after de novo hearing, the Court and counsel are aware that the parents are not contesting the fact that the three older children, Mary, John and Elizabeth, opted to live with the father,and apparently made said move on or about September 1, 1989. These older children were interviewed by the Court and counsel outside the hearing of the parents, and the parties and counsel agree that the present physical custody of these three children with the father will not be disturbed so long as liberal visitations are accorded the mother..

The primary thrust of this hearing involved minor children Jacob, age 8 and Dorothea, known as Dolly, age 6. The father is seeking custody of these two minor children to join the other three in his household, where he has remarried, and where there are three other children residing. The mother opposes said transfer of custody, but is willing to accord liberal visitations for the two smaller children with the father, and also have visitations with the three older children in her own home at the same time the two younger children are present in her home.

Accordingly, the Court DIRECTS that for the immediate future, the mother shall retain primary physical custody of minor children Jacob and Dolly, and the father shall retain primary physical custody of the three older children.

The Court is concerned about the apparent past educational deficiencies of all of the children, except Elizabeth, and both parents seem concerned that all children improve academically in the school system.

Accordingly, the Court believes both parents in cooperation with the school system and in cooperation with each other should closely monitor the progress being made by Jacob,who is repeating first grade, and by Dolly , who is repeating kindergarten. As the school year gets into 1990, the parents should seek input from the school teachers and the supportive staff as to whether there appears to be serious problems affecting the children, which may arise from a lack of proper parenting, a lack of parental assistance in assisting the children withschool, or for any other reason. If such a problem develops, the Court requests the school system or the father to obtain some professional analysis pinpointing the reason for Jacob and Dolly's lack of progress in the school system.

As we approach the end of the school year in June of 1990 , either parent may request a review if there is adequate evidence indicating a problem with the children that is not being met or if it is indicated that the parenting skills of the mother are adversely impacting on the school progress.

It appears that pending the outcome of this hearing,the parents have reverted to a visitation schedule attached as Exhibit A to the original Complaint, which was a portion of theseparation agreement accompanying the divorce. The Court is desirous that counsel for the parties meet and redraft a visitation agreement that gives the mother liberal visitations, with the children in the custody of the father, and likewise gives the father liberal visitations with the two children in the custody of the mother. Custody on the primary holidays should also bereviewed so as near as possible, the children have the opportunity to share the holiday seasons (either the day before or the day after) with the non-custodial parent.

It is the intention of this Order that the conditions of the temporary Order regarding notification to opposite parents and a right to be consulted on religious, health and school matters be equally shared by the parents.

The Court requests the agreement of the parties regarding visitation and shared custody be signed and attached as an Addendum to this Order.

If the parties are unable to reach such an agreement, the Court will substitute its judgment for that of the parents and draft a visitation and custody Order without further input from the parties.

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

Dec. 2, 1989 copies of order mailed to Joseph Barnhart and Ann Hansen Gamble

Nov. 30, 1989 Exhibits filed.

Oct. 22, 1991 Motion for Ex Parte Temporary Custody Order and Request For Mental Examination filed.

Oct. 22, 1991 ORDER filed. AND NOW, Oct. 18, 1991 upon consideration of the plaintiff's motion for ex parte temporary custody and requests for mental examination it is ordered and directed that this matter be referred to Bruce L. Smith, Esq., Custody Mediator, for custody mediation in accordance with the law and the rules.

RECORD CONTINUED ON PAGE 612 (a).....

John C. Bush

vs.

Dorothea L. Bush

Record Continued from Page 612

OF

AD 1989 - 713

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In the meantime, pending said hearing, all of the children, to-wit: Mary JoAnn Markley, John A. Bush, Elizabeth Ann Bush, Jacob A. Bush and Dorothea 1. Bush shall be in the sole and exclusive custody of the plaintiff.

The motion for a mental examination is denied. If the custody mediator or the Court believes that evidence of the defendant's mental status is important it may order and direct that she produce records regarding any evaluation or treatment or it may require the testimony of any of her treating physicians. If that cannot be done then the custody mediator or the Court, may enter an appropriate order under Pa. R.C.P. 1915.8.

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

Oct. 23, 1991 Copy of Order to Attys. Joseph Barnhart, Ann Hansen Gamble and Bruce Smith.

Nov. 25, 1991 Temporary Order Of Court filed. AND NOW, this 22nd day of November, 1991, after additional Mediation and upon recommendation ofthe Child Custody Mediator, it is hereby ordered and decreed that:

1. The parents of Mary JoAnn Markley, age seventeen, John A. Bush, age fifteen, Elizabeth Ann Bush, age thirteen, Jacob A. Bush, age ten, and Dorothea (Dolly) L. Bush, age eight, the parties to this action, shall share legal custody of the said minor children. Said joint legal custody being shared shall entitle both ofthe parents to equal access to any records relating to the children held by a third par ty, 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.

2. Primary physical custoyd ofthe three oldest children, Mary JoAnn Markley, John A. Bush, and Elizabeth Ann Bush, shall remain with the plaintiff father. Primary physical cusotdy of the youngest children, Jacob A. Bush and Dorothea (Dolly) L. Bush, shall be returned to the plaintiff mother. Regular visitation and temporary custody of the children with the parent not having primary custody shall be provided as follows:

a. All of the children shall be in the home of one of the parents on alternate weekends. The parents shall agree on which weekend the five children begin in one home and shall alternate weekends thereafter. 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. 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, the children shall spend Easter and the 4th of July with the mother and Memorial day and Labor Day with the father. These holidays shall be reversed in even-numbered years. These days shall begin at 9:00 a.m., prevailing time, and shall end at 9:00 p.m., prevailing time. The children shall spend Thanksgiving Day and Christmas Day each year in the moterh's home between the hours of 2:00 p.m. and 9:00 p.m., prevailing time.

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

3. It appears that the mother is still harboring residual resentment with regard to the circumstances surrounding the separation and break-up of the marraige of the parties to this Mediation, andit is strongly recommended, thought not required, that the mother seek couneling of a qualified counselor in this area.

4. 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 chidlren requiring medical treatment.

5. Neither parent shall take the children into any environment which might be commonly though of as detrimental to their development or to the development of their character or which would be commonly thought of as dangerous to their physical persons.

6. The parents are encouraged to discuss arrangements for physical custody of the children; and, if the parties mutually agree to alternative arrangements to accommodate 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. The parties will be required, when the children are in their custoyd, to allow the children to attend at leas tone re guarly scheduled school event each week. They shall also encourage the children in their custody, and all of the chidlren when visiting, to pursue their academic studies with vigor and good effort, even though several of the children have learning disabilities (particularly in the reading area).

7. Each of the parent and the stepmother, Patricia Bush (and all adults coming into regular contact with the children), shall teach the children involved in this case to develop and demonstrate the matural love and respect due a parent from his or her children. Neither of the parents (nor people coming into regular contact withthe children) will do or say anything to blacken the character of the other parent or the stepmother, Patricia Bush, in the eyes of the children.

8. This Order shall not prejudice the right of either party to request further Mediation if there are changed circumstances in the lives of the parties or the children or in the event that the best interest of the children would be served by further mediation.

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

10. The fee for Child Custody Mediation shall be paid 100% by the County of Crawford due to the low income of the father and due to the fact that the mother is on Public Assistance.

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

BY THE COURT,
Gordon R. Miller, J

Nov. 27, 1991 Copies of order mailed to Atty's Barnhar, Gamble and Smith

April 20, 1992 MOTION FOR EX PARTE TEMPORARY CUSTODY ORDER AND FOR APPOINTMENT OF CUSTODY MEDIATOR filed.
April 20, 1992 ORDER filed. AND NOW, April 20, 1992, upon consideration of plaintiff's Motion for Ex Parte Temporary Custody Order and Appointment of Custody Mediator, it is ordered and directed that this matter be referred to Bruce L. Smith, Esq., Custody Mediator, for custody mediation in accorance with the law and Crawford County Local Rules of Court.

Pending such hearing, all of the children, to-wit: Mary JoAnn Markley, John A. Bush, Elizabeth Ann Bush, Jacob A. Bush and Dorothea L. Bush, shall be in the sole and exclusive custody of the plaintiff.

You, Dorothea L. Bush, have been sued in Court to obtain custody or partial custody of the children: Mary JoAnn Markley, John A. Bush, Elizabeth Ann Bush, Jacob A. Bush, and Dorothea L. Bush.

If you fail to appear as provided for by further order of Court or notice, an order for custody, partial custody or visitation may be entered against you or the Court May issue a warrant for your arrest.

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

Court Administrator, Crawford County Courthouse
Meadville, Pennsylvania 16335
(814) 336-1151, Extension 298

BY THE COURT:
Gordon R. Miller

April 20, 1992 copy of Motion for Ex Parte and order to: Joseph C. Barnhart, Esq; Ann Hansen Gamble, Esquire and Bruce L. Smith, Custody Mediator

Continued on Page 612B

John C. Bush
vs.
Dorothea L. Bush

CONTINUED FROM PAGE 612A
of Record
A.D. 1989 - 713

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Apr. 28, 1992 ACCEPTANCE OF SERVICE, filed. I accept service of the Motion for Ex Parte Temporary Custody Order and for Appointment of Custody Mediator on behalf of Dorothea L. Bush, Defendant, and certify that I am authorized to do so. Ann Hansen Gamble

May 19, 1992 TEMPORARY ORDER OF COURT FILED. AND NOW, this 15th day of May, 1992, after additional Mediation, negotiation by the parties and counsel, and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of John A. Bush, age sixteen, Elizabeth Ann Bush, age fourteen, Jacob A. Bush, age ten, and Dorothea (Dolly) L. Bush, age nine, the parties to this action, shall continue to 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.

2. Primary physical custody of the four children shall remain with the natural father, John C. Bush. Regular visitation and temporary shared physical custody of the children shall be granted to the defendant mother, Dorothea L. Bush, as follows:

a. The defendant mother shall be entitled to take the four children into her temporary custody every other weekends, beginning with the weekend beginning May 8, 1992, from FRiday at 4:00 p.m., prevailing time, through Sunday, at 7;00 p.m. prevailing time.

b. The defendant mother shall be entitled to temporary physical custody of the children every Wednesday between the hours of 4:00 and 7:00 p.m., prevailing time.

c. Holiday visitation shall take priority over other scheduled visitation. Every Christmas Day, beginning in 1992, the mother shall have the right to temporary physical custody of the children from noon through 7:00 p.m., prevailing time, December 28. The mother shall also have temporary physical custody of the children every Easter, beginning in 1993, from 9:00 a.m. through 7:00 p.m., prevailing time. During even-number years,the mother shall have the children on Memorial Day and ThanksgivingDay and the father shall have the children on Labor Day between the hours of 9:00 a.m. and 7:00 p.m., prevailing time. In alternate years, the father shall have the children on MemorialDay and Thanksgiving Day and the mother shall have the children on Labor Day. The children shall spend the 4th of July each year with the father. The week which includes the 4th of July each year shall be spent with the father. Other than that week, the mother shall have the right to have the children with her for one week in June, one week in July, and one week in August. She is required to give the father a notice of at least seven days of which weeks she prefers. Transportation of the children, in the event that the mother follows through on her plans to relocated outside of the city of Titusville on Traffic Route 408, shall be provided by the parent receiving the children.

3. The parent having custody of the children at anytime shall notify the other parent as soon 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.

5. The mother shall take all prescription medication prescribed by a medical doctor as prescribed during times of temporary custody of the children.

6. The parents are encouraged to discuss arrangements for physical custody of the children; and if the parties mutually agree to alternative arrangements to accommodate 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.

7. The parents will be required, when the children are intheir custody, to allow the children to attend at least one regularly scheduled school even each week. They shall also encourage the children, when in their custody and when they are visiting with the mother, to pursue their academic studies with vigor and good effort.

8. Each of the parents and the stepmother, Patricia Bush (and all adults coming into regular contact with the children), shall teach the children involved in this case to develop and demonstrate that natural love and respect due a parent from his or her children. Neither of the parents (nor any people coming into regular contact with the children) will do or say anything to blacken the character of either parent or the stepmother in the eyes of the children.

9. This Order shall not prejudice the right of either party to request further Mediation if there are changed circumstances in the lives of the parties or the children or in the event that the best interest of the child would be served by further Mediation.

10. The Court of Common Pleas of CrawfordCounty, 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.

11. The fee for Child Custody Mediation shall be paid 50% by the plaintiff father and 50% by the County of Crawford on behalf of the defendant mother.

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, President Judge

May 19, 1992 Copy of Order to: Joseph C. Barnhart, Esq., Ann H.Gamble, ESq., BruceL. Smith, Esq.

May 24, 1996 Petition to Proceed in Forma Pauperis and ORDER filed. AND NOW, May 24, 1996, upon consideration of the petition filed by Dorthea L. Lingo, in this action, and supported by an affidavit attached thereto, all being pursuant to Pa. R.C.P. 240, the defendant, Dorothea L. Lingo, is granted leave to proceed in forma pauperis at this time.

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

BY THE COURT:
Gordon R. Miller

5-24-96 FAXED Gambill.

May 24, 1996 Petition to Modify Custody and ORDER filed. AND NOW, this 24th day of May, 1996, it is ordered and decreed that the parents in this matter shall satisfactorily complete the Seminar for Separating Parents in accordance wtih Crawford County Civill Rule L1930. Application for the seminar may be obtained at the Center for Family Service, Inc. at 996 S. Main Street, Meadville, Pennsylvania 16335; the Prothonotary at the Crawford County Courthouse; or the Court Administrator at the Crawford County Courthouse.

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.

BY THE COURT:
Gordon R. Miller

NOTICE AND ORDER TO APPEAR filed. You, John C. Bush, have been sued in Court to modify custody, partial custody or visitation of the child(ren): Jacob Bush

You are ORDERED to appear in person at such time and place as will be determined by the Mediator John Spataro, Esquire, for a mediation conference. The Mediator shall send you a Notice of the Hearing by mail to the address listed on the complaint or petition that has been filed recently.
Court Administrator

Continued on Page 612c

1989

No. AD 1989 - 713

Record continued from page 612b - case of John C. Bush vs. Dorothea L. Bush, now Dorothea L. Lingo---from page 612b

June 19, 1996, ORDER filed. And nOw, June 18, 1996 we decline to sign the Stipulatin dated June 3 entered into by the parties with regard to the dfts. petition to modify custody insofar as there is no evidence in the file that the parties participated in the mandatory seminar for separating parents as required by Rule L1930.

by the court,

Anthony J. Vardaro J.

6/19/96 mialed to Gamble.

Aug 23, 1996 Certificate of completion of the Seminar for Separating Parents for DOROTHEA L. BUSH (LINGO), filed.

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1989

RHONDA J. SWOGER

VS.

LESLIE L. SWOGER, JR.

RECORD CONTINUED FROM PAGE 31

of

AD 1989-581

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July 21, 1989 Petition for Contempt Under the Temporary Protection from Abuse Order and Order filed: AND NOW, this 21 day of July, 1989, upon consideration of the within Petition, a rule is hereby granted upon defendant, Leslie L. Swoger, Jr., to show cause why he should not be held in contempt of court for willful failure to obey the Order entered July 17, 1989, and the Court orders the defendant to comply with the terms of the Order and at the same time a hearing be held in the Protection from Abuse matter.

Hearing is set for the 4th day of Aug., 1989, in Courtroom #1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania at 9:00 o'clock A.M.

BY THE COURT,
P. R. Thomas, J.

(5 copies - Atty)

July 31, 1989, Proof of Service filed. I hereby certify that I have, this day, served a coipy of the July 21, 1989 order in the above matter, upon Bruce Barrett, Esq. by leaving a copy in his box at the Courthouse. Margaret M. Eglinton, Esq.
Date: 7/21/89

Aug. 7, 1989 Order filed. AND NOW, August 4, 1989, the matter is before the Court on contempt of an Abuse Order entered July 17, 1989. In the third paragraph of said Order, the Court authorized the wife to go to the residence of the husband at a specific time to pick up her clothing and personal effects. The wife, accompanied by a constable, appeared at the time specified by the court and was refused admission by the Defendant. The defendant had gathered together certain property and left it in the yard, and the wife retrieved said property. In the contempt petition she lists twenty-five (25) personal items that were not in her possession.

At the time of the hearing, counsel for the defendant appears, advises his clien has moved to the State of South Carolina, and he has no address at this time for him.

The Court takes the testimony of the wife and accepts it as being a correct version and finds the Defendant in wilful and deliberate violation of this Court's previous Order of July 17, 1989, and accordingly finds him in contempt. Since the Defendant may not be aware of this hearing, punishment for contempt is suspended, and the conditions set forth in the fourth paragraph for dismissal of the Abuse Petition are rescinded. The original Order shall remain inn force and effect for a period of one (1) year, and the Defendant shall not threaten, harass or annoy the Plaintiff in any fashion.

Attorney for the defendant is DIRECTED to turn over additional personal effects left with him ellegedly belongingto the wife, and upon inventory of the same, the Plaintiff shall make a list of missing personal possessions attached to the contempt petition and will be adjusted if any of the twenty-five (25) items thereon are among the contents to be surrendered by the attorney to the Plaintiff.

The Court will entertain a further motion to establish the penalty for contempt when the address of the defendant is ascertained.

The Court notes a divorce action is pending, having been filed by the wife in the month of July, 1989.

The Court Order of July 17, 1989 directed the defendant to pay costs in this case and the emergency room bill by July 24, 1989. In the event the samehave not been paid, the Defendant will do so immediatley or this further ocntempt of a Court Order will be considered by the Court in the imposition of ultimate punishment for contempt.

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

Aug. 7, 1989 Copy of order put in Margaret Elington, Bruce Barrett and County Control's box.

responsibility of the parties to make the monthly payments.

3. In addition to the aforesaid payments required of the Defendant, he will pay Court Cousts to the Prothonotary's office of Crawford County on or before December 1, 1989 in the amount of $105.50.

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

Oct 3, 1989 Copies of Order put in Atty. Eglinton's box, mailed to Deft. and given to Co. Control.

Sept. 13, 1989 Motion To Order A Hearing To Set Punishment For Contempt and Order filed. AND NOW, this 13 day of Sept., 1989, upon consideration of the attached Motion to Set a Hearing for the Punishment in the Contempt Matter, the Court sets the hearing for 9:30 a.m., in Courtroom #1 or 2 on the 27 day of Sept., 1989.

The Crawford County Sheriff Department is directed to serve a certified copy of this MOtion and Order upon the defendant. In the alternative, this Motion and Order may be served by any competent person or by certified mail. 1176 Elm St., Meadville, PA

BY THE COURT,
P. Richard Thomas, J

Sept. 13, 1989 Copies of order put in Margaret Eglington, Bruce Barrett and Sheriff's box.

Sept. 20, 1989 Sheriff's Return filed. SERVED Leslie L. Swoger personally by handing copy of Order, Punishment for Contment to him on September 15, 1989 at 10:40 AM at Sheriff's Office, Crawford County Courthouse, Meadville, PA 16335
So answers,

Carole Stefanucci, Deputy Sheriff
Howard N. Stewart, Sheriff

Sept. 27, 1989 Plaintiff's Motion to Modify the list Attached to the July 21, 1989 Petition, filed.

Oct 2, 1989 Order filed: AND NOW, September 27, 1989, the matter is before the Court on a contempt hearing. The Court notes that by previous Orders, the Defendant was directed to turn over certain property to his wife and wilfully and deliberately refused to do so.

The Court is presented a list of personal possessions confiscated or destroyed or sold by the Defendant, but at testimony, the Plaintiff does not wish the Court to exercise its contempt powers, and incarcerate the Defendant so long as a pearl necklace and earrings valued at $250.00 and a high school class right initially purchased for $65.00 are replaced. In addition, the Court notes the Defendant to be in wilful contempt for failing to pay one-half (½) of an emergency room bill nowstanding in the amount of $28.50. The parties have a joint loan at Mellon Bank on which there is a current arrearage due of $450.00 on the outstanding balance of approximately $1,700.00. The Defendant took the payment book and neither pary has made any payments to bring the account current.

The Court finds the Defendant in wilful and deliberate contempt of its former Orders, but withholds any punishment of imprisonment at the request of the wife, but withholds punishment for contempt so long as the following conditions are complied with:

1. The Defendant will pay the Plaintiff $350.00 for property take or converted, and $100.00 of said amount will be paid by the 11th day of November, 1989 and additional monthly payments of $100.00 per month thereon until the total balance of $350.00 is paid in full.

2. The defendant will pay Meadville Medical Center $28.50 on an outstanding account due by October 20th, 1989. In the regard, the Mellon Bank Accout, the Defendant will pay Mellon Bank the sum of $130.00 on or before October 10, 1989 and he will pay the entire unpaid balance of $320.00 in monthly payments of $130.00 on November 10, 1989, $130.00 on December 10, 1989 and $60.00 by January 1, 1990. Once the account is current, it shall be the joint

Continued in margin

6/14

1989

Michael J. Petruso

vs.

Kimberly A. Petruso

Record continued from page 117

of record

A.D. 1989 - 667

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6. Each of the parents and all of those who are in the company of the parents at anytime or those who live with the parents, including grandparents and others, will teach the children to show that love and respect due a parent from his or her children, and neither of the parents, nor anyone related to or living with the parents or in the parents; homes, will do anything to blacken the character of the other parent in the eyes of the children.

7. This Order shall not prejudice the right of either pa rty to request a MediationConference if there are changed circumstances in the lives of the parties or the children. The Court may also order additional Mediation at the request of either parent at any time, which Mediation is considered to be in the best interest 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 either child resides in the Court's jurisdiction and for at least six months from the date of this Temporary Order.

9. The fee for theChild Custody Mediator shall be paid fifty percent by the father and fifty percent 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 (30) days from the date ofthis Temporary Order.

BY THE COURT:
Robert L. Walker, J

Aug. 30, 1989 Copies of order put in Gary Fabian and Kathleen Nelson's box and copies mailed to Bruce Smith and plaintiff and defendant.

Sept. 25, 1989 Motion to Refer Back To Mediator and Order filed. AND NOW, this 25th day of September, 1989, motion granted. Robert L. Walker, J

Sept. 26, 1989 Copies of order put in Gary Fabian and Kathleen Nelson's box and copy mailed to Bruce Smith

May 25, 1990 Motion For Withdrawal As Counsel Of Record and Order filed. And now, May 25, 1990 Gary A. Fabian is hereby withdrawn as counsel of record for Plaintiff Michael J. Petruso in the above-referenced action. P. Richard Thomas, J

May 30, 1990 Copies of order put in Gary Fabian and Kathleen Nelson and copy mailed to Bruce Smith

July 30, 1990 Stipulation and Consent Custody Order filed. AND NOW, this 30th day of July 1990, after Mediation and upon recommendation of the Child Custody Mediator, it is here by Ordered and Decreed that:

1. The natural parents of Mandy Leigh Petruso, age eleven, and Michael James Petruso, age eight, the parties to this action, shall share legal custody of tshe 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 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 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 form 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 wife, Colleen Petruso, or by another person found acceptable to the mother by prearrangement. Pick-up and drop-off of the children shall occur at th emother's residence, or ifthe mother uses an out-of-hoe babysitter, the children will be picked up and dropped off at the babysitter's residence. MOther shall notfiy father by 8:00 o.m. of the Wednesday preceding a visitation as to where the chidlren may be picked up and dropped off. Mother shall use all reasonable efforts to place the children with a babysitter who resides as close as possible to the joint residences of mother and father. If the fathe rism ore than one-half hour late for a scheduled pick-up of the children 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 inthe 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.

c. Holiday visitation shall take priority over other scheduled visitation. The parties are encouraged to agree as to holiday visitation; howevery, in the event that they cannot, during odd=numbered years, beginning in 1989, th emother shallhave the childrenon the 4th day of July and Easter. The father shallhave 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 be 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 other 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, and shall spend Saturday from 9:00 a.m., prevailing time, through Sunday at 8:00 p.m. prevailing time, ofthe 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:: p.m., prevailing time, and shall spend Christmas Day with the mother.

