CRAWFORD COUNTY

APPEARANCE DOCKET

BOOK 295

Vol. 2

MAY 1993

PIRRELLO ENTEPRISES INC.
Scanned June 2017

1993

Prather, Prather
& Pineo
Mark D. Prather

451.

DALE RISLEY and MARIAN E. RISLEY, his wife

vs.

BERNARD R. WAGNER and PATRICIA J WAGNER, His wife

Filed May 7, 1993
@ 12:17 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	31.00
Pro.Co. pd 6/21/93	9.00
Pro Co pd 8-23-93	5.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies Sheriff

SHERIFF'S RETURN filed. SERVED Bernard R. Wagner on May 14, 1993 at 4:01 PM by handing a copy of the Complaint in Mortgage Foreclosure to Patricia J. Wagner, his wife and Authorized Agnet, in tehe Sheriff's Office, Crawford County Courthouse, Meadville, Pa. Signed Acceptance of Service attached.

SERVED Patricia J. Wagner personally on May 14, 1993 at 4:00 PM by handing her a copy of the Complaint in Mortgage Foreclosure in the Sheriff's Office, Crawford County Courthouse, Meeadville, Pa. So answers, Carole Stefanucci, Dep. Sheriff
Robert M. Stevens, Sheriff

And now, Jun. 21, 1993 at 3:44 P.M. upon praecipe of plaintiff's attorney, judgment is hereby entered in favor of the plaintiff and against the defendants for failure to file responsive pleading within the time required and the same is liquidated at the sum of Twenty Seven thousand four hundred TWenty Nine and 51/100 plus $327.49 interest (totalling $27,757.00),plus costs of suit.

W-23;133;

Abstract to Atty.Prather

Debt $27,757.00
Interest included in total Judgment
Barbara H.King
Prothonotary

Aug. 23, 1993 Upon praecipe of plaintiff attorney the above captioned case is satisfied of record.

1993

452.

TAMMY L. McHALE

VS.

J. DENNY MCHALE

Filed May 7, 1993
@ 2:42 PM

Tax pd 6-3-93 (6-3-93) .60
Tax & entry paid (6-3-93) 60.50 50.00
User's Fee paid (6-3-93) 5.00
Costs paid 5-17-93 5.00
Pro Se pd 6-3-93 .00

6-2-93 Received 16.00 Tax and filing Fee Bal due 34.50 from Plaintiff

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 7 day of May , 19 93 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions:The Defendant shall not go to any place where the Plaintiff resides nor to her work place. The Plaintiff may go to the marital home when the sheriff or his deputy serve this on the defendant sothe planitiff may remove necessary personal items fromthe marital home.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or fees and costs will be determined by final court order.
7. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the May 17, 1993 , at 1 p.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

May 19, 1993 Motion to Vacate Protection From Abuse Order and Order, filed. ORDER: AND NOW, this 17 day of May, 1993 upon receipt and review of the plaintiff's motion to vacate and terminate the Protection from Abuse Order of May 7, 1993, said motion is granted and the Protection from Abuse Order is hereby vacated and terminated.

A true and correct copy of this Order shall be delivered by the Prothonotary to the parties, police department in Plaintiff's jurisdiction and to County Control.

Any provisions of the Protection from Abuse Order of May 7, 1993 assessing court costs shall remain in full force and effect without change or modification and the party or parties against whom costs were assessed shall remain obligated to pay the costs, except Plaintiff shall have 60 days to pay the costs.

BY ORDER OF COURT
Anthony J. Vardaro, J.

May 25, 1993 copy to Plf., Dft.,

May 19, 1993 ORDER filed. AND NOW, May 17, 1993, this matter is before the Court for a hearing with respect to Plaintiff's Petition for Relief under the Protection From Abuse Act.

At this time the Defendant has not been served, but the Plaintiff indicates that she wishes to withdraw her request for relief and after some discussion with the Court, we will allow her to do so.

Accordingly, she is directed to go forthwith to the Office of the Prothonotary of Crawford County to file a written motion to withdraw her petition and the Prothonotary shall allow her to do so. The Plaintiff shall pay court costs in this matter in the amount of $64.50 within sixty (60) days of the date of this Order.

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

May 19, 1993 copies of order given to Plf, Dft., Jamestown Police & Co. Control.

July 23, 1993 AFFIDAVIT OF CONSENT FILED (JOHN S. LAWRENCE PLTF)

July 29, 1993 WAIVER OF NOTICE OF INTENTION TO REQUEST ENTRY OF A DIVORCE DECREE UNDER 3301(c) OF THE DIVORCE CODE FILED. (PLTF)

July 29, 1993 INVENTORY OF NORMA J. LAWRENCE FILED.

July 29, 1993 INVENTORY OF JOHN S. LAWRENCE FILED.

1993

453.	PETITION FOR INVOLUNTARY TREATMENT OF CHARLES H. LEWIS Filed May 7, 1993 @ 2:43 PM	PETITION FOR INVOLUNTARY TREATMENT May 7, 1993 Results of Examination and Determination of Need for (Continued) Treatment, filed.

4

1993

454.

PAMELA COLLINS

VS.

RICHARD DE MAISON

Filed May 7, 1993
@ 4:12 PM

Tax & entry paid	50.50
User's Fee paid	5.00
sheriffs costs	51.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

June 1, 1993, Sheriffs Return filed. SERVED the within complaint on may 21, 1993, at 9:33 a.m. upon Richard DeMaison at R. D. #1, PO Box 79, Seneca Pa. 16346, by handing to him in person a true and correct copy thereof and make known to him the contents therein. Gene Price,
Sheriff of venango County, Pa.
I hereby deputize the sheriff of Venango County, Pa. to serve the within Complaint according to law.
Date: 5/13/93 Robert M. Stevens, Sheriff

1993

William J. Gregg

455.

Brian Lindsay

BYRON L. WHEELER

vs.

ARLENE RAE WHEELER a/k/a
ARLENE LOGA WHEELER

Filed May 7, 1993
@ 4:18 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Use Fee pd. 8/12/94	10.00
Add'l Counts Pd.	30.00
Pro Co 11-23-94	9.00

COMPLAINT IN DIVORCE
1 copy atty.

May 17, 1993 AFFIDAVIT OF SERIVCE, filed. WILLIAM J. GREGG, Esquire, being duly sworn according to law, deposes and says that the following facts in support of his Affidavit of Service are true and correct to the best of his knowledge, information and belief:

1. That the Affiant is the Attorney for the Plaintiff 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, Arlene Rae Wheeler, on May 8, 1993.

3. The registered mail was sent to Arlene Rae Wheeler in care of PO Box 656, Linesville Pa 16424. The sender's receipt is attached hereto.

4. That the Defendant received said registered mail on May 12, 1993. Said Return Receipt card P 360 670 092 is attached hereto, signed by Arlene Wheeler, and made a part hereof.

Aug. 5, 1994 Answer to Complaint in Divorce and RULE TO SHOW CAUSE filed. AND NOW, this 5th day of August, 1994, upon consideration of Defendant's request for alimony, alimony pendente lite, counsel fees, costs and expenses, a rule is issued on Byron to show cause, if any he has why the prayer of the Defendant should not be granted. Said rule is returnable for hearing and argument on the 2nd day of September, 1994, at 1:30 o'clock p.m. in Courtroom 1 or 2 of the Crawford Co. Courthouse, Meadville PA.

BY THE COURT:
Gordon R. Miller, J.

Aug. 5, 1994 Order Faxed to Atty. Gregg; given to Atty. Lindsay.

Sep.8,1994 Motion for Continuance and ORDER filed. AND NOW, this 2nd day of September, 1994 upon presentation and consideration of the within Motion this hearing is continued generally. Hearing to be scheduled upon Motion of either Plaintiff or Defendant.

BY THE COURT:
Gordon R. Miller, J.

9-8-94 Faxed to Attys. Gregg & Lindsay

Oct. 5,1994 Affidavit of Consent of Byron L.Wheeler, Plaintiff, filed.

Oct. 5, 1994 Affidavit of Consent of Arlene Rae Wheeler, Defendant, filed.

Nov. 21, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

AND NOW, this 29 day of November, 1994, upon Stipulation ofthe parties to this action, the Court orders and Decrees as follows:

I. DIVORCE Upon Consideration of the pleadings and Affidavits filed inthe above captioned case, this court hereby grants an absolute divorce formthe bonds of matirmony to the above named parties upon the grounds that the marriage is irretrievably broken and ninety days have elapsed form the date of filing of the Complaint and an Affidavit has been filed by each of the parties, evidencing that each consent to the divorce, pursuant to Section 3301(c) of the Divorce Code.

II. REAL ESTATE Plaintiff is the legal record owner in fee simple of certain real estate situate in the Borough of Linesville, Crawford County, Pennsylvania, being a parcel on the West line of Wallace Street and having the dimensions of forty-five (45) feet by two hundred and nine (209) feet, which was the same property conveyed to the Plaintiff when he was unmarried by Deed of Frank R. Jaskolski and Judith Ann Jaskolski, his wife, dated February 8, 1977, which was recorded in Crawford County Deed Book 506, Page 44. The parties certify and acknowledge that this property is free and clear of any liens and mortgages that would encumber the subject property. Although it has been established by the Plaintiff that this property represented pre-marital property, in as much as the parties were not married until May 28, 1982, nevertheless it is stipulated and acknolwedged between the parties that the Defendant has acquired a recongnizable interest in the subject real estate by virtue of her marriage relationship as such interests are defined under the Divorce Code. Furthermoe, the parties through negotiation have agreed that the Defendant should beocme the sole owner of this property and shall establish sole possession of the premises.

Consequently, Plaintiff shall deliver to Defendant a Quit Claim Deed conveying to Defendant all of his right, title, claim andinterest in the subject property and premises, said Deed to be in recordable form. From and after September 15, 1994, Defendant shall be in possession of the subject premises, and shall pay as her sole obligation all costs, expenses or liabilities attributable to, or resulting form the ownership ofthe prperty, including but not limited to all repairs and maintenance, taxes and utilities, and homeowners insurance in connection with said prperty. Defendant expressly releases and holds harmless the Plaintiff in regard to said costs, expneses and liabilities. The exception to this is that Plaintiff shall be required to process a property damage claim, covered by his insurance, that arose out of damages suffered from the sliding glass door in the back of the house this past summer of 1994. The parties acknoledge that there presently exists a credit due to Plaintiff herein by virtue of having paid in full all 1994 property taxes which totalled six hundred twenty one and 02/100 ($621.02) dollars. Defendant agrees that she shall reimburse the Plaintiff in the sum of one hundred and eighty one and 59/100 (181.59) representing Defendant's pro-rata share and responsibility for 1994 property taxes. It is agreed that this sum shall be deducted form the first payment due form Plaintiff to Defendant under the terms of paragraph VI below. Additionally, Plaintiff has presented evidence to the Defendant of the fact that homeowners insurance coverage has been pre-paid through February 4, 1995. In the event that Defendant through contact with the insurance agent is able to utilize the same insurance policy than and in that event it is agreed that Defendant will allow for a deduction in her first payment for the pro-rata amount of the prepaid insurance premium applicable to the subject property. The premium per year is two hundred ten ($210.00) dollars and based upon September 15, 1994, Defendant's pro-rata share reimbursable to the Plaintiff planitiff would be seventy eight and 75/100 ($78.75) dollars.

Continued on page 474

1993

Pettie Peterson-Muth

456.

Curtis E. Blystone

SHARON J. ALEXANDER

vs.

DOUGLAS J. ALEXANDER, SR.

Filed May 10, 1993
@ 9:53 AM

Tax & entry	RD 5-24-93	50.50
User's Fee	RD 5-24-93	5.00
Sheriff's Costs		25.00
Pro Co	RD 5-24-93	9.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 10 day of May , 1993 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not contact Plaintiff in any manner. He shall not go to Plaintiff's residence or place of work. Custody ofthe chidlren shall be with Plaintiff until further order of Court.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or fees and costs will be determined by final court order.
7. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the May 19, 1993 , at 1:00 p.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

May 10, 1993 Sheriff's Return filed. SERVED Douglas J. Alexander personally on May 10, 1993 at 10:20 AM by handing him a copy of the Protection from Abuse ata his place of employment, Westbury United Methodist Home, Park Avenue Ext., Meadville, Crawford County, PA.
So answers,
Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

May 20, 1993 ORDER filed. AND NOW, May 19, 1993, this matter is before the Court on Plaintiff's Petition For Relief Under the Protection From Abuse Act.

Both parties appear with counsel and they have entered into an agreement which we will make an Order, without admission of the allegations of the Petition on the part of the defendant.

ACCORDINGLY, we enter the following Order:

1. Neither party shall assault, abuse, harass or threaten the other party at any time or any place during the term of this Order.
2. Neither party shall go to the residence of theother party nor to any place of employment of the other party and each party is advised and warned that even ifa party is invited to the other party's residence or place of employment, he or she shall not go to that residence or place of employment because it shall be presumed that the party going to the other party's residence or place of employment, even if invited, is in violation of this Order. If the parties wish to be able to go to one another's residence or place of employment in a normal course, they should seek a modification of this Order.
3. The only exception to this shall be that since each party works ina public facility, the other party may go to that facility when it is necessary for business or social reasons, but at no time shall the party at the place of employment of the other party, assault, abuse, harass or threaten the other party. So it is perfectly clear, this exception does not apply to either residence, but only to places of employment.
4. Pending any further Order, the plaintiff shall have primary physical custody of the minor children and the defendant shall have temporary physical custody every other Friday, beginning at 4:00 p.m. through the Sunday of the same week, ending at 2:00 p.m., beginnign on Friday, May 21, 1993. On Father's Day, that visitation shall be extended through 6:00 p.m. on the Sunday of that weedend.
5. With respect to transportation for such periods of temporary physical custody, a member of the defendant's family shall pick up the children at the residence of the plaintiff's parents on Friday, when the period of temporary custody begins, and the plaintiff shall pick up the children at Wal-Mart, where they shall be brought when the period of temporary physical custody ends by a relative of the defendant.
6. This Custody Order is entered without prejudice to either party to file an appropriate custody action to obtain a Permanent Order with respect to that issue.
7. Insofar as the defendant may still be receiving mail belonging to the plaintiff at the marital home, he shall provide that mail to his relative picking up the children for the period of temporary custody every other weekend so that that mail may be transmitted to the plaintiff at that time by his relative.
8. The parties are reminded that this is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000 and a jail sentence of up to six (6) months.
9. Service of a copy of this Order shall be made upon the police Departments in the jurisdiction where the plaintiff and defendant reside, as well as to County Control, by the Prothonotary mailing a copy of the same by regular mail. Both parties are currently within the jurisdiction of the Pa. State Police, with the plaintiff residing at RD 1, Cambridge Springs, Pa. and the defendant residing at RD 2, Box 618, Conneaut Lake, Pa.

CONTINUED ON PAGE 6A

1993

SHARON J. ALEXANDER
VS.
DOUGLAS J. ALEXANDER, SR.

CONTINUED FROM PAGE 6
of Record
A. D. 1993 - 456

****

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

11. Costs in the amount of $89.50 shall be paid by the plaintiff by the close of business in the Office of the Pr Prothonotary on the First Floor of the Crawford County Courthouse on May 28, 1993.

BY THE COURT,
Anthony J. Vardaro, J.

May 20, 1993 Copies distributed to Plf.,& Dft. Counsel by Court. Dist. by Pro Off to Co Control & MSPD

1993

1993

457.

Fuller,Kinnunen,Petruso,
Gamble,Fabian & Hall
Stephen E. Hall

6-21-93 Received Record
Cost 20.00
7-2-93 20.00
3-28-94 Rec Sheriff's
Costs
3-28-94 Pd Sheriff
Ck#8188 25.00

DONNA GALLAGHER

vs.

THOMAS GALLAGHER

Filed May 10, 1993
@ 1:27 PM

Tax & entry Pd 3-28-94 50.50
User's Fee Pd 3-28-94 5.00
Sheriff's Costs 25.00
Pro Co pd 3-28-94 9.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy plaintiff

Order:

And now, this 10th day of May , 1993 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

2. Special Conditions: Defendant shall move out & shall not contact Plaintiff in any way. Possession of the home & custody of the childrer are awarded to Plaintiff.

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

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

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

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

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

8. The court reserves ruling on allocation of fees and costs. Hearing is hereby set for May 19, 1993 , at 1:00 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

May 12, 1993 SHERIFF'S RETURN filed. SERVED Thomas Gallagher personally on May 10, 1993 PM by handing a copy of the Protection from Abuse to him at his residence, 1680 Conneaut Lake Rd., Towne & Country Trailer Park, Meadville, Pa. 16335. He did vacate the residence.
So answers, Randy Detzel, Constable
Robert M. Stevens, Sheriff

May 26, 1993 ORDER filed. AND NOW, May 19, 1993, at the time fixed for hearing, the Defendant has appeared represented by counsel and the Plaintiff has appeared without counsel, and the parties have agreed on at least some of the issues between them and the following Order is based on that agreement:

1. The Defendant shall not abuse, harass, assault or threaten the Plaintiff or the minor children of the parties at any time during the continuance of this Order.

2. The Plaintiff shall have possession of the movile home previously occupied by the parties, which is located at 1680 Conneaut Lake Road, Meadville, Pennsylvania 16335, and the Defendant shall not go to that premises for any purpose other than to obtain custody of the children for visits as herein after set forth.

3. An exception to the foregoing shall be that the Defendant shall have a right to go to the former marital residence to obtain his clothing and personal effects immediately after this hearing. The Defendant shall have the right to take the children into his custody for visitation privileges from 9:00 o'clock a.m. until 3:00 o'clock p.m. on two days of each week,the days to be designated by him and at least twenty-four (24) hours notice to be given to the Plaintiff of the days he has selected provided, however, that such visits shall not interfere with the attendance of the son Michael at Kindergarten during the time Kindergarten continues for this shcool year.

This visitation Order shall be subject to change once the shcool year attendance begins in the fall of 1993.

4. In addition to telephone calls to advise of the intended visitation days, the Defendant shall be entitled to call the Plaintiff by telephone once each week to discuss matters of mutual concern, but at no time shall the Defendant utilize such telephone calls to threaten harass or create any confrontation with the Plaintiff.

5. The Court has been advised that the Defendant has sought counseling, and he shall continue such counseling so long as the counseling agency shall deem the counseling appropriate and effective. The Plaintiff is urged to participate in any counseling that might be arranged, but she is not required to do so by this Court.

6. This Order shall remain in full force and effect for a period of one (1) year from this date and may be enforced by any police agency having jurisdiction in the premises in accordance with the Protection From Abuse Act.

7. The Defendant shall pay the costs in this proceeding in the amount $89.50 within thirty (30) days of this date.

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

May 26,1993 Copies dist. to Co.Cont., Pa.St.Police, Atty. Hall & Gallagher.

8

1993

Phillips & Galanter
Donald L. Phillips

458.

B & L. WHOLESALE SUPPLY, INC

vs.

JOHN T. POCCIRILLO i/and
t/a ROSE CONSTRUCTION

Filed May 10, 1993
@ 1:36 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro Co pd 8-2-93	9.00

COMPLAINT IN CIVIL ACTION
1 copy (Sheriff)

Jun. 10, 1993 Sheriff's Return filed. SERVED JohnT. Piccirillo personally on June 3, 1993 at 1:15 PM by handing a copy of the Complaint to him at Rose Construction, R.D.#4, Box 72, Meadville, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M.Stevens, Sheriff

And Now, August 2, 1993 @1:07 p.m., upon praecipe of Plaintiff's attorney judgment is hereby entered in favor of the plaintiff and agaisnt the defendants for want of an answer and the same is liquidated at the sum of Two Thousand Two Hundred Seventy adn 45/100 including interest at 2% per month from 9/11/92 on $1,892.05.
Entered 8-2-93 Debt: $2,270.45 inc. int. & Plus costs
P - 94 JUDGMENT
R - 186 Barbara H. King, Pro.
Aug 3, 1993 Notice of entry of Judgment sent to Dft.

Revived to AD1997-1136

1993

459.

Bruce Barrett

PETITION FOR INVOLUNTARY TREATMENT OF

CATHY COX

Filed May 10, 1993
@ 2:07 PM

PETITION FOR INVOLUNTARY TREATMENT
Mental Health Procedures Act of 1976
(Sections 304 and 305)

May 17, 1993 REPORT OF MENTAL HEALTH REVIEW OFFICER and ORDER, filed. ORDER: And now, May 14, 1993, upon consideration of the p 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 CaTHY Cox be committed to Warren State Hospital for treatment for a period not to exceed 180 days.

This order shall take effect on May 14, 1993.

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

May 20, 1993 copy to B. Barrett, WSH, MH/MH

1993

460.

Bruce Barrett

PETITION FOR INVOLUNTARY TREATMENT OF

TANYA FERRY

Filed May 10, 1993
@ 2:07 PM

PETITION FOR INVOLUNTARY TREATMENT
Mental Health Procedures Act of 1976
(Sections 304 and 305)

May 17, 1993 REPORT OF MENTAL HEALTH REVIEW OFFICER and ORDER, filed. And now, May 14, 1993, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Tanya Ferry be committed to Warran State Hospital (adolescent unti) for treatment for a period not to exceed 180 days.

This order shall take effect on May 14, 1993.

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

May 20, 1993 copy to B. Barrett, MH/MR, WSH

1993

Barbara J. Walton

461

CINDY MITCHELL

vs.

T. D. MITCHELL

Filed May 10, 1993
@ 2:32 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00
Pro.Co.pd 6/7/94	9.00

COMPLAINT FOR DIVORCE, EQUITABLE DISTRIBUTION , CUSTODY
1 copy atty.

Mar. 23, 1994 3301(d) Affidavit of Consent of Plaintiff filed

Apr. 8, 1994 Affidavit of Srevice filed. And Now, April 8, 1994, comes Barbara J. Walton, and avers as follows:
1. A true and correct copy of the Complaint for Divorce and Plaintiff's 3301(d) Affidavit of Consent was mailed to the Defendant via Certified Mail, return receipt onMarch 25, 1994.
2. That the Defendant signed the return card onMarch 30, 1994 andin 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. P845718828) 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

May 2, 1994 Affidavit of Service of Notice of Intention to Request Entry of Divorce Decree, filed.

May 19, 1994 Answer to Divorce Complaint, filed.

Jun.7, 1994 Upon Praecipe of Barbara J. Walton,Esquire, Attorney for Plaintiff to transmit record, Case moved to Court.

June 21, 1994 Order filed. this divorce matter has been referred to the Court for review and decree. The Court has reviewed the record and is returning the record to the Prothonotary. A final decree will not be entered at this time because: The defendant was not served with process within thirty days after the date of the filing of the complaint or reinstated complaint. Pa.R.C.P 401(a); Lauterbach v. Lauterback, 202 Pa. Super. 260, 195 A.2d 159 (1963); Foax v. Thompson, 327 Pa. Super. 39, 546 A.2d 1146 (1988).
Economic andother issues or counts have been raised in the pleadings or by petition which are not being disposed of by stipulation, withdrawal or hearing. To grant a divorce decree without a resolution of those other issues would be tantamount to an improper bifurcation.
The defendant mailed a letter to the Court Administrator dated May 12, 1994 and received May 19, 1994. That is improper. The defendant is advised that if he desires to challenge jurisdiction or raise any other matter he must do so properly in accordance with the Rules of Civil Procedure and the Crawford County Rules of Court. He is well advised to obtain a lawyer for this purpose. We will not entertain any letters he writes directly to the Court Administrator or the Judges since letters are not an appropriate way to proceed.
Either party may file a praecipe to refer the matter back to the Court when the record is in such a state that the parties are entitled to a final decree.
BY ORDER OF COURT,
Gorodn R. Miller, J

June 21, 1994 Faxed Walton, mailed dft.

June 24, 1994 Complaint Reinstated.

July 6, 1994 AFFIDAVIT OF SERVICE filed. And Now, July 5, 1994, comes Barbara J. Walton, and avers as follows:
1. A true and correct copy of the Reinstated Complaint for Divorce was mailed to the Defendant via Certified Mail, return receipt on June 28, 1994.
2. That the Defendant signed the return card on July 1, 1994 and in accordance with Pa. R.C.P. 412, service of the Complaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No. Z070232953) 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. S.S. Section 4904, relating to unsworn falsification to authorities.

July 11, 1994, Plaintiffs Affidavit Under section 3301 (d) of Divorce code filed.

Jul. 20, 1994 Affidavit of Service filed. And Now, July 20, 1994 comes Barbara J. Walton, and avers as follows:
1. A true and correct copy of the Plaintiff's Affidavit Under Section 3301 (d) and Petition to Withdraw Grounds for Divorce were mailed to the Defendant via Certified Mail, return receipt on July 12, 1994.
2. That the Defendant signed the return card on July 15, 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. Z 07023955) 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, Esquire

Jul. 25, 1994 Petition to Withdraw Grounds for Divorce and ORDER filed. And Now,upon presentation of the Petition for Withdrawal of Grounds for Divorce, it is hereby Ordered that the request for Equitable Distribution are withdrawn from the Plaintiff's Complaint in Divorce. A copy of this order shall be sent to defendant in accordance with the Crawford County Rules governing Motions & Petitions.
By the Court:
Dated: July 22, 1994
Gordon R. Miller, J.

7-26-94 Copies given Walton & Deft.

Jul. 26, 1994 Judicial Notice and Demand by Affidavit, filed.

Continued on page 482

1993

Bernadette DeVore

Barrett & Dratler
Sylvia L. Dratler

462.

R. Christopher Brode

Lori A. Maurer

May 10, 1993 Plaintiff deposited $150.00 for Mediation Fees
3-7-94 Pd to Sylvia Dratler Chk #8144 - med Refund $141.00
4-7-95 Rec'd from Atty med fee 101.15
Pd 5-8-95 Co #4990 med fee 101.15

JEFFREY SCOTT WHEELER

vs.

GLADYS WHEELER

Filed May 10, 1993
@ 3:48 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co Pd 3-22-94 #4100	9.00
John Fuller, Mediator	202.29
Pro Co	9.00

John Fuller, Mediator

COMPLAINT FOR CUSTODY/VISITATION
1 copy Pltf.

Order:
You, Gladys Wheeler, Defendant, have been used in Court to obtain custody and/or visitation of the minor children Amber Wheeler, Jeffrey Wheeler, II, and Wesley Wheeler.
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. You are further ordered to bring with you the children named in this Order.
If you fail to appear as provided by this Order, an Order of Custody and/or Visitation may be entered against you or the Court may issue a warrant for your arrest.
YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator
Courthouse
Meadville, PA 16335
(814) 336-1151 Ext. 298

Date: May 7, 1993

BY THE COURT
Gordon R. Miller,

May 27, 1993 Motion To Withdraw As Custody Mediator and Order filed. AND NOW, this 20th day of May, 1993, upon consideration of the foregoing Motion, the same is hereby granted and the appointment of William Pineo, Esquire, as Custody Mediator is hereby withdrawn. The Court hereby appoints John Fuller, Esq. to be the mediator in the above referenced matter.

By theCourt,
Gordon R. Miller, J

June 3, 1993 Copies of order to Atty's Pineo, Fuller & Dratler

Dec. 15, 1993 Custody Consent Order filed: AND NOW, this 14 day of December, 1993, it is hereby ordered:

ordered;

1. The parties Jeffrey Scott Wheeler and Gladys Wheeler shall have shared legal custody of their minor children. Jeffrey Scott Wheeler II, born September 12, 1988 and Wesley Davis Wheeler, born August 25, 1990.

2. The plaintiff Jeffrey Scott Wheeler is entitled to have contact and visit with Amber Wheeler, born June 3, 1981, on the same custodial visitations with the other minor children provided Amber Wheeler agrees to go on the visit or agrees to any other additional contact with the plaintiff.

3. Primary physical custody of the subject minor children shall be with the children's natural mother Gladys Wheeler subject to the partial physical custody of Jeffrey Scott Wheeler as follows: a) The plaintiff can take into his cusotyd, Jeffrey Scott Wheeler II and Wesley Davis Wheeler, every other weekend from Friday 6:00 p.m. until Sunday 6:00 p.m. commencing September 3, 1993 and every other weekend thereafter.

b) The plaintiff is entitled to a birthday visit from 6:00 p.m. until 9:00 p.m. the same day. However, the day of the visit would not be on the child's actual birthday but would be two to three days before or after the respective birthday provided that the plaintiff provide the defendant with five days advanced notice as to exact day he wishes to exercise the stated visit. The birthday visit with Jeffrey Scott Wheeler shall not interfere with school and should be exercised on a Friday evening or weekend day.

c) During the week that the plaintiff does not have visitation, the defendant shallhave the subject minor children telephone the plaintiff on the Wednesday of that week at 724-1226 between 5:30 and 6:00 p.m. at the plaintiff's place of current employment or at a local phone number provided by the plaintiff so that the plaintiff may have a reasonable conversation with his children for 15 to 20 minutes. The above mentioned phone conversation does not pertain to Amber Wheeler unless Amber wishes to participate in the conversaiton.

4. The parties shall be entitled to an uninterrupted two-week summer visitation period provided that the parties give at least 15 day notice to the other party to designate the two-week period they intend to exercise for their summer visitation period.

5. The plaintiff shall be entitled to take the subject minor children to his employer's Waldameer Park summer outing provided he give the defendant two weeks notice and provided it does not interfere with plans previusly made by the Defendant for the children.

6. The plaintiff shall be entitled to take the subject minor children into his custody for the following holidays at the following times:

a) Every Christmas, the plaintiff shallhave the subject minor children in his custody from 2:00 p.m. until 8:00 p.m. the same day;

b) The Thanksgiving and Easter holidays shall be alternated; that is the defendant shall have Thanksgiving 1993 and the plaintiff shall have Easter 1994 and the parties will alternate Thanksgiving and Easter holiday thereafter. When the plaintiff has the alternating holiday, he shall have the subject minor children in h is cusotdy from 2:00 p.m. until 8:00 p.m. on the same day.

c) Memorial Day, Fourth of July, Labor Day, the parties shall alternate these government holidays in the following manner: the plaintiff father shallhave custody of the subject minor children on Labor Day 1993 from 2:00 p.m. until 8:00 p.m. and the defendant mother shallhave custody of the subject minor children on Memorial Day 1994, and the plaintiff shall have custody of the subject minor children on the Fourth of July 1994 from 2:00 p.m. until the end of the local fireworks show and the defendant shall have custody of the subject minor children on Labor Day 1994, and the plaintiff shall have cusotdy of the subject minor children on Memorial Day 1995 from 2:00 p.m. until 8:00 p.m. and the parties shall continue to alternate in this manner.

7. The plaintiff shall have custody of the children on Father's Day from 2:00 p.m. until 8:00 p.m. and the Defendant shall have the same right on Mother's Day beginning at 2:00 p.m.

8. The defendant will provide the plaintiff withthe children's proper medication and written instructions relating to how themedication is to be administered.

9. The defendant will also provide the children with adequate clothing for the children for each visit and will enclose a written list of what is sent with each child and the plaintiff will return all the articles of clothing stated on the list.

10. The plaintiff shall also be responsible to return the children's clothing in a clean and neat condition after extended vistiations.

11. Transportation of the children shall be as follows: the plaintiff shall pick the children up at the defendant's home at the start of all visitation periods; the defendant shall be responsible for having the children packed and ready for the visit. The defendant shall pick the children up at Little Corners which is located at the intersection of state route 98 and state route 198 at the end of each visit. The plaintiff will not exit his vehicle at any time while picking up or dropping off the children.

CONTINUED ON PAGE 12A

Jeffrey Scott Wheeler

vs.

Gladys Wheeler

Record continued from page 12

of record

A.D. 1993 - 462

****

12. Either party, being more than a half-hour late, will have waived their visit and no make up time for the waived visit will be substitute for that visit. In the event that either party knows or realizes that they are going to be late for a scheduled visitation, they ar required to inform the other party. The defendant can be reached by calling 587-2108 and the plaintiff can be reached by calling 398-2438.

13. Either party will provide a minimum of 24 hour notice to the other party if they intend not to exercise a scheduled vistiation period.

14. The plaintiff shall maintain his epilepsy medication at all times.

15. The plaintiff is not to consume alcohol or use illegal drugs for an 8-hour period prior to a custodial period or at any time the children are in his custody.

16. The parties will provide any change of address and direction to their prespective residence as well as any change in phone number (contact or message phone numbers as well) within 48 hours of such change, to the other party.

17. 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 rrrespectful manner when inthe 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.

18. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods if that would be proper and convenient. Said arrangements shall be by mututal consent only in the absence of which this order shall govern.

19. Each party shall keep the other fully informed concerning the health, welfare and education of the children.

BY THE COURT,
Anthony J. Vardaro, J.

Dec. 22, 1993 Copies of order to Atty's. Dratler, Brode and Fuller

Mar. 3, 1994, Petition for Release of Mediator's Fees, and Order filed.
ORDER: AND NOW, this 4 day of March 1994, it is hereby ordered that the sum of $150.00 for deposited mediator's fee be released and refunded to Petitioner's attorney, Sylvia L. Dratler, Esq., less the cost of any order. Gordon R. Miller, Judge

Mar. 10, 1994, copies of order to Attys. Dratler, Brode and Fuller.

Oct.13,1994 Praecipe to Proceed in Forma Pauperis,filed.

Oct. 20, 1994 Complaint for Custody Modification and ORDER OF COURT filed. You, Jeffery Scott Wheeler, Plaintiff have been sued in Court to Modify the Custody Order of December 14, 1993.

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 forcustody, partial custody, or visitation may be entered against you or the Court may issue a warrant for your arrest.

The Crawford County Sheriff's Dept. is directed to serve a certified copy of this Complaint and Order upon the Defendant. In the alternative, this Petition and Order may be served by any competent adult or by certified mail.

Further, the Defendant is indigent and is permitted to proceed without costs, however, the Court reserves the right to impose costs if the Defendant's financial circumstances change.

By the Court:
Anthony J. Vardaro, J.

Oct. 20, 1994 Order to Atty. Fuller; FAXED to Atty. Brode.

Jan. 10, 1995 ORDER filed. AND NOW, January 9, 1995 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Amber Wheeler, Jeffrey Scott Wheeler and Wesley Davis Wheeler shall be shared between the mother and the father, the plaintiff and defendant herein, that is, each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions affecting the children such as the education, medical treatment and religious instruction of the subject children.

II. Physical custody of Amber Wheeler, Jeffrey Scott Wheeler and Wesley Davis Wheeler shall be with their mother, subject to the following conditions:

A. The father shall be entitled to visit and take the children into his custody every other weekend from 6:00 o'clock p.m. on Friday to 6:00 o'clock p.m. on Sunday, beginning January 6, 1995.

B. Holidays shall be defined as Christmas, Easter and Thanksgiving. Custody of the children shall be shared on the aforesaid holidays and in the aabsence of an agreement to the contrary, the children shall be in the custody of the mother on the aforesaid holidays until 1:00 o'clock p.m. and in the custody of the father on the aforesaid holidays from 1:00 o'clock p.m. until 8:00 o'clock p.m.

C. Beginning with the Summer of 1995, the children shall b ein the custody of the father for a period of two (2) weeks. The father shall give the mother at least thirty (30) days notice of the dates of the Summer visit. The father shall also be entitled to have the children in his custody the day of his employer's summer outing from 9:00 o'clock a.m. to 9:00 o'clock p.m.

D. The above provision regarding visits with father on weekends, holidays and summers shall be optional with respect to Amber Wheeler. She is encouraged, but not required, to visit her father at those same times.

E. Transportation of the children on weekends, holidays and Summer visits shall be equally divided with the father picking up the children at the beginning of a visit and the mother picking up the children at the end of a visit.

F. Neither mother nor father shall say or do anything in an attempt to turn the children agaisnt the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the 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 childrn and both parents agree to furnish the other with a current telephone number and to allow the children to have reasonable telephone contacts with both parents.

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

IV. Cost of the mediation conference will be divided as follows: One-half father and one-half Crawford County. The Prothonotary of Crawford County is hereby directed to refund any deposit paid in advance by the Gladys Wheeler, less the cost of the custody order.

Gordon R. Miller, P.J.

Jan. 16, 1995 Faxed to Dratler, Brode, Fuller, sent to Plf. & Dft.

Continued to Page 12 B

12
B

1993

Jeffery Scott Wheeler
vs
Gladys Wheeler

Continued from Page 12 A
of Record
AD 1993 - 462

****

Jan. 13, 1995 Sheriff's Return filed. Returned Not Served. Received no instructions.
So answers, Robert M.Stevens, Sheriff

Dec. 16, 1996 Petition for contempt by Plaintiff and Rule to Show Cause filed. AND NOW, December 16, 1996, upon presentation and consideration of the foregoing Petition for Contempt, A Rule is entered upon the Respondent to show cause, if any she has, why the prayer of the Petitioner should not be granted.

THIS RULE IS RETURNABLE ON THE 3rd day of January, 1997 In Courtroom No. 1 or 2 or 3 of the Crawford county Courthouse, Meadville, Pennsylvania at 1:15 o'clock P.M.

FOR THE COURT:
Ann A. Walker, Ct. Admin

12-16-96 FAXED Maurer & DeVore

Jan. 13, 1997 Order filed. AND NOW, January 3, 1997, this matter comes before the Court on a Petition for Contempt. After receiving input from both parties it is obvious that one or other of the parents are lying to the Court and to each other about the reasons for alleged missed visits. Rather than spend several hours ascertaining the truth of the situation, th eCourt urges counsel to reach an amicable resolution without, requiring a contempt finding. Accordingly, after a recess, the parties advise the Court that the Defendant will be entitled to make up two additional weekends in addition to the regularly schedule weekend visits on the first and third of each month. In addition, he may make up one holiday period between the hours of 1:00 and 8:00 p.m. Accordingly, the order previously entered is modified by agreement of the parties so that on the weekend of January 10-12 between 6 p.m. Friday and 6 p.m. Sunday the father may have an additional weekend visit with the two children.

Additionally, on the weekend of February 14 to 16 the father will have an additional weekend visit.

The missed holiay visit will be made up by a visit with the father on March 1, 1997 between the hours of 1 p.m. and 8 p.m.

The parties mutually agree that the father will call on Friday on the weekends to which he is entitled to visitations with said call to be made at 5 p.m. to confirm to the mother that he will arrive at 6 pm. to pick up the children. If the father does not arrive by 7 pm. for said visits, the mother may consider the visit as being canceled.

Apparently, the animosity between the parties and the mother's new spouse has prevented the Defendant from going to the residence to announce his presence to accept the children. On all future visits, the father will drive his car into the drive as near to the house as possible and blow his horn for one period of time to announce his arrival. If the children are not sent to his car within five minutes of his sounding the horn, he will proceed to the door and rap on the door and announce his presence to accept the children.

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

1/13/97 distributed Mauer & DeVore

Apr 21, 1997 Petitionto Proceed In Forma Pauperis Pursuant to Pa. R.C.P. 240, filed.

Apr 23, 1997 Petition for Modification of Custody Order and Orders: **ORDER:** AND NOW, this 22 day of April, 1997 it is ordered anddecreed that the parents in this matter shall satisfactorily complete the Seminar for Separating Parents in accordance with Crawfor dCounty Civil Rule L1930. Aplications for the seminar may be obtained at the Center for Family Services, Inc. at 996 S. Main St., Meadville, PA 16335; the Prothonotary at the Crawford County Courthouse; or the Court Administrator at the Crawford County Courthouse.

Application for attendance at the seminar mus tbe made by the plaintiff or petitioner within fifteen days after the pleading or petition isfiled; and by the defendant or respondent within fifteen days after he or she is served with the pleadisng or petition.

THE SEMINAR MUST BE COMPLETED IWTHIN 45 DAYS AFTER APPLICATION. FAILURE TO ATTEND THE SEMINAR MAY RESULT IN SANCTIONS, INCLUDING CONTEMPT OF COURT, A DISMISSAL OF THE ACTION OR A DELAY IN THE PROCEEDINGS UNLESS ATTENDANCE IS WAIVED BY ORDER OF CORUT.

Anthony J. Vardaro, J.

Apr 23, 1997 Faced Maurer & DeVore

ORDER: You, Jeffrey Wheeler, have been sued in Court to modify custody, partial custody or visitation of the child(ren): Jeffrey Wheeler, II and Wesley Wheeler.

You are ORDERED to appear in person at such time and place as will be determined by Mediator John Fuller, Esq. for a mediation conference. The Mediator shall send you a Notice of the hearing by mail to the address listed on the complaint or petition that has been filed recently.

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

Anthony J. Vardaro, J.

Apr 23, 1997 Faxed Mauer & DeVore
May 1, 1997 Faxed Fuller

June 6, 1997 Certificate of completion of the Seminar for Separating Parents for Gladys Wachowiak (Wheeler), filed.

June 27, 1997 Order filed. AND NOW, June 27, 1997 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Jeffrey Scott Wheeler and Wesley Davis Wheeler shall be shared between the father and the mother, the plaintiff and defendant herein, that is, each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions affecting the children such as the education, medical treatment and religious instruction of the subject children.

The fees ($210.00) and costs ($9.00 court filing fee) shall be paid by Crawford County. The fees for the custody evaluation are also to be paid by Crawford County.

(SEE PAPERS FILED)

Gordon R. Miller, J.

6-30-97 FAXED DeVore, Maurer, Fuller & MAILED David Glenn

June 30, 1997 Certificate of completion of the Seminar for Separating Parents for Jeffery S. Wheeler, filed.

1993

Robert J. Felton

463.

Devine and Kuftic
Elizabeth A. Malc

May 10, 1993 plaintiff deposited $150.00 for mediation fees

6-22-93 Pd Plff Med. dep Refund Ck# 7619 38.97

8-17-93 Pd Co Com. Med Fees Ck# 7729 102.03

7-22-97 Ref from Plff Med dep 200.00

10-16-97 Pd Plff Med Refund #11336 200.00

12-17-98 Ref from Deft Med fee 200.00

2-9-99 pd Co 102.48

2-9-99 Pd Deft Refund 87.52

4-7-99 Ref from Plff Med fee 112.48

4-8-99 Pd Co-Med fee 112.48

LESLIE C. SMITH

vs.

KAREN S. SMITH

Filed May 10, 1993
@ 3:48 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Bruce L. Smith, Med.	204.06
Pro Co Pd 8-17-93 Ck#7730	9.00
John Fuller, Mediator	210.00
Pro Co Pd 2-9-99	9.00

COMPLAINT FOR PRIMARY PHYSICAL AND LEGAL CUSTODY
1 copy atty.
1 copy med.

Order:
You, KAREN S. SMITH , have beensued in Court to obtain custody of Keith L., Scott Lee and Jamie Lee Smith.
You are ORDERED to appear in person at such time and place as will be determined by the Mediator Bruce Smith, Esq. for a mediation conference.
If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.
You should take this paper to your lawyer at once, if you do not have a lawyer or cannot afford one, go to or telephone th eoffice set forth below to find out where you can get legal help.
Court Administrator
Courthouse
Meadville, PA 16335
(814) 336-1161, ext. 298
Date: May 7, 1993 Gordon R. Miller

May 20, 1993 AFFIDAVIT OF SERVICE, filed. I, Robert J. Felton, Esquire, Attorney at Law, 144 West Spring St., Titusville, Pa., do hereby certify that, in my capacity as attorney for the plaintiff in the above-captioned matter, served a certified copy of the Custody Complaint in this matter on May 14, 1993, by sending defendant the same by certified mail no. P 380 583 707, return receipt requested. A complaint was mailed to the defendant on Wednesday, May 12, 1993, as reflected in the receipt for mailing and the return receipt attached hereto.

June 14, 1993, Answer filed. 3 copies (atty)

June 18, 1993 TEMPORARY ORDER OF COURT filed. AND NOW, this 18th day of June, 1993, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Keith Smith, age eleven, born February 5, 1982, and Scott Lee Smith and Jamie Lee Smith, twins age eight, born October 1, 1984, the parties to this action, shall share legal custody of the said minor children. Said joint legal custody being shared shall entitle both of the parents to equal access to any records relating to the children held by a third party, indluding, but not limited to, school and medical records, and shall also entitle both parents to equal input with regard to the educational and religious upbringing of the children as well as to any elective surgery.

2. Primary physical custody of the children shall remain with the natural mother, Karen S. Smith. Regular visitation and temporary custody of the children shall be granted to the plaintiff father, Leslie C. Smith. Physical custody for the plaintiff father shall be as follows:

a. The children shall be available to visit in the home of the natural father on the second and fourth weekends of each month, beginning immediately, from 6:00 p.m., prevailing time, Friday, through 5:00 p.m., prevailing time, Sunday, keepign in mind that the father may have to pick up the children later on Friday due to having to commute from the Erie area.

b. Beginning immediately, for the balance of the summer of 1993, and for the entire summer beginnign in 1994, the father shall have the opportunity to take the children into his temporary physical custody beginnign three days after completion of the school year until three days before the beginning of the school year. The mother shall have the opportunity to interrupt the summer visitation of the children with the father for one full week from Sunday through Sunday upon a notic e of fifteen days to the father, which week would normally correspond to the time of the mother's vacation from her employment.

c. Holidays shall take priority over other scheduled visitation. The parties are encouraged to agree as to holiday visitation; however, in the event that they cannot, the children shall spend Mother's Day with the mother and shall be available to spend Father's Day with the father from 8:00 a.m., prevailing time, through 8:00 p.m., prevailign time. All holidays occurring in the summer shall be spent with the father unless a holiday happens to fall during the mother's one-week of vacation as previously stated. The father shall also have the right to vacations of one week with the children at Easter (if that time is available from school) and one week at Christmas beginnign at 12:00 noon, prevailing time, on Christmas Day. The other holidays shall be spent with the mother. If one of the holidays falls on a weekend when the father has, he shall post pone that custody to the followign weekend.

d. The father shall p ick up and return the children to the mother's residence. Because of the distance involved, the father shall be granted some leeway in picking up the children late on Fridays or arranging to pick them up early on Saturdays. He shall be allowed the same latitude because of weather conditions at the time of Easter and Christmas vacations.

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

4. Neither parent shall take the children into any envioronment which might be commonly thought of as detrimental to their development of to the development of their characters or which would be commonly thought of as dangerous to their physical persons.

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

6. Each of the parents and any grandparent or adult coming into regular contact with the children shall teach the children involved in this case to develop and express that natural love and respect due a parent from his or her children. Neither of the parents (nor any adult coming into regular contact with the children) will do or say anything to blacken the character of either parent in the eyes of the childrne.

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.

Continued on Page 501

1993

R. Charles Thomas

Barbara J. Walton

464.

Edward J. Hatheway

~~Brian J. Lindsay~~

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

May 10, 1993 plaintiff deposited $150.00 for mediation fee

6-23-93 Pd Plf Refund med. dep Ck# 7623 150.00

8-19-94 Rec'd from Plf Med dep. 150.00

12-13-94 Pd Plf refund Ck# 8728 41.00

12-15-94 Adj Co 100.00 #8832

3-7-95 Rec'd from deft 0# med fee 100.00

5-8-95 Adj Co #9166 100.00 med fee

1-[illegible]-96 Rec'd from Plf med fee 150.00

1% 48.48

4-3-96 Rec'd from deft 0# 4-3-96 92.52

5-15-96 Pd Co 185.04 #10019

12-19-96 Pd Co #10022 52.81

2-3-97 Rec'd from deft med fee 150.00

8-20-97 Pd Co 25.00 / 52.81 / 78.62

[illegible] Adj Co 105.12 CR 4-1-97, 78.62 CR

Pd deft refund #10870 9.57

4-29-97 Rec'd from Plf 25.00
5-13-97 Rec'd from Plf 25.00
5-30-97 Rec'd from Plf 30.00
6-5-97 " " " 25.00
9-23-97 " " " 40.00

6-6-98 Rec'd from deft 200.00 med fee

9-14-98 refunded deft 35.83
" Adj Co 155.17

Continued on Page 14A

MICHELLE BURCHFIELD

vs.

DONALD M. BURCHFIELD

Filed May 10, 1993
@ 3:48 PM

Tax & entry paid	50.50	
User's Fee paid	10.00	
State paid	10.00	
1 Add'l Count paid	15.00	
Pro Co pd 1-11-94	9.00	
Pro Co Pd 12-15-94	9.00	
John Fuller, Mediator	200.00	
Pro Co Pd 5-15-96 Kathleen Nelson, mediator Proco. Pd 10-13-97	9.00 / 15.24 / 9.24	

Pro Co pd 9-14-98 9.00

COMPLAINT IN DIVORCE, CUSTODY
1 copy medi.
1 copy atty.

Order:
You, Donald Burchfield, have been sued in Court to obtain custody of Shane Donald Burchfield.
You are Ordered to appear for a hearing before John Fuller, Esq. Child Custody Mediator, at such time and place as he shall designate.
If you failt to appear as provided by this Order, an Order for custody, partial cusotdy or visitation may be entered against you or thecourt may issue a warrant for your arrest.
You should take this paper to your lawyer at once. if you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Plaintiff's Attorney
Barbara J. Walton, Esq.
310 Chestnut St.
Meadville, PA 16335
Telephone: (814) 336-4132
Date: May 7, 1993

Court Administrator
Crawford County Courthouse
Meadville, PA 16335
Telephone: 814-336-1141 ext 298

BY THE COURT,
Gordon R. Miller, J

May 26, 1993 Affidavit of Service filed. And Now, May 26, 1993, comes Lisa M. Sherretts being duly sworn according to law, deposes and sets forth as follows:

1. That she is the legal assistant of Attorney for Michelle Burchfield, Plaintiff in the above-captioned matter.
2. That on information furnished her by the Plaintiff, she caused a certified copy of the Complaint in Divorce and a copy of the Notice of Mediation to be forwarded by Certified Mail, P 899 097 849; to the last known address of the Defendant, Donald M. Burchfield, R.D. #2, Box 557, Conneaut Lake, PA 16316.
3. That the Defendant, Donald M. Burchfield, on May 25, 1993, personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto.
4. Service of the Complaint against Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedures.

Lisa M. Sherretts

June 22, 1993 Motion for Refund of Mediator's Deposit and Order filed. And Now, June 21, 1993, Motion allowed. The Prothonotary is ordered to return to Plaintiff her unused Mediator's Deposit.

By the court:
Anthony J. Vardaro, J

June 28, 1993 Copy of order to Atty' Walton

June 22, 1993 Stipulation And Consent to Entry of Custody Order and Order, filed. ORDER: And Now, this 23 day of June, 1993, upon presentation of the Stipulation and Consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED and DECREED that:

1. The parties shall have shared legal and physical custody of the minor child SHANE D. BURCHFIELD. The parties herein agree to divide equally the custody of the minor child between them.
2. The parties agree that physical custody of the minor child will be shared on an equal basis, with a tentative schedule set for three days with one parent, and four with the other, each week, rotating to four days with the first parent and three with the second the following week. The Parties realize this is a flexible schedule, and are encouraged to make additional arrangements between them to maximize the amount of time SHANE may spend with each of them.
3. The subject minor child shall have the right to telephone the parent not having physical custody at reasonable times and for reasonable lengths of time and such conversations will not be unreasonably monitored by the parent having physical custody.
4. The Father agrees to pay all medical insurance premiums to cover the child through his employment, and any medical or dental expenses which are not covered by medical insurance will be divided equally between the parties, tobe paid directly to the provider of services.
5. The Father agrees that he will pay to the Mother $50 per week as and for child support, each week. He additionally agrees to pay for 1/2 clothing, shoes and other reasonable needs of his child, upon the mother's request.
6. Should it be necessary for either party to cancel ormodify the visitations as set out in this Order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.
7. Each party shall teach said child to give to the other party that love and respect which is due a parent from his or her child, Each party shall inform the other of any school and other activities in which the child may participate so that the other may attend.
8. Any person transporting the child shall make sure that the seat belts or other restraints are used in accordance with the law of Pennsylvania.
9. Neither party shall do or say anything to blacken the character of the other in the child's estimation. Each party shall treat the other in a polite and respectful manner when in the child's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the child's estimation.
10. Neither party shall remove the child from the State of Pennsylvania without the other party's written permission, which shall not be unreasonably withheld.
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 to this action agree that this Honorable Court retain jurisdiction of this Matter.

By teh Court: Anthony J. Vardaro, J.

June 24, 1993 copies given to B. Walton
June 30, 1993 copies to Plf. & Dft.

Continuation of AD 1993 - 464 - Burchfield vs. Burchfield - continued from page 14

Aug. 24, 1993, Affidavit of Consent of plaintiff filed.

Aug. 30, 1993 Affidavit of Consent of Defendant filed.

Jan. 11, 1994 Upon praecipe of Plaintiff's attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

Jan. 17, 1994 AND NOW, January 13, 1994, it is ordered and decreed that MICHAELLE A. BURCHFIELD, plaintiff, and DONALD M. BURCHFIELD, 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 hasnot been withdrawn by the party making the claim.

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

Jan. 26, 1994 Motion to Withdraw and Order filed. AND Now, January 24, 1994, the motion for withdrawal of appearance is granted.

By the Court:
Gordon R. Miller, J

Jan. 27, 1994 Copies of order to Atty. Walton

Aug. 19, 1994 Petition For Review of Custody Order and Appointment of Mediator and ORDER filed. AND NOW, this 19th day of August, 1994, upon presentation and consideration of the within Petition, this matter is referred to John Fuller, Esq., Custody Mediator, to review the Custody Order previously entered in this matter on June 23, 1993.

BY THE COURT,
Gordon R. Miller, J.

Aug. 19, 1994 Order Faxed to Attys. Thomas, Fuller, Lindsay.

Oct. 5, 1994 Petition For Review of Custody Order, filed.

Dec. 12, 1994 ORDER filed. AND NOW, December 9, 1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Shane D. Burchfield shall be shared between the mother and the father, the plaintiff and defendant herein, that is, each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions affecting the child such as the education, medical treatment and religious instruction of the subject child.

II. Physical custody of Shane D. Burchfield shall be shared between his parents under the following conditions.

A. The mother shall be entitled to take the child into her custody every week from 7:00 o'clock p.m. on Sunday to 5:00 o'clock p.m. on Friday, beginning December 18, 1994.

B. The father shall be entitled to have the child in his custody every weekend from 5:00 o'clock p.m. on Friday to 7:00 o'clock p.m. on Sunday, beginning December 16, 1994, with the exception of the second full weekend of each month when the child shall be in the custody of the mother.

C. The father shall also be entitled to visit and take the child into his custody every Wednesday from 4:00 o'clock p.m. to 7:00 o'clock p.m. beginning December 21, 1994.

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

E. Transportation of the child on weekends, holidays and other visits shall be shared with custody exchanges

F. Neither mother nor father shall say or do anything in an attempt to turn the child against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the child towards both parents.

G. Neither mother nor father shall expose the child to any person or situation which may be harmful to the child's health or well being.

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

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

IV. Cost of the mediation conference will be equally divided between the parties. The Prothonotary of Crawford County is hereby directed to refund a portion of the deposit paid in advance by the Plaintiff, less the cost of the custody order.

Anthony J. Vardaro, J.

Dec. 15, 1994 Faxed copy to Walton, Thomas, Lindsay, Fuller, mailed to Plf. & Dft.

Dec. 30, 1994 Motion to Request Hearing De Novo and ORDER filed. AND NOW, this 21day of December,1994, the above Request for Hearing De Novo is hereby granted and shall be scheduled for the 27th day of January, 1995, at 1:30 o'clock p.m. in Courtroom #1,of the Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT:
Gordon R. Miller, J.

12-30-94 Faxed to Attys. Thomas & Lindsay

Jan. 31, 1995 Motion for Continuance and ORDER OF COURT filed. And now, January 27, 1995 upon presentation and consideration of the within Motion and upon approval by Defendant's counsel, this case is continued to the 7th day of March, 1995 at 9:15 o'clock A.M. in Court Room No.1 or 2 of the Crawford County Court HOuse, Meadville, Pennsylvania.

BY THE COURT,
Gordon R. Miller

2-1-95 Faxed to Attys. Thomas & Lindsay

Mar. 10, 1995 Motion To Continue and Order filed. AND NOW, this 10 day of March, 1995, upon consideration of Defendant's Motion to Continue, and the Court finding that counsel for Plaintiff has no objection to Defendant's Motion, the hearing set for March 7, 1995, at 9:15 AM is hereby continued, and rescheduled for the 24 day of april, 1995, at 9:15 o'clock a.m. in Courtroom 1, 2 or 3.

BY THE COURT,
Anthony J. Vardaro, J

Mar. 10, 1995 dist. to Lindsay & Thomas

Mar 13, 1995 ORDER filed. AND NOW, THIS L#TH DAYOF March, 1995, upon presentation and consideration of the within Petition a rule is granged upon the Defendant, Donald M. Burchfield, to show cause, if any he has, why the relief requested in the aforesaid Petition should not be granted.

Returnable and for hearing on the 29th day of March, 1995 at 4:00 o'clock p.m. in Court Room No. 1 of the Crawford County Court House, Meadville, Pennsylvania.

A copy of this Petition to be served upon the Defendant, Donald M. Burchfield, by Certified Mail, and upon his Attorney, Brian LIndsay, Esquire, by regular mail.

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

Mar 13, 1995 Faxed Thomas, Walton

Continued on Page 14B

Mar. 29, 1995 Motion To Reschedule/Dismiss and Order filed. AND NOW, this 29 day of March, 1995 upon consideration of the foregoing motion to reschedule/dismiss, a hearing is scheduled with th Court of Common Pleas of Crawford County, Pennsylvania, - Motion to continue denied. BY THE COURT:
P. Richard Thomas, S.J.

Mar. 29, 1995 Faxed Walton, given Lindsay

April 3, 1995 ORDER filed. AND NOW, March 29, 1994, the hearing in this matter is CONTINUED until Tuesday, April 4, 1995, at 11 o'clock a.m. in Courtroom No. 1. The Court hopes that the parties will be able to conclude this case within one hour. The Court is willing to devote an hour and one-half nonetheless, and at that point, we will adjourn court whether it is over or not.

BY THE COURT,
Gordon R. Miller, President Judge

April 3, 1995 Order FAXED Attys. Thomas and Lindsay.

Apr 12, 1995 ORDER filed. AND NOW, April 4,1995 at the beginning of the continued hearing, the Court indicated its ruling on the Defendant's motion to dismiss alleging that the Court does not have jurisdiction over the support portion of the order of June 23, 1993 because the count was not raised in a pleading or petition. The Plaintiff disagreed with the Court's ruling but without waiving the right to challenge that further, made an oral motion to convert this matter to an equity action to enforce a support agreement entered into by the parties. The Defendant was unwilling to agree to have this converted to an equity action so that the matter could proceed, especially because the Court has already heard about one-half of the case.

We have heard a few hours of testimony already and are prepared to conclude this hearing this date. We do not believe that we have jurisdiction over the support claim and therefore cannot hold the Defendant in contempt for failing to comply with the order that the parties entered into amicably in a custody count that also provided for support, since support was not raised in any petition or pleading/ We do believe. however, that the consent support order of June 23, 1993 may constitute an agreement which may be enforceaable in another proceeding. We are relying on 23 Pa. C.S.A. 3104; Roviello vs. Roviello, 323 A.2d 766 (1974)' and Fielding vs. Fielding, 11 D&C 4th 670, Crawford County (1991). Accordingly, it is ordered as follows:

1. The Plaintiff's oral motion to convert this matter to an equity action to enforce a support agreement is denied, without prejudice to the Plaintiff to commence whatever action she believes is appropriate to enforce or attempt to enforce the agreement of June 23, 1993.

2. The Defendnat's motion to dismiss the Plaintiff's petition for contempt filed March 13, 1995 is hereby granted, without prejudice to the Plaintiff to bring an appropriate action to enforce the agreement entered into on June 23, 1993.

We are dismissing the petition for contempt for jurisdictional and tecnical reasons and are making no decision on the merits of the underlying claim or the merits or enforceability of the agreement of June 23, 1993.

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

Apr 12, 1995 dist to Thomas & Lindsay
Apr 20, 1995 faxed to Walton & Fuller

Apr. 24, 1995, Motion to Reschedule filed.

Apr. 24, 1995, Motion to Continue/reschedule filed.

Apr. 24, 1995, ORDER filed. ORDER: AND NOW, this 21 day ofApril 1995 upon consideration of Defendants Motion to continue, and the court finding that counsel for plff has no objection to defendant's motion, the hearing set for Apr. 24, 1995 at 9:15 a.m. is hereby continued, and rescheduled for the 30 day of June 1995 at 1:30 p.m. in C. R. No. 1 or 2.

by the Court,
Anthony J. Vardaro J.

Apr. 24, 1995, faxed to Lindsay, Thomas and Walton.

Jun. 13, 1995 Motion for Leave to Withdraw Appearance and ORDER filed. AND NOW, this 13 day of June,1995,upon presentation and consideration of the within Motion, Defendant's counsel, Brian J. Lindsay, Esquire, is hereby authorized and is given leave to withdraw his appearance on behalf of the Defendant in the above captioned case. Atty. Lindsay shall within 5 days of this Order send a copy of the same to Defendant and also a letter reminding Defendant this case is scheduled for remand hearing on June 30, 1995 at 1:30 p.m. in Ct.Rm. 1,Crawford County Courthouse.

Anthony J. Vardaro,J.

6-13-95 Faxed Lindsay, Thomas, & Walton

Jun. 28, 1995 Motion for Continuance, Donald Burcfhield, filed.

Jun. 28, 1995 Motion for a continuance and ORDER OF COURT filed. And Now, June 27, 1995 Motion granted. No further continuances continuances for defendant. Hearing reset for August 3, 1995 at 9:00 a.m. Court Room 1. 3 hours are set aside for this hearing. hearing.

Gordon R.Miller, J.

7-11-95 Copy to Attys. Thomas, Walton & Fuller. Mailed to Deft.

Jul 26, 1995 Motion To Cancel Hearin De Novo and Order, filed. And now, this 26th day of July, 1995 Motion granted and hearing cancelled. The Temporary custody order shall become final. By The Court
Gordon R. Miller, P.J.

July 26, 1995 Faxed Thomas & Walton
July 27, 1995 Faxed Fuller, sent Dft.

Jan. 9, 1996 Motion For Review and Modification of Custody Order and ORDER filed. AND NOW, this 9th day of January, 1996, upon presentation of the within Motion, this matter is returned to John Fuller, Esquire, Custody Mediator, for the puspose of convening a mediation conference to review the Order heretofore entered and determine whether or not the same should be modified by reason of the allegations as set forth in the Plaintiff's Motion.

BY THE COURT,
Gordon R. Miller, J.

Jan. 11, 1996 FAXED Attys. Thomas, Fuller; mailed Defdt.

Mar. 21, 1996 ORDER filed. AND NOW, March 21, 1996 after mediation conference before John Fuller, Eskquire, the following Order is entered.

I. The parties shall abide by the prior custody order dated December 9, 1994, with the following changes:

A. The parties shall share transportation of the child with the parent who is receiving custody providing transportation.

II. The parents and the child shall undergo a custody evaluation by JamesFox. Such evaluation shall be furnished the custody mediator (John Fuller) and the attorneys for theparents, and shall contain specific recommendations with respect to visits and shared custody. Costs of the custody evaluation shallbe equally divided between the parties.

III. A further mediation conference willbe scheduled after receipt of the custody evaluation.

Continued to Page 14 C

IV. Costs of the mediation conference shall be equally divided between the parties.

Gordon R. Miller,Judge

3-21-96 Faxed Fuller, Irwin & Thomas

Aug. 22, 1996 Motion to Vacate and ORDER filed. AND NOW, July 12, 1995, after consideration of the within Motion to Vacate, IT IS HEREBY ORDERED AND DECREED AS FOLLOWS, TO-WIT: John Fuller, Esquire is hereby granted leave to withdraw as custody mediator in the above-captioned custody case and Kathleen Nelson is hereby appointed as mediator in his place.

Gordon R. Miller, J.

8-22-96 FAXED Nelson, Thomas & Irwin

Oct. 29, 1996 Order filed. AND NOW, October 28, 1996, after Mediation and upon the recommendation of the Child Custody Mediator, it is Ordered and Decreed as follows:

1. Legal custody of the subject minor child, Shane Donald Burchfield, shall be shared by the Father and Mother, the parties to this action, with each parent entitled to full access to any records relating to the child held by a third party including, but not limited to school records and medical records and each parent shall have equal input regarding important decisions affecting the child such as education, religious instruction and medical treatment.

2. Primary physical custody of Sane Donald Burchfield shall be with his Mother, subject to the following:

a. All visitation between the Father and the subject minor child shall be suspended until such time as Father is able to provide Mother and/or Mother's counsel with a name of an individual, acceptable to the Mother, who is willing and appropriate to supervise visits between Father and the Child.

Following Father's submission of a name to Mother and Mother's acceptance of same, a further mediation conference will be scheduled. At said conference, Mother will supply mediator with updated reports from Kathy S. Berkey in regard to the child.

3. The parents of this action shall satisfactorily complete the Seminar of Separating Parents within 60 days of the date of this Order.

4. Costs of the mediation conference shall be divided equally between the parties.

BY THE COURT:
Anthony J. Vardaro, J.
10-29-96 FAXED Nelson, Thomas & Irwin

Dec 18, 1996 Certificate of completion of the Seminar for Separating Parents for MICHELLE BURCHFIELD/NEISWONGER.

Dec 18, 1996 Certificate of completion of the Seminar for Separating Parents for DONALD M. BURCHFIELD.

Jan. 30, 1997 Praecipe of Appearance by Peters, Lindsay, Lewis & Hatheway by Edward J. Hatheway, Esq., for Defendant filed.

Feb. 3, 1997 Defendant's Request for Scheduling of Child Custody Mediation Hearing and Order filed. You, Michelle Burchfield, have been sued in Court to obtain custody, partial custody or visitation the child: Shane D. Burchfield
You are ORDERED to appear in person at such time and place as will be determined bythe Mediator Kathleen Nelson, Esquire. for a mediation conference. The Mediator shall send you a Notice of the Hearing by mail to the address listed on the ocmplaint or petition that has beenfiled recently.
If you fail to appear as provided by this Order, an Order for custody, parital 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 THEOFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator
Courthouse
Meadville, PA 16335
814 333-7498

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Crawford County is required by law to comply with the Americans with Disabilities act of 1990. For information about accessible facilities and reasonable accommodation available to disabled individuals having business before the Court, please contact the Court Administrator's Office. All arrangmeents must be made at least 72 hours prior to any hearing or business before the Court. You must attend the scheudled conference or hearing.

BY THE COURT,
Gordon R. Miller, J

Date: 1-31-97
2-3-97 Faxed Nelson, Thomas & Hatheway

Mar 11, 1997 TEMPORARY ORDER: AND NOW , March 11, 1997, after Mediation and upon the recommendation of the Child Custody Mediator, it is Ordered and Decreed as follows:

1. Legal custody of the subject minor child, Shane Donald Burchfield, shall be shared by the Father and Mother, the parties to this action, with each parent entitled to full access to any records relating to the child held by a third party including, but not limited to school records and medical records and each parent shall have equal input regarding important decisions affecting the child such as education, religious instruction and medical treatment.

2. Primary physical custody of Shane Donald Burchfield shall be with his Mother, subject to the followisng:

a. (see paper filed)

b. (see paper filed)

8. The cost of the mediation conference shall be equally divided between the parties. The deposit paid in advance by the Father shall first be applied to his share of the costs and the remainder refunded to him. less the cost of the Cort's Order.

(FOR COMPLETE ORDER SEE PAPER FILED.)
Mar 13, 1997 Faxed Thomas, Hatheway & Nelson

July 6, 1998 Petition to Modify Existing Child Custody Court Order and Order filed. You, Michelle Burchfiled (now known as Michelle Samuels), have beensued in court regarding your child, Shane Donald Burchfied.
YOu are ordered to appear in person for a Child Mediation Conference at the Crawford County Courthouse in Meadville, Pennsylvania 16335 before, Kathleen R. Nelson, Esq., Child Custody Mediator. The date and time of the Child Mediation Conference will be scheduled by the Child Custody Mediator. The Child Custody Mediator chosen in your case will contact you and inform you of the date and time of the Child Mediation Conference.
If you fail to appear as provided by this Order, an Order for custody may be entered agains tyou or the court may issue a warrant for your arrest.
YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.
Court Administrator
Crawford County Courthouse
Meadville, PA 16335
(814) 336-1151, ext 298.

AMERICANS WITH DISABILITIES ACT OF 1990

The Court of Common Pleas of Crawford County is required by law to comply withthe Americans with Disabilities Act of 199
For information about accessible faciliites and reasonable accommodations available to disabled individuals having business before the Court, please contact the Court Administrator's office. All arrangements must be made at least 72 hours prior to any hearing or business before the Court. You must attend the scheduled conference or hearing.

BY THE COURT:
Anthony J. Vardaro, J.

Date: July 7, 1998
7-8-98 Faxed Hatheway, Nelson & Thomas

Continued on page 14 -D

Michelle Burchfiled n/b/m
Michelle Samuels
vs
Donald M. Burchfield

continued form page 14-C
of record
AD 1993 - 464

****

September 10, 1998 Temporary Order filed. And now, September 10, 1998 after Mediation and upon the recommendation of the Child Custody Mediator, it is Ordered and Decreed as follows:
1. Legal custody of the subject minor child, Shane Donald Burchfield, shall be shared by Father and Mother the parties to this action with each parent entitled to full access to any records relating to the child held by a third party including, but not limited to school records and medical records and each parent shall have equal input regarding important decisions affecting the child such as education religious instruction and medical treatment.
2. Primary physical custody of Shane Donald Burchfield shall be with his mother, subject to the following conditions:
a. Father shall be entitled to visit with the child every Saturday, beginning on Sept. 19, 1998 from 8 AM through 4pm Said visitations shall take place at the home of Clara Freund, the paternal grandmother, and Mrs. Freund shall be present at all times during Fahter's visitation with the child. In addition the Fahter shall be entitled to visit with the child every other Sunday from 8AM through 4 pm beginning on Sept. 20, 1998.
b. The child shall be in the custody of his Father on Father's Day from 8 am through 4 pm each year.
c. The parents are encouraged to make additional or alternative arrangements regarding visitation periods between the Father and the child. Additional or alternative custody arrangements shall be by mutual consent and in writing and signed by both parents only; otherwise, the provisions contained herein shall govern and this Order shall be followed completely as it is written.
3. Transportation of the child for all visits shall be shared between the parents with the parent receiving custody of the child to provide transportation. The proper child restraints, i.e. car seat and/or seat belts shall be worn at all times during the transporting of the child for said visits.
4. Neither parent shall expose the child to any person or situation which may be harmful to the health, safety or well being of the child.
5. Neither parent shall say or do anything in an attempt to turn the child against the other parent nor sahll either parent permit others to do so, but rather each parent shall do everything in their power to promote a favorable and loving attitude on the part of the child toward both parents.
6. Each parent shall inform the other parent immediately of any serious illness or injury regarding the child and both parents shall furnish the other with a current address and telephone number. If the child sustains a minor injury or illness it is sufficient that the parent notify the other parent of same when there is an exchange of custody of the child.
7. Neither parent shall use illegal drugs or alcohol at any time when that parent has the care and custody of the subject minor child. This order is not intended to preclude either parent from taking the child to a restaurant which serves alcoholic beverages, so long as neither parent shall consume alcoholic beverages in that establishment when the child is with the parent.
8. The cost of the mediation conference shall be divided equally between the parents. The deposit paid in advance by the Father shall first be applied to his share of che costs and the remainder refunded to him, less the cost of the Court's Order.
9. This Order is a temporary Order but shall become a permanent Order unless either aprent files a request for a hearing DeNovo within 20 days of the date hereof.

By the Court
Gordon R. Miller, J.

9/10/98 Faxed Thomas Hatheway & Nelson

September 30, 1998 Reqeust for a Hearing filed.

December 8, 1998 Order filed. And Now December 8, 1998 upon cosnideration of Plaitniff's Motion for Hearing DeNovo, the same is set for Tuesday, December 22, 1998 at 9 AM Courtroom #1, Crawford County Courhtouse, Meadville, PA

For the Court
Ann A. Walker

12/8/98 Faxed Thomas & Hatheway

Apr. 5, 1999 Motion To Continue December 22, 19998 De Novo Custody Appeal Hearing and Order filed. AND NOW, this 5th day of April, 1999, after presentation and considerationof the Defendant's Motion to Continue the december 22, 1998 De Novo Custody Appeal Hearing: This matter is rescheduled for Monday, April 26, 1999 at 1:30 p.m. CR #1

FOR THE COURT
Ann A. Walker, C.A.

4-14-99 Faxed Thomas & Hatheway

Apr 27, 1999 Order filed. And Now, Apr 27, 1999 the continuation of the denove custody hearing in this case is hereby scheduled for the 11th day of June 1999 at 9:30 AM in Courtroom No. 1 of the Crawford County Courthouse.
The Court has set aside two hours for this matter. There is no report from Dr. Fox in the file in this case.

By the Court
Gordon R. Miller, PJ

4/27/99 Faxed Thomas & Hatheway

June 9, 1999 Order filed. And Now, June 9, 1999 in order to accommodate a Children & Youth Services case the hearing in this case is continued from June 199, 1999 to Friday, August 13, 1999 at 1:30 o'clock in Courtroom No. 1 of the Crawford County Courthouse.

By the Court
Gordon R. Miller, PJ

6/10/99 Faxed Thomas & Hatheway

FOR FURTHER DOCKET ENTRIES SEE COMPUTER 1993 30464 AD 1993 464

1993

Peters, Lindsay,
Lewis & Gagliotti
John P. Gagliotti

465.

WALTER BECK

vs.

KIMBERLY BECK

Filed May 10, 1993
@ 3:48 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 12-3-93	9.00

COMPLAINT IN DIVORCE
3 copies atty.

June 23, 1993 Complaint Reinstated.

Jun. 29, 1993 Verification of Service filed. I, Dawn N.Carpenter, do hereby verify that I did personally serve a certified copy of the divorce complaint filed at the above term andnumber on the above-named Defendant, Kimberly Beck, at her place of residence, 1002 Liberty Street, Meadville, Pennsylvania,16335 onthe 28th day of June, 1993.
6-28-93 Dawn M.Carpenter

Oct. 5, 1993, Affidavit of Consent of plaintiff filed.

Oct. 5, 1993, Plaintiff's affidavit Under section 3301(d) of the divorce Code filed.

Oct. 18, 1993 Veridication of Service filed. I, John P. Gagliotti, do hereby verify that I am the attorney of record for the above-named Plaintiff, and that as such I am aut horized to make this verification; that I did on the 15th day of Ocxtober, 1992 send to the above-named Defendant a true and correct copy of the Notice to Defendant- Plaintiff's Affidavit under Section 3301 (d) of the Divorce Code by United States First Class Mail to her directly at her place of residence at 1002 Liberty Street, Meadville Pennsylvania 16335.
Dated: 10/15/93 John P. Gagliotti, Esquire

Dec. 3, 1993 Upon praecipe of plaintiff's attorney to transmit record, case moved to Court.

Dec. 15, 1993 Memorandum and Order filed. ORDER. AND NOW, December 15, 1993, this matter is returned to the Prothonotary for action consistent with the accompanying Memorandum.
BY THE COURT:
Anthony J. Vardaro, J.
12-15-93 Copy of Order to Atty. Gagliotti, & Deft.

Apr. 5, 1994 Verification of Service filed. I,John P.Gagliotti,Esquire, attorney for the Plaintiff in the above-captioned action, verify that I mailed on February 28, 1994, a Counter-Affidavit under Section 3301 (d) of the Divorce Code to Kimberly Beck at 706½ North Cottage Street, Meadville, Crawford County, Pennsylvania 16335, by Certified Mail, Return Receipt Requested, No. P885064321; and that on March 3, 1994, she received same as evidenced by the attached signature card.
I make this verification with notice that willful false statements made herein are subject to the penalties of perjury under Section 4904 of the Pennsylvania Crime Code, relating to unsworn falsification to authorities.
April 3, 1994 John P. Gagliotti, Esquire

Apr. 14, 1994 Verification of Service filed. I,John P. Gagliotti, Esquire, Attorney for the Plaintiff in the above-captioned action, verify that I mailed on February 28, 1994, a Counter-Affidavit under Section 3301 (d) of t he Divorce Code to Kimberly Beck at 706½ North Cottage Street, Meadville, Crawford County, Pennsylvania 16335, by Certified Mail. Return Receipt Requested, No. P885064321; and that on March 3, 1994, she received same as evidenced by the attached signature card.
I make this verification with notice that willful false statements made herein are subject to t he penalties of perjury under Section 4904 of the Pennsylvania Crime Code, relating to unsworn falsification to authorities.
April 12, 1994 JohnP. Gagliotti, Esquire

Apr. 14, 1994 Affidavit of Consent by Walter Beck, Plaintiff, filed.

Apr. 14, 1994 Upon Praecipe of John P. Gagliotti,Esquire, Attorney for Plaintiff to transmit record, case moved to Court.

Apr. 21, 1994 ORDER filed. This divorce matter has been referred to the Court for review and decree. The Court has reviewed the record and is returning the record to the Prothonotary. A final decree will not be entered at this time because:

x There is no showing that the proper notice required by 1920.42 (c)(1) in the form provided by 1920.73[Notice of Intention to Request Divorce Decree] to a party who is unrepresented [1920.73 (a) (2)] or to counsel of a represented party [1920.73(a)(1)was properly mailed or delivered; and/or a copy of said notice is not attached to the praecipe to refer or submit.

x Other: Costs in the amount of $72.50 with regard to a Protection from Abuse Action at 1989-997 in which Walter Beck is the Defendant have not been paid.

Either party may file a praecipe to refer the matter back to the Court when the record is in such a state that the parties are entitled to a final decree.
BY THE COURT:
Anthony J. Vardaro, J.
4-21-94 Copies dist. to Kimberly Beck & Att. Gagliotti

May 3, 1994 Upon praecipe of plaintiff attorney the above captioned matter is referred back to the Court for review.

Continued on Page 462

16

1993

Thomas, Truax,
Spadafore & Walker
William L. Walker

466.

STATE FARM INSURANCE COMPANY

vs.

RICHARD CARRICK

Filed May 11, 1993
@ 12:02 PM

Tax & entry paid	50.50
User's Fee paid	5.00
sheriffs costs	23.25
Pro Co pd 3-7-95	9.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

June 15, 1993, Sheriffs Return filed. NOT FOUND as to dft. Richard Carrick. Att empted servcie by cert. mail, restricted del at his last known address of 9255 Reichert Road, Cleveland, Ohio, 44130. The letter was returned " unclaimed"
So answers, Robert M. Stevens, Sheriff

Dec. 9, 1994 Complaint Reinstated.

Dec. 29, 1994 Affidavit Of Service filed. Kendra M. Loreno, being duly sworn according to law, deposes and says that she is the secretary to William L. Walker, Esq., Atty. for State Farm Insurance, Plaintiff, in this action and certifies that on the Dec. 13, 1994, she delivered to the Post Office in Meadville, PA., for delivery to Richard Carrick at his last known address, by certified mail, return receipt requested, a true and correct copy of the Reinstated Complaint in this matter for which deponent received, at the time, receipt for certified article no. P 063 588 812 which is attached hereto as Exhibit "A". Thereafter ont he 16th day of Dec., 1994 it was returned to William L. Walker, Esq., the return receipt card bearing the same number and signed by Richard C. Carrick said return receipt card being attached hereto as Exhibit "B".

Kendra M. Loreno

And Now, February 24, 1995 upon praecipe of plaintiff attorney judgment is hereby entered in the amount of Four Thousand Three Hundred Twenty-three and 34/100 and costs in favor of the Plaintiff and agaisnt the Defendant, as a result of his failure to file an Answer.
Entered Feb. 24, 1995 Debt: $$4,323.34 plus costs
C - 144 JUDGMENT
Barbara H. King, Pro.

1993

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

467.

AMERICAN FEDERAL SAVINGS
formerly VENANGO FEDERAL
SAVINGS AND LOAN ASSOCIATION,
now by merger NORTHWEST
SAVINGS BANK, PASA

vs.

PATRICK E. DONAHUE and
SHARON L. DONAHUE, his wife

Filed May 11, 1993
@ 12:02 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	41.00
Pro Co pd 6-18-93	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies Sheriff

June 3, 1993 Sheriff's Return filed. SERVED Patrick E. Donahue personally on May 26, 1993 at 9:47 AM by handing a copy of the Complaint in Mortgage Foreclosure to him at his place of employment, Fibro-Tool, Arch Street, Meadville, Crawford County, PA.
SERVED Sharon Donahue personally on May 15, 1993 at 4:15 PM by handing a copy of the Complaint in Mortgage Foreclosure to her in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.
So answers,

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

An Now, June 18, 1993 at 3:19 p.m. upon praecipe of plaintiff's attorney judgmetn is hereby entered in favor of the plaintiff and against the defendants, Patrick E. Donahue and Sharon L. Donahue in the sum of Sixteen thousand four hundred three Dollars and 06/100 cents, with costs plus interest from 4-30-93 at the rate of 14% for failure to file an answer within twenty days of service of the complaint.
Entered June 18, 1993
D - 133, 153

Debt: $16,403.06
JUDGMENT
Barbara H. King, pro.

Ex. 1993 - 50

1993

Elderkin, Martin,
Kelly & Messina
Kenneth G. Vasil

468.

SEARS, ROEBUCK & COMPANY

vs.

JOSEPH J. GRIBUS and
KATHY I. GRIBUS, his wife

Filed May 11, 1993
@ 12:02 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	31.00
Pro Co pd 6-30-93	9.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

May 25, 1993 SHERIFF'S RETURN filed. SERVED Joseph J. Bribus personally on May 21, 1993 at 10:12 AM by handing a copy of the Complaint to him in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Pa.

SERVED Kathy I. Gribus on May 21, 1993 at 10:13 AM by handing a copy of the Complaint to Joseph J. Gribus, her husband and Atuthorized Agent, in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Pa. Signed Acceptance of Service attached. So answers, Robert M. Stevens, Sheriff

And Now, June 30, 1993 @ 11:58 a.m., upon praecipe of Plaintiff's attorney judgment is hereby entered in favor of the plaintiff and against the Defendants in the amount of Two thousand seven hundred fifty-eight dollars and 04/100, plus interest at the rate of 1.50% per month from April, 1993, and costs of the action.

Entered 6-30-93 Debt: $2,758.04 PLUS interest and costs
G - 94, 104 JUDGMENT
Barbara H. King, Prothonotary

1993

Akman & Associates, PC
Lloyd E. Wilson, II
Jonathan C. Hook

469.

CARMELLA BULLOCK

vs.

JOSEPH JAMES BULLOCK

Filed May 11, 1993
@ 12:03 pm

Tax & entry paid	50.50
User's fee paid	20.00
3 Add'l Counts pd.	45.00
State paid	10.00
Pro Co pd 5-21-96	9.00

Andrew Bacallao, Esq.Master

1-31-94 Rec from Plf Master 200.00
6-20-94 Rec'd from Defe Master 600.00

COMPLAINT IN DIVORCE, CUSTODY, ALIMONY,
EQUITABLE DIVISION
no copies

June 1, 1993 Certificate of Service, filed. I hereby certify that a true and correct photocopy of the foregoing Complaint in Divorce was served on James Bullock on the 14th day of May, 1993, by mailing said photocopy to him via Certified First Class Mail, Return Receipt Requested, Restricted Delivery, postage prepaid, at the address listed below; James Bullock, 933 Forsythe Rd., Carnegie, Pa. 15106 Lloyd E. Wilson

July 27, 1993 Certificate of Service of Notice of Deposition filed.

Aug. 5, 1993, Certificate of Service of Notice of Deposition for copying filed.

Dec. 20, 1993 Motion for Appointment of Master in Divorce and ORDER APPOINTING MASTER filed. AND NOW, December 22, 1993, Andrew Bacallao, Esquire is appointed Master in respect to the following claims: Divorce, alimony, distribution of property (Not for Alimony Pendentec Lite - none claimed)
Deposit Required: By Plaintiff $200 By Defendant $600
If not filed already the parties are ordered to file their pretrial statements within thirty (30) days from this date.
Each party shall file an updated Income and Expense Statement with this Court as well as an Inventory within 30 days of this date. Until the same have been filed the Master does not have to schedule a hearing. Anthony J. Vardaro, Judge

1-7-94 Copy of Order to Atty. Wilson,II and Atty.Bacallao & Deft.

March 30, 1994 Plaintiff's Budget Information itemization filed.

June 2, 1994 Summary of Discussions and Action Taken At Pre-HearingConference filed.

Jun. 29, 1994 Pretrial Statement Pursuant to Rule 1920.33, filed.

June 30, 1994 Notice of Master's Hearing filed.

Feb. 16, 1996 Transcript of Proceedings of Master's Hearing, filed.

Feb. 16, 1996 Affidavit of Consent by Joseph James Bullock, Defendant, filed.

Feb. 16, 1996 Affidavit of Consent by Carmella Bullock, Plaintiff, filed.

Feb. 16, 1996 Master's Report filed.

Feb. 16, 1996 Notice ofFiling Master's Report filed.

May 13, 1996 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

May 29, 1996 FINAL DECREE FILED.

AND NOW, May 29, 1996, upon praecipe to transmit the record and after review of the Master's Report it is ordered, adjudged and decreed as follows:

1. The Master's Report is adopted by this Court.
2. The parties hereto are divorced from the bonds of matrimony.
3. The following marital property is awarded to the plaintiff: The personal property desired by the plaintiff and listed on page 6 of the Master's Report. $551.00
4. The following marital property is awarded to the defendant: The personal property desired by the defendant as shown on page 6 of the Master's Report. $735.00 IDS Pension $1,181.83; Massachusetts Mutual Insurance Policy $1,553.00; 1986 Saab Automobile $3,000.00
5. The marital residence is distributed as follows. Defendant shall pay to plaintiff $34,160.00 (representing 61% of the fair market value of the marital residence) within thirty (30) days from this date. If the defendant pays said sum to the planitiff then the marital residence is distributed to the defendant and the plaintiff shall sign, acknowledge and deliver a deed and other documents necessary to transfer title of the marital residence to defendant with the defendant paying the full cost of the preparation of all documents and other fees and costs associated with said transfer of title. If the defendant does not pay said sum to the plaintiff within thirty (30) days form this date then the parties shall immediately place said residential real estate for sale andmake a bonafide good faith effort to sell the marital residence for at least, $56,000, the appraised value. They shall cooperate with each other with respect to the listing and sale of said property. Neither party shall refuse an offer of $56,000 or more. UPon sale of the marital residence any real estate commission shall be deducted form the gross sale price whereupon the planitiff shall receive 61% of the gross sale price less the real estate commission. The Defendant shall receive the balance of the sales price and shall pay all other expenses in connection with said sale.
6. The defnedant shall pay 20% of the total marital debts and the defendant shall pay 80% of the total marital debt. The total marital debt is $14,265.52. The planitiff's share is $2,853.10 and the defendant's share is $11,412.41. They shall work together to determine themanner in which each shall pay off the debts in a timely fashion to avoid foreclosure or other enforcement proceedings. They may either agree to apportion the monthly payments on said debts with each obligated to make the correct payment in a timely fashion or they may agree to a lump sum payoff of said debts. The planitiff is ordered and directed to pay her share of the debt in full upon receipt of her share of the value of the marital residence. Of the marital residence is sold then both parties shall pay all marital debts in full in the percentages provided for above.
7. Each pa rty shall pay his or her own attorneys fees.
8. The plaintiff shall not be entitled to alimony pendente lite or alimony.
9. The parties shall sign any and all documents reasonably necessary to accomplish and carry out the provisions of this final divorce decree.
10. The planitiff shall pay 45% of the Master's fee and expenses associated with the Master's fees and expenses associated with the Master's proceedings. The defendant shall pay 55% of the Master's fees and the expenses associated withthe Master's proceedings.

11. The Prothonotary shall furnish a true and correct copy of this final divorce decree to both parties. Plaintiff's copy may be delivered to her attorney. The defendant's copy shall be sent to the defendant's last known address as set forth in the Master's Report 933 Forsythe Road, Carnegie, Pennsylvania 15106.

BY THE COURT,
Gordon R. Miller, J

1993

Ferguson & Spataro
Douglas W. Ferguson

470.

CHARLES A. WHITMAN

vs.

JOHN A. LUEBBERT, SR.
and JOY D. LUEBBERT, his wife

Filed May 11, 1993
@ 3:09 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	40.00
Pro Co pd 6-30-93	9.00

COMPLAINT IN ACTION OF MORTGAGE FORECLOSURE
2 copies atty.

May 25, 1993 SHERIFF'S RETURN filed. SERVED John A. Luebbert, Sr. personally on May 14, 1993 at 1:03 PM by handing him a copy of the Complaint in Mortgage Foreclosure at his residence, RD 2, Box 299A, Centerville, Crawford County, Pa.

SERVED Joy D. Luebbert Personally on May 14, 1993 at 1:04 PM by handing her a copy of the Complaint in Mortgage Foreclosure at her residence, RD2, Box 299A, Centerville, Crawford County, Pa. So answers, Dale A. Collins, Deputy Sheriff
Robert M. stevens, Sheriff

And now, June 30, 1993 @ 9:36 a.m., upon praecipe of Plaintiff's attorney judgment is hereby entered in favor of the Plaintiff, Charles A. Whitman, and against the Defendants for failure to file an answer within twenty (20) days of the service of the Complaint and assess the damages as follows:

Principal balance due	$44,009.29
Int. at 9% per annum from 12-20-92 to 6-20-93	1,980.42
Reasonable attys. fees at 5% of mortgage debt per mortage note	2,250.00
Total debt	$48,239.71

Entered 6-30-93
L - 94, 94

DEBT:$48,239.71
JUDGMENT
Barbara H. King, Prothonotary

EX. 1993--554

1993

Kathleen R. Nelson

471.

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

SHARON E. MCGRATH

vs.

NORMAN P. MCGRATH

Filed May 12, 1993
@ 11:12 AM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts pd	30.00
State paid	10.00
Pro Co pd 11-15-94	9.00

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

May 27, 1993 Affidavit of Service filed. Kathleen R. Nelson, Esq. being duly sworn according to law, deposes and says that the following facts in support of her Affidavit of Service are true and correct to the best of her knowledge, information and belief:

1. That the Affiant is the Attorney for the Plaintiff in the above-captioned action.
2. That a true and correct copy of the Complaint in Divorce and notice to Defend were sent by certified mail to the Defendant, Norman P. McGrath, on May 17, 1993.
3. Ther egistered mail was sent to Norman P. McGrath at c/o Darlene Foust, R.D. #2, Box 388B, Townline Road, Linesville, PA 16424. The sender's receipt is attached hereto.
4. That the Defendant received said certified mail on May 19, 1993. Said Return Receipt card P 238 202 291 is attached hereto, signed by Norman P. McGrath, and made a part hereof.

Kathleen R. Nelson

Jul. 2, 1993 Appearance of Shafer, Swick, Bailey, Irwin & Stack by James R. Irwin, Esquire for Norman P. McGrath, defendant,filed.

July 7, 1994, Motion for Withdrawal of Count in Divorce and order filed.
ORDER: AND NOW, this 7 day of July 1994, the above motion is granted.
Anthony j. Vardaro, J.
July 17, 1994, copies faxed to Irwin and Nelson

July 13, 1994 Affidavit of Consent of Defendant, filed.

Oct. 11, 1994 Affidavit of Consent by Sharon E.McGrath, Plaintiff, filed.

Nov. 15, 1994 Upon Praecipe of Plaintiff's attorney to transmit record, case moved to Court.

Nov. 10, 1994 Consent Custody Order filed. CONSENT CUSTODY ORDER. AND NOW, this 9th day of November, 1994,upon Stipulation of the parties to this action, the following Order is hereby entered:

1. Legal Custody of Bryan Paul McGrath shall be shared between the parties hereto, with each party entitled to records relating tothe child held by a third party including,but not limited to school and medical records, and each parent shall have equal input with regard to the child's health, education, religious instruction and other important decisions.
2. Physical Custodyof Bryan Paul McGrath shall be shared betweenthe parties hereto, it being the intention of the parties that amicable arrangements be made to maximize the child's time with each parent.
3. The parties shall share transportation in regard to visitations withthe minor child with the party receiving custody of the child to provide for the transportation.
4. The subject minor child shall have the right to telephone the parent not having physical custody at reasonable times and for reasonable lengths of time and such conversations will not be unreasonably monitored by the parent then having physical custody.
5. Neither of the parents shall do or say anything in an attempt to turn the child against the other parent, but on the other hand shall do everything inthe power of each to foster a favorable and loving attitude on the part of the child toward both parents.
6. Neither parent shall expose the child to any person or situation which maybe harmful to the child's health or well being.
7. Neither parties 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. This Order is entered without prejudice to the right of either party to request a mediation conference at some time in the future for the purpose of obtaining a more specific visitation schedule between the child and the parties.

BY THE COURT:
Gordon R. Miller,J.

11-10-94 Faxed to Attys.Irwin & Nelson

DIVORCE DECREE FILED

Nov. 22, 1994 AND NOW, November 21, 1994, it is ordered and decreed that the Plaintiff and Defendant named herein, are divorced from the bonds of matrimony.

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

BY THE COURT:
Anthony J. Vardaro, J.

1993

Ostroff & Kline, PC
Richard S. Rudolph

472.

Anthony J. Sciarrino

WILLIAM R. BURLINGAME and JODY BURLINGAME, h/w

vs.

HUBBARD BUS SERVICE, RICHARD C. HUBBARD and VERONICA ANN GILBERT

Filed May 12, 1993
@ 2:19 PM

Tax & entry paid	50.50
User's Fee paid	5.00
sheriffs costs 42.00 Pro Co pd 1-13-95	5.00

COMPLAINT IN CIVIL ACTION
3 copies Sheriff

May 19, 1993 Praecipe to Substitute Verification, filed.

June 3, 1993, Sheriffs Return filed. SERVED Hubbard Bus Service on May 21, 1993 at 10:19 a.m. by handing a copy of the complaint to Richard C. Hubbard, Owner, at Hubbard Bus Service, Rogers Ferry Road, Meadville, Crawford County, pa.
SERVED Richard C. Hubbard personally on May 21, 1993, at 10:18 a.m. by handing him a copy of complaint at Hubbard BusSer., Rogers Ferry Road, Meadville, Crawford County, pa.
SERVED Veronica Ann Gilbert personally on May 21, 1993, at 12;45 p.m. by handing a copy ofthe complaint to her in the Sheriff's Office, third Fl. Crawford County Courthouse, Meadville, Pa.
So answers, Dale A. collins, Dep. Sheriff
Robert M. Stevens, Sheriff

June 21, 1993 Appearance of Anthony J. Sciarrino for Defendants filed.

July 23, 1993 Answer and New Matter filed.

Aug. 2, 1993 Plaintiffs' Answer To New Matter Of Defendants, Hubbard Bus Service and Richard C. Hubbard and Veronica Ann Gilbert filed.

Aug. 25, 1993, Verification of Dft. Richard C. Hubbard of Answer filed.

Oct. 29, 1993, Certificate of Service of Defendants Answers to Interrogatories and Requests for Producton filed.

Feb. 15, 1994, certificate of service of Interrogatories and Request fro Production of Documents directed to plaintiffs, filed.

May 23, 1994 Certificate of Readiness filed.

Jun. 29, 1994 Certificate of Service filed. I, Richard S. Rudolph, Esquire, attorney for Plaintiffs, hereby certify that a true and correct copy of Plaintiffs' First Supplemental Request for Production of Documents Under Pa. R.C.P. 4009 Directed to Defendants, has been served upon counsel listed below by regular first class mail, postage prepaid, on this 27 day of June, 1994.
Anthony Sciarrino, Esquire
By Richard S. Rudolph, Esquire

Aug. 1, 1994 Plaintiffs' Motion To Compel Answers To Plaintiffs' First Supplemental Request For Production Of Documents Under Pa. R.C.P. 4009 Directed To Defendants and Order filed. ORDER: AND NOW, this 1st day of August, 1994, it is hereby ORDERED and DECREED that defendants, Hubbard Bus Service, Richard C. Hubbard, and Veronica Ann Gilbert, shall furnish full and complete Answers to Plaintiffs' First Supplemental Request for Production of Documents Under Pa. R.C.P. 4009 Directed to Defendants, within thirty (30) days of the date of this Order, or risk monetary and/or other sanctions. We note that the moving party did not comply wtith the notice and certification requirements of the local rules. See Crawford County Ruel L206.
BY THE COURT:
Gordon R. Miller, P.J.

Aug. 2, 1994 copies dist to Sciarrino & Rudolph

Aug. 3, 1994 Defendants' Second Supplemental Response to Request for Production of Documents, filed.

Aug. 5, 1994 Certificate of Service filed. I, Richard S. Rudolph, Esquire, attorney for Plaintiffs, hereby certify that a true and correct copy of Plaintiff's Responses to Defendants' Request for Production of Documents has been served upon counsel listed below by certified mail, return receipt requested #P 345 979 319 on this 3rd day of August, 1994.
Anthony Sciarrino, Esquire
Swensen,Perer, Johnson & McCandless
150 West Sixth Street
Erie, PA 16501
By Richard S. Rudolph, Attorney for Plaintiffs

Aug. 5, 1994 Defendants' Motion to Compel Answers to Defendants' Request for Production of Documents under Pa. R.C.P. 4009 Directed to Plaintiffs and ORDER filed. AND NOW, this 4th day of August, 1994, it is hereby ORDERED and DECREED that Plaintiffs, William R. Burlingham and Jody Burlingame, H/W, shall furnish full and complete Answers to Defendants' Request for Production of Documents Under Pa. R.C.P. 4009 Directed to Plaintiffs, within twenty (20)days of the date of this Order,or risk monetary and/or other sactions.
BY THE COURT,
Gordon R. Miller, J.
8-8-94 Faxed to Atty. Rudolph & Mailed to Atty. Sciarrino

Aug. 8, 1994 Upon praecipe of plaintiffs attorney, Notice of Completion of Discovery filed.

Sept. 1, 1994, Stipulation of Counsel filed.

Sept. 1, 1994, Certificate of Service of Above Stipulation filed.

Sept. 22, 1994, Praecipe for Request for Settlement conference filed.

Sept. 22, 1994, Praecipe for Request for Pre-Trial Conference filed.

Sept. 27, 1994 Certificate of Service of Plaintiffs' Pre-Trial Narrative, filed.

Continued to Page 507

1993

Mary Ann Kirkpatrickk

473.

DOUGLAS CHARLES SINSABAUGH

vs.

SYBIL KENT KANE.

Filed May 12, 1993
@ 2:19 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co. pd 8/19/93	9.00

COMPLAINT IN DIVORCE
1 copy atty.

May 12, 1993 Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code filed.

May 24, 1993 Affidavit of Service, filed. And Now, May 21, 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 Douglas Charles Sinsabaugh, Plaintiff in the above-captioned matter.

2. That on information furnished her by the Plaintiff, she caused a certified copy of the Complaint in Divorce to be forwarded by Certified Mail, P 100 621 266; postmarked May 12, 1993, to the last known address of the Defendant, Sybil Kent Kane, 1025B Leicester ST.,Norfolk, Va 23503.

3. That the Defendant, Sybil Kent Kane, on May 18, 1993, personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto.

4. Service of the Complaint against Defendant is therefore effected in accordance with Pa. R.C.P.

Aug. 12, 1993, Affidavit of Consent of plaintiff filed.

Aug. 12, 1993, Affidavit of Consent of defendant filed.

Aug. 19, 1993 Upon praecipe of plaintiff attorney for review under Section 33019c) of Divorce Code, this case is moved to Court.

DIVORCE DECREE FILED

Aug. 26, 1993 AND NOW, Aug. 24, 1993, it is ordered and decreed that DOUGLAS CHARLES SINSABAUGH, plaintiff, and SYBIL KENT KANE, 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.

24

1993

Ferguson & Spataro
John F. Spataro

474.

Culbertson, Weiss,
Schetroma & Schug
E. Max Weiss

SCOTT BARRINGER and
KIMBERLY BARRINGER

vs.

MEADVILLE MOVING & STORAGE
INC.

Filed May 13, 1993
@ 10:42 AM

Tax & entry paid 50.25
User's Fee paid 5.00

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

May 13, 1993 Complaint filed.

May 20, 1993 Proof of Service, filed.

June 2, 1993 Appearance of Culbertson, Weiss, Schetroma & Schug by E. Max Weiss for Defendant filed.

1993

Bernstein & Bernstein
Marylouise Wagner

475.

TRUST COMPANY BANK

vs.

TERRY L. HODGINS i/t/a/d/b/a
TA'S AUTO PARTS

Filed May 13, 1993
@ 2:05 PM

Tax & entry paid	$50.50
User's Fee paid	5.00
Pro Co pd 7-6-93	5.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

May 26, 1993 Sheriff's Return filed. NOT FOUND AS TO Defendant Terry L. Hodgins i/t/a/d/b/a TA's Auto Parts located at 643 West Spring Street, Titusville. The business is out of business and no one was around.
So answers, Robert M. Stevens, Sheriff

July 6, 1993 Upon praecipe of Plaintiff attorney the abpve captioned matter is discontinued without prejudice.

26

1993

Quinn, Buseck,
Leemhuis, Toohey,
&Kroto, Inc.
Lawrence C. Bolla

476.

NATIONAL FUEL GAS
DISTRIBUTION CORPORATION

vs.

ERIE INDUSTRIAL ELECTRIC
SUPPLY CORPORATION

Filed May 13, 1993
@ 2:05 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co pd 7-19-93	19.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

July 1, 1993 Affidavit/Acceptance of Service filed. BEFORE ME, a Notary Public, in and for the said Commonwealth and County, personally appeared William J. Kelly, Esquire, the attorney for the defendant, Erie Industrial Electric Supply Corporation, who first being duly sworn according to law, deposes and says that he hereby acepts service of the Civil Action Comlaint filed at the above term and number, that he has full authority to accept same on behalf ofthe Defendant, that he accepts same this 9th day of June 1993, and that all of the above is true and correct to the best of his knowledge, information and belief.

William J. Kelly

And Now, July 19, 1993 at 1:10 p.m., upon praecipe of plaintiff's attorney judgment is hereby entered against the defendant, above captioned, in the sum of One Thousand Five Hundred Eighty-one and 56/100 plus interest from May 13, 1993 and all costs of suit for failure to answer or otherwise plead.

Entered 7-19-93 Debt: $1,581.56 Plus interest & Costs
E - 184 JUDGMENT
Barbara H. King, Pro.

7-20-93 Notice of entry of Judgment sent to Dft. & Dft. Atty.

1993

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

477.

James R. Irwin

REBECCA J. SHAFFER

vs.

DONALD M. SHAFFER

Filed May 13, 1993
@ 4:05 PM

Tax & entry paid	50.50
User's fee paid	20.00
3 Add'l Counts pd.	45.00
State paid	10.00
William Pineo, Mediator	152.00
Pro Co Pd 9-84	9.00
ProCopd 5-23-97	9.00

4-6-94 Rec'd from Pltf
meddp $150.00

7-13-94 Recd from
dft $76.00

7-1-94 Pd Pltf
Ch#8424 65.00

9-13-94 Pd Co
Ch# 8549 $257.00

COMPLAINT IN DIVORCE, ALIMONY, ALIMONY PENDENTE LITE, COSTS & EXPENSES, CUSTODY, EQUITABLE DISTRIBUTION
1 copy atty.

May 26, 1993, Affidavit of Mailing filed. Ann Hansen Gamble, duly sworn according to law, duly authorized to practice in Com. of Pa. deposes and says that she sent a c ert. copy of Complaint in Divorce on May 19, 1993, by cert. mail, rest. del. postage prepaid receipt dft. at his last known address. Receipt attached hereto.
Ann Hansen Gamble.

May 26, 1993, Appearance of James R. Irwin, attorney for defendant filed.

Aug. 30, 1993 Affidavit of Consent of Plaintiff filed.

Oct. 29, 1993, Defendants Income & Expense statement filed.

Oct. 29, 1993, Inventory of Donald M. Shaffer filed.

Jun. 6, 1994 Motion for Hearing and ORDER filed. AND NOW, this 6 day of June, 1994, William Pineo is hereby appointed Custody Mediator, to hold such mediation conference as he or she deems necessary and to make a report and recommendation to this court.
Anthony M.Gardaro, J.
6-6-94 Faxed to Attys. Irwin& Gamble, Given to Pineo.

June 29, 1994 TEMPORARY ORDER, filed. AND NOW, this 28 day of June, 1994, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,
IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor children, Casey Leigh Shaffer and Krista Marie Shaffer.

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

3 a. The father shall have primary physical custody of the subject minor children.

b. The father shall have primary physical custody of the subject minor children during the weeks of June 27, 1994, August 1, 1994, and September 5, 1994, each week starting from Sunday at 8:00 p.m. through Saturday at ;8:00 p.m. During these three periods no visitation needs to be given to the mother.

c. For the week of July 11, 1994, the mother shall have visitation and temporary physical custody on Monday, Wednesday, and Friday from 9:00 a.m. to 3:00 p.m. During this time, the children are not to be exposed to the company of her boyfriend, Michael. For the weeks of July 18, July 25, August 8, and August 15, the mother shall have visitation on Mondays and Wednesdays from 9:00 a.m. to 3:00 p.m. During these periods the mother;s boyfriend is not to be present. For each of the precedign specified weeks, she shall also have visitation each Friday from 9:00 a.m. through the following Saturday at 3:00 p.m. and during these times, the boyfriend may be present.

d. The mother shall have visitation and temporary physical custody for the week of August 21, from Sunday at 8:00 p.m. through the followisng Saturday at 8:00 p.m.

e. The mother shall have visitation for the weekend of September 2 from Friday at 12:00 p.m. through Saturday at 8:00 p.m.

f. Beginning with the weekend of September 23, the mother shall have visitation and temporary physical custody on the first, second, and fourth weekends of each month from Friday at 5:00 p.m. through Sunday at 8:00 p.m. The number of the weekend shall be counted if the Friday precedign the weekend falls within the month. Thus, the weekends in October are October 7, 14, and 28.

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

4. Holiday visitation shall be arranged as follows:

a. Christmas: There shall be two Christmas 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.

b. Thanksgiving: There shall be two Thanksgiving visitation periods, the first beginning on Thanksgiving Day at 8:00 a.m. and ending Thanksgivign Day at 2:00 p.m., and the second beginning Thanksgiving Day at 2:00 p.m. and ending Thanksgiving Day at 8:00 p.m. For Thanksgiving, 1994, the father shall have the first period and the mother, the second, and the parties shall thereafter alternate.

c. Easter: The mother shall have visitation and temporary physical custody each Easter period from Good Friday at 4:00 p.m. through Easter Sunday at 1:00 p.m. If Easter weekend falls on a weekend in which the father would normally have custody of the children, he may choose one of the weekends which would normally be the mother's as a compensatory custodial period provided said weekend occurs within (30) days of the Easter weekend and provided he gives the mother (30) days notice of the weekend he wishes to select.

d. In even numbered years, the mother shall have visitation on Labor Day from 9:00 a.m. to 9:00 p.m. and in odd numbered years, on Memorial Day from 9:00 a.m. to 9:00 p.m.

e. Family reunions: The Mediator notes that each family has reunions. The father's reunion always occurs during the week of July 4 and the mother's reuniion may occur during any time of the summer. The parties shall confer on or before May 31 to work out the reunion dates. The children shall be with the father during the father's family reunion and with the mother during the mother's family reunion, provided that the dates have been worked out. The Mediataor also notes that each of the parties has vacation time from work. If the parties' vacation time interferes with the reunions, the vacations shall take precedence over the reunion provisions but the party losing custodial time during his or her family reunion, may choose an extra weekend from the other party as a compensatory custodial period.

CONTINUED ON PAGE 466

1993

Knox McLaughlin gornall
& Sennett PC
Joanna k. Budde

478.

SPRINGBORO COUNTRY PLACE

vs.

SANDRA SWINGLE

Filed May 14, 1993
@ 9:42 AM

Tax & entry paid 50.25
User's fee paid 5.00
Pro Co pd 7-14-93 9.00

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

May 14, 1993 Rule entered upon Plaintiff to file a complaint issued.

May 14, 1993 Proof of Service filed.

June 2, 1993, Complaint filed.

June 8, 1993 Affidavit of Service filed: The undersigned Joanna K. Budde, Attorney for the plaintiffs, Springboro Country Place and Patterson-Erie Corporation, hereby deposes and states that a copy of the complaint filed in the above-captioned matter was served upon the defendant, Sandra Swingle, PO Box 185, Springboro Place, Apartment C-6, Springboro, Pennsylvania 16435, by regular mail pursuant to Pa. R.C.P.D.J. 1005D.
Date: June 7, 1993 Joanna K. Budde

July 14, 1993 Verification filed.

And Now, July 14, 1993 at 11:31 a.m., upon praecipe of plaintiff attorney judgment is entered in favor of the plaintiffs and against the defendant for failure to file an answer in the above action.

Judgment is entered in favor of the plaintiffs and against the defendant for possession of the premises located at Springboro Country Place, North Creek Rd., Apt. C-6, Springboro, Pa. 16435, and assess the plaintiffs' damages for unpaid rent from January 1, 1993 through July 1, 1993, as follows: One thousand eight hundred sixty-two and oo/100.

Entered 7-14-93 Debt: $1,862.00
S - 153 JUDGMENT
Barbara H. King, Pro.

7-16-93: Notice of entry of Judgment sent to Dft.

July 21, 1993 Affidavit of Service of Judgment filed.

1993

Specter Law Offices
Robert A. Sambroak, Jr.

479.

Knox,McLaughlin,
Gornall & Sennett
William C. Wagner
for Deft.Cripe Real
Estate

WADE LARGENT, a minor, by his natural parents, RICHARD LARGENT and DOLORES LARGENT and RICHARD LARGENT and DOLORES LARGENT in their own right

vs.

RONALD OVERTON and CRIPE REAL ESTATE

Filed May 14, 1993
@ 1:26 PM

Tax & entry paid	50.50
User;s Fee paid	5.00
sheriffs costs	50.00
Pro Co. pd 8/10/94	9.00

JURY TRIAL OF TWELVE JURORS DEMANDED

COMPLAINT IN CIVIL ACTION
2 copies atty.

June 14, 1993, Sheriffs Return filed. I deputize the Sheriff of Erie County Pa to serve the within complaint according to law. Robert m. Stevens, Sheriff
SERVED the within complaint on June 4, 1993 at 10:15 a.m. upon Pat Kosterman Supervisor at our office, erie Co. Sheriff, 140 W. 6th St Erie, by making known to Pat Kosterman the contents therein. Robert N. Michel, Sheriff, Erie Co.
William Parker, Dep. sheriff
SERVED Ronald Overton personally on May 21, 1993 at 10:14 amn. by handing a copy if the complaint to him at his residence, 106 Asbury Manor East, Meadville, Crawford County, Pa.
SERVED Cripe Real Estate by deputizing the Sheriff of Erie county, Pa. as per his affidavit of Servcie attached. Served on June 4, 1993.
So answers, Dale A. Collins, Dep. Sheriff
Robert M. Stevens, sheriff

Jun. 16, 1993 Appearance of Knox,McLaughlin,Gornall & Sennett by William C. Wagner, Esquire for Cripe Real Estate, Defendant, filed.

July 19, 1993 Answer and New Matter of Cripe Real Estate, filed.

Aug. 16, 1993, Reply to New Matter filed.

Dec. 3, 1993 Cripe Real Estate's Motion to Compel Plaidsntiffs To Respond To Discovery and Order, filed. ORDER: AND NOW, this 3rd dayof December, 1993 it is hereby ORDERED and DECREED that Cripe Real Estate's Motion to Compel Plaintiffs to respond is granted. The plaintiffs have 30 days from the date of this Order to file answers to Interrogatories and responses to Request for Production. If the plaintiffs do not comply with this Order, Cripe Real Estate may seek sanctions under applicable rules.
Gordon R. Miller, P.J
Dec. 9, 1993 copy to W. Wagner

Dec. 15, 1993 Notice of Service of Plaintiff's Answer and Responses To Defendant Cripe Real Estate's Interrogatories to Plaintiff filed.

Dec. 17, 1993 Notice of Ser vcie of Plaintiffs Interrogatories to Defendant Cripe Real Estate and Request for Production of Documents, filed.

Mar. 10, 1994 Notice Of Intent To Complete Discovery field.

Mar. 23, 1994 Notice of Deposition of Daniel C. Roberts filed.

Mar. 23, 1994 Notice of Deposition of Wililam Ben Higgins filed.

April 13, 1994 Notice of Taking Depositions Upon Oral Examination of Kenneth Keller and Diane Keller filed.

April 13, 1994 Notice of Taking Depositions Upon Oral Examination of Richard Largent, Dolores Largent and Wade Largent filed.

July 5, 1994 Certificate of Readiness For Trial, filed.

July 21, 1994 Notice of Intent To Take Default Judgment filed.

Aug. 1, 1994 Petition to Settle Minor's Claim and ORDER OF COURT filed. And now this 1 day of Aug. 1994 the court approves the settlement of all claims held by minor, Wade Largent, a minor relating to the incident of January 5, 1992 upon t he receipt of$8,000.00 and authorizes and directs the mother and natural guardian of Wade Largent to execute a Release on behalf of the minor in the form attached hereto to the Petition as Exhibit "C".
The representative of the Defendant Cripe RealEstate will issue a check in the amount of$8,000.00 payable to Richard and Dolores Largent and Parents and Natural Guardians of Wade Largent, a minor and Specter Law Offices. The check will deposited into the trust account of Specter Law Offices and distributed as follows:

Specter Law Offices	
Attorneys Fees	$2,666.67
Expenses/Costs	$ 517.05
Dept. of Public Welfare	$1,969.15
Wade Largent Trust Fund	$2,847.13
TOTAL	$8,000.00

The amount of $2,847.13 be placed into a savings account in the name of the minor, Wade Largent, which account is to be insured by the Federal Deposit Insurance Company or other appropriate government agency with the account structured so that no withdrawals of principal and interest can be made from it until Wade Largent has reached the age of his maturity on February 20, 1999, at which time withdrawals of part or all of said account may be made without limitation by the minor, Wade Largent.
P. Richard Thomas, S. J.
8-3-94 Copies to Atty. Sambroak, Jr. & Atty. Wagner

Aug. 10, 1994 Notice of Entry of Default Judgment, filed.

Aug. 10, 1994, 8:41 A.M., AND NOW upon Praecipe of Plaintiff attorney, with Notice of intention to file default jdugment attached, judgment is hereby entered as to liability only against the Defendant, Ronald Overton for failure to file a response to the Complaint.

O-144
Judgment entered -
Aug. 10, 1994.

Debt $_____
Judgment
Barbara H. King, Pro.

Continued to Page 505

1993

Louis P. Vitti &
Assoc., P.C.
Louis P. Vitti

480.

FLEET MORTGAGE CORP.,
assignee of FLEET NATIONAL
BANK, Assignee of EAST BAY
MORTGAGE CORPORATION

vs.

DAVID W. WAID and TERESA L.
HOLMBERG

Filed May 14, 1993
@ 1:26 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	34.00
Sheriff's Costs Pro Co pd 7-6-93	30.00 9.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies Sheriff

May 26, 1993 Sheriff's Return filed. SERVED Teresa L. Holmberg on May 21, 1993 at 10:00 AM by handing a copy of the Complaint in Mortgage Foreclosure to Charles Calvert, Adult in Charge at the residence, 229 Allegheny Street, Meadville, Crawford County, PA.
NOT FOUND as to Defendant David W. Waid at address of 229 Allegheny Street, Meadville, Crawford County, PA. He moved and his current address is unknown.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

June 4, 1993, Complaint Reinstated.

Jun. 16, 1993 Sheriff's Return filed. SERVED David W. Waid personally on June 9, 1993 at 9:50 AM by handing him a copy of the Complaint in MOrtgage Foreclosure in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA. He did indicate a new address of 306 North Street, Apartment C, Meadville, PA.
So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, July 6, 1993 @ 2:45 p.m., upon praecipe of plaintiff's attorney please enter a Judgment in Default of an Answer on behalf of the FLEET MORTGAGE COPR., Assignee of FLEET NATIONAL BANK, Assignee of EAST BAY MORTGAGE CORP., Plaintiff in the above-captioned action, against the Defendants, DAVID W. WAID and TERESA L. HOLMBERG, said Judgment to be in the amount of THIRTY-THREE THOUSAND SEVEN HUNDRED NINE and 99/100 DOLLARS together with interest and costs.
Entered 7-6-93 Debt: 33,709.99
H - 161 JUDGMENT
W - 46 Barbara H. King, Pro.

Ex. 1993 - 58

1993

Maurice M. Braunstein

481.

MacDonald, Illig, Jones & Britton
T. Warren Jones

COLLEEN WILSON

vs.

BARBARA J. LIST

Filed May 14, 1993
@ 1:26 PM

Tax & entry paid	50.50
User's fee paid	5.00
Sheriff's Costs	40.00
Pro Co pd 2-4-94	5.00

2-8-94 sent Bill of Costs

WRIT OF SUMMONS
Issued Sheriff

June 3, 1993 Writ Return filed. SERVED Barbara J. List personally on May 26, 1993 at 11:15 AM by handing a copy of the Summons to her in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.
So answers, Carle Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

June 28, 1993 Complaint filed. no copies

July 1, 1993 Affidavit of Service of Complaint in Civil Action filed. Before me, the undersigned authority, in and for the aforesaoid State and County, personally appeared Maurice M. Braunstein, who being duly sworn according to law, deposes and says that a true and correct copy of the COMPLAINT IN CIVIL ACTION was served on the Defendant, BARBARA J. LIST, by certified mail return receipt requested, at her address at 614 Superior Street, Titusville, PA 16354, on June 24, 1993. The Receipt for Certified Mail is attached hereto as Exhibit "A".
Said certified mail was received by the Defendant on June 28, 1993. The Return Receipt is attached hereto as Exhibit "B".
Maurice M. Braunstein

July 2, 1993 Appearance of MacDonald, Illig, Jones & Britton by T. Warren Jones for defendant Barbara J. List, filed.

Aug. 11, 1993 Plaintiff's Reply To New Matter, filed.

Aug. 16, 1993, Answer and New Matter filed.

Aug. 30, 1993 Affidavit of Service of Notice of Sale filed.

Feb. 4, 1994 Upon praecipe of Plaintiff's attorney the above matter is settled and discontinued of record.

1993

Terry Toomey

482.

VIRGINIA BOND

vs.

STATE FARM INSURANCE

Filed May 14, 1993
@ 3:29 PM

Tax & entry paid	50.50
User's Fee paid	5.00
sheriffs costs	28.00
Pro.Co. Pd 9/21/93	5.00

WRIT OF SUMMONS
Issued Atty.

June 3, 1993, Writ Returned SERVED State Farm Ins. Co. on May 21, 1993, by handing a copy ofthe Summons to Carla Jackson, Receptionist and Adult in charge at the business, R. D. #4, Conneaut Lake Road, Meadville, Crawford County, Pa.
So answers, Dale A. collins, Dep. Sheriff
Robert M. Stevens, Sheriff

Sep. 21, 1993 Upon Praecipe of Plaintiff Attorney, Terry Toomey, Esquire, the above catpioned action discontinued of record.

1993

Ferguson & Spataro John F. Spataro	JAMES F. BOYKO and DEBORAH S. BOYKO	WRIT OF SUMMONS Issued Sheriff
483.	vs.	May 25, 1993 SHERIFF'S RETURN filed. SERVED Joseph P. Baiera on May 21, 1993 at 10:35 AM by handing a copy of the Summons to Sandy Baiera, his wife, at their residence, RD 9, Box 486, Meadville Crawford County, Pa. So answers, Dale A. Collins, Dep. Sheriff Robert M. Stevens, Sheriff
THomas,Truax,Spadafore, Walker and Keenan R. Charles Thomas	JOSEPH P. BAIERA	July 27, 1995 Appearance of Thomas, Truax, Spadafore, Walker and Keenan by R. Charles Thomas, Attorney on behalf of Defendant filed.
	Filed May 14, 1993 @ 3:29 PM	Sept. 1, 1995, Complaint filed. 1 copy (atty)
	Tax & entry paid 50.50 User's Fee paid 5.00 Sheriff's Costs 25.00 Pro Co pd 3/13/96 6.00	Mar. 11, 1996 Upon praecipe of Plaintiff Attoreny the above captioned actionis marked settled and discontinued of record.

1993

William A. Kuhar Jr. for Com. of Penna.

484.

Barrett and Dratler
Bruce A. Barrett

COMMONWEALTH OF PENNSYLVANIA

vs.

THOMAS J. SCULLY

Filed May 14, 1993
@ 4:03 PM

Tax & entry paid 50.50
User's Fee paid 5.00

APPEAL FROM MOTOR VEHICLE DRIVERS LICENSE SUSPENSION

ORDER"

And Now, this 14th day of May, 1993, upon consideration of the forgoing petition appealing from a driver's license suspension, a hearing is hereby set for the 8th day of July, 1993, at 2:00 o'clock p.m.

Further, the Defendant shall be entitled to continue to operate a motor behicle, and not surrender his Pennsylvania driver's license, pending the hearing and pending further order of court. Appellant shall give proper notice to the Department of Transportation as required by law.

Gorden R. Miller,J

May 26, 1993, Motion to Quash Appeal and Order of Court filed. ORDER OF COURT: AND NOW, to wit: this 21st day of May, 1993,upon consideration of the foregoing Motion, it is hereby ORDERED that a Rule be issued against the appellant, Thomas J. Scully, toshow cause, if any, as to why the above captioned appeal should not be quashed for having been untimely filed.

Said rule is returnable at the time of the de novo hearing on this appeal, which is scheduyled for the 8 day of july 1993, at 2:00 p.m. in C. R. No. 1 or 2 ofthe Crawford County Courthouse.

BY THE COURT,
Gordon R. Miller, J.

June 1, 1993, copies of order to Wm kuhar and B. Barrett.

May 27, 1993, Affidavit of Service filed. I, Bruce A. Barrett, Esq. being duly sworn, deposes and says that the following facts in support of his affidavit of Service are true and correct to the best of his knowledge, info and belief.

1. The affiant is the atty. for plff in the above action.
2. A true and correct copy of an appeal was sent by cert. mail to the dft.
3. The reg. mail was sent tot he dft. at 1209 State Office Bldg, 300 Liberty Ave. Pgh, Pa. 15222. The senders Receipt is attached hereto.
4. The dft. received said cert. mail on May 18, 1993 Said receipt card no. 147 766 791 is attached and signed by dft.
5. The ret. rec. card signed by dft. was returned after signature to the office of atty.

Bruce A. Barrett, Esq.

July 8, 1993, Motion for Continuance and Order filed. ORDER OF COURT: AND NOW, THE ABOVE MOTION ALLOWED. The hearing is rescheduled for Aug. 12, 1993, at 10:45 a.m. in C. R. No. 1 or 2.

For the Court,
Ann Walker, Ct. Adm.

July 8 1993 copy to Atty. Kuhar
July 12, 1993, copy to Atty. Barrett

Aug. 17, 1993 ORDER filed. AND NOW, Aug. 12, 1993, at the time set for hearing on the defendant's appeal, the defendant fails to appear in perso.

His counsel, Bruce A. Barrett, is present and advises that his secretary consulted by telephone on Aug. 11, 1993 with the defendant, who was to meet him at the courthouse at 10:30 a.m. for a scheduled 10:45 a.m. hearing.

By 11:00 o'clock a.m., the defendant fails to appear.

Before hearing could be held in this case, the Defendants' Motion to Quash the Appeal as being untimely would have to be resolved by the Court.

Counsel for the defendant admits that the appeal was not timely filed, and therefore, no peculiar or extraordinary circumstances that would be produced to excuse the belated filing of the appeal.

ACCORDINGLY, we enter the following Order:

AND NOW, Aug. 12, 1993, the Commonwealth's Motion to Quash the Appeal is GRANTED.

FURTHER, the appeal is denied for the reason the defendant failed to appear and present any evidence in the case.

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

Aug. 17, 1993 Copies distributed to Attys. Wm. Kuhar and Bruce Barrett.

1993

485.

May 18,1993 Recvd. from Dft., Sheriffs Costs $18.00.

5-18-93 Pd Sheriff Ck# 7550 18.00

KATKLEEN K. McCARL

vs.

BRIAN E. McCARL

Filed May 14, 1993
@ 4:39 PM

Tax & entry	Pd 5-18-93	50.50
User's Fee paid	5-18-93	5.00
Sheriff's Costs		18.00
Pro.Co.	5-18-93 Pd	5.00

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

Order:

And now, this 14th. day of May , 1993 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall move out Defendant shall not go to Plaintiff's house or work. Defendant shall not contact Plaintiff in anyway custody of the child shall be in Plaintiff.
3. This Order may be enforced without a warrant any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs. Hearing is hereby set for May 25, 1993 , at 11:30 a. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

May 18, 1993 Sheriff's Return filed. SERVED Brian E.McCarl personally on May 14, 1993 at 6:40 PM by handing him a copy of the Protection from Abuse at the Meadville City Police Dept., 984 Water Street, Meadville, Crawford County, PA. Ptlm. Jeffrey LeGuard of the Meadville City Police Department served the Protection from Abuse.

So answers, Robert M.Stevens, Sheriff

May 27, 1993 Motion To Vacate Protection From Abuse Order and Order filed. AND NOW, this 20th day of May, 1993, upon receipt and review ofthe plaintiff's motion to vacate and terminate the Protection from Abuse Order of May 14, 1993, said motion is granted and the Protection from Abuse Order is hereby vacated and terminated.

A true and correct copy of this Order shall be delivered by the Prothonotary to Meadville Police Dept. and to County Control.

Any provisions of the Protection from Abuse Order of May 14, 1993 assessing court costs shall remain in full force and effect without change or modification and the party or parties against whom costs were assessed shall reamin obligated to pay the costs.

BY ORDER OF COURT,
Gordon R. Miller, J

June 2, 1993 Copies of order to pltf., dft., MCP, and Co. Control.

1993

486.	APPLICATION FOR EXTENSION INVOLUNTARY TREATMENT OF LORI A. MERENDA Filed May 27, 1993 @ 9:03 AM	APPLICATION FOR EXTENSION INVOLUNTARY TREATMENT May 18, 1993 Certification By the Court For Extended Involuntary Emergency Treatment - Section 303 filed. This 17th day of May, 1993 after hearing and consideration: The court finds that the patient is severely mentally disabled and in need of treatment. Accordingly, the court orders that Lori A. Merenda receive inpatient treatment at MMC (Grove St.) for a period of twenty (20) days. for the court, John D. Petruso Mental Health Review Officer. May 18, 1993 Copy in box for B. Barrett, copy to MH/MR.

1993

487. .

CATHERINE J. FIELDING

vs.

TIMITHY J. FIELDING

Filed May 17, 1993
@ 10:08 AM

Tax & entry	50.50
User's Fee ~~paid~~	5.00
Sheriff's Costs	57.50

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies atty.
1 copy atty.

Order:

And now, this 17 day of May , 1993 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

Hearing is hereby set for May 27, 1993 , at 3:30 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro,J

May 21, 1993 Sheriff's Return and Affidavit of Service filed. SERVED the within Petition for Protection from Abuse and Court Order on May 19, 1993, at 1015 hrs, upon Timithy J. Fielding at POE, Viking Plastics, 575 Cathereine Street, Erie County, Corry, Pennsylvania by handing to Timithy J.Fielding a true and correct copy thereof and made known to him the contents therein.

Robert N. Michel, Sheriff Erie County
William Parker, Deputy Sheriff

See Affidavit of Service endorsed hereon by Sheriff of Erie County, Pennsylvania, which is part of this return.

So Answers:

Robert M.stevens, Sheriff, Crawford County, PA

June 1, 1993 ORDER filed. AND NOW, May 27, 1993, at the time set for hearing on this Abuse Petition, both parties appear without counsel and plaintiff/wife advises that she wishes to withdraw the abuse allegations in the petition. Both parties request, however, that a tentative Custody and Visitation Order be entered and a Temporary Support Agreement be recorded in accordance with their agreement.

ACCORDINGLY, the abuse allegations are WITHDRAWN and not litigated.

The parties mutually agree that primary custody of the two (2) minor children, Krysta and Karey, be with the mother, who has moved to RD 1, Titusville, Pa. 16354, Box 19, care of Gary Masiker. The parties mutually agree that commencing with the week end of June 4, 1993, the father may have temporary custody of the children every other weekend between Friday at 6:00 p.m. and Sunday at 7:00 p.m. In the event the father's work interferes with this temporary custody, the same shall still take place, and the father agrees to provide adequate supervision through family members or others for the children in the event he is required to work on weekends.

The parties mutually agree that on all visits, the mother shall have the responsibility to deliver the children to the father and the father shall have the responsibility of returning the children to the mother at the end of the visit.

The parties advise the Court they have mutually agreed that the father's support obligation for the two minor children will be met by the father paying the $100- per-month lot rental directly to the lot owner, which covers the residence where the mother is residing with her brother.

This Order regarding custody, visitation and the support obligation may be reconsidered by the Court at any time by either party filing a support petition with the Domestic Relations Section or a Custody or Visitation Complaint with the Common Pleas Court. Both parties are advised that the Court will not reconsider violations of the Custody and Visitation Order entered herein or the Support Order under this proceeding in the future, but that separate new petitions regarding these subjects will have to be filed.

The County is directed to pay the costs in this case.

BY ORDER OF THE COURT,
P. Richard Thomas

June 2, 1993 copies distributed to Pa. SP, Co. Control, Plf. & Dft.

1993

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

488.

NORMA C. MERCIER

vs,

FRANCIS V. MERCIER

Filed May 17, 1993
@ 10:15 AM

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

COMPLAINT IN DIVORCE, EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION
2 copies atty.

June 7,1993 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 inDivorce certified by the Prothonotary of Crawford County, Pennsylvania on the above named Defendant by certified mail, addressee only, return receipt requested,dated May 17, 1993. The Defendant acknowledged service on May 20, 1993 by accepting delivery on that date as evidenced by the attached signed return receipt.

James R.Irwin,Esquire

Mar. 12, 1998 Important Notice and Court Order filed.
Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 6/7/93 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

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

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

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

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

By the Court,
Date: March 12, 1998 Anthony J. Vardaro, J
Mar. 12, 1998 copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.

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

(See original filed at A.D. 1997 - 702)

1993

489.

ROBERTA E. RICE

vs.

NEAL S. RICE, SR.

Filed May 17, 1993
@ 1"43 PM

Tax & entry pd 5/18/93 50.50
User's Fee paid 5/18/93 5.00
Sheriff's Costs 25.00
Pro Co. pd 5/18/93 5.00

May 18,1993 paid Sheriff's Cost $25.00 Ck# 7552

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies SHeriff
1 copy atty.

Order:

And now, this 17 day of May , 1993 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

2. Special Conditions: Defendant shall move out. Possession of the property is granted to Plaintiff. Defendant shall not contact plaintiff in any way.

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

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

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

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

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

8. The court reserves ruling on allocation of fees and costs. Hearing is hereby set for May 27, 1993 , at 3:30 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

May 18, 1993 Sheriff's Return filed. SERVED Neal S. Rice, Sr., on May 17, 1993 at 2:30 PM by handing him a copy of the Protection from Abuse at the residence, 458 Poplar Street, Meadville, Crawford County, PA. Defendant instructed to be out of the residence by 3:30 PM on May 17, 1993.
So answers,
Dale A.Collins, Deputy Sheriff
Robert M.Stevens, Sheriff

May 27, 1993 Motion To Vacate Protection From Abuse Order and Order filed. AND NOW, this 20th day ofMay, 1993 upon receipt and review of the plaintiff's motion to vacate and terminate the Protection from Abuse Order of May 17, 1993, said motion is granted and the Protection from abuse Order is hereby vacated and terminated.

A true and correct copy of this Order shall be delivered by the Prothonotary to meadville Police Dept. and to County Control.

Any provisions ofthe Protection from Abuse Order of May 17, 1993 assessing court costs shall remain in full force and effect without change or modification and the party or parties against whom costs were assessed shall remain obligated to pay the costs.

BY ORDER OF COURT,
Gordon R. Miller, J

June 2, 1993 Copies of order to Pltf., Dft., MCP and Co.Control

1993

Mason & Mason
M. Dan Mason

490.

IN RE: LICENSE SUSPENSION
OF TIMOTHY E. ELLIOTT

Filed May 17, 1993
@ 2:17 PM

Tax & entry paid 50.50
User's Fee paid 5.00

PETITION FOR APPEAL FROM SUSPENSION OF OPERATING PRIVILEGES
no copies

Order:
AND NOW, May 17, 1993, a hearing de nono is hereby fixed on the above appeal for the 8th day of July, 1993, ay 3"00 o'clock PM in courtroom number 1 or 2, Crawford County Courthouse, Meadville, Pennsylvania.
A copy of the foregoing Appeal snd this Order shall be served upon the Department of Transportation by certified mail, return receipt requested. The foregoing Appeal shall act as a supersedeas pending its determination

BY THE COURT,
Gordon R. Miller, J

July 5, 1993 Motion For Continuance and Order, filed. ORDER: And Now, July 8, 1993, the above motion allowed, and the hearing reset for October 7, 1993 at 10:00 a.m. in Courtroom 1 or 2.

FOR THE COURT,
Ann A. Walker, Crt. Adm.

July 14, 1993 copy to D. Mason

Oct. 7, 1993 Stipulation and Order, filed. ORDER: AND NOW, to-wit: this 6th day of October, 1993, upon agareement of the parties, the above-captioned appeal from the 90 day suspension of the sregistration of the petitioner's 1980 Chevrolet Chevette assigned Vehicle Identification No. 1B689AY309697 is sustained.

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

Oct. 14, 1993 copy to D. Mason & W. Kuhar

1993

MacDonald, Illig, Jones & Britton
David E. Holland

491.

FIRST FEDERAL OF WESTERN PENNSYLVANIA, successor by assignment from Colony Savings Bank, F.S.B.

vs.

WILLIAM P. MANUEL and LUANNE M. MANUEL

Filed May 17, 1993
@ 2:17 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	50.00
Pro Co Pd 11/22/93	9.00
Sheriff's Costs	43.00
Pro. Co. pd 12/8/93	9.00

COMPLAINT IN CIVIL ACTION
3 copies Sheriff

June 17, 1993 Sheriff's Return filed. SERVED Luanne M. Manuel personally on June 2, 1993 at 11:15 AM by handing a copy of the Complaint to her in the Sheriff's Office, Crawford County Court house, Meadville, PA.
NOT FOUND as to Defendant William P. Manuel. Several attempts were made to his residence, R.D. #4, Deckards Road, Cochranton, Crawford County, PA, but defendant was never home. Luanne M. Manuel, co-Defendant, indicated he works as an over the road truck driver and is seldom at home.
POSTED the property located at R.D. #4, Deckards Road, Cochranton Crawford County, PA. on June 9, 1993, at 11:15 AM
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

June 24, 1993 Complaint Reinstated.

July 26, 1993 Motion For Alternative Service, filed.

July 26, 1993 ORDER filed. AND NOW, July 26, 1993, the plaintiff's Motion for Alternative Service is denied. There is no indication tht the plaintiff has attempted to locate the defendnat, William P. Manuel, through his employer for which he is apparently is employed as an over the road driver. The note to Pa.R.C.P. 430 indicates that an attempt to serve a defendant through his employer or to find out the whereabouts of the defendant through his employer is a componentto a ggood faith effort to locate and serve the defendant. BY ORDER OF COURT
Gordon R. Miller, P.J.

JUly 28, 1993 copy,to D. Holland

Nov. 8, 1993 Motion for Alternative Service and ORDER OF COURT filed. AND NOW, to-wit, this 5 day of November, 1993, upon Motion of the Plaintiff for Alternative Service of its Complaint and it being well founded, it is hereby ORDERED, ADJUDGED and DECREED that service upon the Defendant, William P. Manuel, shall be deemed effective upon the posting of the premises known as R.D.#4, Deckards Road, Cochranton,Pennsylvania 16314, by mailing the Complaint by certified mail, ret urn receipt requested and by ordinary, U.S. Mail and obtaining a Certificate of Mailing Form 3817 to the aforesaid address. Said service to be conducted by the Sheriff of Crawford County.
It is FURTHER ORDERED that service of the NOtice of Sale of the real property shall be deemed effective by the Sheriff of Crawford County by posting the premises and by serving Notice of Sale by certified mail, return receipt requested and by ordinary, U. S. mail and obtaining a Certificate of Mailing Form 3817 upon the Defendant, William P. Manuel, at R.D.#4, Deckards Road, Cochranton, Pennsylvania 16314 and advertising said sale in accordance with the Rules of Court for the sale of real property of Defendants. It is herein provided that personal service upon the Defendant, William P. Manuel, of the Notice of Sale in accordance with 3129.1 shall not be required by further Order of Court, but shall be effected by this COrder.
BY THE COURT:
Anthony J. Vardaro, J.
11-10-93 Copy of Order to Atty. Holland (1 copy Sheriff, 1 copy Atty.)

Nov. 10, 1993 Complaint reinstated.

Nov. 22, 1993, And now, at 1:58 p.m. upon praecipe of plaintiff attorney, with affidavit of non military service attached, Judgment by default is hereby entered against defendant LUANNE M. MANUEL, ONLY, for failure to answer, damages assessed in the amount of Fifty One Thousand Two Hundred Seventy and 66/100 Dollars plus int. at rate of $11.32 per diem from Apr. 28, 1993 and late chgs. of $20.04 per month from May 1993 plus cpsts pf siot/
Judgment entered
11/22/93
M - 103
Debt --- $51,270.66
Int. at rate of 11.32 per diem from 4/28/93
late chgs. of 20.04 monthly from May 1993
JUDGMENT
Barbara H. King,
Prothonotary
Nov. 30, 1993, notice of entry of judgment mailed to dft. Luanne M. Manuel.

Dec. 6, 1993 SHERIFF'S RETURN, filed. SERVED William P. Manuel by Certificate of Mailing dated November 16, 1993, at his last known address of RD 4, Deckards Road, Cochranton, Pa. 16314.
SERVED William P. Manuel by Certified Mail on November 29, 1993, at his last known address of RD 4, Deckards Road, Cochranton, Pa. 16314, signed return receipt attached.
POSTED the property of William P. Manuel on November 18, 1993 at 10:15 AM, the property being located at RD 4, Deckards Road, Cochranton, Crawford County, Pa.
So answers, Robert M. Stevens, Sheriff

And Now, Dec. 8, 1993 at 3:09 PM upon praecipe of Plaitiff's attorney, with notice of Intention to file Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the Defendant, William P. Manuel, Only for failure tofile an answer, damages assessed in the amount of Fifty-One thousand Two Hundred Seventy and 66/100 dollars plus int. at rate of $11.32 per diam from April 28, 1993 and late charges of $20.04 per month from May 1993, plus costs of suit.
Judgment entered Dec.8, 1993
M-173
Debt $51,270.66
Int. at rate of 11.32 per diem from 4/28/93
Late charges of $20.04 per month from May,1993
JUDGMENT
Barbara H. King
Prothonotary
12-15-93 Notice of entry of judgment mailed to dft. William P. Manuel

Dec.8, 1993 Certification of Counsel, filed.

EX1993-107

1993

Barbara J. Walton

492.

RITA BRADLEY

vs.

GLEN BRADLEY

Filed May 17, 1993
@ 3:00 PM

May 17, 1993 Plaintiff deposited $150.00 for Mediation
6-22-93
Pd plff Ck# 7020 150.00

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

1-8-93 Received from deft med fees 75.00
Pd 8-17-93 Pd Co Com, Med. Fees Ck# 7729 75.00

COMPLAINT FOR CUSTODY

May 17, 1993 Complaint for Custody and NOTICE filed. You, GLEN BRADLEY, have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take prompt action. These proceedings may affect your child custody and/or visitation rights.

You are ORDERED to appear for a hearing before John Fuller, Esq. Child Custody Mediator, at such time and place as he shall designate.

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

By the Court:
Gordon R. Miller, J.

May 27, 1993 Copy of Order to Atty. Walton & Defendant. (1 copy Atty. & 1 copy Mediator.

June 14, 1993, Affidavit of Service filed. And now, June 14, 1993 comes Lisa M. Sherrette and stat es the following:

1. That she is the legal asst. of Atty. for Rita Bradley, Plff in above matter.

2. That on info furneshed her by plff. she caused a cert. copy of complaint for custody to be forwarded by Cert. Mail P 899 097 851; to the last known address of dft. Glen Bradley P.O. Box 143 Springboro Pa. 16435.

3. That dft. on May 26, 1993 personally signed the ret. rec. card which was affixed to complaint for custody.

4. Service of complaint against dft. is therefore effected in accordance with Pa. Rules of Civil procedure.

Lisa M. Sherretts, legal ass't.

June 17, 1993 ORDER filed. AND NOW, June 16, 1993 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Glen Bradley, Jr. shall be shared between the mother and the father, the plaintiff and defendant herein, that is, each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions affecting the child such as the education, medical treatment and rligious instruction of the subject child.

II. Physical custody of Glen Bradley, Jr. shall be with his mother, subject to the following conditions:

A. The father shall be entitled to visit and take the child into his custody every weekend from 10:00 a.m. on Saturday to 10:00 a.m. on Monday, beginning June 27, 1993.

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

C. The parents are urged to be flexible with visits so that the mother can have the child on special weekends and so that the father can see the child occasionally, other than on weekends.

D. Transportation of the child on weekends and holidays shall be provided by the father.

E. Neither mother nor father shall say or do anything in an attempt to turn the child against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude ont he part of the child towards both parents.

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

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

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

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

Anthony J. Vardaro, J.

June 28, 1993 copy to B. Walton, J. Fuller, Plf. & Dft.

June 21, 1993 ORDER filed. AND NOW, June 18, 1993, Paragraph IV of the order of June 16, 1993, is amended to provide as follows:

IV. Cost of the mediation conference shall be divided with the father paying one-half thereof and Crawford County paying one-half thereof. The Prothonotary of Crawford County is directed to refund the entire deposit paid in advance by the Plaintiff. Anthony J. Vardaro, J.

June 28, 1993 copy to B. Walton, J. Fuller, Plf. & Dft.

43

1993

Watts & Pepicelli
Christopher D. Ferry

493.

IN RE: PROPOSED PRIVATE SALE OPTAX CLAIM LAND, JAMES S. KANE Assessed Owner Situation Saegertown Boro, Crawford County, Pennsylvania Assessment No. 4509-031-70001

Filed May 17, 1993
@ 3:06 PM

Tax & Entry paid 50.50
User's Fee paid 5.00

PETITION FOR DISAPPROVAL OF PRIVATE TAX CLAIM SALE AND FOR HEARING
1 copy atty., 1 copy Treas.

ORDER:

AND NOW, This 17 of May, 1993, upon consideration of the within Petiton for Disapproval of Private Tax Claim Sale and for Hearing, the proposed private tax claim sale of the above described real estate to Robert M. Bayer is hereby stayed and a hearing on the same is set for the 21st. day of May, 1993, in Court Room #1 at 9:00 a.m. in the Crawford County Courthouse in Meadville, Pennsylvania; all proceedings to be stayed pending said hearing. Counsel for petitioner is directed to forthwith serve a copy of the within Petition and Order upon Frederic Wagner, Director of the Crawford County Tax Claim Bureau and upon Robert M. Bayer, the current bidder at his last known address and upon James S. Kane, the last assessed owner, both by certified mail and filed an Affidavit of Service thereon.

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

May 26, 1993 Order field. AND NOW, May 21, 1993, at the time fixed for hearing ontwo objections to a sale by the Crawford County Tax Claim Bureau of property currently assessed to James S. Kane at 539 Grant Street, Saegertown, Pennsylvania, to Robert Bayer, for $3,000, the Director of the Tax Claim Bureau appeared with the County Solicitor, John F. Spataro, Esquire; Christopher Ferry, Esquire, appeared for Arther L. Sorger, the petitioner at 1993-493; Harry F. White, Esq., appeared for Tamra McClinton, the petitioner at 1993-355; and William L. Walker, Esquire, appeared for Robert M. Bayer, the proposed purchaser, from the Tax Claim Bureau at a private sale.

Christopher D. Ferry, Esquire, Attorney for Arthur L. Sorger, indicated to the Court that his client does not wish to proceed and will not be making a bid for this property, and therefore the petition at 1993-439 is DISMISSED.

There are no objections to procedure, notices, et cetera.

Tamara McClinton is willing to pay the same amount that Robert M. Bayer is willing to pay, and therefore, the proposed sale to Robert M. Bayer is DISAPPROVED.

The Court hereby sets the price of $3,183.36 as the minimum price below which the property shall not be sold.

It is ORDERED and DIRECTED that the Director fo the Tax Claim Bureau shall conduct a public aution of the property immediately following this hearing, beginning the bidding at $3,183.36, and permitting Robert M. Bayer and Tamra McClinton the opportunity tp bid tp purchase the property from the Tax Claim Bureau. The successful bidder shall pay the bid price in cash by 2:00 p.m. this date to the Director of the Tax Claim Bureau.

The property currently assessed to James S. Kane at 539 Grant Street, Saegertown, Pennsylvania, shall be sold and conveyed to the successful bidder by the Crawford County Tax Claim Bureau or Count Treasurer.

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

May 26, 1993 copies dist. to all counsel & Treasurer

44

1993

494.

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

DENNIS J. SIMMONS

VS.

VALERIE A. SIMMONS

Filed May 17, 1993
@ 3:09 PM

Tax & Entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Sheriff's Costs	20.00
Pro Co. pd 11/5/93	9.00
Pro Co pd 11/4/93	15.00
STate paid	5.00

COMPLAINT IN DIVORCE
1 copy Pltf.

May 26, 1993 Sheriff's Return filed. SERVED Valerie A. Simmons, personally on May 21, 1993 at 3:05 PM by handing a copy of the complaint in Divorce to her in the Sheriff's Office, Crawford County courthouse, Meadville, Pa.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Sept. 1, 1993 Appearance of Thomas, Truax, Spadafore and Walker by R. Charles Thomas for Defendant, filed.

****
Nov. 5, 1993 Affidavit of Consent of plaintiff filed.

Nov. 5, 1993 Affidavit of Consent of defendant filed.

Nov. 5, 1993 Upon Praecipe of defendant attorney for Review under 3301(c) of Divorce Code, this case moved to Court.

****
Nov. 4, 1993 Answer and New Matter filed. (Equitable Distribution)

DIVORCE DECREE FILED

Nov. 12, 1993 STIPULATION/FINAL DECREE filed. AND NOW, this 10th day of November, 1993, it is ordered and decree that DENNIS J. SIMMONS, Plaintiff, and VALERIE A. SIMMONS, Defendant, are divorced from the bonds of matrimony. It is further ordered and decreed as follows:

EQUITABLE DISTRIBUTION - REAL ESTATE

1. The Defendant is awarded the marital real estate located in West Mead Township, Crawford Co., Pa., having a mailing address of 825 Martin St., Meadville, Pa. and being the same land conveyed to the Plaintiff and Defendant by Daniel J. Caswell and Binnie L. Caswell, his wife, by Deed dated Jan. 25th, 1982 and recorded in the Office of the Recorder of Deeds of Crawford Co. in Deed Book 541, Page 133.

2. The Plaintiff is awarded all right, title and interest owned by the Plaintiff and Defendant in certain real estate situate in the Township of Vernon, Crawford Co., Pa., conveyed to the Plaintiff and the Defendant and to Charles R. Bortner and Jane M. Bortner, husband and wife, by Deed dated Aug. 1st, 1989 and recorded in Crawford Co. REcord Book 71, page 947.

EQUITABLE DISTRIBUTION - TANBILE PERSONAL PROPERTY

3. The Defendant is awarded all tangible personal property presently in the Defendant's possession or under the Defendant's control and which property is located at the former marital residence of the Plaintiff and Defendant at 825 Martin Street, Meadville, Crawford Co., Pa.

4. The Plaintiff is awarded all tangible personal proeprty presently in his custody or under his control at the Plaintiff's residence located at 500 Turner Road, Meadville, Pa., which tangible personal property was formerly located at the marital residence of the Plaintiff and Defendant at 825 Martin St., Meadville, Crawford Co., PA.

5. The Defendant is awarded a certain 1985 Mercury Cougar motor vehicle.

6. The Plaintiff is awarded a certain 1976 GMC motor vehicle (truck).

7. The Plaintiff is awarded a certain 1969 Plymouth motor vehicle (Roadrunner).

EQUITABLE DISTRIBUTION - INTANGIBLE PERSONAL PROPERTY

8. The Plaintiff is awarded the auto repair business known as DJ Simmons Auto Service located on Cussewago Road, Vernon Township, Crawford Co., PA., including but not limited to all inventory, fixtures, equipment, accounts receivable, and good will.

9. The Plaintiff is awarded the business known as Pennsylvania Fire Equipmetn, Inc. and fire protection equipment located on Cussewago Road in Vernon Township, Crawford Co., PA. including but not limited to inventory, equipment, fixtures, accounts receivable and good will.

10. The Defendant is awarded all retirement benefits to which she is entitled as an employee of JMC Management, Inc. and in which the Defendant participates as an employee of JMC Management, Inc..

MARITAL DEBTS

11. The Plaintiff shall be solely and exclusively responsible for payment of a certain Mortgage and Bond given by the Plaintiff and Defendant to Marine Bank (now PNC Bank) dated Dec. 27th, 1991 and recorded in Crawford Co. Record Book 141, Page 444 and which Mortgage encumbers the marital residence of the Plaintiff and Defendant located at 825 Martin St., Meadville, Crawford Co., PA. The Plaintiff shall make regular and timely payments on account of the aforesaid Mortgage and accompanying Bond, which payments shall include the basic monthly Mortgage payment and in addition thereto the amount required by the bank from time to time in the escrow funds established for the payment of taxes and insurance. Said payments shall continue until such time as the unpaid principal balance together with all accrued interest due on said Mortgage and accompanying Bond is paid in full. In the event that the property known as 825 Martin St., is sold by the Defendant prior to the time that the Mortgage in favor of PNC Bank is paid in full and in the event and in connection with said sale, the aforesaid Mortgage is paid in full from the proceeds of said sale, then in that event the Plaintiff shall continue to pay to the Defendant an amount comparable to the basic regular monthly payment, without escrows, each and every month for the same period of time that the Plaintiff would have been obligated to pay the aforesaid monthly mortgage payment had the subject property not been sold and the mortgage liquidated. The monthly payment as described in this paragraph shall be treated as equitable distribution of property whether or not the same is paid to PNC Bank or its assignee or whether the same is paid directly to the Defendant after the sale of the subject proeprty.

12. That the Plaintiff shall be solely and exclusively responsible for payment of the Plaintiff and Defendant's obligation under a certain Motgage given by the Plaintiff and Defendant and Charels R. Bortner and Jane M. Bortner, his wife , to Harry Watkins, Jr. and L. Geraine Watkins, his wife, which Mortgage is dated Aug. 1, 1989 and recorded in Crawford Co. REcord Book 71, Page 949 and which Mortgage encumbers the building in which the Plaintiff's business

RECORD CONTINUED
ON PAGE 44 (a).....

DENNIS J. SIMMONS

VS.

VALERIE A. SIMMONS

RECORD CONTINUED FROM PAGE 494

OF

AD 1993 - 494

known as DJ Simmons Auto Service and Bortner's Smokehouse is located. The Plaintiff shall indemnify and hold the Defendant harmless from any liability ont he aforesaid Mortgage and accompanying Bond and in the event there is a default in any terms and conditions of the aforesaid Mortgage and accompanying Bond which default causes legal action (so to be commenced against the Defendant, then in that event the Plaintiff shall be required to all legal fees incurred by the Defendant in the defense of said legal proceedings.

13. That the Plaintiff shall be solely and exclusively responsible for payment of all debts of the businesses known as DSimmons Auto Service and Pennsylvania Fire Equipment, Inc. and shall indemnify and hold harmless the Defendant from any liability on the aforesaid debts.

MISCELLANEOUS

14. That the Plaintiff and Defendant shall sign, execute and acknowledge any and all documents necessary to effectuate the transfer of property which is the subject of this Decree.

15. That neither the Plaintiff nor the Defendatn shall make any further claims against the other party hereto except for the enforcement of the rights and responsibilities set forth in this Divorce Decree.

16. That neither the Plaintiff nor the Defendant shall be required to file an Inventory and Appraisement nor an Income and Expense Statement as would have otherwise been required by the Pennsylvania Rules of Civil Procedure. The Plaintiff and Defendant hereby waive his or her right to require further disclosure of the debts and assets of the other party.

BY THE COURT,
Gordon R. Miller, J.

1993

Peters, Lindsay,
Lewis & Gagliotti
John P. Gagliotti

495.

PRISCILLA L. SHUMAKER

vs.

DAVID L? SHUMAKER

Filed May 17, 1993
@ 4:04 PM

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

COMPLAINT IN DIVORCE
3 copies atty.

Mar. 12, 1998 Important Notice and Court Order filed. Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 5/17/93 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

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

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

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

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

By the Court,
Date: March 12, 1998 Anthony J. Vardaro, J
Mar. 12, 1998 copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.

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

(See original filed at A.D. 1997 - 702)

1993

Kathleen R. Nelson

496.

MARK D. WARING

vs.

ROBIN M. WARING

Filed May 18, 1993
@ 10:22 AM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count pd	15.00
State paid	10.00
Pro.Co.pd 9/14/93	9.00
Pro.Co. pd 11/9/94	5.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy (atty)

June 8, 1993 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 to Defend were sent by certified mail to the Defendant, Robin M. Waring on May 24, 1993.

3. The certified mail was sent to Robin M. Waring at Post Office Box 831, Linesville, Pa 16424. The sender's receipt is attached hereto.

4. That the Defendant recieved the certified mail on May 26, 1993. Said Return Receipt Card P 238 202 300 is attached hereto, signed by Robin M. Waring and made a part hereof.

Kathleen R. Nelson,
Attorney for Plaintiff

Sep. 14, 1993 Affidavit of Consent by Mark D.Waring, Plaintiff, filed.

Sep.14, 1993 Affidavit of Consent by Robin M.Waring, Defendant, filed.

Sep. 14, 1993 Upon Praecipe of Attorney Kathleen R.Nelson, Esquire, to transmit record, case moved to court.

DIVORCE DECREE FILED

September 24, 1993 STIPULATION and CONSENT DECREE filed. AND NOW, this 21st day of Sept., 1993, the Court orders and decrees as follows:

1. Divorce

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

2. Real Estate

The Plaintiff is the owner of real property situate in the Boro of Linesville, Crawford Co., PA., consisting of a lot measuring seventy four (74) feet by one hundred and eighty five (185) feet, with a dwelling situate thereon. This property was purchased by the Plaintiff during the marriage and is therefore marital property. Plaintiff shall pay as his sole obligation all past, present, and future costs, expenses, or liabilities attributable to or resulting from the ownership of the premises, including, but not limtied to, all mortgage payments (interest and principal) all real estate taxes, utilities, insurance, major and minor repairs, and routine maintenance. Plaintiff shall hold Defendant harmelss in regard to said liabilities and shall have the right to exclusive use of the property. Within ten (10) days form the date of this decree, Defendant shall: (1) deliver to the Plaintiff, a Quit Claim Deed conveying to the Plaintiff all of her right, title, claim, and interest in the premises, which Deed shall be in recordable form; and (2) shall herself vacate the premises.