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

4. Neither of the parents shall take the children into nay environment which might be commonly throught of as detrimental to their development or to their character or which would be commonly thought to be dangerous to their physical persons. Specifically, neither mother nor father shall transport the children in a vehcile which is not equipped with seat belts.

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 or the children's schedules,they may adjust the physical custody arrangements accordingly and are encourage dto do so by mutual consent and agreement. In the event that either parent intends tohave the children more than twenty-five miles from the City of Meadville for more than twenty-four hours, he or she shall notify the other parent of that fact, the extent 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 other parent.

6. Each of the parents and all of those who are in the company of the parents at anytime or those who live with the parents, including grandparents and others, will teach the childrento show that love and respect due a parent from his or her children, and neither of the parents, nor anyone related to or living with the parents or in the parents' homes, will do anything to blacken the character ofth eother parent in the eyes of the childrne.

BY THE COURT,
Gordon R. Miller, J
July 31, 1990 Copies of order put in Gary FAbian and Kathleen Nelson's box and copy mailed to Bruce Smith

Continued to Page 614 A

Jun. 16, 1994 Petition to Modify Custody and ORDER filed. AND NOW, this 21 day of June, 1994, it is ordered that all parties in the above captioned case and their counsel shall appear for a mediation conference before Mediator Bruce Smith, Esq., 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:
Anthony J. Vardaro, J.

6-21-94 Faxed to Attys.Irwin, Nelson & Smith

July 25, 1994 TEMPORARY ORDER OF COURT, filed. AND NOW, this 22nd day of July, 1994, after additional Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Mandy Leigh Petaruso, age fifteen, and Michael James Petruso, age twelve, the parties to this action, shall share legal custody of the said minor children. Said joint legal custody being shared shall entitle both of the parents to equal access to any records relating to the children held by a third party, including, but not limited to, school and medical records, and shall also entitle both parents to equal input with regard to the educational and religious upbringing of the children, as well as to any elective surgery.

2. Primary physical custody of the child, Michael, shall remain with the natural mother, Kimberly A. Petruso. The father shall be entitled to the same visitation with Michael as is outlined as being available for the mother with the child, Mandy. Primary physical custody of the child, Mandy, shall be transferred to the father, Michael J. Petruso. The defendant mother shall be entitled to temporary physical custody of the child, Mandy, and the plaintiff father shall be entitled to temporary physical custody of the child, Michael as follows

a. Each child shall visit in the home of parent with whom she/he does not live on the first, second, and fourth weekends of each month from Friday at 6:00 p.m., prevailing time, until 8:00 p.m., prevailing time, Sunday. Transportation of the children shall be provided by the father and shall be actually done by him. Under no circumstances will the children's stepmother, Colleen Petruso, transfer the children to or from the natural mother's residence.

b. During the summer of each year, including 1994, each child shall be in the home of the parent with whom she/he does not live at least one full week from Saturday at noon, prevailing time, until the following Sunday at noon, prevailin time, during each of the months of June, July, and August. Each parent shall give the other a written notice of fifteen (15) days of those weeks.

c. The paraties are encouraged to agree as to holiday visitatiion; however, in the event that they cannot, during seven-numbered years, beginning in 1994, the mother shall have the children on the 4th of July and Easter Day. The father shall have the children on Memorial Day and Labor Day. These holidays shall be from 8:00 a.m. until 8:00 p.m., prevailing time. In even-numbered years, these holidays shall be reversed. Each child shall spend her/his birthday with the mother. Father's Day shall be spent with the father, and Mother's Day shall be spent with th mother. In even-numbered years, Thanksgiving Day, from 8:00 a.m. until 8:00 p.m., prevailing time, shall be spent with the father. Christmas Day, ldurign the same time period, shall be spent with the mother. These holidays shall be reversed during odd-numbered years.

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 requiring medical treatment.

4. Neither parent shall take either of the children into any environment which might be commonly thought of as detrimental to their development or to the development of their character or which would be commonly thought of as danagerous 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 acommodate their and/or the children's schedules, they may adjust the physical custody arrangements accordingly and are encouraged to do so by mutual consent and agreement. In the event that either parent intends to have either of the children more than twenty-five miles from the City of Meadville for more than twenty-four hours, he/she shall notify the other parent of that fact, the extent and purpose of the absence, and the destination. However, if it occurs at a time when custody is in the parent taking the children ou of the jurisdiction, no permission needs to be obtained, but the information must be given to the other parent.

6. In light of the extremely high level of animosity existing between the natural mother's family and the natural father's family, both families are directed to not characterize this Order of custody of the children as a victory for either parent or either family because the psurpose of this Order is to seek the best interest of the two children. Any adult coming into regular contact with the children, including parents, grandparents, and stepparents, shall make a conscious effort to teach the children to develop and express that natural love and respect due a parent, grandparent, stepparent, or other significant adult. None of the aforementioned adults (nor anyone related to or living with either of the parents) will do or say anything to blacken the character of either parent or any adult relative, by blood or marriage, in the eyes of the children.

7. This Order shall not prejudice the right of either party to request further Mediation if there are changed circumstances in the lives of the parties or the children or in the event that the best interest of the children would be served by further Mediation.

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

9. The fee for Child Custody Mediatiion shall be paid by the plaintiff fahter.

10. This Order shall be a Temporary Order, but shall become a permanent Order unless exceptions are filed by either party within ten days from the date of this Temporary Order.

BY THE COURT:
Aug. 2, 1994 Faxed to Irwin, Smith, Fabian, Nelson; and, sent to Plf. & Dft. Gordon R. Miller, P.J.

Aug. 8, 1994 Notice of Appearance of Barbara J. Walton, Esquire on behalf of Defendant, filed.

Aug. 10, 1994, Request of defendant for Hearing De Novo and Order filed. ORDER: AND NOW, this 9 day of Aug., 1994, the above request for Hearing DeNovo is hereby granted and shall be scheduled for the 8 day of Sept. 1994, at 1:30 p.m. in C. R. No. 1 or 2 of Crawford County Courthouse, Meadville, Pa. 16335.

By the Court,
Anthony J. Vardaro, J.

8/10/94, copies faxed to Walton, Brode, Keenan and Pineo.

Dec 6, 1994

Oct 11, 1994 STIPULATION AND CONSENT TO ENTRY OF CUSTODY ORDER and ORDER filed. AND NOW, this 7 day of October, 1994, upon presentation of the Stipulation and Consent of the parties, attached hereto,and after consideration of same,it is hereby ORDERED, DIRECTED and DECREED that:

1. Legal and physical custody of the parties' two minor children shall be shared between the mother, Kimberly A. Petruso and the father, Michael J. Petruso.

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. Physical custody of Michael Petruso shall be with the natural mother. Physical custody of Mandy Petruso shall be with the father.

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B

1989

Michael J. Petruso
vs.
Kimberly A. Petruso

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4. The 1st and 3rd weekends of every month both children shall be in the custody of the natural mother; the 2nd and 4th weekends of each month both children shall be in the custody of the father. Weekend visits shall commence at 6:00 p.m. Friday and end at 8:00 p.m. Sunday. Weekends shall be designeated by the month in which the first Friday falls. In months where there are five weekends, there shall be no visitation except by mutual agreement of the parties.

5. The natural mother shall have the right to visit with Mandy on Tuesday nights between the hours of 5:00 p.m. and 9:00 p.m. Transportation shall be split between the parties for this visitation. In the event Mother chooses an alternate night for her weekday visitation she shall provide transportation to and from said visit.

6. During the months of June, July and August each year, each child shall b ein the home of the parent with whom he/she does not live at least one (1) full week from Sunday at 12:00 Noon until the following Sunday at 12:00 Noon. Each parent shall give the other a written notice fifteen (15) days prior to the week when visitation is requested.

7. Holiday visitation shall be arranged as follows:

A. During even numbered years, the mother shall have the children on the 4th of July and Easter Sunday. The father shall have the children on Memorial Day and Labor Day. These visits shall be from 8:00 a.m. until 8:00 p.m. During odd numbered years these holidays shall be reversed.

B. In even numbered years, Father shall have custody of the two children on Thanksgiving Day from 8:00 a.m. until 8:00 p.m. During odd numbered years this holiday schedule shall be reversed.

C. Christmas Day visitation shall be split between the parties. In odd numbered years Father shall have the children in his custody from 9:00 a.m. until 2:00 p.m. Mother shall have the children in her custody from 2:00 p.m. until 8:30 p.m. In even numbered years this schedule shall be reversed.

D. The children shall spend Father's Day with Father from 9:00 a.m. to 8:00 p.m. and Mother's Day with Mother during the same hours.

E. The parent not having physical custody of either child on his or her birthday shall be entitled to visit with said child either the day before or the day after the birthday for a minimum of 4 hours.

F. The holiday visitation schedule shall take precedence over the other provisions of this order relating to the custodial or visitation periods.

8. Should it be necessary for either party to cancel or modify the visitations as set out in this Order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation ormodification. Said modification or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternate visits or to make alternate arrangements.

9. 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, except as outlined in Paragaraph 5 above.

10. 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.

11. Neither party shall use illegal drugs or be intoxicated at any time when said party has the care and custody of the subject minor children.

12. Neithe party shall do or say anything to blacken the character of the other in the children's estimation. Each party shall treat the other in a polite and respectful manner when in the children's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the children's estimation.

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

BY THE COURT:
Anthony J. Vardaro, J.

Dec. 7,1994 Faxed Irwin, Nelson, Walton, Smith

Sharon A. Schreckengost

vs.

Randall C. Schreckengost

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AD 1989-793

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to blacken the character of either parent in the eyes of the children.

7. This Order shall not prejudice the right of either party to request a Mediation Conference if the best interest of the children dictate that such a conference should be held.

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 resides 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 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 (30) days from the date of this Temporary Order.

BY THE COURT,
Robert L. Walker, Judge

Oct 3, 1989 Copies of order put in Atty. Kirkpatrick's Box and copies mailed to Attys. Barnhart and Smith and Plaintiff and Defendant.

Feb. 26, 1990, Plaintiff's Affidavit of Consent Under Section 201(c) of the Divorce Code filed.

Jan. 28, 1991, Affidavit of Consent of defendant filed.

Mar. 28, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

April 7, 1995 AND NOW, this 5 day of April, 1995, IT ISORDERED AND DECREED that SHARON A. SCHRECKENGOST, Plaintiff, and RANDALL C. SCHRECKENGOST, 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.

616.

1989

Joyce A. Stevens

vs.

David L. Stevens

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11. Defendant shall be enttiled to claim all dependency exemptions for Amenda on his Federal, State and Local income tax returns and Plaintiff shall be entitled to claim all dependency exemptions for Mark on her Federal, State and Local income tax returns.

12. Visitation and custody shall be as provided for in the Separation and Property Settlment Agreement of the parties dated July 7, 1989 and incorporated herein by reference.

P. Richard Thomas, J

1989

Est. of William G. Eggleston
by Joann M. Moore, Adm C.T.A.

vs.

Lulu M. Boyle, Elmer E.
Boyle, a/k/a E.E. Boyle
Alice L. Almendinger,
Adrian Almendinger,

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Oct. 18, 1989 Copies of order to Atty. Tamara Ochs Rothchild.

And Now, Nov. 20, 1989 at 8:58 a.m. upon praecipe of plaintiff attorney, Final Judgment is hereby entered in this case, in favor of the plaintiffs and agasint the defendants pursuant to the foregoing Order of Court.
Judgment entered - 11/20/89
B - 318-51-51
A-11-11-91-91-131-171-41-71-141
C - 114-174

FINAL JUDGMENT
James F. Simmons,
Prothonotary

618.

1989

Steven F. Hoffman

VS.

Melanie A. Hoffman

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It appears that on or about Dec. 22, 1989, the father moved temporarily or permanently to the State of Nevada, and it appeared to both counsel that any dispute regarding custody and visitation could more economically and expeditiously be handled in the courts of Nevada. Accordingly, the Court was presented with an oral request by counsel for the Plaintiff to either continue or discontinue the present action in Crawford County.

Accordingly, we will continue this case generally, and if neither party files a motion to reschedule this case for hearing by Feb. 15, 1990, this Court directs that the present matter be discointinued in Crawford County to the end that either party requesting litigation of the custody issue in Crawford County must commence a new action.

Date: January 11, 1990

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

Jan. 15, 1990 Copy of Order to Attys. Brian Lindsay, Mary Ann Kirkpatrick, William Pineo.

Pamela M. Watson

vs.

Blaine Watson

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arrangements will have to be made by the father on Fridays for the child to attend school.

3. The parents 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 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. Neither of the parents shall become intoxicated from the use of alcohol while the children are in their custody, nor shall they use any drugs not prescribed by a physician while the children are in their 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 or the children's schedules, they may adjust the physical custody arrangments accordingly and are encouraged to do so by mutual consent and agreement.

6. Each of the parents, and any person spending a great deal of time with the parents, including grandparents, will teach the children, to demonstrate that love and respect due a parent from his or her children, and neither of the parents or anyone spending time with the parties will do anything to blacken the character of the other parent in the eyes of the children.

7. This Order shll not prejudice the right of either party to request further Mediation if said Mediation is believed to be in the best interest of the children. Use of drugs by either parent would be a circumstance.

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 resides 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 60% by the mother and 40% by the father.

10. This Order shll 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, Judge

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 Novo 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, Pennsylvania, to hear the parties' petitions for custody. Time 9:30 .m.
Imogene Yetman, C.A.

Nov. 16, 1989 Copies of order mailed to Ann H. Gamble and Bruce Smith and copy put in Mary Ann Kirkpatrick's box.

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 ORDER 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 as 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 H. Gamble, Bruce Smith and Mary Ann Kirkpatrick's ,esqs.

Jan. 9, 1990 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.
By the Court,
Gordon R. Miller, J

Jan. 9, 1990 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 ann Dennis Watson shall be available during the hearing.
By the Court,
Gordon R. Miller, J

Jan. 9, 1990 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 here by the Mr. Watson, Mrs. Kirkpatrick caused 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

RECORD CONTINUED ON
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~~Jan. 23, 1991, Answer to Petition for Special Relief filed.~~

620.

1989

Mark Harned

vs.

Linda L. Greenwalt

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A.D. 1989 - 1013

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6. Each party shall teach said child togive to the other party that love, respect and obediance 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 sahllinstruct 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. Costs and fees of this Mediation, which are fixed at $182.00, are divided equally between the parties. The Mediator has noted for the Court that the mother is indigent and qualifies for the services of Northwest Pennsylvania Legal Services Inc., Her share is therefore assessed to Crawford County. The father's share is assessed to him as costs in this case. Payment shall be made to the Prothonotary of Crawford County.
12. Either party may move the Court for a hearing de novo for thirty (30) days from date hereof. If neither party to moves, this Order shall be considered permanent.

By the Court,
Gordon R. Miller, J

Mar. 26, 1990 Copies of order put in William Gregg, Gerald Sullivan and William Pineos box and copy mailed to Plaintiff.

Albert W. Lewis, III,
Albert W. Lewis, Jr., And
Happy Lewis

VS.

Laura Osborne Hebets

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OF

AD 1989 - 692

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9. The fee for the Child Custody Mediator shall be paid 70% by the father and 30% 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 (30) days from the date of this Temporary Order.

By The Court:
Robert L. Walker, Judge

Oct. 24, 1989 Copy of Order to Attys. Ann H. Gamble, Robert J. Felton, Bruce L. Smith.

Nov. 15, 1989 Motion for hearing De Novo and Order filed. AND NOW, this 14th day of November, 1989, hearing is set forth the 11th day of December, 1989, at the Crawford County Courthouse, in Courtroom #1 or 2 at Meadville, Pennsylvania, to-her the parties' petitions for Custody. time 9:30 a.m.
Imogene Yetman, C.A.

Nov. 15, 1989 Copies of order mailed to Ann H. Gamble, Robert Felton & Bruce Smith

Nov. 22, 1989 Motion and ORDER filed. And now, this 22 day of November, 1989, hearing is set for the 19 day of Dec. 1989, in Courtroom #1, at 1:30 P.M. o'clock, in Crawford Co. Courthouse, in Meadville, PA.

P. Richard Thomas, J.

Nov. 27, 1989 Copy of Order to Attys. Ann H. Gamble, Robert Felton, Bruce L. Smith.

Dec. 20, 1989, Motion to Continue Hearing and Order filed. ORDER OF COURT: AND NOW, Dec. 20, 1989 hearing is set for the 25 day of January, 1990 in C. R. No. 1 or 2 of the Crawford County Court House at 1:30 p.m., Meadville ,Pa.

Imogene Yetman, Ct. Adm.

Dec. 21, 1989 copies to Attys. R. Felton, A. Gamble and Bruce Smith.

Jan. 29, 1990 Order filed. AND NOW, January 25, 1990, at the time set for hearing, the Defendant/Mother and her counsel fail to appear. The Court got in touch with counsel and either through misscheduling, oversight or lost mail, this hearing did not appear on his schedule for this date, and it appears, also, that the Defendant may not have received personal notice from her attorney of the hearing schedule this date. Accordingly, we continue this hearing until February 21, 1990 at 1:00 p.m. in Courtroom 1 or Courtroom 2.

In the interim period, the temporary Order signed by this Court October 23, 1989 shall continue in full force and effect regarding visitations and temporary custody of the child.

In view of the fact the hearing is scheduled during the civil jury trial term, counsel are DIRECTED to contact the Court Administrator in the morning of February 20, to ascertain if the hearing is still to be held on February 21st at 1:00 p.m.

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

Jan. 31, 1990 Copies of order mailed to Ann Gamble, Robert Felton and Bruce Smith

Feb. 16, 1990 Order Changing Custody Hearing Date filed. And now, February 16, 1990, it appearing that Judge P. Richard Thomas and Judge Gordon R. Miller will still be involved in civil jury trials the week of February 19, 1990, hearing in the above captioned matter set for February 21, 1990, is hereby reset for March 22, 1990, at 1:30 p.m., in Courtroom No. 1 or 2 of the Crawford County Courthouse.

FOR THE COURT,
Imogene Yetman, C.A.

Feb. 16, 1990 Copy mailed to Atty's.

Mar. 16, 1990, Motion to Continue and order filed. ORDER: AND NOW, this 16 day of March, 1990, hearing onthe within matter is continued to the 11th dayof April 1990, in Courtroom No. 1 or 2, at 9:30 a.m. in Crawford County, Courthouse, Meadville, Pa.

Imogene Yetman, Ct. Adm.

Mar. 20, 1990 copies to A. Gamble, R. Felton and Bruce Smith.

Mar. 27, 1990, ORDER SCHEDULING CUSTODY HEARING filed. And now, Mar. 26, 1990, hearing in the above matter heretofore set for April 11, 1990, is hereby reset upon request of counsel for April 19, 1990, at 1:30 p.m. in Courtroom No. 1 or 2.

FOR THE COURT,
Imogene Yetman, Ct. Adm.

Mar. 27, 1990, copies of order to A. Gamble, R. Felton.

Apr. 16, 1990, Appearance of Mahany, Roeder & Rothschild, by Tamera Ochs Rothschild, attorneys for defendant filed.

Apr. 18, 1990 Motion for leave to withdraw as counsel by Robert J. Felton and Order filed. And now, April 17, 1990 motion granted.

P. Richard Thomass, J

Apr. 18, 1990 copies of order mailed to Ann Gamble, Tamera Rothschild and Robert Felton

Apr. 23, 1990 Order filed. AND NOW, April 19, 1990, after de novo hearing, the Court finds the plaintiff father and grandparents have failed to carry the burden of proof in their contention that the mother is an unfit person to have custody of the four-year-old child Winter. ACCORDINGLY, the Court awards primary custody of said minor child Winter to the mother.

The court cautions the mother that the testimony and by her own admission she has abused controlled substaances and alcohol in the past and if in the future she resorts to said practices and the Court is satisfied of the same, there is a good liklihood that this Order of custody could be modified or changed.

Visitiation and custody of the fther presents problems because he is in the military service and after a one-month cruise in the month of May will leave for sea duty from June until December and will not be able to have visits with his child. The Court is satisfied that Albert Lewis, Jr. and Happy Lewis, the paternal grandparents, are a good influence on the child and should be accorded reasonable grandparents visits with the child, hopefully coordinating some of said visits with times when their son will be on leave from the military service at their home.

The Court also notes for the record the mother plan marriage to one Ed Lamb on or about April 28, 1990, and plans on continuing residence with Mr. Lamb at their present jointly shared residence.

Continued on the next page

622.

1989

Albert W. Lewis, III,
Albert W. Lewis, Jr. and
Happy Lewis

vs.

Laura Osborne Hebets

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of record

A.D. 1989 - 692

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The Court directs the parties and their counsel to attempt to reach a satisfactory temporary custody and visitation arrangement along the lines envisioned by the Court and either agree in writing to the present custody and visitation Order or midify the same or reach an entirely new agreement that carries out the intentions of the Court as expressed above. If the parties are unable to do so, the Court will have to enter such an Order in absence of an agreement among the parties.

It is the intention of the Cour tin this Order that both parties have shared legal custody of this child, but obviously the primary physical custody of the child at this time will have to repose in the mother. The mother shall make certain that the father receives promptly all information regarding the health, schooling and any problems that the child may encounter.

SUPPLEMENT TO CUSTODY ORDER

After dictating the above Order, the Court is advised by counsel and the parties that they have reached an amicable resolution for modification of the present visitation agreement signed by the Court on October 23, 1989. The agreement will be modified, however, once the child starts a Head Start schooling program in September of 1990 as follows:

Weekend visits at the home of the grandparents will be on the second and fourth weekends of every month starting in September, 1990. These visits will be hald whether or not the father is able to be at the home of the grandparents. During the normal school year, if to accommodate the father's scheduling, hw wishes weekends different than the second and fourth weekends, the mother will be required to change said weekends providing she receives two weeks advance notice. Unless the parties otherwise, weekend visits shall run from Thursday night at 7:00 p.m. until Sunday night at 7:00 p.m.

In 1990, the father may have the child during the month of June at his military base in Virginia.

Commencing in 1991, the father may have the child for three non-consecutive two-week periods that shall occur in the months of June, July and August, and it shall be the father's responsibility to give the mother two weeks notice of when these visits will be taken in each of the three months.

The Christmas visits in the prior agreement are modified to the end that the father willhave the child for a Christmas visit in 1990 and the even years thereafter. In the even years, the visits for Christmas will be December 24th at 8:00 p.m. until December 28th, at 7:00 p.m. In the odd-numbered year, the father's Christmas visit shall be December 28th at 7:00 p.m. until January 1 at 7:00 p.m.

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

Apr. 25, 1990 Copies of order mailed to Ann Hansen Gamble and Tamera Rothschild.

SUSAN CAMILLE THOMPSON

VS.

JOHN WARREN ROYAL , JR.

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AD 1989-1009

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AND NOW, Nov 3, 1989 @ 11:31 A.M. Upon Praecipe of Plaintiff's Attorney this action is indexxed against the defendant in judgment index as a Lis Pendens, per that attached stipulation and agreement.

624.

1989

Brenda S. Barker

VS.

Leonard E. Barker,Jr.

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VIII. 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.

IX. 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.

X. 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.

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

P. Richard Thomas, Judge

Jan. 15, 1990 Copy of Order to Atty. William Walker, John Fuller and Defendant.

WILLIAM E. BOYLES AND JUDITH A. BOYLES, HIS WIFE

VS.

CONRAD B. DELP

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Dec. 15, 1989 Order filed: AND NOW, December 8, 1989, after hearing and after interview with the children in chambers, the Court believes the best interest of the children at this time will be to let them remain in the custody of the maternal grandparents, with the ultimate goal of the Court being to return them to the custody of their natural father and stepmother at the end of the school term in the Spring of 1990.

At the time of the hearing, ti appeared that the stepmother's daughter will be returning to the home of the mother in the immediate future and the Court believes it should review how this situation progresses at a review hearing in the future to see if it would impact on the return of the two minor children tc the home.

The Court's additional concern expressed to the parties before entry of this Order is that the living arrangements with stepmother's child Ursula and occosional visits and perhaps a summer stay by stepmother's natural son makes for a very crowded condition in the limited living arrangements the parties now have. The father advises the Court he has planned and has secured the consent of the landlord to expand the trailer and the Court expresses its opinion that it would be in the best interest of the family to have additional living arrangements if the two minor children here at issue are to be returned to the home of the father.

The Court notes there has been a compatible relationship regarding visitations between father and grandparents and the same is provided for in an earlier Order entered August 31, 1989. Accordingly, the visits with the father will continue as set forth in the aforesaid Order.

Review hearing is set for May 24, 1990, at 1:30 p.m., at which time, the Court will receive further formal and informal testimony and input and unless the Court is convinced at that time that it is not in the best interest of the children, the Court projects and Order returning the children to the custody of the father at the end of the school year with liveral visitation rights to continue with the grandparents.

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

Dec 15, 1989 Copies of order put in Attys White, Youngs and Fuller's Boxes and copy mailed to C&Y.

May 25, 1990 Order filed: AND NOW, May 24, 1990, the matter is back before the Court for review in accordance with this Court's Order of December 8, 1990. The facts are reviewed informally and it appears the children have continued to progress satisfactorily in the home of the grandparents. The father and stepmother no longer live in the trailer home they occupied in December, but have now moved to a rental four-bedroom residence at 316 East Elm Street, Titusville. The Court desires an inspection of the home and made a brief written report and recommendation to the Court as to whether or not the needs of the Eight (8) and Six (6) year old female children involved in this custody action can be adequately met in the new residence.

Custody of the children shall be returned to the father the weekend of June 8-10 at such time as father and grandparents mutually arrange.

The Court is desirous that a close relationship be maintained between the children and grandparents, and accordingly, establishes the following weekend visitation schedule: Commencing with the month of June and monthly thereafter, the grandparents are entitled to have custody on the second weekend of every month commencing Friday after the chidlren are finished with school and terminating Saturday at 8:00 p.m. On the fourth weekend of every month, the grandparents shall be entitled to have custody of the children from Friday at 6:30 p.m. until Sunday at 6:30 p.m. It shall be the responsibility of the grandparents to pick up and return the chidlren on these visits.

In addition, the grandparents shall be entitled to custody of the children on Christmas Day from 5:00 p.m. until December 27th at 7:00 p.m.

In view of the compatible relationship between father and grandparents, the Court sets no further visiation schedules for the grandparents, but leaves to father and grandparents to arrange any further special visits to accomodate the children, the father or the grandparents, but said extra visits may not exceed one (1) extra visit per month and may not be in excess of eight (8) hours unless the parties agree otherwise.

The Court hopes to receive a report from Children & Youth Services on the adequacy of the home in Titusville as noted aforesaid on or before June 7, 1990. In the event the report does not recommend the home as being suitable for the children, the Court will notify counsel for the parties that the transfer of custody is to be rescinded until further hearing can be held.

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

May 30, 1990 Copies of order put in Attys. White, Youngs and Fuller's boxes and copy to C&Y S.

626.

1989

Laurie M. McFarland,

vs.

Daniel Lee McFarland

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of record

A.D. 1989 - 577

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c) The parties have previously distributd all other tangible personal property.

3. Alimony: In accordance with Paragraph 16, of the March 22, 1990, agreement neither of the parties hereto shall be awarded alimony.

4. Counsel Fees, Costs, and Expenses: It is ordered and decreed that in accordance with Paragraph 15 of the Separation and Proper ty Settlement Agreement dated March 22, 1990, that Husband has delivered to Wife's attonrey th esum of Three Hundred Dollars ($300.00) and that this will be the only sum constriubted by the husband for the payment of the fees incurred by the wife.

5. Other Matters: The Court recognizes that the issue of child custody has been resolved by a Consent Order entered by this Court at No. A.D. 1989 - 402.

6. A copy of the separation and Property Settlement AGreement of the parties, dated March 22, 1990, which sets in further detail the agreement of the aprties concerning the matters herein, shall be filed with this Decree inthe Prothonotary's Office at the above number and term.

7. Noother 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 10th day of April, 1990.

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

1. You will not go to the residence of your wife for any purpose. In the event it is necessary to discuss matters pertaining to the divorce, pertaining to the children, or pertaining to amicable division of marital property or any other subject, you will meet at some place other than the home and during said meeting, either attorney, a mutually agreed upon friend, or another mutually agreed upon disinterested person will be present.

2. There appears to be problems concerning each party having their own mailbox on the premises and the wife contending that the husband is picking up her mail and not forwarding it to her. Accordingly, it shall be a condition of this Order that the husband shall not pick up his wife's mail and in the event her mail is mistakenly delivered to his mailbox he will deposit the same unopened in the mailbox on the premises of the marital property which the wife uses.

3. The parties have a mutually satisfactory arrangement regarding child visitations between children and father. At such time as the father goes to the premises to pick up and return the children, he will not harass, threaten, or annoy the wife in any fashion and under no circumstances in picking up and returning the children will he go in the house or on the porch.

4. If there are any costs incurred in the Prothonotary's Office as a result of processing this contempt case, the Defendant will pay the costs within ten(10) days of being billed from the Prothonotary's Office.

BY ORDER OF THE COURT,

P. Richard Thomas, P.J.

Jan. 11, 1990 copies of order to Howard Hain, esq., Plaintiff and County Control

in error
AD 1989.
928

→ Feb. 21, 1991 Motion To Withdraw Count II For Equitable Distribution Of Property and Order filed. AND NOW, this 21 day of February, 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 William Walker's box and copy mailed to Howard Hain

628.

1989

Don J. Donatelli

vs.

Linda L. Donatelli

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of record

A.D. 1989 - 695

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The Court postulated that additional sums should be due the wife whether considered as spousal support, alimony pendente lite, or additional child support. The Court believes, and neither counsel took strenuous objection to the fact, that the guidelines for support are not too relevant inthis peculiar case. Accordingly, the Court directs that commencing with the month of March, 1990, the plaintiff/husband shall pay for the support of the wife and th eone minor child residing with her the sum of $1,150.00 per month in two equal monthly payments to be made on or before the 5th and 20th of each and every month direct to the wife. Those payments shall be considered as alimony pendente lite and child support.

Current attorney fees incurred by the wife have a balance due of $931.00 and the defendant will pay this balance to Attorney Kulwicki on or before March 15, 1990. In addition, the husband will pay additional attorney fees to Attorney Kulwicki of $1,000.00 on or before April 15, 1990. No further attorney fees will be automatically awarded without prejudice to the right of the wife to petition the Court for additional attorney fees if the matter becomes protracted.

There is confusion between the parties regarding interrogatories requesting corporate and individual tax returns. By agreement ofthe aprties and their counsel, the full and complete corporate and individual incme tax returns of the h usband for the years 1984 through 1988 will be copied in their complete form and submitted to Attorney Kulwicki on or before March20, 1990. If this divorce is not completed before the filing of the 1989 corporate and individual tax returns, a copy of the smae will be submitted to attorney Kulwicki without further Order of Court upon the time they are filed.

It is contemplated by counsel for the wife that he may have the expense of having a review of the aforesaid corporate and individual tax returns made by an accountant of his choice. If such is the case, the Court will entertain a petition for accounting fees in a reasonable amount to accomplish an execution andbrief opinion on said returns to aid counsel for the wife in further court proceedings in this divorce action.

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

Mar. 12, 1990 Copies of order put in R. Charles Thomas and Joseph Kulwicki's box.

Mar. 23, 1990 Petition For Contempt and Order filed. AND NOW, this 23rd day of March, 1990, upon presentaton and consideration of the within Petition, a Rule is hereby entered upon the Plaintiff, Don J. Donatelli, to show cause, if he any he has, why the prayer of the Petitioner should not be granted.

RULE RETURNABLE on the 5th day of April, 1990, at 11:00 a.m. in Courtroom No. 1 of the Crwford County Courthouse,

BY THE COURT,
Robert L. Walker, J

Mar. 23, 1990 Copies of order put in Joseph Kulwicki and R. Charles Thomas' box.

May 11, 1990 Petition For Additional Counsel Fees and Costs and Order filed. AND NOW, this 11 day of May, 1990, upon presentation and consideration of the within Petition, a Rule is hereby entered upon the Plaintiff, Don J. Donatelli, to show cause, if he any he has, why the prayer of the Petitioner should not be granted.

RULE RETURNABLE on the 28 day of June, 1990, 1:30 PM in Courtroom No. 1 or 2 of the Crawford County Court House.

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

May 15, 1990 Copies of order put in Joseph Kulwicki and R. Charles thomas' box.

May 11, 1990 Motion For Sanctions For Failure To Answer Interrogatories and Order filed. AND NOW, this 11 day of May, 1990, upon presentation and consideration of the within Motion, a Rule is hereby entered upon the Plaintiff, Don J. Donatelli, to show cause, if any he has, why the Motion of the Defendant should not be granted.

RULE RETURNABLE on the 28 day of June, 1990, 1:30 pm in Courtroom No. 1 or 2 of the Crawford County Court House.

BY THE COURT:
P. richard Thomas, J

May 15, 1990 Copies of order put in R. Charles Thomas and Joseph Kulwicki's box.

June 22, 1990, Petition for Accountant's Fees and Costs and Order filed. NOW, June 22, 1990, a hearing is scheduled for June 28, 1990 at 1:30 p.m. in Court Room No. 1. A copy of this Petition and order shall be served by counsel for defendant on counsel for plaintiff forthwith.

Gordon R. Miller J

June 22, 1990, copies to Jos. Kulwick and R. C. Thomas, Esqs. (box)

June 28, 1990 Motion To Continue Hearing and Order filed. AND NOW, June 28, 1990, continued to August 1, 1990, at 9:30 a.m., Courtroom I

For The Court,
Imogene Yetman, C.A.

June 28, 1990 Copies of order put in Joseph Kulwicki and R. Charles Thomas' box.

Aug 1, 1990 Motion for Continuance and Order filed: AND NOW, August 1, 1990, Upon presentation and consideration of the within Motion, this case is continued to the 14th day of August, 1990 at 10:30 A.M. Courtroom 1.

Imogene Yetman, Ct. Adm.

Aug 2, 1990 Copies of order put in Attys. Thomas and Kulwicki's boxes.

Aug. 16, 1990 Motion to Continue Hearing and Order filed. ORDER: AND NOW, August 14, 1990 this matter is continued to September 26, 1990 at 2:30 PM in court Room 1 or 2.

BY THE COURT,
Gordon R. Miller, J.

Aug. 20, 1990 copies of order to R. Charles Thomas and Joseph Kulwicki (boxes)

Oct 2, 1990 Order filed: AND NOW, September 26, 1990 this divorce matter is back before the Court on the following issues as contended by the Defendant:

1. Request for Sanctions against the Plaintiff for failing to answer original or additional interrogatories. In response to this, counsel for the Plaintiff advises that on this date he left said answers in the office of the attorney for the Defendant, but the attorney for the defendant advises that his busy schedule prevented him from determining whether they were delivered or not. The Court assumes they were delivered, and unless the Court has been misled, the court declines to impose any sanctions for failure to file answers.

2. It is also contended by the Defendant that the Plaintiff is not making the heretofore required alimony pendente lite and support payments in a timely fashion on the 5th and the 20th of the month. There is also a contention by the Defendant that one payment was $50.00 short. It appears that the Defendant has been 2 to five days late in making the required payment on the 5th and 20th of each and every month and the Court Declines to hold him in

Continued on page 628A.....

1989

DON J. DONATELLI

VS.

LINDA L. DONATELLI

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AD 1989-695

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contempt but cautions him that it expects the payments to be made and in the mail on the 4th and 19th of each and every month so they will be received by the defendant on the 5th and 20th of each month. The Plaintiff is directed to ascertain why one payment was $50.00 short if such is the case, to make it up when the next payment is due.

3. There is a petition for accountant fees, and the Court receives as an unfiled exhibit a copy of a letter from Carbis-Walker, a request for a $1,000.00 retainer before examining the 1984 through 1989 individual and corporate tax returns. The Court finds and rules that this request is reasonable and accordingly directs that on or before October 10, 1990, the plaintiff will forward to his attorney the sum of $1,000.00 to act as a retainer for the accountant service. Upon receipt of the same, attorney for the Plaintiff will promptly forward said sum to attorney for the Defendant.

4. Alson before the Court is a petition for additional counsel fees and costs, with Attorney Kulwicki presenting copies of his account records showing rates roughly at $90.00 per hour and an unpaid balance due in attorney fees in the sum of $2,867.75 as of August 30, 1990.

Counsel for the Plaintiff alleges that the counsel fees are reasonable for the amount of work that would have had to be performed to successfully defend this case and requests a hearing before the Court to examine counsel for the plaintiff under oath regarding attorney fees.

This Court has no desire to expend lengthy Court time in passing on this matter, but advises both counsel that if a written request to schedule a further hearing regarding the amount and necessity for attorney fees is received within 15 days of this date, that the Court will appoint another attorney acting as a special master for the Court to hold a hearing on this narrow issue and file a report with the court. It shall be the obligation of counsel for the Plaintiff to present such a petition to the Court. Once the hearing is held and a report is received from the master, the Court reserves the right to allocate the cost of master fees and additional attorney time fees equitable between the parties and request the master to make a recommendation in regard thereto.

In the meantime, the plaintiff is directed to pay an additional $1,000.00 toward counsel fees on or before October 17, 1990 and the Court notes that counsel fees ordered herewith and counsel fees paid by the Plaintiff will be an issue that may be equitable allocated in the final decree.

5. A further issue appears to be that seemingly former orders, discovery requests or counsel agreements provided that tax returns of the Plaintiff, both individual and corporate, for the years 1984-1989 would be furnished. Counsel for the plaintiff advises they received an authorization for delay in filing the 1989 return, and he does not know yet whether it has bee filed. Counsel for the Plaintiff has no explanation as to why the 1984 return was not included in the material furnished, and he is accordingly directed to procure a copy of the individual and corporate returns for 1984 to complete discovery and deliver the same promptly to counsel for the Defendant.

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

Oct 2, 1990 Copies of order put in Attys. Thomas and Kulwicki's boxes.

Oct. 4, 1990, Invoices for SErvices Rendered filed.

Oct. 22, 1990, Petition for Contempt on behalf of defendant filed.

Oct. 22, 1990, RULE TO SHOW CAUSE filed. 1 copy (atty) AND NOW, THIS 22nd day of Oct. 1990, upon presentation and consideration ofthe within Petition, a Rule is hereby entered upon Don J. Donatelli, to show cause, if he any he has, why the prayer of the Petitioner should not be granted.

RULE RETURNABLE on the 19 day of Nov. 1990, at 11:00 a.m. in C. R. No. 1 or 2 of the Crawford County Courth House.

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

Oct. 24, 1990, copies of rule to Attys. Kulwicki and R. C. Thomas.

Nov. 16, 1990, Motion for Continuance and Order filed. ORDER OF COURT: AND NOW, Nov. 16, 1990, this case is continued to the 30 th day of Nov. 1990, at 2:30 p.m.

Gordon R. Miller, J.

Nov. 21, 1990, copies to R. Thomas, and J. Kulwicki.

Nov. 30, 1990 Motion to Continue and Order filed. AND NOW, November 30, 1990, Granted.

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

Nov. 30, 1990 Copies of order put in Joseph Kulwicki and R. Charles Thomas' box.

JUne 5, 1991, Motion for Appointment of a Master in Divorce and Order Appointing Master filed. AND NOW, June 11 1991 THEODORE H. WATTS, ESQUIRE is appointed Master in respect to the following claims: Divorce, Permanent Alimony.
Equitable Distribution, Counsel Fees and Costs
Deposit required: By Plaintiff: $1,000.00 By Defendant $100.00

Per Curiam,
P. Richard Thomas, S.J.

June 14, 1991 copies to Attys. Kulwicki, R. C. Thomas and T. Watts.

Aug. 19, 1991 INVENTORY AND APPRAISEMENT OF DON J. DONATELLI, filed.

Aug. 23, 1991 Notice of Master's Hearing filed.

Jan. 31, 1992 PETITION TO TERMINATE ALIMONY and ORDER filed. ORDER: AND NOW, this 31st day of January, 1992, upon presentation and consideration of the within Petition, a Rule is granted upon the Defendant to show cause,if any she has, why the award of alimony entered on Mar. 5, 1990 should not be terminated.

Returnable for hearing on the 26the day of February, 1992 at 10:00 a.m. in Court Room No. 1 or 2 of the Crawford County Court House, Meadville, Pennsylvania.

A copy of this Petition to be served upon the Defendant by Certified Mail and upon Defendant's counsel, Joseph F. Kulwicki, Esq., by regular mail.

BY THE COURT,
Anthony J. Vardaro, J.

Jan.31,11992 1copy(atty)

Feb. 7, 1992 NOTICE OF MASTER'S HEARING filed.

Feb. 24, 1992 Motion For Continuance and Order filed. And now, February 24th, 1992 The wihtin Motion is allowed and this case is continued generally, to be rescheduled upon Motion of either party.

Anthony J. vardaro, J

Feb. 27, 1992 Copies of order put in box for Atty's Kulwicki and Thomas

RECORD CONTINUED ON PAGE 628 B.....

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1989

Linda L. Dontatelli

VS.

Don J. Donatelli

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OF

AD 1989 - 695

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March 27, 1992 FINAL DECREE filed. AND NOW, this 25 day of March, 1992, it is ordered and decreed that Don J. Donatelli, Plaintiff, and Linda L. Donatelli, Defendant, are divorced from the bonds of matrimony.

It is further ordered and decreed as follows:

EQUITABLE DISTRIBUTION

1. The Defendant is awarded cash in the amount of Seventy-Five Thousand ($75,000.00) Dollars, which amount shall be paid to the Defendant within fifteen (15) days after the filing of the Final Decree in Divorce.

2. The Plaintiff shall pay to the Marquette Savings Association the unpaid principal balance together with all accrued interest due on a certain Mortgage given by the Defendant to Marquette Savings Association on July 17, 1980, and duly recorded in the Office of the Recorder of Deeds of Crawford County in Mortgage Book, 393, Page 212. Said payment shall be made within fifteen (15) days after the filing of the Final Decree in Divorce.

3. The Defendant is awarded all tangible personal property presently located in the residence in which she resides at RD # 9, Mullen Road, Meadville, Crawford Co. PA. 16335.

4. The Defendant is awarded all other assets, including tangible and intangible personal property over which she had custody and control on or before November 1, 1972.

5. The Plaintiff is awarded all assets over which he had custody and control, both tangible and intangible personal property, on or before Nov. 1, 1972.

6. The Plaintiff acknowledges that all other assets acquired by the Defendant after Nov. 1, 1972, both real property and personal property, are acknowledged to be non-marital property and as uch said property shall be the sole and exclusive property of the Defendant.

7. The Defendant acknowledges that all assets including all personal property and real property acquired by the Plaintiff after Nov. 1, 1972, is non-marital property and as such shall be the sole and exclusive property of the Plaintiff.

8. That the Defendant acknowledges that a certain Separation AGreement entered into by and between the Plaintiff and Defendant dated Jan. 10, 1973 is rescinded.

9. The Plaintiff acknowledges that a certain Separation Agreement entered into by and between the Plaintiff and Defendant dated Jan. 10,1973 is rescinded.

ALIMONY PENDENTE LITE, PERMANENT ALIMONY, COUNSEL FEES AND COSTS

10. That alimony pendente lite awarded to the Defendant pursuant to an Order of Court entered March 5th, 1990, in the amount of $1150.00 per month shall terminate immediately upon the entry and filing of this Final Decree.

11. Counsel fees have been paid on behalf of the Defendant by the Plaintiff pursuant to Count II of the Answer and Counter-claim to Defendant's counsel in the total amount of $3,681.00. Any claim for additional counsel fees are denied.

12. The Plaintiff has paid pursuant to an Order of Court the sum of $1,000.00 in costs, representing accounting fees incurred by the Defendant and thus, any claims for additional costs on behalf of the Defendant are denied.

13. That the Defendant's claim for permanent alimony as set forth in Count II of the Defendant's Answer and Counter-claim is denied.

14. That Master's fees payable to Attorney Ted Watts shall be shared equally between the Plaintiff and Defendant.

By The Court,
P. Richard Thomas, S. Judge

March 31, 1992 Copy of Order to Attys. R. Charles Thomas, Joseph Kulwicki, Theodore Watts.

March 27, 1992 Notice of Election to Retake Maiden name filed, to be known as Linda L. Gratz.

Aug. 3, 1992 Motion For Release Of Master's Fee and Order filed. AND NOW, this 3 day of August, 1992, upon presentation and consideration of the foregoing Motion, the Prothonotary of Crawford County is hereby Ordered to release the Master fees on deposit in the amount of $100 to Theodore H. watts, Master in the above captioned case.

BY THE COURT,
Anthony J. Vardaro, J

Aug. 6, 1992 Copies of order put in box for Atty's Thomas, Kulwicki & Watts

1989

Mildred G. Johnson

vs.

Ivan V. Johnson

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of
AD 1989 - 883

Feb. 6, 1990, Affidavit of Mailing of Order (copy) of Court of Jan. 3, 1990 and Expenses Incurred in Recovering Childrento dft., filed.

630.

1989

DONNA MAE ZIRKLE

vs.

RAYMOND A. ZIRKLE

RECORD CONTINUED FROM PAGE 501

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A.D. 1989 - 1051

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Aug. 10, 1990 Motion For Scheduling of Mediation Conference and Order filed. And now, August 8, 1990, John Fuller is reappointed custody mediator in the above case and shall schedule the necessary hearing. P. Richard Thomas, J

Aug. 14, 1990 Copies of order put in Bruce Barrett, Brian Lindsay and John Fuller's box.

Aug. 21, 1990 Petition to Modify Custody/Visitation filed.

Sept. 20, 1990 ORDER filed. AND NOW, Sept. 18, 1990, after mediation conference before John Fuller, Esquie, the petition to modify the present Custody and Visitation Order dated Dec. 21, 1989 is refused and the parties are directed to comply with the Order of Dec. 21, 1989 and the parties are specifically directed not to engage in any acrimonious or bitter exchange when the custody of the children is being transferred from one parent to the other.