3. Personal Property

a. Household Goods - Each party shall retain as his or her separate proepty those items of personal property belonging to each and those household goods that were owned by each prior to marriage. The parties acknowledge that Plaintiff's household items include, but are not limited to, the washer, dryer, two beds, two couches, three chairs, a T.V., a VCR, and a dehumidifier. Defendant's household goods consist of, but are not limited to, a couch, lamps, a bed, a refrigerator, and the kitchen table and chairs.

b. Vehicles - Plaintiff shall transfer to the Defendant all of his right, title and interest in and to the 1986 Chevrolet Celebrity automobile, including a check for insurance proceeds covering the repair for dameges to the said vehicle, which check is drawn on the State Farm Mutual Automobile Insurance Co., dated Juen 11, 1993, in the amount of $406.25 and payable to the Plaintiff. At the same time, Defendant shall transfer to Plaintiff all of her right in the 1992 Chevrolet Cavalier. Plaintiff agrees that he shall pay on Defendant's behalf the cost of automobile insurance for the 1986 Chevrolet Celebrity for a period fo six months, with said six month period to commence on the date of this decree.

4. Debt

Plaintiff shall assume all responsibility for the payment of those marital debts in existence at the time of the parties separation, including, but not limited to, the mortgage on the marital residence with the PA. Housing Finance Agency, the loan on the Chevrolet Cavalier automobile with the First National Bank at Hermitage, the Integra Extra Cash Account, the Integra Signature Credit Line Account and the Discover Card Account.

5. Alimony, Alimony Pendente Lite

The parties acknowledge that each has property that is sufficient to meet the reasonable needs of each; therefore, each waives any claim for alimony and/or alimony pendente lite which each may have pursuant to the PA. Divorce Code.

Gordon R. Miller, J.

Nov. 9, 1994 Notice of Election to Retake Maiden Name of Robin M.Waring tobeknown as ROBIN MAE KAYS, filed.

1993

Bernstein & Bernstein
Susan W. Laatsch

497.

MOTOROLA, INC.

vs.

MEADVILLE AREA AMBULANCE SERVICE, INC.

Filed May 18, 1993
@ 11:43 AM

Tax & entry paid	50.50
User's Fee paid	5.00
sheriffs costs	25.00
Pro Co. pd 9/29/93	9.00
Pro Cost Pd 3-11-94	5.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

June 1, 1993, Sheriffs return filed. SERVED Meadville Area Ambulance Service, Inc. on May 21, 1993, at 9:30 a.m. by handing a copy of the complaint to Amy Roess, business Director at the business, 592 williamson Road, Meadville, Pa.
So answers, Dale A. Collins, Dep. sheriff
Robert M. Stevens, Sheriff

Sept. 29, 1993, 11:42 A.M., AND NOW upon Praecipe of Plaintiff Attorney, with copy of Notice of Intention to file default judgment attached, judgment is hereby entered in favor of Plaintiff and against Defendant for failure to file an answer, as follows:

Amount claimed in Complaint	$4,945.10
Less payment on 6/17/93	$1,526.87
Less payment on 7/16/93	$1,526.87
Interest from 5/4/93 - 6/17/93 on $4,431.87	$ 33.24
Interest from 6/17/93 - 7/16/93 on $2,905.00	$ 14.53
Interest from 7/17/93 - 10/17/93 on $1,378.13	$ 20.67
TOTAL	$1,959.80

M-181
Judgment entered
9/29/93

Debt $1,959.80
Judgment
Barbara H. King, Pro.

10-6-93 Notice of entry to Defendant.

Mar. 10, 1994 This judgment satisfied (see paper filed).

1993

Louis P. Vitti
& Assoc., P.C.
Louis P. Vitti

498.

CORESTATES BANK, N.A.,
Trustee For PENNSYLVANIA
HOUSING FINANCE AGENCY,
formerly known as
PHILADELPHIA NATIONAL BANK
Assignee of NORTHWEST MUTUAL
SAVINGS ASSOCIATION

vs.

MICHAEL J. KERR and AGNES
V. KERR, his wife

Filed May 18, 1933
@ 11:43 AM

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies Sheriff

June 22, 1993 Sheriff's REturn filed. SERVED Michael J. Kerr personally on June 10, 1993 at 9:50 AM by handing a copy of the Complaint in Mortgage Foreclosure to him at his residence, 308 North Third Street, Titusville, Crawford County, PA. SERVED Agnes V. Kerr on June 10, 1993 at 9:55 AM by handing a copy of the Complaint in Mortgage Foreclosure to her personally at 125 West Walnut Street, Titusville, Crawford County, PA.
So answers, Dale A. Collins, Deuty Sheriff
Robert M. Stevens, Sheriff

And Now, July 7, 1993 @ 12:02 p.m., upon praecipe of plaintiff's attorney judgment is hereby entered in favor of the plaintiff and against the defendants for want of an answer and the same is liquidated at the sum of Thirty-four thousand six hundred forty-one dollars and 44/100 together with interest and costs.
Entered 7-7-93 Debt: $34,641.44
K - 14, 114 JUDGMENT
Barbara H. King, Pro.

Tax & entry paid 50.50
User's Fee paid 5.00
Sheriff's Costs 50.00
Pro Co pd 7-7-93 9.00

Ex. 1993 - 59

Oct. 1, 1993 Affidavit of Service of Notice of Sale, filed.

1993

499.

Kathleen R. Nelson
Sherry Archacki

HELEN ARCHACKI

vs.

THOMAS LEE ARCHACKI and
SHERRY ARCHACKI

Filed May 18, 1993
@ 12:50 PM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro.Co. pd 8/18/93	5.00

APPEAL OF DEFENDANT FROM DECISION FROM
DISTRICT JUSTICE ROBERT LEONHART

May 18, 1993 Rule entered upon Plaintiff to file a complaint issued.

May 19, 1993 Proof of Service, filed.

Aug. 18, 1993 Upon Praecipe of Helen Archacki, Plaintiff, the above case marked settled and discontinued of record.

500.

CONNIE KAY MILLER

vs.

KENNETH HERBERT BESANSON

Filed May 18, 1993
@ 4:22 PM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	35.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 18 day of May , 1993 , 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 Plaintiffs residence. Defendant shall not contact plaintiff in any way. Defendant shall give custody of Candice To Plaintiff.

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

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

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

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

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

8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the May 28, 1993 , at 1:00 p.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

May 21, 1993 Sheriff's Return filed. SERVED Kenneth Herbert Besanson personally on May 21, 1993 at 11:40 PM by handing a copy of the Protection from Abuse to him at his residence, RD 2, Titusville, Crawford County, Pa.
So answers, James Withers, Constable
Robert M. stevens, Sheriff

May 27, 1993 Motion To Vacate Protection From Abuse Order and Order filed. AND NOW, this 21st day of May, 1993 upon receipt and review ofthe plaintiff's motion to vacate and terminate the Protection from Abuse Order of May 18, 1993, said motion is hereby vacated and terminated. A true and correct copy of this Order shall be delivered by the Prothonotary to Pa State Police and to County Control.
costs to be paid by the County.

BY ORDER OF COURT,
Gordon R. Miller, J

June 2, 1993 Copies Pltf., Dft., PSP, and Co. Control

1993

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

501.

May 19, 1993 $150.00
deposited by Plaintiff
attorney for mediation

Pd CC Com 6-25-93
Med Fee CK#7634 150°

WANDA L. DAVENPORT

vs.

GREGORY K. RHODES

Filed May 19, 1993
@ 2:18 PM

Tax & entry paid 50.50
User's Fee paid 5.00
Bruce L. Smith, Mediator

COMPLAINT FOR CUSTODY
1 copy atty.
1 copy mediator

ORDER:

You, Gregory k. Rhodes, have been sued in Court to obtain custody of Debra Lee Rhodes and Crystal Lynn Rhodes.

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

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

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

Court Administrator
Courthouse
Meadville, PA 16335
(814) 336-1151, ext. 298
Date: 5-18-93

Gordon R. Miller, J

May 26, 1993, Affidavit of Mailing filed. Ann H. Gamble, being duly sworn according to law, deposes and says that she is Atty. at Law, duly authorixed to practice in Com. of Pa. and that on May 20, 1993, she sent a cert. copy of Complaint for Custody to the dft. by cert. mail, rest. del., postage prepaid, receipt from dfts. last known address. Attached hereto.

Ann Hansen Gamble.

June 15, 1993 TEMPORARY ORDER OF COURT filed. AND NO, this 15 day of June, 1993, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Debra Lee Rhodes, age ten, born July 16, 1982, and Crystal Lynn Rhodes, age eight, born Aug. 6, 1984, the paraties to this action, shall continue to share legal custody of the said minor children.

2. Until the plaintiff mother, Wanda L. Rhodes, and the stepfther, Keith E. Davenport, leave the Centerville, PA. area on approximately Junel2, 1993, to attempt to establish a residence and a new way of life in the Colorado Springs, Colorado, area, the provisions and written agreement existing between the parties dated Aparil 11, 1990, shall remain in full force and effect. Thereafter, from the time when the mother and the stepfather leave the Centerville area until Tuesday, Aug. 17, 1993, when the de novo hearing is currently scheduled tobe held before the court, the children shall be in the primary physical care and custody of the defendant father, Gregory K. Rhodes, with the full consent and upon the recommendation of the plaintiff mother. During the summ of 1993 when the children are in the primary physical custody of the father, the mother shall be permitted to call the children as often as possible, up to twice a week, in order to maintain contact with the children. The plaintiff mother is encouraged to share,by way of letter and otherwise, with the defendant father information about her relocation to Colorado, her obtaining employment and housing, and any information she cares to share regarding the school the children might be attending.

3. The purpose of the Aug. 17, 1993, hearing scheduled for 10:30 a.m. will be to determine whether or not the plaintiff mother can meet the standards and tests now provided by PA. Law to allow her to remain the primary custodial parent and to remove the children from Pa. to teh state of Colorado for, at least, the school year. If that is permitted, arrangements will have to be made at the haring for visitation with the defendant father.

4. This case is set for a de novo hearing beforethe court on Tuesday, Aug. 17, 1993, beginning at 10:30 a.m., prevailing time, unless removed by the substitution of a stipulated custody order agreed to by the parties and counsel prior to the hearing date.

5. 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.

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

7. The fee for Child Custody Mediation shall be paid by the plaintiff mother.

8. This order shall be a Temporary Order, but shall remain in full force and effect until Aug. 17, 1993, at which time there shall be a de novo hearing unless it is earlier modified by a stipulated consent order signed by counsel, the parties, and the court.

BY THE COURT:
Anthony J. Vardaro, Judge

June 22, 1993 Copy of Order to Attys. A. Gamble, W. Hundertmark, B. Smith.

Aug. 23, 1993, Motion to Withdraw Petition and Notice and Order filed. ORDER: AND NOW, Aug. 23, 1993, the above motion is granted.

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

Aug. 26, 1993, copies of order to Attys.Gamble.

1993

Peters, Lindsay, Lewis
& Hatheway Withdrawn
~~Edward J.Hatheway~~

~~Joseph F. Kulwicki~~
Withdrawn
Susmarski & Hain
James D. Amoriello
502.

Catherine A. Allgeier

EDWARD F. FARRELL

vs.

JUDITH M. FERRELL

Filed May 19, 1993
@ 3:31 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro pd 2/8/96	9.00 ✓
Pro.Co. pd 3/29/96	5.00 ✓

COMPLAINT UNDER 3301(C) OF THE DIVORCE CODE
1 copy atty.

June 30, 1993 Appearance of Catherine A. Allgeier for Defendant filed.

Aug. 30, 1993 Affidavit of Consent of Plaintiff filed.

Jun. 21, 1994 Appearance of Peters, Lindsay, Lewis & Hatheway by Edward J. Hatheway, Esquire, Attorney for Edward F. Farrell, Plaintiff, filed.

Jun. 29, 1994 Motion to Withdraw Appearance of Joseph F. Kulwicki, Esquire as attorney for Edward F. Farrell, Plaintiff and ORDER filed AND NOW, this 29 day of June, 1994, Granted.
BY THE COURT,
P. Richard Thomas, S. J.
6-29-94 Faxed to Kulwicki & Allegeier. 7-5-94 Copy faxed to Atty. Hatheway.

Jul. 15, 1994 Petition for Bifurcation and ORDER filed. AND NOW, this 14th day of July, 1994, upon presentation and consideration of the foregoing Petition For Bifurcation: A hearing is scheduled for August 11, 1994 at 11:15 a.m. in Courtroom 1 or 2.
BY THE COURT:
Gordon R. Miller, J.
7-15-94 Faxed to Attys. Hatheway & Allgeier.

July 28, 1994 Answer To Petition For Bifurcation filed.

Aug. 5, 1994 Motion For Alimony Pendente Lite, Counsel Fees and Expenses and Order filed. AND NOW, this 5th day of August, 1994, upon consideration of the foregoing Motion for Alimony, Pendente Lite, Counsel Fees and Expenses, a Rule is issued against Respondent to show cause why Petitioner's requested relief should not be granted. Rule returnable on August 11, 1994 at 11:15 a.m.
BY THE COURT,
Gordon R. Miller, J

Aug. 8, 1994 Faxed Hatheway and mailed Allgeier

Aug. 8, 1994 Amended Complaint in Divorce filed. (1 copy atty)

Aug. 8, 1994 Affidavit of Consent of Plaintiff filed.

Aug. 8, 1994 Affidavit of Separation Plaintiff's Affidavit of Separation PUrsuant To Section 3301(d) of the Divorce Code filed.

Aug. 12, 1994 Order filed AND NOW, August 11, 1994 this matter is before the Court on a petition for bifurcation filed by the Plaintiff.
The record reflects that this was originally filed as a 3301(c) divorce by former counsel for the Plaintiff, and although the Plaintiff has filed an affidavit of consent, the Defendant has not. Therefore, this matter is not ripe for a 3301(c) divorce.
On August 8, 1994 the Plaintiff filed an amended divorce complaint under 3301(d) and also filed a 3301(d) affidavit indicating that the parties have been separated since May 11, 1992 and have continued to live separate and apart for a period of at least 2 years and that the marriage is irretrievably broken.
At this time, we will dismiss the petition to bifurcate insofar as it is premature with respect to the divorce complaint filed under 3301(d) in that as we have indicate, the complaint and the affidavit were only filed on August 8, 1994 and this matter is not in a position to be ripe for a divorce under 3301(d).
This is without prejudice to either party to file a petition for bifuraction at the appropriate time.
BY ORDER OF THE COURT,
Anthony JJ Vardaro, J

Aug. 12, 1994 Copies dist. to Katheway & Allegeier

Aug. 12, 1994 Order filed. AND NOW, August 11, 1994 this matter is before the Court on Defendant's petition for alimony pendente lite, counsel fees and costs.
After hearing in this matter, we datermine that the Plaintiff's monthly income appears to be $1800 per month and that the Defendant currently is not working but we will impute an income to her of $400 a month, since we believe she should at least be able to perform part time employment.
Additionally, the parties apparently had some marital bills and the Defendant continues to have medical bills, all of which are being paid by the Plaintiff. He indicates that he is making payments of $250 to #300 per month but is getting some of those bills paid off and that will reduce at some point.
Based on all of this, we will require the Plaintiff to pay alimony pendente lite in the amount of $100 per week, commencing onAugust 12, 1994 and continuing thereafter for a period of 9 consecutive months. We note that he has been paying $75 per week and it is our intention that he pay a total of $100 per week and not that amount in addition to what he has been paying.
Additionally, the Plaintiff shall continue to pay all of the bills that he has been paying as well as any new medical bills of the Defendant that accrue beyond the insurance coverage, excluding any prescription amounts that mmay accrue beyond the insurance payment amount.
Each party if they have not already done so shall file an inventory and appraisement and an income and expense statement in this matter within 30 days form this date insofar as both parties are late in filing both such documents and this matter should begin to move forward, either through settlement or toward a master's hearing.
The Plaintiff shall additionally pay to theDefendant counsel fees in the amount of $500, with such payments to be made directly to Defendant's counsel, beginning with $125 on or before August 31, 1994 and a like sum by the last day of the next three consecutive months so that the last payment will be due on November 30, 1994.
In entering this order, it is not the Court's intention to deal with any matters of equitable distribution and it should not be construed to give any guidance to any master or future trier of facts with regard to those issues.
BY ORDER OF THE COURT
Anthony J. Vardaro, J

Aug. 12, 1994 Copies dist to Hatheway & Allegeier

Continued to Page 52 A

1993 TERM

Edward Farrell
vs
Judith M. Farrell

Continued from Page 52
of Record
AD 1993 - 502

****

Aug. 25, 1994Defendant's Counter Affidavit Under Section 3301(d) of the Divorce Code, filed.

Aug. 29, 1994 Praecipe to Withdraw as Legal Counsel and ORDER filed. AND NOW, this 29 day ofAugust, 1994, upon presentation and consideration of the foregoing Praecipe to Withdraw as Legal Cousnel for the Plaintiff: Granted.

Anthony J.Vardaro, J.

8-30-94 Faxed to Atty.Hatheway, Mailed to Atty. Allegeier.

Sep. 9, 1994 Inventory and Appraisement and Income and Expenses Statement of Judith M. Farrell, filed.

Sept. 13, 1994 Appearance of Susmarski & Hain by James D. Amoriello, Esq. for Plaintiff, filed.

Sept. 13, 1994 Income and Expense Statement of Defendant, filed.

Sep. 30, 1994 Exhibits filed.

Oct. 17, 1994 Inventory and Appraisement of Edward Farrell filed.

Apr. 7, 1995 Petition Special Relief and Order filed. AND NOW, to-wit, this 7 day of April, 1995, a Rule to Show Cause is issued as to why the Defendant should not be found solely liable for the debt she incurred for oral treatment with Doctors Alonge and Armanini in the above captioned matter. Rule returnable for hearing and argument on the 4th day of May, 1995, at 11:00 a.m. before Judge Vardaro.

Anthony J. Vardaro, J

Apr. 7, 1995 Faxed Amoriello & Allgeier

Apr. 12, 1995, Certificate of Service of Rule To Show Cause filed.

May 3, 1995 Motion for Additional Alimony Pendente Lite, Counsel Fees and Expenses and RULE TO SHOW CAUSE filed. AND NOW, this 2 day of May, 1995, upon consideration of the foregoing MOTION FOR ADDITIONAL LIMONY PENDENTE LITE, COUNSEL FEES AND EXPENSES, it is hereby Ordered, Adjudged, and Decreed that a rule is issued upon Plaintiff to show cause why the relief sought should not be granted. Rule returnable at the Special Relief Hearing scheduled for May 4, 1995 at 11:00 a.m..

BY THE COURT:
Anthony J. Vardaro, J.

5-3-95 Faxed Hatheway, mailed Allegeier. 5-5-95 Faxed Amoriello

May 4, 1995 Praecipe to Withdraw The Plaintiff's Motion for Special Relief, filed.

Aug. 22, 1995, Petition for Bifurcation and Change of Venue and Order filed. ORDER: AND NOW, to-wit, this 21st day of aug. 1995, upon consideration of plaintiff's Petition for Bifurcation, a Rule is hereby entered upon the defendant to show cause as to why the relief requested should not be granted. Said Rule to be returnable on the 19th day of Sept. 1995, at 3:00 p.m. in C. R. No. 2.

Gordon R. Miller, Judge

8/22/95 mailed Amoriello, faxed C. Allgier.

Sep. 28, 1995 ORDER filed. AND NOW,September 25, 1995, after due consideration of the Plaintiff's petition for bifurcation and applying the standards set forth in Wolk v. Wolk, 318 Pa.Super. 311, 464 A.2d 1359 (1983) and subsequent case,we decline to grant the petition for bifurcation.

We note that the Plaintiff apparently intends to petition the Court for appointment of a Master in this case and this order is without prejudice to any party to move again for bifurcation pursuant to 23 Pa.C.S.A. § 3325 (c) if the Court is unable to dispose of the existing issues within 30 days after the report of the Master has been filed.

The Plaintiff's petition for a change of venue is also denied insofar as we believe we are powerless to direct the Court of Common Pleas of Erie County to transfer a matter now before that Court to Crawford County.

BY THE COURT:
Anthony J. Vardaro, J.

9-28-95 dist.to Amoriello & Allegeier

Feb. 8, 1996, Affidavit of Consent of defendant filed. (Waiver of notice of intention to request entry of divorce decree under section 3301(c) of the Divorce Code)

Feb. 8, 1996, Property Settlement Agreement filed.

Feb. 8, 1996, Upon praecipe of plaintiff attorney, to transmit the record, this case moved to court.

Feb. 14, 1996 ORDER filed. This divorce matter has been referred to the Court for review and decree. The Court has reviewed the record andis returning the record to the Prothonotary. A final decree will not be entered at this time because:

A proper return or proof of service has not been filed.

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

BY THE COURT:
Anthony J.Vardaro, J.

2-14-96 faxed Amoriello & Allegeier.

Feb. 16, 1996 Affidavit of Service filed. I, the undersigned, do hereby acknowledge accpetance of service of the Complaint in Divorce in this matter on behalf of the Defendant, Judith M. Farrell.

Catherine A. Allgeier

Feb. 20, 1996 Upon Praecipe of JamesD.Amoriello,Esquire, Attorney for Plaintiff to Re-Submit record,Case moved to Court.

Feb. 28, 1996 ORDER filed. This divorce matter has been referred to the Court for review and decree. The Court has reviewed the record and is returning the record to the Prothonotary. A final decree will not be entered at this time because:

A proper return or proof of service has not been filed.

The praecipe to resubmit record indicates that service took place in a timely manner by certified mail on May 19, 1993, but there has not been a proper affidavit of service to verify that of record.

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

BY THE COURT:
Anthony J.Vardaro,J.

2-28-96 Mailed Amoriello & Allegeier

Continued to Page 52 B

52
B

1993 TERM

Farrell vs Farrell AD 1993 502 Continued from Page 52 A

Mar. 1, 1996 Affidavit of Service filed. I, Catherine A. Allgeier, Esq., being duly sworn according to law deposes and says that she received a true and correct copy of the Divorce Complaint on behalf of Judith M. Farrell, Defendant, via certified mail on May 19, 1993,at 150 West Fifth Street, Erie,PA 16507, and Defendant's counsel made known to her the contents thereof. The attorney for the Defendant at that time, who forwarded the actual complaint, was Joseph Kulwicki,who has since withdrawn his appearance. The undersigned hereby consents to the filing of this Affidavit as proof of sevice of the Complaint at the above term and number.

Catherine A. Allgeier, Esq.

Mar.7, 1996 Upon Praecipe ofJames D.Amoriello, Esq. Attorney for Plaintiff to re-submit record, Case moved to Court.

DIVORCE DECREE FILED

March 15, 1996 AND NOW, this 13 day fo March, 1996, it is Ordered, Adjudged and Decreed that EDWARD FARRELL, Plaintiff and JUDITH FARRELL, Defendant, are divorced from the bonds of matrimony.

The Provisions of the Property Settlement Agreement entered into between the parties on January 29, 1996 are incorporated herein by reference but not merged with this Decree. The Property Settlement Agreement referred to is subject to enforcement in accordance with the PA. Divorce Code of 1980, as amended and any other applicable legislation.

BY THE COURT:
Anthony J. Vardaro, J.

Mar. 27, 1996 Notice of Election To Retake Maiden Name of Judith M. Farrell to be known as Judith Marie Gleischsner filed.

Aug. 23, 1996 Motion to Enter Qualified Domestic Relations Order filed.

Aug. 23, 1996 Qualified Domestic Relations Order Regarding Erie Industrial Trucks Incorporated Retirement Income Plan for Union Employees and ORDER filed. AND NOW, this 23 day of August, 1996 upon presentation of the foregoing Stipulation of Defendant, Judith M. Farrell by and through her attorney, Catherine A. Allgeir and of the Plaintiff, Edward Farrell represented by James M. Amoriello, it is hereby Ordered and Decreed as follows:

1. The parties hereto was formerly husband and wife, having been divorced on March 13, 1996 at the above term and number.

2. Edward Farrell, the Plaintiff herein, (hereinafter "Participant"), was born January 22, 1947, has Social Security Number 186-36-9718, and has a mailing address of RD#3 Tattle Road, Cambridge Springs, Pennsylvania 16403. Edward Farrell is employed by Erie Industrial Trucks, Inc. and is a participant in the Erie Industrial Trucks, Inc. union retirement plan.

3. Judith M. Farrell, the Defendant herein, (hereinafter "Alternate Payee"), was born June 4, 1932, has Social Security Number 205-26-2393, and resides at 100 Walker Drive, Edin Lakes Apartments #114, Edinboro, Pennsylvania 16412. 16412-4. This shall be a Qualified Domestic Relations Order as the same is defined in accordance with the Retirement Equity Act. of 1984, 29 U.S.C. §1001 et seq., P.L. 98-397, August 23, 1984, and all provisions thereof and this shall be so construed by this Court and any other Court that ever interprets the same and particularly and specifically with regard to all provisions under Section 104 of said Act, 29 U.S.C. §1004 so that this Court Order will be fully enforceable.

5. The name of the plan is Erie Industrial Trucks, Inc. Untion Retirement Plan. The employer identification number is25-1120197. The plan number is 001.

(FOR REMAINDER OF ORDER, SEE FILE FOLDER.)

BY THE COURT:
Anthony J. Vardaro, J.
8-23-96 MAILED Allegier

1993

503.

MYRA W. LANE

vs.

JOHN F. LANE

Filed May 19, 1993
3:31 PM

Tax & entry paid	10.50
User's Fee paid	5.00

CERTIFIED COPY OF DIVORCE DECREE FROM WASHINGTON COUNTY, PA

54

1993

Thomas, Truax, Spadafore and Walker
Gregory A. Keenan

504.

Legal Service
Gerald Sullivan

RODNEY J. MYERS, SR.

vs.

CINDY S. MYERS

Filed May 20, 1993
@ 1:34 PM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	27.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 20th day of May , 19 93 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

2. Special Conditions: Defendant shall not go to Plaintiff's residence nor contact Plaintiff or the children. Defendant shall not have any visitation rights until further order of court.

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

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

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

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

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

8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the May 28, 1993 , at 1:00 p.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

May 21, 1993 Sheriff's Return filed. SERVED Cindy S. Myers personally on May 20,1993 at 3:45 PM by handing a copy of the Protection From Abuse to her at her residence, Cottage #4, Hall Road, Cochranton, Crawford County, PA.

So answers,

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

May 28, 1993, Motion to Continue and Order filed. ORDER: AND NOW, this 28th day of May 1993, on plaintiffs Motion to continue said requiest for continuance is hereby granted and this matter is reset for hearing on the 3rd day of June 1993, at 1:30 p.m.

All provisions fo the Temp. Order issued in regard to this matter and filed on Apr. 20, 1993, shall remain in full force and effect pending the hearing date

BY THE COURT,
Gordon R. Miller, J.

June 1, 1993,copies of order to Pa. State police, Gregory Keenan, Atty. Sullivan, & County Control.

June 4, 1993 ORDER filed. AND NOW, June 4, 1993 after a full formal hearing the Court is satisfied by the fair weight and preponderance of the evidence that the defendant did engage in sexual abuse of her two sons and accordingly it is ordered as follows:

1. The defendant shall not assault, abuse, harass or threaten her children in any way.

2. The defendant shall not see or visit her children except in a supervised setting pursuant to an agreement between the plaintiff and the defendant or, failing the same, after a custody hearing.

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

4. A copy of this Order shall be delivered by the Prothonotary to the Pa. State Police and the County Control.

5. This Order shall remain in full force and effect for one year from this date unless modified or terminated by further order of court, including an order in a custody action.

6. In view of the fact that the defendant has limited income and is on Social Security Disability the costs shall be paid by Crawford County.

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.

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

JUne 4, 1993 copies given to Keenan & Co Control & Sullivan
June 11, 1993 copy to PSP

1993

Thomas, Truax,
Spadafore & Walker
Gregory A. Keenan

505.

Barbara J. Walton

James Irwin

DALE R. CUMMINGS

vs.

ROSE M. CUMMINGS

Filed May 21, 1993
@ 9:25 AM

Tax & entry paid	50.50
Users fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro Co pd 11-9-93	9.00
Pro Co Pd 10-17-97	9.00

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

May 26, 1993, Acceptance of Service filed. I, Barbara J. Walton, Esq. accept service of Complaint Under sect. 3301(c) of the Div. Code, properly endorsed with a notice to defend on behalf of the dft. and certify that I am authorized to do so.
Barbara J. Walton Esq.

Aug 16, 1993 ACCEPTANCE OF SERVICE, filed. I, Barbara J. Walton, Esquire, accept service of the Complaint Under Section 3301(c) of the Divorce Code, properly endorsed with a Notice to Defend on behalf of the Defendant, Rose M. Cummings, and certify that I am authorized to do so.

Sept. 28, 1993 Petition For Entry of Agreement and Order filed. AND NOW, this 27th day of September, 1993, upon stipulation of the parties to this action, the following Order is hereby entered.

Dale R. Cummings and Rose M. Cummings, the parties in the above captioned action, have agree upon the matters set forth below and agree that the Court of Common Pleas of Crawford County, Pennsylvania, shall enter an Order in accordance with the terms of this Consent Custody Order without the necessity of their being present in Court. They have waived any further notice of the proceedings in conjunction with the entry of said Order and each has received an advance copy of this Consent Custody Order. They repreent that each is aware of their right to confer with independent legal counsel for review of this matter, prior to entry into agreement, Stipulation and Court Order.

1. The parties, Dale R. Cummings (Father) and Rose M. Cummings (Mother), are the natural parents of the minor children, Alex J. Cummings, age 4 and Adam J. Cummings, age 7.

2. The parties shall share legal and physical custody of the subject minor children, with each parent entitled to full access to medical records, educational records, and other important records, and each parent shall be entitled to take par tin important decision affecting the children, including those decision involving the chilren's educaion, medical treatment, and religious instruction.

3. Physical custody of the minor children shall be shared between the parties as follows:

A. Custody of the subject minor children will be divided between the paraties on a 50/50 basis. Specifically, on the first Sunday after the Court executes the Consent Custody Order, Mother will take the children into her custody at 7:00 p.m. and the children shall remain in Mother's custody until the following Sunday at 7:00 p.m. Father will then take the children into his custody as of 7:00 p.m. on Sunday and maintain custody until 7:00 p.m. of the following Sunday. Thereafter, the parties will continue to alternate weeks in which they have custody of the minor children.

B. Notwithstanding the custody provisions set forth above in paragraph 3(a), the parties agree as follows:

(1) On Thanksgiving and Christmas days, custody will be split, and the party who would normally have custody of the children during the week of said holidays will have custody until 2:00 p.m. on both Thanksgiving and Christmas days. The other party will then have custody of the children from 2:00 p.m. until 9:00 p.m. on Thanksgiving and Christmas days.

(2) The parties agree that Mother will have custody of the minor children on Mother's Day and Father willhave custody of the minor children on Father's Day.

(3) The parties agree that they will alternate having custody of the minor children on all other holidays throughout the year.

(4) Christmas vacation from school with the minor children will be split between the parties each year in a manner to be agreed upon by the parties.

4. Father agrees to be responsible for all uninsured medical expenses that pertain to the subject minor children.

5. The parties agree that the children shall attend school in the Cambridge Springs School District. In the event that either of the parties hereto should move their residence outside of the Cambridge Springs School District, the parties will continue to have the subject minor children attend schoolin the Cambridge Springs School District unless other arrangements are mutually agreed upon by the parties.

6. The parties agree that as long as shared custody of the subject minor children continues as is contemplated by this agreement, neither party shall seek an award of child support against the other. While this agreement reflects the intentions of the parties, both parties acknowledge their awareness that such agreement as to child support may not be enforceable between them.

7. Both parties agree to share equally any and all expenditures made on behalf of the minor children which may reasonably be construed as necessities. Furthermore, both parties agree to share equally in any childcare expenses that accrue pertaining to the care of the subject minor children, notwithstanding whose custody the minor children shall be in at the time said costs and/or expenses are incurred.

8. The parties agree to equally share transportation responsibilities as necessary to give effect to the custody provisions of this agreement.

9. Should it be necessary for either party to cancel or modify the custody provisions as set out in this Orde,r or as previously arranged, the party seeking cancellation or modification shall notify the other party as soonas he or she knows of the necessity which compels the cancellation or modification. Said cancellations or modifications shallnot be proposed except for good reasosn. Should a cancellation or modification be necessary, the parties shall attempt at once to make alternative arrangements.

10. Each party shall teach the minor children which is due a parent form his or her children. Furthermore, neither party shall do or say anything to blacken the character of the other in the children's estimation. Each party shall treat the other in a polite and respectful manner when in the children's presence and each party instruct his or her relatives and friends to do likewise and also not go disparage the other party in the children's estimation.

11. 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 s subject minor children.

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

13. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco nor permit others to do so in a closed automobile in which the children are being transported or in the bedrooms of the children.

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

By the Court
Gordon R. Miller, J
Oct. 5, 1993 Copies of orde to Atty's Keenan and Walton

Oct. 28, 1993,
Affidavit of Consent
of plaintiff filed.

Continued on Pg. 454

56

1993

506.

LINDA S. NAGEOTTE

vs.

WILFRED NAGEOTTE

Filed May 21, 1993
@ 10:37 AM

Tax & entry paid	10.50
User's Fee paid	5.00
Pro Co paid	5.00

CERTIFIED COPY OF THE DIVORCE DECREE FROM CAMERON COUNTY

May 21, 1993 Notice of ElectionTo Retake Maiden Name filed.
Linda S. Nageotte TO BE KNOWN AS: Linda S. Smith

1993

Robert J. Felton 507.	DAVID M. MALLORY and JOYCE A. MALLORY, his wife vs. WILLIAM L. HOBART and ARLENE HOBART, his wife, and T. L. HOBART, their respective heirs, personal representatives and assigns, generally Field May 21, 1993 @ 10:42 AM Tax & entry paid 50.50 User's Fee paid 5.00	COMPLAINT IN ACTION TO QUIET TITLE

1993

Dallas W. Hartman

508.

TODD BERRY

vs.

NORMAN MORRIS
ANDREW MORRIS

Filed May 21, 1993
@ 1:45PM

Tax & entry paid	50.50
User's fee paid	5.00
Sheriff's costs	26.00
Sheriff's Costs	20.00
Pro Co pd.	6.00

WRIT OF SUMMONS
Issued Sheriff

June 9, 1993 Writ Return filed. NOT FOUND as to Defendant Norman Morris. He has moved from address of 387 Willow St., Meadville, PA., to somewhere in the "Carolinas", address unknown. So answers,

Robert M. Stevens, Sheriff

Jun. 28, 1993 Writ reissued.

Oct. 8, 1993 Writ reissued.

Mar. 22, 1994 Writ Return filed. NOT FOUND as to Defendant Andrew Morris via deputized service through Spartansburg County Sheriff's Office, South carolina. Defendant is in the Navy at Little Creek, VA. (Original return sent to attorney's office, they forwarded copy to us)
So answers,

Robert M. Stevens, Sheriff

Apr. 18, 1994 Upon praecipe of Plaintiff's attorney the above-referenced matter is settled and discontinued of record.

1993

509.

COLLEEN R. SUTTON

vs.

PAUL S, SUTTON

Filed May 24, 1993
@ 9:29 AM

Tax & entry	pd. 5-27-93	50.50
User's Fee	pd. 5-27-93	5.00
Pro	Pd. 5-27-93	5.00
Sheriff's Costs		18.00

5-27-93 Rec. Sheriff's Cost from dept 18.00

6-1-93 Pd Sheriff Ck# 7574 18.00

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

Order:

And now, this 24 day of May , 19 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall move out. Sole possession of the premises is awarded to plaintiff. Defendant shall not go to plaintiffs residence nor contact the plantiff in any way. Custody of the children is awarded to Plaintiff.
3. This Order may be enforced without a warrant any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs. Hearing is hereby set for June 11, 1993 , at 11;00 a. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

May 25, 1993 SHERIFF'S RETURN filed. SERVED Paul S. Sutton personally on May 24, 1993 at 10:50 AM by handing a copy of the Protection from Abuse to him at the Titusville City Police Dept., 323 North Franklin St., Titusville, Crawford County, Pa. Officer Dale L. Beach served Paul S. Sutton personally. So answers, Robert M. Stevens, Sheriff

May 28, 1993, Motion to Vacate Protection from Abuse Order and order filed.
ORDER: AND NOW, this 28 day of May 1993, upon receipt and review of the plaintiff's motion to vacate and terminate the Protection from Abuse Order of May 24, 1993 said motion is granted and the Protection From Abuse Order is hereby vacated and terminated.
A true and correct copy of this order shalls be delivered by the Prothonotary to Pa. State Police and to County Control.

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

June 3, 1993, copies of order to plff and dft.

1993

510.

JAMES H. ANDERS

vs.

WEST MEAD TOWNSHIP CODE APPEALS BOARD

Filed May 24, 1993
@ 10:13 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro.Co. pd 12/13/93	6.00

NOTICE OF APPEAL

July 12, 1993 Motion For Default Judgment and Order, filed. ORDER: AND NOW this 12 day of July, 1993, the Township shall file record as it is written 3 days of the date. Anthony J. Vardaro, J. July 14, 1993 copy to Anders & Shaddinger

July 15, 1993, Record of Proceedings of West Mead Township Code Appeals Board, filed.

July 16, 1993 Motion to Produce Witness at Hearing, filed.

July 16, 1993 ORDER filed. AND NOW, July 16, 1993, the Appellant appears in Motion Court with a motion to produce witness at hearing pursuant to 2 Pa. C.S.A. § 754(b).

It appears that this request may be premature at this time insofar as although the record has been certified the transcript of the original hearing is not yet available and the Court has not had an opportunity to review either.

Accordingly, we will defer decision on htis motion at htis time and either party may bring it to our attention again at the appropriate time once the record and transcript is before the Court.

BY THE COURT:
Anthony J. Vardaro, S.J.

July 16, 1993 copies dist to Anders & Atty Shaddinger

Aug. 11, 1993 Transcript filed.

Dec. 13, 1993 Upon Praecipe of James H.Anders, Plaintiff, the above-captioned case settled, discontinued and ended.

1993

C. Barton Jones,

511.

HARRY C. EARLY, Deceased by his Co-Executrixes CAROL LEE CROKER and MARY LYNN MAGNOTTI

vs.

J. ANTHONY NYMAN and CAROL LEE CROKER

Filed May 24, 1993
@ 11:55 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	43.00
Pro.Co. pd 9/29/93	9.00
Pro Co pd 2-2-94	5.00

COMPLAINT IN MORTGAGE FORECLOSURE
1 copy Sheriff

June 11, 1993, Complaint Reinstated.

Aug. 2, 1993 SHERIFF'S RETURN, filed. I hereby deputize the Sheriff of Allegheny County, Pennsylvania to serve the within Complaint accordign to law. The defend ants alleged address is 920 Southside Avenue, Pittsburgh, Pa. 15212.

Robert M. Stevens, Sheriff Cr. Co.

AFFIDAVIT OF SERVICE: SERVED the within Complaint on 7-8-93, at 2:27 p.m. upon J. Anthony Nyman at above address by handing to Marsha (wife) a true and correct copy thereof and made known to her the contents therein. Eugene L. Coon, Sheriff
Allegheny County

And Now, Sep? 29, 1993 at 10:32 AM upon praecipe of Plaintiff's attorney, judgment is hereby entered in favor of the plaintiff and against the defendants for want of an answer and the same is liquidated at the sum of Sixteen Thousand Seven Hundred Fifty and no/100 Dollars principal owed, $837.50 attorney's fees and any costs.
N-92; C-34;
Entered 9-29093
Atty. C.Barton Jones

DEbt	$16,750.00
Attorney's fees	837.50

Judgment
Barbara H. King
Prothonotary

EXECUTION 1993 - 89

Feb. 2, 1994 Upon praecipe of Plaintiff's attorney the above captioned mater is settled and discontinued of record.

Specter Law Offices
Anthony J. D;Amico

512.

Grogan,Graffam,
McGinley & Lucchino
Joseph A. Macerelli, for
Defendant Yound C. Fan,MD

Burns, White & Hickton
David B. White
for Titusville Hospital

ETHEL A. SNYDER, Executrix of the Estate of CLARENCE J. SNYDER, Deceased

vs.

Y.C. FAN, M.D., and TITUSVILLE AREA HOSPITAL,

Filed May 24, 1993
@ 1:11 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	50.00
Pro Co pd 12-28-95	6.00

JURY TRIAL DEMANDED

WRIT OF SUMMONS
Issued Sheriff

Jun.7, 1993 Sheriff's Return filed. SERVED Y.C. Fan, M.D. on June 2, 1993 at 2:05 PM by handing a copy of the Summons to Mary Ann Baker, Receptionist at the place of business, 119 East Mechanic Street, Titusville, Crawford County,PA.

SERVED Titusville Area Hospital on June 2, 1993 at 2:20PM by handing a copy of the Summons to Penny Nash, Executive Assistant at the hospital, 406 WEst Oak Street, Titusville, Crawford County, PA.

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

June 14, 1993, Complaint filed. Jury Trial Demanded.

June 14, 1993, NOtice of Service of plaintiff's Interrogatories Directed to defendant and Request for production of Documents, filed.

Jun. 17, 1993 Appearance of Grogan, Graffam, McGinley & Lucchino by Joseph A. Macerelli, Esquire, filed.

Jun. 17, 1993 Praecipe for Rule to File a Complaint, filed.

July 2, 1993 Appearance of Burns, White & Hickton by David B. White for defendant Titusville Area Hospital, filed.

July 8, 1993 Answer and New Matter of Defendant, Titusville Area Hospital, filed.

July 12, 1993 Notice of Service of Int errogatories Directed to Plaintiff, filed.

July 15, 1993, Plaintiffs Reply to New Matter Directed To Titusville Area Hospital, filed.

July 28, 1993 Notice of Service of Interrogatories Directed to Plaintiff, filed.

July 29, 1993 Preliminary Objections filed.

Aug. 2, 1993 Upon Praecipe of Joseph A. Macerelli, Esquire, the above captioned matter is placed on the next available Argument List.

ON SEPTEMBER, 1993 ARGUMENT LIST

Sept. 30, 1993 Memorandum and Order filed. AND NOW, September 28, 1993 it is ordered as follows:

1. The preliminary objections of Y. C. Fan, M.D. as the claim for punitive damages in the survival action are hereby dismissed.
2. The preliminary objections of Y. C. Fan, m.D. as to punitive damages in the wrongful death action are hereby granted and any claim bythe plaintiff for punitive damages in the wrongful death action is hereby stricken.
3. Y. C. Fan, M.D. shall file a response to the complaint within twenty (20) days from this date.

BY ORDER OF COURT,
Gordon R. Miller, J

Sept. 30, 1993 Copies dist. to D'Amico, Bass & White

Oct. 20, 1993 Answer and New Matter filed.

Nov. 4, 1993 Reply to New Matter by Defendant, Y.C. Fan, M.D. filed.

Mar. 9, 1995 Certificate of Readiness, filed.

ON TRIAL LIST FOR June 1995

Sep. 26, 1995 Notice to Attend, filed.

Sep. 26, 1995 Request for Settlement Conference,filed.

Sep. 26,1995 Motion in Limine filed.

Oct. 4, 1995 Motion in Limine filed.

Oct. 2, 1995, Notice of Intention filed.

Dec. 15, 1995 PETITION filed on behalf of Plaintiff filed.

Dec. 15, 1995 ORDER filed. AND NOW, to wit, this 15th day of December, 1995, it is hereby ORDERED, ADJUDGED and DECREED that the settlement in the amount of $200,000.00 regarding the cliam of Ethel Snyder, Exeutrix of the Estate of Clarence Snyder, deceased is aprroved. Any and all liability of Defendants Young C. Fan, M.D. and Titusville Area Hospital for the alleged medical malpractice as more fully described in Plaintiff's Complaint is hereby fully and finally extinguished for damages sustained by Clarence Snyder and the Estate of clarence Snyder inaccordance with the following:

1. Ethel Snyder is authorized to settle the claim and execute the Release attached to her Petition as Exhibit "A".
2. $150,000.00 of the settlement proceeds are allocated for the wrongful death claim.
3. $50,000.00 of the settlement proceeds are allocated to the survival action claim and paid to the surviving spouse. Included within this sum are reimbursement for the funeral bills and the Executrix's fee of $2,500.00.

The settlement proceeds therefore, are to be distributed as follows:

Specter Law Offices, P.C. (Attorney Fees) . . . $80,000.00
Specter Law Offices, P.C. (Reimbursement of Costs Advanced) $10,271.59
PA Estate Taxes . . . . . $ 1,366.44

CONTINUED ON PAGE 480

1993

513.

SANDRA HURTA

vs.

THOMAS HURTA

Filed May 24, 1993
@ 1:19 PM

Tax & entry	pd.8/3/93	50.50
User's Fee	pd.8/3/93	5.00
Sheriff's Cost	pd.	25.00
Pro Co.	pd. 8/3/93	9.00

8-3-93 Rec from dept Sheriffs costs 25.00
84-93 Pd Sheriff Chk # 7709 25.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy atty.

Order:

And now, this 24th day of May , 1993 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

2. Special Conditions: Defendant shall move out. Possession of the residence is awarded to plaintiff defendant shall not go to her residence. Defendant may only contact plaintiff by phone during day light hours and whenhe is sober

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

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

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

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

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

8. The court reserves ruling on allocation of fees and costs. Hearing is hereby set for June 2, 1993 , at 11:00 a. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

May 25, 1993 SHERIFF'S RETURN filed. SERVED Thomas Hurta personally on May 24, 1993 at 1:50 PM by handing a copy of the Protection from Abuse to him at his temporary place of custody in the Crawford County Jail, 360 Center St., Meadville, Crawford County, Pa.
So answers, Robert M. Stevens, Sheriff

June 8, 1993 Order filed: AND NOW, June 2, 1993 at the time fixed for hearing in this Protection from Abuse proceeding, both parties have appeared and both parties have expressed an interest in reconciling.

Both parties have acknowledged that the problem of their marriage is the abuse of alcohol and feel that with some counseling or other outside assistance, that problem can be resolved. The plaintiff has expressed desire to have her husband be permitted to return to the marital domicile. There is apparently a simple assault charge pending before District Justice Wayne Hanson and it is tentatively reported at this time that those charges are to be withdrawn.

Under all of these circumstances, the following order is entered:

1. The Defendant shall not abuse, attack or otherwise physically molest the Plaintiff at any time but with the Plaintiff's consent, is permitted to reside with the Plaintiff at their marital domicile.

2. Both parties shall abstain from the use of alcoholic beverages and will make appropriate arrangements for counseling and therapy through AA or any other appropriate agency.

3. This order shall continue in full force and effect for a period of 90 days from this date

4. Record costs in this matter shall be paid by the Defendant within 60 days of this date.

5. Any police agency having jurisdiction of the premises may enforce this order in accordance with the Protection from Abuse Act.

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

6-8-93 Copies given to Co. control, PA. St. Police, Pltf and Deft.

1993

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

514.

DANIEL E. SHILLING

vs.

MARK C. ANDERHALT, individually
and t/d/b/a PIZZA JOE"S

Filed May 24, 1993
@ 2:40 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	29.00
Pro Co pd 7-29-83	9.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

June 9, 1993 Sheriff's Return filed. SERVED Mark C. Anderhalt personally on May 26, 1993 at 9:26 AM by handing a copy of the Complaint to him at Pizza Joe's Restaurant, Downtown Mall, Meadville, Crawford Co., PA.

SERVED Pizza Joe's on May 26, 1993 at 9:25 AM by handing a copy of the Complaint to Mark C. Anderhalt, Owner, at the restaurant, Downtown Mall, Meadville, Crawford Co., Pa.

So answers,

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

July 29, 1993 at 3:13 p.m., And Now, upon praecipe of Plaintiff's attorney to enter judgment against the above named defendant MARK ANDERHALT, Individually and t/d/b/a PIZZA JOE'S in the sum of Twenty Three Thousand Four Hundred Sixteen and 50/100 plus interest from May 15, 1993 and cost of suit for failure to file an Answer.

Entered 7-29-93 Debt: $23,416.50 plus interest from
A - 113 May 15, 1993
P - 186

JUDGMENT
Barbara H. King, Pro.

1993

MacDonald, Illig, Jones & Britton
Kimberly A. Oakes

515.

Emil M.Spadafore, Jr.

CHARLOTTE A. TEASDALE

vs.

MARJORIE DIANE CLARK et al

Filed May 24, 1993
@ 3:10 PM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro Co. pd 8/20/93	9.00
Pro Co pd 10-8-93	9.00
Pro.Co. pd 1/14/94	2.00

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

May 24, 1993 Rule entered upon Charlotte A. Teasdale to file Complaint issued.

May 26, 1993, Proof of Service filed.

June 25, 1993 Appearance of MacDonald, Illig, Jones & Britton by Kimberly A. Oakes for Plaintiff Charlotte A. Teasdale, filed.

June 25, 1993 Complaint filed.

Aug. 9, 1993, Default notice filed.

Aug. 20, 1993, 2:10 p.m., AND NOW upon Praecipe of Plaintiff Attorney, with copy of Notice of Intention to file default judgment attached, judgment is hereby entered in favor of Plaintiff and against Defendant for failure to file an answer and damages are assessed as follows:

Debt $3,245.62
Interest from----
Judgment
Barbara H. King, Pro.

C-269
Judgment entered 8/20/93

8-25-93 Notice of entry mailed defendants.

Oct. 8, 1993 And now, upon praecipe of defendants attorney judgment of Non Pros is hereby entered against the named plaintiff for failure to fiel a Complaint with twenty days after beinga ruled to do so.

Entered 10-8-93
T - 31

JUDGMENT OF NON PROS
Barbara H. King, Pro.

Jan.14, 1994 Upon Praecipe of Kimberly A. Oakes, Esquire, Attorney for Plaintiff, Certification of Judgment to the Pennsylvania Department of Transportation issued. (copy Atty.)

1993

516.

IN RE: CONTROL OF DANGEROUS WEAPONS and AUTHORITY FOR ENHANCING COURT SECURITY

Filed May 24, 1993
@ 9:04 AM

ORDER:

In order to protect and insure the safety of the general public litigants, witnesses, attorneys, jurors, county elected officials, court staff and employees, and county employees; to insure the safe conduct of the business of the Court of Common Pleas of Crawford County, Pennsylvania; to limit the presence, possession and use of dangerous weapons; and to grant appropriate authority to limit and confiscate dangerous weapons it is hereby ordered as follows:

1. All persons, except as herein after provided, are prohibited at any time from possessing or using any dangerous weapons, as herein after defined, in the Crawford County Courthouse as well as offices, facilities or buildings which house the Domestic Relations Section and Children & Youth Services. Excepted from this provision are law enforcement officers, probation officers, court officials and employees, the District Attorney and staff, the Public Defender and staff, the Sheriff and staff, Constables, and any other perons who have express written permission from the President Judge. Dangerous weapons are defined as including, but not limited to, handguns, firearms, explosives, knives with blades over one inch in length, chemical weapons, and incendiary devises.

2. The Sheriff of Crawford County and his Deputies are duly authorized, empowered and directed to search individuals attending court proceedings, or inthe places designated above including but not limited to attorneys, litigants, witnesses, jurors and observers when the Sheriff and/or his Deputies either dtermine there exists a potential threat of violence or as a general safety precaution.

3. The Sheriff and/or his Deputies are directed to take special precautions, including but not limited to a physical search of individuals attending court proceedings or in the places designated above when requested to do so by a Judge, hearing officer, Court Administrator, tipstaff, law clerk, members of the judges staff, the District Attorney and members of the District Attorney's staff, if any of these persons either have reason to believe that the potential for violent incident is present, that one or more persons may possess deadly weapons or as a general safety precaution.

4. The shierff and/or his Deputies are authorized to remove any weapons from any individual found to have such weapons in the Crawford County Courthouse and places designated above and to prosecute said person(s) to the fullest extent ofthe law.

5. The Sheriff and/or his Deputies are duly authorized, empowered and directed to search packages, purses, briefcases and other containers and items which could conceal weapons or to restrict such items from being brought into the Courthouse, the courtroom, hearing room or the places designated above. Such action shall be taken when the Sheriff and/or his Deputies have reason to believe there is a potential threat of violence or danger, or as a general safety precaution.

6. The provisions of this order shall take effect immidiately.

BY ORDER OF COURT,
Gordon R. Miller,

J Date: April 27, 1993

1993

William J. Gregg

517.

WILLIAM J. GREGG,
Administrator C.T.A. of the Estate of EMMY PAPAIOANOU a/k/a EMMA PAPAIOANOU a/k/a EMMY PAPAS

vs.

JOHN D. GAGE and HATTIE I. GAGE, his wife, and J. KEARNEY GAGE, their heirs, executors, administrators, successors and assigns

Filed May 25, 1993
@ 2:22 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	262.00
Pro Co Paid 9/7/95	9.00

COMPLAINT IN ACTION TO QUIET TITLE
1 copy (atty)

May 23, 1995 Motion For Service By Publication and Order, filed. AND NOW, May 22, 1995, upon consideration of the foregoing Motion, it is ORDERED AND DIRECTED that service of the Complaint on the Defendants, JOHN D. GAGE and HATTIE I. GAGE, his wife, and J. KEARNEY GAGE, their heirs,executors,administrators,successors and assigns, be by publication once in the Meadville Tribune, a newspaper of general circulation in Crawford County, Pennsylvania, and once in the Crawford County Legal Journal.

Gordon R. Miller, P.J.

May 23,1995 Faxed Gregg

May 30,1995 Notice of Publication, filed.
(1 copy atty)

Jul 18, 1995 SHERIFF'S RETURN, filed. SERVED BY PUBLICATION once only in the Crawford County Legal Journal on Wednesday, June 14,1995, as per roof of publication attached.
SERVED BY PUBLICATION once only in the Meadville Tribune on Wednesday, June 14,1995, as per proof of publication attached.
So answers, Robert M. Stevens, Sheriff

July 26, 1995 Affidavit of Service and ORDER filed. AND NOW, July 25, 1995, it appearing that the Complaint in the above action has been served by Publication in accordance with the Order of this Court, and no Answer has been filed or Appearance entered by the Defendants, their heirs and assigns, the Court, upon Motion of the Plaintiff, hereby DECREES that title to the hereinafter described property is in the Plaintiff, and the said named Defendants, and their heirs, personal representative successors or assigns are forever barred from asserting any right, lien, title or interest in the premises hereinafter described, to-wit:

ALL that certain piece or parcel of land situate in the Township of Cambridge, Crawford Co., PA., being more particularly bounded and described as follows, to-wit:

BEGINNING at a point on the west side of Kearney Ave., said point being at the southeast corner of land originally conveyed to George Papaioanou and Emma Papioanou, his wife, by deed of Paul R. Dolinsky, et ux, dated Sept. 11, 1947, and recorded in Crwford Co. Deed Book 341, Page 42; thence North 86 ½° West along the north line of other property conveyed to the said Papioanou by the above referred to deed a distance of 175.00 feet, more or less, to an alley; thence by said alley North 3½° East a distance of 75.00 feet, more or less, to a point, said point being at the northwest corner of the property herein described and being on the south line of property now or formerly of Robert D. Wilmoth and Michelle S. Milmoth, his wife; thence South 71° 13' 50" East along the south boundary line of property now or formerly of the said Wilmoth a distance of 175.00 feet, more or less, to a point, said point being in the west line of the public street known and referred to as Kearney Ave., said point being located at the northeast corner of the land herei described and at the southeast corner of property of the said Wilmoth, also being located 745.96 feet north of the north line of the public street commonly known and referred to as McClelland St; thence South 5° 45' 10" West along the west line of Kearney AVe. a distance of 75.00 feet, more or less, to a point representing the point and place of beginning.

IT IS RURTHER ORDERED AND DECREED that the said Defendants, their heirs and assigns are enjoined from impeaching, denying, or in any way attacking the title of the Plaintiff or his successors in title to this parcel of land or from issuing or maintaining any action attacking the same or from encumbering, mortgaging or conveying the same or any part thereof unless the Defendants or any one of them shall within thirty (30) days from the entry of this Order, file with the Court written objections. If such action is not taken within the thirty day period, the Prothonotar upon Praecipe of the Plaintiff, shall enter final judgment.

Gordon R. Miller, J.

July 26, 1995 Order FAXED Atty. Gregg.

And Now, Sept. 1, 1995 at 10:36 a.m. upon praecipe of plaintiff attorney, and according to foregoing order of court, Final Judgment is hereby entered in favor of the plaintiff and against the defendants in above matter.

Judgment entered
9/1/95
G- 96, 86, 96

FINAL JUDGMENT
Barbara H. King,
Prothonotary

1993

Barbara J. Walton

518.

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

KAREN L. JOHNSON

vs.

PAUL A. JOHNSON

Filed May 25, 1993
@ 4;25 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts pd	30.00
State paid	10.00
Pro Co 3-8-95	9.00
1 count pd. 4/26/95	15.00
state pd. 4/26/95	5.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, CUSTODY
2 copies atty.

June 10, 1993 Affidavit of Service filed. And Now, June 10, 1993 comes Lisa M.Sherretts and states the following:
1. That she is the legal assistant of Attorney for Karen L. Johnson, Plaintiff in the above-captioned matter.
2. That on information furnished her by the Plaintiff, she caused a certified copy of the Complaint in Divorce to be forwarded by Certified Mail, P 899 097 886; to the last known address of the Defendant, Paul A. Johnson, R.D.#2, Box 99, Springboro, PA 16435.
3. That the Defendant, Paul A. Johnson, on June 3, 1993,personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto.
4. Serivce of the Complaint against Defendant is therefore effected in accordance with pennsylvania Rules of Civil Procedure.
I Verify that the statements made in this Complaint are true and correct to the best of my knowledge and information. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities. Lisa M. Sherretts, Legal Assistant

Apr. 25, 1994 Affidavit of Consent of Plaintiff, filed.

Feb. 15, 1995 Affidavit of Consent by Paul A. Johnson, Defendant, filed.

Mar. 2, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

Mar. 10, 1995 Order filed. This divorce matter has been referred to the Court for review and decree. The Court has reviewed the record and is returning the record to the Prothonotary. A final decree will not be entered at this time because:
The parties are asking that an agreement be incorporated into the decree yet:
The agreement disposes of economic or other issues not raised by the pleadings or petition.
The Court does not have jurisdiction over matters not properly raised in the proceedings to date 23 Pa. C.S.A. 3104(a), 3323(a); Pa. R.C.P. 1920.11, 1920.13.
Either party may file a praecipe to refer the matter back to the Court wehn the record is in such a state that the parties are entitled to a final decree.

BY THE COURT:
Anthony J. Vardaro, J

Mar. 10, 1995 Dist. to Walton & Kennen

April 18, 1995, Amended Complaint in Divorce filed. (adding Spousal and child support)

May 9, 1995 Acceptance of Service, filed. I accept service of the Amended Complaint in Divorce on behalf of the Defendant, Paul A. Johnson, on this 8th day of May, 1995, and certify that I am authorized to do so. Gregory A. Keenan, Esq.

May 12, 1995 Upon Amended Praecipe of Barbara J. Walton, Esquire,Attorney for Plaintiff to transmit record, case moved to Court.

DIVORCE DECREE FILED

May 18, 1995 AND NOW, this 17 day of May, 1995, upon presentation of the Stipulation and Consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED AND DECREED that:

1. The bonds of marriage between Plaintiff, KAREN L. JOHNSON, and Defendant, PAUL A. JOHNSON, are dissolved because the marriage is irretrievably broken. Plaintiff and Defendant are divorced from the bonds of matrimony.

AND IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that the terms, provisions and conditions of the Marriage Settlement Agreement between the parties herein dated February 28, 1995, shall be incorporated in this decree and order by reference as fully as though the same were set forth herein, at length, including the following:

1. The Wife shall become the sole and exclusive owner of the residential real estate situate at RD # 2, Box 99, Route 18, Springboro, Crawford Co., PA. The parties shall execute a Quit Claim Deed for same upon satisfaction of the current mortgage and outstanding home equity loan.

The Husband shall continue to make timely payments on the mortgage and home equity loan pursuant to terms of financing institution as and for child support.

2. Primary physical custody of the minor child Carl Paul Johnson shall be with wife with visitation as mutually agreed by parties. The parties will share legal custody.

3. The marital truck shall become the separate property of the Husband and the Wife will sign the title over to Husband upon satisfaction of the current lien on this vehicle.

4. The 1981 Chevrolet Malibu Classic shall become the exclusive property of the Wife. Husband will sign this title over within ten (10) days after the signing of this agreement.

5. The Wife waives any and all rights which she may have had to the pension of the Husband.

6. The parties waive all rights to make any claim for alimony or spousal support at this time or in the future.

7. All other provisions of the Marriage Settlement Agreement dated February 28, 1995 are incorporated herein and the parties are directed to comply with said agreement.

8. This Honorable Court shall retain jurisdiction over this matter.

By the Court:
Anthony J. Vardaro, J.

1993

Brian J. Lindsay
Farley Halperin

519.

Brian J. Lindsay
Farley Halperin

SALVATORE JAMES CASSARA

vs.

FARLEY HALPERIN

FARLEY HALPERIN

vs.

CALVATORE JAMES CASSARA

Filed May 26, 1993
@ 10:04 AM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro Co. pd. 6/16/93	9.00

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

May 26, 1993 Rule entered upon the Plaintiff to file a Complaint issued.

May 27, 1993, proof of Service filed.

June 16, 1993 And Now, June 16, 1993 , 11:42 a.m. upon praecipe of plaintiffs attorney judgment of NON PROS is hereby entered against Appellee (Defendant) for failure to file a Complaint with twenty days after being ruled so to do.

H-61

JUDGMENT OF NON PROS

Barbara H. King,
Prothonotary

1993

MacDonald, Illig,
Jones & Britton
David E. Holland

520.

FIRST FEDERAL OF WESTERN PENNSYLVANIA, successor by assignment from FIRST FEDERAL SAVINGS and LOAN ASSOCIATION OF ERIE

vs.

LEORA B. JAMES, as Executrix of the Estate of JUNE C. HOPKINS and WINIFRED E. RUSSELL

Filed May 26, 1993
@ 1:42 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	40.00
Pro Co pd 7-6-93	5.00

COMPLAINT IN CIVIL ACTION
3 copies Atty, Sheriff

June 9, 1993 Sheriff's Return filed. SERVED Leora B. James personally on June 3, 1993 at 9:50 AM by handing a copy of the complaint to her at the residence, RD # 3, Box 8, Meadville, Crawford Co., PA.

NOT FOUND as to Defendant Winifred E. Russell. She was transferred from the Meadville Care Center at RD # 3, Box 350, Meadville, to a nursing home in New York State.

POSTED the property located at RD # 3, Box 10, Meadville, Crawford Co., PA., on June 3, 1993 at 9:55 a.m.
So answers,

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

July 6, 1993 Upon praecipe of plaintiff attorney the above captioned matter is settled and discontinued of record.

1993

Joseph F. Kulwicki

521.

SHAWN D. McGUIRE

vs.

GEORGE W. CARR and PATRICIA A. CARR, his wife

Filed May 26, 1993
@ 1:43 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	32.00
Pro Co pd 3-22-94	6.00

WRIT OF SUMMONS
issued Sheriff

June 3, 1993 Writ Return filed. SERVED George W. Carr personally on May 28, 1993 at 4:15 PM by handing a copy of the Summons to him in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.
SERVED Patricia A. Carr personally on May 28, 1993 at 4:16 PM by handing a copy of the Summons to her in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.
So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 21, 1994 Upon praecipe of Plaintiff's attorney the above captioned case is settled and discontinued of record.

1993

Gifford, Lay & Johnson
Thomas d. Heberle

522.

Scott T.Redman
for Defendants

MARY ANN MESSENGER and
PAUL MESSENGER, her husband

vs.

THOMAS PAUL WESCOAT,
FRANCIS JOHNSON, d/b/a
CENTERVILLE CASTING, INC.

Filed May 26, 1993
@ 1:43 PM

Tax & entry paid	50.50
Users' Fee paid	5.00
Sheriff's Costs	50.00
Pro.Co. pd 6/28/93	6.00

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION
3 copies Sheriff

Jun. 16, 1993 Sheriff's Return filed. SERVED Thomas Paul Wescoat personally on June 2, 1993 at 2:35 PM by handing a copy of the Complaint to him at his residence, 22873 Spring Creek Road, Titusville, Crawford County, PA.

SERVED Francis Johnson personally on JUne 4, 1993 at 3:14 PM by handing a copy of the Complaint to him in the Sheriff's Office, Crawford County Courthouse, Meadville, PA.

SERVED Centerville Casting, Inc. on June 4, 1993 at 3:15 PM by handing a copy of the Complaint to Francis Johnson, President of Centerville Castings, in the Sheriff's Office, Crawford County Courthouse, Meadville,PA.

So answers,

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

June 16, 1993 Appearance of Scott T.Redman,Esquire for Thomas Paul Wescoat, Francis Johnson d/b/a Centerville Casting, Inc. Defendants filed.

Jun. 28, 1993 Upon Praecipe of Plaintiff Attorney, Thomas D. Heberle, the above captioned matter is marked settled and discontinued of record.

1993

Elderkin, Martin,
Kelly & Messina
Kenneth G. Vasil

523.

SEARS, ROEBUCK AND COMPANY

vs.

TONY PHILLIPS and LORIE L. PHILLIPS, his wife

Filed May 26, 1993
@ 1:43 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co Pd 6/2/93	9.00
Sheriff's Costs	31.00
Pro Co Pd. 10/26/95	6.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

June 2, 1993, AFFIDAVIT OF SERVICE AND CONSENT TO ENTRY OF JUDGMENT filed. And Now, to wit this 27 dayof May 1993, the undersigned hereby accept service of a true and correct copy of the complaint filed at above number.

Tony Phillips & Lorie L. Phillips.

And Now, June 2, 1993, at 11:32 a.m. upon praecipe of plaintiff attorney, and upon consent to entry of judgment by defendants, Judgment is hereby entered in favor of plaintiff and against the defendants in the amount of Three thousand three Hundred forty six and 38/100 Dollars, plus int. from April 1993 at rate of 1.50% per month, plus costs.

Judgment entered
6/2/93
P - 161, 101

Debt ----------$3,346.38
Int. from Apr. 1993 at 1.50%
JUDGMENT
Barbara H. King,
Prothonotary

June 3, 1993 Sheriff's Return filed. SERVED Tony Phillips on June 2, 1993 at 9:16 AM by handing a copy of the Complaint to Lorie Phillips, his Wife, at their residence, 646 Madison Avenue, Meadville, Crawford County, PA

SERVED Lorie L. Phillips personally on June 2, 1993 at 9:15 AM by handing a copy of the Complaint to her at the residence, 646 Madison Avenue, Meadville, Crawford County, PA.

So answers,

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

Oct. 26, 1995, Upon praecipe of plaintiff attorney, the above case is herebymarked satisfied the debt, interest and costs in above matter.

74

1993

Thomas, Truax, spadafore & Walker
Gregory A. Keenan

524.

Brian Lindsay

6-23-93 Recieved from Pltf. Med dep $150 ca
9-16-93 Pd Pltf Bal med dep 14/00 Ch# 7784
4-15-94 Rec'd pltf med dep 150 ca
9-14-94 Pd Plf per Keenen # 8558 150

DENNIS MATTERN

vs.

SUSAN BALSBAUGH

Filed May 26, 1993
@ 1:43 PM

Tax & entry paid	50.50
User's Fee paid	5.00
John Fuller, Mediator	150.00
Pro Co Pd 9-22-93 Ch# 7795	9.00

COMPLAINT FOR CUSTODY
2 copies atty.

June 18, 1993 Affidavit of Service of Complaint For Custody filed. Gregory A. Keenan, Esquire, being duly sworn according to law, deposes and says that on June 2, 1993, he sent a true and correct copy of a Complaint for Custody, properly endorsed with the Notice To Defend, filed in the above action, to the Defendant, Susan Balsbaugh, at Defendant's last known address of R.D. #6, Box 812, Williamson Road, Meadville, Pennsylvania, 16335, by Certified Mail No. P 100 620 586 postage prepaid, return receipt requested, restricted delivery and that attached hereto is a duly executed return receipt card whosing date of delivery as June 3, 1993. Gregory A. Keenan

June 22, 1993 Motion To Appoint Custody Mediator and Order filed. You, Susan Balsbaugh, Defendant, have been sued in Court to obtain custody of Crystal Balsbaugh.
You are Ordered to appear in person at such time and place as will be determined by the Mediator, John Fuller, Esq. for a Mediation Conference.
YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.
Court Administrator
Crawford County Courthouse
Meadville, PA 16335
(814) 336-1151, Ext. 298
Date: 6/21/93 Anthony J. Vardaro, J
June 25, 1993 Copies of order to Atty's Keen and Fuller

July 7, 1993, Affidavit of Service filed. Gregory a. Keenan, esq. being duly sworn according to law, deposes and says that on June 30, 1993 he sent a true and correct copy of a Notice and Order to Appear, appointing Mediator, to the dft. Susan Balsbaugh at Defendant's Last known address of R. d. #6, Box 812, Williamson Rd. Meadville, Pa. 16335, by first class mail, postage prepaid. Gregory A. Keenan, Esq.

Sept. 15, 1993 ORDER filed. AND NOW, September , 1993 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Crystal Balsbaugh shall be shared between the mother and the father, the plaintiff and defendant herein, that is, each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions affecting the child such as the education, medical treatment and religious instruction of the subject child.

II. Physical custody of Crystal Balsbaugh shall be with her mother, subject to the following conditiions:

A. The father shall be entitled to visit and take the child into his custody every other Sunday from 10:00 o'clock a.m. on Sunday to 5:00 o'clock p.m. on Sunday, beginning September 12, 1993, for a period of three (3) months.

B. Holidays shall be defined as Christmas, Easter, Thanksgiving, Memorial Day, and Labor Day, Custody of the child shall be shared on the Christmas and Thanksgiving and in the absence of an agreement to wth contrary, the child shall be in the custody of the mother on Christmas and Thanksgiving until 1:00 o'clock p.m. and in the custody of the father on the aforesaid holidays from 1:00 o'clock p.m. until 5:00 o'clock p.m. The child shall be in the custody of mother every Easter Sunday and in the custody of father every Memorial Day and Labor Day from 10:00 o'clock a.m. to 5:00 o'clock p.m.

C. Beginning December 4, 1993, the father shall be entitled to visit and take the child into his custody every other weekend from 10:00 o'clock a.m. Saturday mornign until 5:00 o'clock p.m. Sunday evening.

D. Beginning with the Summer of 1994, the child shall be in the custody of the father for a period of two (2) separate one (1) week periods. The father shall give the mother at least thirlty (30) days notice of the dates of the Summer visits.

E. Transportation of the child on weekends, holidays and Summer visits shall be equally divided between the parties, with the parent receividng custody providing transportation.

F. Neither mother nor father shall say or do anything in an attempt to turn the child against the other parent, but on the other hand shall do everything in the power of each to foster a favorabel and loving attitude on the part of the child towards both parents.

G. Neither mother nor father shall expose the child to any person or situation which may be harmful to the child's health or well being. Father shall not consume alcohol when the child is in his custody.

H. Both parents agree to inform the other immediately of any illness or injury regarding the child and both parents agree to furnish the other with a current telephone number, or a number where they can be reached.

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 dte hereof.

IV. Cost of the mediation conference will be divided as follows: The father shall pay one-half and Crawford County shall pay one-half. The Prothonotary of Crawford County is hereby directed to refund one-half of the deposit paid in advance by the Plaintiff, less the cost of the custody order. Anthony J. Vardaro, J.
Sept. 22, 1993 copy to G. Keenan, B. Lindsay, J. Fuller, PLf. & Dft.

April 15, 1994 Emergency Petition To Transfer Custody Pending Mediation and ORDER filed. AND NOW, this 15 day of Aprio, 1994, upon presentation and consideration of the within Petition, it is denied.

By the Court:
Anthony J. Vardaro, J.
April 19, 1994 Copy of Order to ATtys. Gregory Keenan and Brian Lindsay.

Apr. 14, 1994 Motion To Refer Back of Custody Mediator and Order filed. AND NOW, this 13 day of April, 1994, upon consideration of Plaintiff's Motion, said Motion is granted. This matter is hereby referred back to the mediator, John Fuller, Esquire, for further mediation.
BY THE COURT:
Anthony J. Vardaro, J

Apr. 19, 1994 Copies to Atty's Keenan, Linday and Fuller

Record Continued on Page 460

1993

Barbara J. Walton

525.

May 26, 1993 $150.00
deposited by Plaintiff
9-13-93 Pd Atty Bail
med dep Ck#7776 $101.57
9-22-93 Pd Co Ck#7794
Mediation 39.43

DENNIS BOWERS

vs.

ANGEL L. BOWERS

Filed May 26, 1993
@ 2:42 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	20.00
Pro Co Pd 9-22-93 Ck#7795	9.00

COMPLAINT FOR CUSTODY

Order:

You, Angel L. Bowers, have been sued in court. If you wish to defend against the claims set forthinthe following pages, you must take prompt action. These proceedings may affect your child custody and/or vistiation rights.

You are ORDERED to appear for a hearing, as soon as hearing can be scheduled, before Bruce Smith, Esq., Child Custody Mediator, at such time and place as he shall designate.

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

Until mediation hearing is held, neither party shall remove the children from Crawford County, Pennsylvania.

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

Crawford County Bar Association
Service to the Public Committee
C/O Prothonotary, Courthouse
Meadville, Pennsylvania 16335
(814) 724-4636

By the Court,
Gorodn R. Miller, J

June 23, 1993 Complaint Reinstated.

July 15, 1993 Sheriff's Return and Affidavit of Service filed. Before me the undersigned authority personally appeared Kenneth Klakamp Deputy Sheriff to Larry E.Kopko Sheriff of the County of Warren, Commonwealth of Pennsylvania who being duly sworn according to law deposes and says that on the 7th day of July, 1993 A.D. at 1:55 P.M. he served the captioned COMPLAINT upon Angel L.Bowers at her place of residence, RD#1, Fiddler Green Rd., Grand Valley, Warren County, Pennsylvania by handing to and leaving with the said Angel L. Bowers, a certified copy with notice to plead endorsed thereon,and by making known unto her the meaning of the contents therein.

K. L. Klakamp, Deputy Sheriff
So answers: Larry E.Kopko, Sheriff

See Affidavit of Service endorsed hereon by Sheriff of Warren County, Pennsylvania, which is part of this return.

So answers: Robert M.Stevens, Sheriff, Crawford County, PA

August 12, 1993 Stipulation and Consent to Entry of Custody Order filed.

August 12, 1993 CONSENT CUSTODY AGREEMENT filed. And Now, this 10th day fo August, 1993, upon presentation of the Stipulation and Consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED and DECRED that:

1. Primary physical custody of the parties'minor children, DENNIS J. BOWERS, age 4, WILLIAM F. BOWERS, age 3, and ASHLEY N. BOWERS, age 6 months, shall be with the Father, DENNIS BOWERS, at his home, RD 2, Box 1860½, Spartansburg, PA.

2. Secondary custody of the minor children shall be with the Mother, ANGEL L. BOWERS. The Mother shall have the right of visitation and temporary physical custody with the children every other weekend from Friday at 6 p.m. until Sunday at 6 p.m. begining Friday, August 20, 1993. The Fther shall have the alternate weekends.

3. In addition to the above visitation, the Mother shall have physical visitation with the minor child ASHLEY from Sunday at 6 p.m. until Friday at 6 p.m. each week. The parties agree and understand that this is only visitation; if at any time the Father reasonably believes that the minor child ASHLEY is being abused or neglected, he shall have the right to terminate the weekday visits and return to the weekend schedule.

4. Each party shall teach said children to give to the other party that love and espect which is due a parent from his or her childeren.

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

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

8. Neither party shall be under the influence of illicit drugs or alcohol while the children re in their custody, nor allow others to care for the children while under the influence of drugs or alcohol.

9. The parties to this action agree that this Honorable Court retainjurisdiction of this matter.

By the Court:
Anthony J. Vardaro, J.

Aug. 20, 1993 Copy of Order to Atty. Barbara Walton.

Aug. 23, 1993 STIPULATION AND CONSENT TO ENTRY OF CUSTODY ORDER AND CONSENT CUSTODY AGREEMENT filed. And Now, this 10th day of August, 1993, upon presentation of the Stipulation and Consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED and DECREED that:

1. Primary physical custody of the parties, minor children, DENNIS J. BOWERS, age 4, WILLIAM F. BOWERS, age 3, and ASHLEY N. BOWERS, age 6 months, shall be with the Father, DENNIS BOWERS, at his home, RD 2, Box 1860½, Spartansburg, PA.

2. Secondary custody fo the minor children shall be with the Mother, ANGEL L. BOWERS. The Mother shall have the right of visitation and temporary physical custody with the children every other weekend from Friday at 6 p.m. until Sundy at 6 p.m. beginning Friday, Aug. 20, 1993. The Father shall have the alternate weekends.

RECORD CONTINUED ON PAGE 497

1993

Jorden & White
William T. Jorden

526.

Culbertson, Weiss,
Schetroma & Schug, P.C.
John B. Brautigam

GEORGE JACOB TRUCCO and
SUSAN M. TRUCCO, his wife

vs.

DAVID A. NORTON

Filed May 26, 1993
@ 4:12 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Pd 11/1/95	6.00

COMPLAINT IN CIVIL ACTION
1 copy atty.

June 1, 1993 Notice of Service of Interrogatories Directed to Defendant David A. Norton, filed.

Feb. 16, 1994 Appearance of Culbertson, WEiss, Schetroma and Schug, P.C. by John B. Brautigam for Defendant, filed.

May 12, 1994 Answer and New Matter, filed.

May 27, 1994, Plaintiffs' Answer to New Matter filed.

Jun. 13, 1994 NOtice of Service of Interrogatories and Request for Production of Documents Directed to Plaintiffs filed.

Jun. 13, 1994 Certificate of Service filed. The undersigned hereby certifies that Answers to Plaintiffs' Interrogatories (First Set) were served by first class mail upon William T. JOrden, Esquire, Attorney for Plaintiffs, on the 13th day of June, 1994, by forwarding him a copy of said Answers.
June 13, 1994 John B. Brautigam, Esquire

Oct. 20, 1994 Notice of Filing Answers To Defendant's Interrogatories, filed.

Apr 6, 1995 Notice of Taking Deposition on Oral Examination of George Jacob Trucco, filed.

Apr. 20, 1995, Notice ofTakingDepositions on Oral Examination Under Pa. R.C.P. No. 4007.1 filed.

Oct. 5, 1995, Notice of Intention to Complete Discovery filed.

Oct. 31, 1995, Upon praecipe of plaintiff attorney, for value received and upon payment of costs, the above captioned action is marked settled and discontinued of record.

1993

Pepicelli, Youngs & Youngs, PC
Andrew S. Bacallao

527.

James R. Irwin

DANIEL C. JESSE

vs.

DIANNE L. JESSE

Filed May 26, 1993
@ 4:18 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts pd	30.00
State paid	10.00
Pro Co pd 12-7-93	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, CHILD CUSTODY

May 27, 1993, Affidavit of Service filed. I, andrew s. Bacallao, hereby certify that I have served the Complant in Divorce in the within case by personally handing a copy of same and making contents known to dft. at her place of business, greenwood Pharmacy Linesville, Pa. this the 27 day of May 1993. Andrew s. Bacallao.

Sept. 2, 1993 Affidavit of Consent of Defendant, filed.

Sep. 10, 1993 Affidavit of Consent of Daniel C. Jesse, Plaintiff, filed.

Dec. 3, 1993 CONSENT ORDER filed. AND NOW, the 29th day of November, 1993, by mutual agreement of the parties, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

1. Legal custody of Daniel H. Jesse and Teresa M. Jesse shall be shared between Fat her and the Mother, the Plaintiff and Defendant herein, that is, each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions effecting the children such as the education, medical treatment and religious instruction of the subject children.

2. Physical custody of Deaniel H. Jesse and Teresa M.Jesse shall be with their Mother, subject to the following conditions:

a. Father shall have liberal visitation as agreed by the parties.

b. Parents shall alternate holidays and birthdays.

c. Transportation of the children on such visitations shall be equally divided between the parties with the parent receiving custody providing the transportation.

d. Neither Mother nor Father shall say or do anything in an attempt to turn the children against the other parent, and that each parent shall do everything in the power of each to foster a favorable and loving attitude on the part of the children towards both parents.

ê. Neither Mother nor Father shall expose the children to any person or situation which may be harmful to the children's health or well-being.

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

g. Parents shall contact each other directly regarding important matters involving the children and shall not utilize the children to carry messages back and forth.

h. Mother's Day with Mother; Father's Day with Father.

i. At such other times as the parties may mutually agree.

BY THE COURT:
Gordon R. Miller, J.

12-10-93 Copy of Order to Attys. Bacallao & Irwin.

Dec. 7, 1993 Upon praecipe of Plaintiff's attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

Dec. 14, 1993 STIPULATION and DECREE. AND NOW, this 20 day of December, 1993, the Court orders and decrees as follows:

1. DIVORCE:

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

2. REAL ESTATE:

The Plaintiff and Defendant have mutually agreed and sold the marital residence being the same land conveyed to both parties as husband and wife by deed recorded Sept. 5, 1979 in Crawford Co. Deed Book 525, Page 1049. The net proceeds after payment of all related marital debts and debts involving this property shall be divided between the parties as set forth in Paragraph 5 of this Decree.

3. VEHICLES:

a) Plaintiff shall retain the 1991 Chevrolet Lumina. Plaintiff shall execute all necessary documentation to refinance the existing auto installment loan solely in his name. Defendant shall be released from any and all liability on and for the existing vehicle held by the Plaintiff. Defendant shall become the sole and exclusive owner of the 1986 Ford Tempo motor vehicle, and Plaintiff shall be released from any and allliability on and for the existing vehicle held by the Defendant. Any title and/or documentation necessary for transfer of said motor vehicles shall be executed by the parties within five (5) days of the date of the divorce decree.

4. TANGIBLE PERSONAL PROPERTY

a) Plaintiff hereby transfers to the Defendant, all right, title and interest he may otherwise have in the tangible personal property now currently in the possession of the Defendant.

b) Defendant hereby transfers to the Plaintiff, all right, title and interest she may otherwise have in the tangible personal property now in the possession of the Plaintiff.

c) Plaintiff and Defendant shall keep as her or his sole property, free and clear of any interest of the other party, all of the funds on deposit held by the Plaintiff or Defendant in any bank or depository or safety deposit box and standing in his or name as of the signing of the Stipulation.

(FOR FURTHER INFORMATION SEE PAPERS FILED).

BY THE COURT,
Anthony J. Vardaro, J.

1993

Devine & Kuftic
David R. devine
Elizabeth Malc

528.

Michael Walleday
~~Paul Allen~~
~~Elizabeth Prather~~

Barrett & Dratler
Bruce A.Barrett

May 27, 1993 $150.00 deposited by plaintiff for mediation

6-29-93 Pd Plff Refund Bal med dep Ck# 7642 65.00

8-17-93 Pd Co Com, med fee Ck# 7729 76.00

3-1-94 Rec from plff med deposit $150.00

6-15-94 Pd Plff Bal med fee Ck# 8378 66.00

2-27-95 Rec'd from Plff med fee 150.00

3-21-95 3-2195CB. 75.00 med

4-17-95 Pd Plff med. refund 29.27

5-8-95 Pd Co 4911(c) 111.73

7-9-98 Rec'd from Dept med fee 200.00

10-21-98 Pd dept refund 46.13

10-21-98 Pro Co Pd 146.87 med

FREDERICK T. DZARA, JR.

vs.

VICKIE L. DZARA

Filed May 27, 1993
@ 1:48 PM

Tax & entry paid 50.50 ✓
User's Fee paid 5.00
William Pineo, Mediator 152.00
Pro Co Pd 8-17-93 Ck# 7730 9.00 ✓
John Fuller, Mediator 150.00
Pro Co Pd 3-21-95 9.00 ✓
Kathleen Nelson, Mediator 223.46
Pro Co Pd 5-8-95 9.00 ✓
Pro Co Pd 10-21-98

COMPLAINT FOR CUSTODY
1 copy atty.
1 copy mediator

Order:

You, Vickie L. Dzara, Defendant, have been sued in Court to obtain custody rights of the minor children, Quinten Elliot Dzara and Faith Aileen Dzara.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator William PIneo, Esq., for a mediatio 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 theCourt 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 Administration
Court House
Meadville, PA 16835
(814) 336-1151, ext. 298

Date: May 20, 1993 Gordon R. Miller, J

Order:

It is hereby Ordered, Adjudged and Decreed this 19th day of May, 1993, that William Pineo, Esq. has been appointed Custody Mediator in this case.

Gordon R. Miller, J

June 28, 1993 TEMPORARY ORDER filed. AND NOW, this 25th day of June, 1993, after Mediation in the above referenced matter and upon the recommendation of the Child Custody Mediator.

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor children, Quinten and Faith Dzata.

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

3a. The plaintiff father shall have primary physical custody of the subject minor children from 6:00 p.m. of October 15 of each year through 6:00 p.m. of April 16 of the following year, and the mother shall have primary physical custody from 6:00 p.m. of April 16 of each year through 6:00 p.m. of the following October 15.

b. The party not having primary physical custody shall have the right of visitation and temporary physical custody each weekend, except for the last full weekend of each month, from Friday at 6:00 p.m. through Sunday at 6:00 p.m.

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

4. The parties have indicated to the Custody Mediator that they will be able to arrange the holiday visitation schedules.

5. Should it be necessary for either party to cancel or modify the visitations as set out in this Order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

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

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

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

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

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

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

12. Costs and fees of this Mediation,which are fixed at $152.00 are divided equally between the parties. The mediator notes for the court that the mother is indigent so her share is assessed to Crawford County.

13. The deposit required for the appointment of the custody mediator was made by the father. The deposit shall first be applied against the father's share of costs and the remainder shall be remitted to h im.

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.

July 1, 1993 cooy to D. Devine, W. Pineo, P. Allen, Plf. & Dft.

Continued on Page 78A

Frederick t. Dzara
vs.
Vickie L. Dzara

CONTINUED FROM PAGE 78
of Record
A.D. 1993 - 528

****

Mar. 2, 1994 Complaint for Modification of Custody Privileges and Order, filed. ORDER: You, VICKIE L. DZARA, have been sued in Court to obtain custody of QUINTEN DZARA and FAITH DZARA.

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

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

Date: March 2, 1994 Gordon R. Miller, P.J.

Mar. 8, 1994 copy to D. Devine, P. Allen & J. Fuller

Apr. 14,1994 ORDER filed. AND NOW, April 13,1994 paragraphs 1 through 11 of the order of June 25, 1993 are continued in full force and effect, with the following additional provisions:

1. Mother shall not move from her present residence with the children without prior court order authorizing such a move.

2. When the children are in mother's physical custody, mother shall not permit a male visitor,not related to her by blood or marriage, to be in her home after 8:00 o'clock p.m. on any day.

3. Mother's attorney shall arrange a mental health evaluation of the family for the purpose of determining what custodial arrangement is in the best interest of the children. Copies of the evaluation shall be furnished to mother's attorney and father's attorney.

4. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within ten (10) days of the date hereof, provided, however that this order is entered without prejudice to the right of either party to request a further mediation conference after receipt of the mental health evaluation referred to above.

5. Cost of the mediation conference shall be divided with father paying one-half (½) thereof and Crawford County paying one-half (½) thereof. The Prothonotry of Crawford County is authorized to refund to the Plaintiff the remainder of the deposit paid by the Plaintiff, less the costs set forth herein. Anthony J. Vardaro, J.

Apr. 20, 1994 copy to E. Malc, E. Prather, P. Allen, J. Fuller, Plf. & Dft.

Apr. 19, 1994 Exceptions to Temporary Order and ORDER filed. AND NOW, this 18 day of April,1994, it is hereby ORDERED, ADJUDGED, and DECREED, that a hearing de novo on this matter shall be held before the Court of Common Pleas of Crawford County, Pennsy lvania on the 10th day of June, 1994 at 1:30 p.m. in Courtroom No.1 or 2, Crawford County Courthouse, Meadville, Pennsylvania.

By the Court,
Anthony J. Vardaro, J.

4-21-94 Copy of Order to Attys. Devine, Allen & Fuller, Malc & E. Prather

June 14, 1994 Motion For Continuance, filed.

June 14, 1994 Motion For Termination of Representation Pursuant to Rule 1.16(a)(3) of The Rules of Professional Conduct and Order, filed. AND NOW, June 10, 1994 on Motion for Termination of Representation Pursuant to Rule 1.17(a)(3) of the Rules of Professional Conduct, it is hereby ORDERED, ADJUDGED and DECREED that representation shall be terminated pursuant to rule 1.17(a)(3) of the Rules of Professional Conduct.

By the Court,
Anthony J. Vardaro, J.

June 14, 1994 Faxed to E. Prather & Malc
June 21, 1994 Faxed to Allen & Fuller

June 14, 1994 ORDER, filed. AND NOW, June 10, 1994 this matter is before the Court for hearing with regard to the Defendant's petition for alimony pendente lite, counsel fees, costs, and expenses and with respect to Plaintiff's request for a de novo custody hearing.

Both parties appear represented by counsel, but the Defendant indicates that she wishes to seek new counsel and her attorney has requested to terminate her representation which we have granted this day.

In order to give the Defendant an opportunity to consult counsel, we will continue this matter upon motion of the Attorney for the Defendant. Both matters are therefore scheduled for August 8, 1994 at 1:00 p.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse.

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

June 14, 1994 Faxed E. Prather & Malc
June 21, 1994 Faxed Allen & Fuller

Jul.13, 1994 Appearance of Barrett & Dratler by Bruce A. Barrett, Esquire, Attorney for Defendant, filed.

Aug. 10, 1994 ORDER filed. AND NOW, August 8, 1994 at the time fixed for hearing in this matter, the parties spent several minutes discussing a settlement and arrived at a settlement of the custody and visitation portion of their dispute. Apparently, they have agreed to the consent agreement that was prepared by counsel for the Plaintiff with the deletion of Paragraphs 3 (b) 4(b). Accordingly, the Court orders that counsel for the Plaintiff shall prepare a consent agreement with paragraphs 3 (b) and 4 (b) deleted and shall submit it to counsel for his review. Both parties shall sign a stipulation agreeing to the consent agreement either by a separate stipulation or by signing the agreement. Once that is done, it shall be submitted to the Court and the Court will adopt said agreement as ordered by stipulation. All of this shall be done as soon as possible and the consent agreement shall be submitted to the Court within 10 days from this date.

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

Aug. 10, 1994 Copies of Order distributed to Attys. Malc and Barrett.

Aug. 19, 1994 Consent Agreement and ORDER filed. AND NOW, this 19 dayof August, 1994, it is hereby ORDERED, ADJUDGED, and DECREED that the Consent Agreement, herein attached, entered into by the parties on August 8, 1994, shall be entered as an Order of Court.

Anthony J. Vardaro, J.

8-22-94 Faxed to Attys. Barrett, Malc, Fuller, Allen & E.Prather

Feb. 22, 1995 Petition for Special Relief filed .

FEb. 23,1995 ORDER filed. AND NOW, February 22,1995 this matter is before the Court in Motions Court with counssel and the parties present pursuant to a petition for special relief filed under Local Rule 1915.13.

Essentially, this matter is scheduled for a hearing for a modification of existing custody order which was entered by way of a consent agreement dated August 8, 1994.

At the time of this hearing, it appears that the minor child Faith, pursuant to that consent agreement, was primarily in the custody of the Defendant, and the minor child Quention was primarily in the custody of the Plaintiff.

On the weekend of February3d, 1995, which was the Plaintiff's weekend to have Faith temporarily in his custody, the Defendant did not pick up Faith at the end of that period of temporary physical custody because apparently she was staying in an Erie motel due to some sort of a confrontation between a Harold Rosenberg in whose residence she resided and does reside again, and another individual.

Continued to Page 78 B

Essentially, she did not request custody back with respect to Faith until February 20th, 1995 and the Plaintiff has retained custody of Faith pending the presentation of this motion.

Under the facts that are presented, we enter the following temporary order, which is intended to modify the consent agreement entered on August 8th, 1994 to the extent that it does so. In all other respects, that consent agreement shall remain infull force and effect and this order is not intended to give any guidance to a child custody mediator or the Court with respect to a final disposition of this matter at the time there is a mediation or a de novo hearing.

Accordingly, it is recognizing those conditions, ordered as follows:

1. Primary physical custody of Quention Dzara and Faith Dzara shall remain with the Plaitniff father pending mediation and further order of Court.

2. The Defendant,Vickie L.Dzara,so long as she resides at R.D.#2, Box 138-AA, Cambridge Springs,Pennsylvania shall have temporary physical custody of both children each weekend from Friday at 6:00 p.m.until Sunday at 6:00 p.m.

3. No party shall remove the children from the Commonwealth of Pennsylvania pending the mediation conference and any further order of Court. So that it is clear, that means that the children shall not be removed from the Commonwealth of Pennsylvania either individually or together.

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

2-23-95 Copies dist.to Malc & Barrett

Feb. 24, 1995 Complaint for Modification of Custody Privileges and NOTICE AND ORDER TO APPEAR filed. You, Vickie L. Dzara,have been sued in Court to obtain custody of Quentin Dzara and Faith Dzara.

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

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

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 Administraor
Courthouse, Meadville,PA16335
(814) 336-1151,ext.298

Date: 2/23/95 Anthony J.Vardaro, J.

2-27-95 Faxed to Attys. Malc,Nelson, Prather, Fuller &Barrett

Apr 13, 1995 TEMPORARY ORDER, filed. AND NOW, April 13, 1995, after Mediation and upon the recommendation of the Child Custody Mediator, it is Ordered and Decreed as follows:

1. Legal custody of the subject minor children, Quentin Dzara and Faith Dzara shall be shared by teh Father and Mother, the parties to this action, with each parent entitled to full access to any records relating to the children held by a third party including, but not limited to school records and medical records and each parent shall have equal input regarding important decisions affecting the children such as education, religious instruction and medical treatment.

2. Primary physical custody of Quentin and Faith Dzara shall be with their Father, subject to teh following conditions:

a. The Mother shall be permitted to visit and take the children into her temporary physical custody every weekend from Friday at 6:00 p.m. until Sunday at 6:00 p.m.

b. Holiday visitations shall be arranged as follows:

i. The parties shall agree between themselves as to how the holidays shall be divided. In the absence of an agareement, the children shall be in the custody of their father on all holidays until 2:00 p.m.,and in the custody of their mother on all holidays from 2:00 p.m. until 10:00 p.m.

ii. The children shall spend Mother's Day with their mother from 9:00 a.m. until 6:00 p.m. and Father's Day with their father during the same hours.

iii. The visits between the mother and the children as set forth above shall not take place if the mother is resideing with Harold Rosenberg.

3. Transportation of the children on weekends and holidays shall be shared between the two parties with the party receiving custody of the children to provide transportation.

4. Neither parent shall use illegal drugs or alcohol at any time when that parent has the care and custody of the subject minor children.

5. Neither parent shall say or do anything in an attempt to turn the children against the other parent, nor shall either parent permit others to do so, but rather each parent shall do everything in their power to promote a favorable and loving attitude on the part of the children towards both parents.

6. Neither parent shall expose the children to any person or situation which may be harmful to the health, safety or well being of the children.

7. Each parent shall inform the other parent immediately of any illness or injury regarding the children and both parents shall furnish the other with a current address and telephone number.

8. Both parties shall take Faith to all medical treatments and appointments with father providing all transportation in regard to same.

9. As both parties have agreed to obtain mental health evaluations for themselves and the children, and as Audrey Smith has previously counseled with this family, the mother shall arrange for mental health evaluations of the family and counseling, if necessary, first by contacting Audrey Smith and if Ms. Smith is not abailable or able to provide services to the family, then mother shall contact a mental health professional of her own choosing to provide the said evaluations and all counseling deemed necessary.

10. The parties shall make every attempt to communicate directly with each other regarding their children and shall avoid involving third parties in the communication process.

11. The parents are encouraged to make additional or alternative arrangements regarding physical custody of the children and may modify the herein custody arrangements if said modifications are by mutual consent only; otherwise, the provisions contained herein shall govern.

12. The cost of the mediation conference shall be equally divided between the parties. The deposit paid in advance by the Father shall first be applied to his share of the costs and the remainder refunded to him, less the cost of the court order.

13. This Order is a Temporary Order but shall become a Permanent Order unless exceptions thereto are filed by either parent within 10 days of teh date hereof. Anthony J. Vardaro, J.

Apr. 26, 1995 copy to E. Malc, Plf. & Dft. Faxed K. Nelson

July 14, 1997 Petition For Civil contempt For Disobedience of Custody and/or Visitation Order filed. Legal lproceedings have been brought against you alleging you have wilfully disobeyed an order of court for custody.

If you wishe to deferd agianst the claim set forth in the following pages, you may but are not required to file in writing withthe court your defenses or objections.

Whether or not you file in writing withthe court your deferses or objections, you must appear inperson in court onMon., August 11, 1997, at 8:45 o'clock a.m., in courtroom 2, Crwaford County Courthouse, Meadville, Pennsylvania. IF YOU DO NOT APPEAR IN PERSON, THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST.

If the court finds that you have wilfully failed ot comply with its order for cusotdy, you may be found to be in contempt of court and committed to jail, fined or both. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP. Court Administrator, Crawford County Courthouse, Meadville, Pennsylvania 16335
Telephone: (814) 333-7498
BY THE COURT,
Date: 7/11/97
Anthony J. Vardaro,J
2 copies dft.

Continued Pg. 78-C

528

FREDERICK T. DZARA
VS.
VICKIE L. DZARA

CONTINUED FROM PAGE 78-B
OF RECORD
A. D. 1993 - 528

****

Aug. 8, 1997 Answer to Contempt by Plaintiff filed.

Aug 19, 1997 ORDER: AND NOW, August 11, 1997, at the time set for a hearing on a Petition for Civil Contempt in this custody matter which has been filed on behalf of the Defendant, mother, the parties appear with counsel and indicate that based on agreed modifications to the Order of April 13,1995, the Petition for Contempt will b withdrawn at this time.

Accordingly, the Order of April 13, 1995 is modified as follows;

1. Whenever periods of temporalry physical custody occur with the Defendant, mother, if at all possible they shall occur at the home of her brother, Richard J. Woods, and shall beunder the supervision of eithe rMr. Woods or his wife. In the event Mr. or Mrs. Woods are not available to so participate, the Defendant shall still be entitled to a period of temporary physical custody so long as she is in an appropriate condition to exercise that period of temporary physical custody without supervision.

2. Here and after, the person who is receiving custody of the children shall provide the transportation on all occasions.

Anthony J. Vardaro, J.

Aug 19, 1997 Mailed Malc & Montagna
Aug 21, 1997 Faxed Nelson

July 6, 1998 PETITION FOR MODIFICATION OF A CUSTODY/VISITATION ORDER AND ORDER FILED. NOTICE AND ORDER TO APPEAR: YOU Frederick T. Dzara, have been sued in Court for Modification of Custody/Visitation Order.
You are Ordered to appear in person at such time and place as will be determined by the Mediator Kathleen Nelson, Esq. for a Mediation Conference.
If you fail to appear as provided by this order an Order for Custody, Partial Custody or visitation may be entered against you or the Court may issue a warrant for your arrest.
YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator, Courthouse
Meadville,PA 16335
Telephone No: (814)333-7498
ANTHONY J. VARDARO, J

Date: 7/9/98
7/10/98 Faxed Halliday, Malc, Barrett, DeVine

July 17, 1998 MOTION TO WITHDRAW APPEARANCE AND ORDER FILED. AND NOW, THIS 17th day of July, 1998 the above Motion is allowed.

GORDON R. MILLER, J.

7/17/98 FAXED MALC, HALLIDAY & BARRETT

August 10, 1998 ANSWER TO PETITION FOR MODIFICATION CUSTODY FILED.

October 5, 1998 Certificate of Completion of Separating parents seminar, filed. (Pltf)

Oct. 21, 1998 TEMPORARY ORDER filed. AND NOW, Oct. 20, 1998, after Mediation and upon the recommendation of the Child Custody Mediator, it is Ordered and Decreed as follows:

1) Legal custody of the subject minor children, Quentin Dzara and Faith Dzara, shall be shared by the Father and Mother, the parties to this action, with each parent entitled to full access to any records etc.

2) Primary physical custody of Quentin Dzara and Faith Dzara shall be with their Father. The Mother shall be entitled to temporary physical custody per court order.

Mother is hereby Ordered to register for, and complete, the Seminar for Separating Parents within sixty days from this Order or shall be subject to sanctions.

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

This Order is a temporary Order but shall become a permanent Order unless either parent files a request for a Hearing DeNovo within twenty days of the date hereof. (SEE ORDER FILED).

BY THE COURT:
Anthony J. Vardaro, J.

Oct. 22, 1998 FAXED Attys. Halliday, K. Nelson, E. Malc.

Dec 22, 1998 Certificate of completion of the Seminar for Separating Parents for Vickie L. Dzara, filed.

78
D-

19 93

1993

Elderkin, Martin,
Kelly & Messina
Kenneth G. Vasil

529.

SEARS, ROEBUCK and COMPANY

vs.

MILDRED HAGER

Filed May 27, 1993
@ 1:48 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	32.00
Pro Co pd 7-16-93	9.00
Pro Co. pd 10-4-93	6.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Jun.16, 1993 Sheriff's Return filed. SERVED Mildred Hager personally and in the presence of Donna Stimpson, Administrator of Operations at Wesbury Hospital, R.D.#3, Box 309, Conneaut Lake, crawford County, PA.

So answers,

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

And Now, July 16, 1993 at 1:23 p.m., upon praecipe of plaintiff attorney judgment is hereby entered in favor of the plaintiff and against the defendant for want of an answer and the same is liquidated at the sum of Four thousand Six hundred fifty-six and 02/100, plus interest at the rate of 1.50% per month from April, 1993, and costs of the action.

Entered July 16, 1993
H - 114

Debt: $4, 656.02 Plus Int. & Costs
JUDGMENT
Barbara H. King, Pro.

Sept. 28, 1993 Upon Praecipe of plaintiff attorney the above case is marked satisfied of record.

1993

Marsh, Spaeder, Baur
Spaeder & Schaaf
James E. Marsh, Jr.

530.
Robert S.Bailey
Shafer, Swick Bailey,
Irwin & Stack
Paul d. Shafer, Jr.
for dfts R. M. Power Sr.
Adm. of Est. of L. O
Reichard, Dec.

Brennan,Robins & Daley
Thomas A. Daley
& Thomas A. McCaffrey
for Deft.Dr.Kirk Reichard

12-22-93 Arro Forge-
Roberts Brief filed

ARRO FORGE, INC. and
DONALD L. ROBERTS

vs.

ROBERT M. POWER, SR.,
Administrator of the Estate
LEE O. REICHARD, Deceased
and DR. KIRK.W. REICHARD

Filed May 27, 1993
@ 1:49 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	45.00
Pro.Co. pd 8/31/95	5.00

WRIT OF SUMMONS
Issued Sheriff

June 4, 1993, Appearance of Shafer, Swick, Bailey, Irwin & Stack, by Paul d. Shafer, Jr. attorneys for Defendant Robert M. Power, Sr. Adm. of the Est. of Lee O. Reichard, Deceased, Only.

Jun. 16, 1993 Appearance of Brennan,Robins & Daley by Thomas A. Daley, Esquire and Thomas A. McCaffrey, Esquire for Dr. Kirk Reichard,Defendant filed.

June 18, 1993 Writ Return filed. SERVED Robert M. Power, Sr., on June 3, 1993, at 3:01 PM by handing a copy of the Summons to Attorney Paul Shafer, his Auth;orized Agent, at his office, 360 Chestnut Street, Meadville, Crawford County, PA. Signed Acceptance of Service attached.
SERVED Dr. Kirk W. Reichard by Certified Mail at his last known address of 1416 West Farwell Avenue, Chicago, Illinois 60626. Served on June 10, 1993, signed Return Receipt attached.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

July 23, 1993 Praecipe for Rule to File Complaint issued.

Aug. 10, 1993 Complaint in Equity filed.

Aug. 30, 1993 Answer, New Matter, and Counterclaim filed.

Sept. 17, 1993 Reply To New Matter filed.

Sept. 17, 1993 Preliminary Objections To Countercliam of Defendant Dr. Kirk W. Reichard filed.

Sept. 17, 1993 Upon praecipe of Plaintiff Attorney the above Preliminary Objections are placed on the next available argument list.

1993 OCTOBER ARGUMENT LIST

Oct. 1, 1993 Answer and New Matter of Defendant Robert M.Power Sr. to Plaintiffs' Complaint in Equity, filed.

Oct.1, 1993 Affidavit of Service filed. I, ROBERT S. BAILEY, being first duly sworn according to law, depose and say that I am the attorney for Defendant, Robert M.Power, Sr., Administrator of the Estate of Lee O.Reichard and that as such, I am authorized to make this affidavit, wherein I did on the 1st day of October, 1993, send the Answer to Complaint in Equity and New Matter in the Nature of a Joinder of Additional Defendant under Rule 2252 (d), to the following addressees by first class mail, postage prepaid:

Dr.Kirk W. Reichard
1416 West Farwell Avenue
Chicago, Illinois 60626

ThomasA. Daley, Esquire
Thomas A. McCaffrey, Esquire
Brennan, Robins & Daley
Fort Pitt Commons, Suite 500
445 Fort Pitt Boulevard
Pittsburgh,PA 15219

James E.Marsh, Jr., Esquire
Marsh, Spaeder, Baur,
Spaeder & Schaff
Suite 300, 300 State Street
Erie, PA 16507

By: Robert S. BAiley, Esquire

Oct. 4, 1993 Answer to Preliminary Objections of Plaintiffs filed.

Oct. 19, 1993 Reply to New Matter of Defendant Robert M. Power, Sr., Filed.

Nov. 4, 1993 Notice of Deposition of Robert M. Power, Sr., filed.

Nov. 4, 1993 Notice of Deposition of Donald L. Roberts, filed.

Nov. 30, 1993, Motion for Protective Order filed.

Nov. 29, 1993, MEMORANDUM AND ORDER filed. AND NOW, Nov. 29, 1993, depositions scheduled by the defendant DR. Kirk W. Reichard for Tues., Nov. 30, 1993 at 9:30 a.m. at some or all of the above captioned numbers are postponed to be rescheduled as necessary and consistent with any orders ofthis court once we have decided the plaintiffs motion for protective order filed at AD 1993 - 530 and AD 1993 - 532. The court Administrator is directed to list those motions for argument on the Dec. 1993 argument list.

We note that we do not have a motion currently before us with regard to continuing the Orphans Court matter set for Dec. 7, 1993 at 9:00 a.m. in C. R. No. 2 and that we have not heard from the attorney for Robert M. Power, Sr., administrator of the estate of Lee O. Reichard, deceased, with regard to this matter or the other matters but that the attorney for Dr. Kirk W. Reichard has respresented that he will need information he intends to obtain from certain depositions which have now been postponed in order to proceed on Dec. 7, 1993 and therefore in the interest of allowing what appears will be an all day hearing with regard to the Orphans Court matter to proceed smoothly we sua sponte continue that matter to be reset by motion of any party once we have resolved the matters set forth in plaintiffs motions for protective orders at AD 1993 - 530 and AD 1993 - 532.

BY THE COURT,
Anthony Vardaro, J.

Nov. 29, 1993, copies dist. by court.

Continued to Page 80 A

1993

ARRO FORGE, INC. and
DONALD L. ROBERTS
vs.
ROBERT M. POWER, SR., Administrator of the Estate of Lee O.Reichard, Deceased, and Dr. Kirk W. Reichard

Continued from Page 80
of Record
AD 1993 - 530

****

Dec. 8, 1993 MEMORANDUM AND ORDER filed. AND NOW, December 7, 1993, Plaintiffs' preliminary objections to the counterclaim of Defendant Dr. Kirk Reichard are denied.

BY THE COURT:
Anthony J. Vardaro, J.

12-8-93 Copies dist. by Judge's Sec.

Dec. 30, 1993 Answer and New Matter to Counterclaim of Defendant,Dr.Kirk W. Reichard, filed.

Jan. 12, 1994 Motion to Transfer Case from Legal Side to Equity Side of Court filed.

Jan. 12, 1994 ORDER filed. AND NOW,January 12, 1994, upon motion of the Plaintiff(s) in this matter, the Prothonotary of Crawford County is ordered and directed to transfer this case to the equity side of the court and to therefore give the case an equity number.

This order is without prejudice to any party to request a jury trial with respect to any law issues provided that the right to such a jury trial has not been waived in any other manner it being the Court's intention that the right to a jury trial with respect to law issues not be waived simply because this case has been transferred from the law side of the court to the equity side.

BY THE COURT:
Anthony J. Vardaro, J.

1-12-94 Copies dist.

TRANSFERRED TO EQUITY 1994 - 1 Per Attached Court Order

Aug. 29, 1995 Upon Praecipe of Ritchie T. Marsh, Attorneys for Plaintiffs the above action settled and discontinued, as the parties hereto have amicably settled the within matters, filed.

1993

1993

531.

LINDA RAE KEARNS

vs.

GORDON E. KEARNS

Filed May 27, 1993
@ 1:49 PM

Tax & entry 6-3-93 50.50
User's Fee 6-3-93 5.00

6-3-93 Rec Sheriff cost from Dept 38.00

Pro Co Pd 6-3-93 5.00
Sheriff Pd 38.00

6-3-93 Pd Sheriff Chk # 7578 38.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

Order:

And now, this 27th day of May , 1993 , 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 Plaintiffs residence or work place. Defendant wont contact Plaintiff. Temporary custody of the children is awarded to Plaintiff.

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

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

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

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

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

8. The court reserves ruling on allocation of fees and costs. Hearing is hereby set for June 3, 1993 , at 11:30 a. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

June 1, 1993 Sheriff's Return filed. Not served. Six attempts were made, Plaintiff cancelled. So answers, Robert M. Stevens, Sheriff

June 4, 1993 MOTION TO VACATE PROTECTION FROM ABUSE ORDER and ORDER, filed. ORDER: AND NOW, THIS 4 DAY of June, 1993 upon receipt and review of the plaintiff's motion to vacate and terminate the Protection from Abuse Order of May 27, 1993, said motion is granted and the Protection from Abuse Order is hereby vacated and terminated.

A true and correct copy of this Order shall be delivered by the Prothonotary to Gordon E. Kearns and to County Control.

Any provisions of the Protection from Abuse Order of May 27, 1993 assessing court costs shall remain in full force and effect without change or modification and the party or parties against whom costs were assessed shall remain obligated to pay the costs. BY ORDER OF COURT
Anthony J. Vardaro, J.

June 14, 1993 copy to Co Control and Dft. Also Police

1993

Marsh, Spaeder, Baur
Spaeder & Schaaf
James E. Marsh, Jr.

532.

Robert S.Bailey
Shafer, Swick, Bailey,
Irwin & Stack
Paul d. Shafer, Jr.
for dfts. R. M. Power Sr.
Adm. of Est. of L. O.
Reichard dec.

Brennan,Robins & Daley
Thomas A.Daley &
Thomas A.McCaffrey
for Deft.Dr.Kirk Reichard

12-22-93 Brief of Robert Zelep

DONALD L. ROBERTS

vs.

ROBERT M. POWER, SR.,
Administrator of the Estate
LEE O. REICHARD, Deceased
and DR. KIRK W. REICHARD

Field May 27, 1993
@ 1:49 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	45.00
Pro.Co. pd 8/31/95	5.00

WRIT OF SUMMONS
Issued Sheriff

June 4, 1993, Appearance of shafer, swick, bailey, Irwin & Stack, by Paul D. Shafer, Jr. attorneys for defendants Robert M. Power Sr. Adm. of the Est. of Lee O.Reichard, Deceased, only.

Jun.16, 1993 Appearance of Brennan,Robins & Daley by Thomas A. Daley,Esquire and Thomas A. McCaffrey,Esquire for Dr. Kirk Reichard, Defendant, filed.

June 17, 1993 Writ Returned filed. SERVED Robert M. Power, Sr., on June 3, 1993 at 3:00 PM by handing a copy of the Summons to Attorney Paul Shaffer, his Authorized Agent, as his office, 360 Chestnut Street, Meadville, Crawford County, PA. Signed Acceptance of Service attached.
SERVED Dr. Kirk W. Reichard by Certified Mail at his last known address of 1416 West Farwell Avenue, Chicago, Illinois 60626. Served on June 10, 1993, signed return Receipt attached.
So answers, Dale A. Collins, Deputy
Robert M. Stevens,
Sheriff

July 23, 1993 Praecipe for Rule to File Complaint issued.

Aug. 10, 1993 Complaint inEquity filed.

Aug. 30.1993 Answer and New Matter filed.

Sept. 17, 1993 Reply To New Matter filed.

Oct. 1, 1993 Affidavit of Service filed. I, ROBERT S. BAILEY, being first duly sworn according to law, depose and say that I am the attorney for Defendant, Robert M. Power, Sr.Administrator of the Estate of Lee O. Reichard and that as such, I am authorized to make this affidavit, wherein I did on the 1st day of October, 1993, send the Answer to Complaint in Equity and New Matter in the Nature of a Joinder of Addijtional defendant under Rule 2252 (d), to the following addressees by first class mail, postage prepaid:

Dr.Kirk W. Reichard
1416 West Farwell Avenue
Chicago, Illinois,60626

Thomas A.Daley,Esquire
Thomas A.McCaffrey, Esquire
Brennan, Robins & Daley
Fort Pitt Commons, Suite 500
445 Fort Pitt Boulevard
Pittsburgh, PA 15219

James E. Marsh, Jr., Esquire
Marsh, Spaeder, Baur,
Spaeder & Schaaf
Suite 300, 300 State Street
Erie, PA 16507

By: Robert S. Bailey, Esquire

Oct. 1, 1993 Answer and New Matter of Defendant Robert M.Power, Sr. to Plaintiffs' Complaint in Equity, filed.

Oct. 19, 1993 Reply to New Matter of Defendant Robert M. Power, Sr., filed.

Nov. 4, 1993 Notice of Deposition of Robert M. Power, Sr., filed.

Nov. 4, 1993 Notice of Deposition of Donald L. Roberts, filed.

Nov. 8, 1993 Stipulation on Correction to Answer of Defendant, Robert M. Power, Sr., filed.

Nov. 29, 1993, MEMORANDUM AND ORDER filed. ORDER: AND NOW, Nov. 29, 1993 depositions scheduled by the defendant Dr., Kirk w. Rwichard for Tuesday, Nov. 30, 1993 at 9:30 a.m. at some or all of the above captioned numbers and terms are postponed to be rescheduled as necessary and consistent with any orders of this court once we have decided the plaintiffs motion for protective order filed at AD 1993 - 530 and AD 1993 - 532. the court Administrator is directed to list those motions for argument onthe Dec. 1993 Argument list.
We note that we do not have a motion currently before us with regard to continuing the Orphans court matter set for Dec. 7, 1993 at 9:00 a.m. in C. r. No. 2 and that we have not heard from the atty. for Robert M. Power, sr., adm. of the Est. of Lee O. Reichard, deceased, with regard to this matter or the other matters but that the atty. for Kirk w. Reichard has represented that he will need information he intends to obtain from certain depositions which have now been postponed in order to proceed on Dec. 7, 1993 and therefore in the interest fo allowing what appears will be an all day hearing with regard to the Orphans Court matter to proceed smoothly we sua sponte continue that matter to be reset by motion of any party once we have resolved the matters set forth in Plaintiffs motions for protective orders at AD 1993 - 530 and AD 1993 - 532.
BY THE COURT,
Anthony J. VArdaro, J.
Nov. 29, 1993, copies dist. by court.

Nov. 30, 1993, Motion for Protective Order filed.

Dec. 17, 1993 Response to Motion for Protective Order filed.

Jan. 12, 1994 Motion toTransfer Case from Legal Side to Equity Side of Court, filed.

Jan. 12, 1994 ORDER filed. AND NOW, January 12, 1994, upon motion of the Plaintiff(s) in this matter, the Prothonotary of Crawford County is ordered and directed to transfer this case to the equity side of the court and to therefore give the case an equity number.
This order is without prejudice to any party to request a jury trial with respect to any law issues provided that the right to such a jury trial has not been waived in any other manner it being the Court's intention that the right to a jury trial with respect to law issues not be waived simply because this case has been transferred from the law side of t he court to the equity side.
BY THE COURT:
Anthony J. Vardaro

Continued to Page 82 A

1993

Donald L.Roberts
v.
Robert M. Power, Sr.,
Administrator of the Estate
Lee O. Reichard, Deceased,and
Dr.Kirk W. Reichard

Continued from Page 82
of Record
AD 1993 - 532

****

1-12-94 Copies dist.

TRANSFERRED TO EQUITY 1994 - 2 Per Attached Court Order

Aug. 29, 1995 Upon Praecipe of Ritchie T. Marsh, Esq. the above action is settled and discontinue as the parties hereto have amicably settled the within matters.

1993

David W. Pickens

533.

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

ALBERT EUGENE TUCCI

vs.

JANET MARIE TUCCI

Filed May 27, 1993
@ 2:50 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 1/6/94	9.00
Pro Co pd 2/28/94	5.00

COMPLAINT UNDER SECTION 3301(c) OR 3301(d) OF THE DIVORCE CODE
no copies

June 16, 1993 ACCEPTANCE OF SERVICE, filed. I, William F. Scarpitti, Jr., have this date accepted service of the Complaint in Divorce filed at Crawford County filed at A.D. 1993 - 533, on behalf of Janet M. Tucci, my client. Date: 6-2-93

Dec. 13, 1993 Affidavit of Consent by Albert E. Tucci, Plaintiff, filed.

Jan. 6, 1994 Affidavit of Consent by Janet M.Tucci, Defendant, filed.

Jan.6, 1994 Upon Praecipe of David W. Pickens, Esquire, Attorney for Plaintiff to transmit record, case moved to Court.

DIVORCE DECREE FILED

Jan. 17, 1994 AND NOW, Jan. 13, 1994, it is ordered and decreed that ALBERT EUGENE TUCCI, plaintiff, and JANET MARIE TUCCI, defendant, are divorced from the bonds of matrimony.

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

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

Feb. 28, 1994 Notice of Election To retake Maiden Name filed. Janet Marie Tucci TO BE KNOWN AS: Janet Marie O'Sullivan

84

1993

William J. Gregg
Kathleen R. Nelson

534.

DENISE L. HELIKER

vs.

CHRISTOPHER C. HELIKER

Field May 28, 1993
@ 9:10 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co Pd 11/8/93	9.00
Pro Co. pd 11/24/93	5.00

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

June 15, 1993, Affidavit of Service filed. Kathleen R. Nelson, Esq. being duly sworn according to law, deposes and says that the following facts are true and correct:

1. That the affiant is the atty. for plff. in the above action.
2. That a true and correct copy of complaint in divorce was sent by reg. mail to dft. on June 3, 1993.
3. The reg. mail was sent to Christopher Heliker, at R. d. #5, Box 82 Meadville, Pa. 16335. The sender's receipt attached.
4. That the dft. received said reg. mail on June 4, 993. said ret. rec. card P 238 202 306 is attached hereto, signed by dft. and made a part hereof. Kathleen Nelson Esq.

Sept. 1, 1993 Affidavit of Consent by Denise L. Heliker, Plaintiff filed.

Nov. 8, 1993, Affidavit of Consent of defendant filed.

Nov. 8, 1993, Upon praecipe of plaintiff attorney, to transmit the divorce record to court, this action moved to court.

DIVORCE DECREE FILED

Nov. 16, 1993 AND NOW, November 12, 1993, it is hereby ordered and decreed that DENISE L. HELIKER, plaintiff, and CHRISTOPHER C. HELIKER, Defendant, are divorced from the bonds of matrimony.

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

BY THE COURT:
Anthony J. Vardaro, J.

Nov. 24, 1993 Notice of Election to Retake Prior Name filed, to be known as Denise L. Lawrence.

1993

Robert P. Cocco

535.

Sean J. McLaughlin

LAKELAND MUTUAL INS., CO.

vs.

DYNAMARK CORP/LAWNMOWER DIV.

thi

Filed May 28, 1993
@ 2:04 PM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro Pd. 11/5/93	5.00

APPEAL OF DEFENDANT FROM DECISION OF DISTRICT JUSTICE WAYNE HANSON

May 28, 1993 Rule entered upon the Plaintiffs to file a Complaint issued.

June 2, 1993, Proof of Service filed.

July 26, 1993 Complaint - Civil Action filed.

Nov. 5, 1993, UPon praecipe of plaintiff attorney, this above captioned action is hereby discontinued and ended of record.

1993

Quinn, Buseck,
Leemhuis, Toohey
& Kroto, Inc.
Lawrence C. Bolla

536.

PNC BANK, N.A. formerly
MARINE BANK .

vs.

ANTHONY J. PHILLIPS

Filed May 28, 1993
@ 2:04 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	25.00
Pro Co Pd 7/15/93	9.00

COMPLAINT IN CIVIL ACTION
1 copy sheriff

June 7, 1993 Sheriff's Return filed. SERVED Anthony Phillips on June 3, 1993 at 9:27 AM by handing a copy of the Complaint to Lorie Phillips, his Wife, at their residence, 646 Madison Ave., Meadville, Crawford Co., PA.
So answers,

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

And Now, July 15, 1993, upon praecipe of plaintiff attorney, with default notice attached, JUDGMENT is hereby entered in favor of the plaintiff and against the defendant for want of an answer, in the amount of Eleven Thousand Nine Hundred Thirty One and 76/100 Dollars, plus interest from May 27, 1993 and costs.
Judgment entered
7/15/93
P - 11

Debt -----$11,931.76
INT. from 5/27/93
JUDGMENT
Barbara H. King,
Prothonotary

July 16, 1993, notice of entry of judgment mailed to dft.

Revived to AD1997-536

1993

Phillips & Galanter, PC
Donald L. Phillips

537.

GELVIN, JACKSON & STARR, INC.

vs.

THOMAS CRYTZER and JUDY CRYTZER i/ and as partners t/a INLET VALLEY GREENHOUSES & LANDSCAPING

filed May 28, 1993
@ 2:04 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	37.00
Pro. Co.pd 7/9/93	9.00
Sat Pd 6/11/98	5.00

EX1995-40

COMPLAINT IN CIVIL ACTION
3 copies atty.

Jun. 10, 1993 Sheriff's Return filed. SERVED Thomas Crytzer on June 3, 1993 at 1:44 PM by handing a copy of the Complaint to Judy Crytzer, his Wife, at their residence, R.D.#8, Box 366, Meadville, Crawford County, PA.

SERVED Judy Crytzer personally on June 3, 1993 at 1:43 PM by handing a copy of the Complaint to her at her residence, R.D.#8, Box 366, Meadville, Crawford County, PA.

SERVED Inlet Valley Greenhouse & Landscaping on June 3, 1993 at 1:45 PM by handing a copy of the Complaint to Judy Crytzer, Adult in Charge, at R.D.#8,Box 366, Meadville, Crawford County, PA.

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

And Now, July 9, 1993 at 1:30 P.M. upon praecipe of plaintiff's Attorney, with notice of Intention to file default judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendant in default of an answer sec.leg and the same is liquidated at the sum of Four thousand Seventy-one and 44/100 dollars, plus costs

C-164;C-94;I-183
Entered 7-9-93
Atty.Phillips

Debt $4,071.44
Interst from 3/1/93 on 43,987.72 of $83.72 included in debt.
Judgment
Barbara H. King
Prothonotary

June 11, 1998 This Judgment Satisfied. (see paper filed)

88

1993

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

538.

Mary Ann Kirkpatrick

DANIEL C. MINICK

vs

PAIGE M. MINICK

Filed May 28, 1993
@ 3:25 PM

Tax & entry paid	50.50
User'sFee paid	10.00
1 Add'l Count pd	15.00
state paid	10.00
Pro Co pd 7-27-93	9.00

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

May 28, 1993 Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code filed.

June 3, 1993, Affidavit of Service filed. I, James R. Irwin, 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 divorce cert. by the Prothonotary of Crawford County, Pa. on above named dft. by cert. mail, addressee only, ret. rec. req., dated May 28, 1993, The dft. acknowledged service on June 1, 1993 by accepting delivery as evidenced by attached.
James R. Irwin.

JUne 15, 1993, Defendants counter-Affidavit Under Section 3301(d) of the divorce code filed.

July 27, 1993 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 tht I served a true and correct copy of the Complaint in Divorce certified by the Prothonotary of Crawford County, Pennsylvania on the above named Defendant by certified mail, addressee only, return receipt requested, dated May 28, 1993. The Defendant acknowledged service on June 1, 1993 by accepting delivery on that date as evidenced by the attached signed return receipt.

July 27, 1993 NOTICE OF INTENTION TO REQUEST ENTRY OF DIVORCE DECREE, filed.

July 27, 1993 Upon praecipe of plaintiff attorney to transmit records, case moved to court.

DIVORCE DECREE FILED

August 3, 1993 AND NOW, this 2 day of August, 1993, upon consideration of the pleadings and affidavit filed in the abovecaptioned case, this Court hereby grants an absolute divorce from the bonds of matrimony to the abovenamed parties, on the grounds that the marriage is irretrievably broken and the parties , on the grounds that the marriage is irretrievably broken and the parties, have lived separate and apart for a period of at least two (2) years pursuant to Section 3301(d) of the PA. Divorce Code, and that timely Notice of Intention to Request Entry of Divorce Decree pursuant to PA. Rules of Civil Procedure 1920.42 and 1920.73 has been given to the Defendant.

It is further ordered that the parties' Separation and Property Settlement Agreement dated July 15, 1993, is incorporated herein and made a part hereof and shall be fully enforceable under the provisions of the Divorce Code.

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

1993

Joseph F. Kulwicki

539.

Peters, Lindsay, Lewis
& Hatheway
Edward J.Hatheway

TANIS R. STERLING

vs.

CARL ROBERT STERLING

Filed May 28, 1993
@ 3:52 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 3-22-95	9.00

DIVORCE COMPLAINT UNDER 3301(c)
1 copy atty.

June 2, 1993 Certificate of Service filed. Jennifer L. Heffern, being duly sworn according to law, deposes and says that she is employed by Joseph F. Kulwicki, Esq., attorney for the Petitioner, and as such on May 28, 1993, she placed a certified copy of Divorce Complaint in the U.S. Mail, addressed as follows: Mr. Carl Sterling, RD #1, Townville, PA 16360. Said Divorce Complaint was mailed certified mail, restricted delivery, being certified mail item number P 724 954 573. The signature card for said certified mail item was returned to the office of Joseph F. Kulwicki, Esq., bearing the signature of the Carl R. Sterling, as having received same on June 1, 1993. Said signature card is attached hereto and made a part hertof.

FURTHER DEPONENT SAITH NOT. Jennifer L. Heffern

Jan. 31, 1994 Affidavit of Consent of Plaintiff, filed. (2 cy atty)

Mar. 13, 1995 Affidavit of Consent by Carl R.Sterling, Defendant, filed.

Mar. 17, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

April 19, 1995 ORDER filed. This divorce matter has been referred to the Court for review and decree. The Court has reviewed the record and is returning the record to the Prothonotary. A final decree will not be entered at this time because:

__X__ Other: Per records in the Prothonotary's office, there is a divorce action pending at 1993-1298 which has not been discontinued of record. A divorce at this number and term cannot be entered until the divorce at 1993-1298 has been discontinued of record.

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

BY THE COURT:
Anthony J. Vardaro, J.

April 24, 1995 Order FAXED Attys. Hatheway, Lindsay.

Jul 24, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

August 1, 1995 AND NOW, July 31, 1995, it is hereby ordered and decreed that TANIS R. STERLING, Plaintiff, and CARL R. STERLING, 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.

1993

Swanson, Bevevino
& Millin, PC
Timothy R. Bevevino

540.

FIRST DEPOSIT NATIONAL BANK

vs.

RONALD F. HILES

Filed June 1, 1993
@ 12:02 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	30.00
Pro Co pd 7-13-93	5.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

June 24, 1993 Sheriff's Return filed. SERVED Ronald F. Hiles personally on June 16, 1993 at 11:35 AM by handing a copy of the Complaint to him in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.
So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

July 13, 1993 Upon praecipe of Plaintiff attorney the above captioned matter is discontinued of record.

1993

Riley & DeFalice, PC
Erin P. Dyer

541.

SECURITY PACIFIC HOUSING SERVICES, INC.

Vs.

DANIEL V. ZAPPIA

Filed June 1, 1993
@ 12:02 PM

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

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

June 10, 1993 Sheriff's Return filed. SERVED Daniel V.Zappia on June 9, 1993 at 2:00 PM by handing a copy of the Complaint to Tammy M.Zappia, his wife, in the Sheriff's Office, Crawford County Courthouse, Third Floor, Meadville, PA. Signed Acceptance of Service attached.

So answers,

Ralph Muckinhaupt, Deputy Sheriff
Robert M.Stevens, Sheriff

92

1993

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

542.

Barbara J. Walton

DONALD C. LAMBERT

vs.

SUSAN E. LAMBERT

Filed June 1, 1993
@ 3:35 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count pd	15.00
State paid	15.00
David Pickens, Master Pro Co pd 7-11-95	9.00

Jan. 25, 1995 Recd $250.00 from dft as Master's deposit

COMPLAINT IN DIVORCE UNDER SECTION 3301(c) or 3301(d), EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION
2 copies Atty.

June 7, 1993 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 Complanit in Divorce certified by the Prothonotary of Crawford County, Pennsylvania, on the above named defendant by certified mail, addressee only, return receipt requested, dated June 2, 1993. The Defendant acknowledged service on June 4, 1993 by accepting delivery on that date as evidenced by the attached signed return receipt.

James R. Irwin

July 6, 1993, Petition for Counseling and Order filed. ORDER: AND NOW, this 2 day of July 1993, hearing on Petition for Special Relief is scheduled for July 20, 1993 at 2:30 p.m. in C. R. No. 1 or 2 of Crawford County Courthouse, Meadville, Pa.

For the Court,
Ann Walker, Ct. Adm.

July 9, 1993, copies of order to Attys. Irwin and Walton.

Aug. 24, 1994 Petition for Special Relief and ORDER filed. AND NOW, this 24th day of August, 1994,uponpresentation of the Petition for Special Relief, it is hereby ordered that the Plaintiff, Donald C.Lambert, shall file an inventory at the above captioned number, pursuant to Pa. R.C.P. 1920.33 (a) within 15 days of the date of this Order. The defendant shall also file her inventory within 15 days from this date

By the Court:
Gordon R. Miller, J.

8-24-94 Faxed to Attys. Walton& Irwin

Sept. 8, 1994 Inventory, Income and Expense Staement of Susan E. Lambert, filed.

Oct. 14, 1994 Inventory of plaintiff, filed.

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

Jan. 23, 1995, Motion to Appoint Master in Divorce and Order filed. ORDER APPOINTING MASTER: AND NOW, this 23 day of Jan. 1995, Daivd Pickens, Esq. is appointed master in respect to the following claims: Equitable distribution and divorce

If not filed adready the parties are ordered to file their pretrial statements withing thirty (30) days from this date.

By the Court,
Gordon R. Miller, J.

Jan. 24, 1995, copies faxed to Irwin, Pickesn, and given to Walton.

Feb. 8, 1995 Notice of Scheduled Pre-Hearing Conference, filed.

Feb. 28, 1995 Notice to the Defendant. Plaintiff's Affidavit Under Section 3301 (d) of the Divorce Code, filed.

Mar. 7, 1995 Counter-Affidavit Under Section 3301(d) of The Divorce Code, filed.

Mar. 10, 1995 Summary of Pre-Hearing Conference filed.

Mar. 15, 1995 Affidavit of Consent by Donald C. Lambert, Plaintiff, filed.

May 12, 1995 Notice of Scheduled Master's Hearing filed.

Jul 6, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

July 12, 1995 AND NOW, this 12th day of July, 1995, it is ordered and decreed that DONALD C. LAMBERT, Plaintiff, and SUSAN E. LAMBERT, Defendant, are divorced from the bonds of matrimony.

It is further ordered that the parties' Marriage Settlement Agreement dated June 15, 1995, is incorporated herein and made a part hereof and shall be fully enforceable under the provisions of the Divorce Code.

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

1993

Kathleen R. Nelson

543.

DEBI STALLSMITH

vs.

MICHAEL STALLSMITH

Filed June 2, 1993
@ 1:36 PM

Tax & entry paid 50.50
User's Fee paid 5.00

COMPLAINT FOR CUSTODY
1 copy atty.

July 9, 1993, Affidavit of Service filed. Kathleen R. Nelson, Esq. being duly sworn according to law, deposes and says that the following facts are true and correct.

1. That the affiant is the Atty. for Plff. in above action.
2. That a true and correct copy of the Complaint for Custody and Notice weee sent by reg. mail to the dft. on June 4, 1993.
3. The reg. mail was sent to Michael Stallsmith, at 780 Garden st. Meadville, Pa. 16335. The senders receipt is attached hereto.
4. That the dft. received said reg. mail on June 7, 1993 Said ret. rec. card P 238 202 308 is attached hereto, signed by Lorraine Wood and made a part hereof. Kathleen Nelson, Esq.

Sep. 13, 1993 Consent Custody Order filed. AND NOW, this 10 day of September, 1993, upon stipulationof the parties to this action, the following order is hereby entered:

1. Legal andprimary physical custody of the subject minor child, Steven Stallsmith, shall be with his mother, Plaintiff herein, subject to visitation by the Defendant/Father as follows:
   a. Father shall be entitled to have the child in his custody every other weekend, beginning on the first weekend after the date of this Order, beginning on Friday at 5:00 p.m. and ending on Sunday at 5:00 p.m.
   b. Father shall be entitled to have the child in his custody every Wednesday evening beginning on the first Wednesday evening following the date of this Order, from 5:00 p.m. through 9:00 p.m.
   c. The Father shall be entitled to have the child in his custody each summer from June 20th through August 20th. During this summer vacation period, Mother shall be entitled to visit and take the child into her custody every other weekend from Friday at 5:00 p.m. through Sunday at 5:00 p.m.
   d. Holidays shall be defined as Christmas and the child's birthday, March 8th. For the Christmas holiday period,Father shall be entitled to take the child into his custody on December 24th at 5:00 p.m. through December 25th at 5:00 p.m. each year. Father shall be entitled to visit and take the child into his custody on March 8th of each year from 8:00 a.m. through 5:00 p.m.
2. Should it be necessary for either party to cancel or modify the visitations as set out in this Order, the party seeking cancellation of 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.
3. The parties shall share responsibility for transportation with the party receiving the child picking up the child at the home of the other.
4. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor child.
5. Neither party shall expose the child to any person or situation which may be harmful to the child's health or well being.
6. The parties shall inform the other immediately of any serious illness or injury effecting the child.

BY THE COURT:
Anthony J.Vardaro, J.

9-17-93 Copy of Order to Atty. Nelson & Defendant.

Sep. 23, 1993 Stipulation and CONSENT CUSTODY ORDER filed. AND NOW, this 15th day of September, 1993, upon stipulation of the parties to this action, t he following order is hereby entered:

1. Legal and primary physical custody of the subject minor child,Steven Stallsmith, shall be with his mother, Plaintiff herein, subject to visitation by the Defendant/Father as follows:
   a. Father shall be entitled to have the child in his custody every other weekend, beginning on the first weekend after the date of this Order, beginning on Friday at 5:00 p.m. and ending on Sunday at 5:00 p.m.
   b. Father shall be entitled to have the child in his custody every Wednesday evening beginning on the first Wednesday evening following the date of this Order, from 5:00 p.m. through 9:00 p.m.
   c. The Father shall be entitled to have the child in his custody each summer from June 20th through August 20th. During this summer vacation period, Mot her shall be entitled to visit and take the child into her custody every ot her weekend from Friday at 5:00 p.m. through Sunday at 5:00 p.m.
   d. Holidays shall be defined as Christmas and the child's birthday, March 8th. For tthe Christmas holiday period, Father shall be entitled to take the child into his custody on December 24th at 5:00 p.m. through December 25th at 5:00 p.m. each year. Father shall be entitled to visit and take the child into his custody on March 8th of each year from 8:00 a.m. through 5:00 p.m.
2. Should it be necessary for either party to cancel or modify the visitations as set out in this Order, the party seeking cancellationor modification shall notify the other party as soon as he or she knows of the necessity which impels the cancelllation 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.
3. The parties shll share responsivility for transporation with the party receiving the child picking up the child at the home of the other.
4. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor child.
5. Neither party shall expose the child to any person or situation which may be harmful to the child's health or well being.
6. The parties shall inform the ot her immediately of any serious illness or injury effecting the child.

BY THE COURT:
Gordon R. Miller, J.

9-30-93 Copy of Order to Atty. Nelson & Defendant

544.

LINDA SUE STROUP

vs.

DAVID JOHN STROUP

Filed June 3, 1993
@ 10:52 AM

4-19-94 Rec from deft Sheriff's fees 27.00
4-19-94 pd Sheriff chk# 8350 27.00

Tax & entry Pd. 4/19/94 50.50
User's Fee Pd. 4/19/94 5.00
sheriffs costs pd. 4/19/94 27.00
Pro Co. Pd. pd. 9.00

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

ORDER:

And now, this 3rd day of June , 1993 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not contact Plaintiff. Defendant sahll not go to Plaintiff's residence or place of work. Temporary custody ofthe child is awarded to Plaintiff.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or fees and costs will be determined by final court order.
7. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the June 10, 1993 , at 11:00 a.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

June 7, 1993, Sheriffs Return filed. SERVED David John Stroup personally on June 3, 1993, at 1:55 p.m. by handing him a copy of the protection From Abuse at his place of employment, East Side Garage,. Phelps Road, conneaut Lake, Crawford County, Pa. the child was returned to Plaintiff's Custody, as per phone call from plaintiff.
so answers, Dale A. collins, Dep. sheriff
Robert M. Stevens, Sheriff

June 11, 1993 ORDER filed. AND NOW, June 10, 1993 this matter is before the Court on a petition for relief under the Protection from Abuse Act filed by the Plaintiff.

Both parties appear without counsel and agree to proceed without counsel, the Defendant having been advised of his right to counsel.

The Defendant agrees, as does the Plaintiff, to an order to be entered without admission of the allegations of the petition on the part of the Defendant and it is so ORDERED as follows:

1. The Defendant shall not assault, abuse, harass, or threaten the Plaintiff or any minor child named in the petition.
2. The Plaintiff shall have exclusive possession of the marital residence and the Defendant shall only be entitled to contact the Plaintiff by mail and he may make mail contact and telephone contact with the minor child with the telephone contact, obviously, to be when she is an appropriate age for such contact.
3. The Defendant is advised that he should not go to the residence occupied by the Plaintiff at any time even if he is invited except for the purpose of visiting with the minor child and/or picking up the minor child insofar as any other visiting at the home of the Plaintiff, even if invited by her, shall be considered to be a violation of this order. If the parties wish for the Defendant to be able to go to the Plaintiff's residence for any other purpose, they should seek a modification of this order by the Court insofar as it currently stands any police agency will assume that the Defendant is in violation of this order if he wishes to go to the residence of the Plaintiff for any purpose other than to visit with the minor child or to pick up the minor child for visitation.
4. Any contact whether it be by mail, telephone or personal visit with the child, shall be done in a manner by the Defendant in that he shall not in any way assault,abuse, harass or threaten the Plaintiff or the minor child.
5. The Plaintiff is awarded temporary physical custody of the minor child pending any further order of Court in this action or any other appropriate action, with the understanding that she wishes for the Defendant to continue to have contact and visitation with the minor child and that may be arranged through the parties pending any further order of Court.
6. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
7. The Plaintiff currently resides at Box 1157, Rising Sun Estates, Conneaut Lake, PA 16316. The Defendant shall also be sent a copy of this order by regular mail by the Prothonotary at Box 1213, Conneaut Lake,PA 16316.
8. The Defendant is reminded that this is an order of Court and violation of this order may be punishable by a fine of up to $1,000 and a jail sentence of up to six months.
9. Court costs in this matter shall be paid by the Defendant within 90 days of the date of this order. Those costs are $91.50 and payment shall be made to the Prothonotary of Crawford County on the first floor of the Crawford Co. Courthouse in Meadville.
10. This order shall remain in full force and effect through June 9, 1994.

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

June 14, 1993 Copies distributed to Plf., Deft., Co. Control and Pa. SPD.

1993

Shafer,Swick,Bailey
Irwin & Stack
Charles J.Swick
~~Ronald C. Wingrad~~

545.

SUPERIOR FEDERAL BANK FOR SAVINGS, FSB

vs.

JOHN R. JONES, SR.

Filed June 3, 1993
@ 11:39 AM

Tax & entry paid	50.50
Users's fee paid	5.00
Sheriff's Costs	35.00
Pro Co pd 8-3-93	9.00

COMPLAINT IN MORTGAGE FORECLOSURE

Jun. 25, 1993 Sheriff's Return filed. SERVED JohnR.Jones,Sr., personally on June 17, 1993 at 1:35 PM by handing a copy of the Complaint in Mortgage Foreclosure to himwhile working along Terrace Street Extension,Meadville, crawford County, PA.
So answers, Dale A. Collins,Deputy Sheriff
Robert M.Stevens, Sheriff

Aug. 3, 1993 at 3:51 p.m., And now, upon praecipe of plaintiff attorney judgment is hereby entered in favor of the plaintiff and against the defendant for want of an answer and the same is liquidated at the sum of Nineteen Thousand Nine Hundred Twenty-four and 25/100, including interest from 6-1-93 to 8-1-93.
Entered 8-3-93 Debt: $19,924.25 with interest from
J - 200 6-1-93 to 8-1-93 included

EX1993-87

Sep. 24, 1993 Appearance of Shafer, Swick, Bailey, Irwin & Stack by Charles J.Swick, Esquire for Superior Federal Bank for Savings, FSB, plaintiff, filed.

1993

546.

APPLICATION FOR EXTENDED
INVOLUNTARY TREATMENT

OF.

ROBERT N. MILLER

Filed June 3, 1993
@ 12:05 PM

APPLICATION FOR EXTENDED INVOLUNTARY TREATMENT
Mental Health Procedures Act of 1976
(section 303)

June 7, 1993 Certification by the Court for Extended Involuntary Emergency Treatment - Section 303 filed.

1993

547.

Terry Toomey

PETITION FOR INVOLUNTARY TREATMENT

OF

RENEE C. SLATER

Filed June 3, 1993
@ 12:07 PM

PETITION FOR INVOLUNTARY TREATMENT
Mental Health Procedures Act of 1976
(Section 304 and 305)

June 9, 1993 Report of Mental Health Review Officer and Order, filed. And now, June 8, 1993, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Renee C. Slater be committed to Warren State Hospital for treatment for a period not to exceed 90 days.

This order shall take effect on June 10, 1993.

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

June 9, 1993 copy to-WSH, MH/MR, T. Toomey

548.

JENNIFER C. MacPHERSON

vs.

GREGORY P. ATKINS

Filed June 3, 1993
@ 3:06 PM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	20.00

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

ORDER:

And now, this 3 day of June , 19 93 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The Plaintiff shall have exclusive possession of joint residence and exclusive custody of minor chidlren pending further Order of Court.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or fees and costs will be determined by final court order.
7. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the June 10, 1993 , at 3:30 p.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

June 7, 1993 SHERIFF'S RETURN filed. SERVED Gregory P. Atkins personally on JUne 4, 1993 at 10:45 AM by handing a copy of the Protection from Abuse to him in the Sheriff's Office, Crawford County Courthouse, Meadville, Pa.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

June 11, 1993 ORDER FILED. AND NOW, June 10, 1993 this matter is before the Court on a petition for relief under the Protection from ABuse Act filed by the Plaintiff.

Both parties appear without counsel and the Defendant,having been advised of his right to counsel and agrees to proceed without counsel.

The parties agree to the entry of an order without admission of the allegation of the petition on the part of the Defendant and accordingly, it is so ORDERED as follows:

1. The Defendant shall not assault, abuse, harass, or threaten the Plaintiff or any minor child named inthe petition.
2. The Plaintiff shall have exclusive possession of the joint residence of the parties during the term of this order and the Defendant shall not go to that residence unless it is for the purpose of visiting the minor child Kelsey PacPherson and only if he has called ahead to advise the Plaintiff of a requested visitation and the Plaintiff has agreed to that visitation.
3. In all other instances, if the Defendant shall go to the residence of the Plaintiff, whether or not he is invited, any police agency, if called,shall presume that he is not permitted to be there and it is in violation of this order. If the parties wish to have this order modified to allow the Defendant to go to the residence on other occasions, they should come to Court and request that the order be modified and until then the Defendnt is excluded except for the purposes of visiting with Kelsey as indicated above.
4. Pending further order of court in this proceeding or any other proceeding that may be appropriate, the Plaintiff shall have exclusive custody of the minor child Kelsey MacPherson with the visitation allowed to the Defendant as prescribed above in this order.
5. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
6. A copy of this order shall be delivered to the Police Department in the jurisdiction where the Plaintiff resides and to County Control, and it is noted that the Plaitniff currently resides at 180 Murray Road, Meadville, PA 16335. The Prothonotary shall send a copy of this order by regular mail also to the defendant at 125 Peninsula Drive, Meadville, PA 16335.
7. The Defendant is reminded that this is an order of court and violation of this order may be puniihable by a fine of up to $1,000 and a jail sentence of up to six months.
8. At any time the Defendant goes to the home of the Plaintiff for the purpose of visiting with Kelsey and at any time he calls the Plaintiff,he shall not be abusive, harassing or threatening.
9. The Defendant will pay court costs in this proceeding to the Prothonotary of Crawford County onthe first floor of the courthouse within 30 days of the date of this order. He is directed to go the Prothonotary's Office forthwith where ie will be told the exact amount of the costs that are due.
10. This order shall remain in full force and effect through June 9, 1994

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

6-14-93 Copies mailed to Pltf., Deft.,St.Pol. & given to Co.Control. 6-21-93 Copy of Order given to Defendant.

Continued on Page 98A

1993

JENNIFER C. MacPHERSON
VS.
GREGORY P. ATKINS

CONTINUED FROM PAGE 98
of Reocrd
A. D. 1993 - 548

****

June 29, 1993 Complaint For Indirect Criminal Contempt For Violation Of Protection From Abuse Order, filed.

June 29, 1993 NOTICE OF ASSIGNMENT OF HEARING DATE, filed. AND NOW, June 38, 1993: Hearing in the above captioned matter has been scheduled for June 30, 1993, at 11:15 a.m., in Courtroom 1. FOR THE COURT,
Ann A. Walker, Crt. Adm.

D.J. Vogan informed the Plf. & Dft. at arraignment of the date and time of the hearing.

Jul. 1, 1993 ORDER filed. AND NOW, June 30, 1993 after informal hearing, it appears the issue in this case involves a minor incident between the parties when the Defendant went to the residence of the Plaintiff when he was not supposed to be there under the temporary PFA order. The Plaintiff was not injured and the parties have now separated and are looking for a method whereby the father can have visits with his minor child but the Plaintiff mother will nt be present as a conflict of personalities between mother and father has apparently arisen, and the mother does not feel safe in the presence of the father of her child.

The Court concludes that this matter and the disagreements between the parties are not appropriate to be dealt with under an abuse petition and accordingly, we dismiss the abuse petition and direct the county to pay the costs.

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

7-6-93 Copies to Plft.& Deft., Pa.State Police & Co.Control.

98

-6-

1993

1993

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

549.

MacDonald, Illig, Jones
& Britton
Matthew W.McCullough

CHRISTOPHER ZINNAMOSCA

vs.

DARLENE R. SCOTT

Filed June 3, 1993
@ 3:14 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	30.00
Pro Pd. 8/31/95	6,00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

June 18, 1993 Sheriff's Return filed. SERVED Darlene R. Scott on June 15, 1993 at 11:26 AM by handing a copy of the Complaint to Brian Whitney, Adult in Charge, at the residence, R.D. #1, Meadville, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Jun. 23, 1993 Appearance of MacDonald, Illig, JOnes & Britton by Matthew W. McCullough,Esquire for Darlene R. Scott, Defendant, filed.

July 15, 1993, Answer and New Matter filed.

July 19, 1993 Verificationffiled.

Sept. 26, 1994, Certificate of Service of Interrogatories filed.

Aug. 30, 1995, Upon praecipe of palintiff attorney, the above captioned case is hereby marked settled and discotninued of record.

1993

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

550.

Marsh,Spaeder,Baur,
Spaeder & Schaaf
Ritchie T. Marsh

CLINTON D. ROBERTSON and
MICHELLE ROBERTSON, Husband
and wife

vs.

ALFRED D. BOYLES, JR.

Filed June 3, 1993
@ 3:14 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	27.00
Pro. Co. pd 12/13/94	6.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Jun. 16, 1993 Sheriff's Return filed. SERVED Alfred D. Boyles, Jr. on June 9, 1993 at 11:35 AM by handing a copy of the Complaint to Jolene Boyles, Adult in Charge at the residence, R.D.#1, Cochranton, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M.Stevens, Sheriff

Jun. 30, 1993 Appearance of Marsh,Spaeder, Baur, Spaeder & Schaaf by Ritchie T. Marsh, Esquire for Alfred D.Boyles, Jr., Defendant filed.

Aug. 25, 1993, Answer to Plaintiff's Complaint filed.

Sept. 1, 1993 Notice of Serving Interrogatories, filed.

Sept. 16, 1993 Reply To New Matter filed.

Nov. 4, 1993, Certificate of Service of Answers to Interrogatories filed.

Feb. 10, 1994 Certificate of Service of Request for Production, filed.

Feb. 10, 1994 Notice To Complete All Pre-Trial Discovery, filed.

May 19, 1994 Notice of Filing Responses to Plaintiffs' Requests for Production of Documents, filed.

Dec. 13, 1994 Upon Praecipe ofEmil M. Spadafore, Jr., Esquire, Attorney for Plaintiffs the above-captioned case settled and discontinued of record.

1993

551.

Neil E. Rothschild

COMMONWEALTH OF PENNSYLVANIA

vs.

GARY DUANE WOLFE

Filed June 2, 1993
@ 3:37 PM

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

PETITION FOR APPEAL FROM THE ORDER OF THE DIRECTOR OF THE BUREAU OF DIRVER LICENSING SUSPENDING OPERATING PRIVILEGES
2 copies atty.

Order:
AND NOW, this 27 day of May, 1993, it is hereby ORDERED AND DECREED that a hearing on the Appeal of Gary Duane Wolfe shall be held on the 8th day of July, 1993 at 3:45 PM in courtroom no. 1 or 2 at the Crawford County Courthouse.

BY THE COURT:
Anthony J.Vardaro

June 15, 1993 Copy of Order to Atty. Rothschild.

July 8, 1993, MOtion to Withdraw Appeal and Order filed.
ORDER: AND NOW, this 7 day of july 1993 after consideration of the motion filed by Gary Duane Wolf seeking to withdraw his appeal, it is hereby ORDERED AND DECREED that the said motion is GRANTED. BY THE COURT,
Anthony J. Vardaro, J.

July 12, 1993 copy of order to Atty Rothsc hild and Com. of Pa.

Aug. 31, 1993 Appearance of Neil E. Rothschild for Defendant, filed.

1993

Barbara J. Walton

552.

Bruce A. Barrett

GERALDINE LACAZE

vs.

ROBERT N. LACAZE

Filed June 4, 1993
@ 9:25 AM

Tax & entry paid	50.50
User's Fee paid	20.00
3 Add'l Counts pd	45.00
State paid	10.00
Pro Co pd. 8-3-94	9.00

COMPLAINT IN DIVORCE, ALIMONY, CHILD SUPPORT, ALIMONY PENDENTE LITE, REASONABLE COUNSEL FEES, COSTS AND EXPENSES, PERMANENT ALIMONY, EQUITABLE DISTRIBUTION, CUSTODY
2 copies atty.

Jun. 10, 1993 Affidavit of Service filed. And Now, June 10, 1993 comes Lisa M.Sherretts and states the following:

1. That she is the legal assistant of Attorney for Geraldine LaCaze, plaintiff in the above-captioned matter.
2. That on information furnished her by the Plaintiff, she caused a certified copy of the Complaint in Divorce to be forwarded by Certified Mail, P 341 728 839; to the last known address of the Defendant, Robert N.LaCaze, 777 Whittier, Meadville, PA 16335.
3. That the Defendnat, Robert N.LaCaze, on June 9, 1993, personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto.
4. Service of the Complaint against Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.

I verify that the statements made in this Complaint are true and correct to the best of my knowledge and information. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities. Lisa M.Sherretts, Legal Assistant

Ovy. 8, 1993 ORDER filed. AND NOW, October 7, 1993, after an informal hearing in which both parties were prepresented by counsel, the Defendant is asking for counsel fees, costs and expenses.

She receives $926.00 per month for child support, spousal support and arrearages to support two (2) children and herself. She was gainfully employed earning between $68.00 and $90.00 per week part time, but guit in August because she claims the Plaintiff threatened to take her children from her because she was working too much. Her monthly expenses appear to be approximagely $700.00 per month, but the list appears to be incomplete.

The Defendant is employed by Zurn Industries but because of an employment accident is now receiving Worker's Compensation. His net income appears to be $979.33 per month from Worker's Compensation. That is net to him. His support obligation, referred to above, has already been taken out before he receives that amount. He is vague about this monthly expenses. They appear to be in the range of $750.00 per month, but that list appears to be incomplete.

A determination on cunsel fees centers around the Defendant's ned and the Plaintiff's abilities as well as the Defendant's ability to support herself.

At the moment we deny the Defendant's request for counsel fees, because we believe she does have an earning capacity. It appears that both parties are spending about what they make. However, if she worked to her earning capacity, she would be able to afford counsel fees.

This Order is without prejudice to the Defendant to ultimately week counsel fees before the Master or the Court when the matter is finally concluded and all economic issues are decided.

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

Oct. 11, 1993 copies dist. to Halliday & Barrett

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

Mar. 11, 1994 Inventory, Income and Expense Statement of Plaintiff filed.

Aug. 1, 1994 Affidavit of Consent of Defendant filed.

Aug. 3, 1994 Stipulation and Consent to Entry of Consent Custody Order and Order filed. AND NOW, this 3rd day of of August, 1994, upon presentation of the Stipulation and Consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED, AND DECREED that:

1. The parties shall share legal and physical custody of the minor children, Robert E. C. LaCaze and Shaun D. LaCaze. The Plaintiff/Mother, Geraldine LaCaze, shall have primary physical custody of the said minor children at her home in Chic
2. Defendant/Father, Robert N. LaCaze, will have visitation with the minor children every othr weekend from 6:00 p.m. Friday to 6:00 p.m. Sunday.

In addition, the following holidays shall be alternated with the Father to have the minor children for Thanksgiving 1994, and in all even years thereafter. The Father shall have the minor children for Christmas 1995 and in all odd years thereafter. The Mother shall have the Fourth of July 1994 and in all odd years thereafter. The children shall spend each Father's Day with their Father and each Mother's Day with their Mother. The holiday visitations shall take place between the hours of 9:00 o'clock a.m. until 6:00 o'clock p.m. on the following day.