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

P. Richard Thomas,
S. Judge

Sept. 21, 1990 Copy of Order to Attys. Bruce Barrett, Brian Lindsay, John Fuller.

Leslie Howles

vs.

Donald Howles

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of

AD 1989 - 863

Feb. 7, 1990, Motion to Leave to Withdraw and Order filed. ORDER OF COURT: AND NOW, Feb. 7, 1990 Mary Ann Kirkpatrick is permitted to withdraw as counsel for plaintiff.

BY THE COURT,
P. Richard Thomas, J.

Feb. 9, 1990, copies to M. Kirkpatrick, and Jos. Kulwicki.

Feb. 16, 1990, Motion to Withdraw Counts II, III and IV of Divorce Complaint and order filed. ORDER: AND NOW, Feb. 16, 1990, this motion is granted.

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

Feb. 22, 1990, copy of order to J. Kulwicki Esq.

Feb. 16, 1990, Upon praeicpe of plaintiff attorney, the above captioned matter is submitted to the court.

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

AND NOW, March 7, 1990, it is ordered and decreed that Leslie D. Howles, plaintiff, and Donald J. Howles, defendant, are divorced from the bonds of matrimony

BY THE COURT,
Gordon R. Miller, J

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1989

Janet E. Jennes

vs.

Gary D. Jennes

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of record

A.D. 1989 - 579

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Upon recovery, the figures noted in the first paragraph of section (7) shall apply.
Defendnat, Gary D. Jennes shall be entitled to claim all three children for the purpose of income tax deduction or exemption, through the year 1991, and Plaintiff, Janet E. Jennes shall cooperate in promptly supplying him with the necessary papers, duly signed, for the purpose of allowing him to claim deductions/exemptions in accordance with this paragraph and IRS rules and regulations. Plaintiff, Janet E.Jennes shall have the right to claim one child as her deduction/exemption each year beginning with 1992, until all children are graduated from high school, or emancipated prior to that time if said emancipation shall occur prior to graduation from high school.

8. 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 Pennsylvania Rules of Civil Procedure. Each party is aware to his or her own satisifaction, of the identity of debts (and their balances) and assets (and their values) acquired during the marriage, as of time of separation and the present.

9. WAIVER OF CLAIMS: Neither party hereto shal lmake any claims against the other party hereto, except for enforcement of the rights and responsibilities set forth in this decree.

BY THE COURT,
Gordon R. Miller, J

Feb. 20, 1991, Notice of Election to REtake Maiden Name filed.
TO BE KNOWN AS: JANET ELIZABETH TWIFORD...

Nov. 25, 1991 Stipulation and Ancillary decree Relating To Greenleaf Corporation Savings and Retirement Plan. filed. AND NOW, November 25, 1991, upon the attached Stipulation duly executed by Plaintiff and Defendant and upon a finding that the court has retained jurisdiction to enter the wtihin Ancillary decree, it is hereby ORDERED and DECREED as follows:

1. The Participant is the Defendant, gary D. Jennes, whose current address is R.D. #3, Box 251, Saegertown, PA 16433 and whose social security number is 207-38-0015.
2. The Alternative Payee is the Plaintiff, Janet E. Jennes, whose address if 774 Monnies Avenue, Conneaut Lake, PA 16316, whose social security number is 159-44-6751.
3. The amount of the Participant's benefits under the Amended and REstated Greenleaf Corporation Savings and Retirement Plan, effective January 1, 1987, as further amended, effective January 1, 1989 ("Plan") to be paid to the Atlernate Payee is six thousand six hundred ($6,600.00) dollars.
4. said $6,600.00 shall be paid in one (1) payment to be paid by the Plan Trustee, at the direction of the Administrator, directly to the Alternate Payee forthwtih upon approval and determination by the Administrator that this Order is a Qualified Domestic Relations Order within the meaning of Section206 of the Employee Retirement Security Act of 1974 and Sections 401 and 414(p) of the Internal REvenue Cod eof 1986, as amended ("Code"), provided however that in accordance with section 414(p) of the Code, the Administrator shall not be required to direct dstribution of the amount to theAlternate Payee prior to the later of the dat ethe Defendant attains age 50 or the earliest date on which Defendant cold begin receiving benefits under the Plan if the Participant separated form service, or , if earlier, the date on which the Participant is entitled to distribution under the Plan.
5. This Order applies to the Plan.
6. The Court retains jurisdiction to amend, modify or correct this Ancillary Decree if, for any reason, the Administrator does not accept this Decree as a Qualified Domestic Relations Order or is, for any reason, unable to comply herewith.
7. The balance of all benefits under th ePlan shall remain the exclusive and sole property of the Defendant, gary D. Jennes, and the Plaintiff, Janet E. Jennes, will sign any necessary documents to release any interest she has in the Plan, with the sole exception of $6,600.00 to her.

BY THE COURT,
Gordon R. Miller, J

2 copies atty.

STEVEM M. FISHER

VS.

CHRISTINE M. FISHER
(Christine M. Greenlee)

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of

AD 1989-1007

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May 24, 1990 Temporary Order filed: AND NOW, this 23 day of May, 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. Legal and physical custody of the subject minor children is hereby awarded to their father, the plaintiff.

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 regardiang the subject minor children.

3. On those weekends which the mother has off from work, she shall have the right of visitation and temporary physical custody on Saturdays from 11:00 a.m. to 7:00 p.m. and Sundays from 2:00 p.m. to 7:00 p.m.. The mother shall notify the father as soon as she reasonably can following the determination of which weekends she shall have free to exercise this visitation. For the weekend visitations, the transportation shall be split with the party receiving the children picking them up at the home of the other.

4. The mother shall also have the right to visitation with ther children one day each week from 3:00 p.m. to 7:30 p.m.. She shall notify the father as soon as she knows which weekday she will be able to pick. Picking up and deliver of the children shall take place at the father's office in Meadsville, Pennsylvania.

5. The mother shall have the right to telephone the children each Monday for a period not to exceed fifteen (15) minutes, said telephone call shall occur at 7:00 p.m. and the father shall have the children ready to receive the call.

6. The Mediator has noted for the Court that the mother's wark schedule is varible. If any changes are necessitated, she shall notify the father at once and the parties shall arrange for alternate visitation.

7 7. The chilren are not to be exposed to the company of the mother's new husband, Terry Greenlee, unless the mother is present.

8. The Mediator has noted for the court that the parties have arranged for counseling of the children with Anthony F. Cilluffo, PH.D., of Edinboro, Pennsylvania. The parties shall arrange for said counseling to continue as recommended by Dr. Cilluffo. Dr. Cilluffo is hereby authorized to discuss with the Mediator his evaluations, findings, and prognoses.

9. The parents shall arrange for counseling for themselves. The counselor for the mother is requested by the Court to evaluate her ability to function as a parent for the children, taking into account her present domestic situation.

10. When the Mediator has received the reporsts of the various counselors, he shall make further report to the Court and schedule such further Mediation as may be required.

11. 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 children.

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

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

14. 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 alson not to disparage the other party in the children's estimation.

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

17. 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

May 28, 1990 Copies of order put in Attys' Pineo, Spadafore's boxes and copies mailed to Atty. Halliday and Plaintiff and Defendant.

May 29, 1990 Motion for Hearing De Novo and Order filed: AND NOW, this 29th day of May, 1990, upon consideration of the attached motion and on review of the recommendations of the Custody Mediator which specifically provides that the Mediator will schedule another hearing, a hearing de novo is not scheduled at this time, however, either party shall have the right to request the hearing de novo after the review hearing is held by the Mediator.

BY THE COURT,
Gordon R. Miller, J.

May 31, 1990 Copies of order mailed to Atty. Halliday and put in Atty Spadafore's box.

Jan. 28, 1991 Temporary Order filed. AND NOW, this 23 day of January, 1991, after Mediation in the above referenced matter and upon the recommendations ofthe Child Custody Mediator, IT IS HEREBY ORDERED AND DECREED THAT:

!. Legal and physical custody ofthe subject minor children is hereby awarded to their father, the plaintiff.

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 ither 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 motehr shall have the right of visitation and temporary physical custody each weekend, except for the last full weekend of each month, from Saturday from 11:00 a.m. to 7:00 p.m. and Sunday from 2:00 p.m. to 7:00 p.m. For the weekend visitations, the transportation shall be split with the par ty receiving the children picking them up at the home of the other.

4. The mother shall also have the right to visitation with her children one day each week form 3:00 p.m. to 7:30 p.m. She shall notify the father as soon as she knows which weekday she will be able to pick. Picking up and delivery of the children shall take place at the father's office in Meadville, Pennsylvania.

5. The mother shall have the right to telephone the children the children each Monday for a peirod of one-half (1/2) hours. Said telephone call shall occur at 7:00 p.m. and the father shall have the children ready to receive the call.

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STEVEN M. FISHER

vs.

CHRISTINE M. FISHER (Christine M. Greenlee)

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6. Should it be necessary for either party to cancel or modify the visitations as set out in this order or as previously arranged, the par ty seeking cancellaiton or modification shall notify th eother party as soon as he or she knows of the necessity which impels the cancellation or modification. Said mofidications 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 alternate arrangements.

7. The children are not to be e xposed to the company of the mother's new husband, Terry Greenlee, unless the motehr is present.

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

9. Neither party shall use illegal drugs or be under the influence of alcohol at any time shen said party has the care and custody of the subject minor children.

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

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

12. Costs and fees of the Mediation, which are fixed at $260.75 plus record court costs 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.

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

By the Court,
Gordon R. Miller, J

Jan. 29, 1991 Copies of order put in Attys. Pineo and Spadafore's box and copies mailed to plaintiff, defendant and Michael Halliday

Aug. 27, 1991 TEMPORARY ORDER, filed. ORDER: AND NOW, this 27th day of Aug., 1991, after Mediation in the above referenced matter and upon the recommendations of the Chjld Custody Mediator,

IT IS HEREBY ORDER ED AND DECREED THAT:

1. Legal and physical custody of the subject minor children is hereby awarded to their father, the plaintiff.

2. The parties shall share with each other any and all information which each may have reqarding the health, education, and the major events in the life of the subject minor children. Health care, 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 the right of visitation and temporary physical custody on alternate weekends, beginning with the weekend of Aug. 24, from Sat. at 11:00 a..m. to 11:00 p.m. and Sun. from 2:00 p.m. to 7:00 p.m. For the weekend visitations, the transportation shall be split with the party receiving the children picking them up at the home of the other.

4. The mother shall have the right to telephone the children the children once each week for a period of one-half (1/2) hour. She shall notify the father one week in advance of when she wishes to place the phone call and the father shall have the children ready to receive the phone call.

5. Holiday visitations shall be as follows:

a. The mother shall have the right of visitation and temporary physical custody each Christmas from 2:00 p.m. to 8:00 p.m.

b. The mother shall have the right of visitation and temporary physical custody with her children each Thanksgiving from 2:00 p.m. to 8:00 p.m.

c. The mother shall have the right of visitation and temporary physical custody of her children each Easter from 2:00 to 8:00 p.m.

d. Visitations for the holidays of Memorial Day, Independence DAy, and Labor Day, may be arranged by the parties. The parties have informed the mediator that they feel able to make these arrangements without the use of a difinite schedule.

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.

6. Should it be necessary for either party to cancel or modify the visitations as set out in this order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary the parties shall attempt at once to arrange for alternative visits or to m ake alternate arrangements.

7. The children are not to be exposed to the company of the mother's new husband, Terry Greenlee, unless the mother is present.

8. 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 children.

9. The mediator has informed the court that he believes that counseling for the parties and their children would be very desirable and beneficisl, provided that the parties can agree upon a counselor whom each can trust and with whom each can discuss the situation freely. The parties shall attempt to find such a counselor and shall inform the mediator by Sept. 30 whether or not they have decided upon a counselor and who the counselor might be. If the parties are unable to decide upon a counselor by Sept. 30, they shall so notify the mediator and the mediator will attempt to suggest someone who might undertake the work.

10. Neithe party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor children.

11. An person transporting the childrne shall make sure that the seat belts or other restraints are used in accordance with the law of Pennsylvania.

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

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Paul W. Campbell

vs

Karla I. Campbell

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June 25, 1990 Complaint for Shared Custody and order filed. 1 copy (atty) 1 copy (mediator) ORDER: AND NOW, this 25 day of June 1990, upon presentation of the foregoing Complaint for Custody, the parties hereto and their respective counsel are Ordered to appear before BRUCE L. SMITH, THE CHILD CUSTODY MEDIATOR who is hereby appointed in this case. The said parties and their respective counsel shall appear at such time or times that the Child Custody mediator shall hereinafter determine.
Gordon R. Miller, J.

Aug. 1, 1990 Temporary Order Of Court filed. AND NOW, this 30 day of July, 1990, after additional Mediation and upon recommendation of the ChildCustody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Krystal Ann Campbell, age twelve, and Scott Arron Campbell, age seven, the parties to this action, shall share legal custody of the said minor children. Said joint legal custody being sharred 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 andmedical records, and shall also entitle both parents to equal input with regard to the educational and religious upobringing 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. Physical custody of the plaintiff father shall be as follows:

a. Beginning with the month of August, 1990, and ending on December 31, 1990, the father shall have the right to take the children into his temporary custody on Sunday and Monday of each week during the first, second and fourth weeks of each month, those weeks being the weeks that have a full seven days in them. Transfer of custody to the father shall be made at 11:00 a.m. prevailing time, on Sunday, and the father shall return the children to the mother by 9:00 p.m. prevailing time, on Monday.

b. Beginning with the month of January, 1991, the father shall be entitled to take the children into his temporary physical custody beginning at 7:00 p.m., prevailing time, Sunday, and keep them in his temporary custody until they return to their mother's home from school or at 3:00 p.m. prevailing time, when they are not in school, on Wednesday of each week.

c. In addition to the above-mentioned times of temporary physical custody for the father, he shall also be entitled to have the children during the hours of 9:00 p.m., prevailing time, and 12:00 noon, prevailing time, on Easter, Memorial Day, the 4th of July, Thanksgiving, and Christmas Day. Each parents shall also be entitled to two consecutive or non-consecutive uninterrupted weeks of summer visitation with the children upon a written notice of ten days to the other. In the event of conflict, the mother's two weeks of choice shall prevail of the father's. The mother shall avoid electing to have the children during the weeks of the Cytemp shut-down each summer.

d. The father shall be responsible for picking up and dropping off the children at the times indicate

e. The parent having custody of the children at anytime shall be responsible to see that the children are either inthe care and custody or a competent adult or a qualified baby-sitter during periods when they are required to be as his or her place of employment.

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 of the children requiring medical treatment. For the pursposes of this paragraph, both parents will have to keep the other informed as to his/her current mailing address and telephonenumber at all times.

4. Neither parent shall take the 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 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 an alternative arrangement to accommodate themselves and/or the children's schedules, they may adjust the physical custody arrangement accordingly and are encouraged to do so by mutual consent and agreement.

6. Each parent will teach the children to develop and display that love and respect due a parent from his or her child, and neither of the parents nor any stepparents or grandparent involved with the children will do or say anything to blacken the character of either parent in the eyes of the children. This admonition shall extend to any person who comes into regular contact with the chidlren in eithe rof the households.

7. This Order shall not prejudice the right of either par ty to request a mediation Conference if further mediation would b ein thebest interest of the children or there are changed circumstances in the lives of the parties or the children.

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 chidlren resides in the Court's jurisdiction and fo 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 plaintiff father and 50% 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 days from the date of this Temporary Order.

BY THE COURT:
P. Richard Thomas, J

Aug. 2, 1990 Copies of order mailed to Robert Felton, Bruce Smith, Plaintiff and Defendant and copy put in James Irwin's box.

Aug. 10, 1990, Plaintiffs Exceptions to the Recommendations of the Child Custody Mediator and Temporary Order of court filed. ORDER: AND NOW, this 13th day of August 1990, upon presentation and consideration of the within exceptions filed by Plaintiff, a hearing on this matter is set for the 27 dayof September 1990, at 1:30 p.m. in C. R. No. 1 or 2 of the Crawford County Court House, Meadville, Pa.
FOR THE COURT,
Imogene Yetman, Ct. Adm.

Aug. 15, 1990, copies to R. Felton, and Bruce Smith and James Irwin, attys.

Sept. 14, 1990 Motion For Continuance and Order filed. AND NOW, this 14 day of September, 1990, upon presentation and consideration of the within Motion, this hearing has been rescheduled for the 4 day of Oct., 1990 at 9:00 a.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, PA
BY THE COURT:
P. richard Thomas, J

Sept. 18, 1990 Copies of order mamiled to Robert Felton and Bruce Smith and copy of order put in James Irwin's box.

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Paul W. Campbell

VS.

Karla I. Campbell

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Oct. 12, 1990 ORDER filed. AND NOW, Oct. 4, 1990, the parties being present in Court together with their counsel, and having agreed to amend the Order of July 30, 1990, it is therefore ORDERED that said temporary order of July 30, 1990 shall remain in effect with the exception of the following changes which are made to Paragraph 2 of said Order. These changes are as follows:

Subparagraph 2(a): Commencing on Oct. 4, 1990 the father shall have the right to take the children into his custody at 3:30 p.m. Thursday, and shall retain custody of said children until 9:00 a.m. Sunday, Oct. 7. For the week of Oct. 11, the father shall have custody from 3:30 p.m. Thursday until 12:00 noon Oct. 14th. The visitation schedule set for these two weeks shall alternate each week thereafter, with the exception that during the children's summer vacation, all visitations exercised by the father shall commence at 9:00 a.m. on Thursday morning.

In addition to the above-mentioned times of physical custody for the father, the father shall also be entitled to have the children in his custody during the hours fo 2:00 p.. until 9:00 p.m. every Thanksgiving Day and 3:00 p.m. until 9:00 p.m. every Christmas and Easter Day.. The mother shall have custody of the children from 9:00 p.m. of the day preceding Thanksgiving, Christmas, and Easter until the designated times for the father's custody to commence as aforementioned. Each party shall also be entitled to two consecutive, uninterrupted weeks of summer visitation with the children and each party shall notify the other parent at least 30 days in advance, by written notice, as to their intended date of exercising said two-week visitation period. The mother shall avoid electing to have the children during the weeks of Cytemp shut-down each summer.

The party receiving custody of the minor children pursuant to this order shall be responsible for the transportation of said children, unless otherwise agreed upon.

By Order Of The Court,
John Q. Stranahan, S.J.

Oct. 15, 1990 Copy of Order to Attys. Robert Felton, James Irwin, Bruce Smith.

Apr. 23, 1991 Petition For Contempt and Order filed. AND NOW, this 18 day of April 1991, upon presentation and consideration of the wtihin Petition for Contempt, a rule is issued upon the Respondent, KARLA I. CAMPBELL, to show cause, if any she has, as to why she should not be held in contempt of court for refusing to allow Petitioner physical custody of his two children as required by Order of Court dated July 30, 1990 and October 4, 1990.

Rule Returnable for hearing on the 23 day of May, 1991, at 1:30 o'clock p.m. in Court room 1 or 2 of the Crawford County Court House, Meadville, Pennsylvania.

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

Apr. 30, 1991 Copies of order mailed to Robert Felton nad copy of order put in James Irwin's bo;x.

May 17, 1991 ORDER RESETTING HEARING filed. AND NOW, May 17, 1991 hearing in the above matter heretofore set for May 23, 1991, at 1:30 p.m.is hereby reset by the court for May 23, 1991 at 10:00 a.m. in c.r. No. 1 or 2.

FOR THE COURT, Imogene Yetman, Ct. Adm.

May 17, 1991 copy put in box for atty. Irwin; copy mailed to Atty. Felton.

May 28, 1991 Order filed. AND NOW, May 23, 1991, the matter is before the Court on a Petition for Contempt. With the consent of the parties and their counsel, the matter is handled informally.

It is contended there is adequate reasons for the missed visits and the father advises the Court he is not interested in a formal contempt finding or any punishment for the mother because of missed visits. It appears the visits of alte have been routinely kept andthe Court sees no reason to change the visitation scheduled prescribed by the Court's Orde ro October 4, 1990.

ACCORDINGLY, the ocntempt issue becomes moot and the parents are admonished to see that that court Order regarding visitation is strictly complied with.

The Court has ocnsulted with the children and the Court recommends continued counseling with the Center for FAmilies in Change.

Regarding the summer vacation schedules, the father advises that he will very shortly notify th emother in writing when his plant closes down an dhe will be exercising his summer vacation privileges with the chidlren.

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

May 29, 1991 Copies of order to Robert Felton and James Irwin

WALTER L. POFF

VS.

AUDREY A. POFF

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Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the child is being transported nor in the bedroom of said child at any time. In addition, each party shall try to avoid, wherever practicable, the exposure of the subject minor child to cigarette smoke.

3. 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. The costs involved in transportation may be regarded as an item of support to be considered in future child support proceedings.

4. Costs and fees of this Mediation, which are fixed at $182.00 are divided equally. The mediator has noted for the Court that the mother is receiving public assistance and therefore her share is assessed to Crawford County. The father's share is assessed to him as costs in this case. Payment shall be made to the Prothonotary of Crawford County.

5. The mediator also informs the Court that the mediator had to make an inquiry of Aaron J. Listopad, D.O., of West Middlesex, Pennsylvania, as a result of the father's assertion regarding the child's exposure to cigarette smoke. Dr. Listopad has billed the mediator $50 for said report. The father is to pay this cost directly to Dr. Listopad.

6. 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.

Oct 4, 1990 Copies of order mailed to Atty. Beighley and Plaintiff and copies put in Attys Thomas and Pineo's boxes,. also copy mailed to Atty Pangborn.

Oct. 26, 1990 Motion For De Novo Hearing and Order filed. And now, October 26, 1990 a de novo hearing is scheduled for the 6th day of December, 1990 at 1:30 o'clock p.m. in Court Room No. 1 of the Crawford County Court House, Meadville, Pennsylvania.

Gordon R. Miller, J

Oct. 30, 1990 Copies of order mailed to Atty. Beighley and Pangborn and copies put in R. Charles Thomas and William Pineo's box.

Dec. 7, 1990, ORDER filed. AND NOW, dec. 6, 1990, hearing set this date in the above matter is hereby reset by the court for Jan. 9, 1991 at 9:30 a.m. Courtroom NO.1.

FOR THE COURT, Imogene Yetman, Ct. Adm.

Dec. 10, 1990, copies to R. C. Thomas and J. Jofery, attys.

Jan. 7, 1991, Motion for Continuance and order filed. ORDER OF COURT: And now this hearing is continued to the 7th day of Feb. 1991 at 9:30 a.m. in C. R. No. 1 or 2.

For the Court, Imogene Yetman, Ct. Adm.

Jan. 8, 1991, copies of order to Attys. R. C. Thomas, and J. Jofery.

FEb. 7, 1991 Motion for Continuance and Order filed. AND NOW, this 5th day of Feb. 1991 upon consideration of the within Motion for continuance, it is hereby ORDERED AND DECREED that hearing inthe above matter is continued until the 18th day of April 1991 at 9:30 a.m. C. R. No. 1 or 2 Crawford County Courthouse, Meadville, Pa.

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

Feb. 12, 1991, copies of order to R. C. Thomas and J. Jofery. attys.

Mar. 4, 1991 Motion For continuance and Order filed. And now, Mar. 4, 1991 The within motion is granted hearing on this case will be rescheduled on motion of either party.