The Defendant/Father shall have the right of visitation with his minor childdren for three weeks each and every summer, those weeks not necessarily being consecutive weeks and the weeks shall be selected at the option of the FAther, upon giving thirty (30) days written notice to the Mother.

3. The defendant/Fther shall pick up the minor children at the Mother's residence or at such other location as the parties may mutually agree and he shall return the childrento the sume location at the conclusion of the vistiation period. The Plaintiff/Mother shall return the childrento the same locationat the conclusion of the visitation period. The Plaintiff/Mother shall take the children to the Father or may meet the Defendant/Father at a location as may be mutually agreed upon between the parties.
4. The parties are free to make additional or alternate arrangements respecting the custodial and visitation periods and are strongly encouraged to do so. Said arrangements shall be by mutual consent, in the absence of which this Order shall govern.
5. Neither them other nor FAther shall say or do anything in an attempt to turn the children against the other parent, but on the other hand each shall do everything to foster a favorable and loving attitude on the part of the children toward both parents. Neither party will allow others to say or do anything in an attempt to turn the children against th eother parent or his or her present spouse.
6. Neither the mother nor Father shall expose the chidlren to any person or situation which may be harmful to the children's health or well being.
7. Both parents shall inform theother immediately of any illness or injury regarding the children and both parents shall furnish the other with a current telephone number.
8. The parties to this action agree that the Court of Common Pleas of Crawford County, Pennsylvania shall retain jurisdiction of this matter.

BY THE COURT,
Gordon R. Miller, J

Aug. 3, 1994 Copy to Walton, Faxed Barrett

Continued on Page 102A

Geraldine LaCaze
vs.
Robert N. LaCaze

CONTINUED FROM PAGE 102
of Record
A. D. 1993 - 552

****

Aug. 3,1994 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

Aug. 15, 1994 ORDER filed. Thsi divorce matter has been referred to the Court for review and decree. The Court has reviewed the record and is returning the record to the Prothonotary. A final decree will not be entered at this time because:

Economic and other issues or counts have been raised in the pleadings or by petition which are not being disposed of by stipulation, withdrawal or hearing. To grant a divorce decree without a resolution of those other issues would be tantamount to an improper bifurcation.

The parties are asking that an agreement be incorporated into the decree yet:

There is no written indication of record that both parties agree to the incorporation of the agreement into the decree.

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

BY ORDER OF COURT
Gordon R. Miller, J.

Date: Aug. 15, 1994
Aug. 15, 1994 Order Faxed to Atty. Walton.

Aug. 23, 1994, Petition to Withdraw Grounds for Divorce and ORDER filed. ORDER: AND NOW, upon presentation of the Petition for Withdrawal of Grounds for Divorce, it is hereby ordered that the request for Alimony Pendente Lite, Permanent Alimony, and reasonable Counsel Fees, Costs and Expenses are withdrawn.

BY THE Court,
Anthony J. Vardaro, J.

Aug. 23, 1994, copies to Barrett and Walton.

Aug. 29, 1994 Upon Amended Praecipe of Plaintiff's Attorney to transmit record, Case moved to Court.

DIVORCE DECREE FILED

September 2, 1994 AND NOW, this 31st day of August, 1994, upon presentation of the Stipulation and Consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED AND DECREED that:

1. The bonds of marriage between Plaintiff, GERALDINE LACAZE, and Defendant, ROBERT N. LACAZE, are dissolved because the marriage is irretrievably broken. Plaintiff and Defendant are divorced from the bonds of matrimony.

AND IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that the pension benefits which the Defendant is eligible to receive will be divided pursuant to a Qualified Domestic Relations Order which the parties have agreed upon. Plaintiff and Defendant have also reached an agreement at to the equitable distribution of property.

This Honorable Court shall retain jurisdiction of this matter.

BY THE COURT:
Gordon R. Miller, J.

Sept. 2, 1994 AND NOW, this 31st day of August 1994, it appearing to the Court that:

1. The parties hereto were formerly husband and wife having been divorced on August 31, 1994 at the above number.

2. Robert N. LaCaze, 208-34-2641 hereinafter referred to as "Defendant" or "Participant", is employed by Cyclops Specialty Steel, and is a participant in the Cyclops Special Pension Plan;

3. Geraldine LaCaze, 301-52-31415, hereinafter referred to as "Plaintiff" or "Alternate Payee", has raised claims for, inter alia, equitable distribution of marital property pursuant to the PA. Divorce Code, 23 Pa. C.S. 3101 et seq.;

4. The parties have entered into an agreement which calls for a division of the aforesaid plans by way of a Qualified Domestic Relations Order.

5. Plaintiff's current and last known mailing address is 316 East Line St., Minerva, Ohio 44657.

6. Defendant's current and last known mailing address is RD # 1, Box 236 A-1, Townville, PA 16360.

IT IS ORDERED, ADJUDGED AND DECREED as follows:

A. A portion of the aforementioned Retirement Plan is marita property subject to distribution by this Court.

B. The marital property component of the Retirement Plan to be received by the Alternate Payee is the monthly sum of $157.03. The said sum shall commence as soon as administratively feasible on or about the date the Member actually enters pay status and Cyclops Specialty Pension Plan approves this Domestic Relations Order.

Cyclops Specialty Pension Plan shall issue individual tax forms to Member and Alternate Payee for amounts paid to each.

C. In the event a Plan provides the option to the Participant to elect to obtain benefits at the earliest retirement age, the benefits shall be payable to the Alternate Payee on or after the date on which the Participant attains (or would have attained) the earliest retirement age, as if the Participant had retired on that date even if the Participant has not actually retired or separated from service.

D. The term of said payments is for the life of the Alternte Payee, with payments to commence at the retirement date chosen by the Alternate Payee but in no event earlier than the earliest retirement date provided under the Plan.

F. The Alternate Payee, Geraldine LaCaze, shall have the same rights with regard to her portion of the Plan as are available to the Participant, Robert N. LaCaze, with regard to his remaining portion of the Plan. These rights include but are not limited to the right to designate a beneficiary of retirement benefits and the right to elect from then existing retirement dates and payment options. In no event shall the Alternate Payee have greater rights than those which are available to the Participant. The Alternate Payee is not entitled to any benefit not otherwise provided under the Plan.

G. In the event that actuarial computation is necessary to determine "actuarial equivalents" and/or the difference between benefits actuarily accrued, non-subsidized benefits, or employer subsidized benefits, for the purpose of the earliest retirement age option by the Alternate Payee, or otherwise, the Plan administrator shall obtain the services of any actuary who is enrolled under sub-title C of title III of the Employment Retirement Security Act of 1974.

H. Any reasonable costs incurred by the Plan Administrator to effectuate the terms and provisions of this qualified Domestic Relations Order shall be assessed against the parties such that the Alternate Payee pays one-half (½) of the costs and the Participant pays the balance of the costs.

I. The parties shall promptly notify the Plan Administrator of the Cyclops Specialty Pension Plan of any change in their addesses from those set forth in this Order; and

J. The parties shall promptly submit this Order to the Plan Administrator of the Cyclops specialty Pension for determination of its status as a Qualified Domestic Relations Order.

IT IS INTENDED that this Order shall qualify as a Qualified Domestic Relations Order under the Retirement Equity Act of 1984. The court retains jurisdiction to amend this Order as might be necessary to establish or maintain its status as a Qualified Domestic Relations Order under the Retirement Equity Act of 1984.

BY THE COURT:
Gordon R. Miller, J.

Sept. 6, 1994 Copy placed in Domestic Relations mailbox.

Cont. on Pg. 102B

Geraldine LaCaze
vs.
Robert N. LaCaze

Record continued from page 552
of record
A.D. 1993 - 552

****

Nov. 1, 1994 Stipulation and Consent To Entry of Amended Domestic Relations Order and Domestic Relations Order Pension Plan For BGHE of the Cytempt Specialty Steel Division of Cyclops Corporation filed. AND NOW, this 28th day of October, 1994, it appearing to the Court that:

1. The parties hereto were formerly husband and wife having been divorced on August 31, 1994 at the above number.
2. Robert N. LaCaze, 208-34-2641 hereinafter referred to as "Defendant" or "Participant", is employed by Cytemp Specialty, and is a participant in the Cyclops Specialty Steel Division of Cyclops Corporation Pension Plan.
3. Geraldine LaCaze, 301-52-3145, hereinafter referred to as "Plaintiff" or Alternate Payee", has raised claims for, inter alia, equitable distribution of marital property pursuant to the Pennsylvania Divorce Code, 23 Pa. C.S. 3101 et seq,;
4. The parties have entered into an agreement which calls for a division of the aforesaid plan by way of a Qualified Domestic Relations Order.
5. Plaintiff's current and last known mailing address is 316 East Line Street, Minerva Ohio, 44657.
6. Defendant's current and last known mailing address is R.D. #1, Box 247B, Townville, Pennsylvania 16360.
7. This order shall apply to the monthly sum of $157.03 of the participant's accrued pension benefit in the Plan (the "Alternate Payee Benefit"). The balance of the Participant's monthly accrued benefit shall remain the sole property of the Participant and shall not be subject to this Order.
8. The Alternate Payee Benefit shall be paid to the Alternate Payee beginning as of October 1, 1994 and ending on the earlier if (i) the date of the Participant's death or (ii) the date specified in further order of this Court.

In the event of the Death of the Alternate Payee prior to the receipt of all of her payments payable to her form Cytempt, retirement benefits shall b epaid to Alternate Payee's Estate to the extent of Alternate Payee's equitable distribution portion as set forth in paragraph 7 and 8.

9. The Alternate Payee shall not be deemed to be the Participant's surviving spouse for any purposes under the Plan, and all benefits payable to the Alternate Payee pursuant to this Order shall terminate upon the death of the Participant.
10. Cyclops Specialty Pension Plan shall issue individual tax forms to Member and Alternate Payee for amounts paid to each.
11. In the event a Plan provides the option to the Participant to elect to obtain benefits at the earliest retirement age, the benefits shall be payable to the Alternate Payee on or after the date on which the Participant attains (or would have attained) the earliest retirement age, as if the Participant had retired on that date even if the Participant has not actually retired or separated form service.
12. The plan to which this Order applies is the Pension Plan for BGHE of the Cytemp Specialty Steel Division of Cyclops Corporation.
13. The Alternate Payee,Geraldine LaCaze, shallhave the same rights with regard to her portion of the Plan as are available to the Participant, Robert N. LaCaze, with regard to his remaining portion of the Plan. These rights include but are not limited to the right to designate a beneficiary of retirement benefits and the right to elect form then existing retirement dates and payment options. In no event shall the Alternate Payee have greater rights than those which are available to the Participant. The Alternate Payee is not entitled to any benefit not otherwise provided under the Plan.
14. Any reasonable costs incurred by the Plan Administrator to effectuate the terms and provisions of this qualified Domestic Relations Order shall be assessed against the parties such that the Alternate Payee pays one-half (½) of the costs and the Participant pays the balance of the costs.
15. The parties shall promptly notify the Plan Administrator ofthe Cytemp Specialty Pension Plan of any change in their addresses from those set forthin this Order; and
16. The parties shall promptly submit this Order to the Plan Administrator of the Cytemp Specialty Pension for determination of its status as a Qualified Domestic Relations Order.

IT IS INTENDED that this Order shall qualify as a Qualified Domestic Relations Order under the Retirement Equity Act of 1984. The court retains jurisdiction to amend this Order as might be necessary to establish or maintain its status as a Qualified Domestic Relations Order under the Retirement Equity Act of 1984.

BY THE COURT:
Anthony J. Vardaro,

3 copies Walton

Jul 26, 1995 Amended Domestic Relations Order, filed. AND NOW, this 26th day of July, 1995, it appearing to the Court that:

1. The parties hereto were formerly husband and wife having been divorced on August 31, 1994 at the above number.
2. Robert N. LaCaze, 208-34-241 herinafter referred to as "Participant", is employed by Cytemp Specialty Steel, and is a participant in the Pension Plan for BGHE of the Cytemp Specialty Steel Division of Cyclops Corporation hereinafter referred to as the "Plan".
3. Geraldine LaCaze, 301-52-3145, hereinafter referred to as "Alternate Payee", has raised claims for, inter alia, equitable distribution of marital property pursuant to the Pennsylvania Divorce Code, 23 Pa. C.S. Sec. 3101 et seq.;
4. The parties have entered into an agareement which calls for a division of the aforesaid plan by way of a Qualified Domestic Relations Order.
5. Alternate Payee's current and last known mailing address is 316 East Line Street, Minerva, Ohio 44657.
6. Participant's current and last known mailing address is R.D.#1, Box 236 A-1, Townivlle, Pa. 16360.
7. This sorder shall apply to the monthly sum of $157.03 of the Participant's accrued pension benefit in the Plan (the "Alternate Payee Benefit"). The balance of the Participant's monthly accrued benefit shall remain the sole property of the Participant and shall not be subject to this Order.
8. The Alternate Payee Benefit shall be paid to the Alternate Payee beginning as of October 1, 1994 and ending on the earlier f (i) the date specified in further order of this Court. or (ii) the date of the Alternate Payee's Death.
9. The Alternate Payee shall not be deemed to be the Partifcipant's surviving spouse for any purpose under the Plan, and all benefits payable to the Alternate Payee pursuant to this Order shall terminate upon the death of the Participant.

CONTINUED ON PAGE 102C

Geraldine LaCaze
vs.
Robert N. LaCaze

CONTINUED FROM PAGE 102B
of Record
A. D. 1993 - 552

10. The Plan shall issue individual tax forms to Member and Alternate Payee for amounts paid to each.
11. In no event shall the Alternate Payee have greater rights than those which are available to the Participant. The Alternate Payee is not entitled to any benefit not otherwise provided under the Plan.
12. The parties shall promptly notify the Plan Administrator of the Plan of any change in their addresses from those set forth in this Order; and
13. The parties shall promptly submit this Order to the Plan Administrator of the Plan for determination of its status as a Qualified Domestic Relations Order.

IT IS INTENDED that this Order shall qualify as a Qualified Domestic Relations Order under the Retiremetn Equity Act of 1984. The court retains jurisdiction to amend this Order as might be necessary to establish or maintain its status as a Qualified Domestic Relations Order under the Retirement Equity Act of 1984.

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

July 26, 1995 Faxed Barrett & Walton

Sept 29, 1995 Amended Qualified Domestic Relations Order filed:

Oct. 12, 1995 AMENDED QUALIFIED DOMESTIC RELATIONS ORDER filed. Stipulation filed. AND NOW, this 12 day of October, 1995, it appearing to the Court that:

1. The parties hereto were formerly husband and wife having been divorced on August 31, 1994 at the above number.
2. Robert N. LaCaze, 108-34-2641 hereinafter referred to as "Participant", is employed by Cytemp Specialty Steel, and is a participant in the Pension Plan for BGHE of the Cytemp Specialty Steel Division of Cyclops Corporation hereinafter referred to as the "Plan".
3. Geraldine LaCaze, 301-52-3145, hereinafter referred to as "Alternate Payee", has raised claims for, inter alia, equitable distribution of marital property pursuant to the Pennsylvania Divorce Code, 23 Pa. C.S. §§ 3101 et seq.;
4. The parties have entered into and agreement which calls for a division of the aforesaid plan by way of a qualified Domestic Relations Order.
5. Alternate Payee's current and last know mailing address is 316 East Line Street, Minerva, Ohio 44657.
6. Participant's current and last know mailing address is R.D. #1, Box 247 B, Townville, Pennsylvania 16360.
7. This order shall apply to the monthly sum of $157.03 of the Participant's accrued pension benefit in the Plan (the "Alternate Payee Benefit"). The balance of the Participant's monthly accrued benefit shall remain the sole property of the Participant and shall not be subject to this Order.
8. The Alternate Payee Benefit shall be paid to the Alternate Payee beginning as of October 1, 1994 and ending on the earlier of (i) the date specified in further order of this Court, (ii) the date of the Alternate Payee's death, or (iii)the date of the Participant's death.
9. The Alternate Payee shall not be deemed to be the Participant's surviving spouse for any purposes under the Plan, and all benefits payable to the Alternate Payee pursuant to this Order shall terminate upon the death of the Participant.
10. The Plan shall issue individual tax forms to participant and Alternate Payee for amounts paid to each.
11. In no event shall the Alternate Payee have greater rights than those which are available to the Participant. The Alternate Payee is not entitled to any benefit not otherwise provided under the Plan.
12. The parties shall promptly notify the Plan Admnistrator of the Plan of any change in their addresses from those set forth in this Order.
13. The parties shall promptly submit this Order to the Plan Administrator of the Plan for determination of its status as a Qualified Domestic Relations Order.
14. This Order puts no personal liability or responsibility upon the Participant for any payments due under this Order. All payments to be made to the Alternate Payee shall come solely from the Plan

IT IS INTENDED that this Order shall qualify as a Qualified Domestic Relations Order under the Retirement Equity Act of 1984. The court retains jurisdiction to amend this Order as might be necessary to establish or maintain its status as a Qualified Domestic Relations Order under the Retirement Equity Act of 1984. BY THE

BY THE COURT:
Anthony J. Vardaro
FAXED 10-12-95 Walton Barrett

102 D

1993 TERM

1993

Barbara J. Walton

553.

FRANCIS TRGOVIC

vs.

REGINA HOWCROFT

Filed June 4, 1993
@ 9:25 AM

Tax & entry paid 50.50
User's Fee paid 5.00
William Pineo, Mediator

6-4-93 Received from Pltf Med dep $150.00
7-28-93 Pd Walton Refund Ch#1691 150.00

COMPLAINT FOR CUSTODY
1 copy atty; 1 copy mediator

Order:

You, Regina Howcroft, have been sued in court. If you wish to fefend against the claim set forthin the following pages, you must take prompt action. These proceedings may affect your child custody and/or visitation rights.

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

If you fail to appear as provided by this Order, an Order ofr custody, partial cusotdy or visitation may be entered against you or theCourt may issue a warrant for your arrest.

Until such time as hearing can be held, neither party shall remove the child from Crawford County.

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, Pennsyvlania 16335
(814) 724-4636

By the Court'
Anthony J. Vardaro, J

6/4/93

July 28, 1993 Motion for Refund and Order filed. And Now, this 26th day of July, 1993, this Court orders that the Prothonotary's Office refund to Plaintiff's Attorney the amount of unused mediation deposit.

By the Court:
Gordon R. Miller, J

July 29, 1993 Copy of order to Atty. Walton

104

1993

554.

Emil M. Spadafore, Jr.

LESLIE TAR

vs.

AETNA INSURANCE CO., et al

Filed June 4, 1993
@ 1:42 PM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro Pd 7/15/93	9.00

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

June 4, 1993 Rule entered upon the Plaintiff to file a Complaint Issued.

June 8, 1993 Proof of Service filed.

ANd Now, July 15, 1993, upon praecipe of defendant, JUDGMENT OF NON PROS is hereby entered in favor of defendant and agaisnt the named plaintiff for not filing a complaint after having been ruled so to do.

Judg. entered
7/15/93
T - 104

JUDGMENT OF NON PROS
Barbara H. King,
Prothonotary

1993

Edgar Snyder &
Associates, P.C.
Richard M. Rosenthal

555.

Marianne C. Mnich
for Dft. Damon B. DeVore

SHERRY M. ARCHACKI and
THOMAS ARCHACKI

vs.

DAMON B. DeVORE, CARMEN
CARLETTI and DANIEL MILLER

Filed June 4, 1993
@ 2:55 PM

Tax & entry paid	50.50
User's Fee paid	5.00
sheriffs costs	46.00
Pro Co pd 9-10-93	C.00

WRIT OF SUMMONS
Issued Sheriff

June 14, 1993, Writ Returned. SERVED Damon B. DeVore on June 9, 1993, at 2:40 p.m. by handing a copy fo the Summons to Wllen DeVore, his grandmother at the residence 546 Spring St. Cambridge Spgs. Pa. Crawford County.

SERVED Carmen Carletti on June 9, 1993 at 9:26 a.m. by handing a copy fo the Summons to Danie Miller, Adult in charge at the residence R. D. #2, Box 344, Meadville, Crawford Conty Pa.

SERVED Danile Miller personally on June 9, 1993 at 9:25 a.m by haNDING A COPY OF THE Summons to him at the residence R. d. #2, Box 344, Meadville, Crawford County Pa.
So answers, Dale A. Collins, Dep Sheriff
Robert M. Stevens, Sheriff

June 18, 1993 Appearance of Marianne C. Mnich for Defendant Damon B. DeVore, filed.

Sept. 10, 1993 Upon praecipe of plaintiffs attorney the above captioned matter is marked settled and discontinued of record.

1993

Robert P. Cocco

556.

DONALD and ANDREA WEISSER
h/w

vs.

GENERAL ELECTRIC COMPANY

Filed June 4, 1993
@ 2:55 PM

Tax & entry paid	50.50
Users' Fee paid	5.00
Pro.Co.pd 1/18/94	5.00

COMPLAINT IN CIVIL ACTION
2 copies atty.

Jan. 18, 1994 Upon Praecipe of Robert P. Cocco, Esquire, Attorney for Plaintiff, the above captioned action settled, discontinued, and ended.

1993

Purcell, Krug & Haller
Leon P. Haller

557.

FBS MORTGAGE CORPORATION

vs.

MICHAEL L. YOHE and JODI M. YOHE

Filed June 4, 1993
@ 2:55 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	43.00
Pro.Co. Pd 6/21/93	5.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies Sheriff

June 16, 1993 SHERIFF'S RETURN, filed. SERVED Michael L. Yohe on June 10, 1993 at 1:41 PM by handing a copy of the Complaint in Mortgage Foreclosure to Jodi Yohe, his wife, at their residence, 204 Lake Road, Cambridge Springs, Crawford County, Pa 16403.
SERVED Jodi M. Yohe personally on June 10, 1993 at 1:40 PM by handing a copy of the Complaint in Mortgage Foreclosure to her at the residence, 204 Lake Road, Cambridge Springs, Crawford County, Pa. 16403.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Jun. 21,1993 Upon Praecipe of Plaintiff Attorney, Leon P. Haller, Esquire, the above captioned action settled and discontinued of record.

1993

558.

TRACY J. COLLINS

vs.

ROBERT M. COLLINS

Filed June 4, 1993
@ 2:59 PM

Tax & entry paid 10.50
User's Fee paid 5.00

CERTIFIED COPY OF PROTECTION FROM ABUSE ORDER FROM MERCER COUNTY, PENNSYLVANIA ON DECEMBER 9, 1992

Order:

AND NOW, December 9, 1992, this matter being before the Court for a hearing on a petition for relief under the Pennsylvania Protection From Abuse Act, and the parties being present, and after the receipt of testimony, it is the finding of this court that the plaintiff, Tracy J. Collins, is entitled to an order for protection from abuse, and IT IS THEREFORE THE ORDER OF THIS COURT, that the Defendant, Robert M. Collins, shall not harass or abuse the plaintiff, Tracy J. Collins, by attempting to cause, or intentionally, knowingly, or recklessly causing bodily injury to her, or by using physical menace or threat to put her in fear of imminent serious bodily injury.

IT IS ALSO THE ORDER OF THIS COURT, that the defendant, Robert M. Collins, shall have no contact, either directly or indirectly, with the plaintiff, Tracy J. Collins, unless it is to consult her relative to partial custody and visitation relative to the parties' minor child, Halee Rebecca Collins, date of birth November 16, 1988.

Likewise, the plaintiff, Tracy J. Collins, shall have no contact, either directly or indirectly, with the defendant, Robert M Collins, unless it is to consult him relative to partial custody and visitation of their minor child.

IT IS FURTHER ORDERED that the defendant shall not harass or in any way attempt to contact the plaintiff at her place of employment, being Greenville Regional Hospital, nor shall he go onto or be in the vicinity of the plaintiff's residence at 17 Hamilton Avenue, Wheatland, PA., or any other residence where the plaintiff may reside during the period of this order.

IT IS ALSO ORDERED that temporary custody of the parties' minor child, Halee Rebecca Collins, is awarded to the plaintiff, Tracy J. Collins, subject to partial cusotdy and visitation rights of the natural father, Robert M. Collins, every other weekend from 6:00 p.m. on Friday until 8:00 p.m. on Sunday commecning the weekend of December 18, 1992. If for some reason the said defendant is not able to exercise a period of partial custody and visitation, he shall receive an alternate weekend or periods of partial custody and visitation during the week to take the place of the weekend that he is not able to have his said child.

The defendant shall be entitled to a period of partial custody and visitation on Christmas Day from 5:00 p.m. on December 25, 1992 until 5:00 p.m. on December 26, 1992.

Normally the natural father, defendant herein, shall obtain his daughter for periods of partial custody and visitation at the home of the maternal grandparents, Joyce and Jim Fennell.

The matter as to custody, partial custody and visitation is referred to Thomas Dobson, Esquire, a Master of this Court to meet with the parties and attempt to work out a longer period of partial custody and visitation , and if the matter cannot be resolved, a hearing shall be scheduled before this Court.

This order shall remain in effect for a period of one year from today's date.

The Prothonotary of Mercer County shall forward a copy of this order to the Pennsylvania State Police and to the Southwest Mercer Regional Police Department, and said copy shall be sufficient to constitute the Court's authorization for enforcement.

The parties hereto shall evenly divide all court costs incurred in this matter, including any costs incurred by the Sheriff's Department of Mercer County, and said costs shall be paid within 30 days of today's date.

BY THE COURT,
Thomas T. Frampton,

1993

Peters, Lindsay,
Lewis & Gagliotti
John P. Gagliotti

559.

RICHARD E. SURRENA

vs.

MARIAN G. CARRIER, STANLEY G. CARRIER, JR. and NANCY CARRIER

Filed June 4, 1993
@ 3:34 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	46.00
Pro Co Pd 10/4/93	9.00

COMPLAINT BY DEVISEE TO QUIET TITLE
4 copies atty.

June 23, 1993 Praecipe filed.

July 20, 1993 SHERIFF'S RETURN filed. I hereby deputize the Sheriff of Butler County, Pennsylvania to serve the within Complaint according to law. The defendants alleged address is 131 Duffy Road, Butler, Pa. 16001. Robert M. Stevens, Sheriff, Cr. Co.
affidavit of Service: SERVED the within Complaint to Quiet Title et al on June 28, 1993, at 12:50 P.M., upon Marian G. Carrier at 131 S. Duffy Road, Butler, Butler Township, Butler County by handing to Marian G. Carrier, personally a true and correct copy thereof and made known to her the contents therein.
Sheriff Butler County

Sept. 17, 1993 Default Notice, filed.

Sept. 21, 1993 Verification of Service, filed.

Oct. 5, 1993, Verification of Service filed. I, John P. Gagliotti, esq. do hereby verify that I am the atty. for plff and that as such I am authorized to make this verification; that I did on 4 day of Oct. 1993 send to above defendant by US Mail, a praecipe for entry of Default Judg. and Notice of entryof Default Judg. at the above term and no. JOhn P. Gagliotti. Esq

Oct. 4, 1993, Notice of Entry of Default Judgment filed.

Oct. 4, 1993, Praecipe for Entry of Default Judgment filed.

Oct. 28, 1993, ORDER filed. AND NOW, Oct. 26, 1993, the Prothonotary has delivered to the court a "Praecipe for Entry of default Judgment" that was apparently filed by counsel for the plaintiff.
The plaintiff has not followed the proper procedure. Praecipes are nto addressed to the court but are addressed tothe Prothonotary. Furthermore, the procedure for taking default Judgment in an action to quiet title is governed by Pa. R.C.P. 1066. Since the plaintiff has not filed an affidavit setting forth the averments required by the rulws the court will not enter judgment against Marian G. Carrier.
furthermore when the affidavit is filed it should have annexed thereto an appropriate order as provided for in Pa. R.C.P. 1066(b). BY ORDER OF COURT,
Gordon R. Miller, P. J.

Nov. 5, 1993, copy of order to JOhn Gagliotti, Esq.

1993

Northwestern Legal Service
Gerald Sullivan

560.

WALTER PUSBACH

vs.

ANN STEIGER

Filed June 4, 1993
@ 3:35 PM

Indigent Filing

John Fuller, Mediator 150.00
Pro Co 9.00

COMPLAINT FOR CUSTODY/PARTIAL CUSTODY
1 copy atty.

Order:
You, Ann Steiger, Defendant, have been sued in Court to obtain custody, partial cusotdy, or visitation of the minor child, Walter Steiger.
You are ordered to appear in personat the time and place slected 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 theCourt may issue a warrant for your aarrest.
The Crawford County Sheriff's Department is directed to serve a certified ocpy of this Complaint and Order upon the defendant. In the alternative, this Petition and Order may served by any competent adult or by certified mail.
Plaintiff is allowed to proceed without payment of Court costs reserving to theCourt the right to impose costs.
YOU SHOULD TAKE THIS PAPER TO YOUR ALWYER 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 GEL LEGAL HELP:
Court Administrator
Crawford County Courthouse
Meadville, Pennsylvania
(814) 336-1151, ext. 298.

BY THE COURT,
Anthony J. Vardaro, J

June 4, 1993 Upon praecipe of Plaintiff To Proceed In Forma Pauperis filed.

June 30, 1993 AFFIDAVIT OF SERVICE filed. I hereby certify that a copy of the Custody Complaint and Order in the above - captioned case was served upon Defendant Ann Steiger by Certified Mail on June 21, 1993. Return receipt signed by Defendant Ann Steiger is attached.
Gerald Sullivan

Sept. 15, 1993 ORDER filed. AND NOW, September 9, 1993 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Walter Steiger shall be shared between the mother and the father, the plaintiff and defendant herein, that is, each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions affecting the child such as the education, medical treatment and religious instruction of the subject child.

II. Physical custody of Walter Steiger shall be with his mother, subject to the following conditions:

A. The father shall be entitled to visit and take the child into his custody every other Saturday from 10:00 o'clock a.m. to 5:00 o'clock p.m., beginning September 18, 1993.

B. The father shall be entitled to visit and take the child into his custody every other weekend from Saturday at 10:00 o'clock a.m. to Sunday at 5:00 o'clock p.m., beginning January 8, 1994.

C. Holidays shall be defined as Christmas, Easter, and Thanksgiving. Custody of the child shall be shared on the aforesaid holidlays and in the absence of an agreement to the contrary, the child shall be in the custody of the mother on the aforesaid holidays until 1:00 o'clock p.m. and in the custody of the father on the aforesaid holidays from 1:00 o'clock p.m. until 6:00 o'clock p.m.

D. Beginning with the Summer of 1994, the child shall be in the custody of the father for a period of seven (7) days. The father shall give the mother at least thirty (30) days notice of the dates of the Summer visit.

E. Transportation of the child on weekends, holidays and Summer visits shall be provided by the father.

F. Neither mother nor father shall say or do anything in an attempt to turn the child against the other parent, but on theother hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the child towards both parents.

G. Neither mother nor father shall expose the child to any person or situation which may be harmful to the child's health or well being.

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

I. The father shall not consume alcohol while the child is in his custody, nor within eight (8) hours prior to obtaining custody. The father shall not transport the child on a motorcycle.

J. Immediately on receipt of this Order, mother shall furnish father, mother's street address and telephone number, if she has one.

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

IV. Cost of the mediation conference will be divided with the father paying one-half thereof and Crawford County paying one-half. Plaintiff shall also pay costs in the amount of $9.00.

Anthony J. Vardaro, J.

Sept. 22, 1993 copy to G. Sullivan, J. Fuller, Plf. & Dft.

1993

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

561.

HELEN A. CATHCART, Executrix of the Estate of HAROLD KENNEDY CATHCART, a/k/a HAROLD K. CATAHCART, SR., Deceased

vs.

SAMUEL ALLOWAY

Filed June 4, 1993
@ 4:00 PM

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

WRIT OF SUMMONS
Issued Sheriff

Jun. 25, 1993 Sheriff's Return and Affidavit of Service filed. SERVED the within Summons on June 18, 1993, at 1445 hrs. upon Samuel Alloway at 3943 Myrtle Street, Erie County,Erie, Pennsylvania 16508 by handing to Lori Alloway,his wife a true and correct copy thereof and made known to her the contents therein.

Robert N. Michel,Sheriff Erie County
Geraldine Taylor, Deputy Sheriff

See Affidavit of Service endorsed hereon by Sheriff of Erie County, Pennsylvania, which is part of this return.

So answers: Robert M.Stevens, Sheriff, Crawford County, PA

112

1993

pro se

562.

MARION ELLEN KERSTETTER

vs.

FRANK PERSHING KERSTETTER

Filed June 4, 1993
@ 4:06 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co Pd 8/24/93	5.00

COMPLAINT IN DIVORCE
1 COPY Pltf.

June 7, 1993 Affidavit of Service filed. On this, the 7th day of June of 1993, personally appeared before me, a District Justice in and for the County of Crawford, duly authorized to administer oaths, Marion E. Kerstetter and Frank P. Kerstetter who being duly sworn according to law, doth depose and say, that I Marion E. Kerstetter of Box 15, Linesville, Pa. 16424, did on May 7, 1993, Monday, at approximately 9:00 am did serve and hand/give a copy of Complaint in Divorce, Ad 1993-562 Crawford County Court of Common Pleas to Frank P. Kerstetter of Box 15, Linesville, PA 16424.
I Frank P. Kestetter of Box 15, Linesville, PA 16424, did on May 7, 1993, Monday, at approximately 9:00 a.m. did receive a copy of Complaint in Divorce, AD 1993-562 Crawford County court of Common Pleas from Marion E. Kestetter of Box 15, Linesville, PA 16424.
and further deponent saith not.

Marion E. Kerstetter
Frank P Kestetter

Aug. 24, 1993, Upon praecipe of plaintiff, the above proceedings discontinued of record.

1993

563.

VERONICA L. WALKER

vs.

JOHN C. WALKER

Filed June 7, 1993
@ 1:20 PM

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

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

Order:

And now, this 7 day of June , 1993 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

Hearing is hereby set for June 15, 1993 , at 3:30 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

June 8, 1993 Sheriff's Return filed. SERVEDJohn C.Walker on June 7, 1993 at 2:55 PM by handing a copy of the Protection from Abuse to Viola Walker, his mother, at 1230 Elm Street, Meadville, Crawford County, PA. OnJune 7, 1993, at3:45 PM, Defendant telephone the Sheriff's Office indicating he did receive his copy of the Protection from Abuse.

So answers,

James Withers, Constable
Robert M.Stevens, Sheriff

June 17, 1993 Motion to Vacate Protection from Abuse Order and ORDER filed. AND NOW, this 16th day of June, 1993 upon receipt and review of the plaintiff's moton to vacate and terminate the Protection from Abuse Order of June 7, 1993, said motion is granted and the Protection from Abuse is hereby vacated and terminated.

A true and correct copy of this Order shall be delivered by the Prothonotary to Meadville P.D. and to County Control.

Costs shall be paid by the County since plaintiff is on assistance and defendant does not work.

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

June 23, 1993 Copy of Order to Meadville P.D.& County Control & Plft.& Deft.

1993

564.

VICKI LYNNE KISKADDEN

vs.

WILLIAM DAVID MOSS

Filed June 7, 1993
@ 1:33 PM

~~6-22-93 Received 50.00 on acct Colravon~~

7-2-93 Received Sheriff Costs 25.00 7-2-93 Pd Sheriff Ck# 7654 25.00

Tax & entry Pd 7-2-93 50.50
User's Fee Pd 7-2-93 5.00
Sheriff's Costs 25.00
Pro Co Pd 7-2-93 ~~5.00~~ ~~9.00~~

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

ORDER:

And now, this 7 day of June , 19 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions:
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or fees and costs will be determined by final court order.
7. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the June 16, 1993 , at 3:30 p.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

June 8, 1993 Sheriff's Return filed. SERVED William David Moss personally on June 7, 1993 at 3:25 PM by handing a copy of the Protection from Abuse to him at his mother's residence, Jane Hartle, Harmonsburg Trailer Park, Harmonsburg, PA.
So answers, James Withers, Constable
Robert M.Stevens, Sheriff

June 17, 1993 Order filed. AND NOW, June 16, 1993, this matter is before the Court on Plaintiff's Request for Relief Under the Protection From Abuse Act.

At the time of the hearing, both parties appear without counsel and it appears that they are now living together and are trying to work out their problems.

Nonetheless, they agree to the entry of an Order, without admission of the allegations of the petition on the part of the defendant, and therefore, it is ORDERED as follows:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff named in the petition.
2. This Order may be enforced without a Warrant of Arrest by any law enforcement officer having reasonable grounds to believe that it has been violated.
3. A copy of this Order shall be delivered to the police departments in the jurisdiction where the plaintiff resides and to Crawford County Control. The plaintiff and the defendant currently reside at R.D. #3, Linesville, Pennsylvania, and therefore, a copy of this Order should be sent to the Linesville Police Department and to the Pennsylvania State Police Department.
4. The Prothonotary shall send a copy of this Order by regular mail to each of the parties separately at R.D. #3, Linesville, Pennsylvania.
5. The defendant is reminded that this is an Order of Court, and violation of this Order may be punishable by a fine of up to $1,000 and a jail sentence of up to six (6) months.
6. The defendant shall pay court costs in this matter in the amount of $89.50 by the close of business in the Office of the Prothonotary of Crawford County on the first floor of the Crwaford County Courthouse in Meadville, Pennsylvania, on June 21, 1993.
7. This Order shall remain in full force and effect through June 15, 1994.

BY THE COURT,
Anthony J. Vardaro,

June 16, 1993 Copies dist. to Linesville PD, Pa.S.P., Pltf. Co Control. and Deft. w/bill

1993

Joseph Tumienèldo
Marchine Long

565.

JOhn Spataro,
SOLICITOR

IN RE: CONTEST OF CAMBRIDGE 1993 PRIMARY AND VOTING RESULTS

Filed June 7, 1993
@ 4:21 PM

Tax & entry	50.50
User's Fee	5.00

PETITION FOR CONTEST OF CAMBRIDGE SPRINGS PRIMARY AND RESULTS

June 10, 1993,
MEMORANDUM AND ORDER Filed.

ORDER:

AND NOW, June 9, 1993, upon review and consideration of the within petition for contest of cambridge Springs 1993 Spring Primary and REsults it is ordered as follows:

1. The petitioners shall pay to the Prothonotary the required filing fees no later than Monday, June 14, 1993.

2. The petitioners shall file a bond in the manner required and provided by law, particularly 25 P.S. 3459 in the sum of $1,000 in favor of the Com. ofn Pa. conditioned for the payment of all costs which may occur in this contested primary election proceeding in the case the petitioners by decree shall be adjudged liable to pay said costs. Said bond in proper form shall be filed with the Prothonotary no later than June 14, 1993.

3. Petitioners shall serve a true and correct copy of the petition and all attachments and subsequent filings, together with a true and correct copy of this memorandum and order upon all persons who are candidates for the Cambridge Springs Borough Council and on the May 1993 Primary Ballot. Service shall be made by personal service in a manner in which original process may be served in a civil action and an appropriate proof of service or return of service filed of record in this case. Service shall be made and completed no later than June 21, 1993 unless extended for good cause by the court upon motion or petition of the petitioners.

4. The Prothonotary shall serve a true and correct copy of this memorandum and order upon the Crawford County Board of Elections.

5. A rule to show cause is hereby issued and directed tocandidates for the Cambridge Springs Borough Council whose names appeared onthe primary election ballot for May 1993 and the Crawford County Board of Elections, to show cause, if any they have, why the court should not fix a hearing on said petition pursuant to 25 P.S. 3458. Said rule was returnable for argument on the 28 day of June 1993 at 3:30 p.m. in C. R. No. 1 or 2 of the Courthouse.

6. The Crawford County Board of Elections is ordered and directed tohold and secure all ballots, paper, machine or otherwise, cast inthe May 1993 primary election for Cambridge Springs Borough Council until these proceedings are completed.

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

June 10, 1993, copies given to Marcine Long and T. Tuminello and Board of Elections.
(by Pat Smith)

JUly 16, 1993, ORDER filed. AND NOW, July 16, 1993, it has come to the attention of the Court that the Bond required in this case was never posted and therefore the court, sua sponte hereby dismisses said petition with prejudice.

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

Jul y 19, 1993, copy of order to Attys. Tumienello and Long and Spataro.

Barrett & Dratler
Sylvia L. Dratler

566.

ARTHUR R. EDWARDS

vs.

CORIENA A. EDWARDS

Filed June 8, 1993
@ 9:10 AM

Tax & entry paid	50.50
Users' Fee paid	10.00
1 Add'l Count pd	15.00
State paid	10.00
Pro Co. pd 9/23/93	9.00

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

July 6, 1993, Affidavit of Servcie filed. I, Sylvia L. Dratler, being duly sworn deposes and says that the following facts in support of this affidavit are true and correct to best of my knowledge, information and belief.

1. The affiant is the defendant in above action.

2. A true and correct copy of complaint with attached notice to defendand claim rights was sent by cert. restricted mail to the defendant.

3. The cert. mail was sent to said dft. at R. D. #1 Box 76, Townville, Pa. 16360, on or about june 8, 1993. The senders receipt is attached hereto.

4. The dft. received said cert. mail on June 11, 1993 Said receipt card no. 147 766 775 is attached hereto and signed by dft.

5. The ret. rec. card signed by dft. was returned after signature to the office of Atty. Dratler.

Sylvia L. Dratler Esq.

July 8, 1993 Custody Consent Order filed. AND NOW, this 7 day of July, 1993, the parties, being the natrual parents of two minor children, Justin N.Edwards, born August 18, 1980, age 12½, and Tiffany A. Edwards, born August 31, 1981, age 11½, after consulting with counsel of their choice, hereby agree to the court entering the following consent order.

1.Legal custody of the parties' subject minor children shall be shared by the parties hereto, and primary physical custody of the subject minor children shall be given to their 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 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. Each party shall teach said children to give to the other party the love and respect which is due a parent from his or her children.

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 t he subject minor children.

5. Any person transporting the children 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 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.

7. Each parent shall report immediately to the other parent, any change of address, residential telephone number, or employment telephone number.

By the Court,
Anthony J. Vardaro

7-12-93 Copy of Order to Atty.Dratler and Defendant.

Sept. 23, 1993 Affidavit of Consent of plaintiff filed.

Sept. 23, 1993 Affidavit of Consent of Defendant filed.

Sept. 23, 1993 Upon Praecipe of plaintiff attorney for review under Section 201(c) of Divorce Code, this case moved to Court.

DIVORCE DECREE FILED

Oct. 5, 1993 AND NOW, October 5, 1993, it is hereby ordered and decreed that ARTHUR R. EDWARDS, plaintiff, and CORIENA A. EDWARDS, Defendant, are divorced from the bonds of matrimony.

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

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

1993

Barrett & Dratler
Sylvia Dratler

567.

Culbertson,Weiss,
Schetroma & Schug
David Hotchkiss

7-19-93 Received from deft Sheriff Costs 30.00

7-19-93 Pd Sheriff Ck # 7678 30.00

KIMBERLY A. MAGRINO

vs.

ANTHONY MANGILO

Filed June 8, 1993
@ 11:28 AM

Tax & entry Pd 7-19-93 50.50
User's Fee Pd 7-19-93 5.00
Sheriff's Costs 30.00
Pro Co Pd 7-19-93 9.00

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

Order:

And now, this 8th day of June , 1993 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

2. Special Conditions: Defendant shall not contact plaintiff in any way. Defendant shall not go to Plaintiffs home and place of work. He shall not be within 100 yards of those places.

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

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

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

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

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

8. The court reserves ruling on allocation of fees and costs. Hearing is hereby set for June 17, 1993 , at 3:30 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

June 9, 1993 Sheriff's Return filed. SERVED Anthony Mangilo personally on June 9, 1993 at 9:05 AM by handing a copyof the Protection fromAbuse to him at his place of employment, Hair Styling Shop, 665 HighlandAvenue, Meadville, Crawford County,PA.
So answers,
Dale A. Collins, Deputy Sheriff
Robert M.Stevens, Sheriff

Jun. 21, 1993 CONSENT ORDER FILED. AND NOW, June 17, 1993, at the time this matter is set for hearing the parties and their counsel advise the Court the matter has been amicably resolved as follows:

1.Without admitting fault, the Defendnt will refrain from abusing,threatening, or harassing the Plaintiff in any fashion and will keep at least 100 yards from the Plaintiff's residence, vehicle, or place of work.

The Defendant agrees not to approach the Plaintiff or or her son, Julius V. Magrino, in public or to make any contact with the Plaintiff or her son.

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

3. Any police officer having reasonable grounds to believe that the Defendant has violated the terms of the abuse portion of this Order may apprehend the Defendant without warrant and lodge him in the Crawford County Jail and promptly notify the Court so a contempt hearing may be scheduled.

4. The Defendant is DIRECTED to pay costs in this case within twenty (20) days of the time he receives a bill therefore from the Prothonotary at his current residence, R.D.#9, Meadville, Pennsylvania 16335.

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

June 23, 1993 Copy of Order to Attys. Dratler & Hotchkiss

June 21, 1993 Stipulation Filed. We, the parties to the above captioned action, agree to the entry of the Consent Order, a copy of which is attached hereto, without further notice to us, to settle the issues addressed therein. We agree to be bound by the terms of the Consent Order from this date forward.
Kimberly A. Magrino
Anthony Mangilo

Jun. 21, 1993 SUPPLEMENTAL ORDER filed. AND NOW, June 17, 1993 at the time this matter is before the Court on a protection from abuse petition filed by the Plaintiff, counsel for both parties present a consent order stipulated to by their clients.

In order to make sure that all the normal standard protection from abuse language is included in the order, we are entering this supplemental order in addition to adopting a consent order and this order shall be followed in any manner in which it is inconsistent with the consent order:

1. A copy of this order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control. The Plaintiff resides at 940 A Street, Meadville, PA 16335 and therefore the Meadville City Police Deparmtnet will be the appropriate law enforcement agent to receive a copy of this order.

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

3. Contray to the provisions of the consent order, the Defendant will not be billed for costs and therefore must pay costs of $94.50 within 20 days of the date of this order.

BY THE COURT:
Anthony J. Vardaro, J.

Jun. 23, 1993 Copy to Attys. Dratler & Hotchkiss

1993

William E. Barney

568.

HOLLY R. PRICE

vs.

MARK A. PRICE

Filed June 8, 1993
@ 1:59 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co. pd.11/8/93	9.00

COMPLAINT IN DIVORCE
1 copy atty.

Jun. 25, 1993 Affidavit of Service filed. Susan M.Kinney, being duly sworn according to law, deposes and says that a true and correct copy of the Complaint in Divorce in the above captioned case was sent to the Defendant by certified mail on June 10, 1993 to his last known address of 16674 Tarbell Road, Union City, Pennsylvania 16438. Receipt for certified mail is attached, the domestic return receipt for certified mail #P 073 599 080 delivered June 11, 1993 and signed by Mark A. Price is attached.
June 14, 1993 Susan M.Kinney

Sept. 24, 1993 Affidavit of Consent of Plaintiff filed.

Oct. 15, 1993 Affidavit of Consent of Defendant, filed.

Nov. 8, 1993 Upon praecipe of plaintiff attorney for Review under Section 3301(c) of Divorce Code, this case moved to Court.

DIVORCE DECREE FILED

Nov. 15, 1993 AND NOW, November 12, 1993, it is Ordered and Decreed that HOLLY R. PRICE, Plaintiff and MARK A. PRICE, Defendant are divorced from the bonds of matrimony.

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

BY THE COURT
Gordon R. Miller, J.

1993

Michael s. JanJanin

569.

Northwester Leg. Serv.
R. Christopher Brode

MARINE BANK, now by assignment, GREGORY L. BESONSON

vs.

PATARICIA A. BESONSON

Filed June 8, 1993
@ 1:59 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	37.00
Pro Co.pd7/13/93	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
1 copy Sheriff

Jun. 16, 1993 Sheriff's Return filed. SERVED Patricia A.Besonson personally on June 9, 1993 at 1:35 PM by handing a copy of the Complaint in Mortgage Foreclosure to her at the residence, R.D.#2, Box 2063, Union City,, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M.Stevens, Sheriff

July 12, 1993 Answer to Complaint filed.

July 13, 1993, 11:31 a.m., AND NOW upon Praecipe of Plaintiff Attorney, with copy of Notice of Intention to file default judgment attached, judgment is hereby entered in favor of Plaintiff and against Defendant for failure to file an answer and damages are assessed as follows: default judgment in the sum of Thirty-two thousand eight hundred fifty-six and 82/100 Dollars together with interest from July 12, 1993, and costs of suit.

B-133
Judgment entered 7/13/93

Debt $32,856.82
Interest from 7/12/93
Judgment
Barbara H. King, Pro.

7-15-93 Notice of entry mailed defendant.

July 28, 1993 Motion to Reopen Default Judgment and Order, filed. ORDER: AND NOW,this 28 day of July, 1993, upon review and consideration of Defendant's Motion to Reopen Default Judgment, said Motion is granted. Additionally, the Praecipe for Entry of Default Judgment filed on July 13, 1993 by plaintiff, is vacated and withdrawn by the Court this day. Further, the defendant's Answer to the plaintiff's Complaint filed July 13, 1993 is deemed timely by the Court. This is by agreement of the Plaintiff attorney.
BY THE COURT,
Anthony J. Vardaro, J.

July 30, 1993 copy to M. JanJanin & C. Brode

Sept. 1, 1993 Plaintiff's Motion for Summary Judgment filed.

Sept. 1, 1993 Upon Praecipe of Michael S.JanJanin, Esquire, the above captioned matter is placed on the next available Argument List.

ON OCTOBER,1993 ARGUMENT LIST

Oct. 26, 1993 ORDER, filed. AND NOW, to-wit, this 25th day of October, 1993 upon consideration of the Motion for Summary Judgment filed by the Plaintiff, Marine Bank, now by assignment, Gregory L. Besonson, and following oral argument held in this matter on the 25th day of October, 1993, it is hereby ORDERED, ADJUDGED and DECREED that the Motion is GRANTED.
IT IS FURTHER ORDERED that judgment is entered in favor of the Plaintiff,Marine Bank, now by assignment, Gregory L. Besonson, and against the Defendant, Patricia A. Besonson, in the acount of $32, 856.82 together with interest and the costs of suit.
Gordon R. Miller, P.J.
Entered 10-26-93
Debt: $32,856.82 with interest and costs
B - 133
JUDGMENT
Barbara H. King, Pro.

EX1993-100

Nov. 4, 1993 Affidavit of Service of Notice of Sale filed.

120

1993

Mary Ann Kirkpatrick

570.

Gregory Keenen

VICKIE E. CHAPIN

vs.

CHRIS DEAN CHAPIN

Filed June 8, 1993
@ 3:51 PM

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

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

ORDER:

And now, this 8th day of June , 1993 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not contact Plaintiff or minor child and shall not go to Plaintiff's home at R.D. #2, Box 421, Linesville, PA for any purpose. Temporary custody of the child is awarded to plaintiff.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or fees and costs will be determined by final court order.
7. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the June 16, 1993 , at3:30 p.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

June 9, 1993 Sheriff's Return filed. SERVED Chris Dean Chapin personally on June 9, 1993 at 9:45 AM by handing a copy of the Protection from Abuse to him at his residence on Erie Street, Linesville, Crawford County, PA.

So answers,

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

June 16, 1993 Consent Order, filed. And, Now, June 16, 1993, by Stipulation of the parties it is hereby Ordered:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff.
2. The Defendant shall not enter any residence in which Plaintiff makes her home.
3. The Defendant shall not be under the influence of drugs or alcohol while exercising visitation with minor child, Caleb Chapin.
4. The Defendant shall within 10 days pay all court costs associated with this action.
5. This Order shall be enforced by any law enforcement officer.

By The Court:
Anthony J. Vardaro, J.

June 22, 1993 copy to M. A. Kirkpatrick & G. Keenan

June 17, 1993 Supplemental Order filed. AND NOW, June 16, 1993, this matter is before the Court on a Protection From Abuse Petition filed by the Plaintiff.

The Plaintiff and her counsel appear in court at the time of the hearing with a stipulation signed by both parties and their counsel.

In order to make sure that all of the normal standard Protection From Abuse language is included in the Order, we are entering this Supplemental Order in addition to adopting the Consent Order, as follows:

1. This Order maya be enforced without a Warrant of Arrest by any law enforcement officer having reasonable grounds to believe that it has been violated.
2. A copy of this Order shall be delivered to the police departments in the jurisdiction where the plaintiff resides and to County Control. The plaintiff resides at R.D. #2, Box 421, Airport Road, Linesville, Pennsylvania, and therefore, the Pennsylvania State police would be the appropriate law enforcement agent to receive a copy of this Order.
3. The defendant is reminded this is an Order of Court, and violation of this Order may be punishable by a fine of up to $1,000 and a jail sentence of up to six (6) months.
4. This Order shall remain in full force and effect for a period of one (1) years from this date.

BY THE COURT,
Anthony J. Vardaro,

June 17, 1993 Copies dist. to Pa. S.P.; Co. Control; Kirkpatrick & Keenan

1993

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

571.

MARQUETTE SAVINGS ASSOCIATION

vs.

CLARENCE L. PROPER and
MYRNA S. PROPER, his wife

Filed June 8, 1993
@ 4:06 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	50.00
Pro Co pd 7-7-93	9.00

COMPLAINT IN MORTGAGE FORECLOSURE.
4 copies Sheriff

June 22, 1993 Sheriff's Return filed. SERVED Clarence L. Proper on June 16, 1993 at 3:32 PM by handing a copy of the Complaint in Mortgage Foreclosure to Myrna S. Proper, Adult in Charge at the residence, R.D. #4, Box 30, Centerville, Crawford County, PA.

SERVED Myrna S. Proper personally on June 16, 1993 at 3:31 PM by handing a copy of the Complaint in Mortgage Foreclosure to her at the residence, R.D. #4, Box 301, Centerville, Crawford County, PA.

SERVED Evelyn B. Proper personally on June 16, 1993 at 3:33 PM by handing a copy of the Complaint in Mortgage Foreclosure to her the residence at R.D. #4, Box 301, Centerville, Crawford County, PA.

SERVED Juanita A. Deida personally on June 16, 1993 at 3:30 PM by handing a copy of the Complaint in Mortgage Foreclosure to her at the residence at R.D. #4, Box 301, Centerville, Crawford County, PA.

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

And now, July 7, 1993 @ 1:30 p.m., upon praecipe of plaintiff's attorney judgment is hereby entered in favor of the Plaintiff and against the Defendants, in the sum of Seventy thousand six hundred thirty-one dollars and 11/100, with costs plus interest from May 15, 1993 at the rate of 8.50% for failure to file an answer within twenty days of service of the complaint.

Entered 7-7-93 Debt: $70,631.11 plus interest & costs
P - 225, 260 JUDGMENT
7-12-93 Barbara H. King, Pro.
Notice of entry of Judgment sent to Dfts.

Ex. 1993 - 60

121 A

1993

Richard D. Goldberg

571A.

J. Douglas Murphy
Thomas M. Watson, M.D.
C.A. Young, M.D.

Quinn, Buseck, Leemhuis
Toohey & Kroto, Inc.
John M. Quinn, Jr.

Knox McLaughlin Gornall
& Sennett, P.C.
James T. Marnen
for Dft. U.S.C.I.
Subsidiary of C.R. Bard

THARON SUMMERILL, Executrix of the Estate of CONSTANCE A. SUMMERILL, Deceased

vs.

THOMAS M. WATSON, M.D., U.S.C.I., SUBSIDIARY OF C. R. BARD, INC.: MEADVILLE MEDICAL CENTER, C.A. YOUNG, M.D.: A.B.C. CORPORATION and X.Y.Z. CORPORATION

Filed June 8, 1993
@ 3:55 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	68.00
Pro.Co. pd 7/12/93	6.00

WRIT OF SUMMONS
Issued Sheriff

June 17, 1993 Appearance of J. Douglas Murphy for Thomas M. Watson, M.D. and C.A. Young, M.D. filed.

June 22, 1993 Appearance of Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc by John M. Quinn, Jr. for Meadville Medical Center filed.

June 24, 1993 Writ Return filed. SERVED Thomas M. Watson, M.D. on June 14, 1993 at 9:40 AM by handing a copy of the Summons to Chrhis Jordon, Secretary at his place of business, 1116 Park Avenue, Meadville, Crawford County, PA.
SERVED US.C.I., Subsidiary of C.R. Bard, Inc., by Certified Mail at their last known address of Concord Road, Billerica, MA 01821 on June 14, 1993. Signed Return Receipt is attached.
SERVED The Meadville Medical Center on June 14, 1993 at 9:11 AM by handing a copy of the Summons to Nancy Blystone, Administrative Assistant at the Meadville Medical Center, Liberty Street, Meadville, Crawford County, PA.
SERVED C.A. Young, M.D., personally on June 14, 1993 at 9:21 AM by handing him a copy of the Summons at the Meadville Medical Center at the First Floor X-ray Department, Liberty Street, Meadville, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

June 24, 1993 Appearance of Knox McLaughlin Gornall & Sennett, P. C. by James T. Marnen for defendant, U.S.C.I. Subsidiary of C.R. Bard, Inc., filed.

June 24, 1993 Praecipe for Rule on The Plaintiff to File a Complaint, filed.

July 12, 1993 Upon Praecipe of Richard D. Goldberg, Esquire, Attorney for Plaintiff,the above captioned case discontinued as to all part ies, upon payment of costs, pursuant to Rule 229 (A) of the Pennsylvania Rules of Court filed.

122

1993

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

572.

LAURIE A. PERKINS

vs.

LAKE RIDGE BAPTIST ACRES,
INC.,

Filed June 9, 1993
@ 10:01 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	37.00
Pro. Co. pd 7/20/93	9.00

L-186
Entered on 7-20-93
Atty.Fabian

EX1993-79

COMPLAINT IN ACTION OF MORTGAGE FORECLOSURE
1 copy Atty.

Jun. 16, 1993 Sheriff's Return filed. SERVED Lake Ridge Baptist Acres, Inc. on June 9, 1993 at 1:50 PM by handing a copy of the Complaint in Mortgage Foreclosure to Reverend Robert DeWitt, Adult in Charge, at R.D.#3, Box 64A, Shreve's Ridge Road, Union City, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, July 20, 1993 at 3:21 P.M. upon Praecipe of Plaintiff's attorney, with notice of Intention to File Default judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendant for want of an answer and assessment of damages at the sum of One Hundred Nine thousand, Six hundred Ninety and 06/100 Dollars

Debt	$100,000.00
Delinquent Real Property taxes for the tax year 1990	145.12
Delinquent real Property taxes for the tax year 1991	2,186.15
Delinquent real property taxes for the tax year 1992	2,135.45
Attorney's commission	5,223.34
REAL DEBT	$109,690.06

Judgment
Barbara H.King, Prothonotary

1993

573.

ROBIN A. MATTERN

vs.

SCOTT E. PETERSON

Filed June 9, 1993
@ 11:35 AM

Tax & entry Pd 6-21-93 50.50
User's Fee Pd 6-21-93 5.00
Sheriff's Costs 25.00
Pro Co Pd 6-21-93 5.00

6-21-93 Received from defendant Sheriff's costs 25.00
6-21-93 Pd Sheriff Ck #7612 25.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 Copies Sheriff
1 copy Plaintiff

Order:

And now, this 9 day of June , 1993 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The Plaintiff shall have temporary exclusive custody of the minor child pedning further order of court.
3. This Order may be enforced without a warrant any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs. Hearing is hereby set for June 21, 1993 , at 3:30 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

June 10, 1993 SHERIFF'S RETURN, filed. SERVED Scott E. Peterson personally on JUne 9, 1993 at 4:05 PM by handing a copy of the Protection from Abuse to him at h is residence, RD 1, Golden Drive, Meadville, Crawford County, Pa.
So answers, Dale A. Collins, Deputy Collins
Robert M. Stevens, Sheriff

June 21, 1993 Motion To Vacate Protection From Abuse Order and Order, filed. ORDER: AND NOW this 21st day of June, 1993 upon receipt and review of the plaintiff's motion to vacate and terminate the Protection from Abuse Order of June 9, 1993, said motion is granted and the Protection from Abuse Order is hereby vacated and terminated.

A true and correct copy of this Order shall be delivered by the Prothonotary to Pa. State Police and to County Control.

Any provisionssof the Protection from ABuse Order of June 9, 1993 assessing court costs shall remain in full force and effect without change or modification and the party or parties against whom costs were assessed shall remain obligated to pay the costs. BY ORDER OF COURT
Gordon R. Miller, P.J.

June 21,, 1993 copy to PSP, Co Control, Plf. & Dft.

1993

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

574.

Dickie, McCamey &
Chilcote, P.C.
John T. Pion

DANIEL J. JANNAZZO

vs.

J and J AMUSEMENTS

Filed June 9, 1993
@ 1:28 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co pd 3/29/95	6.00

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION
1 copy atty.

June 21, 1993 Proof of Service of Complaint filed. John D. Petruso being duly sworn according to law deposes and says that he is the attorney for the plaintiff in the within matter and that he served by certified mail, return receipt requested, a true and correct copy of the complaint in the within matter; that said complaint was duly served June 18, 1993, upon Joyce Richardson, authorized agent of the defendant as evidenced by the attached receipt card. John D. Petruso

July 12, 1993 Appearance of Dickie, McCamey & Chilcote, P.C. by John t. pion for Defendant, filed.

July 20, 1993 Answer and New Matter filed.

July 20, 1993 Notice Of Service Of First Set Of Interrogatories Directed To Plaintiff filed.

Aug. 19, 1993 Amended Complaint filed. (1 copy atty).

Aug. 30, 1993 Verification of Plaintiff to Amended Complaint, filed. (1 copy atty)

Aug. 30, 1993 Consent to Amended Complaint and Acceptance of Service, filed. (1 copy atty)

Oct. 4, 1993, Answer and New MaTTER TO Plaintiff's Amended Complaint filed. JURY TRIAL DEMANDED.

Nov. 3, 1993 Reply of Plaintiff to Defendants' New Matter, filed. (1 copy atty)

Nov. 2, 1994 Notice to Complete Discovery, filed.

Feb.27, 1995 Certificate of Readiness filed.

ON APRIL, 1995, Trial List

Mar. 29, 1995 Upon praecipe of Plaintiff Attorney the above captioned matter is marked settled and discontinued of record.

1993

Apple and Apple, P.C.
James S. Alter

575.

ASSOCIATES CONSUMER
DISCOUNT COMPANY

vs.

JOHN W. JOHNSON and DOROTHY J. JOHNSON, jointly and severally

Filed June 9, 1993
@ 2:31 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	36.00
Pro Co pd 7-29-93	9.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Jun.25, 1993 Sheriff's Return filed. SERVED JohnW. Johnson on June 17, 1993 at 2:20 PM by handing a copy of the Complaint to Lawrence Donahue, Adult inCharge at the residence, R.D.#2,Box 59, Conneautville, Crawford County, PA.

SERVED Dorothy J. Johnson on June 17, 1993 at 2:21 PM by handing a copy of theComplaint to Lawrenc e Donahue, Adult inCharge at the residence, R.D.#2, Box 59, Conneautville, Crawford County, PA.

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

July 29, 1993 @ 1:42 p.m. And Now, upon praecipe of Plaintiff's attorney judgment is hereby entered in favor of the plaintiff and against the defendants for want of an answer and the same is liquidated at Seventeen Thousand eight hundred seventy-nine and 52/100, including interest of $3,966.23 from March 12, 1991 to July 12, 1993 on $9,443.41 and attorney's fees of $4,469.88.

Entered 7-29-93 Debt: $17,879.52 including interest
J - 224, 229 JUDGMENT
Barbara H. King, Pro.

Klett, Lieber, Rooney & Schorling, PC
Robert P. Simons
Many Emamzadeh

576.

TELMARK, INC.

vs.

JOSEPH J. LUEBBERT and
KATHLEEN A. LUEBBERT

Filed June 9, 1993
@ 2:31 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	35.00
Sheriff's Costs	50.00
Pro Pd 7/13/95	#9.00

Non Jury Trial

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Jun. 25, 1993 Sheriff's Return filed. SERVED Joseph J. Luebbert persoanlly on June 18, 1993 at 2:10 PM by handing a copy of the Complaint to him in the Sheriff's Office,Crawford County Courthouse, Meadville, PA.

SERVED Kathleen A.Luebbert on June 18, 1993 at 2:11 PM by handing a copy of the Complaint to Joseph J.Luebbert, her husband and authorized agent, inthe Sheriff's Office, Crawford County Courthouse, Meadville, PA. Signed Acceptance of Service attached.

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

July 20, 1993 Notice of Praecipe For Entry of Default Judgment filed.

July 30, 1993 Defendant's Answer, New Matter and Counter Claim filed.

Aug. 11, 1993 Exhibits to Complaint, filed.

Aug. 26, 1993 Reply To New Matter and Counterclaim filed.

Aug. 26, 1993 Motion For Writ of Seizure, filed.

Sept. 2, 1993 ORDER filed. AND NOW, September 2, 1993, the Court has before it a motion for writ of seizure which appears to be an ex parte motion pursuant to Pa. R.C.P. 1075.2.

The Court has reviewed the complaint in this matter as well as the motion and we do not find that pursuant to Rule 1075.2(a) the Plaintiff satisfied us that there is probable cause to believe that before notice can be given or hearing held that the value of the property and the Plaintiff's interest therein will be adversely affected by the continued possession and use by the Defendant or that the Defendant or other person in possession will conceal, dispose, encumber, waste the property or the revenues therefrom, if any, or remove the same from the county.

Therefore, the Plaintiff's request for an ex parte issuance of a writ of seizure is denied.

However, we will treat this therefore as a request for a writ of seizure upon notice and hearing pursuant to Pa. R.C.P. 1074.1 and Court Administrator is directed to set a hearing consistet with that rule and the Plaintiff shall proceed pursuant to that rule. BY THE COURT:
Anthony J. Vardaro, J.

Sept. 2, 1993 copies dist. to Defts, Simons & Ct. Adm.

Sep. 10, 1993 Motion to Set Hearing Date on Motion for Writ of Seizure and ORDER filed. AND NOW, this 7th day of September, 1993, upon consideration of the Plaintiff's Motion to Set Hearing Date on Motion for Writ of Seizure and good cause appearing therefor, it is hereby ORDERED AND DECREED that hearing on the Motion for Writ of Seizure shall be held at 1:30 o'clock p.m. on September 27, 1993 at Court Room 1, Crawford County Courthouse, 903 Diamond Park, Meadville, Pennsylvania, 16335.

BY THE COURT:
Anthony J. Vardaro, J.

9-15-93 Copy of Order to Atty. Simons and Emamzadeh.

Oct.7, 1993 Second Motion to Set Hearing Date on Motion for Writ of Seizure and ORDER filed. AND NOW, this 7th day of October, 1993, upon consideration of the plaintiff's Motion to Set Hearing Date on Motion for Writ of Seizure and good cause appearing therefor, it is hereby ORDERED and DECREED that hearing on the Motion for Writ of Seizure shall be held at 3:00 p.m. on October 15, 1993 at Court Room 1 or 2, Crawford County Courthouse, 903 Diamond Park, Meadville, Pennsylvania 16335.

BY THE COURT:
Gordon R. Miller, J.

10-7-93 Copy of Order mailed to Attys. Simons & Emamzadeh

Oct. 12, 1993 Sheriff's Return filed. NOT FOUND as to Defendant Joseph J. Luebbert at address of R.D.#1, Cambridge Springs,Crawford County, PA. He has moved out and resides at an unknown address in Union City, PA.

SERVED Kathleen A. Luebbert on October 11, 1993 at 1:26 PM by handing a copy to Kathleen SElena, Adult inCharge at residence, R.D.#1, Cambridge Springs, Crawford County,PA,

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

Oct. 18, 1993 ORDER filed. AND NOW, October 15, 1993, at the time set for hearing on the Plaintiff's motion for writ of seizure, counsel for the Plaintiff appears and the Defendants appear unrepresented by counsel in person.

The Court is advised that the parties have reached an amicable resolution of the issue and that the Defendants will willingly, without opposition by themselves or anyone acting on their behalf, oppose t he repossession of a Timberjack 240D log skidder, located on the property of Charles Fernandez on Old State Road off of Route 98 in Erie County.

The parties mutually agree that the Plaintiff, who is the owner of the equipment, shall have thirty (30) days to make the necessary arrangements to provide the necessary vehicle to remove the log skidder from its present location as the same is immovable due to a broken drive shaft and will have to be removed by a trailer. The Defendants will not move the equipment, make any changes in the equipment, sell any part of the equipment or encourage others to damage the equipment in any fashion.

The Defendants advise the Court that Mr. Fernandez is now aware at this time of this agreement and the Defendants agree they will forthwith notify Fernandez that the property is being repossessed and encourage Fernandez to cooperate in every way to see to its orderly removal.

The parties mutually agree that this amicable repossession does not control or impact in any fashion upon any monetary claims that the Plaintiff may have against the Defendant under the original leasing contract.

The parties agree that a transfer case which is an integral part of t he log skidder is not on the log skidder, but is at a friend of the Defendant's where it was taken for repair. The Defendants agree that they will cooperate with t he Plaintiff to t he end that the transfer case will likewise be transferred and removed at the same time as the disabled log skidder.

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

10-19-93 Copy of Order FAxed to Atty. Emamzadeh & Ron Seeley. Copy of Order to Defts.

Record Cont'd on Page 126 (a)

1993

TELMARK, INC.

VS.

JOSEPH J. AND KATHLEEN A. LUEBBERT

RECORD CONTINUED FROM PAGE 126

OF

AD 1993 - 576

****

Feb. 24, 1995 Certificate of Service filed.

Feb. 24, 1995 Upon praecipe of plaintiff attorney the above-captioned case placed on the next available Jury Trial List.

ON APRIL 1995 JURY TRIAL LIST

Feb. 24, 1995 Certificate of Readiness filed.

Mar.30, 1995 Consent to Non-Jury Trial filed.

Apr. 11, 1995, ORDER filed. AND NOW, this 7 day of Apr. 1995, non-jury trial in this above captioned case is hereby scheduled for June 28, 1995 at 9:15 a.m., C. R. No. 1 or 2 (1 day).

FOR THE COURT,
Ann A. Walker, Ct. Adm.

4/11/95 copies dist by Ct. Adm.

Jun. 30, 1995 DECISION filed. AND NOW,June 28, 1995 after a non-jury trail held pursuant to Pa.R.C.P. 1038, the Court finds in favor of the Plaintiff and against the Defendant Joseph J. Luebbert, and awards damages in the amount of $17,296.67 inffavor of the Plaintiff and against the Defendant Joseph J. Luebbert.

The total amount of the award is propounded as follows:

Lease Balance	$20,832.00
Sales Tax	273.42
Late Charges	197.12
Repossession Expense	325.00
Repairs After Repossession	9,294.68
Sales Expense and Commission	870.54
Attorneys' Fees to Date	2,805.91
Attorneys' Fees (trial)	700.00
Sales Proceeds	($18,000.00)
TOTAL DAMAGES	$17,298.67

The Prothonotary shall forward a true and correct copy of this decision to Joseph J. Luebbert at the address he gave at the time of the pretrail conference,to wit: 22 Putnam Street, Union City,PA 16438.

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

6-30-95 Copies dist.to J. Luebbert & Rhodes

July. 6, 1995 Exhibits filed.

And Now, July 13, 1995 at 1:36 p.m., uponpraecipe of plaintiff attorney and pursuant to Rule 227.4 of the Pa. Rules of Civil Procedure, Judgment is hereby entered in favor of plaintiff and against the defendant Joseph J. Luebbert in accordance with the Decision of Judge Gordon R. Miller, (Exhibit "A") in the amount of Seventeen Thousand Two Hundred Ninety Eight and 67/100 Dollars.

Judgment entered
7/13/95
L - 94

Debt ----$17,298.67
JUDGMENT (pursuant to court order)
Barbara H. King
Prothonotary

July 14, 1995, notice of entry of judgment mailed to defendant.

126
(b)

1993

1993

Robert J. Fall

577.

INTEGRA BANK -NORTH
(formerly Pennbank)

vs.

KENNETH J. ROBERTS, NORMAN H. ROBERTS, and BOBBIE JO ROBERTS

Filed June 9, 1993
@ 2:31 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	50.00
Pro Co pd 7-29-93	9.00
Pro Co pd 8-11-93	9.00

COMPLAINT IN CIVIL ACTION
4 copies atty.

July 8, 1993 Sheriff's Return filed. SERVED Kenneth J.Roberts personally on June 18, 1993 at 11:10 PM by handing a copy of the Complaint to him at his residence, R.D.#1, Box 76, Centerville, Crawford County, PA.

SERVED Norman H.Roberts on June 30, 1993 at 2:36 PM by handing a copy of the Complaint to Bobbie Jo Roberts, Adult in Charge at the residence, 21416 Springcreek Road, Titusville, Crawford County, PA.

SERVED Bobbie Jo Roberts personally on June 30, 1993 at 2:35 PM by handing a copy of the Complaint to her at the residence, 21416 Springcreek Road, Titusville, Crawford County, PA.

So answers, Scott D. Young, Deputy Sheriff
Dale A.Collins, Chief Deputy Sheriff

Robert M. Stevens, Sheriff

July 29, 1993 @1:42, And Now, upon praecipe of plaintiff's attorney judgment is hereby entered in favor of the plaintiff and against the defendant KENNETH J. ROBERTS, only, for failure to filed an answer or enter an appearance. Amout claimed in Complaint is Ten thousand nine hundred fifty-two and 27/100.

Entered 7-29-93 DEBT: $10,952.27
R - 221 JUDGMENT
Barbara H. King, Pro.

And.Now, Aug. 11, 1993 @ 1:48 p.m., upon praecipe of plaintiff's attorney judgment is hereby entered in favor of the plaintiff and against the above named Defendant, NORMAN H. ROBERTS and BOBBIE JO ROBERTS, only, for failure to file an answer or enter an appearance. Amount claimed in Complaint is Ten Thousand Nine Hundred Fifty-two and 27/100.

Entered 8-11-93 Debt: $10,952.27
R - 24, 124 JUDGMENT
Barbara H. King, Pro.

8-17-93 Notice of entry of Judgment sent to Dfts.

pro se

578.

DWAYNE ALLEN BURLINGAME

vs.

CHERYL ANN BURLINGAME

Filed June 9, 1993
@ 2:02 PM

Indigent Filing

PETITION TO PROCEED IN FORMA PAUPERIS
(Divorce)

Order:
AND NOW, June 4, 1993, upon consideration of the petition filed by the Plaintiff in this action, and supported by an affidavit attached thereto, all being pursuant to Pa. R.C.P. 1920.62 the Plaintiff is granted leave to proceed in forma pauperis at this time.
The Plaintiff is directed to inform the Prothonotary's office or the Court of any improvement in his/her financial circumstances that would permit him/her to pay the costs incurred in this action and shall be responsible for doing so upon an improvement of his financial condition.

BY THE COURT:
Anthony J. Vardaro, J

June 14, 1993, Complaint in Divorce filed. (includes child custody and support, equitable distribution, Liabilities and Debts)

Sept. 20, 1993 AFFIDAVIT OF SERVICE filed. Before me,the undersigned authority, personally appeared Dwayne Allen Burlingame, Plaintiff, who, being dully sworn accordign to law, deposes and says that on 6-14-93 he personally served to the Defendant a true and correct copy of the Complaint in Divorce and Other Relief Under the Divorce Code of 1980 filed inthe above-capationed case to the Defendant. Defendant,on 6-15-93 the Return Receipt which was signed by the Defendant is here to attached.

Dwayne Allen Burlingame

Sept. 20, 1993 Affidavit of Consent of Defendant, filed.

Sept. 20, 1993 Affidavit of Consent of Plaintiff, filed.

Sept. 20, 1993 Upon praecipe of Plaintiff to transmit records, case moved to Court.

Oct. 27, 1993 MEMORANDUM filed. The Court has now reviewed this matter pursuant to the plaintiff's praecipe to transmit the record for a decree. The record is returned to the Prothonotary because the Courtcannot sign the decree on the present state of the record.

The proposed decree contains provisions with regard to custody, support and equitable distribution of marital property. The Court has not held a hearing on those matters nor is there any indication that the parties stipulate and agree to the entry of such a decree. We will sign a divorce decree if the other counts are withdrawn because the parties are entitled to a no-fault divorce. We will sign a decree encompassing all of the other counts if (a) the parties stipulate and agree in writing or (b) a hearing is held and an order entered.

This matter shall not be referred back to the Court until it is in proper order.

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

Nov. 3, 1993 Copy of Order mailed to Plf. and Dft.

****

DIVORCE DECREE FILED

Nov. 22, 1993 AND NOW, November 19, 1993, it is ordered and decreed that DWAYNE ALLEN BURLINGAME, plaintiff, and CHERYL ANN BURLINGAME, defendant, are divorced from the bonds of matrimony.

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

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

****Nov. 22, 1993 MOTION WITHDRAWING CLAIMS FOR CUSTODY, SUPPORT AND EQUITABLE DISTRIBUTION OF MARITAL PROEPRTY and ORDER filed. And now, this 12th day of November, 1993, upon consideration of the foregoing motion, it is hereby ORDERED that Plaintiff's claims for Custody, support and equitable distribution of marital property shall be, and hereby re, deemed withdrawn.

BY THE COURT,
Gordon R. Miller, Judge

Nov. 24, 1993 copy to Plaintiff; copy mailed to Defendant.

1993

William Gregg
Kathleen R. Nelson

579.

Bernadette M. DeVore

2-23-98
Rec from dft 200a
med fee
Ref from dft 49a
3-31-98 Pd Bo 240a
Med fee

VICKI C. FISHER

vs.

RICHARD A. D'AMBROSIA

Filed June 10, 1993
@ 9:37 AM

Tax & entry paid 50.50
User's Fee paid 5.00
John Spataro, Mediator
Pro Se pd 3-31-98 9a

COMPLAINT FOR CUSTODY
1 copy atty.

Oct. 29, 1993 CONSENT CUSTODY ORDER, filed. AND NOW, this 28 day of October, 1993, upon stipulation of theparties to this action, the followisng Order is hereby entered:

1. Legal andphysical custody of the subject minor child, SAMANT C. D'AMBROSIA, shall be with her mother, Plaintiff herein, subject to visitation by the father, Defendant herein, as follows:

a) Father shall have the right to visit with the minor child during a portion of the child's summer vacation from school. Father shall give Mother thirty (30) days prior notice of the weeks during he wishes to exercise said visitation.

b) Father shall be entitled to visitation during the Thanksgivi and Christmas holidays as shall be mutually agareed upon between the parties, taking into consideration the distance between the homes of the Mother and Father.

c) Father shall be responsible for transporting the child to and from his home and the home of the Mother in the exercise of the above-referenced summer and holiday visitation. It is anticipated that Father will provide Mother with a round-trip plane ticket for said minor child's use durign visitation periods.

2. Neither parent shall say or do anything in anattempt to tur the child agaisnt the other parent, but rather shall do everything in their power ot foster a favorable and loving on the part of the child toward both parents.

3. Neither parent shall expose the child to any person or situ which may be harmful to her health and well-being.

4. In the event a violation of this Order occurs, the violatin party shall pay the reasonable attorney's fees, Court costs and rela expenses incurred by the non-violating party,to obtain enforcement of it's terms.

By the Court,
Anthony J. Vardaro, J.

Nov. 9, 1993 copy to K. Nelson, Pf. & Dt.

Dec. 4, 1997 Appearance of Bernadette M. DeVore, attorney for dft. filed.

Dec 10, 1997 Certificate of Completion of equivalent course for child custody seminar, filed.

Jan. 28, 1998 CERTIFICATE OF SEPARATING PARENT SEMINAR OF VICKI C. FISHER FILED.

Feb 19, 1998 Motion For Mediator and Order: AND NOW, Februayr 18, 1998, upon presentation and consideration of the foregoing Motion, this matter is granted.

You have been sued in court to obtain a modification of custody, partial custody or visitation of the child: Samantha D'Ambrosia.

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. Anthony J. Vardaro, J.
Feb 23, 1998 Faxed DeVore, Spataro, Gregg

March 18, 1998 ORDER filed. AND NOW, this 17th day of March, 1998, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1) The parties shall share 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, etc.

The mother shall retain primary physical custody of the child, subject to partial custody rights of the father as follows: (see papers filed).

Costs and fees of this Mediation, which are fixed at $240.00 ($60.00/hr. x 4 hrs). and the $9.00 Court Order filing fee are divided equally between the parties as follows:

The deposit required for the appointment of the Custody Mediator was made by the father. The entirty of said amount shall apply to the costs and fees of this mediation.

The mother shall, within thirty (30) days of the date of this Order, pay to the father the sum of $75.50, representing reimbursement to the father for her share of the costs and fees of this case.

The mother shall, within thirty (30) days of the date of this Order, pay to the Prothonotary of Crawford co. the sum of $49.00, representing the balance due on her share of the costs and fees of this mediation.

Either party may move the Court for a hearing de novo within twenty (20) days from the date hereof. If neither party so moves, this Order shall be considered permanent. (FOR FURTHER INFORMATION, SEE PAPERS FILED).

BY THE COURT,
Gordon R. Miller, J.

March 24, 1998 FAXED Attys. J. Spataro, Wm. Gregg, B. DeVore.

1993

Kathleen R. Nelson

580.

DONNA M. BOYER

vs.

ROBERT L. SPENCER

Filed June 10, 1993
@ 9:37 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro. Co. pd 9/21/93	9.00

COMPLAINT IN DIVORCE
1 copy atty.

June 23, 1993 Affidavit of Service filed. KATHLEEN R. NELSON Esquire, being duly sworn according to law, deposes and says that the following facts in support ofher 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 coy of the Complaint in Divorce and Notice were sent by registered mail to the defendant, Robert L. Spencer, on June 11, 1993.

3. The registered mail was sent to Robert L. Spencer, at R.D. #8, Box 580, Meadville, PA 16335. The sender's receipt is attached hereto.

4. That the Defendant received said registered mail on June 12, 1993. Said Return Receipt card P. 238 202 315 is attached heeto, signed by Robert L. Spencer and made a part hereof.

Kathleen R. Nelson

Sep. 21, 1993 Affidavit of Consent by Robert L. Spencer, Defendant, filed.

Sep. 21, 1993 Affidavit of Consent by Donna M.Boyer, Plaintiff, filed.

Sep. 21, 1993 Upon Praecipe of Kathleen R. Nelson, Esquire, Plaintiff's Attorney, to transmit record, case moved to Court.

DIVORCE DECREE FILED

Oct. 5, 1993 AND NOW, September 30, 1993, it is ordered and decreed that DONNA M. BOYER, Plaintiff, and ROBERT L. SPENCER, Defendant, are divorced from the bonds of matrimony.

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

BY THE COURT:
Gordon R. Miller, J.

1993

Bernard, Stuczynski, & Bonanti
Bruce W. Bernard

581.

MELLON BANK (NORTH) NATIONAL ASSOCIATION, now by merger MELLON BANK, N.A.

vs.

CECELIA L. THOMPSON

Filed June 10, 1993
@ 1:25 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	29.00
Pro. Co.pd 8/2/93	9.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

June 23, 1993 Sheriff's Return filed. SERVED Decelia Thompson personally on June 18, 1993 at 10:05 AM by handing a copy of the Complaint to her at her residence, R.D. #1, Box 162, Cambridge springs, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

August 2, 1993, 1:10 p.m., AND NOW upon Praecipe of Plaintiff Attorney, with copy of Notice of Intention to file default judgmetn attached, judgment is hereby entered in favor of Plaintiff and against Defendant for failure to plead within twenty (20) days of service of complaint and for failure to plead within ten (10) days of notice of praecipe of entry of default judgment for possession of the real property described in exhibit A hereto and all portions thereof, and for damages for the wrongful occupation and withholding thereof at the rate of $350.00 per month from 4/6/1993 until restoration and delivery thereof and for costs of this action.

Debt (Judgment for Possession)
Judgment
Barbara H. King, Pro.

T-32
Judgment entered 8/2/93
8-4-93 Notice of entry mailed defendant.

1993

Halliday & Halliday
Michael Halliday

582.

DAVID B. KING, JR.

vs.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Filed June 10, 1993
@ 1:25 PM

Tax & entry Pd 6-11-93 50.50
User's Fee Pd 6-11-93 5.00

PETITION FOR REVIEW OF ORDER OF THE DEPARTMENT OF TRANSPORTATION SUSPENDING OPERATING PRIVILEGES

Order:

AND NOW, this 9 day of June, 1993, upon consideration of the within Petition of David B. King, Jr., for review of ORders of the Department of Transportation suspending Petitioner's operating privilege, a hearing de novo is granted to determine whether the action of the Department of Transportation in suspending the Petitioner's operating privilege should be set aside.

Hearing on the above matter is fixed for the 12th day of August, 1993, at 10:00 o'clock a.m., in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT:
Anthony J. Vardaro, J

June 11, 1993 Copy of order mailed to Atty. Halliday

Aug. 17, 1993 CONSENT ORDER filed. AND NOW, August 12, 1993, at the time set for hearing on this matter, counsel for the Commonwealth and for the defendant advise the Court that they have reached an agreement regarding the defendant's driving record arising because of duplicate assignements of points because of records submitted by the District Justice and the Clerk of Courts.

ACCORDINGLY, both counsel agree and the Court directs that this matter be remanded back to the Department of Transportation,, with Court directions to rescind on the record the appealed 60-day suspension (accural of 12 points under Section 1539), which was to have become effective June 16, 1993.

Also, the Department, in accordance with the agreement of counsel, is directed to rescind, the appealed 15-day suspension to become effective August 15, 1993 imposed under Section 1544 (a).

The Department is also directed by consent of counsel to correct the appellant's driving record to reflect that he was convicted of only one violation of Section 3310 of the Vehicle Code for an offense allegedly occurring July 4, 1992, so the record will reflect one conviction of such offense and not two convictions as shown on the Department's current records.

The Department is also directed to show that the defendant was convicted of only one violation of Section 3714, on July 4, 1992, as opposed to the two convictions now appearing on said date.

Counsel agree that the net result of this Consent Order by the Court is to correct the defendant's point total, showing that following the July 4, 1992 single conviction of Sections 3310 and 3714, the point total standing against the defendant's record should be six points.

Counsel also agree that under Section1538 (a), the defendant would be required to take a special examination. Counsel agree that the defendant took said examination on or before June 1, 1993 and successfully completed the same to the satisfaction of the Department.

ACCORDINGLY, under Section 1538 (a), he would be entitled to a two-point reduction in his point total upon successful completion of the supplemental special examinationand that his current point total against his driving record as of the successful completion of the examination should be at four points.

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

Aug. 18, 1993 Copies dist.to Kuhar & Halliday.

1993

583.

JENNIFER J. TITCH and
JAMES MAXWELL TITCH

vs.

ERIC JAMES TITCH

Filed June 10, 1993
@ 3:41 PM

Tax & entry Pd 10-1-93 50.50
User's Fee Pd 10-1-93 5.00
Sheriff's Costs 57.50
Pro Co Pd 10-1-93 9.00

10-1-93 Rec from dept Sheriff's Cash 57.50
10-4-93 pd Sheriff Ck#: 57.50

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

Order:

And now, this 10 day of June , 1993 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

2. Special Conditions: The Plaintiff shall have exclusive possession of the marital home and exclusive temporary cusotdy of the minor child pending further order of court.

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

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

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

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

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

8. The court reserves ruling on allocation of fees and costs. Hearing is hereby set for June 21, 1993 , at 3:30 p.,m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Jun. 18,1993 Sheriff's Return and Affidavit of Service filed. SERVED the within Petition for protection from abuse and Court Order on June 16, 1993, at 1015 hrs.,upon Eric James Titch at Erie County Sheriff Department, 140 West 6th Street, Erie, Pennsylvania by handing to Eric James Titch a true and correct copy thereof and made known to him the contents therein.

Robert N. Michel, Sheriff Erie County
Stephen Brandon,Deputy Sheriff

See Affidavit of Service endorsed hereon by Sheriff of Erie County, Pennsylvania, whichis part of this return.

So answers:

Robert M.Stevens, Sheriff, Crawford County, PA

June 23, 1993 ORDER filed. AND NOW, June 21, 1993, this matter is before the Court on a petition by the Plaintiff for relief under the Protection From Abuse Act.

The Plaintiff appears with counsel and the Defendant appears without counsel, but indicates that he has consulted counsel and wishes to proceed at this time without counsel.

The Defendant admits some of the allegations of the Petition to the extent that they would constitute abuse within the Act, and by agreement of the parties, the following Order is entered:

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

2. The Plaintiff shall have exclusive possession of what was formerly the marital home and the Defendant shall not go to that residence except for the prupose of temporary custody periods with the parties' child as designated in this Order.

3. If the Defendant shall be at that residence at any other time, he shall be presumed to be in violation of this Order even if he has been invited by the Plaintiff.

Therefore, if the parties would want the Defendant to be allowed at the former marital residence for any purpose other than exchange of the child after periods of temporary custody or when the child is picked up to begin a period of temporary custody, she shall seek a modification of this Order.

4. Pending any further Order of court in this proceedign or any other appropriate proceeding, the Plaintiff shall have physical custody of the minor child with the Defendant to have temporary custody each Sunday beginning June 27, 1993 from 10:00 a.m. until 6:00 p.m. During those periods of temporary custody, the Defendant shall not allow the child to go to Defendant's father's home at any time.

For each period of temporary custody the Defendant shall pick up the child at Plaintiff's residence and return the child to Plaintiff's residence at the conclusion of such period of temporary custody. In doing so, the Defendant shall not enter the home of the Plaintiff and shall not assault, abuse, harass or threaten the Plaintiff during such exchanges.

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

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

7. The Plaintiff currently resides at RD 2, Box 312A, Centerville, Pennsylvania, which is within the jurisdiction of the Pennsylvania State Police.

The Defendant's address is RD 2, Corry, Pennsylvania 16407, and a copy of this Order shall be sent by regular mail by the Prothonotary to him at that address.

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

9. The Defendant shall pay court costs in this matter in the amount of $122.00 within thirty (30) days of the date of this Order to the Office of the Prothonotary of Crawford County onthe first floor of the Crawford County Courthouse.

10. This Order shall remain in full force and effect through June 19, 1994.

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

June 23, 1993 copies distributed to Dft, Co. Control, PSP & Atty Walton

1993

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

584.

Harry Faber White II
Jorden and White

FAME MANUFACTURING, INC.

vs.

ROSE J. HENDRICKS aka JACKIE VILKS and ANTHONY P. HENDRICKS

Filed June 10, 1993
@ 4:20 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Se Pd 2-14-95	9.00
Pro Co Rd 9-13-94	5.00

JURY TRIAL DEMANDED

COMPLAINT UPON MECHANICS LIEN CLAIM
3 copies (atty)

July 12, 1993 AFFIDAVIT OF SERVICE, filed. I. Robert S. Bailey, being first duly sworn according to law, depose and say that I am the attorney for Plaintiff and that as such, I am authorized to make this affidavit, wherein I do hereby affirm that on June 10, 1993, I did send by first class mail, postage prepaid, certified mail, return receipt requested to Defendants at their last known address of 66076 Ave. Ladera, Desert Hot Springs, CA, 95540, a true and correct copy of the complaint in the above referenced matter. Defendants did acknowledge receipt of same on June 14, 1993 which is evidenced by the signed receipts attached hereto and made a part hereof this affidavit as Exhibit "A".

July 16, 1993, Answer and New Matter filed.

July 21, 1993 Petition For The Appointment of a Guardian Ad Litem For Minor Defendantand Order, filed. ORDER: AND NOW, this 21st day of July, 1993, a Rule is granted to show cause why a guardian ad litem should not be appointed for minor defendant Anthony P. Hendricks.

Rule returnable the 10th day of August, 1993, at Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pa., at 10:30 A.M. All proceedings, only as it pertains to Defendant Anthony P. Hendricks, to stay meanwhile. By the Court:
Gordon R. Miller, P.J.

JUly 27, 1993 copy to R. Bailey & H. White

July 27, 1993 Demand for Jury Trial Filed.

July 29, 1993 Reply to New Matter filed.

Aug. 12, 1993 ORDER filed. AND NOW, August 10, 1993, at the time set for hearing to appoint a guardian for the two-and-one-half-year-old minor child, Anthony P. Hendricks, who is a joint tenant owner on the real estate in question, counsel for Fame Manufacturing and Rose J. Hendricks advise the Court they believe they have reached an agreement whereby the father of minor child Anthony P. Hendricks will act and consent to be appointed guardian of the minor in this litigation. FURTHER, confirmation of this fact is required, and accordingly, this hearing is continued indefinitely, with the Court allowing counsel for both parties to present a mutually agreeable Order to the Court for signature without hearing within the next 20 days.
BY THE COURT,
P. Richard Thomas, S.J.

Aug. 12, 1993 copies dist to Bailey & White

Sep. 10, 1993 Notice of Intent to Complete Discovery filed.

Sep. 10, 1993 Certificate of Service filed. I, ROBERT S. BAILEY, attorney for the Plaintiff in the above civil action do hereby certify that I did on the 10th day of September, 1993, send a true and correct copy of the NOtice of Intent to Complete Discovery by first-class mail, postage prepaid to Harry F. White, Esquire, Attorney for Defendants at his business address of 966 South Main Street, Meadville, PA 16335.
Robert S. Bailey, Esquire

Sep. 13, 1993 ORDER APPOINTING GUARDIAN AD LITEM filed. AND NOW, this 13 day of Sept. , 1993, after the time set for hearing on the Petition for theAppointment of a Guardian Ad Litem for Anthony P. Hendricks, the minor defendant in the above captioned matter, it is hereby ORDERED AND DECREED that Philip J. Hendricks, father of Anthony P. Hendricks, defendant, be and is hereby appointed guardian ad litem for the said Anthony P. Hendricks, to represent and defend the interests of the said Anthony P.Hendricks on all matters related to the above captioned case.

It is further ORDERED AND DECREED that by consent of counsel for the above named minor, service of the original process heretofore made uponthe grandmother, Rose J. Hendricks, aka Jackie Vilks, aka Rose Jackie Hendricks-Vilks, is hereby deemed adequate pursuant Pennsylvania Rules of Civil Procedure.
P. Richard Thomas, S.J.

9-20-93 Copy of Order to Attys. Bailey & White, II.

Oct. 11, 1993 Notice of Service Of Interrogatories filed.

Nov. 12, 1993 Certificate of Readiness for Placement on Civil Trial List filed.

Feb. 2, 1994 ORDER filed. And now, this 1st day of February, 1994, following the call of the February Civil Trial List, pretrial conferences are hereby scheduled in the following cases on the following dates at the times set forth below:

Caption & Number (Abbreviated)	Pretrial Conference Date and Time
Fame Mfg., Inc. v. Hendricks, et al AD 1993 -584	Wed., Feb. 9, 1994, 9:00 A.M.

To the extent possible, pretrial conferences will be held before the judge who it is anticipated will try the case (subject to change). Counsel are directed to report any changed in the status of any case to the Court Administrator at the earliest possible time.
BY THE COURT,
Gordon R. Miller, P. J.

2-2-94 Copies to all counsel of record and unreporesented parties.

And Now, Feb.9, 1994 at 4:27 P.M. upon Praecipe of Plaintiff's Attorney, Robert S. Bailey, Esq. judgment is hereby entered in favor of the Plaintiff and against the Defendants in the amount of Forty-Nine Thousand Two hundred Sixty-three and 31/100 Dollars, plus interest from March 11, 1993 at the rate of six (6%) percent per annum, compounded annually,plus record costs.
H-143;V-91;H-143; H-13;
Entered 2-9-94
Atty. Bailey

Debt	$49,263.31
Interest (see paper filed)	
Judgment	

Barbara H. King,Prothonotary

Continued to Page 134 A

Fame Manufacturing, Inc.
vs.
Rose J.Hendricks aka Jackie Vilks aka Rose Jackie Hendricks-Vilks and Anthony P. Hendricks

Continued from Page 134 of Record

AD 1993 - 584

****

ORDER, AND NOW, this 9th day of February, 1994, the above Consent Judgment Stipulation is hereby entered as a Judgment in the above captioned matter and at Crawford County MLD 1993-69

By the Court:
Anthony J. Vardaro, J.

2-9-94 Copy given to Atty. Bailey & White

Feb. 22, 1994 Bill of Costs Per Local Rule L217A, filed.

Jul. 28, 1994 Petition to Extend Duties of Guardian and ORDER filed. AND NOW, this ____ day of July, 1994, in response to the foregoing Petition, the duties of PHILIP J. HENDRICKS, as Guardian for his minor son, Anthony P. Hendricks, are hereby continued such that Philip J. Hendricks may execut e a sales agreement for the sale of the real estate at issue here and further a hearing to approve the pending sale is scheduled for the 9th day of August, 1994, in Courtroom 3 at 3:00 o'clock P.M. at the Crawford County Courthouse.

BY THE COURT:
P. Richard Thomas

7-29-94 Faxed to Attys. Bailey & White

Aug. 9, 1994 ORDER filed. AND NOW, this 9th day of August, 1994, after review of the Petition and hearing t hereon, it is hereby ordered that Philip J. Hendricks, as guardian for the minor, Anthony P. Hendricks, shall execute and deliver an appropriate deed conveying the minor Anthony P. Hendricks' interest in a dwelling house being known and designated as Lot No. 50 of Saeger Heights Plan of Lots No. 2 as recorded in Crawford County Plan Book 4, page 75 and more completely described by deed dated September 10, 1992 and recorded in Crawford County Record Book169, page 502 to Daniel A. Nowak and Karen L. Nowak.

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

8-12-94 Faxed to Attys. Bailey & White

Sept. 13, 1994 Upon praecipe of plaintiff's attorney the above captioned matter is satisfied of record.

1993

Ostroff & Kline, PC
Jonathan Ostroff

585.

BOBBIE JO LUCE, a minor by her parents and natural guardians, JOHN LUCE and ARLENE LUCE

vs.

LARRY LUCE

Filed June 11, 1993
@ 12:04 PM

Tax & entry paid	50.50
User's Fee paid	5.00

WRIT OF SUMMONS

Jun. 25, 1993 Petition to Approve Settlement of Minor's Claim and Schedule of Distribution Pursuant to Pa.R.C.P. 2039 and ORDER FOR DISTRIBUTION filed. AND NOW, this 25 day of June, 1993, upon consideration of the foregoing Petition,it is hereby ORDERED and DECREED that the settlement secured in this action for the gross sum of Twenty-Five Thousand Dollars ($25,000.00) for Bobbie Jo Luce, a minor, be approved,counsel fees are allowed and distribution directed as follows:

To:	Ostroff & Kline, P.C. - Reimbursement of Costs	$ 414.92
To:	Ostroff & Kline, P.C. - Counsel Fees	6,250.00
To:	Bobbie Jo Luce, Minor, to be deposited in a federally insured certificate or account to be marked "not to be withdrawn until minor attains the age of eighteen (18) or until further Order of the Court."	335.08
To.	Bobbie Jo Luce, Minor, to be placed in a structured settlement annuity account, and to be paid out in four (4) successive annual payments of Nine Thousand Two Hundred Thirty Dollars ($9,230) when she attains the age of eighteen (18) years (12/29/2003), nineteen (19) years (12/29/2004), twenty (20) years (12/29/2005), and twenty-one (21) years (12/29/2006). Net present value:	18,000.00
	TOTAL VALUE	$25,000.00

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

6-30-93 Copy of Order forDistribution to Atty. Ostroff.

1993

Jorden & White
Harry Faber White, II

586.

MELISSA L. HALL

vs.

STEPHEN RICHARD ROWLAND

Filed June 11, 1993
@ 2:47 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	28.00
Pro Pd 10/31/95	6.00

WRIT OF SUMMONS
Issued Sheriff

July 1, 1993 Writ Return filed. SERVED Stephen Richard Rowland personally on June 22, 1993 at 3:40 PM by handing a copy of the Summons to him at his residence, R.D. #7, State Road Hill, Meadville, Crwaford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Oct. 19, 1995 Motion to Dismiss for Lack of Prosecution filed.

Oct. 31, 1995, Upon praecipe of plaintiff attonrey, the above captioned case is marked settled and discontinued of record.

1993

587.

Culbertson,WEiss,
Schetroma & Schug
Alan R. Shaddinger

JAMES H. ANDERS

vs.

WEST MEAD TOWNSHIP

Filed June 14, 1993
@ 10:48 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro.Co. pd 12/13/93	6.00

JURY TRIAL DEMANDED

MANDAMUS ACTION TO COMPEL LOAD TEST
2 copies Plaintiff

Oct. 6, 1993, Complaint Reinstated.

Oct 12, 1993 Sheriff's Return, filed. SERVED Michael Jordan on October 11, 1993 at 11:35 AM by handing a copy of the Complaint to Judy Mona Secretary and Adult in Charge, at West Mead Township Building, Morgan Village, Crawford County, Pa.
So answers, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Nov. 1, 1993 Appearance of Culbertson, WEiss, Schetroma and Schug by Alan R. Shaddinger, Esquire for West Mead Township and Michael Jordan, Code Official, Defendants, filed.

Nov. 1, 1993 Answer of Defendants to Complaint in Mandamus to Compel Load Test filed.

Nov. 4, 1993 Response to Defendats' Answer, filed.

Nov. 4, 1993 Upon Praecipe of James H. Anders,Plaintiff, the above captioned matter is placed on the next available Argument List.

ON DECEMBER, 1993 ARGUMENT LIST

Nov. 10, 1993 Demand for Jury Trial, filed.

Nov. 24, 1993 Certificate of Readiness filed. (Certificate of Readiness wants to strike the matter from the Argument list.)

Dec. 13, 1993 Upon Praecipe of James H.Anders, Plaintiff, the above-captioned case settled, discontinued and ended.

138

1993

Ostroff & Kline, PC
Jonathan Ostroff

588.

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

John M.Dawson

John B. Brautigam

JOHN THOMAS PHILLIPS

vs.

MELISSA L. CHAMBERS

Filed June 14, 1993
@ 1:45 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	30.00
Pro Pd 7/11/94	5.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

June 18, 1993 Praecipe To Substitute Verification filed.

July 6, 1993 SHERIFF'S RETURN, filed. SERVED Melissa L. Chambers personally on June 29, 1993 at 10:23 AM by handing a copy of the Complaint to her in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Pa.
So answers, Diane Brittain, Deputy Sheriff
Robert M. Stevens, Sheriff

July 2, 1993 Appearance of Culbertson, weiss, Schetroma and Schug, P. C. by E. Max Weiss for Defendant, filed.

July 28, 1993 Answer and New Matter filed.

Aug. 4, 1993 Plaintiff's Answer to New Matter of Defendant Melissa L. Chambers, filed.

Aug. 18, 1993 Praecipe to Substitute Verification filed.

Oct. 14, 1993 Certificate of Service filed. The undersigned hereby certifies that Answers to Plaintiff's REquest to Produce under Pennsylvania Rule of Civil Procedure 4009 were served by first class mail upon Jonathan Ostroff,Attorney for Plaintiff, on October 14, 1993, by forwarding to him a copy of said Answers.
John M.Dawson, Esquire

Oct. 21, 1993, Certificate of Service of Answers to Plaintiffs Interrogatories filed.

May 20, 1994 Notice of Taking Depositions on Oral Examination of John Thomas Phillips, filed.

May 24, 1994 Notice of Taking Depositions on Oral Examination of John Thomas Phillips filed.

July 11, 1994, Upon praecipe of plaintiff attorney, the above captioned case is hereby marked settled, discontinued and ended of record.

1993

George B. Mastovich 589.	GREEN TREE CONSUMER DISCOUNT CO., vs. JAMES D. KNIGHT and KENNETH KNIGHT Filed June 14, 1993 @ 1:45 PM Tax & entry paid 50.50 User's Fee paid 5.00 Sheriff's Costs 38.00	COMPLAINT IN CIVIL ACTION 2 copies Sheriff July 8, 1993 Sheriff's Return filed. SERVED James D.Knight Personally on June 30, 1993 at 4:03 PM byhanding a copy of the complaint in Replevin to him in theSheriff's Office, Crawford County Courthouse, Meadville, PA. NOT FOUND as to Defendant,Kenneth Knight. An Angela Samanski lives in the trailer described as his address on Star Route, Meadville, Crawford County, PA, and has been there for several years and has never heard of a Kenneth Knight. So answers, Diane Brittain, Deputy Sheriff Robert M.Stevens, Sheriff

140

1993

Mazzotta, McCague
& Associates, PC
J. Michael McCague
Donald S. Mazzotta

590.

INTEGRA BANK NORTH

vs.

JAMES F. DOWLING

Filed June 14, 1993
@ 1:45 PM

Tax & entry paid	50.50	
User's Fee paid	5.00	
Pro Co pd 7-13-93	37.00	
Pro Co pd 8-12-93	9.00	

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

July 13, 1993 SHERIFF'S RETURN, filed. SERVED James F. Dowling personally on June 30, 1993 at 2:05 PM by handing a copy of the Complaint to him at 119 North Franklin St, Titusville, Crawford County, Pa.
So answers, Scott D. Young, Deputy Sheriff
Dale A. Collins, Chief Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, Aug. 12, 1993 @ 11:12 a.m., uponpraecipe of plaintiff' attorney judgment is hereby entered in favor of the plaintiff and against the defendants for want of an answer and the same is liquidated at the sum of Eleven Thousand One Hundred Fourteen Dollars and 91/100, including interest from 12/15/92 to 8/2/93 and with interest accruing on the total of $11,114.91 at the rate of 6.000% from the date of Judgment together with costs of suit.
Entered 8-12-93 Debt: $11,114.91 plus interest
D - 91
JUDGMENT
Barbara H. King, Pro.
8-20-93 Notice of entry of Judgment sent to Dft.

1993

Roeder & Rothschild
Tamera Ochs Rothschild

591.

RONALD W. SEE

vs.

WENDY C. SEE

Filed June 14, 1993
@ 1:45 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro.Co. pd 12/14/95	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION OF MARITAL PROPERTY
2 copies atty.

June 29, 1993 Certificate of Service and Affidavit of Return of Service filed. On June 17, 1993, I mailed a certified copy of a Divorce Complaint in the above captioned matter by Certified Mail No. P 236 793 142 Return Receipt Requested, Restricted Delivery, postage prepaid, to the Defendant, Wendy C. See, addressed as follows: Wendy C. See, R.D. #1, Box 184, Titusville Pa 16354 Defendant signed a return receipt delivery June 23, 1993. The receipts are attached hereto and marked as "Exhibit A".

I make this statement pursuant to 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities and understand that false statements may subject me to criminal penalties under that statute. Tamera Ochs Rothschild

Dec. 13, 1995 Affidavit of Consent by Ronald W. See, Plaintiff, filed.

Dec. 13,1995 Affidavit of Consent by Wendy C.See, Defendant, filed.

Dec. 13, 1995 Upon Praecipe of Tamera Ochs Rothschild, Esquire ATtorney for Plaintiff to transmit record, case moved to Court.

DIVORCE DECREE FILED

Dec. 19, 1995 AND NOW, this 18th day of December, 1995, it is ORDERED AND DECREED that RONALD W. SEE, Plaintiff, and WENDY C. SEE, Defendant, are divorced from the bonds of matrimony.

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that terms, provisions and conditions of a certain Marriage Settlement Agreement between the parties dated Dec. 12, 1995, and attached hereto, are hereby incorporated in this decree and order by reference as fully as though the same were set forth herein at length. Said agreement shall not merge with, but shall survive this decree and order.

BY THE COURT:
Gordon R. Miller, J.

142

1993

Law Office of Marianne C. Mnich
Susan D. O'Connell

592.

Christopher Youngs

ALLSTATE INSURANCE COMPANY, as subrogee for DOLORES G. HUDAK

vs.

STEPHEN RICHARD ROWLAND

Filed June 14, 1993
@ 1:46 PM

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

WRIT OF SUMMONS
Issued Sheriff

June 30, 1993 SHERIFF'S RETURN filed. SERVED Stephen R. Rowland personally on Juen 22, 1993 at 3:41 PM by handing a copy of the Summons to him at his residence, RD 7, State Road Hill, Meadville, Crawford County, Pa.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Sept. 6, 1995, Complaint filed.

Oct 2, 1995 Motion to Dismiss for Lack of Prosecution and Order filed:AND NOW, September 29, 1995, upon presentation of the foregoing Motion to Dismiss for Lack of Prosecution, a Rule is issued upon the Plaintiff, Allstate Insurance Company, to appear and show cause, iany, why this action should not be dismissed for lack of prosecution. Hearing and argument on the Defendant's Motion is scheduled for October 19, 1995 at 8:45 A.M. o'clock Courtroom 1 or 2 Crawford County courthouse, Meadville, Pennsylvania 16335

THE PLEADINGS ARE STAYED until disposition of the Defenant's Motion.

BY THE COURT,
Gordon R. Miller, J

10-2-95 Faxed C. Youngs and O'Connell.

Oct. 27, 1995 ORDER filed. AND NOW, October 26, 1995, the defendant's motion for judgment of non pros is granted for lack of docket activity for over two years without any explanation by the plaintiff for said delay.

Judgment is entered in favor of the defendant and against the plaintiff. This action is dismissed.

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

Oct. 27, 1995 Copy placed in Atty. C. Youngs mailbox; mailed Atty. Zarsadias.

1993

593.

KAY ARTMAN

vs.

HOWARD ARTMAN

Filed June 14, 1993
@ 2:04 PM

Tax & entry Pd 10-10-97 50.50
User's Fee ~~paid~~ pd 5.00
Sheriff's Costs Pd 25.00
Pro Co Pd 10-10-97 9.00

10-9-97 pd Sheriff
#11331 25.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

Order:

And now, this 14 day of June , 19 93, upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

2. Special Conditions: The Plaintiff shall have exclusive possessiion of cottage at RD #1 Saegertown and exclusive custody of the minor children all pending further order of court.

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

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

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

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

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

8. The court reserves ruling on allocation of fees and costs. Hearing is hereby set for June 22, 1993 , at 3:30 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

June 16, 1993 Sheriff's Return filed. SERVED Howard Artman personally on June 14, 1993 at 2:50 PM by handing a copy of the Protection from Abuse to him at the residence, R.D.#1, Box161, Saegertown, Crawford County, PA. Given until 3:30 PM same day to be out of the house.
So answers,
James Withers, Constable
Robert M.Stevens,Sheriff

JUne 24, 1993 Complaint For Indirect Criminal Contempt for Violation of Protection From Abuse Order, filed.

June 24, 1993 Order filed. AND NOW, June 22, 1993 this matter is before the Court on Plaintiff's petition for relief under the Protection from Abuse Act.

Both parties appear without counsel and after having been advised of his right to counsel, the Defendant agrees to proceed without counsel.

The parties agree to the entry of an order without admission of the allegations of the petition on the part of the Defendant and it is ORDERED as follows:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any minor child named in the petition. This prohibition shall take effect wherever the Plaintiff or the minor children shall be, whether it be in private or in a public place.

2. The Plaintiff shall have exclusive possession of the cottage at RD 1, Saegertown, Pa. and the Defendant shall not go to that residence at any time except as set forth hereinafter in this order. If the Defendant shall go to that residence at any other time, even if he is invited, it shall be presumed tht he is in violation of this order and he shall be subject to arrest for contempt. He is advised that he should not go to the residence other than for the prupose set forth in this order and allowable by this order even if he is invited unless this order is modified by agreement of the parties which requires them to file further papers with this Court.

3. The Plaintiff shall continue to have physical custody of the minor children as has been apparently set forth in an order within a custody action, pending any further order of Court in that action or any other appropriate action. The only change that shall occur with respect to the temporary custody periods given to the Defendant is that all exchanges of the children shall take place at the H & H Super Duper in Saegertown.

4. The parties agree that the Defendant continues to have some personal items including a motor cycle in the garage at the residence at RD 1, Saegertown and he shall be permitted to go to the garage only for the purpose of removing those items at noon on July 3, 1993 for a period of no more than 2 hours. He shall not enter the home at that residence but shall confine himself to the garage. The Plaintiff agrees that she will advise her neighbors that the Defendant is permitted to be in the garage at that time so that they will not call the police when they see him there.

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

6. A copy of this order shall be delivered to the police department in the jurisdiction where the Plaintiff resides and to County Control. The Plaintiff currently resides at Rd 1, Saegertown, Pa. and therefore a copy of this order shall be provided to the Pa. State Police and to the Saegertown Borough Police.

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

8. A copy of this order shall be sent to the Plaintiff at RD 1, Saegertown, Pa. and to the Defendant at 681 Ellis Avenue in Meadville, Pa. both by regular mail with the same to be sent by the Prothonotary.

9. The Defendant shall pay court costs int he amount of $89.50 to the Prothonotary of Crawfod County on the first floor of the Crawford County Courthouse within 60 days of the dte of this order

10. This order shall remain in full force and effect through June 21, 1994.

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

June 30, 1993 copy to PSP, Co Control, Plf. & Dft.Also, Saegertown Borough Police

1993

Mason & Mason
Joan D. Mason,

594.

SANDRA D. QUICKEL

vs.

DAVID M. QUICKEL

Filed June 14, 1993
@ 3:49 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. Pd 9/24/93	9.00
Pro.Co.pd 3/4/94	5.00

COMPLAINT IN DIVORCE
2 copies atty.

July 9, 1993 AFFIDAVIT OF SERVICE, filed. I, Joan D. Mason, Esquire, attorney for the Plaintiff in the above entitled case, and being duly sworn according to law, desposes and say that I did on June 17, 1993 mail to the above Defendant, David M. Quickel, by certified mail return receipt requested, deliver to addressee only, a Complaint in the above divorce action. Said notice was received on June 18, 1993, as indicated by the return receipt card which was returned to the office of the Plaintiff's attorney and is attached hereto.

Sep.24, 1993 Affidavit of Consent by David M.Quickel, Defendant, filed.

Sep. 24, 1993Affidvit of Consent by Sandra D.Quickel, Plaintiff, filed.

Sep. 24, 1993 Upon Praecipe of Joan D. Mason, Esquire, Attorney for Plaintiff, to transmit record, case moved to Court.

DIVORCE DECREE FILED

Oct. 5, 1993, AND NOW October 5, 1993, ti is ordered and decreed that SANDRA D. QUICKEL, plaintiff, and DAVID M. QUICKEL, defendant, are divorced from the bonds of matrimony.

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

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

Nov. 22, 1993 Motion to Amend Divorce Complaint Caption and ORDER OF COURT filed. And now, Nov. 18, 1993, Motion gratned. The caption of this case shall be changed on all subsequent filings. A separate amended decree is entered this date.

Gordon R. Miller, J.

Nov. 23, 1993 Copy of Order to Atty. J. Mason.

DIVORCE DECREE FILED

Nov. 22, 1993 AND NOW, Nov. 18, 1993, the divorce decree entered Oct. 5, 1993 is hereby amended to reflect a change and correction in the name of the plaintiff. SANDRA O. QUICKEL, plaintiff and DAVID M. QUICKEL, defendant are divorced from the bonds of matrimony effective Oct. 5, 1993.

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.

Mar. 4, 1994 NOtice of Election to Retake Maiden Name of Sandra Q.Quickel to be known as SANDRA Q. SLAGLE filed.

1993

Barbara Walton

595.

HEATHER STERN

vs.

KEVIN STERN

Filed June 15, 1993
@ 11:05 a.m.

Tax & entry paid	$50.50
4 cts. paid	60.00
state paid	10.00
state paid	25.00
Pro Co pd	9.00

COMPLAINT IN DIVORCE, CHILD SUPPORT, ALIMONY PENDENTE LITE, COUNSEL FEES, COSTS, EXPENSES, PERMANENT ALIMONY, EQUITABLE DISTRIBUTION, CUSTODY

2 copies (atty)

June 21, 1993 Affidavit of Service filed. And Now, June 21, 1993, comes Lisa M. Sherretts and states the following:
1. that she is the legal assistant of Attorney for Heather Stern Plaintiff in the above-captioned matter.
2. That on information furnished her by the Plaintiff, she caused a certified copy of the Complaint in Divorce to be forwarded by Certified Mail, P341 728 840; to the last known address of the Defendant, Kevin Stern, P.O. Box 3627, Erie, PA 16508-0627.
3. That the Defendant, Kevin Stern, on June 16, 1993, personally signed the return receipt card which was affixed to the Complaint inthe above-matter and which is attached hereto.
4. Service ofthe Complaint against Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.
I verify that the statements made in this Affidavit of Service are true and correct to the best of my knowledge and infomration I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities. Lisa M. Sherretts

Oct. 4, 1993 Affidavit of Consent of Plaintiff, filed.

April 12, 1994 Property Settlement Agreement on behalf of plaintiff, filed.

April 12, 1994 ~~Plaintiff's~~ Defendant's Affidavit of Consent filed.

April 12, 1994 Stipulation and Consent to Entry of Order filed.

Apr. 28, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

May 4, 1994 AND NOW, this 3rd day of May, 1994, upon presentation of the Stipulation and Consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED AND DECREED that:

1. The bonds of marriage between Plaintiff, HEATHER STERN and Defendant, KEVIN STERN, are dissolved because the marriage is irretrievably broken. Plaitiff and Defendant are divorced from the bonds of matrimony.

AND IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that the terms, provisions and conditions of the Proper Settlement Agreement between the parties herein, dated April 11, 1994, shall be incorporated in this decree and order by reference as fully as though the same were set forth herein, at length.

1. Plaintiff and Defendant have reached an agreement as to the equitable distribution of property and debt as provided in the Property Settlement Agreement.

2. Legal custody of the 3 minor children, BRANDY, KRISTINA AND KELLY STERN shall be shared between the parties. Primary physical custody of the 3 minor children shall be with the mother and the father shall have partial custody and visitation as provided in the Property Settlement Agreement.

3. This Honorable Court shall retain jurisdiction of this matter.

BY THE COURT:
Gordon R. Miller, J.

1993

Barbara J. Walton

596.

Brian J.Lindsay

$150.00 paid by plff- mediation deposit

8-17-93 Pd G Com, Med Fees Ck# 7724(Partial) 150.00

ANN GLADIS

vs.

MEDINA FUGATE

Filed June 15, 1993
@ 3:47 p.m.

Tax & entry paid	$50.50
state paid	5.00
Bruce L. Smith mediator	247.57
Pro Co	9.00

COMPLAINT FOR CUSTODY

NOTICE:

You, Medina Fugate, have been sued in court. If you wish to defend against he claims set forth in the following pages, you must take prompt action. These proceedings may affect your child custody and/or visitation rights.

You are ordered to appear for a hearing as soon as hearing can be scheduled, before BRUCE SMITH, ESQ. CHILD CUSTODY MEDIATOR, at such time and place as he shall designate.

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

Until mediation hearing is held, neither party shall remove the children from Crawford County, Pa.

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

Crawford County Bar Assn. SEr. to public Comm.
c/o Prothonotary, Courthouse,
Meadville, Pa. 16335
814 - 724-4636

By the Court,
Anthony J. Vardaro, J.

June 18, 1993, copies of order to B. Walton and Bruce Smith ESqs

Jun. 28, 1993 Appearance of Brian J. Lindsay,ESquire for Medina Fugate, Defendant,filed.

June 30, 1993 Answer To Custody Complaint/Special Relief and Order, fiiled. ORDER: AND NOW, this 30 day of June, 1993, the request for Special Relief in the above captioned matter is hereby granted and the language contained in the Notice and order concerning the non-removal of the subject children from Crawfor d County is modified to the extent that any out of county trips or absence of the children shall not exceed 48 hours without a further order of court and notice to Plaintiff. P. Richard Thomas, S.J.
June 30, 1993 copies given to Lindsay

July 7, 1993, Affidavit of Service filed. And Now June 28, 1993, comes Lisa M. Sherretts and states:

1. that she is the legal asst. of Atty. for plaintiff in above matter.

2. That on information furnished her by plff., she caused a cert. copy of the Complaint to be forwarded by Cert. Mial P 899 097 896 to the last known address of dft. 539 E. Henry ST. Meadville, Pa. 16335.

3. That the dft. on June 24, 1993, personally signed the ret. rec. card which was affixed to the Complaint in above matter and which is attached hereto.

4. Service of the complaint against dft. is therefore effected in accordance with Pa. Rules of Civil Procedure. Lisa. M. Sherretts.

July 22, 1993 TEMPORARY ORDER OF COURT, filed. AND NOW, this 21st day of july, 1993, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parent of Tiffany Fugate, age twelve, born September 11, 1980, and Crystal Fugate, age eight, born April 19, 1985, the defendant mother in this case, shall retain legal and physical custody of the said minor children as it relates to the plaintiff grandmother in this case.

2. Regular visitation and temporary custody of the children shall be granted to the plaintiff grandmother, Ann Gladis, as follows:

a. The plaintiff grandmother shall have the right to take the two children into her temporary physical custody every Wednesday evening, year around, from 4:00 p.m. to 8:00 p.m., prevailing local time. It is suggested, without being ordered, tht the 8:00 p.m. hour be extended during the summer, if the girls' bedtime is later than durign the school year. The grandmother may, not more often than once a month, upon a prior notice of forty-eight hours to the defendant mother, change the day of visitation from Wednesday to Tuesday or Thursday to accommodate her work schedule at Ponderosa.

b. The plaintiff grandmother shall pick up and drop off the children at the mother's residence.

c. The grandmother is permitted to make two successful telephone calls to either or goth of the girls each week. Successful in this case means that the telephone contact is made with one or both of the children during each call. The children shall have the right to unlimited telephone calls to the grandmother, limited by the grandmother.

d. If one or both of the children should be out of town on a vacation, that week's visitation for the grandmother shall be waived. Overnight visitations are permitted and encouraged by mutual consent of both the mother and the grandmother.

3. If, during a time when the grandparent has temporary physical custody of one or both of the children, injury or illness occurs which requires medical treatment, she shall immediately notify the mother.

4. Neither the parent nor the grandparent shall take the children into any environment which might be commonly thought of as detrimental to their development or to the development of their character or which would be commonly thought of as dangerous to their physical persons.

5. The parent and the grandparent are encouraged to discuss arrangements for physical custody of the children; and, if the parties mutually agree to alternative arrangements, other than those above outlined, 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. It is specifically indicated that the defendant mother shall be entitled to take two weeks of vacation out of the Meadville area with the children without visitation for the plaintiff grandmother each summer. She shall give the grandmother a notice of at least one week as to when this is to occur.

6. The defendant mother, the plaintiff grandmother, and any adult coming into regular contact with the children shall teach the children involved in this case to develop and express that natural love and respect due a parent and grandparent from their children or grandchildren. None of the adults coming into regular contact with the children will do or say anything to blacken the character of either the parent or the grandparent in the eyes of the children. This admonition shall extend to any boyfriend of the mother, the stepgrandfather, and any other grandparent.

CONTINUED ON PAGE 146A

1993

ANN GLADIS
VS.
MEDINA FUGATE

CONTINUED FROM PAGE 146
of Record
A. D. 1993 - 596

****

7. This Order shall not prejudice the right of either party to request further Mediation if there are changed circumstances in the lives of the parties or the children or in the event that the best interest of the children would be served by further Mediation. For the purposes of this paragraph, the mother shall give a written notive of thirty days to the grandmother of any intention to move from Crawfor dCounty on a more or less permanent basis, during which time the grandmother shall be entitled to request further mediation.

8. The Court of Common PLeas of Crawford Cfounty, Pennsylvania, shall retain jurisdiction of this matter so long as either the mother or one of the children resides in the Court's jurisdiction adn for at least six months from the date of this Temporary Order.

9. The fee for Child Custody Mediation shall be paid 100% by the plaintiff grandmother.

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, P.J.

JUly 27, 1993 copy to B. Walton, B. Lindsay, B. Smith, Plf. & Dft.

Aug 23, 1993 Motion For Refund Of Unused Mediation Deposit, filed.

Sept. 3, 1993 Order filed. AND NOW, September 2, 1993, we have before us a motion for refund of unused mediation deposits filed by the Plaintiff indicating tht a $150 deposit has been made and that the Court has ordrred the Plaintiff to pay $106.57 so that she should be entitled to have $43.43 returned to her.

An actual review of this file indicates tht the Plaintiff was responsible for mediation fees and costs in the amount of $247.57 together with a filing fee of $9 for a total of $256.57. Her $150 deposit was deducted so that the actual amount due at this time is $106.57 and, accordingly the Plaintiff's motion is denied and she is directed to pay the remaining $106.57 to the Prothonotary within ten days of the date of this order.

BY THE COURT:
Anthony J. Vardaro, J.

9-3-93 copies dist. to Walton & Lindsay

146
-6-

1993

1993

Shafer, Swick Bailey
Irwin & Stack
James R. Irwin

597.

Joan Mason

PHYLLIS FEIL

vs.

JACK FEIL

Filed June 16, 1993
@ 10:22 a.m.

Tax & entry paid	$50.50
State paid	10.00
State paid	5.00
Pro Co Pd 10-13-93	15.00
State Pd 10-13-93	5.00
Pro.Co. pd 4/11/94	5.00

COMPLAINT IN DIVORCE

2 copies (atty)

Aug. 4, 1993 Complaint Reinstated.

Aug 5, 1993 Affidavit of Acceptance of Service, filed. I, Jack Feil, Defendant in the above captioned action, do hereby state that I accepted service of a true and correct copy of the Complaint in Divorce, on August 5, 1993 at the law office of James R. Irwin, Esq.,

Oct. 4, 1993 Motion For PermissionTo File Amended Complaint in Divorce filed.

Oct. 4, 1993 Order filed. AND NOW, this 4th day of October, 1993, Plaintiff, Phyllis Feil is hereby granted permission to file the Amended Complaint in Divorce at the abovecaptioned number.

BY THE COURT,
Gordon R. Miller, J

Oct. 8, 1993 Copy of order to Atty. Irwin

Oct. 4, 1993 Amended Complaint In Divorce filed. (Equitable Property Determination and Distribution)

Oct. 4, 1993 Petition For Special Relief filed.

Oct. 4, 1993 Rule filed. AND NOW, this 4th day of October, 1993, upon presentation and consideration of the foregoing, a rule is entered upon the Respondent to show cause, if any he has, why the prayer of the Plaintiff should not be granted.

RULE RETURNABLE ON THE 28th day of October, 1993, at 4:00 o'clock p.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, PA 16335.

BY THE COURT,
Gordon R. Miller, J

Oct. 8, 1993 Copy of order to Atty. Irwin

Oct. 29, 1993, ORDER filed. AND NOW, Oct. 28, 1993, after an informal hearing where both parties were represented by counsel, the court ORDERS AND DIRECTS athat any recovery bythe dft. on his Worker's Compensation claim that is now pending from Oct. of 1990 shall be held and frozen in an interest-bearing account after legitimate deductions are made from any fund payments for attorney's fees and any legitimate expenses incurred in creating the fund and in pursuing the Worker's Comp. litigation and claim.

The dft. is prohibited and enjoined from disposing of any Worker's Compensation preceeds whether lump sum, surrent, prospective, et cetera, until further order of this c ourt.

This order is made without prejudice to the defendant to approach the court again if there are facts and circumstances which would alter this injunction or cause the court to reconsider this injunction. No decision or order is made with respect tothe fund as being or not being marital property. This order is made simply to hold any Worker's Compensation funds until this case is disposed of by agreement of the parties or by an ultimate court order of equitable distribution.

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

Oct. 29, 1993, copies to ATTYS. Mason and Irwin

Apr. 11, 1994 Upon Praecipe of James R.Irwin, Esquire, Attorney for Plaintiff, the above captioned divorce case is marked discontinued of record.

1993

598

DONNA J. ARMOUR

VS.

JAMES BRYANT KESTER

Filed June 16, 1993
@ 11:59 a.m.

Tax & Entry	50.50
User Fee	5.00
Sheriff's Costs	20.00

PROTECTION FROM ABUSE
(1 copy Plf - 3 sheriff)

ORDER:

And now, this 16th day of June , 1993, upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

2. Special Conditions: Defendant shall not contact Plaintiff in any way. Defendant shall not go to Plaintiffs residence or place of work. Possession of the trailer and custody of Shane are both awarded to Plaintiff.

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

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

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

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

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

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

Hearing is hereby set for JUne 24, 1993 , at 3:30 p.m. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,

June 18, 1993 SHERIFF'S RETURN, filed. Served James Bryant Kester personally on June 16, 1993 at 2:30 PM at Maple Grove Street, Windham, Ohio, 44288.
So answers, Donna J. Armour, Plaintiff
Robert M. Stevens, Sheriff

June 28, 1993 ORDER filed. AND NOW, June 24, 1993, at the time fixed for hearing in this matter, the Plaintiff appeared with her witness, but the Defendant did not appear. The Court is satisfied that the Defendant has been served and, therefore, we can proceed in his absence. The Court finds that the Defendant did engage in physical abuse as defined by the Act and, therefore, enters the following Order:

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

2. The Defendant shall not contact the Plaintiff in any way except as herein after provided. The Defendant shall not go to the Plaintiff's residence or place of employment. He shall not be within one hundred (100) yards of the Plaintiff's residence or place of employment.

Possession of the trailer is awarded to the Plaintiff.

3. The Defendant may contact the Plaintiff in writing or through third parties, provided that contact is not abusive, harassing or threatening, because the parties are the parents of a minor child.

4. Custody of Shane Kester is awarded to the Plaintiff. The Defendant shall not have visitation rights until he files an appropriate custody or visitation action in a court of competent jurisdiction. In the event a court of competent jurisdiction enters a custody and/or visitation Order, that Order shall supersede and take the place of this Order.

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

6. A copy of this Order shall be delivered by the Prothonotary tp the Pennsylvania State Police at Meadville and by certified mail return-receipt requested to the Defendant at the address set forth in the Petition.

7. This Order shall remain in full force and effect for one (1) year from this date, that is until June 23, 1994 unless modified or terminated by further Order of this Court.

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

9. Costs shall be paid by Crawford County since neither party works and the Plaintiff is on Public Assistance.

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

June 30, 1993 copies distributed to MPSP, Co Control, Register Cert Mail to Dft.
July 2, 1993 copy to Plf.

1993

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

599.

Mason & Mason
Joan D. Mason

PHYLLIS P. FEIL

vs.

JACK L. FEIL

Filed June 16, 1993
@ 1:21 p.m.

Tax & entry Pd. 7/8/93 $50.50
state Pd. 7/8/93 5.00
Sheriff's Costs Pd. 25.00
Pro. Co. Pd. 7/8/93 9.00

7-8-93 Rec from deft
Sheriff's Cost 25.00
7-8-93 Pd Sheriff
Ck# 7665 25.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy (plff)
3 copies (sheriff)

TEMPORARY ABUSE
ORDER:

And now, this 16th day of June , 1993, upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

2. Special Conditions:
Defendant shall move out. Defendant shall not contact plaintiff in any way. Defendant shall not be within 100 yards of plaintiffs home or work place. Possession of the residence is awarded to the plaintiff.

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

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

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

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

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

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

Hearing is hereby set for June 24, 1993 , at 3:30 m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

June 17, 1993 Sheriff's Return filed. SERVED Jack Feil personally on June 16, 1993 at 2:01 PM by handing a copy of the Protection from Abuse to him at his place of employment, Weber Harris Ford, Baldwin Street Extension, Meadville, Crawford County, PA. He was given until 3:00 pm on June 16, 1993 to be out of the residence.
So answers,

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

July 12, 1993 Stipulation and CONSENT ORDER filed. AND NOW, this 7th day of July, 1993, upon agreement of the parties, and after each has consultd with his or her attorney,Phyllis P.Feil with James R.Irwin,Esquire,and Jack L.Feil with Joan D. Mason,Esquire, the following order is entered by agreement:

1. The Defendant,Jack L. Feil, neither admits nor denies the allegations contained in the Petition filed June 16, 1993.
2. The Defendant shall not assault, abuse, harass, or threaten the Plaintiff or her minor children.
3. The Defendant shall not come to the home of the Plaintiff.
4. The Defendant shall pay court costs for the filing and service of this Petition within thirty days.
5. The Defendant will return to the Plaintiff the compact disc player. The Defendant may deliver this item to the office of the Plaintiff's attorney, James R.Irwin, for him to receive on behalf of the Plaintiff.
6. This Order shall remain in effect for a period of one (1) year from this date, and a copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
7. No hearing shall be required on this matter at this time, as both parties have stipulated to the entry of this Order without their further presence in court,and following consultation with their respective attorneys.
8. No further remedies under the Protection from Abuse Act are being sought at this time.
9. Telephone contact between the parties is not prohibited by this Order.

BY THE COURT,
Gordon R.Miller, J.

July 14, 1993 Copy of Order to Attys. Irwin& Mason.

Continued on Page 504

1993

Jorden and White
Harry Faber White II

600.

JEFFREY H. CHAMBLEY

vs.

TINA L. CHAMBLEY

Filed June 16, 1993
at 1:33 p.m.

Tax & entry paid	$50.50
state paid	5.00
state paid	10.00
Pro Co pd 7-9-93	9.00

COMPLAINT IN DIOVRCE UNDER SECTION 3301(d) OF THE DIVORCE CODE

1 copy (atty)

June 16, 1993, Plaintiff's Affidavit under Section 3301(d) of the divorce code, filed.

July 9, 1993 ACCEPTANCE OF SERVICE, filed. AND NOW, this 19th day of June, 1993, comes Tina L. Chambley, the Defendant in the above captioned matter, and swears that she accepted service of the Complaint in Divorce, the Notice to Defend, the Affidavit Pursuant to Section 3301(d) of the Divorce Code, and the Notice of Intention to Request Entry of Divorce Decree to the Defendant on the 19th day of June, 1993. Tina L. Ahambley

July 9, 1993 Defendant's Counteraffidavit Under Section 3301(d) of the Divorce Code, filed.

July 9, 1993 Upon praecipe of Plaintiff attorney to transmit records, case moved to Court.

July 21, 1993 MEMORANDUM AND ORDER, filed. AND NOW, July 20, 1993, this matter is before the Court on a praecipe to transmit the record seeking a 3301(d) divorce.

In reviewing the file, we note that the complaint does not contain the notice as required by Pa. R.C.P. 1920.12(9)(c) which is to be substantially in the form to be prescribed by Rule 1920.71.

This notice must be attached (Creach v. Creach, 361 Pa. Super. 482, 522 A.2d 1133 (1987)) and is particularly important in this case in that it contains a notice to the Defendant of vital rights that she has and she is unrepresented in this particular divorce action.

Therefore, this matter will be returned to the Prothonotary so that the Plaintiff may file an amended complaint with the notice to defend attache d and serve the same on the Defendant. Thereafter, the Defendant must be afforded adequate time under the rules to file a responsive pleading or else may waive that right so long as she has received the proper notice.

Once this matter is in order, either party may once again praecipe to transmit the record so that we may consider granting the divorce once again.

BY THE COURT:
Anthony J. Vardaro, J.

June 21, 1993 copy given Atty White

July 27, 1993 Complaint Reinstated.

July 28, 1993 Acceptance of Service filed. AND NOW, this 27th day of July, 1993, comes Tina L. Chambley,the Defendnat in the above captioned matter, and swears that she accepted service of the Complaint in Divorce, the NOtice to Defend, the Affidavit Pursuant to Section 3301 (d) of the Divorce Code, and the NOtice of Intention to Request Entry of Divorce Decree to the Defendant on on the 27th day of July, 1993.

Further, the aforesaid Tina L.Chambley swears that she received a copy of the entire packet, as aforesaid, minus an appropriate notice to defend on June 19, 1993 and is further aware that she will lose valuable rights concerning the division of property,lawyers fees and alimony, and in fact will not be making any of those claims as is evidenced by the Defendent's Counter Affidavit under Section 3301 (d) of the Divorce Code which is being signed contemporaneously herewith by Tina L. Chambley. A copy of the aforesaid Notice to Defend in the Reissued Complaint is attached to this Acceptance.

7-27-93 Tina L. Chambley

July 28, 1993 Notice of Intention to Request Entry of Divorce Decree filed.

July 28, 1993 Upon Praecipe of Harry Faber White, II, Esquire to transmit record, case moved to Court.

DIVORCE DECREE FILED

July 29, 1993 AND NOW, July 28, 1993, it is ordered and decreed that JEFFREY H. CHAMBLEY, Plaintiff, and TINA L. CHAMBLEY, 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.

1993

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

601

FRED E. WELSH

vs.

WANITA L. WELSH

Filed June 17, 1993
@ 2:36 p.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro.Co. pd 10/7/93	9.00

COMPLAINT IN DIVORCE

2 copies (atty)

June 28, 1993 AFFIDAVIT OF SERVICE, filed. I, JAMES R. IRWIN, Esquire, beign 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 June 17, 1993. The Defendant acknowledged service on June 19, 1993 by accepting delivery on that date as evidenced by the attached signed return receipt.

Oct. 5, 1993, affidavit of Consent of plaintiff filed.

Oct. 7, 1993 Affidavit of Consent by Wanita L. Welsh, Defendant, filed.

Oct. 7, 1993 Upon Praecipe of Attorney James R. Irwin, Esquire, to transmit record, case moved to court.

DIVORCE DECREE FILED

Oct. 21, 1993 AND NOW, October 18, 1993, it is hereby ordered an decreed that FRED E. WELSH, plaintiff, and WANITA L. WELSH, 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.

1993

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

602.

PennWest FARM CREDIT, ACA

vs.

BERNARD R. WAGNER AND PATRICIA J. WAGNER

Filed June 17, 1993
@ 3:13 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	37.00

COMPLAINT IN MORTGAGE FORECLOSURE

3 copies (sheriff)

July 1, 1993 Sheriff's Return filed. SERVED Bernard R. Wagner on June 22, 1993 at 3:14 PM by handing a copy of the Complaint in Mortgage Foreclosure to Patricia Wagner, Adult in Charge at the residence, R.D. #6, Meadville, Crawford County, PA.
SERVED Patricia J. Wagner personally on June 22, 1993 at 3:13 PM by handing a copy of the Complaint in Mortgage Foreclosure to her at the residence, R.D. #6, Meadville, Crawford County, PA.
So answers Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

1993

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

603.

PennWESTFARM CREDIT, ACA

vs.

EDWARD J. DOEBERIENER AND
DONNA E. DOEBERIENER,
HUSBAND AND WIFE

Filed June 17, 1993
@ 3:14 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	44.00
Pro.Co. pd 7/27/93	9.00

Sat. pd 11/21/94 - $5.00

COMPLAINT IN MORTGAGE FORECLOSURE

3 copies (sheriff)

July 1, 1993 Sheriff's Return filed. SERVED Edward J. Doeberiener personally on June 22, 1993 at 2:12 PM by handing a copy ofthe Complaint in Mortgage Foreclosure to him at the residence, 122 Westford Road, Jamestown, Crawford County, PA.
SERVED Donna E. Doeberiener personally on June 22, 1993 at 2:11 PM by handing a copy of the Complaint in Mortgage Foreclosure to her at the residence, 122 Westford Road, Jamestown, Crawford County, PA.
SERVED Justin Doeberiener, adult person also residing at the residence, personally on June 22, 1993 at 2:10 PM by handing a copy ofthe Complaint in Mortgage Foreclosure to him at the residence, 122 Westford Road, Jamestown, Crawford County, PA.
so answers, Dale A. Collins, Deputy Sheriff
Robert M. Sheriff

And Now, July 27, 1993 at 3:44 P.M. upon praecipe of plaintiff's attorney, judgment is hereby entered in favor of the plaintiff and against the defendants for want of an answer and the same is liquidated at the sum of One hundred Ninety-Nine Thousand, Six hundred fifty-seven and 95/100, plus interest and cost of suit.
D-54; D-44; Debt $199,657.95
Entered on 7-27-93 Int. from 5/21/93 (See schedule in file)
Atty. Louis J.Stack
Judgment
Barbara H. King,Prothonotary

7-29-93 Notice mailed to Defendants

Nov. 18, 1994 This Judgment Satisfied.
(see paper filed)

604.

DEBRA MILLER

vs.

GLADEN GESIN

Filed June 17, 1993
@ 5:03 p.m.

Tax & entry	$50.50
state	5.00
Sheriff's Costs	20.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy (plff)
3 copies (sheriff)

TEMPORARY ABUSE ORDER:

And now, this 17 day of JUne , 1993, upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

2. Special Conditions:

---

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

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

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

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

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

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

Hearing is hereby set for June 25, 1993 , at 11:00 m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,

Anthony J. Vardaro, J.

Jun. 25, 1993 Sheriff's Return filed. NOT FOUND as to Defendant Gladen Gesin. Titusville City Police attempted service cut was unable to locate subject.
So answers, Robert M. Stevens,Sheriff

June 28, 1993 ORDER filed. AND NOW, June 25, 1993, the Court having been advised that the DSefendant has not been served with process, it is ordered as follows:

1. The hearign scheduled June 25, 1993 is continued and shall be held on July 6, 1993 at 11:00 a.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse.

2. The protection from abuse order of June 17, 1993 shall be continued until the hearing is held in this case.

3. A true and correct copy of this order shall be delivered by the Prothonotary to County Control and the Titusville Police Department. A true and correct copy of this order shall be served upon the Defendant at the time he is served with the original petition and original order.

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

June 29, 1993 Cert copies given to Co. Control, Sheriff w/Dft. copy, TPD & Plf.

July 7, 1993, ORDER filed. And Now, July 6, 1993, the court having been advised that the dft. still has not been served with process, it is ordered as follows:

1. The hearing now sc heduled for Jul y 6, 1993 at 11:00 a.m. in C. R. No. 1 or 2 of the Crawford County Courthouse is continued generally to be set upon motion of any party once the defendant is properly served with respect to this matter.

2. The temporary protection from abuse order of June 17, 1993 shall remain in full effect and force until hearing in this case is held but in no event for longer than a period of one year from that date.

3. A true and correct copy of this order shall be delivered by the Prothonotary to County Control and the Titusville police Dept. insofar as the plaintiffs address is 218 Bank St. Titusville. Additionally, a true and correct copy of this order shall be served upon the dft. at the time he is served with the original petition and ogininal order.

BY THE COURT:
Anthony J. Vardaro, J.

July 7, 1993, copies sent to county control, TPD, Sheriff, with copy for plff and dft.

1993

Joseph W. Tinko for Appellants
~~David R. Devine~~ withdrawn

605.

Blystone & Blystone
Curtis E. Blystone

DENNIS MUMFORD AND ANN McBRIDE-MUMFORD, HUSBAND AND WIFE, AND MARK McBRIDE, SINGLE

vs.

THE ZONING HEARING BOARD OF VERNON TOWNSHIP

vs.

WALLACE D. YODER and DAWN R. YODER, Intervenors

Filed June 18, 1993
@ 2:35 p.m.

Tax & entry paid $50.50
state paid 5.00

NOTICE OF APPEAL

6 copies (atty)

6/18/93
Certiorari issued by Prothonotary to Paul Roiz, Vernon Township Zoning officer.

June 28, 1993 Affidavit filed.

July 8, 1993 Writ of Certeorari returned (see record attached to Writ of Certeorari filed at AD 1993 - 613).

July 16, 1993 Notice of Intervention, filed.

Sep. 22, 1993 Appearance of Joseph W. Tinko, Esquire for Dennis Mumford and Ann McBride-Mumford, and Mark McBride, appellants filed.

Sep. 22, 1993 Certificate of Service filed. I, the undersigned, hereby certify that on the 22nd day of September, 1993, I served a true and correct copy of a Praecipe to Enter Apperance on the following counsel of record for same by United States First Class Mail, pursuant to the Pennsylvania Rules of Civil Procedure:
John F. Spataro, Esquire, Solicitor for the Zoning Hearing Board of Vernon Township
283 Walnut Street. Meadville. PA 16335

Curtis E. Blystone, Esquire, Attorney for Intervenors
369 Center Street
Meadville, PA 16335

Oct. 8, 1993 Withdrawal of appearance of David R. Devine on behalf of Dennis & Ann Mumford.

Oct. 8, 1993 Certificate of Service of Praecipe to Withdraw Appearance , filed.

Feb. 16,1994 ORDER filed. AND NOW, this 11th day of February, 1994, upon consideration of the within Motion,the actionfiled at A.D.1993-613, representing the appeal of Wallace D. Yoder and Dawn R. Yoder is hereby consolidated with the action filed at A.D.1993-605, which is the appeal of Dennis Mumford and Ann McBride-Mumford and Mark McBride. These two actions shall proceed as one. The Prothonotary is directed to fill all papers at A.D.1993-613 and to reference this consolidation with an appropriate notation inthe reocrds involving the case at A.D.1993-605. This matter shall be heard at the March 1994 Argument Court at a time to be set for the Court Administrator. All Briefs shall be filed timely under the local rules.
BY THE COURT,
Gordon R. Miller,J.
2-18-94 Copy of Order to Attys.Blystone, Spataro & Tinko (Papers filed at A.D.1993-613)

Mar. 22, 1994 Certificate of Service filed. (see paper filed at AD 1993 -613)

May 27, 1994, MEMORANDUM AND ORDER filed. ORDER: AND NOW, May 27, 1994 this matter is remanded tothe Vernon Township Zoning Hearing Board for further action consistent with the Memorandum accompanying this order.
BY THE COURT,
Anthony J. Vardaro, J.
May 27, 1994, copies dist. to Tinko, Blystone and Spataro.

Aug. 30, 1994 Memorandum Findings, Opinion and Order filed. AND NOW, this 30th day of August, 1994, it is ORDERED that the appeal of Wallace D. Yoder and Dawn R. Yoder from the enforcement notice issued by Officer Paul Roiz, Zoning Enforcement Officer, is DENIED. The use variance requested by the Appellants is DENIED. The vested rights application to use the storage building which was the subject of the building permit issued on March12, 1992 for storage of soil and other earthen material is DENIED. The Appellants, Wallace D.Yoder and Dawn R. Yoder are directed and ordered by this Board to discontinue any use of the subject properties which would be in violation of the uses permitted in a rural residential district.
Martin N.Hamilton
Marilyn Neugebauer
Robert A. Keenan
9-6-94 Copy to Attys. Tinko, Blystone & Spataro

Sep. 29, 1994 Notice of Appeal from Decision of the Zoning Hearing Board of Vernon Township following Remand Filed.
9-29-94 Writ of Certiorari issued to Paul Royce.

Oct. 3, 1994, Amended Notice of Appeal from Decison of the Zoning Hearing Board of Vernon Township Following Remand, filed. (copy mailed to Paul Royce)

Oct. 24, 1994 Petition to Intervene and Rule to Show Cause Order filed. (See paper filed at AD 1993-613)

Oct. 26, 1994 Motion for Extension of Time within which to Request Leave to Present Additional Evidence, filed. (See paper filed at AD 1993-613).

Oct. 27, 1994 Upon Praecipe of attorney for Appellants, this case placed on next available Argument List.

ON NOVEMBER 1994 ARGUMENT LIST-

Nov. 4, 1994 Answer To Petition to Intervene filed. (see papers filed @ AD1993-613)

Nov. 14,1994 ORDER filed. AND NOW, this 10 day of November, 1994, upon consideration of the foregoing Petition for Stay of Order of the Zoning Hearing Board of Vernon Township, arule to show cause is hereby granted upon the Zoning Hearing Board of Vernon Township andDennis Mumford,Ann McBride-Mumford, and Mark McBride to show cause, if any they have, why the aforesaid Petition should not be granted.

Continued to Page 499

Bruce W. Bernard
Bernard Stuczynski &
Bonanti

606.

MELLON BANK, N.A. SUCCESSOR IN INTEREST TO NORTHWEST PENNSYLVANIA BANK AND TRUST CO.

vs.

STEVEN L. HOSPODAR AND HELEN R. HOSPODAR

Filed June 18, 1993
@ 3:12 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	60.50
Pro Co pd 7-30-93	9.00

COMPLAINT

2 copies (sheriff)

July 20, 1993 SHERIFF'S RETURN, filed. SERVED Steven L. Hospodar personally on June 23, 1993 at 3:55 PM by handing a copy of the Complaint to him at h is residence, RD3, Conneautville, Crawford County, Pa.

SERVED Helen R. Hospodar by deputizing the Sheriff of Erie County, Pa. as per his Affidavit of Service attached. Served on July 7, 1993 at 3907 Lancaster Road, Erie, Pa.

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

I hereby deputize the Sheriff of Erie Countu, Pennsylvania to serve the within Complaint according to law. The defendants alleged address is 3907 Lancaster Rd., Erie, Pa. 16506.

Robert M. Stevens, Sheriff, Crawford County, Pa.

? AFFIDAVIT OF SERVICE: SERVED the within Complaint on July 7, 1993, at 1809 hrs., upon Helen R. Hospodar at 3907 Lancaster Road, Erie County, Erie, Pennsylvania by handing to Helen R. Hospodar a true and correct copy thereof and made known to her the contents therein. Robert N. Michel, Sheriff, Erie County

And now, July 30, 1993 at 3:30 p.m., upon praecipe of plaintiff's attorney a default judgment is entered for failur to plead within twenty (20) days of service of the complaint in the amount of Nine Thousand Eight Hundred Sixty-seven and 74/100 Dollars, with interest at the rate as specified in the promissory note of September 11, 1980, being a sum of $1.99/per diem from 6/17/93, and costs of suit.

Entered 7-30-93
H - 84, 154

Debt: $9,867.74 plus interest & costs
JUDGMENT
Barbara H. King, pro.

Ex. 1993 - 67

1993

607.

PATTI PRATT

vs.

MIKE H. PRATT

Filed June 18, 1993
@ 3:17 p.m.

Tax & entry paid $50.25
state paid 5.00

APPEAL OF DEFENDANT FROM JUDGMENT OF DISTRICT JUSTICE ROBERT J. LEONHART, DISTRICT 30-3-03

June 18, 1993, Rule entered upon plaintiff to file Complaint issued.

June 24, 1993 Proof of Service filed.

608.

KAREN D. EASTLICK

vs.

JACK A. FOSTER

Filed june 18, 1993
@ 3:23 p.m.

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

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy (plff)
3 copies (sheriff)

TEMPORARY ABUSE

ORDER:

And now, this 18 day of June , 1993, upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

2. Special Conditions:
The defendant shall not go to plaintiff residence at 429 Walnut St. Meadville, Pa. The plaintiff shall have exclusive custody of the minor child pending further order of court.

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

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

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

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

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

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

Hearing is hereby set for June 28, 1993 , at 2:00 p.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. VArdaro, J.

June 22, 1993 Sheriff's Return filed. SERVED Jack A. Foster personally on June 21, 1993 at 12:55 PM by handing him a copy of the Protection from Abuse at the Mental Health Unit of Meadville Medical Center, 1034 Grove Street, Meadville, Crawford County, PA.

So answers,

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

Jun. 29, 1993 ORDER filed. AND NOW, June 28, 1993, at the time scheduled for hearing on this Abuse Petition, bothparties appear and after informal conversation betweenthe parties and the Court, it is noted that the Defendant has been confined to the mental health center and will soon commence alcohol abuse counseling. Further, both parties advise the Court that they have arranged for joint counseling in an effort to resolve their problems. The Defendant with the consent of the Plaintiff has moved back into her residence at 429 Walnut Street, Meadville, Pennsylvania.

Both parties request the Court to withdraw this petition, and accordingly, theCourt discontinues this action between the parties and directs that the Plaintiff pay the costs at the Prothonotary's office in the amount of $89.50 within thirty (30) days of this date.

The Plaintiff, Karen Eastlick, is advised tht if she wishes to pursue any further abuse matters against the Defendnt in this case, that she must file a new abuse petition as this present petition has been officially withdrawn.

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

7-1-93 Copy of Order to Plft., Deft., County Control & Meadville City Police

157
A

1993

607A.

Robert J. Felton

HAROLD G. BACON

vs.

ERNEST ROSS

Filed June 21, 1993
@ 10:06 AM

Tax & entry paid 50.25
User's Fee paid 5.00

NOTICE OF APPEAL OF DEFENDANT FROM DECISION OF DISTRICT JUSTICE RONALD COLE, JR.

June 21, 1993 Rules entered upon the plantiff to file a complaint issued.

June 30, 1993 Affidavit of Service filed. I, ROBERT J. FELTON, ESQ., Attorney at Law, 144 West Spring Street, Titusville Pennsyvlania, Attorney for the Appellant/Defendant in the within action, do hereby certify that I served a true and correct copy of the Notice of Appeal from the judgment of District Magistrate Ronald A. Cole, Sr., at CV-0000076-93, dated May 19, 1993, on Appellee/Plaintiff, Harold G. Bacon, along with Rule to File a Complaint, on June 24, 1993, by certified mail, No. P 243 621 743 with return receipt requested by posting the same for delivery at the Titusville Post Office on June 23, 1993, a copy of said receipt for mailing attached hereto.

In addition, I served a copy of the Notice of appeal upon the District Magistrate, Ronald A. Cole, Sr. on June 24, 1993, by certified mail No. P 243 621 742, with return receipt requested, by posting the same for delivery at the Titusville Post Office on June 23, 1993, a copy of said mailing attached hereto.

Robert J. Felton

158
A

1993

Akman & Associates, P.C.
Lawrence H. fisher

Robert J. Felton

608A.

MICHAEL J. WHITMAN

vs.

LISA A. WHITMAN

Filed June 21, 1993
@ 10:06 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 11-13-96	9.00

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

July 6, 1993, Affidavit of Service filed. I, Robert J. Felton, atty. 144 W. Spring ST. Titusville, Pa. do hereby certify that I served a cert. copy of Divorcecomplaint in this matter to defendant on June 30, 1993, by cert. mail NO. P 243 621 739, ret. rec. req. A complaint was mialed to dft. on Wed. June 23, 1993 as reflected in receipt for mailing and receipt attached hereto.
Robert J. Felton Esq.

Oct 31, 1996 Marriage Settlement Agreement, field.

Oct 31, 1996 Waiver of Notice of Intention to Request Entry of Divorce Decree Under Section 3301(c) of the Divorce Code, filed. (Defendant)

Oct 31, 1996 Waiver of Notice of Intention to Request Entry of Divorce Decree Under Section 3301(c) of the Divorce Code, filed. (Plaintiff)

Oct 31, 1996 Affidavit of Consent of Plaintiff, filed.

Oct 31, 1996 Affidavit of Consent of Defendant, filed.

Oct 31, 1996 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

Nov. 15, 1996, ORDER filed. This div. matter has been referred to the court for review and decree. The court has reviewed the record and is returning the record to the Prothonotary. A final decree will not be entered at this time because:

The parties are asking that an agreement be incorporated into the decree yet:

B. The agreement disposes of economic or other issues not raised by the pleadings or petition. The court does not have jurisdiction over matters not properly raised in the proceedings to date. 23 Pa. C.S.A. 3104(a), 3323(a); Pa. R.C.P. 1920.11, 1920.13.

Either party may file a praecipe to refer the matter back to the court when the record is in such a state that the parties are entitled to a final decree. BYTHE COURT,
Anthony J. Vardaro, J.

11/18/96 faxed to Felton,mailed to Fisher.

Nov. 21, 1996, Upon praecipe of plaintiff attorney, to transmit the record, this case resubmitted to the court.

Dec. 3, 1996 ORDER filed. This divorce matter has been referred to the Court for review and decree. The Court has reviewed the record and is returning the record to the Prothonotary. A final decree will not be entered at this time because:

The parties are asking that an agreement be incorporated into the decree yet:

b. The agreement disposes of economic or other issues etc. (see papers filed).