Gordon r. Miller, J

Mar. 5, 1991 Copy order put in R. Charles Thomas' box and copy mailed to J. Jofery

June 4, 1992 Petition For Modification Of Custody and Order filed. AND NOW, this 4 day of June, 1992, upon consideration ofthe attached Petition for Modification of Custody, this matter is hereby referred back to the custody mediator, Attorney William Pineo, for further hearing in this matter.

Per Curiam,
Anthony J. Vardaro, J

June 10, 1992 Copies of order to Joan Mason and Atty. Pangborn.

Sept. 14,1992 ANSWER TO PETITION FOR MODIFICATION OF CUSTODY, filed.

Sept. 24, 1992 Temporary Order filed. AND NOW, this 23rd day of September, 1992, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator, IT IS HEREBY ORDERED AND DECREED THAT:

1. The provisions of the order of October 5, 1989, as modified by the order of October 2, 1990, are hereby adopted and reaffirmed in all respects.

2. Costs and fees of this Mediation, which are fixed at $152.00 are divided equally with a share of each party being assessed to him or her as costs in this case. Payment shall be made to the Prothonotary of Crawford County.

3. The father made the required depost for mediation. Said depost shall first be applied against the father's share of costs and the remainder shall be refunded to him.

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

By the Court,
Gordon R. Miller, J.

Sept. 24, 1992 Copy of the Order to Attys. Pineo, Mason, Thomas and Copy mailed to Attys. Pangborn and Beighley.

Oct. 21, 1992 Motion for Hearing de novo and Order filed. And Now, October 21, 1992 set for January 29, 1993 at 9:30 in Court Room 2. Gordon R. Miller,

Oct. 23, 1992 Copies of order to Atty. Mason and Pangborn

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1989

Steven M. Fisher

vs.

Christine M. Fisher
(Christine M. Greenlee)

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13. Costs and fees of the 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 m oves, this Order shall be considered permanent.

By the Court,
J. Quint Salmon, S.J., Specially Presiding

Sept. 5, 1991 copy in box for Attys. E.Spadafore & W.Pineo. Mailed copy to Atty. M.Halliday, Pf. & Dft.

Dec. 16, 1992 PETITION IN FORMA PAUPERIS - MEDIATOR'S FEE, filed.

Dec. 16, 1992 PETITION FOR MODIFICATION OF CUSTODY ORDER and ORDER, filed. ORDER: YOU, Steven M. Fisher, have been sued in Court to obtain custody of Megan Fisher and Patrick Fisher.

YOU are ORDERED to appear in person at such time and place as shall be determined by the Mediator William Pineo for a mediation conference.

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

Date: Dec. 11, 1992 ANTHONY J. VARDARO, J.

Dec. 31, 1992 copy to W. Pineo, E. Spadafore, mailed copy to M. Halliday

Dec. 30, 1992 ORDER filed. AND NOW, Dec. 29, 1992, upon review of the Defendant's petition to proceed in forma pauperis with respect to a mediator's fee, the Court is not satisfied that the Defendant/Petitioner does not have sufficient funds to pay the mediation fee in advance and therefore the petition is denied.

This order is without prejudice to the custody mediator to make a determination he believes is appropriate with respect to mediation costs once the deposit has been made so that this matter may be mediated.

BY THE COURT:
Anthony J. Vardaro, J.

Dec. 31, 1992 copy to M. Halliday, W. Pineo, E. Spadafore & Plf.

Mar 19, 1993 TEMPORARY ORDER, filed. AND NOW, this 17th day of March, 1993, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator.

IT IS HEREBY ORDERED AND DECREED THAT:

1. The order of Aug. 27, 1991, is modified only in that Paragraphs 9 and 13 are deleted. In all other respects, said order is ratified.

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.

3. The deposit required for the appointment of the custody mediator was made by the mother. The deposit shall first be applied against the mother's share of costs and the remainder shall be remitted to her. The father shall pay his share of costs to the Prothonotary of Crawford County.

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

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

Mar. 23, 1993 copy to W. Pineo, G. Keenan, M. Halliday, Plf. & Dft.

Mar. 25, 1993 Demand For De Novo Hearing and Order filed. AND NOW, this 24th day of March, 1993, upon consideration of the Demand for a Hearing De Novo in the above-captioned custody proceedings, the hearing for the determination of the of the merits thereof shall be held on the 27th day of May, 1993, in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania, at 9:15 o'clcock a.m.

FOR THE COURT,
Ann A. Walker, J

Mar. 30, 1993 Copies of order to Atty's Keenan, Halliday and Pineo

May 12, 1993 Motion to Continue Hearing De Novo and ORDER FILED. AND NOW, this 10th day of May, 1993, upon consideration of Plaintiff's Motion to Continue the Hearing De Novo currently set for May 27, 1993, said Motion is hereby Granted and the hearing De Novo shall be continued until the 12th of July, 1993, at 9:15 A.M.

For the Court:
Ann A. Walker, Court Administrator

May 14, 1993 Copy of Order to Attys. Spadafore, Halliday & Pineo.

July 16, 1993 Order filed. AND NOW, July 12, 1993 after the Court has heard a portion of the testimony and evidence in this hearing DeNovo, the parties have arrived at an amicable settlement which the Court now makes as a Court Order and orders as follows:

1) The Temporary Order of August 27, 1991 shall remain in full force and effect without change or modification except as herein after provided.

The mother shallhave the right tohave her chidlren with her for one overnight per month which shall occur on the first weekend of each month where Saturday and Sunday occur in the same month, and which is a weekend that she would ordinarily have custody under Paragraph 3 of the Order of August 27, 1991. Said overnight visitations shall take place form eleven o'clock a.m. on Saturday until seven o'clcok p.m. the next day, Sunday. These overnight visitations are conditioned upont the defendant and Terry Greenlee, her husband, fully and completely complying with the balance of this Order, and is also conditioned upon the following:

a) Terry Greenlee shall not be in the home where the chidlren are overnight between the hours of eight o'clock p.m. Saturday and ten o'clock a.m. on Sunday.

b) Terry Greenlee shall spend that night at the home of a responsible adult who the parties to this litigation agree upon and said responsible adult and Terry Greenlee shall both sign affidavits to the effect thatTerry Greenlee shall both sign affidavit to the effect that Terry Greenlee spent the night form eight oclock p.m. until ten oclock am with said responsible adult andin the home of said responsible adult, and that he did not leave at any time during those hours. Said affidavit shall be completed and delivered to the plaintiff or his counsel within seventy-two (72) hours after the overnight visitation is completed.

c) The defendant shall take the childento church each Sunday morning that she has tem unless prevented form doing so by occurrences beyond her control such as illness, weather, etc.

2) Terry Greenlee shall undergo sex offender treatment with Anthony Pedone with the terms and ocnditions fo the treatment with Anthony Pedone withthe terms and ocnditions of the treatment program to be arranged by Mr. Pedone. So the Court will not now detail the terms, conditions, and treatment since theCourt is not experienced enough to do so. Terry Greenlee shall not voluntarily and unilaterally terminate that treatment program. And if he does, the overnight visitation shall automatically be canceled, as overnight visiitations are conditioned upon Terry Greenlee undergoing such a sex offender treatment program. In the event, however, that Anthony Pedone is s atisfied thatTerry Greenlee has satisfactorily completed the treatment program and Anthony Pedone discontinues further treatment by reason thereof, the overnight visitations shall not automatically be canceled. Expenses of the sex offender treatment program shall be borne by the defendant or Terry Greenlee and shall not be the responsibility of the plaintiff.

Steven M. Fisher

vs.

Christine M. Fisher Greenlee

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3) The chidlren shall undergo appropriate counseling, therapy and treatment with Kathy Berkey under a program to be designed and carried out by Kathy Berkey. The Court will not impose any terms and conditions on the treatment program, because the Court is not experienced in the kind of treatment that may or should be received. The parties shall split on a fifty-fifty basis all unreimbursed and uninsured portions of the charges of Kathy Berkey for counseling for the children. If plaintiff pays the full amount ofthe charges, the defendant shall reimburse the planitiff within fifteen days after she is advised in writing to do so. If she fails to pay, the overnight visitations shall be canceled and will not resume until she does make up all back payments or her share of any bills incurred by Kathey Berkey.

4) The parties are reminded tha tthey are ordered in Paragraph 12 of the August 27, 1992 order that they will do nothing to blacken the character of the other in the chidlren's estimation, and that they shall treat each othe rin an appropriate and respectful manner inthe children's presence. If they argue or bicker that shall not occur in the presence of the children or within the children's hearing. The parties do have a right to record any telephone conversations between the two of them. If there is a third party on the line the conversaton shall not be recorded unless the third party gives consent. For this purpose Terry Greenlee is assumed to give consent. If the plaintiff is the only one recording conversations he shall retain the tapes for at least two years.

5) The overnight visitations set forth in this Order shall take precedence over any other visitations that are set forth in the Order of August 27, 1991 with the exception of Father's Day. In all respects the chidlren shall spend Father's Day with their father. If an overnight visitation that is hereby granted to mother would include Father's Day, then she shall not exercise an overnight visitation on that day, but shall exercise an overnight visitation the next weekend when she would normally have visitation rights.

6) The children shall be picked up before and after visitations at the home of the parent that has them at that time. In other words, the defendant shall pick up the children at the plaintiff's home and the plaintiff shall pick up the children at the defendant's home.

BY ORDEROF THE COURT,
Gordon R. Miller, J

July 16, 1993 Copies dist. to Atty's Keenan and Halliday

Aug. 24, 1993, Petition for Modification of Custody Order and order filed. ORDER: AND NOW, this 21 day of Aug. 1993, upon consideration of the within Petition, a Rule ishereby entered upon the respondent toshow cause, if anyhe has, why the visitations of Petitioner with Meghan M. Fisher and Patrick M. Fisher, should not be permitted tooccur at the residence of Petitioner, with Petitioner's husband, Terry Greenlee, staying with hisparents, Mr. and Mrs. Craig Greenlee, at Patton Road, Sandy Lake, Pa. during such visitations.

RULE RETURNABLE the 30 day ofAug. 1993, at 10:30 a.m. in C. R. No. 1of Crawford CountyCourthouse, Meadville, pa. at which time hearing will be held.

BY THE COURT,
Anthony J. Vardaro, J.

Aug. 26, 1993, copies to Attys. Keenan and Halliday

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B

1989

Deborah L. Hinkle (Smith)

vs.

JOhn B. Hinkle

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AD 1989 - 589

Oct. 24, 1990 Petition for Modification of custody and Order filed. ORDER OF COURT: You, JOhn B. Hinkly, dft. have been sued in court to obtain cusotyd, partial custody or visitation of the minor child, Shawn Adam Hinkle.

You are ordered to aPPEAR IN person in front of Child Custody mediator, WILLIAM PINEO, for a mediation conference at such time and such place as he shall designate.

You are further orderred to bring with you the mnor child, Shawn Adam Hinkle, if he shall be in your cusotdy at the time of hearing.

If you fail to appear as provided by this order or to bring the child, an order for custody, partial custody or visitation may be entered against you or the ocurt 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 oen, go to or telephone the office set forth below to find out where you can get legal help.

Crawford County Bar Assoc. ser. tot he Publ Comm. c/o Prothonotary, Courthouse, Meadville, Pa. 814 724-4636.

1 copy (atty)
1 copy (mediator)

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

Nov. 14, 1990 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 Oct. 25, 1990 she sent a true and correct copy of the Petition for Modification of Custody in this matter to John B. Hinkle c/o Patty Goodwill, R.D.# 1,.Centerville, Pa. 16404 by certified mail, postage prepaid, return receipt requested, delivery restricted to addressee only, by certified mail no. P 276 618 766 which is attached hereto as Exhibit "A" . Thereafter on Nov. 5, 1990 it was returned to Anthony J. Vardaro, Esq., return receipt card bearing the same number and signed by John Hinkle said return receipt card being attached hereto as Exhibit "B".

Vicki Bradshaw

Dec. 12, 1990 Temporary Order filed. AND NOW, this 11 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 child.
2. The parties shall share with each other any and all information which each may have regarding the health, education, major events in the life ofthe subject minor child. Health care, school personnel, and other care providers are hereby authorized to release to eithr party any and all confidential information which they may have regarding the subject minor child.
3a. The mother shall have primary physical custody of the subject minor child. The father shall have visitation and temporary p hysical custody every weekend, except for the first full weekend of each month, from saturday at 9:00 a.m. through Sunday at 6:00 p.m.

The father shall have the right to designate a two-week period each summer when he shall have visitation and temporary physical custody of the subject minor child. He shall notify the mother by Memorial Day ofthe period he wishes to select.

b. When the subject minor child shall have reached the age of six years, he shall have the right to telephone the parent not having physical custody at reasonable times and for reasonable lengths of time and such conversations will not be unreasonably monitored by the parent having physical custody.
4. Holiday visitation shall be arranged as follows:
a. Christmas 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 at noon of Christmas Day and the second period beginning on noon of Christmas Day and ending at 8:00 p.m. of Christmas Day. The father shall have the first period and the mother the second.
b. The other holidays to be observed are New Years Day, Easter, Memorial Day, Independence Day, Labor Day, Thanksgiving Day,and the Friday after Thanksgiving. Holiday visitation shall be between the hours of 9:00 a.m. and 6:00 p.m. The mother shall have visi tation and temporary physical custody on New Year's Day, 1991, and the parties shall thereafter alternate the holiday periods.
c. The child shall spend Father s Day with his father from 9:00 a.m. to 7:00 p.m., and Mother's Day with his mother, during the same hours.
d. The provisions of this paragraph shall take precedence over the other provisions of this order relating to the custodial or visitation periods.
5. Should it be necessary for either party to cancel or modify the visitations as set out in this Order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the 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 th ehome of the other.
7. Each party shall teach said child togive to the other par ty that love and respect which is due a parent from his or her child.
8. Neither party shall use illegal durgs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor chil. 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 are being transported or in the bedroon 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 th eother in a polite and respectful manner when in the child's presence and each par ty 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 aprtes are free to make additional or alternative arrangements repecting the custodial and visitation periods and are st rongly encouraged to do so if that would be proper and convenient. Said arrangements shall be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.
12. Either party may request a review of this Order two years from date hereof to make any adjustments.
13. 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 inthis 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 form date hereof. If neither party so moves, this order shall be considered permanent.

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

Dec. 14, 1990 copies of order put in William PIneo and Anthony Vardaro's box and Copies mailed to plaintiff and defendant.

Oct. 24, 1994 Petition for Contempt and ORDER filed. AND NOW, this 24 day of October,1994, hearing is set on the defendant's petition for contempt for the 21st day of November, 1994,at 10:15 o'clock a.m. in courtroom #1,#2 or 3 of the Crawford County Courthouse, Meadville,Pennsylvania.

Anthony J.Vardaro

10-24-94 Faxed to Attys.Gamble, Pineo, Thomas Firm, mailed Plft.

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1989

Deborah L. Smith

vs.

John B. Hinkle

Record continued from page 638

of record

A.D. 1989 - ~~591~~ 589

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Oct. 26, 1994 Answer to Petition for Contempt; Counter-Petition filed.

Nov. 4, 1994 Affidavit of Service filed. And Now, November 3, 1994, comes Barbara J. Walton, and avers as follows:
1. A true and correct copy of the answer to Petition for Contempt and counter-Petition were mailed to the Defendant via Certified Mail, return receipt on October 28, 1994.
2. That the Defendant signed the return card on October 29, 1994 and in accordance with Pa.R.C.P. 412, service of the Complaint was made as is evidenced by the United States Postal Service REturn Receipt (Certified No. Z070232969) attached hereto as Exhibit "A"
I VERIFY that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. 4904, relating to unsworn falsification to authorities. Barbara J. Walton

Nov. 21, 1994 Order filed. AND NOW, November 21, 1994, this matter is before the Court on a contempt citation filed by the father against the mother. The real thrust of the citation is what while the father's visits have been rather sparse in recent years with his minor child, he now porfesses agenuine interest in re-establishing a scheduled visit with his child, but wishes that said visits not be at the home of the mother, to which request the mother agrees.
While no official contempt hearing is held, this Court, with the agreement of counsel, d declines to find the mtoher in willful and deliberate contempt of the previous Custody Order of December 11, 1990.
Both parties are anxious that the father re-establish a regular vistiation with the child, but that the vistiations be less frequent than provided in the 1990 Order for the fist few months.
ACCORDINGLY, commencing with Sunday, NOvember 27, 1994, and every other Sunday thereafter, through January 1995, the father may have visits with her son between the hours of 10 a.m. Sunday and 6:00 p.m. Sunday. It shall be the obligation of the father to pick u p the child at the residence of the mtoher andthe obligation of the mother to return the child to her residence. On any occasion when the father fails to show by 10:30 a.m. for said visits w ithout making an advanced call giving adequate reason for a later pickup, the mother may consider the visit canceled.
For Christmas, 1994, the parties mutually agree that the father may have the child in his possession from Noon until 8 p.m. Christmas Day.
The parties mutually agree that it would be beneficial for the child to have weekly telephone contact with the father, and accordingly, the father may call his son every Wednesday evening between the hours of 6:30 p.m. and 7 p.m. and the mother will arrange for a reasonable-length telephone call between father and son. If the father does not call by 7 p.m., the mother is gree to make other plans that invovle having the child out of the home. In this regard, if through oversight, late work or some other valid reason, the father calls between 7 p.m. and 8 p.m. and the child is actually present in the home, the mother is encouraged and directed to allow the father and son conversation.
Commencing with the second weekend of February, 1995, the parties agree adn the court directs that the vistiation conditions originally prescribed by this Court's Order of December 11, 1990 shall be substituted for the temporary conditions of this Order and shall govern vsitiation between the parties.
BY THE COURT
P. Richard Thomas, J

Nov. 21, 1994 dist to Walton& Gamble

July 26, 1995 Petition To Modify Custody and ORDER filed. AND NOW, upon presentation upon the Plaintiff's Petition to Modify Custody it is hereby ordered that this matter is referred back to William Pineo, Esq., the custody mediator who previously heard this matter for further mediation.

By the Court:
Gordon R. Miller, J.

July 25, 1995

July 26, 1995 Order FAXED Atty. Gamble; given Attys. Walton and Pineo.

Jul 31, 1995 AFFIDAVIT OF SERVICE, filed. And Now, July 31, 1995, comes Carole Walker, secretary to Barbara J. Walton, and avers as follows:
1. A true and correct copy of the Petition to Modify Custody and Re-Appoint the Mediator was mailed to the Defendant via Certified Mail, return receipt on July 27, 1995.
2. That the Defendant signed the return card on July 28, 1995, and in accordance with Pa. R.C.P. 412, service of the Complaint was made as is evidence by the United States Postal Service Return Receipt (Certified No.Z410908186) attached herto as Exhibit "A".
I VERIFY that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Sec. 4904, relating to unsworn falsification to authorities.

Sep. 5, 1995 TEMPORARY ORDER filed. AND NOW, this 1 day of September, 1995, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,
IT IS HEREBY ORDERED AND DECREED THAT:
1. The parties shall share legal and physical custody of the subject minor child, Shawn Hinkle.
2. The parties shall share with each other any and all information which each may have regarding the health, education,and major events in the life of the subject minor children. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor child.
3a. The mother shall have primary physical custody of the subject minor child.
3b. The father shall have the right of temporary phhsical custody and visitation on the last three full weekends of each month from Friday at 6:00 p.m. through Sunday at 6:00 p.m. A full weekend is defined as one in which Friday and Saturday occur within the same month. The father shall also have visitation and temporary physical custody for one two week period in each of the months of June and July and a one week period in August when he shall have visitation and temporary physical custody. He shall notify the mother one month in advance of the period he wishes to select.
3c. The parent not having physical custody will have the right to telephone thechild at reasonable times and for reasonable lengths of time and such converssation will not be unreasonably monitored by the parent having physical custody.

Continued to Page 639 A

Deborah L.Hinkle (Smith)
vs
John B.Hinkle

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of Record
AD 1989 - 589

4. Holiday visitation shall be arranged as follows:

a. Christmas: There shall be two Christmas holiday visitation periods with the first beginning at noon Christmas Eve and ending at noon of Christmas Day, and the second beginning at noon of Christmas Day and ending at 8:00 p.m. of Christmas Day. For Christmas, 1995, the mother shall have the first period, and the father, the second, and the parties shall thereafter alternate.

b. The other holidays to be observed are New Years Day, Easter, Memorial Day, Indepence Day, Labor Day, Thanksgiving and the Friday after Thanksgiving. Holiday visitation shall be between the hours of 9:00 a.m. and 6:00 p.m., except for Independence Day, when the holiday visitation shall be extended to 11:00 p.m. so that the child may watch the fireworks. The mother shall have visitation and temporary physical custody on Labor Day, 1995, and the parties shall thereafter alternate the holiday periodsd.

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

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

5. Should it be necessary for either party to cancel or modify the visitations as set out in this order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification by necessary, the parties shall attempt at once to arrange for altlernative visits or to make alternative arrangements. Should the father not appear within 1 hour of the designated time and should he have not called the mother to let her know he will be late, she may consider the visitation cancelled.

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. Either party may designate a relative or friend to actually pick up the child, providing the designated person is well known to the other party. Any person transporting the child shall make sure that the seat belts or other restraints are used in accordance with the laws of Pennsylvania.

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

8. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor child. Neither party shall indulge in more than moderate use of alcohol and shall not be under the influence of alcohol at any time when said party has the care and custody of sthe subject minor child. The parties are cautioned that medical research had indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in the same room as the child,in a closed automobile in which the child is being transpsorted, or in the bedroom of the child.

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 arrangments 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 $212.00, are divided equally between the parties witha share of each being assessed to him or her as costs in this case.

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

14. Either party may move theCourt for a hearing de novo within ten (1) days from date hereof. If neiher pary so moves, this Order shall be considered permanent.

By the Court,
Anthony J. Vardaro, J.

9-8-95 Copy to Attys. Pineo, Walton & Gamble

Oct. 2, 1995, Request for DeNovo Hearing and order filed. ORDER: AND NOW, this 29th day of Sept. 1995, upOon presentation of the REquest for a DeNovo hearing, a hearing shall be held on the 29th day of Nov.1995 at 8:45 a.m. in C. R. 1, 2 or 3.

By the Court,
Gordon R. Miller, J.

10/2/95 faxed to Gamble, given Walton.

Dec. 12, 1995 Motion for continuance and ORDER filed. AND NOW, to-wit, this 12 day of December, 1995, it is hereby ORDERED, ADJUDGED and DECREED that the de novo custody hearing shall be held on the 22nd day of January, 1996 at 9:15 a.m. in Courtroom No. 1, 2 or 3.

Anthony J.Vardaro, J.

12-12-95 Faxed Gamble & Smith 12-15-95 Copy to Atty. Walton

Feb 20, 1996 Custody Order of February 16,1996 filed.
Feb 20, 1996 Faxed E. Smith & Gamble
Feb. 26, 1996 Faxed Pineo & Walton

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1989 TERM

VERLIN G. MOSS

VS.

ROBIN A. MOSS

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ad 1989-679

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Nov 16, 1990 Memorandum filed: This matter was transmitted to the Court for a divorce decree by praecipe filed August 1, 1990. We entered a memorandum and order returning the matter to the Prothonotary since proper service on the Defendant was missing.

The matter has been retransmitted to the Court without any change in circumstances but with an affidavit of counsel for the Plaintiff that service was made, that the defendant will not now accept service unless she obtains some benefit in return and urging the Court to grant the divorce.