BY THE COURT:
Anthony J. Vardaro, J.

Dec. 4, 1996 Order mailed Atty. Fisher.

DIVORCE DECREE FILED

Dec. 6, 1996 AND NOW, December 6, 1996, it is ordered and decreed that LISA A. WHITMAN, plaintiff, and MICHAEL J. WHITMAN, 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.

1993

Barbara J. Walton

609.

JENNIFER TITCH

vs.

ERIC JAMES TITCH

Filed June 21, 1993
@ 11:54 AM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts pd	30.00
State paid	10.00
Pro Pd 4/24/95	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, CUSTODY
2 copies atty.

Jun. 29, 1993 Affidavit of Personal Service filed. And Now, this 29th day of June, 1993, comes Barbara J.Walton, Esquire, being duly sworn according to law, deposes and sets forth as follows:
1. That she is a competent adult.
2. That oninformation furnished her, she served a certified copy of theComplaint in Divorce in the above-matter upon the Defendant,Eric James Titch, at the Crawford County Courthouse in Meadville, Pennsylvania on Monday,June 21, 1993, at 4:00 p.m.
6-29-93 Barbara J. Walton,Esq. Attorney for Plaintiff

Apr. 7, 1995 Affidavit of Consent of Defendant filed.

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

Apr. 20, 1995, Petition to Withdraw Grounds for Divorce and Order filed. ORDER: AND NOW, upon presentation of the Petition for Withdrawal of Grounds for divorce, it is hereby ordered that the request for Equitable Distribution is withdrawn.
By the court:
Anthony J. Vardaro, J.
4/19/95
4/20/95 Dist. toWalton and gilmore.

Apr. 24, 1995, Upon praecipe of plaintiff attorney, to transmit the record, this case is moved to court.

DIVORCE DECREE FILED

May 8, 1995 AND NOW, this 4 day of May, 1995, upon presentation of the Stipulation and Consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED AND DECREED that JENNIFER TITCH, Plaintiff, and ERIC JAMES TITCH, 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.

160

1993

Paul E. Allen

610.

John Petruso

JONES PLUMBING & HEATING

vs.

PAT T. BASILE

Filed June 21, 1993
@ 1:15 PM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro.Co. pd 1/27/94	15.00

APPEAL OF PLAINTIFF FROM DECISIONS OF
DISTRICT JUSTICE WILLIAM D. CHISHOLM

June 21, 1993 Complaint filed.

Jun. 25, 1993 Proof of Service of Notice of Appeal filed.

July 12, 1993 Answer to Complaint and New Matter filed.

Jan. 27, 1994 Upon Praecipe of Paul E.Allen, Esquire, Attorney for Plaintiff, for appointment of Arbitrators, the following Arbitrators are appointed.

Robert S. Bailey, Chairman
Edward Hat heway
Gregory Keenan

Feb.8, 1994 Arbitrators take Qualifiying Oath.

Mar. 24, 1994 Reply to New Matter filed.

Mar. 30, 1994 Decision of Arbitrators filed in which they find in favor of Plaintiff in the amount of $2511.59 plus costs and interest from Mar. 30, 1994.

B-131 DECISION OF ARBITRATORS

Mar. 31, 1994 Copies dist. to Allen & Petruso

1993

James J. Stuczynski

611.

JOHN BURGER and JEAN BURGER

vs.

HEIDI L. PHIPPS

Filed June 21, 1993
@ 1:50 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	44.00
sheriffs costs	38.40
Pro Co pd 12-5-96	6.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

July 27, 1993 Sheriff's Return filed. DID NOT SERVED the within upon Heidi L. Phipps with reason being address in Venango County.
So answers, Richard C. Elliott, Deputy Sheriff
Dennis C. Rickard, Sheriff
I hereby deputize the Sheriff the Sheriff of Butler County, Pennsylvania to serve the wtihin Complaint according to law.
Robert M. Stevens, Sheriff

July 30, 1993 Complaint reinstated.

Aug. 17, 1993, Sheriffs Return filed. SERVED the within Civil Complaint Verification on 09Aug93 at 4:00 p.m. upon Heidi Phipps, in person at N/W Medical Center, Franklin Campus, Franklin Pa. 16323 by handing to Heidi Phipps, in person a true and correct copy thereof and make knownto her the contents therein.
Gene Price
Sheriff of Venango County
See Affidavit of Service endorsed hereon by Sheriff of Venango County, Pa which iscpart of this return.
So answers, Robert M. Stevens,
Sheriff

Oct. 15, 1993 Answer, New Matter, and New kMatter Pursuant to Pa. R.C. P. 2252(d), filed.

Nov. 3, 1993 Reply to Defendants New Matter filed.

Dec 3, 1996 Upon praecipe of plaintiff attorney the above matter is marked settled and discontinued of record.

1993

Marsh, Spaeder, Baur, Spaeder & Schaaf
James E. Marsh, Jr.

612.

Watts & Pepicelli
Theodore H. Watts
Christopher D. Ferry

CURTIS D. McBRIDE

vs.

PATRICK R. SPANG, and WILLIAM DAWSON, and ENVIRONMENTAL COORDINATION SERVICES AND RECYCLING, INC.

Filed June 21, 1993
@ 1:50 PM

Tax & entry paid 50.50
User's Fee paid 5.00

Pro.Co. pd 3/14/96 5.00

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION
no copies

Aug 16, 1993 Preliminary Objections to Plaintiff's Complaint, filed.

Sep. 3, 1993 Preliminary Objections to the Preliminary Objections of Defendants filed.

Sep. 3, 1993 Upon praecipe of James E. Marsh, Jr., ESquire, the above captioned matter is place on the next available Argument List.

ON OCTOBER, 1993 ARGUMENT LIST

Sept. 27, 1993 Response To Preliminary Objections To The Preliminary Objection of Defendant filed.

Nov. 17, 1993 Memorandum and Order filed. ORDER. AND NOW, November 16, 1993, the Plaintiff's preliminary objections to the Defendants' preliminary objections inthenature of a motion to strike are dismissed. BY THE COURT:
Anthony J. Vardaro, J.
11-17-93 Copies dist. to Marsh, Sundberg & Ferry-Watts

Jan. 13, 1994 Answer to Preliminary Objections of Defendants, filed.

Jan.13, 1994 Upon Praecipe of James E. Marsh, Jr., Esquire,Attorney for Plaintiff, the Preliminary Objections of Defendants,Patrick R. Spang, William Dawson, and Environmental Coordination Services and Recycling, Inc. is placed on the next available Argument List.

ON FEBRUARY, 1994 ARGUMENT LIST

Apr. 21, 1994 MEMORANDUM AND ORDER filed. ORDER. AND NOW, April 18, 1994, after consideration of the Defendant's preliminary objections and after hearing oral argument with respect to the same, we sustain Defendants' demurrers to Counts III, V and IX and we overrule Defendants's demurrer respect to Count XII. With respect to the Defendants' motions for more specific pleading and motion to strike as discussed in the Memorandum above, said motions are granted to the extent indicated in the Memorandum without prejufice to the Plaintiff to amend his complaint in a manner consistent with the attached Memorandum within 20 days of the date of this Order.
BY THE COURT:
Anthony J. Vardaro, J.
4-21-94 Copies dist. by Court

May 6, 1994, First Amended Complaint in Civil action filed. (TRIAL BY JURY DEMANDED)

Jun. 29, 1994 Answer with New Matter of Defendants, filed.

July 27, 1994 Reply To New Matter filed.

Aug. 12, 1994 Demand for Jury Trial filed.

Aug. 19, 1994 Certificate of Service filed. I, Christopher D. Ferry, Esquire, undersigned hereby certifies that on the 19th day of August,.1994,a copy of the Corrected Certificate of Service was served on:

James E. Marsh, Jr., Esquire
Kurt L. Sundberg, Esquire
Marsh, Spaeder, Baur, Spaeder & Schaaf
Suite 300, 300 State Street, Erie, PA 16507

by mailing same to them by first class United States mail, postage prepaid.
By: Christopher D. Ferry,Esquire

Nov. 4, 1994 Completion of Discovery Notice, filed.

Nov. 14, 1994, Notice of Serving First Set of Requests for Production of Documents filed.

Nov. 14, 1994, Notice of Serving First Set of Requests for Production of Documents filed.

Nov. 14, 1994, Notice ofServing first Set of Requests for Production of Documents filed.

Dec. 14, 1994 Notice of Oral Deposition of Curtis D.McBride,Plaintiff, filed.

Mar. 12, 1996 Upon Praecipe of James E. Marsh, Jr., Esquire, Attorney for Plaintiff the above captioned case is settled and discontinued with prejudice, filed.

2-25-95 Brief (Pltf)

1993

Blystone & Blystone
Curstis E. Blystone

613.

John F. Spataro
for Zoning Hearing Board
of Vernon Township

WALLACE D. YODER and DAWN R. YODER,

vs.

THE ZONING HEARING BOARD OF VERNON TOWNSHIP

Filed June 21, 1993
@ 4:23 PM

Tax & entry paid 50.50
User's Fee paid 5.00

NOTICE OF APPEAL FROM DECISION OF THE ZONING HEARING BOARD OF VERNON TOWNSHIP

June 21, 1993 Issued Writ of Certiorari to Paul Roiz.

June 24, 1993 Certificate of Service filed. I hereby certify that a true and correct copy of the Notice of Appeal from Decision of the Zoning Hearing Board of Vernon Township was served upon Hiram A. Allen at 850 Hank Street, Meadville, Pennsylvania, 16335 by First Class United States mail, postage prepaid, on June 24, 1993. Curtis E. Blystone

July 8, 1993 Writ of Certeorari returned. The plea above mentined, 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. Martin Hamilton

Jan. 12, 1994 Upon Praecipe of Curtis E.Blystone, Esquire,. Attorney for Appellants, the above catpioned matter is place on the next available session of Argument Court.

ON FEBRUARY, 1994 ARGUMENT LIST

Feb. 16, 1994 Motion to Consolidate and ORDER filed. AND NOW, this 11th day of February, 1994, upon consideration of the within Motion,the action filed at A.D.1993-613, representing the appeal of Wallace D.Yoder and Dawn R. Yoder is hereby consolidated with the action filed at A.D. 1993-605, which is the appeal of Dennis Mumfor and Ann McBride-Mumford and Mark McBride. These two actions shall proceed as one. The Prothonotary is directed to file all papers at A.D.1993-613 and to reference this consolidation with an appropriate notation in the records involving the case at A.D. 1993-605. This matter shall be heard at the March 1994 Argument Court at a time to be set by the Court Administrator. All Briefs shall be filed timely under the local Rules.
BY THE COURT,
Gordon R. Miller, J.
2-18-94 Copy of Order to Attys. Blystone & Spataro & Tinko

ON MARCH, 1994 ARGUMENT LIST

Mar. 22, 1994 Certificate of Service filed. I, the undersigned, hereby certify that on March 21, 1994, I served a true and correct copy of the foregoing Brief of Dennis Mumford, Ann McBride-Mumford and Mark McBride upon all of the following parties or the following legal counsel of record for same by U. S. First Class mail, postage prepaid, or by facsimile transmission, or by personal delivery pursuant to the Pennsylvania Rules of Civil Procedure:

John F. Spataro, Esquire
Solicitor for Vernon Township Zoning
Hearing Board, 283 Walnut Street
Meadville, PA 16335

Curtis E. Blystone, Ewquire
Attorney for Wallace D.Yoder and Dawn R.Yoder
369 Center Street
Meadville, PA 16335

Vernon Township Zoning Hearing Board
Vernon Township Municipal Building
McMath Avenue
Meadville, PA 16335

R. Charles Thomas, Esquire
Solicitor for VernonTownship
296 Chestnut Street
Meadville, PA 16335

Joseph W. Tinko

May 27, 1994, MEMORANDUM AND ORDER filed. ORDER: AND NOW, May 27, 1994, this matter is remanded to the Vernon Township Zoning Hearing Board for further action consistent with the Memorandum accomplaying this order. BY THE COURT,
Anthony J. Vardaro, J.
May 27, 1994, copies dist. to Tinko, Blystone and Spataro.

1-12-94 Appellants Brief filed.

Aug. 30, 1994 Memorandum Findings, Opinion and Order filed. ORDER. AND NOW, this 30th day of August, 1994, it is ORDERED that the appeal of Wallace D.Yoder and Dawn R.Yoder from the enforcement notice issued by Officer Paul Roiz, Zoning Enforcement Officer, is DENIED. The use variance requested by the Appellants is DENIED. The vested rights application to use the storage building which was the subject of the building permit issued on March 12, 1992 for storage of soil and other earthen materialis DENIED. The Appellants, Wallace D.Yoder and Dawn R. Yoder are directed and ordered by this Board to discontinue any use of the subject properties which would be in violation of the uses permitted in a rural residential district.
Martin N.Hamilton
Marilyn Neugebauer
Robert A. Keenan
9-6-94 Copy to Attys. Blystone & Spataro

Continued on page 464

Oct.24, 1994 Petition to Intervene and Rule to Show Cause Order filed. AND NOW,to-wit, this 24 day of October, 1994,upon receipt and review of the foregoing Petition to Intervene. It is hereby ORDERED, ADJUDGED AND DECREED that a Rule to Show Cause is hereby placed upon Wallace D. Yoder, Dawn R.Yoder and the Zoning Hearing Board of Vernon Twonship ordering and directing them to show cause, if any they have, why said Petition to Intervene should not be granted. The said Rule to Show Cause is returnable for hearing and/or argument onthe 21st day of November, 1994, at 3:30 o'clock p.m., prevailing time, in Courtroom Number 2, in the Crawford County Courthouse, located at 903 Diamond Park, Meadville, Pennsylvania.
A copy of this notice shallbe served upon Wallace D. Yoder, Dawn R.Yoder and The Zoning Hearing Board of Vernon Township, or their respective attorney,by forwarding a copy of same to them by regular mail.
BY THE COURT
Anthony J. Vardaro,J.
10-24-94 Faxed to Attys. Tinko, Blystone & Spataro

10-26-94 Faxed to Attys. Tinko, Spataro & Blystone

Oct. 26,1994 Motion for Extension of Time within which to Request Leave to Present Additional Evidence and ORDER filed. AND NOW,this 26 day of October,1994,upon consideration of Appellants' Motion for Extention of Time within which to Request Leave to Present Additional Evidence, an extention of time within which Appellants may request leave to present additional evidence in this case is hereby denied without prejudice to any party to attempt to convince the court that further testimony should be ordered by the Court.
BY THE COURT,
Anthony J.Vardaro,Judge

Continued on Margin

Barbara Walton

614.

CATHY A. TRYPUS

vs.

JOHN (JACK) J. TRYPUS

Filed June 21, 1993
@ 4:29 PM

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

Pro Co pd 7-12-93 5.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy plaintiff

ORDER:

And now, this 21 day of June , 1993 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

2. Special Conditions: Defendant shall move out and shall not contact Plaintiff and shall not go to Plaintiff's residence. He shall not be within 100 yards of her home.

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

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

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

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

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

8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the June 29, 1993 , at 3:45 p.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Jun. 22, 1993 Sheriff's Return filed. SERVED John J.Trypus personally on June 22, 1993 at 9:35 AM by handing a copy of the Protecton from Abuse to him in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA. Defendant given until 1:00 PM to be out of the residence. On June 22, 1993 at 12:45 PM he came to the Sheriff's Office and reported he was out of the residence.
So answers, Robert M.Stevens,Sheriff

July 7, 1993 ORDER filed. AND NOW, June 29, 1993, after hearing, the Defendant is DIRECTED not to have contact with the Plaintiff or her children at any time or at any place or for any prupose, and the Plaintiff is DIRECTED not to seek out the Defendant or attempt to create any confrontations with the Defendant. The Defendant shall not abuse, harass or threaten the Plaintiff or the minor children at any time.

This Order shall remain in full force and effect for a period of six (6) months from this date, and may be enforced in accordance with the Protection from Abuse Act by any police officer having jurisdiction in the premises.

If any mail addressed to the Defendant should come to the Plaintiff's residence, she shall immediately forward the same to the Defendant at Post Office Box 1019, Meadville, Pa., 16335, which is the Defendant's current mailing address, although the Defendant is presently residing with one Frances Kuban in Vernon Township, Crawford Countu, Pa.

The costs in this proceeding shall be paid by Crawford County. BY ORDER OF THE COURT,
Robert L. Walker, S.J.

July 7, 1993 copy to B. Walton, Co. Ctrol, PSP, and Dft. [illegible].

July 16, 1993, Motion to Vacate Proteciton From Abuse Order and Order filed. AND NOW, this 14 day of July 1993, upon receipt and review of the plaintiffs motion to vacate and terminate the Protection From Abuse order of June 29, 1993, said motion isgranted and the Protection From Abuse Order is hereby vacated and terminaTED.

A true and correct copy of this order shall be delivered by the P rothonotary to John J. Trypus and County Control.

Any provisions of the Protection From Abuse Order of June 29, 1993 assessing court costs shall remain in full force and effect without change or modification and the party or parties against whom costs were assessed shall remain obligated to pay the costs.

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

July 19, 1993, copy of order to County Control, and defendant, Atty Walton.

1993

Mason & Mason
Joan D. Mason

615.

LUCINDA S. POWELL

vs.

BRETT D. POWELL

Filed June 22, 1993
@ 11:05 AM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro.Co. pd 4/18/94	9.00

COMPLAINT IN DIVORCE, CUSTODY
4 copies atty.

July 9, 1993 AFFIDAVIT OF SERVICE, filed. I, Joan D. Mason, Esquire, attorney for the Plaintiff in the above entitled case, and being july sworn according to law, despose and say that I did on June 25, 1993 mail to the above Defendant, Brett D. Powell, by certified mail return receipt requested, deliver to addressee only, a Complaint in the above divorce action. Said notice was received on June 29, 1993, as indicated by the return receipt card which was returned to the office of the Plaintiff's attorney and is attached hereto.

Apr. 18, 1994 Affidavit of Consent by Brett D.Powell, Defendant, filed.

Apr. 18, 1994 Affidavit of Consent by Lucinda S.Powell, Plaintiff, filed.

Apr. 18, 1994 Upon Praecipe of Joan D. Mason, Esquire,Attorney for Plaintiff to transmit record, Case moved to Court.

DIVORCE DECREE FILED

April 21, 1994 AND NOW, April 21, 1994, it is hereby ordered and decreed that LUCINDA S. POWELL, Plaintiff, and BRETT D. POWELL, Defendant, are divorced from the bonds of matrimony.

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

BY THE COURT:
Anthony J. Vardaro, J.

April 21, 1994 STIPULATION and CONSENT CUSTODY ORDER filed. AND NOW, this 21 day of April, 1994, the Court orders the following with regard to custody of the parties minor child:

1. The parties hereto are parents of one child, David Michael Powell, age three (3), born June 8, 1990.

2. Mother is hereby awarded legal and physical custody of the child. Father is relocated to Florida as of April 15, 1994, and does not wish to have specified visitation or temporary custody scheduled.

During the last three (3) years, during which the parties have been separated, Father's contact with the child has been minimal.

3. Each parent shall encourage the child to show love and respect towards the other party hereto, and neither parent shall suffer the child to be in the presence of persons who speak badly of the other parent.

4. The parties have waived any further notice of presentation of this Order to the Court.

BY THE COURT,
Anthony J. Vardaro, J.

April 22, 1994 Copy of Order to Atty. J. Mason, Plf. and Dft.

1993

616.

ROSE MARIE ALLEN

vs.

EUGENE ROBERT ALLEN

Filed June 22, 1993
@ 1:19 PM

Tax & entry paid 10.50
User's Fee paid 5.00

CERTIFIED COPY OF DECREE IN DIVORCE FROM
ALLEGHENY COUNTY, PENNSYLVANIA, FAMILY DIVISION

DECREE:

January 4, 1966, the Court having heard this case, finds that the above defendant has offered such indignities to the person of the plaintiff, the injured and innocent spouse, as to render her condition intolerable and life burdensome and it is decreed that the plaintiff Rose Marie Allen is divorced and separated from the bonds of matrimony contracted between her and the defendant.

1993

617.

ELIZABETH A. ALLEN

vs.

EUGENE R. ALLEN

Filed June 22, 1993
@ 1:19 PM

Tax & entry paid 10.50
User's Fee paid 5.00

CERTIFIED COPY OF DECREE IN DIVORCE FROM
ALLEGHENY COUNTY, PENNSYLVANIA, FAMILY DIVISION

DECREE:

January 25, 1991, the Court haveing reviewed this case. Any existing spousal support order shall hereafter be deemed an order for alimony pendente Lite. and it is decreed that the plaintiff, Elizabeth A. Allen is divorced and separated from the bonds of matrimony contracted between herself and the defendant. The Court hereby retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

s/Kaplan

1993

618.

PAUL J. DUFFY

vs.

BERNARD R. WAGNER

Filed June 22, 1993
@ 3:31 PM

Tax & entry paid 50.25
User's Fee paid 5.00

APPEAL OF DEFENDANT FROM DECISION OF
DISTRICT JUSTICE HUBERT VOGAN

June 22, 1993 Rule entered upon the Plaintiff to file a complaint issued.

June 23, 1993 Proof of Service filed.

1993

619.

SUSAN L. SULECKI

vs.

RICHARD M. SULECKI

Filed June 22, 1993
@ 3:54 PM

Tax & entry pd 6/30/93 50.50
User's Fee pd.6/30/93 5.00
Sheriff's Costs 6/30/93 29.00
Pro Se Pd 6-28-93 5.00

6-28-93 Rec from deft Sheriff Costs 29.00
6-29-93 Pd Sheriff Ck# 7638 29.00

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

Order:

And now, this 22 day of June , 1993 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

2. Special Conditions: The Plaintiff shall have exclusive custody of the minor child w ith vistiation to defendant at plaintiff's desecration pending further order of court.

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

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

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

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

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

8. The court reserves ruling on allocation of fees and costs. Hearing is hereby set for June 30, 1993 , at 11:15 am m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Jun. 24, 1993 Sheriff's Return filed. SERVED Richard M.Sulecki personally on June 23, 1993 at 9:40 AM at his place of employment, Hartstown Garage, Hartstown, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M.Stevens, Sheriff

Jun.30,1993MOtion to Vacate Protection from ABuse Order and ORDER filed. AND NOW, this _____ day of June, 1993 upon receipt and review of the plaitniff's motion to vacate and terminate the Protection fromAbuse Order of June 22, 1993, said motion is granted and the Protection from ABuse Order is hereby **vacated** and **terminated.**

A true and correct copy of this Order shall be delivered by the Prothonotary to Richard M.Sulecki and to County Control.

Any provisions of the Protection from Abuse Order of June 22, 1993 assessing court costs shall remain in full force and effect without change or modification and the party or parties against whom costs were assessed shall remain obligated to pay the costs.

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

7-6-93 Copy to Plft., Deft., State Police,County Control.

1993

Emil M. Spadafore, Jr.

620.

RICHARD P. NAGEOTTE and DIANE E. NAGEOTTE, his wife

vs.

OWEN J.MULLET and LEONA A. MULLET, his wife

Filed June 23, 1993
@ 2:18 PM

Tax & entry paid	15.00
Pltf. on orig.	9.50
Pro.Co. pd 6/24/93	5.00
Sheriff's Costs	38.00

WRIT OF REVIVAL

of

DSB. 1988 - 35

Writ of Revival indexed against the defendants in favor of the plaintiffs, in the sum of Ten Thousand and 00/100 Dollars plus interest and cost.

Debt -----$10,000.00
M-121-101
Barbara H. King, Pro

Issued Sheriff

Jun. 24, 1993 at 12:07 P.M. Writing filed wherein Plaintiff releases from the lien of the above entitled judgment the following described property; to-wit: 6.25 acres, more or less, in Wayne Township Crawford County, Pennsylvania, described in a Deed to Defendants dated 09-24-85 and recorded 09-25-85 in Crawford County Deed Book 563,page 930. (See Release of Lien filed.)

July 6, 1993 SHERIFF'S RETURN, filed. SERVED Owen J. Mullet on June 30, 1993 at 1:15 PM by handing a copy of the Writ of Revival to Leona A. Mullet, his Wife, at their residence, RD 2, Guys Mills, Crawford County, Pa.

SERVED Leona A. Mullet personally on June 30, 1993 at 1:14 PM by handing a copy of the Writ of Revival to her at the residence, Rd 2, Guys Mills, Crawford County, Pa.

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

1993

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

621.

EARLE J. CHANDLER and ELIZABETH A. CHANDLER, his wife

vs.

CONSOLIDATED REALTIES aka CONSOLIDATED RELTIES OF KENTUCKY, and its successors and assigns

Filed June 23, 1993
@ 2:18 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro. Co.pd 9/14/93	9.00

COMPLAINT IN ACTION TO QUIET TITLE
1 copy atty.

June 28, 1993 Motion For Service Pursuant to Special Order of Court Pursuant to Pa. R.C.P. 430, filed.

June 28, 1993 ORDER field. AND NOW,to-wit, this 25th day of June, 1993, upon consideration of the foregoing Motion, the Plaintiffs are granted leave to make service of the Complaint on the Defendants CONSOLIDATED REALTIES aka CONSOLIDATED REALTIES OF KENTUCKY, its successors and assigns, by publication once in the Crawford County Legal Journal and the Meadville Tribune, two periodicals of general circulation in the County of Crawford, Pennsylvania.

PER CURIAM,
Gordon R. Miller, p.J.

July 2, 1993 C. Swick

Aug. 9, 1993, Motion for Final Judgment Pursuant to Rule 1066, Affidavit of Service, filed.

Aug. 9, 1993, ORDER filed. AND NOW, this 6 day of Aug. 1993, upon motion of the plaintiff for default judgment pursuant to Pa. Rule of Civil Procedure 1066, and it appearing that servcie has been made in accordance with this courts order and that the defendants have filaed to file an answer within the time permitted by the Rules; it is herebyordered and decreed that the defendants, their, successors and assigns, be and hereby forever barred from asserting any right, lien, ittle or interest to the p remises located in second Ward, City of Meadville, Crawford County, Pa., hereafter described to-wit:

Beginning at a point inthe north line of Irwin Ave. on the line dividing Lots Nos. 45 and 46 of the Irwin Sub-division; thence northwardly along lot NO. 46 ninety-eight (98) feet; thence westwardly along Lot No. 50 forty-eight (48) feet to a point; thence Southwardly along Lot NO. 44 ninety-eight (98) feet to Irwin Avenue; thence eastwardly along Irwin Avenue forty-eight feet to the place of beginning and being lot NO. 45 of the Irwin Sub-Division, a corrected plan of which is recorded in the Recorder's office of Crawford County.

Said defendants are forever barred from asserting any right, lien, title or interest inconsistent with the interest or claims of the plaintiff set forth in the complaint; from impeaching, denying, or in any way attacking plaintiff's title to said property; from issuing; or maintaining any action attacking same; and from encumbering, mortgaging or conveying the same or any part hereof unless the defendants shall, within thrity (30) days of this order, file with the court written objections to this order. If such action is not taken within the thirty (30) day period, the Prothonotary, on praecipe by the palintiff, shall enter final judgment. Furthermore upon filing of said praecipe, and proof of same tot he recorder of deed of Crawford County, Pa. said recorder is instructed to satisfy on record the mortgage recorded at Mort. Book 172, page 67, recorded April 9, 1936 between wilhelmina e. glaubach and Kurt c. glaubach and Consolidated Realties aka consolidated Realties of Kentucky.

BY THE COURT,
Anthony J. Vardaro, J.

Aug. 11, 1993, copy of order to Atty. swick.

And Now, Sep. 14, 1993 at 2:07 PM upon praecipe of plaintiff's attorney, final judgment is hereby entered in this case, in favor of the plaintiffs and against the defendants, pursuant to the foregoing Order of Court.

C-183

FINAL JUDGMENT
Barbara H. King
Prothonotary

1993

Marsh, Spaeder, Baur,
Spaeder & Schaaf
John C. Brydon

622.

CATHY M. SLAYTON and
DAVID M. SLAYTON

vs.

DEBORAH BEARCE

Filed June 23, 1993
@ 2:19 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	28.00

WRIT OF SUMMONS
Issued Sheriff

July 1, 1993 Writ Return filed. SERVED Deborah Bearce on June 25, 1993 at 12:30 PM by handing a copy of the Summons to ronald Bearce, Jr., her Authroized Agent, in the Sheriff's Office Crawford County Courthouse, Meadville, PA. Signed Acceptance of Service attached.

So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

1993

Quinn, Buseck,
Leemhuis, Toohey &
Kroto, Inc.
Lawrence C. Bollar

623.

James H. richardson, Jr.

SAINT VINCENT HEALTH CENTER

vs.

RICHARD M. BEACH and
PATRICIA A. BEACH

Filed June 23, 1993
@ 2:19 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	126.63
Pro Co pd 7-6-94	5.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

July 29, 1993 Complaint reissued.

Sept. 21, 1993 Sheriff's Return filed. SERVED Richard M. Beach personally on August 27, 1993 at 5:45 PM by handing a copy of the Complaint to him at his residence, 208 Mount Vernon Street, Titusville, Crawford County, PA.
SERVED Patricia A. Beach on August 27, 1993 at 5:46 PM by hanidng a copy of the Complaint to Richard M. Beach, her husband, at their residence, 208 Mount Vernon Street, Titusville, Crawford County, PA.
So answers, Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

Oct. 8, 1993 Answer to Complaint, filed.

June 30, 1994 Upon praecipe of Plaintiffs attorney the above captioned matter is settled and discontinued of record.

Louis P. Vitti &
Assoc., P.C.
Louis P. Vitti

624.

FLEET MORTGAGE CORP.,
Assignee of LIBERTY
MORTGAGE CORPORATION

vs.

PETER D. BROWN and
ELIZABETH A. BROWN,
husband and wife

Filed June 23, 1993
@ 2:19 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	50.00
Pro Co. pd 8/12/93	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies Sheriff

July 22, 1993 SHERIFF'S RETURN, filed. SERVED Peter D. Brown personally on July 9, 1993 at 11:45 AM by handing a copy of the Complaint in Mortgage Foreclosure to him in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Pa.

SERVED Elizabeth A. Brown personally on July 15, 1993 at 1:35 PM by handing her a copy of the Complaint in Mortgage Foreclosure in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Pa.

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

August 12, 1993, 11:40 A.M., AND NOW upon Praecipe of plaintiff Attorney, with Non-Military Affidavit attached, judgment is hereby entered in favor of Plaintiff and against Defendant in Default of an Answer. Judgement to be in the amount of Forty-four thousand one hundred seventy-four and 16/100 Dollars, together with interest and costs.

Debt $44,174.16
B-328,320 Judgment
Judgment entered 8/12/93 Barbara H. King, Pro.
8-20-93 Notice of entry of judgment mailed defendants.

EX. 1993-71

Nov. 4, 1993 Petition For Alternate Service And To Set Sale and Order, filed. AND NOW, to-wit, this 4 day of November, 1993, by virtue of the abandonment of the property and the efforts to locate the Defendant as well as the redundancy of repeated advertising, it is hereby ORDERED, ADJUDGED and DECREED taht the Sheriff's Office's requirement to publish once a week for three successive weeks in a newspaper of general circulation the Notice of Sale be deemed sufficient under Rule 430 as a special Order of Court by service via publication and sale be conducted at the next regularly scheduled Sheriff's Sale. Anthony J. Vardaro, J.

Nov. 3, 1993 AFFIDAVIT OF Service filed. I, Louis P. Vitti, do hereby certify that a Notice of Sale was mailed and served upon all Lien Holders, by Certificate of Mailing for service in the above-captioned case on August 19, 1993, advising them of the Sheriff's Sale of the property at 649 Euclid Avenue, Saegertown,PA, on November 5, 1993.
Oct. 27, 1993 Louis P. Vitti, Esquire, Atty. for Plaintiff

July 27, 1994 Affidavit Under Act NO. 91 of 1983 filed.

1993

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

625.

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

DENNIS G. ROBBINS

vs.

LINDA B. ROBBINS

Filed June 23, 1993
@ 4;00 p.m.

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count pd	15.00
State paid	10.00
Pro Co pd 8-5-93	30.00
State pd	10.00
Pro Co. pd. 4-3-98	5.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy atty.

July 8, 1993 AFFIDAVIT OF SERVICE, field. Gary A. Fabian, being duly sworn according to law, deposes and sys that:

1. He is an attorney authorized to practice law within the Commonwealth of Pennsylvania.

2. He is the attorney for the plaintiff in the above-captioned matter.

3. On June 24, 1993, he had deposited in the United States Mail by certified mail, return receipt requested, Certified Mail No. P 260 509 777 attached hereto and made a part hereof, a true and correct copy of a Complaint in Divorce addressed to Linda B. Robbins said Complaint naming Linda B. Robbins as the defendant in the above-captioned matter.

4. Service was obtained upon the defendant, Linda B. Robbins on June 26, 1993, as evidenced by Return Receipt for Certified Mail No. P 260 509 777 attached hereto and made a part hereof, said receipt being signed by Linda B. Robbins.

Aug. 4, 1993 Appearance of Shafer, Swick, Bailey, Irwin and Stack By James R. Irwin for Defendant filed.

Aug 5, 1993 Answer & Counterclaim filed. (1 copy atty)

Aug. 16, 1993 REQUEST FOR HEARING and ORDER, filed. ORDER: AND NOW, upon presentation and consideration of the foregoing Request for Hearing a hearing is scheduled with the Court of Common Pleas in & of Crawford County, Pennsylvania on the 30th day of August, 1993 at 1:30 P.M. in Courtroom 1, 2 or 3 of the Crawford County Courthouse Meadville, Pennsylvania. BY THE COURT: in
Anthony J. Vardaro
Aug. 23, 1993 copy to G.Fabian & J. Irwin

Aug 16, 1993 Petition For Special Relief Exclusive Possession of Marital Residence, filed.

Aug. 16, 1993 RULE TO SHOW CAUSE filed. AND NOW, this 13 day of August, 1993, upon consideration of the within Petition for Exclusive Possession of the Marital Residence, a Rule is granted upon Plaintiff/Respondent, Dennis G. Robbins, to show cause why the relief requested in said Petition should not be granted.

RULE RETURNABLE, with hearing thereon on the 30th day of August, 1993, at 1:30 p.m. in Courtroom 1 or 2 or 3 of the Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT:
Anthony J. Vardaro, J.

Aug. 23, 1993 copy to G. Fabion & J. Irwin

Mar. 12, 1998
Important Notice and Court Order Notifying of Termination filed.

Sep. 3, 1993 Motion for Continuance and ORDER filed. AND NOW, this 31st day of August, 1993, the hearing previously scheduled in this matter upon exclusive possession of the marital residence for the 30th day of August, 1993, at 1:00o'clock p.m., is hereby continued to the 8th of September, 1993, at 9:15 o'clock a.m. in Courtroom 2 of the Crawford County Courthouse, Meadville,Pennsylvania.

FOR THE COURT
Ann A.Walker, Court Administrator

Sept. 3, 1993 Copy of Order toAttys. Irwin & Fabian.

Mar. 31, 1998
Upon praecipe of plaintiff attorney, the above-captioned matter marked discontinued of record.

Sept. 3, 1993 Motion for Continuance and ORDER filed. AND NOW, this 31st day of August, 1993, the hearing previously scheduled in this matter upon alimony, alimony pendente lite, counsel fees, costs and expenses for the 30th day of August, 1993, at 1:00 o'clock p.m., is hereby continued to the 8th day of September, 1993, at 9:15 o'clock a.m. inCourtroom 2 of the Crawford County Courthouse, Meadville,Pennsylvania.

FOR THE COURT
Ann A. Walker, Court Administrator

Sept. 3, 1993 Copy of Order to Attys. Irwin & Fabian.

Oct. 14, 1993 Affidavit of Consent of Plaintiff, filed.

Oct. 21, 1993, STIPULATION AND ORDER filed. ORDER: AND NOW, this 18 day of Sept. 1993, in consideration of the attached Stipulation it is hereby ordered that:

1. The Defendant/Petitioner, Linda B. Robbins, is awarded exclusive possession of the marital residence located at R. D. #2, Box 116, Cambridge Springs, Pa.

2. The Plaintiff/Respondent, Dennis G. Robbins, shall be permitted to go to the aforementioned premises solely for the purpose of picking up and delivering his minor children in accordance with his scheduled visitations with said children. At the time of delivery or receiving said children the plaintiff/respondent shall not enter the marital residence, but shall remain outside the premises. BY THE COURT,
Gordon R. Miller, J.

Oct. 28, 1993, copies of order to Attys. G. Fabian and J. Irwin.

Oct. 21, 1993, STIPULATION AND ORDER filed. ORDER: AND NOW, this 18 day of Oct. 1993, in consideration ofthe attached Stipulation it is hereby ordered that the plaintiff shall pay the sum of Two Thousand ($2,000.00) dollars toward the legal fees, costs and expenses incurred by dft. inthe above action. Said sum shall be paid in four (4) equal installments of Five Hundred ($500.00) dollars, and sahll be designated as 50% for attys fees and 50% for cost and expenses for the dft. Said payments ahll be paid on or before the fifteenth (15th) day of each month for the months of Oct. Nowv. Dec. 1993 and Jan. 1994.

This order shall not prevent the court or master from awarding additional atty. fees, costs and expenses if the facts and law warrant additional awards.

BY THE COURT, Gordon R. Miller, J.

Oct. 28, 1993, copies of order to Attys. G. Fabian and J. Irwin

May 6, 1998 Order Terminating Case filed.

1993

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

626.

Elderkin, Martin,
Kelly & Messina
James H. Richardson Jr.

HENRY MICHAEL LEWANDOWSKI

vs.

BONNIE SUE LEWANDOWSKI

Filed June 24, 1993
@ 9:36 AM

Tax & entry paid	50.50
Users' Fee paid	10.00
1 Add'l Count pd	15.00
State paid	10.00
Master fee Pd 3-12-96	250.00
Add'l Counts pd 3/29/96	15.00
User's Fee paid	5.00
Pro Co pd 12-5-96	9.00

6-4-96 Rec'd from dft master's fees 50.00
12-4-96 Rec'd from ptf/ Allshare 1915.00
12-12-97 Pd Ct Rec'd #114660 540.00
12-12-97 Pd Comm #114661 1425.00

COMPLAINT IN DIVORCE UNDER SECTION 3301(c) or 3301(d), EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION
2 copies (atty)

June 30, 1993 AFFIDAVIT OF SERVICE filed. I, JAMES R. IRWIN, Esquire, beign duly sworn according to law, depose and say that I am the attorney of record, and sa such say tha tI served a true and correct copy fo the Complaint in Divorce certified by the Prothonotary of Crawford County, Pennsylvania on the above named Defendant by certified mail, addressee only, return receipt requested, dated June 24, 1993. The Defendant acknowledged service on June 28, 1993 by acceptign delivery on that date as evidenced by the attached signed return receipt.

July 6, 1993, appearance of Elderkin, Martin, Kelly & Messina by James H. Richardson, Jr. attorneys for defendant filed.

Oct. 22, 1993, Affidavit of Consent of plaintiff filed.

Aug. 29, 1994 Notice ofFiling Interrogatories and Request for Production ofDocuments, filed.

Nov. 28, 1995 Inventory of H.Michael Lewandowski, filed.

Jan. 10, 1996 Inventory of Bonnie S. Lewandowski filed.

March 12, 1996 Plaintiff's Income and Expense filed.

March 12, 1996 Affidavit of Consent of defendant filed.

March 12, 1996 Motion to Appoint Master In Divorce and ORDER Appointing Master filed. AND NOW, March 12, 1996, DAVID W. Pickens, Esq., is appointed Master in respect to the following claims: Divorce and Equitable Distribution of Marital Property.

PER CURIAM:
Gordon R. Miller, Judge

March 15, 1996 Order FAXED Attys. Richardson, Irwin and Pickens.

Mar. 27, 1996 Petition RaisingAncillary Economic Claims filed. (Alimony, Alimony Pendente Lite, Counsel Fees and Litigation costs and expenses)

Mar. 28, 1996 Notice of Schedule Pre=Hearing Conference filed.

April 26, 1996 Summary of Pre-Hearing Conference filed.

April 26, 1996, Plaintiff's Pre-Trial Narrative filed.

April 26, 1996, Pre-Trial Statement of Bonnie S. Lewandowski filed.

April 26, 1996, Notice of Scheduled Master's Hearing filed.

May 1, 1996, Waiver of Notice of Intention to Request Entry of a Divorce Decree filed.

June 7, 1996 Motion For Special Discovery and Motion For Continuance of Master's Hearing, filed.

June 17, 1996, ORDER filed. And Now, June 4, 1996 this matter comes before the court for a special discovery and motion for continuance of Master's Hearing filed by dft. Hearing continued. Current deadline for submission of pretrial narratives of June 6, 1996 is extended with both parties having their pretrail statements due 14 days prior to the first day of the rescheduled Master's Hearing. by order of the court, (for complete order, see back-up file)
Anthony J. vArdaro, J.
6/17/96 faxed to richardson and Pickens, Irwin

June 18, 1996 Notice of Master's Hearing filed.

Sept. 5, 1996 Supplemental Pre-Trial Statement of Bonnie S. Lewandowski, filed.

Sept. 5, 1996 Plaintiff's Pre-Trial Narrative, filed.

Oct. 17, 1996, Second supplemental Pretrial Statement of Bonnie S. Lewandowski filed.

Nov. 8, 1996 Notice of Filing Master's Report filed.

Nov. 8, 1996 Master's Report & Recommendation by Master filed.

Dec 5, 1996 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

FINAL DECREE FILED

Dec. 6, 1996 AND NOW, December 6, 1996, it is ordered, adjudged and decreed as follows:
1. The parties hereto are divorced from the bonds of matrimony.
2. The parties shall receive the property as set forth below, which consists of all of the marital property of the parties set forth in the Master's Report and Recommendation: (SEE PAPERS FILED).

BY THE COURT:
Gordon R. Miller, J.

Continued on page 176-A

1993

626	H. MICHAEL LEWANDOWSKI VS. BONNIE SUE LEWANDOWSKI	CONTINUED FROM PAGE 176 OF RECORD A. D. 1993 - 626

****

Dec. 27, 1996 Motion for Return of Photographs to Plaintiff and Order filed. AND NOW, this 27th day of December, 1996, upon consideration of the foregoing Motion, the Plaintiff's photographs of the parties' former marital residence, used in the Master's Hearing, shall be returned to the Plaintiff's possession.
BY THE COURT:
Gordon R. Miller, J.
12-27-96 FAXED Irwin & Richardson

Mar 24, 1997 Stipulation and Amendment to Final Decree in Divorce and Order: AND NOW, this 21 day of March, 1997, by stipulation of the parties, the Final Decree in Divorce entered by this Court dated Dec 6, 1996 is amended as follows:

Paragraph 11 of the Final Decree in Divorce shall read as follows:

Husband shall pay to Wife the sum of Eleven Thousand Four Hundred ($11,400.00) Dollars as additional Equitable Distribution. Wife's request for alimony is denied with prejudice to Wife's right to receive alimony at anytime hereafter.
Gordon R. Miller, P.J.
Mar 24, 1997 Faxed Richrdson & Irwin

1993

627.

EDWARD CYRSTALOSKI, JR.

vs.

EUGENE CALVERT and ROSEMARY CALVERT

Filed June 24, 1993
@ 1:31 PM

Tax & entry	50.50
User's Fee	5.00

STATEMENT OF OBJECTION

July 7, 1993, NOTICE concerning above action from Hubert E. Vogan, District Justice. (dated July 6, 1993)

1993

628.

PATTI PRATT

vs.

MIKE PRATT

Filed June 25, 1993
@ 8:44 AM

Tax & entry paid 50.25
User's fee paid 5.00

NOTICE OF APPEAL OF PLAINTIFF FROM DECISION OF DISTRICT JUSTICE ROBERT LEONHART

June 30, 1993 Proof of Service of Notice of Appeal and Rule to File Complaint, filed.

1993

Bettie J. Peterson-Muth KRISTINE ANN TERRILL

629. vs.

SHANNON CHRISTENSON

Filed June 25, 1993
@ 9:05 AM

Tax & entry paid 50.50
User's Fee paid 5.00

COMPLAINT FOR CUSTODY
1 copy atty.

Jun. 30, 1993 Acceptance of Service filed. I SHANNON CHRISTENSON, hereby accept service of the Complaint for Custody filed at the above captioned matter.
Date: June 29, 1993 Shannon Christenson

Jun. 30, 1993 Stipulation for An Agreed Order of Custody filed. ORDER FOR CUSTODY filed. AND NOW, this 30 day of June,1993, the parties hereto having stipulted and agreed, it is hereby ordered and decreed as follows:

1. The Plaitniff, KRISTINE ANN TERRILL, shall have sole legal and physical custody of the minor child, CHEYENNE NICOLE TERRILL.
2. The physical custody of the child, CHEYENNE NICOLE TERRILL, shall remain with the mother, KRISTINE ANN TERRILL,plaintiff herein. Defendant,SHANNON CHRISTENSON, shall be entitled to visitation with said child, provided that the parties hereto are able to mutually agree upon said time of visit.
3. The parties acknowledge that the Defendant, Shannon Christenson, has no desire to parent the child,Cheyenne Nicole Terrill. Thereby he is voluntarily relinquishing his right to periods of custody for him and his extended family.
4. The parties may make whatever other or difference arrangements they may find mutually convenient.

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

7-2-93 Copy of Order to Atty. Peterson-Muth.

1993

Peters, Lindsay,
Lewis & Gagliotti
John P. Gagliotti

630.

GERALD L. HUTCHISON

vs.

MICHAELLE L. HUTCHISON

Filed June 25, 1993
@ 2:26 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro. Co. pd 10/29/93	9.00

COMPLAINT IN DIVORCE
3 copies atty.

July 2, 1993 I, John P. Gagliotti, Esquire, do hereby verify that I am the attorney of record for the above named Plaintiff, and that as such I am authorized to make this verification; that I did on the 25th day of June, 1993, send to the above named Defendant, by Certified Mail, Addressee Only, Return Receipt Requested, #P899087539, a true and correct copy of the complaint filed at the above terms and number; and that I did on the 1st day of July, 1993, receive a duly executed return receipt dated June 29, 1993.

Oct. 5, 1993, Affidavit of Consent of plaintiff filed.

Oct. 25, 1993, Affidavit of Consent of defendant filed.

Oct. 29, 1993 Upon Praecipe of Attorney, John P. Gagliotti, Esquire to transmit record, case moved to Court.

DIVORCE DECREE FILED

Nov. 12, 1993 AND NOW, November 10, 1993, it is hereby ordered and decreed that GERALD L. HUTCHISON, Plaintiff, and MICHAELLE L. HUTCHISON, 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.

1993

631.

Thomas, Truax,
Spadafore & Walker
Gregory Keenan

COMMONWEALTH OF PENNSYLVANIA

vs.

KERMIT D. DENNIS

Filed June 25, 1993
@ 2:49 PM

Tax & entry paid	50.50
Users' fee paid	5.00
Pro.Co. pd 9/14/93	5.00

Jun. 25, 1993 Petition for Appeal from License Suspension and ORDER FILED. AND NOW, this 30 day of June, 1993, upon consideration of the foregoing Petition and upon motionof Gregory A. Keenan, ESq. Attorney for Petitioner, a hearing is hereby scheduled to determine whether the Order of the Department of Transportation suspending the operating privileges of the Petitioner should be set aside.

The above matter is set for hearing onthe 12th day of August,1993, at 10:00 A.M. at the Courthouse at Meadville, Crawford County, Pennsylvania, in Courtroom No. 1 or 2.

Petitioner's operating privileges are hereby reinstated in accordance with the law pending a final decision of the above appeal.

A true and correct copy of the within Petition and Order shall be served jpon the Department of Transportation,Bureau of Driver Licensing, Room 103, Transportation and Safety Building,Harrisburg, Pennsylvania, 17120, by Certified Mail, return receipt requested, at least sixty (60) days prior to the aforesaid hearing date.

By the Court:
P.Richard Thomas, S. J.

7-2-93 Copy of Order to Atty. Keenan. 7-2-93 Certified Copy to Dept. of Trans.

Jul. 2, 1993 Reassignment of Hearing Date filed.AND NOW, July2, 1993: Hearing in the above captioned matter heretofore set for August 12, 1993 at 10:00A.M., is hereby reset for October 7, 1993, at 9:15 A.M., in Courtroom 1,2, or 3.

FOR THE COURT,
Ann A.Walker, Court Administrator

July 2, 1993 Copies to Dept. of Trans. & Atty. Keenan.

Sep.14, 1993 Upon Praecipe of Gregory A. Keenan, Esquire,above case is marked withdraw and discontinue the appeal, filed.

1993

William E. Barney

632.

CORRY SAVINGS AND LOAN ASSOCIATION by name change CORRY SAVINGS BANK

vs.

RALPH J. AMOROSO and JUDITH A. AMOROSO

Filed June 28, 1993
@ 2:33 PM

Tax & entry paid	50.50
Users' Fee paid	5.00
Sheriff's Costs	42.00
Pro Co pd 9-8-93	9.00
Pro.Co. pd 2/22/96	6.00

COMPLAINT IN MORTGAGE FORECLOSURE
4 copies atty.

Jul. 1, 1993 Sheriff's Return filed. SERVED Ralph J. Amoroso personally on June 30, 1993 at 3:45 PM by handing him a copy of the Complaint in Mortgage Foreclosure at the residence, R.D.#2, Canadohta Lake Road, Spartansburg, Crawford County, PA.

SERVED Judith A. Amoroso personally on June 30, 1993 at 3:46 PM by handing her a copy of the Complaint in Mortgage Foreclosure at the residence, R.D.#2,Canadohta Lake Road, Spartansburg, Crawford County, PA.

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

Sept. 8, 1993 Affidavit of Non Military Service, filed.

Sept. 8, 1993 And Now, Upon praecipe of plaintiff attorney judgment is entered against the defendants for failure to plead to the Plaintiff's Complaint and assess the damages at:

Amount Due	$51,752.27
Attorney Collection Fee	$ 2,587.61

Interest from May 31, 1993, on $51,752.77 until paid at the rate of ten and one half (10 1/2) per cent per annum plus cost of mortgage foreclosure and sale of real property.

Total due (not including interest and costs of suit) Fifty-Four Thousand Three Hundred Thirty-Nine Dollars and 88/100.

Entered 9-8-93 Debt: $54,339.88
A - 92, 142 JUDGMENT
Barbara H. King, Pro.

Ex. 1993 - 83

Feb. 20,. 1996 Petition to Satisfy Judgment. AND NOW, this 16 day of February, 1996, it is ordered that judgment entered at A.D. 1993 - 632be marked satisfied, which satisfaction shall not operate as a discharge of the lien of the mortgage or the obligation of the accompanying note, in original amount of $42,000.00.

Anthony J.Vardaro, J.

I consent to entry of the above order.

Ralph J. Amoroso
Judith A. Amoroso

1993

Cauley and Conflenti
~~William J. Begley~~
Cheryl L.Esposito

633.

Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc.
Natalie Dwyer Haller

DELLA DEVILLARS and EDGAR DEVILLARS, her husband

vs.

MEADVILLE MEDICAL CENTER

Filed June 28, 1993
@ 3:55 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	31.00
Pro pd 1/23/96	5.00
Certificate pd.4/1/96	1.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

July 8, 1993 Sheriff's Return filed. Served Meadville Medical Center on July 2, 1993 at 1:35 PM by handing a copy of the Complaint and Interrogatories to Nancy Blystone, Administrative Assistant at Meadville Medical Center, 751 Liberty Street, Meadville,Crawford County, PA.
So answers,

Scott D.Young, Deputy Sheriff
Dale A. Collins, Chief Deputy Sheriff
Robert M. Stevens, Sheriff

July 16, 1993, Appearance of Quinn, Buseck, Leemhuis, Toohey and Kroto, Inc. by Natalie Dwyer Haller, attorneys for Defendant MMC filed.

Aug. 19, 1993, Answer and New Matter filed.

Aug. 23, 1993, Appearance of Cheryl L. Esposito, for plaintiffs filed. Withdrawal of appearance ofWilliam J. Begley, attorney for plaintiffs, filed.

Aug. 25, 1993, REply to New Matter filed.

Mar 25, 1994 Notice of Deposition of Harold Johnston, filed.

Jan. 22, 1996 upon praecipe of plaintiff attorney, the above captioned case is hereby discontinued of record.

Christopher Ferry
(pro hac vice)
Mayerson, Munsing,
Corchin & Rosato, PC
Hy Mayerson

Edward J. Hatheway Pro hac vice
Peters, Lindsay, Lewis
& Hatheway
634.

Culbertson, WEiss,
Schetroma and Schug, P.C.
E. Max Weiss

John B.Brautigam for Manor Motors
Knox McLaughlin Gornall
& Sennett
Wallace J. Knox for
AGCO Corp., Deutz-Fahr,
a/k/a Deutz-Allis,a/k/a
Gleaner-Allis Corp.

Riley & DeFalice, PC
Vincent A. DeFalice
for dft. Sandy Lake
Implement Co. Inc.

Riley & DeFalice, P.C.
Vincent A. DeFalice
Joseph L. Orszulak, II
for Phil's Sales & Serv.

6-16-95 Brief filed

DALE HAMILTON and LUCILLE HAMILTON

vs.

AGCO CORPORATION by and through their agent THE CORPORATION TRUST COMPANY: DEUTZ-FAHR, a/k/a DEUTZ-ALLIS CORP. a/k/a GLEANER-ALLIS CORP., and MANOR MOTORS and PHIL'S SALES and SERVICE and SANDY LAKE IMPLEMENT CO., INC.

Filed June 28, 1993
@ 3:55 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriffs costs	84.20
Pro.Co. pd 4/11/96	5.00
Pro Co pd 1-20-97	5.00

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION
4 copies Sheriff

July 22, 1993 Appearance of Culbertson, Weiss, Schetroma and Schug, P.C. by E. Max Weiss for Defendants, filed.

Aug. 4, 1993 Appearance of Knox McLaughlin Gornall & Sennett,P.C. by Wallace J. Knox for defendants, AGCO Corp., Deutz-Fahr a/k/a Deutz-Allis Corp., a/k/a Gleaner-Allis Corp. filed.

Aug. 6, 1993, Sheriffs Return filed. I hereby certify that I have personally served Robert Foster, Owner, Adult in charge on July 8, 1993 at 10:00 a.m. D. DeVenney, Dept.
So answers, William H. Romine, Jr.
Sher. of Mercer County, Pa.
SERVED the within complaint on July 10, 1993 at 1:30 p.m. upon Manor MOtors at R. D. #1, Penn Run, Cherryhill Twp. Indiana Co. Pa. by handing to Betty Syster, person in charge at time a true and correct copy thereof and make known to her the contents therein.
So answers, David R. L uchsinger,
Dep. Sheriff of Indiana County
SERVED Sandy Lake Implement Co Inc. by deputizing the Sher. of Mercer County, Pa. as per his Affidavit of Servcie attached. Ser ved on July 8, 1993, at 3675 Sandy Lake Rd. Sandy Lake, Pa.
SERVED Manor mOtors by deputizing the Sheriff of Indiana County, Pa. as per his affidavit of Service attached. Served on July 10, 1993 at R. D. #1, Penn Run Pa.
So answers, Robert m. Stevens, Sheriff

Aug. 9, 1993, Appearance of Riley & DeFalice, P.C by Vincent A. DeFalice, attorney for Sandy Lake Implement Co. Inc. defendant, filed.

Aug 13, 1993 Complaint reinstated.

Aug. 13, 1993 Praecipe to Substitute Verification, filed.

Sept. 1, 1993 Appearance of Riley & DeFalice, P.C. by Vincent A. DeFalice, and Joseph L. Orszulak, II on behalf of Phil's Sales & Service, filed.

Sept. 1. 1993 Answer And New Matter Of Defendants Agco Corporation, Deutz-Allis Corp., And Gleaner-Allis Corp., filed.

Sep. 7, 1993 Preliminary Objections of Manor MOtors to Plaintiffs' Complaint filed.

Sep. 9, 1993 Certificate of Service filed. The undersigned hereby certifies that Answers to Plaintiffs' Requests for Production of Documents were served by first class mail upon Hy Mayerson, Esquire, Attorney for Plaintiffs, on Sept.9, 1993, by forwarding him a copy of said Answers.
E. Max Weiss,Esquire

Sep. 10, 1993 Upon Praecipe of Vincent A.DeFalice, Esq. and Joseph L. Orszulak, Esquire, Attorneys for Sandy Lake Implement Co., Inc.,the above captioned matter is place on the next available Argument List.
ON OCTOBER, 1993 ARGUMENT LIST

Sep. 10, 1993 Preliminary Objections to Plaintiff's Complaint filed.

Sep. 13, 1993 Reply of Manor Motors to AGCo Cross-Claim filed.

Sept. 14, 1993 Supplemental Answers of Manor Moters to Plaintiff's Interrogatories filed.

Sep. 23, 1993 Defendant Phil's Sales & Service's Reply to Defendants AGCO Corp., Deutz-Allis Corp.,and Gleaner-Allis Corp's. New Matter and New Matter Pursuant to Rule 2252 (d) filed.

Sep. 23, 1993 Defendant SandyLake Implement Co.'s Reply to Defendants AGCO Corp., Deutz-Allis Corp.,and Gleaner-Allis Corp's. New Matter and New Matter Pursuant to Rule 2252 (d) filed.

Sep. 23, 1993 Answer, New Matter and New Matter Pursuant to Rule 2252 (d) to Plaintiff's Complaint, filed.

Sept. 28, 1993 Reply Of Agco Corporation, Deutz-Allis Corp., and Gleaner, Allis Corp., to the New Matter Pursuant to Rule 2252(d) of Defendants Phil's Sales and Service filed.

Oct. 12, 1993 Plaintiffs' Answer to New Matter and to New matter Pursuant to Rule 2252(d) Propounded by Defendants Argo Corp., Deutz-Allis Corp. and Cleaner-Allis Corp., filed.

Oct. 12, 1993 Plaintiff's Answer to New Matter and To New Matter Pursuant to Rule 2252(d) Propounded by Defendant Phil's Sales & Service, filed.

Oct. 12, 1993 AFFIDAVIT OF SERVICE UPON DEFENDANTS, filed. I, Hy Mayerson, Esq., being duly deposed according to law, hereby certify that a true and correct copy of the Complaint in the above captioned matter was served upon Defendants AGCO Corp. and AGCO Corp. by and through their agent The Corporation Trust Co., Corporation Trust Center by certified mail, return receipt requested, postage prepaid at 5295 Triangle Pkwy., Norcross, GA 30092 and 1209 Orange St., Wilmington, DE 19801, on July 16, 1993. Service of the reinstated complaint was made on Phil's Sales & Service by certified mail, return receipt requested at 1472 S.R. 164, Columbiana, OH 44408, on Aug. 16, 1993.
A copy of the letters of transmittal, and a photocopy of the original signed postal receipts are attached hereto and incorporated herein as Exhibit A, B and C and made a part hereof.

Continued of Record to Page 184 A

Dale Hamilton and Lucille Hamilton
vs.
AGCO Corporation, by and through their agent, The Corporation Trust Company, Deutz-Fahr, a/k/a Deutz-Allis Corp., a/k/a Gleaner-Allis Corp., Manor Motors, Phil's Sales and Service and Sandy Lake Implement Co., Inc.

Continued from Page 184 of Record
AD 1993-634

****

Oct. 13, 1993 Motion to Set Argument and ORDER filed. And Now, this 12th day of October, 1993, upon consideration of the aforesaid Motion, argument on the Preliminary Objections of Manor Motors to Plaintiffs' Complaint is hereby set for October 25, 1993 at 11:00 o'clock A.M. before the Hon. Anthony J.Vardaro, J., in Courtroom 2.

By The Court:
Gordon R. Miller, J.

10-20-93 Copy of Order Mailed to Attys. Mayerson, Knox, DeFalice & Orszulak, II and to Atty.Weiss
10-20-93 Copy of Order to Atty.Brautigam.

Oct. 20, 1993 Plaintiffs' Preliminary Objections to Defendant Sandy Lake Implement Co., Inc. PreliminaryObjections, filed.

Oct. 20, 1993 Plaintiffs' Preliminary Objections to Defendant Manor Motors' Preliminary Objections, filed.

Oct. 25, 1993 REvised Certificate of Service filed.

Dec. 15, 1993, Reply of Manor Motors to Defendant, Phil's Sales and Service, New Matter Pursuant to Rule 2252(d) filed.

Dec. 15, 1993 Memorandum and Order filed. AND NOW, December 15, 1993, the preliminuary objections of Defendants, Manor Motors and Sandy Lake Implement Co., Inc. are overruled and those paraties are directed to file a responsive pleading to the plaintiffs' complaint within 20 days of the date of this order.

BY THE COURT:
Anthony J. Vardaro, J

Dec. 16, 1993 Copies dist. to Mayerson, Knox, DeFalice and Weiss

Feb. 2, 1994 Answer, New Matter and New Matter Pursuant to Pa. R.C.P. 2252(d) to Plaintiffs' Complaint, filed.

Feb. 2, 1994 Substitution of Counsel, filed.

Feb. 7, 1994, Reply of Defendants Agco Corporation, Deutz-Allis Corp. and Gleaner-Allis Corp. to the New Matter Pursuant To Pa. R.C.P. Rule 2252(d) of Defendant Sandy Lake Implement Co., Inc. filed.

Feb. 11, 1994, Verification for Answer, New Matter Pursuant to Rule 2252(d) to Plaintiff's Complaint, filed.

Feb. 22, 1994 Plaintiffs' Answer To New Matter And To New Matter Pursuant To Rule 2252(d) Propounded By Defendant Sandy Lake Implement Co., Inc. Answer New Matter Pursuant To Rule 2252(d), filed.

March 16, 1994 Answer and New Matter on behalf of Manor Motors filed.

Apr. 4, 1994 Reply of Agco Corporation, Deutz-Allis Corp., and Gleaner-Allis Corp. To the New Matter Pursuant to Pa. R.C.P., Rule 2252(d) of Defendant Manor Motors filed.

May 5, 1994 Complaint reinstated.

May 6, 1994, Appearance of Christopher D. Ferry, Pro Hac Vice, on behalf of plaintiffs, for purposes of Presentation of Motion, filed.

May 9, 1994 Plaintiff's Motion to Appoint Process Server and ORDER TO APPOINT SPECIAL PROCESS SERVER filed. IT IS HEREBY ORDERED, that APS International, Ltd. is appointed to effect service of process on the Defendant, Deutz-Fahr, in Germany in accordance with the Hague Convention and international law.
Dated: May 9, 1994
Gordon R. Miller, Judge
5-9-94 FAxed toC.Ferry per his request.

May 23, 1994 Affidavit of Service Upon Defendant filed. I, Hy Mayerson, Esquire, being duly deposed according to law, hereby certify that a true and ocrrect copy of the Complaint in the above captioned matter was served upon Defendant KHD Deutz of America Corporation by and through their agent The Corporation Trust Co., Corporation Trust Center by certified mail, return receipt requested, postage prepaid at 1209 Orange STreet, Wilmington, DE 19801, on May 16, 1994.
A copy of the letter of transmittal, and a photocopy of the original signed postal receipt is attached hereto and incorporated herein as Exhibit A, and B and made a part hereof.
Hy Mayerson

May 24, 1994 Preliminary Objections filed.

May 27, 1994 Supplemental Answers of Manor Motors to Plaintiffs' Request for Production of Documents, filed.

May 27, 1994 Upon Praecipe of Attorneys for defendant, Deutz-Fahr, this case placed on next Argument List.

ON JUNE 1994 ARGUMENT LIST

Jun. 3, 1994 Complaint reinstated.

Jun. 9, 1994 Affidavit of Service upon Defendant filed. I, Eric Busch, Esquire, being duly deposed according to law, hereby certify that a true and correct copy of the Complaint in the above captioned matter was served upon Defendant Deutz-Fahr Landmachinen Vertriebd GmbH by Int ernational mail, return receipt requested, postage prepaid at Erwin Dietrich Platz, Gottmadingen, 78244 Germany, May 17, 1994.
A copy of the letter of transmittal, and a photocopy of the originalsigned postal receipt is attached hereto and incorporated herein as Exhibit A, and B and made a part hereof.
June 7, 1994
Eric Busch

Continued to Page 184 B

1993

Jun. 9, 1994 Affidavit of Service Upon Defendant filed. I, Eric Busch, Esquire, being duly deposed according to law, hereby certify that a true and correct copy of the Complaint in the above captioned matter was served upon Defendant Deutz-Fahr Landmaschinen Vertriebs GmbH by International mail, return receipt requested,postage prepaid at Erwin Dietrich Platz 1, Postfach 11 02, D-78240 Gottmadingen, Germany, May 17, 1994.
A copy of the letter of transmittal, and a photocopy of the original signed postal receipt is attached hereto and incorporated herein as Exhibit A, and B and made a part hereof.
June 7, 1994

Eric Busch

Jun. 9, 1994 Affidavit of Service upon Defendant filed. I, Eric Busch, Esquire, being duly deposed according to law, hereby certify that a true and correct copy of theComplaint in the above captioned matter was served upon Defendant Deutz-Fahr Erntesysteme GMBH by International mail, return receipt requested,postage prepaid at Kodelstr 1, Lauingen 89415 Germany,May 17, 1994.
A copy of the letter of trnasmittal, and a photocopy of the original signed postal receipt is attached hereto and incorporated herein as Exhibit A, andB and made a part hereof.
June 7, 1994

Eric Busch

Jun.9, 1994 Affidavit of Service Upon Defendant, filed. I, Eric Busch, Esquire, being duly deposed according to law, hereby certify that a true and correct copy of the Complaint in the above captioned matter was served upon Defendant Kloeckner-Humboldt-Deutz AG by International mail, return receipt requested, postage prepaid at KHD Antriebs-und-Luftfahrtechnik Nikolaus, August Otto Allee 2, 51057 Koeln, Germany on May 17, 1994.
A copy of the letter of transmittal, and a photocopy of the originalsigned postal receipt is attached hereto and incorporated herein as Exhibit A, and B and made a part hereof.
June 7, 1994

Eric Busch

Jun. 9, 1994 Affidavit of Service Upon Defendant filed. I, Eric Busch, Esquire, being duly deposed according to law, hereby certify that a true and correct copy of the Complaint in the above captioned matter was served upon Defendant Deutz-Fahr Lanmachinen-VErtriebd GmbH by International mail, return receipt requested, postage prepaid at Erwin Dietrich Platz 1, D-78244, Gottmadingen, Germany, May 17, 1994.
A copy of the letter of transmittal, and a photocopy of the originalsigned postal receipt is attached hereto and incorporated herein as Exhibit A, and B and made a part hereof.
June 7, 1994

Eric Busch

Jun. 9, 1994 Affidavit of Service Upon Defendant filed. I, Eric Busch, Esquire, being duly deposed according to law, hereby certify that a true and correct copy of the Complaint in the above captioned matter was served upon Defendant Kloeckner-Humboldt-Deutz AG by International mail, return receipt requested, postage prepaid at Kundendientschule Deutz-Mulheimer Strabe 107, 5000 Koln 21 on May 17, 1994.
A copy of the letter of transmittal, and a photocopy of the original signed postal receipt is attached hereto and incorporated herein as Exhibit A, and B and made a part hereof.
June 7, 1994

Eric Busch

Jun. 9, 1994 Certificate of Service filed. I HEREBY CERTIFY that on this 7th day of June, 1994, a true and correct copy of Plaintiffs' Affidavit of Service Upon Defendant was delivered to the following:

Barbara H. King, Prothonotary
Office of the Prothonotary
Court of Common Pleas
Crawford County
903 Diamond Park, Meadville, PA 16335

Wallace J. Knox, Esquire
Knox,McLaughlin, Gornall & Sennett
120 W. Tenth Street
Erie, PA 16501-1461

E. Max Weiss, Esquire
Culbertson, Weiss, Schetroma & Schug, P.C.
911 Diamond Park
Meadville, PA 16335-2693

Vincent DeFalice,Esquire
DeFalice & Coleman, P.C.
6th Floor, 816 Fifth Avenue
Pittsburgh,PA 15219

June 13, 1994 Plaintiffs' Response To Preliminary Objections of Defendant Deutz-Fahr filed.

June 13, 1994 Plaintiffs' Answer to Deutz-Fahr's "Preliminary Objections" of 5/23/94 filed.

June 10, 1994 Rule To Shoaw Cause filed. AND NOW, June 8, 1994, uponconsideration of the Plaintiffs' motion for special order directing service by publication, a rule is entered uponDeutz-Allis Corporation to shaow cause, if any they have, why the relief requested by the Plaintiff should not be granted.
This rule is returnable on June 27, 1994,a t 2:30 P.M. in Courtroom No. 2, Crawford County Courthouse, before the undersigned.

BY THE COURT,
Anthony J. Vardaro, J

6/13/94 Faxed Mayerson, Knox, given Weiss, Ferry, mailed DeFalice

7-5-94 Complaint reinstated.

Jul6, 1994 Motion to Consolidate Of Plaintiffs Dale and Lucille Hamilton and ORDER filed.AND NOW, this 6 day of July, 1994, upon consideration of Plaintiffs' Motion to Consolidate, it is hereby ORDERED that the motion is granted based on reported consent of all parties' counsel of record.

By the Court:
Anthony J.Vardaro, J.

7-6-94 Faxed to Attys.Mayerson,Weiss, Ferry & Knox. Mailed Connor (See paper filed)

Aug 1, 1994 Complaint reinstated.

Aug. 29, 1994, Complaint reinstated.

Sept. 20, 1994 Motion For Protective Order of Defendant, Kloeckner-Humboldt-Deutz, AG filed.

Sept. 20, 1994 Order filed. AND NOW, September 19, 1994, we have before us a motion for protective order of Defendant Kloeckner-Humboldt-Deutz, AG. We will direct that the Prothonotary file the motion but we will not act upon it insofar as it does not have attached to it the notice required by Crawford County Local Rule L206B and, therefore, we do not know whether it is an uncontested motion or a contested motion that must be preseted at Motion court.

BY THE COURT:
Anthony J. Vardaro, J

Sept. 20, 1994 Faxed Mayerson, mailed Knox & DeFalice, given Weiss & Ferry

Sept. 26, 1994, Complaint Reinstated.

Sept. 26, 1994 Plaintiff's Motion for Alternate Service on behalf of plaintiffs, filed.

Continued on Page 184c

Sept. 26, 1994, MEMORANDUM AND ORDER filed. ORDER: AND NOW, Sept. 23, 1994, while we find that the court does not yet have jurisdiction over the defendantDeutz-Fahr, we cannot grant Deutz-Fahr's preliminary objection requesting that his action be dismissed as to Deutz-Fahr inso far as while the plaintiffs can proceed no further with respect to that entity until it is served, efforts are still being made to serve Deutz-Fahr.

Defendants' preliminary objection with respect to the notices of default is dismissed insofar as we believe with respect to Deutz-Fahr such a preliminary objectionis premature insofar as no default judgment may be entered against Deutz-Fahr because it has not been served and with respect to the other entities included under Deutzes due to the fact that those entities are not parties tothis aciton and, therefore, they can file no preliminary objections nor can a default judgment be entered against them.

Finally, the plaintiffs' motion for alternative service is denied.

BY THE COURT,
Anthony J. Vardaro J.

9/26/94 copies dist. to all counsel

Oct. 18, 1994 ORDER filed. AND NOW, October 18, 1994, we have before us Plaintiffs' motion for alternate service in which they request to serve the Defendant Deutz-Fahr by publication. We have reviewed the Plaintiffs' motion and the supporting documents and we deny the motion at this time.

We note in doing so in reading the motion it appears that it was prepared to be filed much earlier than September 26, 1994 when it was in fact file ddue to the fact that it makes reference to the statute of limitations arguably running on June 4, 1994 and does not seem to provide any information with respect to what has occurred with various efforts at services.

More specifically, as of the date the was motion was prepared, there were ongoing efforts to serve the Defendant Deutz-Fahr pursuant to the Hague Convention; efforts were being made to serve the Defendant in georgia and the Plaintiffs had two telephone numbers in Georgia for the Deutz Corporation.

There is no information averred as to wht has occurred as a result of those efforts and therefore we do not believe it would be proper for us to enter an order pursuant to Pa. R.C.P. 430 for service by publication.

This order is without prejudice to the Plaintiffs to reapply for such an order if it appears all other efforts have been exhausted to obtain service.

BY THE COURT:
Anthony J. Vardaro, J.

Oct. 18, 1994 Faxed Ferry, Knox & Mayerson, given Weiss, mailed DeFalice

Oct. 21,1994 Affidavit of Service filed. I,Hy Mayerson, being duly deposed according to law,hereby certify that a true and correct copy of theComplaint was served upon Deutz-Fahr-Erntesysteme, GmbH, by and throughthe service company APS International,Ltd., at D-89407 Dillingen an der Donau-Local Court ScholBstrabe 3, on June 29,1994. A copy of the Certificate of Service are attached hereto as Exhibit "A" and Exhibit "B".
Oct. 18, 1994

Hy Mayerson, Esquire

Oct. 21, 1994 Affidavit of Service filed. I,Hy Mayerson, being duly deposed according to law,hereby certify that a true and correct copy of the Complaint was served upon Deutz-Fahr a/k/a Deutz-Fahr Landmaschinen Vertriebs GmbH,by and through the service company APS International, Ltd., at 7700 Singen/Hohentwiel on July 4, 1994. A copy of the Certificates of Service are attached hereto as Exhibit "A" and Exhibit "B."
October 18, 1994

Hy Mayerson, Esquire

Oct. 21, 1994 Affidavit of Service filed. I, Hy Mayerson, being duly deposed according to law, hereby certify that a true and correct copy of the Complaint was served upon Kloeckner-Humboldt-Deutz, AG, by and through the service company APS International Ltd., at Nikolaus-August-Otto-Allee 2, 51149 Koln on, June 29, 1994. A copy of the Certificates of Service are attached hereto as Exhibit "A" and Exhibit "B."
October 18, 1994

Hy Mayerson, Esquire

Oct. 21, 1994 Certificate of Service filed. I HEREBY CERTIFY that on this 18th day of October, 1994, a true and correct copy of Plaintiff's Affidvits of Service was delivered to the following:

BarbaraH.King,Prothonotary
Office of the Prothonotary
Court of Common Pleas
Crawford County
903 Diamond Park
Meadville,PA 16335

Vincent DeFalice, Esquire
DeFalice & Coleman, P.C.
6th Floor
816 Fifth Avenue
Pittsburgh, PA 15219

Wallace J.Knox, Esquire
Knox, McLaughlin,Gornall & Sennett
120 West Tenth Street
Erie,PA 16501-1461

E. Max Weiss, Esquire
Culbertson, Weiss, Schetroma & Schug, PC
911 Diamond Park, Meadville,PA 16335-22693

By: Hy Mayerson,Esquire

Oct. 26, 1994 Complaint Reinstated.

Nov. 28, 1994 Complaint Reinstated.

Dec.7, 1994 Affidavit of Service filed. I,Hy Mayerson, being duly deposed according to law, hereby certify that a true and correct copy of the Complaint was attempted to be served upon Deutz-Fahr at two different locations. Per the instructions of the Central Authority,APS International,Ltd. resubmitted the documents to the attention of Kloeckner-Humboldt-Deutz for it's subsidiary Deutz Farh at D-51149 Cologne,Nicolaus-August-Otto-Alee 2. A copy of the letter from APS International, Ltd. addressing the resubmission to Kloeckner-Humboldt-Deutz is attached hereto as Exhibit "A" and the Certificates of Service are attached hereto as Exhibit "B."
November 25, 1994

Hy Mayerson

Dec.7, 1994 Certificate of Service,filed.

Dec. 28, 1994 Complaint Reinstated.

Jan. 10, 1995 Certificate of Service of Answers to Supplemental Interrogatories and Request for Production of Documents filed.

Jan. 23, 1995 Complaint reinstated filed.

Feb. 8, 1995 Plaintiffs' Motion for Alternate Service and Consolidation, filed.

Feb. 8, 1995 Plaintiffs' Affidavit in Support of Plaintiffs' Motion for Alternate Service and Consolidation,filed.

Feb. 8, 1995 ORDER filed. AND NOW, this 7 day of February, 1995, upon consideration of Plaintiffs' Motion to Consolidate, it is hereby ORDERED that the motion is granted.

By the Court:
Anthony J. Vardaro, J.

Feb. 8, 1995 Faxed Ferry, Mayerson, Weiss, Knox & DeFalice

Continued on Page 184D

184 D

1993

[redacted]

CONTINUED Hamilton et al v. AGCO, Corp. et al A. D. 1993 - 634

Feb. 8, 1995 ORDER filed. AND NOW, this 7 day of February, 1995, upon consideration of Plaintiffs' Motion for Alternate Service by Publication, it is hereby ORDERED that the motion is granted.

Publication shall be once in Crawford County Legal Journal and once in Meadville Tribune and one in newspaper of general circulation intended to be read by person in Guttmadingen, Germany. By the Court:
Anthony J. Vardaro, J.

Feb. 8, 1995 Faxed Ferry, Mayerson, Weiss, Knox & DeFalice

Feb. 21, 1995 Complaint reinstated, filed.

Feb. 24, 1995 Upon praecipe of plaintiffs attorney, the above case placed on next Argument List.

ON MARCH 1995 ARGUMENT LIST

Mar. 27, 1995 Complaint reinstated.

Mar. 24, 1995 Motion For Continuance and Order, filed. Now, March 24, 1995, upon consideration of the foregoing Motion for Continuance, it is hereby ordered, adjudged, and decreed that the argument in this case scheduled for March 27, 1995, is continued until the May, 1995, argumetn list. Anthony J. Vardaro, J.
Mar. 27, 1995 Faxed Mayerson, Weiss & DeFalice, mailed Knox
Mar. 31, 1995 Faxed Ferry

Apr. 10, 1995 Affidavit of Puablication, filed.