While we are sympathetic to the Plaintiff's problems and the plight of his counsel we would be grossly irresponsible if we ignored the fact that the record does not yet show that the service, and return of service, requirements have bee met.

We do not believe that the Defendant's affidavit of consent is tantamount to the filing of a general appearance or pleading for jurisdictional purposes.

Therefore we return the record to the Prothonotary for further proceedings. If counsel for the Plaintiff believes that there is sufficient law, by statute, case or rule, that we are incorrect then he may file a motion for a hearing and/or argument which would be scheduled immediately upon the filing of said motion.

Date: Nov 16, 1990

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

Nov 16, 1990 Copy of order given to Atty. White.

Nov 29, 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 in Divorce under Section 201(c) of the Divorce Code by having the defendant accept service of the same and signing an Acceptance of Service indicating that the defendant, Robin A. Moss, received the original Complaint in Divorce pursuant to Section 201(c) of the Divorce Code and Notice to Plead in the above captioned matter by certified mail, return receipt requested, on August 15, 1989.

Said Acceptance of Service is attached hereto as Exhibit "A" and came with a cover letter from Attorney Kathleen R. Nelson, dated November 19, 1990 which is attached hereto as Exhibit "B".

Harry Faber White, II, Attorney for Plaintiff

Nov 29, 1990 Upon Praecipe of Plaintiff's Attorney for Review Under §201(c) of the Divorce Code, this case is moved to court.

Dec. 10, 1990 **D I V O R C E D E C R E E F I L E D .**

AND NOW, December 7, 1990, it is ordered and decreed that Verlin G. Moss, plaintiff, and Robin Moss, defendant, are divorced from the bonds of matrimony.

BY THE COURT,
Gordon r. Miller, J

John C. Roberts d/b/a Roberts Painting & Cleaning SErvice
vs.
Thomas S. Beason Jr. and Jean V. Beason, husband and wife

Record Continued from page 383

of

No. AD 1989 - 933

Jan. 3, 1990, RE: MOTIONS FOR POST TRIAL RELIEF -MEMORANDUM AND ORDER filed. ORDER: AND NOW, December 31st, 1990 the verdict heretofore entered July 16, 1990 is hereby set aside. A limited new trial on the issue above set forth shall be held Jan. 24, 1991 at 9:00 a.m.

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

Jan. 4, 1990, copies to J. Altomare and R. Roeder (mailed)

Jan. 23, 1991, Motion for continuance and Order filed. ORDER: AND NOW, this 22 day of Jan. 1991, upon defendants motion to continue this trial of this matter, rehearing is hereby set for April 3, 1991 at 9:30 a.m. in Courtroom No. 1.

FOR THE COURT, Imogene Yetman, Ct. Adm.

Jan. 23, 1991, copies of order to J. Altomare and R. Roeder.

Jan. 23, 1991, Certificate of Service of Dfts. Motion for Continuance filed.

Apr. 10, 1991, VERDICT filed. AND NOW, April 5, 1991 after supplemental hearing, we enter anamended verdict in favor of the plaintiff inthe amount of $10,000.

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

Apr. 10 1991, copies mailed to Attys.

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1989

Joanne L. Hering

vs.

Frederick F. Hering

Record Continued from page 339

of

AD 1989 - 889

Dec. 10, 1990, Motion for Scheduling of Hearing and Order filed. ORDER: AND NOW, Dec. 10, 1990, a hearing is scheduled for the 3 day of Jan. 1991, at 3:00 p.m. in C. R. No. 1 or 2 of the Crawford County Courthouse, Meadville, Pa.
Gordon R. Miller, J.
Dec. 11, 1990, copies of order to attys. R. C. Thomas and Ann Gamble.

Dec. 10, 1990, Notice of Master's Hearing filed.

Apr. 17, 1991 Motion For Payment of Stenographic Fees and Order filed. AND NOW, this 17 day of Apr., 1991, upon presentation and consideration of the foregoin, Master's Motion for payment of Stenographic Fees is granted and the Prothonotary is directed to release the sum of $115.00 to James I. McCleery, Court Reporter, Star Route Box 92, Franklin, PA 16323.
BY THE COURT,
1 copy atty.
P. R Thomas, S.J.

Mar 3, 1997 Certificate of Service of Notice of Master's Hearing, filed.

March 4, 1997 Master's Report, filed.

March 5, 1997 Affidavit of Service: R. CHARLES THOMAS, Esquire, being duly sworn according to law, deposes and says that on Oct 11, 1989 he mailed a tarue and correct copy of the Complaint in Divorce filed in the above captioned action to the Defendant, Frederick F. Hering, by Certified Mail, Restricted Delivery, Return Receipt Requested, at her last known address of R.D.#1, Box 61G, Ridgely, Maryland 21660, Return Receipt No. P 063 589 587; that attache dhereto is the return receipt card showing date of delivery as Oct 16, 1989.

Mar. 7, 1997 Costs, Expenses and Master's Fees by Master filed.

March 10, 1997 MOTION FOR EXTENSTION OF TIME TO FILE EXCEPTIONS TO REPORT OF MASTER and ORDER filed. AND NOW, this 10 day of March, 1997 the parties hereto are granted until April 14, 1997, to file exceptions to the report and recommendations of the master in the above captioned matter filed March 4, 1997.
Anthony J. Vardaro, J.
March 10, 1997 Order FAXED Attys. Thomas, Lindsay and Gamble.

November 5, 1997 NOTICE OF INTENTION TO REQUEST ENTRY OF DIVORCE DECREE FILED.

Nov 10, 1997 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Nov. 25, 1997 AND NOW this 26th day of November, 1997, upon consideration of the Report and Recommendations of the Master appointed in this case we enter the following DECREE:

1. Affidavits of Consent: The necessary Affidavits of Consent to Divorce under Section 3301(c) of Divorce Code having been filed, it is ORDERED and DECREED that JOANNE L. HERING, Plaintiff, and FREDERICK F. HERING, Defendant, are divorced from the bonds of matrimony.

Counsel Fees: The Defendant has already paid $500.00 toward Plaintiff's counsel fees and any and all attorney fees beyond the $500.00 already paid by Defendant shall be the responsibility of the Plaintiff.

Costs of Proceedings: Recognizing that the Defendant has considerably more income earning capacity and assets than does the Plaintiff, and recognizing what appears to be a typographical error on page eleven and twelve of the Master's Report and Recommendation with regard to the percentages allocated to each party for payment of costs in this matter, and upon consideration of the fact that the Master has submitted the instant Decree format clarifying the percentage allocation, this Court hereby orders that Master's fees, costs and stenographic fees be paid two thirds (2/3) by the Defendant and one third (1/3) by the Plaintiff. All Master's fees, Court costs and stenographic fees are to be paid within thirty (30) days within the entry of this Decree. (See papers Filed)

BY THE COURT:
Gordon R. Miller, J.

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1989

Boise Cascade Corporation

vs.

John T. Boyles, d/b/a Professional Business Forms and Printing

vs.

Victor L. Nonclerg, and Michael D. Land, Sr., partners' d/b/a Nu Image Associates/Professional Business Forms

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of record

A.D. 1989 - 849

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And now, Jan. 16, 1991 at 11:52 a.m. upon praecipe of Nicholas D. Krawec, Esq., judgment is her eby entered upon the verdict, in favor of the plaintiff and against the Addl dft, in the sum of Six Thousand Seven Hundred Sixteen and 24/100 plus interest and cost of suit.

N-163; L-113; N-186
judgment entered Jan. 16, 1991
notice mailed to defendant 1/17/91

Debt $6,716.24
JUDGMENT
James F. Simmons
Prothonotary

Robert L. Hall

vs.

Sheila A. Hall

In Re: Jamie Hall, minor child

Record continued from Page 579 of

NO. 1989 - 1129

Jan. 8, 1991, Motion to Modify Court Order and Order of court filed. ORDER OF COURT: And now, Jan. 8, 1991, Custody of the minor child Jamie Hall is hereby awarded to the natural father pending further order of court. Hearing on return of child to mother set for 1-15-91 - 3:00 p.m. Ct. Rm. 1 or 2.

P. R. Thomas, J.

Jan. 8, 1991, copies to B. Barrett, W. Pineo, J. Barnhart.

Jan. 15, 1991 Sheriff's Return filed. SERVED Sheila A. Hall personally on January 10, 1991 at 3:55 PM at Sheriff's Office, Crawford County Courthouse, Meadville, PA 16335.
So answers,

Carole Stefanucci, Deputy Sheriff
Howard N. Stewart, Sheriff

Jan. 17, 1991 ORDER filed. AND NOW, Jan. 15, 1991 after the commencement of the hearing, but before the hearing has been completed, the Court is unable to make a decision on the Plaintiff's request to modify the order, but the Court is called upon, after having only heard the testimony of one witness, to make a decision with respect to temporary arrangements, pending the February 1, 1991 hearing. Accordingly, it is ordered as follows:

1. The child shall remain with his father.
2. The mother shall have the right of visitation and temporary physical custody every weekend, from Friday at 6:00 p.m. to Sunday at 6:00 p.m., until further order of Court. When the mother is exercising her visitation rights, William Humes shall not be present in view of the current allegations involving him and the almost-completed investigation by Children & Youth Services.
3. The Plaintiff shall take the child to the Townville Red & White store for the weekend visitations and he shall be there at 6:00 p.m. without fail. He shall be responsible for picking up the child at the Townville Red & White at 6:00 p.m. on Sunday. He shall be there without fail and the mother shall have the child there without fail. When the father takes the child to the weekend visitations, he shall have appropriate clothing and other matters with the child so the child may have changes of clothes over teh weekend, unless he already has changes of clothes at the mother's home.
4. The father shall, within two days from this date, re-enroll the child at his Head Start Class at the Guys Mills Head Start, and make the necessary arrangemetns to get the child to and from that facility.
5. Neither party shall use illegal drugs or be under the influence of alcohol at any time when the child is in the care and custody of that party.
6. Neither party shall do anything or say anything to blacken the character of the other, and shall treat each other with politeness and respect in the child's presence, and shall instruct his or her relatives and friends to do likewise.
7. The current counseling of the parties and the child through the Mental Health Center shall continue and the father shall be responsible for seeing that the child attends those sessions. The Plaintiff and the Defendant shall attend all sessions they are required to attend.

By Order Of The Court,
Gordon R. Miller, P.J.

Jan. 17, 1991 Copy of Order to Attys. Bruce Barrett, Joseph Barnhart and William Pineo.

Jan. 17, 1991 ORDER filed. AND NOW, Jan. 15, 1991 the hearing in this matter is continued to Feb. 1, 1991 at 1:30 p.m. in Courtroom No. 2 of the Crawford County Courthouse.

By Order Of The Court,
Gordon R. Miller, P.J.

Jan. 17, 1991 Copy of Order to Attys. Bruce Barrett, Joseph Barnhart, William Pineo.

FEb. 4, 1991, ORDER filed. AND NOW, feb. 1, 1991 after hearing the evidence presented by the plaintiff/father, on his request to modify the prior order of Mar. 26, 1990, the curt denies said motion and the custody order of March 26, 1990 is continued in full force and effect until charnge by further order of court, subject to the following addition that the court is now adding to that order and making a part of that order, as a numbered paragraph that follows sequentially after the last paragraph, and is therefore numbered paragraph 15:

15. Until further order of court, Jamie Hall shall not be left alone in the company or presence of William Humes, a friend of the defendant/mother.

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

Feb. 7, 1991, copies of order to B. Barrett and J. Barnhart, Esqs.

Cynthia G. Dingfelder

vs.

Scott J. Dingfelder

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of record

A.D. 1989 - 999

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Feb. 8, 1991 Temporary Order of Court filed. AND NOW, this 6 day of February, 1991, after Mediation and upon recommendation ofthe child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Kyle J. Dingfelder, age three, born April 27, 1987, 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 third parties, including, but not limited to, school and medical records, and shall also entitle both parents to equal input with regard to the educational and religious upbringing of the child, as well as to elective surgery.

2. Physical custody of the child shall also be shared, with primary physical custody being in the natural mother. The natural father shall be granted reasonable partial custody and/or visitaiton, as the parties shall agree from time to time; however, failing to agree, physical custody for the father shall be, at a minimun, as follows:

a) Beginning in February of 1991, the father shall have the right to take the child into his physical custody on the first and third weekends of each month beginning at 5:00 p.m., prevailing time, on Friday and ending at 5:00 p.m., prevailing time, on Sunday.

b) The father shall also be entitled to the take the child into his temporary physical custody on a thrity-day written notice to the mother of his vaction periods. The child shall be with the father during all of his vacation periods; however, such temporary custody for the father shall not be exercised so as to interfere withthe child's schooling. If the father is on vacation during school times, only evening visitation with the child during those periods will be provided. The child shall continue to sleep at the mother's home and go to school fromthe motehr's home.

c) Holiday visitation shallt ake priority over other scheduled visitation. The parties are encouraged to agree as to holiday visitation; however, in the event that they cannot, holidays shall be shared with the child beginning the day in the mother'shome and shall be available to be with the father between 1:00 p.m., prevailing time, through 6:00 p.m., prevailing time, Holidays covered by this provision shall include New Year's Day, Easter, Memorial Day, 4th of July, Labor Day, and Thanksgiving Day. During Christmas of each year, the child shall be with the motehr all day on December 24 and until 2:00 p.m. prevailing time, on Christmas Day. From 2:00 p.m., prevailing time, on Christmas Day through 9:00 p.m., prevailing time, on Christmas Day the child shall be available to be in the custody of the father.

d) The parent receiving custody ofthe child shall be responsible for picking up the child; at the end of the visitation, the moterh shall be responsible for picking up the child at the father's residence. Any time either parent is one hour or more late for a scheduled transfer of custody, the transfer and resulting partial custody shall be considered waived and shall not occur until the next day at the same time, unless satisfactory arrangements have been made by telephone prior to the parent being late for pick-up.

3. The parent having custody of the chld at anytime shall notify the other parent as soon as possible in the event of injury to or illness of the child requiring medical treatment. To facilitate enforcement ofthis paragraph and the visitation paragraphs, each parent shall keep th eother advised as to his/or her address, location, and telephone number.

4. Neither parent shalltake the child into any environment which might be commonly thought of as detrimental to his development or to the development of his character or which would be commonly thought of as dangerous to his physical person.

5. The parents are encouraged to discuss arrangements for physical custody of the child; and if the parties mutually agree to alternative arrangements to accommodate themselves and/or the child's 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 shall teach the child to develop and express that natural love and respect due a parent from his or her child, and neither parent will do or say anything to blacken the character ofthe other parent in the eyes of the child. This admonition shall extend to all grandparent of the child.

7. This Order shall not prejudice the right of either party to request further Mediation if there are changed circumstances in the lives of the parties or the chld or in the event that the best interest of the child would be served by further Mediation.

8. The Court of Common Pleas of Crawford County, Pennsylvania, shall 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.

9. The fee for Child Custody Mediation shall be paid 50% by the County of Crawford on behalf of the plaintiff mother and 50% by the defendant father.

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.

Feb. 13, 1991 Copies of order mailed to Atty's and defendant

Jan 15, 1998 Marriage Settlement Agreement, filed.

Jan 15, 1998 Waiver of Notice of Intention to Request Entry of Divorce Decree Under Section 3301(c) of the Divorce Code for Defendant, filed.

Jan 15, 1998 Affidavit of Consent of Defendant, filed.

Jan 15, 1998 Affidavit of Consent of Plaintiff, filed.

Jan 15, 1998 Waiver of Notice of Intention to Request Entry of Divorce Decree Under Section 3301(c) of the Divorce Code for Plaintiff, filed.

Jan 15, 1998 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Jan. 22, 1998 AND NOW, January 22, 1998, it is ordered and decreed that CYNTHIA G. DINGFELDER and SCOTT J. DINGFELDER, Defendant are divorced from the bonds of matrimony.

All duties, rights and claims of the parties in regard to each other as a result of their marriage are hereby terminated, except for those duties, rights and claims specifically enumerated in a Property Settlement Agreement executed by the parties and dated Dec. 16, 1997, the terms of which are hereby incorporated by reference as if fully set forth herein.

BY THE COURT: Gordon R. Miller, J.

Pamela M. Watson

VS.

Blaine Watson

RECORD CONTINUED FROM PAGE 619

OF

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Feb. 1, 1991 ORDER filed. AND NOW, Feb. 1, 1991 at the time scheduled for hearing theeparties 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 Copy of Order to Attys. Mary Ann Kirkpatrick, Ann Hansen Gamble.(Copies of Order given to Attys. by Judge Miller's 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 ahve 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 yers. 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 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 environmetn 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 adjsut 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 d 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. 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.

CONTINUED ON PAGE 650.....

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1989

Willard Moreland

vs.

Cindy Lou Daly

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of record

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Feb. 7, 1991 Order filed. AND NOW, February 5, 1991, after mediation conference before John Fuller, Esquire, 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 to full access to school records, medical records and other important records and each parent shall be entitled to take part fully in important decisions affecting the children such as the children's education, medical treatment, and religious instruction.

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. Beginning February 9, 1991, the father shall be entitled to visit and take the children into his custody every other Saturday from 10:00 a.m. Saturday morning until 6:00 p.m. Saturday evening. These Saturday visits shall continue fromthe months of February, March and April of 1991. Beginning May 3, 1991, the father shall be entitled to visit and take the children into his custody every other weekend from Friday evening at 6:00 p.m. until Saturday evening at 6:00 p.m.

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 two (2) non-consecutive one (1) week periods each Summer. The father shall give the mother at least thirty (30) days notice of the time and dates tha the expects to exercise such inextended Summer visits.

C. Holidays shall be defined as Christmas, Easter and Thanksgiving. The mother and father shall share custody of the children on the aforesaid three holidays and unless otherwise agreed upon between them, the chldren shall be in the custody of the mother on the three holidays until 1:00 p.m. in the afternoon and in the custody of the father from 1:00 p.m. until 6:00 p.m.

D. Transportation of the children on the weekend, Summer and holiday visits shall be the re sponsibility of the father, it being expected that actual transportation would be furnished by the father's girlfriend or another responsible adult until such times as the father has a valid driver's license.

E. The father shall not consume alcohol at any time when the children are in his custody and shall not take the children to a place where alcohol is served without the consent of the mother.

F. 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 on the part of the children towards both parents.

G. Neither mother nor fathe rshall 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. Cost of the mediation conference shall be paid by Crawford County.

P. Richard Thomas, S.J.

Feb. 12, 1991 Copies of order put in Brian LIndsay, R. Charles Thomas and John Fuller's box.

Diana L. Smith

vs.

Richard O. Smith

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the divorce code (and the applicable rules thereunder).
3. Distribution of property.
4. Counsel Fees, costs and expenses unless the plaintiff fails to comply with Pa. R.C.P. 1920.31 at least twenty (20) days prior to the Master hearing.
A deposit of $750.00 shall be required. The plaintiff shall deposit $375.00 and the defendant shall deposit $375.00.
By the court,
Gordon R. MIller, Esq.

Mar. 8, 1991 copies to Attys. j. Irwin, Bette Muth and D. Ferguson.

Mar. 15, 1991 Pre-Hearing Conference filed.

Apr. 4, 1991 inventory and Appraisement of Richard O. Smith filed.

Apr. 10, 1991 Pre-Hearing CONFERENCE MEMO filed.

Apr. 10, 1991, Proof of Notice of Master's Hearing, and Notice of Master's Hearing filed.

Apr. 17, 1991, Income and Expense Statement of Richard O. Smith filed.

Apr 25, 1991 Plaintiff's Income and Expense Statement filed.

Apr. 29, 1991, Affidavit of Consent of defendant filed.

May 3, 1991 Proof of Notice of Master's Hearing filed.

July 12, 1991 Petition for Payment of Court Reporter's Expenses and Order filed: AND NOW, this 12th day of July, 1991, upon Petition of Douglas W. Ferguson, Esquire, the Master in the above-entitled case, the Prothonotary is ordered to pay the sum of $102.90 to Barbara L. Rains per Exhibit "A" attached to the Master's petition.
BY THE COURT,
Gordon R. Miller, J

July 16, 1991 Copies of order put in Attys Irwin, Muth and Ferguson's boxes.

Feb. 7, 1992, Notice of Filing Master's Report filed.

Feb. 7, 1992, MASTER'S REPORT filed.

Feb. 19, 1992 Motion To Set Fee Of Master and Order filed. AND NOW, this 19 day of February, 1992, Master's fees in the total sum of $375.00 are awarded to Douglas w. Ferguson, Esquire.
The Prothonotary of crawford County is directed and ordered to pay directly to Douglas Ferguson the sum of $375.00 pursuant to Exhibit "A" for his services. The balance of any proceeds deposited with the Prothonotary by each pa rty which remains in the hands of the Prothonotary shall be paid as follows: Richard O. Smith, 50% of balance, Diana L. Smith, 50% of the balance.
All sums payable to the Master and the parties shall b epaid forthwith.
BY THE COURT,
Anthony J. Vardaro, J

Feb. 25, 1992 Copies of order put in box for Atty's Irwin, Muth and Ferguson

Mar. 16, 1992, Affidavit of Service filed. I, James R. Irwin esq. being duly sworn according to law, depose and say that I am the atty. of record, and as such say that I served a true and correct copy of complaint in div. certified by Prothonotary of crawford County, pa on the above dft. by cert. mail, addressee only, ret. rec. req. dated Sept. 23 1989 by accepting delivery on that date asevidenced by the attached signed ret. receipt. James R. Irwin ESQ

Mar. 16, 1992, Upon praecipe of palintiff attorney to transmit the record, this case moved to court.

Mar. 18, 1992 Qualified Domestic relations Order filed. AND NOW, this 18 day of March, 1992, it appearing to the Court that :
1. The parties hereto are husband and wife and a divorce action is presently pending in this Court at the above number.
2. Diana L. Smith, 269-56-1472, hereinafter referred to as "Plaintiff", has raised claims for, inter alia, equitable distribution of marital property pursuant to the Pennsylvania Divorce Code, 23 P.S. §101, et seq.
3. Richard O. Smith, 186-42-5232, hereinafter referred to as "Defendant", is employed by O.D. Anderson, Inc. and is a member of the Profit Sharing Plan of said corporation.
4. Plaintiff's current and last knwon mailing address is R.D. #3, Box 174, Conneautville, Crawford County, PA 16406.
5. Defendant's current and last known mailing address is R.D. #1, wayland Road, Meadville, Crawford County, Pennsylvania.
6. The balance of the O.D. Anderson, Inc. Profit Sharing Plan for Defendnat as of January 1, 1989 was $56,006.76.
IT IS ORDERED, ADJUDGED AND DECREED as follows:
1. Theaforementioned Profit Sharing Plan at O.D. Anderson, Inc. for the Defendnat is marital property subject to distribution by this Court.
2. A portion of the Profit Sharing Plan is awarded to Plaintiff, and is subject tobe segregated to an account in her name The amount of $10,500 to be the sole and exclusive property of Plaintiff, Diana L. Smith.
3. The Profit Sharing Plan to which this Order applies is the O.D. Anderson, INc Profit Sharing Plan, or any successor plan.
4. The Plaintiff shallhave the same rights to the account as were available to the Defnednat. The Plaintiff is not entitled to any benefit not otherwise provided under the profit Sharing Plan and is not entitled to any benefits specifically prohibited by the Retirement Equity Act of 1984, P.L.98-397 August 23, 1984, 98 Stat. 1426.
5. The parties shall promptly submit this Order to O.D. Anderson, Inc. for determination of its status as a Qualified Domestic relations Order.
6. The Defendant shall not encumber, transfer, pledge, or in any other way dispose of any portion of his Profit Sharing Plan until such time as the Administrators have qualified this Order.
7. It is intended that htis Order shall qualify as a Qualified Domestic Relations Order under the Retirement Equity Act of 1984. The Court retains jurisdiciton to amend this Order as might be necessary to establish or maintain its status as a Qualified Domestic Relations Order under the Retirement Equity Act of 1984.
BY THE COURT,
Anthony J. Vardaro, J

CONTINUED ON PAGE 653

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1989

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

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Wrongful Death Action proceeds: $ 3,333.00

iii. To Watts and Pepicelli PC, as reimbursement for costs advanced to date: $ 1,150.00

iv. To Watts and Pepicelli PC, in escrow, as projected future costs relative to proceeding with the within litigation and/or a subsequent Declaratory Judgment Action to be filed: $ 2,000.00

v. To Petitioner, Conrad B. Delp, under the Wrongful Death Action, to be distributed to Marchelle Leanne Delp, a minor, said amount to be deposited in one or more savings accounts, money market accounts, certificates of deposit, or similar account, with the provision that the income earned on said funds shall be accumulated, and that no withdrawal can be made prior to said minor's eighteenth birthday, except as authorized by prior Court Order in accordance with 20 Pa. C.S. §5103. $30,621.00

vi. To Petitioner, Conrad B. Delp, under the Wrongful Death Action, to be distributed to Stacey Marie Delp, a minor, said amount to be deposited in one or more savings accounts, money market accounts, certificates of deposit, or similar account, with the provision that the income earned on said funds shall be accumulated, and that no withdrawal can be made prior to said minor's eighteenth birthday, except as authorized by prior Court Order in accordance with 20 Pa. C.S. §5103. $30,621.00

b. $2,275.00 to the Estate of Kimberly Ann Vanderhoff Delp, Deceased, under the Survival Action.

7. Upon payment of the $100,000 as set forth above, Ohio Casualty Company, the Defendant Herchenroether, and the Defendant Wolfe, shall be released from liability to the Estate of Kimberly Ann Vanderhoff Delp, Deceased, except as to the claim against the Defendant Wolfe and Nationwide as set forth in the Release appended to the within Petition.

Nothing contained herein shall prohibit or preclude Petitioner from pursuing the within case against the Defendant, Michael R. Wolfe, alone, against coverage provided by Nationwide Mutual Insurance Company, through the policy of insurance issued to said Defendant's mother, Gloria Kleitz, and her husband, Paul Kleitz, as set forth in the within Petition.

BY THE COURT,

_____ J.

Mar. 2,1992 2 copies (atty)

Apr. 7, 1992 Affidavit/Proof of Deposit filed.

Apr. 7, 1992 Affidavit/Proof of Deposit filed.

April 19, 1994 Notice of Intent to Complete Discovery on behalf of Plaintiff, filed.

May 26, 1994, Amended New Matter filed.

May 26, 1994, Reply to New Matter of Defendant Herchenroether filed.

Nov 15, 1995 Final Petitionfor Settlement of Remaining Wrongful Death/Survival Claims and Order, filed. AND NOW , this 15 day of November, 1995, upon consideration of the within Final Petition for Settlement of Remaining Wrongful Death and Survival Claims in the above-captioned case, this Court approves the within settlement as follows:

Allocation of the aforesaid $10,000 settlement proceeds shall be as follows:

a. $9,999.00 to your Petitioner under the Wrongful Death Action to be distributed as follows:

i. To Watts and Pepicelli PC, as attorneys fees, to be paid from the Wrongful Death Action proceess: $2667.00

ii. To Jorden & White, Attorneys,as attorneys fees, to be paid from the Wrongful Death Action Proceess: $666.00

iii. To Petitioner, Conrad b. Delp, under the Wrongful Death Action, to be distributed to Marchelle Leanne Delp, a minor, said amount to be deposited in one or more savings accounts,money market accounts, certificates of deposit, or similar account, with the provision that the income earned on said funds shall be accumulated, and that no withdrawal can be made prior to said minor's eighteenth birthday,except as authorized by prior Court Order in accordance with 20 Pa. C.S. Section 5103. $3,333.00

iv. To Petitioner, Conrad B. Delp, under the Wrongful Death Action, to be distributed to Stacey Marie Delp, a minor , said amount to be deposited in one or more savings accounts, money market accounts,certificates of deposit, or similar account, with the provision that the income earned on said funds shall be accumulated, and that no withdrawal can be made prior to said minor's eighteenth birthday, except as authorized by prior Court Order in accordance with 20 Pa. C.S. Secion 5103. $3,333.00

b. $1.00 to the Estate of Kimberly Ann Vanderhoff Delp, Deceased, under the Survival Action.

Petitioner, Conrad B. Delp, Administrator of the Estate of Kimberly Ann Vanderhoff Delp, Deceased, is authorized and directed to execute a Release of All Claims in the form attached to th eforegoing Petition as Exhibit "3", and is further authorized and directed to settle and discosntinue the within action of record, with prejudice, in connection with the settlement of this matter.

BY THE COURT,
Anthony J. Vardaro, J.

Nov 21, 1995 Faxed A. Pepicelli, Weiss & Weis - sent

Feb 7, 1996 Upon praecipe of plaintiff attorney the above-captioned case is marked settled and discontinued of record.

Feb. 16, 1996 Affidavit/Proof of Deposit filed.

Feb. 16, 1996 Affidavit/Proof of Deposit filed.

Pamela M. Watson

VS.

Blaine Watson

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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 least 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. AND NOW, this 27th day of April, 1993, 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 eight, and Dennis Michael Watson, age five, the parties to this action, shall share legal custody of the said minor children. Said joint legal custody being shared shall entitle both of the parents to equal access to any records relating to the children held by a third party, including, but not limited to, school and medical records, and shall also entitle both parents to equal input with regard to the educational and religious upbringing of the children, as well as to any elective surgery.

2. Primary physical custody of the children shall continue to be shared. The children shall be in the mother's custody and control from 7:00 p.m., peevailing time, Sunday, through 4:00 p.m., prevailing time, Thursday. In addition, the chidlren 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 reight to have the children in his custody from 5:00 p.m. through 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 4:00 p.m. through 7:00 p.m., prevailing time, on Sunday. Each summer, beginning in 1993, 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 regaring the chosen weeks. In the event that the mother fails to give the father such notice, the father shall notify the mother of which weeks are convenient for him for the mother's primary physical custody each month. Other physical custody arrangements are as follow:

a. Holiday custody shall take priority over other scheduled custody. The parties are encouraged to agree as to holiday visitation; 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 the day following Thanksgiving Day with the father and the rest of the Thanksgiving vacation with the mother. During Christmas vacation, the children shall be with the father from noon, prevailing time, on December 25 through 6:00 p.m., prevailing time, on December 28 of each year and shall spend the rest of the Christmas holiday with the mother. Beginning in 1993, the father shall have the children on Easter Day 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 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. through 7:30 p.m., prevailing time, with their father on their birthdays.

c. The parent receiving the children for custody shall pick up the children at the other parent's residence or at a predetermined baby-sitter's location. The baby-sitter may be a grandparent. If either parent is working at the 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 is a legal adult and 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 and/or giving the reason therefor, that transfer and change of custody shall be considered waived until the next scheduled transfer of custody or to the following day if the transfer is for more than one day. Lindsey attends third grade at Cambridge Springs Elementary School, and the court is aware that the father does not live in that area. On those Fridays when the child, Lindsey, is scheduled to attend third 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 or leave the child in the mother's home until 5:00 p.m., prevailing time. The child, Dennis, attends kindergarten and preschool at Cambridge Springs Elementary School, and the same provisions for the balance of 1993 and the beginning of first grade in the fall of 1993 shall apply to Dennis.

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

4. Neither parent shall take the children into any environment which might be commonly thought of as detrimental to their development or to the development of their characters or which would be commonly thought of as dangerous to their physical persons. Neither parent having primary physical custody of the children, nor any other adult in the presence of the children, shall consume more than two ounces of alcohol during any twenty-four hour period. Neither of the parents, nor any adult coming into regular contact with the children, shall use any drugs not prescribed by a physician while the children are in his or 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 their and/or the children's schedules, they may adjust the physical custody arrangements accordingly and are encouraged to do so by mutual consent and agreement. In the event that the children have an opportunity to travel with either parent outside of their home areas, the other parent

CONTINUED ON PAGE 659

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1989

L. P. HALL
VS.
DENISE KETCHAM

CONTINUED FROM PAGE 114 B
of Record
A. D. 1989 - 664

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Sept. 16, 1993 TEMPORARY ORDER, filed. AND NOW, this 15th day of September, 1993, after Mediation in the above reference 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. Theparties 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 chld.

3a. The father shall have primary physical custody of the subject minor child from noon of August 15 of each year through noon of June 15 of the following year. The mother shall have primary 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 shall have relinquished custody to the other party, from Saturday at 10:00 a.m. through Sunday at 6:00 p.m.

6. 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, theparent 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 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 mediator notes for the court that the mother has been unable to provide herself witha drivers license, even though she owns an automobile. The court directs that the mothe 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 shal 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 fo the subject minor child. The parties are cautioned that recent medical research has indicated taht tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the child is being transported or in the bedroom of the child.

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

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

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

12. Costs and fees of this Mediation, which are fixed at $177.00, are divided equally between the parties with a share of each being assessed to him or her as costs in this case.

13. The deposit required for the appointment of the custody mediator was made by the 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 from date hereof. If neither party so moves, this Order shall be considered permanent.

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

Sept. 23, 1993 copy to W.Pineo, B. Lindsay, G. Sullivan, Plf. & Dft.

June 6, 1994 Motion to Waive Defendant's Share of Mediation Costs and ORDER filed. AND NOW, this 6 day of June, 1994, upon Defendant's Motion to waive her share of the mediation costs regarding the August 30, 1993 mediation, such Motion is granted and the Defendant's share of mediation costs fo the above-mentioned mediation are waived. The County shall pay Defendant's share.

BY THE COURT,
Anthony J. Vardaro, J.

June 6, 1994 Faxed copy of Order to Attys. Lindsay and Pineo.

Jun. 2, 1995 Petition to Review/Modify Custody and ORDER filed. AND NOW, this 1 day of June, 1995, upon presentation and consideration of the foregoing Petition to Modify/Review, this matter is referred back to Bill Pineo,mediator, for further mediation.

BY THE COURT
Anthony J.Vardaro, J.

6-2-95 Faxed Attys. Lindsay, Pineo, Thomas & Sullivan

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.

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of

AD 1989 - 709

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July 15, 1991 Responses to Interrogatories Directed to William J. Morris, M.D. filed.

July 15, 1991 Stipulation filed.

Aug. 9, 1991 Motion for Sanctions filed.

Aug 14, 1991 Upon Praecipe of Plaintiffs' Attorney, this case is placed on the Argument List.

ON SEPTEMBER 1991 ARGUMENT LIST

Sept. 25, 1991 Withdrawal of Plaintiffs' Motion For Sanctions from the September ARgument List filed.

Mar. 27, 1992, Appearance of Harrington, schweers, Dattilo & McClelland, by Regis M. McClelland, attorneys for plaintiffs filed.

April 8, 1992 Certificate of Readiness filed. (Jury Trial Demanded)

Sept. 21, 1992 Motion for Continuance and/or Sanctions, filed.

Sept. 21, 1992 Memorandum and Order, filed. ORDER: AND NOW, Sept. 18, 1992, we will decline to continue this matter at this time without prejudice to the Defendant to reapply for a continuance if just cause can be shown at a later date once the Defendant has the Plaintiff's experts report.

It is noted that the Defendant will n ot supply an experts report at the time of the filing of the pre-trial narrative because Defendant does not currently have an expert and therefore Defendant shall supply its report to Plaintiff promptly once it does obtain an expert and receive a report

BY THE COURT:
Anthony J. Vardaro, J.

Sept. 22, 1992 copies mailed to Lent & McClellon & Larrimer

Sept. 22, 1992 Answer To Amended Complaint filed.

Sept. 28, 1992 Defendant's Pretrial Narrative Statement filed.

Sept. 28, 1992 Pretrial and Settlement Conference Request filed on Behalf of Defendant filed.

Oct. 15, 1992 Pre-Trial Conference Memorandum and Order filed. This matter is before the Court for a pre-trial conference with this case currently scheduled for the October term of court to begin on October 12, 1992. at the call of the trial list on September 28, 1992, the attorney for the defendant indicated that his expert had gallbladder surgery and may not be available.

The Court now has before it a motion to continue based on the fact that defense expert underwent emergency gallbladder surgery and was unable to testify nor to examine Plaintiff's expert's report which was presented on or about September 25, 1992.

After some discussion and argument regarding this matter, this case is continued to the February 1993 civil trial lsit.

Further, thepre-trial conference is continued until a date to be set at the call of the civil trial list for the February 1993 term.

Pending that pre-trial conference, the defendant is afforded 30 days from this date to provide the Plaintiff with a copy of Defendant's expert's report.

With respect to the issue raised by the defense to request for a pretrial and settlement conference filed on September 28, 1992, it appears that the parties will be further discussing the two videos in question and if they cannot resolve the matter the Court will view the videos and make a ruling sometime prior to the February 1993 scheduled trial.

Finally, since it appears to the Court that this matter may be close to resolution, a settlement conference is scheduled for October 14, 1992 at 1:00 p.m. in the undersigned's chambers. Both parties shall have available at that time, either personally or ready for telephone access, the appropriate parties with authority to negotiate and authorize settlement with respect ot this matter.

BY THE COURT:
Anthony J. Vardaro, J

Oct. 15, 1992 gave copies to McClelland and Lent

Nov 4, 1992 PETITION TO COMPROMISE THE ACTION OF A MINOR, filed.

Dec. 2, 19992 Upon Praecipe of Plaintiffs attorney, the above case marked settled and discontinued of record.

Dec. 24, 1992, Proof of Deposit filed.

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1989

DIANA L. SMITH

vs.

RICHARD O. SMITH

Record continued from page 648

of record

A.D. 1989 - 831

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Mar. 18, 1992 **D I V O R C E D E C R E E F I L E D .**

AND NOW, this 18 day of March, 1992, the Court Orders and decrees that:

DIVORCE

Diana L. Smith Plaintiff, and Richard O. Smith, defendant, are divorced form the bonds of Matrimony.

MARITAL PROPERTY

The marital property of the parties is awarded to the Plaintiff and defendant as follows:

a. The Plaintiff and defendant shall become the sole and exclusive owners of all marital property presently in his or her possession with no claim by the other against the same.

MARITAL DEBTS

The Defendnat, Richard O. Smith, shall be solely responsible for the payment of any and all marital debts acquired during the course of the parties marriage and listed as marital debts oneither ofthe Plaintiff's or defendant Inventorys or testified to by the parties at the Master's hearing. These include a certain Discover, Visa Card, Montgomery Wards account, Sears account, JC Penney account, promissory note to Dr. Shok to be paid by the defendnat directly to Dr. Shok with non-payment enforced through Domestic Relations and a certain installment loan to Marine Bank. The Defendant further agrees to idemnify hold the Plaintiff/Wife harmless with regard to the payment of said debts.

HUSBAND"S PROFIT SHARING

The Defendnat shall beocme the sole and exclusive owner of a certain pension/profit sharing plan through his employer, O.D. Anderson. Subject, however, to payment by Defendant/Husband to the Plaintiff/Wife, Diana L. Smith, the sum of $5,000.00 on or before June 6, 1991. In addition, the Defendant/Husband and Plaintiff/Wife shall execute a certain Qualified domestic relations Order which shall be incorporated as part of this decree for submission to the O.D. Anderson profit sharing plan in the total sum of $10,500.00 which shall be as the sole and exclusive property of Diana L. Smith

NON-MARITAL PROPERTY

The following property is determined to be non-marital and the sole and exclusive property of the parties minor child, Christine Smith.

a. A single waterbed listed as item #3 of Defendant's inventory.

b. ONe 13' TV listed as item #6 of the defendant's inventory.

c. A certain telephone listed as item #13 of the defendant's inventory and a certain TRS-80 computer listed as item #15 on the defnedant's inventory.

d. The following items are determined to be non-marital property belonging to the parties' minor son, Zachary Smith:

1. A certain swingset currently in the defendant's possession.
2. A certain John Deere toy tractor currently in the Defendant's possession.

The swingset shall be delivered by the Defendant immediately to the home of the mother where the minor child, Zachary Smith, has his primary residence. The John Deere toy tractor shall remain in Defendant's possesison for use by Zachary Smith during his visits with the father. However, in the future if Zachary Smith should desire to take the toy tractor to the home of his mother, he shall be allowed to do so without interference from any person.

COUNSEL, FEES, COSTS AND EXPENSES

Plaintiff and Defendant shall be equally responsible for the payment of all costs and expenses incurred in the Master's hearing including but not limited to Master's fee and stenographer's fees. The Plaintiff and Defendant shall each be solely responsible for their own attorney's fees without contribution from the other except to the extent that any payment has been made by the Plaintiff or defendant on account of the other to the date of this order.

ESCROWED BANK ACCOUNT

The parties shall split equally a certain escrow bank account to Marine Bank having an approximate balance of $116.00 forthwith.

This order shall be effective immediately.

BY THE COURT,
Anthony J. Vardaro, J

Dec. 6, 1996 Certificate of Completion of Seminar for Separating Parents by Defnedant filed.

Phyllis June DeVore, Adm. of the Est. of Keith David DeVore and Phyllis June DeVore and David DeVore, husband and wife
vs.
Ronald M. Vrablik, M.D., and Meadville Medical Center

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of

No. AD 1989 - 1043

Oct. 7, 1991 Defendant's Motion in Limine Concerning Expert Medical Testimony, filed.

Oct. 7, 1991 Defendant's Motion in Limine Concerning Plaintiffs' Expert Economist, filed.

Oct. 14, 1991 Proposed Plaintiffs' Voir Dire filed.

Oct 14, 1991 Stipulation of Discontinuance and Order filed: AND NOW, to-wit, this 14 day of Oct., 1991, in consideration of the Stipulation of Discontinuance, it is hereby ORDERED, ADJUDGED AND DECREED that the case against Meadville Medical Center shall be dismissed with prejudice.

P. Richard Thomas,
Senior Judge

Oct 16, 1991 Copies of order mailed to Attys. Altomare, Delaney and Quinn.

Oct 15, 1991 Re: Motions in Limine and MMC Motion for Summary Judgment and Order filed: AND NOW, October 11, 1991, several motions in limine were presented to the Court as well as a motion for summary judgment. The Court hears argument and rules as follows:

on the Plaintiff's motion in limine to exclude from the jury's evidence that the Plaintiff/mother had a six (6) week gestation abortion in 1977, the motion if tentatively granted and absent unexpected factual developments not known to either counsel or Court, this ruling will stand throughout the trial. The Court reserves the right to change the ruling if facts unknown at this time come to light.

Plaintiff also requests a pre-trial ruling that would preclude cross examining the mother to show that she became pregnant after the death of the child here at issue and used Doctor Vrablik's services for prenatal care and in birthing the child. While counsel at this time appear to be unaware that any complications with that childbirth could have any bearing on the birthing problems with the child here at issue, we will rule that absent the development of unanticipated facts, the jury will not hear on direct or cross examination the subsequent care accorded to the mother by Doctor Vrablik.

Defendants in their motion in limine have requested that the Court strictly limit Doctor Myer's testimony to that disclosed in his written reports. The problem arises because Doctor Myers seemingly opined that almost every page of the records he examined gave some indication of negligent or improper decision making by Doctor Vrablik and the Defendant Doctor postulates that Doctor Myers, the Plaintiff's expert, might attempt to amplify his report by calling the jury's attention to other facets of the written reports and thus take Defendant and their expert by surprise.

We have review Doctor Myer's written report and believe it is fairly broad but we will not preclude Doctor Myers on direct or cross examination from referring to other pages of hospital records to substantiate his opinion. However we reserve to opposing counsel the right to present any objections and we rule on the same at trial.

There exists a vigorous dispute between counsel on the upcoming testimony of Doctor Rosen as to how to apply maintenance costs, the measure, against lifetime earning capacity and apparently Doctor Rosen will postulate and present to the jury a proposed madel family of four (4) that he estimates the deceased child would have and statistics based on that postulation for the jury's consideration.

It is this Court's opinion at this time that the case cited by the Plaintiff's counsel does not stand for the proposition proposed and this court believes that the testimony of the expert Rosen should be limited to the assumption that the child would grow up, remain single and the appropriate earning capacity would be established together with any statistical analysis of problable offsetting living expenses.

Counsel for the hospital has moved for a motion for summary judgment and while the court finds great merit to their Argument and finds at this point the record discloses very little potential liability on behalf of the hospital, we will reserve the decision on this motion and attempt to render a decision prior to trial.

If no decision is reached, counsel for the hospital will plan on participating in the trial.

There is confusion regarding an actual or potential subpoena of one Anthony DeFail who apparently is Hospital Administrator and President of the Board. Plaintiff proposes to call him and question him regarding certain hospital policies established for operation of the Obstetric Department. It is offered by counsel for the hospital that DeFail is not a medical practitioner, has no knowledge of the background and input received in establishing these regulations which apparently are drawn up by the Obstetric Committee of the hospital, accordingly, we think it would be grossly unfair to call Defail to question him about the reasons behind these regulations and the considerations given in adopting the same.

In this regard, the hospital is willing to stipulate that the regulations were prepared by the Obstetric Department and were approved by the Board of Directors of the hospital as being appropriate hospital policy.

There is another issue about who the Plaintiff's attorney will question to get on the record the Answers to Interrogatories, which apparently were signed by Risk Manager Zaline Euler. The hospital is willing to stipulate the Answers represent the Answers of the Board at the hospital and that Euler signed the same acting on behalf of the Board of the hospital.

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

Oct 16, 1991 Copies of order given to all counsel of record.

Oct. 21, 1991 Defendant's Motion In Limine filed.

Oct. 17, 1991 Defendant, Vrablik's Proposed Supplemental Voir Dire filed.

Oct 21, 1991 Defendant's Motion in Limine and order filed: Presented 10-21 8:45 a.m. Denied.

P. Richard Thomas, S.J.

Oct 21, 1991 Copies of order given to Attys. Altomare, Delaney & Quinn.

Oct. 24, 1991 Plaintiffs' Points For Charge filed.

Oct. 24, 1991 Defendant's Motion For Directed Verdict and Suggested Points For Charge filed.

Oct. 29, 1991 Deposition of Ronald F. Zieziula, M.D. filed.

Oct. 29, 1991 Deposition of Henry R. C. Lara, M.D. filed.

Oct. 29, 1991 Exhibits filed.

And now, Oct. 29, 1991 at 4:45 pm, jury selected Oct. 14, 1991 @ 11:25 a.m. and sworn Oct. 21, 1991 at 9:10 am as follows: 1. Kenneth E. Shaffer; 2. Bonita Snyder; 3. Eugene V. Mandish; 4. Marlene Mulvin; 5. Maxine Headley; 6. Joan Smock; 7. Paul Krueger; 8. Lena Roxberry; 9. Patricia Gowlinski; 10. Anna H. Bennell; 11. Hebert J. Walker; 12. Susan DeVaul; #1 Alt. Myrtle Bogardus; #2 Alt. Mary R. Coldren twelve good and lawful persons who upon their solemn oaths which they have taken and at least 10 of them say they find the Defendant Guilty. #2 75,000.
V-144

Hubert J. Walker, foreman

Cont on Pg 655

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1999

Phyllis June DeVore,
Administrator of the Estate
of Keith David DeVore; and
Phyllis June DeVore and David
DeVore, husband and wife

vs.

Ronald M. Vrablik, M.D., and
Meadville Medical Center

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of record

A.D. 1989 - 1043

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Nov. 12, 1991 Defendant's Exception To Plaintiffs' Bill of Costs filed.

And now, Nov. 13, 1991, upon praecipe of Joseph E. Altomare, Esq., judgment is hereby entered upon the verdict, in favor of the plaintiff and against the defendant, in the sum of Seventy Five Thousant and 00/100 plus taxable costs.

V-144
Judgment entered 11/13/91

Debt $75,000.00
JUDGMENT
James F. Simmons
Prothonotary

Nov. 18, 1991, Upon praecipe of plaintiff attorney, judgment and costs inthe above capitoned action having been by the defendant fully paid, this action is marked satisfied of record.

Apr. 16, 1993 Motion for Release of Exhibits and Order filed. AND NOW, this 16 day of April, 1993, this Honorable Court hereby grants the release of Exhibits identified in the Exhibit Sheet attached hereto as Exhibit "A" to the Plaintiffs in the above captioned action or their attorney
P. Richard Thomas,

Apr. 22, 1993 Copies of order to Atty's. Lindsay, Altomare, Delaney and Quinn

Robert L. Higby
vs.
Sheryl A. Higby

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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,
Gordon R. Miller, J.

April 28, 1992 copies of Order distributed to: Mary Ann Kirkpatrick, Esq. and Paul E. Allen, Esq.

Nov. 21, 1994 ORDER, filed. (see original at A.D. 1989 - 617).

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
(original filed at A. D. 1989 - 617)

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 theichildren 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 children into her custody up to three (3) times a month, 10:00 o'clock a.m., or later, on Saturday to 7:00 o'clock p.m., or earlier, on Sunday, beginning with the month of March, 1995, provided such visits are supervised by either Jane Kemp, the maternal grandmother, or Sue Fritz, mtoher'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 of the intended visit.

B. Transportation of the children on weekend visits shall be shared as follows: The mother's sister 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 in the power of each to foster a favorable and loving attitude on the part of the children towards both parents.

D. Neither mother nor father shall expose the children to any person or situation which may be harmful to the children' health or well being. Mother shall not consume alcohol or use 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 th eother with a current telephone number.

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

IV. Cost of the mediationconference 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 a custody order.

Anthony J. Vardaro, J

Mar. 13, 1995 Faxed Kirkpatrick & Fuller, mailed Si Higby

Barbara J. Walton

JOHN B. WASHBURN

vs.

Kathleen WASHBURN

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of A.D. 1989 - 1024

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May 11, 1992 AFFIDAVIT OF SERVICE FILED. 1. A true and correct copy of the Complaint for Custody filed inthe above-captioned matter was served upon the Plaintiff, John Washburn, by certified mail, restricted delivery,pursuant to Pa. R.C.P. 412 on May 6,1992, as is evidenced by the United States Postal Service Return Receipt (Certified NO. P 899097817) attached hereto as Exhibit A.

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

DATE: May 8, 1992 Barbara J. Walton, ESq.

May 11, 1992 Appearance of Barbara J. Walton for Defendant, filed.

May 29, 1992 TEMPORARY ORDER filed. AND NOW, this 28th day of May , 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 andphysical 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 int he 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. Starting at 6:00 p.m. of Sunday, May 24, 1992, the subject minor child shall reside with his father for a period of two weeks ending at 7:00 p.m. on the second Sunday following. Then the subject minor child shall reside with his mother for the succeeding two weeks and the parties shall thereafter alternate the two week periods. The party with whom Dennis is not resideing under this alternating bi-weekly schedule shall have the right to visitation and temporary physical custody for the weekend following the beginning of the other party's bi-weekly period, from Friday at 6:00 p.m. through Sunday at 7:00 p.m.

During the school summer vacation, each party shall have the right to designate a two week period during which no visits may be accorded the other, providing that the designating is going out of town on a vacation trip and taking Dennis with him or her.

4. Holiday visitation shall be arranged as follows:

a. Christmas: There shall be two Christmas visitation periods, the first beginning Christmas Eve at noon and ending Christmas Day at noon and the second beginning Christmas Day at noon and ending on December 26 at noon. The father shall have the first period for Christmas 1992, and the parties shall thereafter alternate the periods.

b. Thanksgiving: There shall be two Thanksgiving holiday periods, the first beginning on the Wednesday preceding Thanksgiving after school and ending Thanksgiving Day at 2:00 p.m. and the second beginning Thanksgiving Day at 2:00 p.m. and ending on the Friday after Thanksgiving at 6:00 p.m. The mother shall always have the first period and the father, the second period.

c. The parties shall alternate visitation for the subject minor child's birthday. If the birthday falls on a school day, the visitation period shall be from the close of school until 8:00 p.m. If it is not a school day, then the visitation period will be from 10:00 a.m. until 8:00 p.m. For 1992, the mother shall havevisitation and temporary physical custody of the subject minor child and the parties shall thereafter alternate.

d. The other holidays will be arranged between the parties as needed.

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

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

5. Should it be necessary for either party to cancel or modify the visitations as set out in this Order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be ncecssary, 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 re-ceibing the child in the exercise of his or her rights picking up the child at the home of the other.

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

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

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

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 are directed to arrange for counseling for themselves and for

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John R. Washburn
vs.
Kathleen Washburn

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the subject minor child so that the parents may learn how best to cope with their status as separated parents, to negotiate their differences amicably, and to best see to the care and upbringing of the subject minor child, and so that the subject minor child may learn how to accept and cope with his situation as the child of separated parents. The parties have indicated that they would agree on counseling to be made through the Meadville Community Health Center. Counseling will continue at the discretion of the counseling service and no counselor shall be compelled against his or her best discretion or the rules of confidentiality governing the profession to disclose information obtained from either party or from the subject minor child in any further proceeding.

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 Codfunty.

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

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

June 8, 1992 copy in box for W. Pineo, B. Walton,B. Muth, mailed copy to Plf. & Dft.

Apr. 6, 1993, Petition for Review of Custody Order by Child Custody Mediator and Order filed. ORDER: AND NOW, this 31st of Mar. 1993, upon consideration ofthe within Petition, William Pineo, Esq. the Custody Mediator heretofore appointed in this case, is ordered and directed to schedule further mediation in this case for the purpose of reviewing the order entered on May 28, 1992, and further to address the request of the Petitioner set forth in her petition. The $125.00 fee has hereto fore been deposited with the prothonotary.

A copy of this order shall be served upon the respondent by reg. mail or his counsel of record.

By the court,
Gordon R. MIller, J.

Apr. 12, 1993, copies of order to W. pineo, B. Walton and B. Muth, K. Nelson

May 13, 1993 TEMPORARY ORDER, filed. AND NOW, this 12th day of May, 1993, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator.

IT IS HEREBY ORDERED AND DECREED THAT:

1. The order of May 28, 1992, is not changed and shall continue in all respects.

2. Costs and fees fo this Mediation, which are fixed at $102.00, are divided equally between the parties with the share of each being assessed to him or her as costs in this case.

3. The deposit required for the appointment of the custody was made by the mother. The deposits shall first be applied against the mother's share of costs and the remainder shall be remitted to her. The father shall pay his share of costs within thirty (30) days of the date of th is order. Payment shall be made tothe Prothonotary of Crawford County.

4. Either party may move the Court for a hearing de novo for thirty (30) days from date hereof. If n either party so moves, this Order shall be considered permanent.

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

May 14, 1993 copy to W. Pineo, K. Nelson, B. Muth, Plf. & Dft.

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-b-

1989

JILL LOUISE CONSLA
vs.
JAMES GARY GOFF

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Legal Journal and that attached to this Affidavit is a Proof of Publication with regard to said service;

3. Mailed a certified copy of the Divorce Complaint to the Defendant by Certified Mail and regular mail to the address of P. O. Box 10240, Minneaplis, Minnesota 55458-3240 attached to this Affidavit are the returned envelopes;

4. Mailed a certified copy of the Divorce Complaint to the Defendant by Certified Mail and regular mail to the address of P. O.Box 11967, St. Paul, Minnesota 55111-0967; attached to this Affidavit are the envelopes for the Certified mailing and regular mailing.

R. Charles Thomas, Edquire

July 6, 1992 Upon Praecipe of R. Charles Thomas, Esquire for Review under Section 201 (d) of Divorce Code, this case moved to Court.

July 21, 1992 Motion for Withdrawal of Count From Divorce Complaint and ORDER OF COURT filed. And now, July 20,1992 the within Motion is allowed and this case shall proceed to the Court for dispositon on the request for the divorce alone.

Gordon R. Miller, J.

July 22, 1992 Copy of Order to Atty. R. Charles Thomas.

DIVORCE DECREE FILED

July 20, 1992 AND NOW, July 20, 1992, it is ordered and decreed that JILL LOUISE CONSLA, plaintiff, and JAMES GARY GOFF, defendant, are divorced from the bonds of matrimony.

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

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

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PAMELA M. WATSON
VS.
BLAINE WATSON

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shall make every effort to accommodate the children's education through travel at all future times upon appropriate notice from the parent who will be doing the traveling.

6. Each of the parents shall teach teh children involved in this case to develop and express that natural love and respect due a parent from his or her children. Neither of the parents will do or say anything to blacken the character of the other parent in the eyes of the children. These admonitions shall extend to all grandparents and to Keith Zilhaver, finance of the mother, and to anyone else spending a significant portion of time with the children. No person, other than than one of the parents, the parties to this action, shall administer corporal punishment by way of spanking or otherwise to either of the children involved in this case. This prohibition shall extend to grandparents, baby-sitters, and to Keith Zilhaver. If anyone other than parents finds is necessary to discipline the children, that person shall do so only in a non-corporal manner.

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. Failure to abide by the corporal punishment provisions, the use of alcohol beyond the limits prescribed, or the use of any non-prescription drugs by any adult coming into contact with the children would be such a circumstance as to warrant further Mediation.

8. The Court of Common Pleas of Crawford County, Pennsylvania, shall retain jurisdiction of this matter so long as either of the parents or either child resides in the Court's jurisdiction and for at least six months from the date of 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:
Anthony J. Vardaro, J.

May 4, 1993 copy to M.A. Kirkpatrick, A. Gamble, B. Smith, Plf. & Dft.

WALTER L. POFF

VS.

AUDREY A. POFF, now
Audrey A. Uiselt

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Jan. 21, 1993 Motion fro Continuance and ORDER filed. AND NOW, this 20 day of January, 1993, upon consideration of the within Motion for Continuance, it is hereby ORDERED AND DECREED that hearing in the above-captioned matter is continued until the 6th day of April 1993, at 9:30 o'clock, a.m., Courtroom No. 2, Crawford Co. Courthouse, Meadville, PA.

For The Court:
Imogene Yetman, Ct. Adm.

Jan. 22, 1993 Copy of Order to Attys. Ruthanne Beighley, R. Charles Thomas, Wm. Pineo, Joan Mason, and Samuel Pangborn.

Apr. 14, 1993 Order Filed. AND NOW, April 6, 1993, the Order of October 5, 1989, and modified by the Order of October 2, 1990 is continued in full force and effect, with the following addition:
All of the parties will continue to maintain counseling with Kathy Berkey, M.A. for such time as the therapist feels that the counseling sessions are having such positive value, with the expense thereof to be paid by the plaintiff.

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

Apr. 14, 1993 Copies given to Attys. Halliday & Mason. Apr. 19, 1993 Copy of Order to Mediator, Thomas, Pangborn, & Beigley.

Apr. 19, 1993 Exhibit filed.

Jan. 14, 1994 Motion To Refer Custody Back To Mediator and Order filed. AND NOW, this 19th day of January, 1994, upon consideration of Plaintiff's Motion to Refer Custody Back to Mediator, said mtoion is granted. All parties shall appear for a mediation conference before Mediator, William Pineo, at a time to be set by the Mediator in the Crawford County courthouse with the child Custody Mediator as Required by Rule L1915.26A et. seq. of the Court of Common Pleas of Crawford County, Pennsylvania.
It is further ordered and decreed that pending final determination by the Court, the aforesaid minor child shall not be removed from the jurisdiction of the court by either party hereunder, under possible punishment for contmept of Court.

BY THE COURT,
Gordon R. Miller, J

Jan. 25, 1994 Copies of order to Atty's Irwin, Beighley and Pineo

Feb. 8, 1994, Appearance of Halliday and Halliday, by Michael Hallidays, attorneys for defendant Audrey A. Uiselt, filed/

Feb. 10, 1994, Defendant's Answer to Plaintiff's Motion for Mediaton Conference filed.

Mar. 24, 1994 Motion To Withdraw Request for Custody Mediation and Order filed. AND NOW, this 21st day of March 1994, upon presentation and consideration of the within Motion, Plaintiff's request for further mediation in the abovecaptioned case is hereby withdrawn.

Gordon R. Miller, J

Mar. 25, 1994 Copies to Atty. Irwin, Beighley & Pineo

6/3/94 Opinion in Ct.

May 26, 1994, ORDER filed. AND NOW, May 24, 1994, a decision on the petition to relinquish jurisdiction to relinquish jurisdiction is deferred until the court receives the appropriate information from the court of Common Pleas of Mercer County as requested in the attached letter from the undersinged Judge tothe Court Administrator of Mercer County.

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

(copies given to attys. of record)

June 1, 1994, ORDER filed. AND NOW, May 31, 1994, pursuant to 23 Pa. C.S.A. 5348 this court finds that since the child has resided in Mercer County, Pa. for most of his life and since the natural mother resides in Mercer County Crawford County is an inconvenient forum. Furthermore Mercer County is a more appropriate forum. We have communicated with the Court Administrator and Pres. Judge of Mercer County and find that Mercer County will Accept jurisdiction of this case.

Accordingly it is ordered as follows:

1. The current custody order entered in Crawford County shall remian in full force and effect untilmodified by the Court of Mercerd County, Pa.

2. Jurisdiction in this court is ono longer appropriate. This court declines further jurisdiction and no further proc eedings between these parties will take place in Crawford County in this case.

3. The parties shall pay any outstanding costs due in this case on a 50/50 basis within thirty (30) days from this date.

4. The custody mediator heretofore appointed shall conduct no further proceedings. He shall indicate whether or not he is entitled to any fees for services he may have performed and rendered up to this date.

5. A true and correct copy of this order shall be submitted tothe Honorable francis J. fornelli, Pres. Judge of Mercer County, Pa. by the Prothonotary forthwith.

6. Neither this court nor the Prothonotary shall forward any further matters to Mercer County, Pa. unless the court of Common Pleas of Mercer County, Pa. makes a request for the same, because we believe that counsel for the parties should furnish any documents that are necessary, appropriate or required in Mercer County.

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

6/1/94, copy given to Irwin, copy faxed to Halliday and Judge Fornelli.

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1989 [redacted]

ERIC R. SMITH

VS.

KATHLEEN L. SMITH

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N. Mrs. Smith shall execute a transfer and assignment of any interest she has in the title to a Lincoln Mark VII, vintage 1983 or 1984, that is in Mr. Smith's possession, all executions to be accomplished within five (5) days of the date of this Decree.

O. Eric smith shall be fully responsible for all liability to Mellon Bank for a line of credit, account number 031-995-74 and shall indemnify and hold Mrs. Smith harmless frrom said liability.

P. Each of the parties has in his or her possession those items of personalty that they have previously divided and each of the parties shall keep and possess all of those items which he or she has in his or her possession.

Q. Eric Smith shall be entitled to collect those items awarded to him from the porch of Mrs. Smith's current residence and those items shall be placed on the porch by Mrs. Smith for Eric Smith to collect at a pre-arranged time and date.

3. Child Custody

This Count has been withdrawn by the Plaintiff, Eric Smith, and the Court enters no order with regard to Custody.

BY THE COURT:
Anthony J. Vardaro, J.

Ricky Lee Uplinger
vs.
Linda Lou Uplinger (Now by marriage Linda L.Gens

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Feb. 1, 1994 Petition for MOdification of Custody and ORDER filed. AND NOW, this 27th day of January, 1994,uponconsideration of the attached Petition for Modification of Custody,Wm. Pineo is hereby appointed mediator to hear said matter.

BY THE COURT,
Gordon R. Miller, J.

2-3-94 Copy of Order to Attys. Mason, FErguson & Pineo.

Mar. 29, 1994 TEMPORARY ORDER, filed. AND NOW, this 28th day of March, 1994, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDRED AND DECREED THAT:

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

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

3 a. The mother shall have primary physical custody of the subject minor child. The father shall have temporary physical custody and visitation each weekend, except for the first full weekend of each month, from Friday at 5:00 p.m. through Sunday at 5:00 p.m. The father shall also have the right of visitation and temporary physical custody each Thursday from 5:00 p.m. to 8:00 p.m. He shall also have the right of visitation and temporary physical custody each summer during the month of July. During said summer visitation perios, the mother shall have the right to temporary physical custody and visitation on the second and fourth weekends of July from Friday at 5:00 p.m. through Sunday at 5:00 p.m.

b. The parent not havidng physical custody of Annamarie shall have the right to telephone her at areasonable times and for reasonable lengths of time and such conversations will not be unreasonably monitored by the parent having physical custody. Unless there is an emergency, no telephone calls hsall be made during the receiving party's dinner hour nor after 8:00 p.m.

4. Holiday visitation shall be arranged as follows:

a. Christmas: There shall be two Christmas visitation periods, the first beginning on Christmas Eve at noon and ending Christmas Day at noon; and the second beginning Christmas Day at noon and ending December 26 at noon. For Christmas, 1994, the father shall have the first period and the mother, the second, and the parties shall thereafter alternate. The father shall also have visitation and temporary physical custody each year from New Year's Eve at noon until New Year's Day at 10:00 a.m.

b. Thanksgiving: There shall be two Thanksgiving visitation periods, the first beginning on the Wednesday preceding Thanksgiving at 5:00p.m. and endign Thanksgiving Day at 2:00 p.m.; and the second beginning Thanksgiving Day at 2:00 p.m. and ending Thanksgiving Day at 7:00 p.m. For Thanksgiving, 1994, the mother shall have the first period and the father, the second, and the parties shall thereafter alternate.

c. Easter: There shall be two Easter visitation periods, the first beginning on Holy Saturday at 5:00 p.m. and ending Easter Sunday at 2:00 p.m.; and the second beginning on Easter Sunday at 2:00 p.m. and ending on Easter Sunday at 7:00 p.m. For Easter, 1994, the mother shall have the first period and the father, the second, and the parties shall thereafter alternate.

d. The other holidays to be observed are Memorial Day, Independence Day, and Labor Day. The mother shall have visitation and temporary physical custody each Independence Day from 9:00 a. m. through 11:00 p.m., so that Annamarie may watch the fireworks. In even numbered years, the father shall have visitation and temporary physical custody for Memorial Day week end beginnign Friday at 5:00 p.m. and ending Monday at 5:00 p.m.' and in odd numbered years, he shall have temporary physical custody and visitation on Labor Day weekend from Friday at 5:00 p.m. through Monday at 5:00 p.m.

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

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

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 alternatiave arrangements.

6. The parties shall split responsibility for transportation with the party redceiving the child in the exercise of his or her rights picking up the child at the home of the other. Any person transporting the child shall make sure that the seat belts or other restraints are used in accordance with the laws of Pennsylvania.

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

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

9. Neither party shall do or say anything to blacken the character of the other in the child's estimation. Each party shall treat the other in apolite and respectful manner when in th4e 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 repectign 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. The parties shalll try to arrange for counseling for themselves and for Annamarie for the purpose of working ou t ways of lessening the hostility between them and their families and the development of effective means of communicati so that they may cooperate in the rearing of Annamarie. Each party shall pay the costs of his or her own counseling and the parties shall split the counseling sessions with Annamarie.

12. Each of the parties and their families shall respect the privacy of the other party and his or her family and neither party shall interrogate Annamarie about the conditions or events in the other's household.

13. Costs and fees of this Mediation, which are fixed at $302.00, are divided equally between the parties with a share of each being assessed to him or her as costs in this case.

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

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

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

Apr. 5, 1994 copy to W. Pineo T.D. Watson, J. Mason, PLf. & Dft.

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1989 TERM

Ricky Lee Uplinger
vs.
Linda Lou Uplinger (Gens)

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Dec. 2,1994 Petition For Modification of Custody and Order, filed. You, LINDA LOU GENS, Defendant, have been sued in Court to obtain custody/primary physical custody of the child: Annamarie Uplinger.

You are ordered to appear in person, as the duly appointed Custody Mediator shall direct, at such time and place as will be determined by the Mediator, William Pineo, for a mediation conference/hearing.

You ar further ordered to bring with you the child: Annamarie Uplinger.

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

Date: 12-2-94
(1 copy atty)

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

February 12, 2002 See computer for further entries.

John E. Prussia
vs.
Tricia D. Prussia

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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 modification or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternate visits or to make alternate arrangements.

6. The parties shall split responsibility for transportation by meeting at a place designed and agreed upon between them as being "half way".

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

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

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

10. Neither party shall do or say anything to blacken the character of the other in the child's estimation. Each party shall treat the other 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 it were to be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which, this order shall govern.

BY THE COURT:
Anthony J. Vardaro, J.

April 20, 1994 Copy of Order to Atty. James Irwin,, copy mailed to Defendant.

March 16, 1998 Petition to Waive Requirement to Attend Seminar For Separating Parents and ORDER filed. AND NOW, this 16 day of March, 1998, upon consideration of Plaintiff's Petition to Waive the Requirement that he attend the Seminar for Separating Parents, said request is granted due to the fact that Plaintiff resides in the State of South Carolina at this time.

BY THE COURT:
Anthony J. Vardaro, J.

March 16, 1998 Order FAXED Atty. Irwin.

Oct 7, 1998 Stipulation and Consent Custody Orker: AND NOW: this 5 day of October, 1998, upon presentation of the Stipulation and Consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED and DECREED that:

1. Legal and physical custody of the parties' minor child shall be shared between the mother, and the father.
2. (see paper filed)
3. The natural father shall have primary physical custody of the aforementined minor child year round. The natural mother shall have primary physical custody during the child's intermissions from school.
4. thru 11. (see paper filed)

Anthony J. Vardaro, J.

Oct 7, 1998 Faxed to Irwin

Mar 5, 1999 Notice of Election to Retake Maiden Name: **Tricia D. Prussia** TO BE KNOWN AS: **TRicia D. Rumbaugh.**

	William L. & Virginia A. Howells vs. Scott W. & Mary Ann Gammon and H. Russelll Hudson d/b/a Russ Hudson Construction	CONTINUED FROM PAGE 531 of Record A. D. 1989 - 1081	

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Jan. 31, 1995 ORDER filed. AND NOW, January 30, 1995 at the call of the civil trial list, the Court Administrator and two of the attorneys involved indicate this case was settled, but it remains on the list.

Accordingly, it is ORDERED as follows:

1. This case shall be stricken from the trial lsit.
2. Within fifteen (15) days from this date, the case shall be marked settled and discontinued unless in fact it is not settled. If the case is not settled, counsel shall take whatever action is necessary to move the case along and to place it back on the trial list.

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

Jan. 31, 1995 copies dist to Gregg, Ferguson & Stack