Apr. 24, 1995, Affidavit of Publication filed.

Apr. 26, 1995 Complaint Reinstated.

May 11, 1995, ORDER SETTING ARGUMENT DATE filed. AND NOW, May 10, 1995, argument onthe Preliminary Objections of Kloeckner-Humboldt-Deutz, A.G. having been continued to the May Argument List and the same having been missed on said list has been scheduled for May 30, 1995 at 3:30 p.m. in C. R. No. 2, Crawford County Courthouse, Meadville, Pa.

BY THE COURT,
Ann Walker, Ct. Adm.
May 11, 1995, copies dist. to attys. by court.

May 19, 1995 Motion for continuance and ORDER filed. AND NOW, May 18, 1995, upon consideration of the foregoing Motion, it is hereby ordered, adjudged, and decreed that the argument inthis case scheduled for May 30,1995 is hereby continued to the June argument list. No further continuances will be granted to the Moving Party.
Anthony J.Vardaro, J.

5-22-95 Faxed Ferry,Mayerson, Weiss, Knox, mailed De Falice.

May 30, 1995, Complaint Reinstated.

Jun. 16, 1995 Deposition of Wilfried Pohler of Friday, May 26, 1995 filed.

Jun. 19, 1995 Plaintiff's Motion to Consolidate and ORDER filed. AND NOW, this 19 day of June, 1995,upon consideration of Plaintiffs' Motion t Consolidate, it is hereby ORDERED that the motion is granted.
By the Court:
P.Richard Thomas, S.J.

6-19-95 Faxed Ferry, Knox, Weiss, Mayerson, mailed DeFalice 6-20-95

Jun. 20, 1995 Response of Kloeckner-Humboldt-Deutz, AG, to Plaintiffs' Motion to Dismiss Preliminary Objections, filed.

Jun. 22, 1995 Affidavit of Service filed. I, Margaret R.connors,Esquire, being duly deposed according to law, hereby certify that a true and correct copyof the Complaint in the above captioned matter was served upon Defendant Deutz Corporation by certified mail, return receipt requested,postage prepaid at 3883 Steve Reynolds Boulevard,Norcross, GA 30093,on June 16, 1995.

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

Margaret R.Connors, Esquire

June 26, 1995 Affidavit of Service filed. I, Margaret R. Connors, Esquire, being duly deposed according to law, hereby certify that a true and correct copy of the Complaint in the above captioned matter was served upon Defendant Deutz Corp. by certifeid mail, return receipt requested, postage prepaid at care of The Corporation Trust Co., 1209 Orange St., Wilmington, Delaware, 19801, on June 19, 1995.

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

Margaret R. Connors, Esq.,

June 26, 1995 Affidavit of Service filed. I, Margaret R. Connors, Esq. being duly deposed according to law, hereby certify that a true and correct copy of the Complaint in the aove captioned matter was served upon Defendant Deutz Tractor Corp. by certifeid mail, return receipt requested, postage prepaid, care of Richard Carothers, Esq., Boyce, Ekonomou & Atkinson, 3573 Koger Blvd., Suite 180, Duluth, Georgia, 30136, on June 19, 1995.

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

Margaret R. Connors, Esq.

Jun. 26, 1995 Complaint reinstated.

July 11, 1995, Affidavit in Response to Preliminary Objections of Kloeckner-Humbollt-Deutz, A.G. filed.

Jul. 17, 1995 Supplementary Evidentiary Materials submitted by Defendant, Kloeckner-Humboldtl-Deutz, AG, in Support of Its Preliminary Objections raising a Question of Jurisdiction, filed.

Sept. 19, 1995 Plaintiffs' Answer to New Matter of Defendant Deutz Corp., filed.

Sep 25, 1995 Plaintiffs' Response to the Preliminary Objections of Defendant Deutz Tractor Corporation, filed.

Oct. 9, 1995, MEMORANDUM AND ORDER filed. ORDER:AND NOW Oct. 9, 1995, the preliminary objection inthe nature of a on to dismiss filed by Klockner-Humboldt-D utz, AG is denied. That party shall have 20 days from the date of this order to file a responsivepleading.

by the court,
Anthony J. VArdaro, J.
10/9/95 copies dist. to Ferry, Knox, Defalice, and Weiss.

HAMILTON et al

vs.

AGCO, CORP. et al

CONTINUED FROM PAGE 184-D
OF RECORD
A.D. 1993 - 634

****

Oct. 17, 1995 MOTION TO AMEND ORDER DENYING PRELIMINARY OBJECTIONS OF DEFENDANT, KLOECKNER-HUMBOLDT-DEUTZ, AG, Pursuant to Pa.R.A.P. RULES 311, 312 and 42 Pa.CS. § 702(b) filed.

Oct. 23, 1995, Order filed. AND NOW, oct. 20, 1995, after due consideration, the motion of the dft. Kloeckner-Humbodt-Deutz, AG, for the court to amend its order denying preliminary objections of that defendant pursuant toPa. R.C.P. 311 and 312 and 42 C.S. 702(b) is denied.

by the court,
Anthony J. Vardaro, J.

10/25/95 copies of order to Attys. Ferry, Mayerson, Knox, DeFalice and Weiss

Oct 24, 1995 Plaintiffs' Motion Regarding Alternate Service of Deutz Fahr and Order, filed. AND NOW, this 21 day of October, 1995, upon consideration of Plaintiffs' Motion Regarding Alternate Service of Deutz Fahr the Order of February 7 th, 1995, is modified as to its directive that "Publication shall be once ...in newspaper of general circulation intended to be read by persons in Gottmadingen, Germany" and such publication shall not be necessary in order to perfect service. In all other respects this Court's Order of February 7th, 1995, shall remain in full force and effect.

By the Court:
Anthony J. Vardaro, J.

Oct 27, 1995 Faxed Ferry Weiss, Mayerson, Knox & DeFelice

Oct. 26, 1995, Plaintiffs' Response to the Motion to Amend the Order Denying Preliminary Objections, filed.

Dec. 27, 1995 Answer and New Matter of Defendant, Deutz-Fahr filed.

Jan. 5, 1996 Certificate of Service filed.

Jan. 5, 1996 Plaintiffs' Answer to New Matter of Defendant, Deutz-Fahr, filed.

Jan. 19, 1996, Response to New Matter of Defendant Deutz-Fahr filed. (on behalf of dfts. Phil's Sales and Ser. and Sandy Lake Implement Co. Inc.)

Jan 26, 1996 Certificate of Service of Plaintiffs' Answer to New Matter of Kloechner-Humboldt-Deutz, A.G., filed.

Jan 26, 1996 Plaintiffs' Answer to New Matter of Kloeckner-Humboldt-Deutz, A.G., filed.

Apr. 2, 1996 Certificate of Service of Ansers and Responses to Supplemental Interrogatories and Request to Produce filed.

Apr. 8, 1996 Upon Praecipe of Margaret R. Connors, Esquire Attorneys for Plaintiffs, the above action is discontinued against the defendant DEUTZ TRACTOR CORPORATION without prejudice.

May 28, 1996 Certificate of Service by Mayerson Law Offices, P.C. by Margaret R. Connors, Esquire, for Plaintiff filed. I hereby CERTIFY that on this 24th day of May, 1996, a true and correct copy of PLAINTIFFS" DESIGNATED AND RECORDS DEPOSITION NOTICE of a KHD representative was mailed to the following:

Wallace J. Knox, Esquire
Knox, McLaughlin, Gornall & Sennett
120 West Tenth Street
Erie, PA 16501-1461

Vincent DeFalice, Esquire
DeFalice & Coleman, P.C.
6th Floor
816 Fifth Avenue
Pittsburgh, PA 15219

E. Max Weiss, Esquire
Culbertson, Weiss, Schetroma and Schug, P.C.
911 Daimond Park
Meadville, PA 16335-2693

June 10, 1996, Motion to Compel Answers to Plaintiffs Interrogatories and Request for Production filed.

June 10, 1996, Certificate of Service of Plaintiffs' supplemental Response to dft. AGCO's Request for Production filed.

June 18, 1996, Appearance of Peters, Lindsay, Lewis andHatheway, by Edward J. Hatheway, pro hac vice, for plaintiffs filed.

July 8, 1996, Certificate of Service of Plaintiffs Supplemental Request to Produce filed.

July 17, 1996, ORDER filed. AND NOW, This 17th day of July 1996, upon consideration of Plaintiffs' Motion to Compel Answers to Interrogatories and REquests for Production by dft. Kloeckner-Humboldt-Deutz, A.G. it is hereby ORDERED that the motion is granted and dft. shall answer fully plaintiffs' Interrogatories and two sets of Requests for Production within 20 days or appropriate sanctions will be imposed upon further application to the court.

By the court,
Gordon R. Miller, J.

7/17/96 faxed to Conners, Weiss, Knox and DeFalice.

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

184
-F-

1993

1993

Miller & Mortimer
Dennis J. Miller

635.

William J. Gregg

HERBERT G. KUNKLE and
DOROTHY A. KUNKLE, his wife

vs.

CONNEAUT LAKE PARK, INC.,
and LAKESIDE REAL ESTATE
COMPANY, INC.

Filed June 28, 1993
@ 3:55 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	39.00

WRIT OF SUMMONS
Issued Sheriff

July 8, 1993 Sheriff's Return filed. SERVED Conneaut Lake Park, Inc. on July 1, 1993 at 11:06 AM by handing a copy of the Summons to Brenda Schaef, Office Manager at the business, R.D.#4, Box 283, Conneaut Lake Park, Conneaut Lake, Crawford County, PA.

SERVED Lakeside Real Estate Company, Inc. on July 1, 1993 at 11:05 AM by handing a copy of the Summons to Brenda Schaef, Office Manager at the business, R.D.#4,Box 283, Conneaut Lake Park, Conneaut Lake, Crawford County, PA.

So answers, Robert M.Stevens, Sheriff

Aug. 9, 1993, Appearance of William J. Gregg, attorney for defendants filed.

1993

Peters, Lindsay,
Lewis & Gagliotti
Brian J. Lindsay

636.

Joan Mason

6/24/93 Plaintiff deposited $150.00 for mediator

10-14-93 Pd Plff Bal med dep Ck#7849 40.00 (to Lindsay)
10-26-93 Pd Def med fee Ck#7874 101.00
11-17-93 Received from deft. med fees 101.00
12-29-93 Pd Ck#7983 101.00

MARK C. WOODS

vs.

ELAINE S. WOODS

Filed June 29, 1993
@ 8:34 AM

Tax & entry paid	50.50
User's Fee paid	5.00
William Pineo	202.00
Pro Co Pd 10-26-93 Ck#7875	9.00

COMPLAINT FOR CHILD CUSTODY
1 copy med.; 2 copies atty.

ORDER:

You, Elaine S. Woods, defendant, have been sued in court to obtain custody, partial custody or visitation of the children; Angela C. Woods and Alexa K. Woods.

You are ordered to appear in person at such time and place as will be determined by the Mediator, William Pnieo, Esq., for a mediation conference.

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

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

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

BY THE COURT,
Gordon R. Miller, J

6/24/93

July 26, 1993 AFFIDAVIT OF SERVICE, filed. I. Brian J. Lindsay, Esquire, after being duly sworn according to law, do hereby certify that I am the attorney of record for the above named Plaintiff, and that as such I am authorized to make this verification; that I did on the 30th day of June, 1993, send to the above named Defendant, by Certified Mail, Return Receipt Requested, a true and correct copy of the Child Custody Complaint filed at the above term and number; and that I did on the 6th day of July, 1993, receive a duly executed return receipt dated July 2, 1993.

Sept. 17, 1993 Petition for Psychological Evaluation and Counseling and ORDER filed. AND NOW, this 17 date of September, 1993, upon consideration of the attached Petition, this matter is referred to custody mediator William Pineo, to make recommendation to the Court whether psychological evaluation, and/or psychological counseling for father shall be ordered.

Anthony J. Vardaro, J.

Sept. 23, 1993 Copy of Order to Atty. B. Lindsay, Joan Mason.

Oct. 13, 1993 TEMPORARY ORDER, filed. AND NOW, this 12th day of October, 1993, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. Legal and physical custody of the subject minor children, Angela and Alexa Woods, is awarded to their mother, Elaine S. Woods.

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 par;ty any and all confidential information which they may have regarding the subject minor children.

3. By October 21, 1993, the parties shall arrange for a visit by the mother and subject minor children to the home of the paternal grandmother, Elizabeth Betty, so that the children can make her acquaintance and feel comfortable in her home. Starting with the month of November, the father shall have visitation and temporary physical custody of the subject minor children on the first and third full week ends of each month from Saturday at 10:00 a.m. to sunday at 4:00 p.m., a full week end is one in which Saturday and Sunday occur within the same month. Until January, 1994, the children shall sleep at the home of their paternal grandmother. Starting in January, 1994, the father may have the children stay with him at his apaartment, provided he has suitable beds for them.

4. Should it benecessary for either party to cancel or modify the visitations as set out n 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.

5. The mother has asserted that she wishes to pick up and deliver the children. However, if the mother should change her mind on the transpotation, then she may request mediation on whether the parties should split responsibility for transportation.

6. 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.

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

8. Any person transporting the children 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 th character of the other in the children's estimation. Each party shall treat the other ina polite and respectful manner when in the children's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the children's estimation.

10. The parties are free to make additional or alternative arrangements respecting the custodial and visitation paeriods 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 father shall keep any firearms and ammunition which he has securely locked up when the children are in residenc.

12. It may be anticipated that as the children grow older and become more use dto their father's company, it will become advisable to expand the father's visitation rights with his daughters. Therefore, either party may request a review fo this order one year from this date to make any adjustments.

Continued on Page 1864

1993

Mark E. Woods
vs.
Elaine S. Woods

CONTINUED FROM PAGE 186
of Record
A. D. 1993 - 636

88888888888

1993

1993

637.

CHRISTINE IONE GALFORD

vs.

WILLIAM ALLEN GALFORD

Filed June 29, 1993
@ 1:54 PM

7-14-93 Received Sheriff's Costs $18.00

7-14-93 paid Sheriff CK# 7671 $18.00

Tax & entry pd 7-14-93	50.50
User's Fee pd 7-14-93	5.00
Sheriff's Costs	18.00
Pro Co pd. 7-14-93	9.00

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

Order:

And now, this 29th day of June , 1993 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

Hearing is hereby set for July 6, 1993 , at 1:00 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Jul. 6, 1993 Sheriff's Return filed. As per telephone call from Plaintiff,Christine Ione Galford, Defendant William Allen Galford was personally served on July 2, 1993 at 8:10 PM at his residence, R.D.#1,Box 194A,Titusville, Crawford County,PA, by Plaintiff's Mother, Margaret Metzgar.

So answers, Robert M.Stevens, Sheriff

July 12, 1993 ORDER filed. AND NOW,July 6, 1993, this matter is before the Court on a Petition for Protection from Abuse filed by the plaintiff.

Both parties appear without counsel. And the defendant indicates that he wishes to proceed without counsel and admits the allegations of the petition.

Accordingly, the following order is entered:

1) The defendant shall not assault, abuse, harass or threaten the plaintiff or any minor child named in the petition. The defendant shall not telephone the plaintiff's residence, but he may send correspondence by mail so long as it is not threatening or harassing in nature.
2) Both parties agree that pending any further order of the Court no parties shall in any way sell dispose of, or dissipate any of the marital assets, including but not limted to animals. That means everything, so that you'reoboth clear, anything and everything that you own together.
3) The plaintiff shall have exclusive possession of the marital residence at RD1, Box 194, Titusville,Pennsylvania, and the defendant shall not go to that residence for any purpose, even if he is invited to that residence. The police shall presume that the defendant is in violation of this order if he is at the residence which was formally the marital residence even if he was invited to that residence by the plaintiff. If at some point theplaintiff wishes to have the defendant at the marital residence, the parties should seeek a modification of this order prior to doing so.
3) The plaintiff shall have sole custody of the minor child, Stephanie, without visitation to the defendant pending further order of Court in this proceeding or in appropriate custody proceedings.
4) This order may be enforced without a warrant of arrest by any law enforcement officer having any grounds to believe it has been violated.
5) A copy of this order shall be delivered to the police department in the jurisdcition where the plaintiff resides and to county control. The current residence of the plaintiff at RD1, Box 194, Titusville, Pennsylvania is within the jurisdiction of the Corry State Police; and therefore, t he Order for the police shall be sent to that police agency.
6) The defendant is reminded that this is an Order of the Court, and violation of this Order may be punishable by a fine of up to $1000 and a jail sentence of up to six months.
7) The defendant will pay court costs in the amount of $82.50 to the Prothonotary of Crawford County onthe first floor of the courthouse no later than 4:30 p.m. on July 12, 1993.
8) This Order shall remain in full force and effect through July 5th, 1994.
9) The defendant is currently using the same mailing address as the plaintiff, and therefore, the Prothonotary shall send a copy of this Order to him at that address with the understanding that the defendant will be obtaining a post office box and willhave his mail forwarded to that post office box.

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

July 12, 1993 Copies to Pltf. , Dft, County Control and Corry State Police..

1993

Dallas w. Hartman, PC
Joanne M. Weber

638.

Knox McLaughlin Gornall & Sennett, P.C.
Mark E. Mioduszewski
Joanna K. Budde

KEVIN & KIMBERLY M. JACKSON

vs.

ALLTEL CORPORATION: and
ALLETEL PENNSYLVANIA, INC.

Filed June 29, 1993
@ 1:57 PM

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

JURY TRIAL OF TWELVE DEMANDED

WRIT OF SUMMONS
Issued Sheriff

July 16, 1993 SHERIFF'S RETURN, filed. I hereby deputize the Sheriff of Armstrong County, Pennsylvania to serve the within Summons according to law. The defendants alleged address is 201 Jefferson Street, Kittaning, Pa. 16210.
Robert M. Stevens, Sheriff, Cr. Co.
AFFIDAVIT OF SERVICE: SERVED the within Summons on July 13, 1993, at 11:05 a.m., upon Alltel Corp. & Alltel Pa., Inc. at place of business, 201 North Jefferson sT., Kittanning, Pa by handing to Joh Cupples, Decurity Director a true and correct copy thereof and made known to him the contents therein.
Sheriff Armstrong County

Aug 5, 1993 Appearance of Knox McLaughlin Gornall & Sennett, P. C. by Mark E. Mioduszewski and Joanna K. Budde for defendants, Alltel Corp. and Alltel Pa., Inc., filed.

Aug 5, 1993 Praecipe for Rule to File Complaint in behalf of Alltel Corp. and Alltell Pa., Inc. (issued atty)

Sep. 13, 1993 Complaint filed.

Oct. 7, 1993 Preliminary Objections filed.

Oct. 28, 1993, Upon praecipe of defendants attorneys, Preliminary Objections listed on next argument list.

ON ARGUMENT LIST FOR NOVEMBER 1993

Mar. 7, 1994 Memorandum and Order, filed. AND NOW, March 7, 1994, it is ordered as follows:
1. Except as hereinafter provided the defendants' Preliminary Objections are denied.
2. The followisng Preliminary Objections are sustained:
a. The objection contained in paragraph 16 of the preliminary objections issustained for lack of specificisty. The plaintiffs mist specify the exact location where the relevant events occurred.
b. The demurrer to Count I - breach of warranty is garanted.
c. Paragraphs 22 (g), (i), (z) and (ab) are stricken as well as the word "generally" in the third line of paragaraph 22 of the Complaint.
d. Paragraphs 18(m), 23(m), 28(m), 19(f), 24(f) and 29(f) are stricken
3. The plaintiffs are given twenty (20) days from this date to file an Amended Complaint if they desire to do so. If they file an Amended Complaint then the defendants shall file an appropriate responsive pleading within the time provided by the Rules of Civil Procedure. If the plaintifs fail to file an Amended Complaint within twenty (20) days from this date then the defendants shall file a response to the original complaint no later than forty (40) days from this date.
BY ORDER OF COURT
Gordon R. Miller, P.J.
Mar. 7, 1994 copies dist to Weber, Hartman, Budde & Mioduszewski

Mar. 28, 1994 AMENDED COMPLAINT, filed.

Apr. 21, 1994 Answer and New Matter filed.

May 12, 1994, Reply of Plaintiffs to New Matter filed.

Sep.7, 1994 Motion to Compel Answers to Interrogatories and Responses to Requests for Production and Motion forSanctions and ORDER filed. AND NOW, this 7th day ofSeptember, 1994, it is hereby ORDERED and DECREED that plaintiffs shall provide defendant with complete and adequate answers to interrogatories, along with signed authorizations, within thirty (30) days, with failure to do so respond resulting in the imposition of sanctions.
BY THE COURT:
Gordon R. Miller
9-9-94 FAxed to Attys. Weber, Mioduszewski & Budde

Oct. 7, 1994 Notice of Service of Answers to Interrogatories and Request for Production to Plaintiffs First Set and Second Set, filed.

Nov. 21, 1995 Notice of Service of Plaintiffs' First Request for Production of Documents, filed.

Jan. 6, 1997 Notice of Service of Plaintiffs' First First Set Of Interrogatories Addressed to Defendants filed.

Jan. 23, 1997 Notice of Discovery Deadline by Plaintiff Attorney filed.

Mar 24, 1997 Stipulation to Extend Discovery Deadline, filed.

Sept. 4, 1997 STIPULATION OF PARTIES TO extend Discovery Deadline filed.

Dec 4, 1997Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21, filed.

Dec 4, 1997 Notice of Intent to Serve a Subpoena to Produce Documents and Things for Discovery Pursuant to Rule 4009.21, filed.

Dec 22, 1997 Objections To Subpoena Pursuant to Rule 4009.21, filed.

Dec 22, 1997 Objections to Subpoena Pursuant to Rule 4009.21, filed.

SEE COMPUTER FOR FILINGS AS OF DECEMBER 8, 1999.

1993

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

639.

PENNWEST FARM CREDIT, ACA

vs.

BERNARD R. WAGNER,
individually and as partner,
PATRICIA J. WAGNER,
individually, and as partner
DAVID L. WAGNER, individually
and as partner, and WAGNER-
CREST FARMS, a partnership

Filed June 29, 1993
@ 2:02 PM

Tax & entry paid	50.50
user's Fee paid	5.00
Pro Co pd 7-13-93	50.00

COMPLAINT IN CIVIL ACTION
5 copies Sheriff

July 13, 1993 SHERIFF'S RETURN, filed. SERVED Bernard R. Wagner personally on July 2, 1993 at 1:16 PM by handing a copy of the Complaint to him at his residence, RD 6, Meadville, Crawford County, Pa.

SERVED Patricia J. Wagner on July 2, 1993 at 1:17 PM by handing a copy of the Complaint to Bernard Wagner, her husband, at their residence, RD 6, Meadville, Crawford County,Pa.

SERVED David L. Wagner on July 2, 1993 at 1:21 PM by handing a copy of the Complaint to Bernard Wagner, Adult in Charge at the residence, RD 6, Meadville, Crawford County, Pa.

SERVED Wagnercrest Farmson July 2, 1993 at 1:20 PM by handing a copy of the Complaint to Bernard Wagner, Partner and Adult in Charge, at RD 6, Meadville, Crawford County, Pa.

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

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

640.

PENNWEST FARM CREDIT, ACA

vs.

BERNARD R. WAGNER,
individually and as partner
PATRICIA J. WAGNER,
individually, and as partner
DAVID L. WAGNER, individually
and as partner, and WAGNER
CREST FARMS, a partnership

COMPLAINT IN MORTGAGE FORECLOSURE
5 copies Sheriff

July 13, 1993 SHERIFF'S RETURN, filed.. SERVED Bernard R. Wagner personally on July 2, 1993 at 1:19 PM by handing a copy of the Complaint in Mortgage Foreclosure to him at the residence, RD 6, Meadville, Crawford County, Pa.

SERVED Patricia J. Wagner on July 2, 1993 at 1:22 PM by handing a copy of the Complaint in Mortgage Foreclosure to Bernard Wagner, her husband, at the residence, RD 6, Meadville, Crawford County, Pa.

SERVED David L. Wagner on July 2, 1993 at 1:18 PM by handing a copy of the Complaint in Mortgage Foreclosure to Bernard Wagner, Adult in Charge, at RD 6, Meadville, Crawford County, Pa.

SERVED Wagnercrest Farms on July 2, 1993 at 1:15 PM by handing a copy of hte Complaitn in Mortgage Foreclosure to Bernard Wagner, Partner and Adult in Charge, at Rd 6, Meadville, crawford County, Pa. So answers,

Scott D. Young, Deputy Sheriff
Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Filed June 29, 1993
@ 2:11 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co pd 7-13-93	50.00

1993

641
~~640~~

IN THE MATTER OF THE SLECTIONS OF PERSON TO SERVE AS JURORS FOR A SPECIAL TRIAL OF SHAFER, etc. vs. SPENCER HOSPITAL, et al AD 1988- 372
SET FOR AUGUST 23, 1993

Filed June 29, 1993
@ 4:07 PM

ORDER TO SELECT JURORS TO SPECIALLY SERVE ON JURY DUTY COMMENCING OF AUGUST 23, 1993 AT 9:00 O'CLOCK IN THE CASE OF SHAFER, ETC. VS. SPENCER HOSPITAL, et al.

To the Sheriff and Jury Commissioners of Crawford Couty:

We command you, in your official capcity to draw fromthe jury wheel in accordance with the law, the names of 80 persons to serve as Jurors in the Court of Common Pleas, to be held at the Court House in Meadville, PA. commencing August 23, 1993 at 9:00 o'clock a.m.

You, the Sheriff, shall make an appropriate return as to how you have executed this order on the day and date aforesaid.

BY ORDER OF, THE Hon. Gordon R. Miller, President Judge at Meadville, this 29th day of June, 1993.

Barbara H. King, Pro

Aug. 26, 1993 Sheriff's Return filed. I do hereby make return that I have summoned the 80 persons whose names appear on schedule hereto attached to serve as Jurors at a term of Court to be held at Meadville, Pa., commencing on August 23, 1993.

So answers

Robert M.Stevens,Sheriff

1993

Peters, Lindsay,
Lewis & Gagliotti
Brian J. Lindsay

642.

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

PATRICIA COOPER

vs.

MARY M. SPAULDING

Filed June 29, 1993
@ 4:26 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	30:00

COMPLAINT IN CIVIL ACTION
3 copies Atty.

July 16, 1993 SHERIFF'S RETURN, filed. SERVED Mary M. Spaulding on July 12, 1993 at 2:00 PM by handing a copy of the Complaint to her in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Pa.
So answers, Diane Brittain, Deputy Sheriff
Robert M. Stevens, Sheriff

July 26, 1993 Appearance of Thomas, Truax, Spadafore and Walker by R. Charles Thomas for Defendant filed.

Sep.22, 1993 Notice of Default Judgment filed.

Sept. 22, 1993 Verification of Service of Notice of Default, filed.

Oct 1, 1993 Answer to Plaintiff's Complaint, filed.
(1 copy atty)

Dec. 23, 1993 Notice of Service of Interrogatories, filed.

June 6, 1994 Motion for Sanctions filed.

June 6, 1994 Upon Praecipe of plaintiff attorney, this case placed on next Argument List.

ON JULY 1994 ARGUMENT LIST

1993

Barbara J. Walton

643.
~~Paul E. Allen~~ Withdrawn

John Gagliotti

RAE JEAN FABIAN

vs.

ROBERT JOHN FABIAN

Filed June 30, 1993
@ 9:32 AM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts pd	30.00
State paid	10.00
Pro Co pd 1-16-95	9.00

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

July 7, 1993, Affidavit of Personal Service filed. AND Now this 30 day of june 1993, comes Lisa M. Sherretts, Legal Asst. to Atty. Walton, being duly sworn according to law, deposes and sets forth as follows:
1. That she is a competent adult.
2. That on information furnished her, she served a certified copy of complaint in Divorce in above matter upon the defendant Robert John Fabian at 310-312 Chestnut St. Masonic Bldg. Rm. 334 Meadville, Pa. on Wed. June 30, 1993 at 9:40 a.m.
Lisa M. Sherretts

Aug. 16, 1993, Appearance of Paul E. Allen, attorney for defendant filed.

Aug. 23, 1993, Petition for Special RElief and order filed. 2 copies (atty. Walton)
ORDER: AND NOW, this 23 day of Aug. 1993, motion allowed. Hearing on plaintiff's Petition for Special RElief is set for Aug. 31, 1993, at 10:00 a.m. in C. R. No. 1 or 2 ofthe Crawford CountyCourt House, located in Meadville, Pa.
For the Court,
Ann Walker, Ct. Adm.
Aug. 26, 1993, copies of order to B. Walton and P. Allen, attys.

Sept. 1, 1993 Exhibits filed.

Sep. 3, 1993 ORDER Filed. AND NOW, August 31, 1993, after hearing, where both parties appeared withcounsel, and where counsel agreed to certain aspects of this case,but not in others, it is hereby ORDEREDas follows:
1.Sole possession of 127 Shippen Street, Meadville,Pennsylvania, is awarded toplaintiff to the exclusion of the defendant,until further Order of Court. The Court makes no determination as to the party who might ultimately be entitled to this property, or as torent,obligation to pay debts, mortgages, utilities, et cetera. But in order tokeep peace, is simply providing the plaintiff with a place to live to the exclusion of the defendant. In the event that the plaintiff moves out of 127 Shippen Street and no longer lives there, she shall notify the defendant or his counsel within 48 hours after such event, so that the defendant or hiscounsel may re-approach the Court to modify this Order ifthecircumstances and the law justify it.
2. Neither party shall dispose of any jointlyowned property, jointlyowned between the parties; nor anyproperty that would be classified as marital propertyunder theDivorce Code. They are enjoined from doing so. FURTHERMORE, they shall take all reasonable steps to safeguard said property from destruction, loss or damage until the equitable distribution and economic matters raised in this action have been disposed of. This shall not prevent theparties from enteringg into an agreement in writing, signed byboth parties, short of a final Court Order ifthey desire.
3. Neither party shall dispose of anyproperty that he or she believes is non-marital property and solely owned by him or her without first writing down a description of the property and giving the other party at least 7 days advance notice sothat the other party may protect himself or herself if the responding party believes that the disposition of that asset is inappropriate under the Divorce Code.
4. The defendant shall not go tothe plaintiff's residence at any time for anypurpose unless she has expressly invited him.
5. The defendant shall within 24 hours of this date, return the following items in thecondition they presently exist to the plaintiff:
One Deer head;
One mounted fish;
One long leather coat, if he has it;
Plaintiff's hunting suit;
Plaintiff's work coat;
Plaintiff's round brush.
6. The defendant shall make a good-faith effort to determine within the next 24 hours whether or not he has the following items, and if he does, shall return them to the plaintiff in the condition that theypresently are in:
Teddy bear;
Aunt Bessie's quilt;
Iron.
7. Although the Court makes no direction or order with respect tothe following, the Court suggests to the parties that they try to make a list, if they have not already done so, of itmes that they have taken from the marital residence, or disposed of prior to this date, because undoubtedly if this matter proceeds further, they may both be required to account to the other for marital and jointly owned property that theymay have already disposed of or taken.
8. Neither party shall dispose of any non-marital property that is the exclusive property of the other which he or she may have in his or her possession at thistime and shall take all reasonable efforts to safeguard said property from destruction, damage or loss.
BY THE COURT,
Gordon R. Miller,P.J.
Sept. 3, 1993 Copies dist. toWalton & Allen.

Feb. 14,1994 Affidavit of Consent of Plaintiff, filed.

Feb. 14, 1994 Property Settlemetn Agareement, filed.

Aug. 23, 1994, Certificate of Service of Interrogatories filed.

Oct. 5, 1994 Motion To Withdraw Appearance and ORDER filed. And now, Oct. 4, 1994, upon presentation and after due consideration, the within Motion of Paul E. Allen, Esq. for leave to withdraw his appearance for Robert John Fabian is granted.
Per curiam
Anthony J. Vardaro, Judge

Oct. 5, 1994 Order Faxed to Attys. Allen and Walton

Continued to Page 509

1993

644.

REBECCA L. STEPHENS

vs.

BRYAN S. STEPHENS

Filed June 30, 1993
@ 11:01 AM

Tax & entry	50.50
User's Fee	5.00

PETITION FOR RELIEF UNDER PROTECTIONS FROM ABUSE ACT

ORDER:

6/30/93 Petition denied in view of the fact criminal harassment charges were filed & pending before a D. J. & the problem can be solved there. Prothy. filed this petition without payment of costs.

P. Richard Thomas, S.J.

1993

645.

TAMMY RENEE BURGER

vs.

JACK ELWIN SUTTON

Filed June 30, 1993
@ 2:06 PM

Tax & entry	50.50
Users' Fee	5.00
Sheriff's Costs	42.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
mailed 1 copy Plaintiff
3 given to Sheriff

Order:

And now, this 30 day of June , 1993 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant may not contact the Pl in any manner, go to her residence or be in her presence for any purpose.
3. This Order may be enforced without a warrant any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs. Hearing is hereby set for July 8, 1993 , at 3:30 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

July 6, 1993 SHERIFF'S RETURN, filed. SERVED Jack Elwin Sutton personally on June 2, 1993 at 11:55 AM by handing a copy of the Protection from Abuse to him at his residence, RD 4, Box 220A, Titusville, Crawford County, Pa.
So answers,
Scott D. Young, Deputy Sheriff
Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

July 16, 1993 ORDER filed. AND NOW, July 8, 1993, after full hearing, the Court finds that the testimony is at the best conflicting, but the best interests off both parties and of justice would be served by forbidding future contact between these parties and, therefore, the followisng Order is entered:

1. Neither of the parties shall at any time assault, sbuse, harass or threaten the other or threaten the other or make telephone calls to the other, go to any place where they know the other will be nor shall either of the parties encourage or procure any other person to engage in such harassment, abuse or threats.

It is the intention of this Order that both parties forbear from any type of contact with the other insofar as humanly possible.

2. This Order may be enforced by any police officer having jurisdiction in the premises against either party in accordance with the Protection From Abuse Act.
3. This Order shall remain in full force and effect for a period of one (1) year unless sooner terminated by the Court.
4. The record costs in this matter shall be paid by Crawford County.

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

July 16, 1993 copies dist to Sullivan, Dft., PSP, Co Control

196

1993

Berger, Kapetan,
Meyers, Rosen, Louik
& Raizman, PC.
Neil R. Rosen

646.

Vincent J. Grogan
Grogan, Graffam,
McGinley & Lucchino PC

DAVID MANROSS, Executor of the Estate of FRANCIS BARNES and DIANA TOTH

vs.

JOSEPH C. BARNHART and JOSEPH E. ALTOMARE, individually and trading and doing business as ALTOMARE AND BARNHART

Filed June 30, 1993
@ 2:20 PM

Tax & entry paid	50.50
User's Fee paid	5.00

WRIT OF SUMMONS
Issued Atty.

July 9, 1993 Acceptance of Service of Summons in Civil Action, filed.

Sept. 1, 1993 Complaint filed.

Jan. 10, 1994 Answer and New Matter of Altomare & Barnhart, a Dissolved Partnership, filed.

Jan. 10, 1994 Answer and New Matter of Defendant Joseph E. Altomare, filed.

Jan.14, 1994 Plaintiffs' Reply to Defendants" New Matter filed.

Jun. 7, 1995 Plaintiffs' Motion for Summary Judgment filed.

Jun.7, 1995 Upon Praecipe of Neil R. Rosen, Esquire, The above captioned matter is placed on the next available Argument List.

ON JULY, 1995 ARGUMENT LIST

July 18, 1995 Plaintiffs; Motion To Remove Motion For Summary Judgment From July 31 Argument List and Continue Generally and Order filed. AND NOW,this 14th day of July, 1995, upon consideration of the foregoing Motion, it is hereby ORDERED that the argument presently scheduled on Plaintiffs, Motion for Summary Judgment for 3:00 p.m. on July 31, 1995 is continued generally. Hereafter, all parties shall be gree to re-list said Motion by filing the appropriate Praecipe with the Court.

BY THE COURT:
Gordon R. Miller, J

July 18, 1995 Faxed Rosen & Altomare & Barnhart

Aug. 11, 1995, Appearance of Grogan, Graffam, McGinley and Lucchino, P.C. by Vincent J. Mather, Grogan, attorneys for dfts. filed.

1993

Quinn, Buseck,
Leemhuis, Toohey &
Kroto, Inc.
Patricia J. Kennedy

647.

STEVEN CHARLES VANDERHOOF

vs.

VICKI K. VANDERHOOF

Filed June 30, 1993
@ 2:20 PM

Tax & entry paid	50.50
User's Fee paid	5.00
state paid	10.00
Pro Co pd 12-11-95	9.00

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

July 14, 1993 AFFIDAVIT OF SERVICE BY MAIL PURSUANT TO Pa. R.C.P. 1920(s)(1)(ii), filed. Patricia J. Kennedy, Esquire, being duly sworn according to law, deposes and says that she is the attorney for the Plaintiff, Steven C. Vanderhoof, and that she did mail a true and correct copy fo the Complaint in Divorce, filed in the above matter, certified mail, return receipt requested, delivered to addressee only, to the Defendant, Vicki K. Vanderhoof, on July 3, 1993 at her last know address, Rd 3, Spartansburg, Pa. 16434. The signed receipt is attached hereto as Exhibit "A".

Dec 1, 1995 Affidavit of Consent of Defendant, filed.

Dec 1, 1995 Affidavit of Consent of Plaintiff, filed.

Dec 1, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

December 13, 1995 AND NOW December 11, 1995, it is ordered and decreed that STEVEN CHARLES VANDERHOOF, plaintiff, and VICKI K. VANDERHOOF, 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.

1993

Cohen & Grigsby
Anthony Cillo

648.

William J. Gregg

Ferguson & Spataro
Douglas Ferguson
for intervenors

PETER J. WASSMER and
ADELHEID WASSMER, his wife

vs.

VIRGIL L. EELLS and DEBRA J. EELLS, his wife; EDWARD E. WILSON: EUGENE F. DUFFY and JOHN P. DUFFY, a Pennsylvania Partnership doing business as D. ENTERPRISES.
Gerard R. Bey, Jr. and Jeannette M. Bey, Interveners

Filed June 30, 1993
@ 4:16 PM

Tax & entry paid	50.50
User's Fee paid	5.00
sheriffs costs	63.00
Appeal Fee pd. 7/21/97	30.00
User Fee pd 7/21/97	5.00
Appeal Fee pd 7-16-97	30.00
Pro Co pd 9-18-97	9.00

COMPLAINT TO QUIET TITLE
2 copies Atty.

July 14, 1993, Sheriffs Return filed. SERVED Virgil L. Eells personally on July 6, 1993 at 2:26 p.m. by handing a copy of the Complaint to him at Seneca Dr. Conneaut Lake, Crawford County, Pa.
SERVED Debra J. Eells personally on July 6, 1993 at 2:25 p.m. by handing a copy of the Complaint to Quiet Title to her at Seneca Drive, Conneaut Lake, Crawford County, Pa.
SERVED Edward E. Wilson on July 6, 1993 at 1:50 p.m. by handing a copy of the Compalint to Deedra Axtell, Sec. at Ted Wilson Real Estate Appraisal Office, Rt. 19, Meadville, Crawford County, pa.
SERVED Eugene F. Duffy on July 8, 1993 at 1:10 p.m. by handing a copy fo the Complaint to Betty Janosko, Sec. at Sousa Real Estate Conneaut Lake, Crawford Co., Pa.
SERVED John P. Duffy on July 9 1993 at 9:26 a.m. by handing a copy of the Complaint to Betty Janosko, his arthorized agent, at Sousa Real Est. Conneaut Lake, Pa. Crawford County. Signed acceptance of Service attached.
So answers, Scott D. Young, Dep. Sher.
Dale A. Collins, Ch. Dep. Sher.
Robert M. Stevens, Sheriff

2A August 26, 1993, Notice of Intention to File Praecipe for Entry of Default Judgment filed.

3 Sep. 2, 1993 Answer to Plaintiffs' Complaint to Quiet Title on behalf of Edward E.Wilson,Defendant, filed.

4 Sep. 2, 1993 Answer to Plaintffs' Complaint to Quiet Title on behalf of Virgil L. Eells andDebra J.Eells, his wife, Defendants, filed.

5 Sept. 2, 1993 Answer to Plaintiffs' Complaint to Quiet Title on behalf of Eugene F.Duffy and John P. Duffy, Defendants, filed.

6 Sept. 8, 1993 Notice of Intention to File Praecipe for Entry of Default Judgment to Virgil L. Eells, filed.

7 Sept. 8, 1993 Notice Of Intention To File Praecipe For Entry Of Default Judgment to Debra J. Eells, filed.

8 Sept. 8, 1993 Notice Of Intention To File Praecipe For Entry Of Default Judgment to Edward E. Wilson, filed.

9 Sept. 8, 1993 Notice Of Intention To File Praecipe For Entry Of Default Judgment to Eugene F. Duffy & John P. Duffy, filed.

10 Sept. 24, 1993 Petition to Intervene by Gerard R. Bey, Jr. and Jeannette M. Bey, and Order filed. ORDER: AND NOW, this 24th day of September, 1993, it is hereby ordered that the Petition to Intervene filed by the proposed Interveners, Gerard R. Bey, Jr. and Jeannette M. Bey,his wife, is hereaby granted. This Petition is granted since the Plaintiffs and all of the Defendants have consented to the Interveners intervention inthis matter.
BY THE COURT:
Gordon R. Miller, P.J.

Oct. 1, 1993 coopy to D. Ferguson

11 Oct. 14, 1993 Upon Praecipe of Defendants attorney to Affix Verification to original answers on behalf of Virgil L. and Debra J. Eells, filed.

12 Oct. 14, 1993 upon Praecipe of Defendants attorney to Affix Verification to original answers on behalf of Eugene F. Duffy and John P. Duffy,filed.

13 Oct. 14, 1993 Upon Praecipe of Defendant attorney to Affix Verification to original answers on behalf of Edward E. Wilson, filed.

14 Aug. 23, 1994, Notice of Deposition Duces Tecum of Peter J. Wassmer filed.

15 Nov. 7, 1994 Notice of Deposition of Peter J.Wassmer, filed.

16 May 4, 1995 Reply to New Matter of Intervenors, filed.

17 Oct. 23, 1995, Motion to Set Special Date for Equity Trial and ORDER OF COURT filed. AND NOW, to-wit, this 12 day of December, 1995 upon consideration of the uncontested Motion of Plaintiffs toset a sepecial date for the trial of this action, itis hereby ORDERED, ADJUDGED and DECREED that the trial of this action shall commence on January24, 1996, at 9:15 a.m. in Courtroom 1 or 2. Two full days have been set aside for this trial.
BY THE COURT:
Anthony J.Vardaro,J.

12-12-95 Faxed Gregg, Ferguson &Cillo

18 Jan.23, 1996 Motion for Continuance and ORDER filed. AND NOW, 1-23, 1996, upon consideration of the foregoing Motion for Continuance, the trial in the above-captioned matter which is set for January 24, 1996, is hereby rescheduled to March 4, 1996, at 9:30 o'clock a.m. in Courtroom No. 3 of the Crawford County Courthouse, Meadville,PA.
P.Richard Thomas, S.J.

1-23-96 Faxed Gregg & Cillo

Continued to Page 198 A

1993 TERM

Peter J.Wassmer and
Adelheid Wassmer
vs
Virgila L.Eells and
Debra J.Eells, his wife
Edward E.Wilson; Eugene F.Duffy and
John P.Duffy, a Pennsylvania
Partnership doing business as
D.Enterprises

Continued from Page 198
of Record

AD 1993 - 648

****

19 Feb. 20, 1996 Plaintiffs' Motion to Reschedule Trial and ORDER OF COURT filed. AND NOW, to-wit, this 16 day of February,1996 it is hereby ORDERED that the trialof this action is rescheduled to May 7 & 8, 1996 commencing at 9:15 o'clock A.M. each day in Courtroom No. 2 of the Crawford County Courthouse, Meadville,Pennsylvania. (before the Honorable P. Richard Thomas,S.J.)

BY THE COURT:
Anthony J.Vardaro,J.

2-20-96 Faxed Gregg, Ferguson, Cillo

20 July 9, 1996, Motion to Schedule Trial and order filed. ORDER: AND NOW, July 9, 1996 upon considertion of the foregoing Motion, the trial in the above captioned matter is set for Thurs., Sept. 26, 1996 at 9:15 a.m. in C. R. No. 3, of the courthouse, Meadville, Pa. P. richard Thomas, S.J.
7/9/96 faxed to Cillo, gregg and Ferguson.

21 Sept. 25,1996 Reply To New Matter of Intervenors filed.

22 Jan. 21, 1997 Deposition of Eugene Duffy filed.

23 Jan. 21, 1997 Deposition of Virgil Eells filed.

24 Jan. 21, 1997 Deposition of Edward E. "Ted" Wilson filed.

25 Jan. 21, 1997 Opinion and Order filed. The Quiet Title Action by Peter J. Wassmer and Adelheid Wassmer, his wife and for Injunctive Relief against all defendants and Interveniors Gerald R. Bey, Jr. and Jeannette M. Bey, his wife, is without merit andis dismissed for the reasons set forth inthis Court's opinion.

2. The Adverse PossessionClaim of Intervenors geraldR. Bey and Jeannette M. Bey, his wife, claming ownership of all lands 53.69 feet in width and extending in a westerly direction form the private road to the water's edge of Conneaut Lake is denied for the reasons set forth in this Court's opinion.

3. The erection, placement, use and sharing of docks and space on the beachfront is reserved for resolutionby written agreement of all parties to be filed with the records of this case by April 1, 1997 or by this Court after further hearing. Absent said agreement, no docks may be erected by and parties to this litigation without special elave of this Court.

(a) We advise counsel and the parties if further Court intervention is required onthe "dock issue," this Court will consider the assessment of attorney fees against one or more of the parties if deemed appropriate.

(b) Attorney William Gregg is hereby designated to schedule the meeting of the 5 owners to attempt to amicably resolve the dock problem.

4. The area between the westerly boundary of the private road adn the extensions of the northerly boundary line of Lot 500 (Bey) and the southerly boundary line of Lot 504 (Wassmer) to the water's edge of Conneaut lake shall be deemed common lands for general use of the owners of Lots 500, 501, 502, 503 and 504 and to gain access to the waters of Conneaut Lake and any docks located thereon. (See Reduced Copy of Knapp Survey attached). No present lot owners or their successors in title may make alternations to the land terrainlocated therein, nor may they make any material changes to permanent structures presently erected thereon, nor may they make any additional changes thereto nor make temporary or permanent changes or erections thereon without the written consent of all present or future owners of the aforesaid said five lots.

5. The Court passes no judgment on the validity of any claim the Trustees of the Conneaut Lake Ice Company may have to the beacha rea of the lands between the western boundary of the five lots herein referred to and the water's edge. However,any claim of the Trustees of the Conneaut Lake Ice Company to an interest inteh lands between the private road and the water's edge must be evidenced by the commencement of a legal actionagainst one or more of the present owners or their successors in title or by written agreement between the parties to this action and Ice Co. Trustees within six months of the Final Order of this Court.

(a) Any legal actionby said Trustees to claim an interest in the formerly "overflowed land area" on the beach frontage inthe area here at issue must be raised by some form of legal action filed inthe Prothonotary's Office of Crawford County by the Trustees within six months of the final decision in this case.

(b) A copy of this Opinion and Order shall be served upon all counsel and upon Trustees Michael Mercatoris at 462 Chestnut Street, Meadville, PA 16335 and David B. Shryock at 109 Mohave Trailer, Mercer, PA 16137 by regular mail service. Service on Attorney-Trustee Karen Johnson shall be made personally by the Sheriff or a Depuarty and return of servic therefore filed with the records in this case.

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

1/21/97 distributed by Court & to Sheriff for Service on Karen Johnson

26 Jan 30, 1997 SHERIFF'S RETURN: SERVED Karen Johnson, Esquire, personally on Jan 22, 1997 at 1:05 PM by handing her Opinion and Order in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Crawford County, PA. So answers,

Barbara J. Reagle, Deputy
Robert M. Stevens, Sheriff

27 Jan. 31, 1997 motion for Post Trial Relief by Intervenors filed.

28 Jan. 31, 1997 Certificate of Mailing filed. Douglas W. Ferguson, Esquire, attorney for Gerard R. Bey, Jr., et ux, Intervenors, herein, certifies that he served a true and correct copy of the Motion for Post Trial Relief upon the person(s) and in the manner(s) indicated below:

Addressed as Follows:

Anthony Cillio, Esquire
COHEN & GRIGSBY, P.C.
625 Liberty Avenue
Pittsburgh, PA 15222

William J. Gregg, Esquire
Route 18
Conneaut Lake, PA 16316

Douglas W. Ferguson, Esq.
Attorney for Intervenors,

Cont on Pg. 198B

198
B

1993 TERM

PETER J. WASSMER and
ADELHEID WASSMER
vs.
VIRGIL L. EELLS and DEBRA J. EELLS, his wife; EDWARD E. WILSON: EUGENE F. DUFFY and JOHN P. DUFFY, a Pennsylvania Partnership doing businessas D. ENTERPRISES

CONTINUED FROM PAGE 198A
of Record
A. D. 1993 - 648

****

29 Feb 7, 1997 Plaintiffs' Motion For Post-Trial Relief, filed.

30 Mar. 26, 1997 Exhibits filed.

31 March 24, 1997 Intervenors' Petition for Leave to Utilize Their Existing Dock and Order: AND NOW, this 21st day of March, 1997, upon consideration of the foregoing Petition it is hereby ordered and a Hearing in regard thereto is scheduled for Tues. May 6, 1997, at 10:00 A.M., CR #3.

Notice of this Petition and date and time of Hearing shall be given by regular mail to all parties through theeir respective counsel.

Gordon R. Miller, .P.J.

Mar 27, 1997 sent Cillo

32 May 8, 1997 ORDER filed. And Now, May 6, 997 at time scheduled for argt. on Bey Intervenor's Pet. to Use Existing Dock, the court hears argt. of all counsel regarding rearrangement of docking locations in order that plff. may be able to use both sides of his dock. After receiving input from the parties and counsel, the ct. believes that with the approaching summer season and the need to utilize dock space, a modification of this court's decree of Jan. 21, 1997 would be the best solution tot he current dockage problem.

Accordingly within 30 days of this date, dft. bey shall move his dock 10 ft. tothe north and defendants Eells and Wilson will move their jointly used dock north from its present location a distance 5 feet. The court is advised that such movements will allow Wassmer to utilize both sides of his dock.

The court must still decide the post-trial motions filed by Wassmer and Bey and sets argt. for June 2, 1997, at 1:30 p.m. before the undersigned. Briefs shall be limited to a brief narrative and case citations, with briefs not to exceed five pages.

bythe court,
P. Richard Thomas, S.J.

5/20/97 copies to Cillo, Gregg and Ferguson.

33 May 8, 1997, Copy of the map that was presented to court May 6, 1997, filed.

34 May 27, 1997 Transcript of Testimony of Plff. Peter J. Wassmer at Time of Equite Trial filed.

35 May 30, 1997 Transcript filed.

36 June 18, 1997 Exceptions to Court Decree and Motions for Post Trial Relief and Order filed. ORDER: AND NOW, June 18, 1997, we deny the Post Trial Motions of Plaintiff Peter J. Wassmer and wife and Intervenors Gerald R. Bey, Jr. and wife.

P. Richard Thomas, S.J.6/18/97-mailed to Cillo, dist. to Ferguson and Gregg

37 July 16, 1997 Notice of Appeal to Superior Court by Gerard R. Bey Jr. and Jeannette M. Bey, Intervenors, filed.

38 July 16, 1997 Order for Transcript by Intervenors filed.

39 July 16, 1997 Proof of Service by Intervenors filed.

40 July 18, 1997 Notice of Appeal by Plaintiffs filed.

41 July 24, 1997 Appeal to Superior Court Docket # 01544PGH97, filed.

42 July 25,1997 Appeal to Superior Court Docket # 01519PGH97, filed.

43 August 27, 1997 Transcript of Testimony taken at time of Equity Trial filed.

Sept 18, 1997 Upon praecipe of plaintiff attorney final judgment has been entered pursuant to Pa.R. Civ. P. 237 on the decision rendered by Judge P. Richard Thomas dated June 18, 1997, as evidenced by the attached copy of the civil docket report.

D - 56, 96, 186
E 41, 161
W 285

JUDGMENT
Barbara H. King, Pro.

W 285

Sept. 24, 1997 Transcript of Testimony at time of Equity Non-Jury Trial Volume I of II filed.

Apr. 2, 1998 Certificate of Consents of Remanded Record and Notice of Remand under Pennsylvania Rules of Appellate Procedure 2571 and 2572 and Order filed. AND NOW, February 4, 1998, the within appeal is DISMISSED for failure to file a Brief.

PER CURIAM,
Eleanor R. Valecko

September 11, 1998 Motion to Enforce Order of Court and Order of Court Filed. And now, to-wit, this 11 day of September 1998 upon consideration of Plaintiffs' Motion to Enforce Order of Court and any response thereto, it is hereby Ordered that Defendant shall comply with this Court's May 6, 1997 Order within 14 days.

By the Court
Anthony J. Vardaro, J.

Apr. 6, 1999 Notice of Filing Petition For Allowance of Appeal From Superior Court Disposition: DENIED and Now, this 22nd day of March, 1999, the Petition for Allowance of Appeal is hereby DENIED.

Apr. 9, 1999 Certificate of Contents of Remanded Record and Notice of Reman under Pennsylvania Rules of Appellate Procedure 2571 and 2572 filed.

Apr. 9, 1999 JUDGMENT: ON CONSIDERATION WHEREOF, it is now here ordered and adjudged by this Court that the judgment of the Court of Common Pleas of Crawford County be, and the same is hereby AFFIRMED.

BY THE COURT,
Eleanor R. Valecko

1993

Thomas, Truax,
Spadafore & Walker
William L. Walker

649.

ANDOVER BANK

vs.

ORVILLE SWECKER

Filed July 1, 1993
@ 3:45 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	30.00
Pro Co pd 9-3-93	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
1 copy Sheriff

July 29, 1993 SHERIFF'S RETURN, filed. SERVED Orville Swecker personally on July 14, 1993 at 3:50 PM by handing a copy of the Complaint in Mortgage Foreclosure to him in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Pa.
So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

Sept. 3, 1993 And Now, upon praecipe of plaintiff attorney judgement is entered against Orville Swecker in the amount of Thirty-Seven Thousand Six Hundred Fifty-Eight and 92/100 Dollars together with interest at a rate of 10.75% per annum on and after June 30, 1993, plus costs.
Entered 9-3-93 Debt: $37,658.92 plus interes and costs.
S - 124 JUDGMENT
Barbara H. King, Pro.

Ex. 1993 - 80

200

1993

Kirkpatrick &
Lockhart
Walter A. Bunt, Jr.
Lauren s. McAndrews

650

ADVANCED CAST PRODUCTS, INC.

vs.

PENNSYLVANIA ELECTRIC
COMPANY

Filed July 1, 1993
@ 3:45 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	28.00

WRIT OF SUMMONS
Issued Sheriff

July 29, 1993 SERIFF'S RETURN, filed. SERVED Pennsylvania Electric Company on July 14, 1993 at 2:38 PM by handing a copy of the Summons to Robert Finkbeiner, Adult in Charge at the business, Park Avenue Extension, Meadville, Crawford County, Pa.
So answers, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 25, 1994 Praecipe to Withdraw Writ of Summons in the above-captioned case, filed.

Mar. 25, 1994 Certificate of Service filed.

1993

Barrett & Dratler
Bruce A. barrett

651.

CURT T. SHEPARD

vs.

DONNA A. SHEPARD

Filed July 1, 1993
@ 3:45 PM

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

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

July 15, 1993 Affidavit of Service filed. I, Bruce A.Barrett, Esquire, being duly sworn, deposes and says that the following facts in support of his Affidavit of Service are true and correct to the best of his knowledge, information and belief.
1. The affiant is the Attorney for the Plaintiff in the above captioned action.
2. A copy of the Divorce Complaint was sent by restricted, certified mail to the Defendant in the above captioned matter.
3. The restricted, certified mail was sent to RD#2, Box 301, Centerville, PA 16404 on July 1, 1993. The Sender's receipt is attached hereto.
4. The Defendant received said restricted, certified mail on July 2, 1993. Said receipt card number 147 766 776 is attached hereto.
5. The return receipt card was returned after signature to the office of Bruce A.Barrett, Esq., 965 South Main Street, Meadville, PA 16335 on July 2, 1993.
July 14, 1993 Bruce A. Barrett,Attorney for Plaintiff

Mar. 12, 1998 Important Notice and Court Order filed. Out court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 7/15/93 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonable delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.
If you do not object to this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.
I If you object to the case being dismissed, you must put your objections in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or send a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.
YOU MAY LOSE IMPORTANT RIGHTS IF YOUR CASE IS TERMINATED. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHER EYOU CAN GET LEGAL HELP.
Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

By the Court,
Date: March 12, 1998 Anthony J. Vardaro, J
Mar 12, 1998 Copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.
By the Court:
Gordon R. Miller, P.J.

(See original filed at A.D. 1997 - 702)

1993

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

652.
Fuller,Kinnunen,Petruso,
Gamble,Fabian & Hall
Ann Hansen Gamble

CRAIG E. SNYDER

vs.

LINDA M. SNYDER

Filed July 2, 1993
@ 1:51 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count pd	15.00
State paid	10.00
Pro Co pd 12-1-94	9.00

COMPLAINT IN DIVORCE, EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION
2 copies atty.

July 2, 1993 Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code filed.

July 13, 1993 AFFIDAVIT OF SERVICE, filed. I, JAMES R. IRWIN, Esquire, being duly sworn according to law, depose and say that I am the attorney of record, and as such say that I served a true and correct copy of the Complaint in Divorce certified by the Prothonotary of Crawford County, Pennsylvania on the above named Defendant by certified mail, addressee only, return receipt requested, dated July 6, 1993. The Defendant acknowledged service on July 8, 1993 by acceptign delivery on that date as evidenced by the attached signed return receipt.

July 14, 1993 Appearance of Fuller, Kinnunen,Petruso,Gamble, Fabian & Hall by Ann Hansen Gamble, Esquire, for Linda M.Snyder, Defendant,filed.

Nov.15, 1994 Affidavit of Consent by Craig E.Snyder, Plaintiff filed.

Nov. 28, 1994 Affidavit of Consent by Linda M. Snyder, Defendant, filed.

Nov. 28,1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Dec. 6, 1994 AND NOW, this 2 day of December, 1994, it is ordered and decreed that CRAIG E. SNYDER, Plaintiff, and LINDA M. SNYDER, Defendant, are divorced from the bonds of matrimony.

it is further ordered that the parties' Separation and Property Settlement Agreement dated Nov. 8, 1994, is incorporated herein and made a part hereof and shall be fully enforceable under the provisions of the Divorce Code.

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

May 14, 1997 Petition for Enforcement and Notice and Order to Appear filed. Legal proceedings have been brought against you alleging you have wilfully disobeyed the order of court.

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

Whether or not you file in writing with the court your defenses or objections, you must appear in person in court on Wed., May 28, 1997, at 9:30 o'clock A.M., in Courtroom #1 or #2 or 3 of the Crawford County Courthouse, Meadville, Pennsylvania.

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

BY THE COURT:
Gordon R. Miller, J.
5-14-97 FAXED Irwin & Gamble

May 30, 1997 ORDER: AND NOW, May 28, 1997, the matter is before the Court on a petition by the Defendant wife in aprevious divorce action to recoup from Criag E. Snyder her former husband the sum of $3,970 which had been withheld by teh Internal Revenue Service from refunds due to Linda M. Snyder for the years 1988 and 1989.

There is no dispute by teh husband that the money is due but he contends that the poor weather in the Spring of 1997 adversely impacted on his logging business and he admits that he owes said sum to his former wife.

After receivign informal input from both parties and counsel for the wife, this court is advised that the matter has been amicably resolved as follows: on or before Juen 29, 1997, the husband Craig E. snyder will pay direct to his former wife Linda M. Snyder a sum of at least $170 per month to apply against a total debt of $3,970. A similar payment will be made on or before the 28th of each and every month therefter until the full sum of $3,970 is paid in full.

P. Richard Thomas, S.J.
June 1, 1997 Faxed Irwin & Gamble
(FOR COMPLETE ORDER SEE PAPER FILED)

1993

Peters, Lindsay,
Lewis & Gagliotti
Brian J. Lindsay

653.

MIKE E. ENDER

vs.

FRANCES ENDER

Filed July 6, 1993
@ 11:40 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co Pd. 11/4/93	9.00
Pro Co. pd 2/25/94	9.00

COMPLAINT IN DIVORCE
3 copies atty.

July 6, 1993 Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code filed.

July 21, 1993 Affidavit of Service filed. I, Brian J. Lindsay Esquire, after being duly sworn according to law, do hereby certify that I am the attorney of record for the above named Plaintiff, and that as such I am authorized to make this verification; that I did on the 6th day of July, 1993, send to the above named Defendant, by Certified Mail, Return Receipt Requested, a true an correct copy of the Divorce Complaint filed at the above term and number; and that I did on the 20th day of July, 1993, receive a duly executed return rreceipt dated July 19, 1993.

Brian J. Lindsay

Sep. 28, 1993 Affidavit of Consent by Mike E. Ender, Plaintiff, filed.

Nov. 4, 1993, Upon praecipe of plaintiff attorney, the above captioned case is transmitted, moved to the court.

Nov. 22, 1993, MEMORANDUM of Gordon R. Miller, Judge, filed. Nov. 22,1993 copies dist. to Atty. Lindsay and dft.

Nov. 24, 1993, Affidavit of Consent of defendant filed.

Feb. 25, 1994 Upon Praecipe of plaintiff attorney for Review under Section 3301(c) of Divorce Code, this case moved to Court.

Mar. 7, 1994 MEMORANDUM filed. We are once again returning this matter to the Prothonotary because the record is not in a state where a divorce canbe granted. There is not a proper return of service. Our memorandum filed November 22, 1993 addresses this.

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

3-7-94 Copy dist. to Atty. LIndsay

Feb 14, 1996 Acceptance of Service, filed. I, the above named Defendant, hereby accept service of the Complaint in the above action. (Frances Ender)

Feb 14, 1996 Waiver of Notice of Intention to Request Entry of Divorce Decree Under Section 3301(c) of the Divorce Code, filed.

July 5, 1996 Acceptance of Service by Defendant filed.

July 10, 1996, Upon praecipe of plaintiff attorney, this case resubmitted to the court.

DIVORCE DECREE FILED

July 18, 1996 AND NOW, July 17, 1996, it is ordered and decreed that Mike E. Ender, plaintiff, and Frances Ender, 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.

1993

Ely & Smith
Theodore B. Ely

654.

MAGNUM METALS & MINERALS CORP.

vs.

CENTERVILLE CASTINGS INC.

Filed July 6, 1993
@ 2:13 PM

Tax & entry paid	50.50
User's Fee paid	5.00
sheriffs costs	35.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

July 14, 1993, Sheriffs Return filed. NOT FOUND, AS TO defendant Centerville Castings, Inc. They are out of business at address of R. D. #2, Box 30, Titusville, Crawford County, Pa. as per the Titusville Post Office.
Robert M. Stevens, Sheriff

1993

Elderkine, Martin,
Kelly & Messina
Kenneth G. Vasil

655.

SEARS, ROEBUCK AND COMPANY

vs.

EUGENE L. MOOK and PEARL MOOK, his wife

Filed July 6, 1993
@ 2:13 PM

Tax & entry paid	15.00
Pltf. on orig.	79.70
Pro Co pd 8-18-93	6.00

WRIT OF REVIVAL

of

A.D. 1988 - 406

Writ of Revival indexed against the defendants in favor of the plaintiffs, in the sum of Six Hundred Eighty-nine and 46/100 Dollars plus interest from June 21, 1993 and costs.

Debt---------- $689.46
M-56-136
Barbara H. King, Pro

Issued Atty.

Aug 18, 1993 Upon praecipe of Plaintiff attorney the above captioned case is satisfied of record.

1993

Welch & Welch
Theodore B. Welch

656.

KLAPEC TRUCKING COMPANY

vs.

KEYSTONE RECYCLING CO.

Filed July 6, 1993
@ 2:13 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	43.50
Pro Co pd 3-14-95	9.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Aug. 2, 1993 SHERIFF'S RETURN, filed. I hereby deputize the Sheriff of Erie County, Pennsylvania to serve the within Complaint according to law. The defendants alleged address is Dave Hillman, 4024 State St., Erie, Pa. 16508. Robert M. Stevens, Sheriff, Cr. Co.
AFFIDAVIT OF SERVICE: SERVED the within Complaint on July 22, 1993, at 1115 hrs., upon David Hillman at 4024 State Street., Erie Countu, Erie, Pennsylvania 16508 by handigna to Jean Hillman, wife a tarue and correct copy thereof and made known to her the contents therein. Robert N. Michel, Sheriff, Erie Co.

Mar. 1995 And Now, uponpraecipe of plaintiff attorney judgment is entered in favor of the plaintiff and agaisnt the defendants in the amount of Twenty-six Thousand, Five Hundred Nienty-five and 50/100 with interest from 3-1-93.
Entered 3-7-95 Debt: $26,595.50 plus interest
K - 185 JUDGMENT
Barbara H. King, Pro.
3-14-95 Entry of Judgment mailed to Dft.

1993

Peters, Lindsay,
Lewis & Gagliotti
Brian J. Lindsay

657.

RAYMOND A. ARMEL

vs.

DOROTHY A. ARMEL

Filed July 6, 1993
@ 3:27 PM

Tax & entry paid	50.50
Users' Fee paid	10.00
1 Add'l Count pd	15.00
State paid	10.00
Pro.Co. pd 9/30/93	9.00

COMPLAINT IN DIVORCE, CUSTODY/VISITATION
3 copies atty.

July 12, 1993, I, Dorothy A. Armel, the above named Defendant hereby accept service of the Complaint in the above action.

Dorothy A. Armel
Date: July 12, 1993

July 20, 1993 ORDER OF COURT FILED. AND NOW, this 16th day of July, 1993, upon agreement of the parties and their respective counsel, IT IS HEREBY ORDERED AND DECREED, as follows:

1. The legal custody of the parties' minor children Kelly Armel and Jason Armel, shall be shared between the Mother and Father, that is each shall be entitled to full access to school records, medical records, and other important records and each shall be entitled to participate fully in decisions affecting the health, education and religious instruction of said children.

2. That the primary physical custody of the minor child, Kelly Armel, shall be with the mother, Dorothy A. Armel, and that primary physical custody of the minor child, Jason Armel, shall be with the father, Raymond A. Armel, subject to the visitation schedule hereinafter set forth.

a. Father shall have primary physical custody of the minor children every other weekend. Said weekend visits shall commence on Friday at 7:00 p.m. till 7:00 P.M. with Mother having same visitation schedule with the minor children every other weekend. Said visitation schedule to begin with Father on the weekend of the 24th day of July, 1993, and alternate thereafter.

3. Each parent shall notify the other of any illness or emergency involving the aforesaid minor children at the earliest possible time.

4. The parties shall do everything in the power of each to foster a loving attitude between the minor children and both of their parents, and shall teach the minor children to love and to respect each of his parents to the fullest extent.

5. Neither parent shall say nor do anything in an attempt to alienate or to turn the children against the other parent, but on the contrary shall do everything in th epower of each to create a favorable and loving attitude on the part of the children toward the other parent adn that parent's family members.

6. The Father shall be responsible forthe transportation ofthe children for the weekend visitatic with the place of exchange to be at the Mother's direction.

7. Each parent shall confer withthe other on all matters of importance relatingto the children's health, maintenance and education with a view toward obtaining and following a harmonious policy in the children's best interests, and shall keep the other parent informed of the progress ofthe children's education and social adjustments.

8. In the event of any serious illness of the children at any time, the party then having custody of the said children shall immediately communicate with the other party by telephone or by any other means, informing the other par ty of the nature of the illness. During such illness, each parent shall have the right tovisit the child(ren) as often as he or she desires, consistent with the proper medical care of said child(ren). The word "illness" as used, is intended to mean any disability which confines the child(ren) to bed under the direction of a licensed physician for a period of excess of forty-eight (48) hours.

9. Neither parent shall expose the children to any situation or person which might adversely affect the health, welfare or well-being of the children, and shall not take the children to any place of business which is not appropriate for the children.

BY ORDER OF THE COURT
Gordon R. Miller, J

2 copies atty.

Sept. 7, 1993 Affidavit of Service filed. I, Brian J. Lindsay, Esq., after being duly sworn according to law, do hereby certify that I am the attorney of record for the above named Plaintiff and that as such I am authorized to make this verification; that I did on the 30th day of July, 1993, send to the above named Defendant, by Certified Mail, Return Receipt Requested, a true and correct copy of the Divorce complaint filed at the above term and number; and that I did on the 4th day of Aug., 1993, receive a duly executed return receipt dated July 30, 1993.

Brian J. Lindsay, Esq.

Sep. 28, 1993 Affidavit of Consent by Raymond A. Armel, Plaintiff, filed.

Sep. 30, 1993 Affidavit of Consent by Dorothy A. Armel, Defendant, filed.

Sep. 30, 1993 Upon Praecipe of Brian J. Lindsay, Esquire,Attorney for Plaintiff to transmit record, case moved to Court,

DIVORCE DECREE FILED

Oct. 8, 1993 AND NOW, Oct. 8, 1993, it is ordered and decreed that RAYMOND ARMEL, plaintiff, and DOROTHY A. ARMEL, 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.

1993

Barbara J. Walton

658.

Thomas, Truax, Spadafore and Walker
Gregory A. Keenan

9-14-93 Rec med. Def from dept. 150
3-17-94 Pd dept atKeenan Chk#8174 141.00

BRENDA HENDERSON

vs.

GERALD HENDERSON

Filed July 7, 1993
@ 9:00 AM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts pd	30.00
State paid	10.00
Mro Co Ad 3-22-94 ch#8180	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, CUSTODY
1 copy atty.

July 20, 1993 Acceptance of Service filed. I accept service of the Complaint for Divorce, Custody and Equitable Distribution and state that I am authorized to do so.
7-12-93 Greg Keenan

Sept. 14, 1993 Motion to Appoint Custody Mediator and Notice and Order to Appear filed. You, Brenda Henderson, Plaintiff, have been sued in Court to obtain custody of Jody Henderson, Gerald Henderson, Jr., and Gerred Henderson.

You are Ordered to appear in person at such time and place as will be determined by the Mediator, Wm. Pineo, for a Mediation Conference.

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

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

Date: 9/21/93

Gordon R. Miller, J.

Nov. 8, 1993, Answer of Defendant filed. 1 copy (atty)

Nov. 10, 1993 Certificate of Service filed.I hereby certify that a certified copy of the Answer filed in regard the above-captioned case was served on Barbara J. Walton, Esquire, Attorney for Plaintiff, by first class mail, postage prepaid, on the 9th day of November, 1993.
Gregory A.Keenan, Esquire

Feb. 2, 1994 Affidavit of Consent by Brenda Henderson,Plaintiff, filed.

Feb. 23, 1994 Consent Custody Order, filed. AND NOW, this 22nd day of February, 1994, upon stipulation of the parties to this action, the follwing Order is hereby entered:

Brenda Henderson and Gerald Henderson, the parties in the above captioned action, have agreed upon the matters ser forth below and agree that the Court of Common Pleas of Crawford County, Pennsylvania, shall enter an Order in accordance with the terms of this Consent Custody Order without the necessity of their being present in Court. They have waived any further notice of the proceedings in conjunction with the entry of said Order and each has received an advance copy of this Consent Custody Order. They represent that each is aware of their right to confer with independent legal counsel for review of this matter, prior to entry into agreement, Stipulation and Court Order.

1. The parties, Brenda Henderson (Plaintiff-Mother) and Gerald Henderson (Defendant-Father), are the natural parents of the minor children, Jody Henderson, Gerald Henderson,Jr. and Gerred Henderson.

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

3. Primary physical custody of the subject minor children shall be with the father, Gerald Henderson.

4. Mother shall have partial custody of the subject minor children the first three (3) weekends of every month commencing on 6:00 p.m. Friday and continuing until 6:00 p.m. on the followisng Sunday.

5. The parties agree that all exchanges of custody pertaining to the subject minor children shall occur at the Burger King restaraunt on the corner of North Street and Park Avenue in Meadville, Pennsylvania. The parties further agree that, in the event mother is more than thirty (30) minutes late in picking up the subject minor children at the agareed upon exchange of custody location, mother will be deemed to have waived her right to partial custody of the children for that particular weekend. Furthermore, the parties agree only to release custody of the minor children to the other party unless prior arrangements are made and agreed upon between the parties hereto that a third party may pick up and transport the minor children on behalf of the party receiving custody.

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

7. Holiday visitation shall be as follows:

The subject minor children shall spend Mother's Day with mother from 9:00 a.m. until 7:00 p.m. and Father's Day with father during the same time frame. Other holidays will be alternated between the parties from 9:00 a.m. until 8:00 p.m. with the exception of Memorial Day and the Fourth of July. On these two specified holidays, the parent entitled to custody on the holiday itself shall not be required to relinquish custody until 11:00 p.m. for purposes of allowing the children to see any firework displays.

8. Should it be necessary for either party to cancel or modify the custody/partial custody provisions as set out in this agreement or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Such modifications or cancellations shall not be proposed except for good reason. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternate visits or to make alternative arrangements.

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

CONTINUED ON PAGE 208A

1993 TERM

Brenda Henderson
vs.
Gerald Henderson

CONTINUED FROM PAGE 208
of Record
A. D. 1993 - 658

****

LL. Any person transporting the children shall make susre that seat belts or other restraints are used in accordance with the laws of Pennsylvania.

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

13. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco nor permit others to do so in a closed automobile in which the children are being trasported or in the bedrooms of the children.

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

By the Court:
Anthony J. Vardaro, J.

(3 copies atty)

Mar. 17, 1994 Motion To Refund Mediation Fees and Order filed. AND NOW, this 15th day of March, 1994, upon consideration of the Defendant's Motion for a refund of custody mediation fees, the Prothonotary is hereby directed to refund to the Defendant the monies advanced by the Defendant for appointment of a custody mediator, minus costs incurred.

By the Court:
Gordon R. Miller, J

Mar. 21, 1994 Copies of order to Atty's. Keenan & Walton

Nov. 15, 1994 Petition to Withdraw Complaint in Divorce filed.

Nov. 15,1994 ORDER filed. AND NOW, November 10, 1994, upon receipt and review of the plaintiff's "Petition to Withdraw Complaint in Divorce" and after review of the record it is ordered as follows:

1. A petition to withdraw a complaint is not a proper petition as there is no process for withdrawing a complaint.
2. The Court will treat the petition as a discontinuance and hereby grants the plaintiff a discontinuance of this action.

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

11-15-94 Copies dist.to Walton & Keenan

208
-b-

1993 TERM

1993

659.

KRIS UNDEREINER

vs.

RAYMOND EDWARDS

Filed July 7, 1993
@ 10:55 AM

Tax & entry paid	50.50
User's Fee	5.00
Pro Co pd 7-13-93	25.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

Order:

And now, this 7 day of July , 1993 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

2. Special Conditions: The Plaintiff shall have temporary physical custody of the minor chidlren pending further order of Court. The Plaintiff may arrange for defendant to visit children by contacing the defendant's sister if Plaintiff wishes.

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

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

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

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

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

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

Hearing is hereby set for July 14, 1993 , at 3:30 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

July 13, 1993 SHERIFF'S RETURN, filed. SERVED Raymond Edwards personally on July 9, 1993 at 3:20 PM by handing a copy of the Protection from Abuse to him in the Sheriff's Office, Crawford County Courthouse, Meadville, Pa.
So answers,
Barbara Bernoski
Robert M. Stevens, Sheriff

July 16, 1993 ORDER FILED. AND NOW, jUly 14, 1993, at the time fixed for hearing in this matter, the plaintiff appeared with counsel, but the defendant did not. The defendant was served and did know about the hearing.

The plaintiff was sorn and testified about the events set forth in the Petition. The Court finds as a fact that the defendant has committed abuse toward the plaintiff as defined by the Act, and accordingly, 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. Primary physical custody of the children is awarded to the plaintiff until further Order of Court in an appropriate custody proceeding. No provisions are now made for visitations, for the plaintiff believes she can work that out privately with the defendant. Either party shall have a right to bring a custody or visitation action against the other and any Order entered there shall supersede the custody and visitation provisions of this Order.

3. The plaintiff does not want the defendant prohibited from going to her place of residence. However, the defendant is cautioned that if he does go to the plaintiff's place of residence, he shall not be abusive in any way and runs the risk that he will be arrested if he does become abusive or threatening.

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

5.A copy of this Order shall be delivered to the Meadville Police Department and to County Control by the Prothonotary.

6. A copy of this Order shall be mailed to the defendant at the Steping Stones Unit, Meadville Medical Center, Grove Street,where the defendant is currently being treated.

7. This Order shall remain in full force and effect for one (1) year; that is, until July 13, 1994, unless modified or t erminated by further Order of Court.

8. Costs shall be paid by the County since both parties are receiving Public Assistance.

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

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

July 16, 1993 Copies dist. to Atty.Sullivan,Dft., MCPD & Co.Control.

1993

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

660.

Elderkin, Martin,
Kelly & Messina
Kenneth G. Vasil

GERALD C. ZORN, JR. and
KANDICE ZORN, his wife

vs.

JACK Q. YOUNG and BARBARA
A. YOUNG, his wife

Filed July 8, 1993
@ 11:05 AM

Tax & entry paid	50.50	
User's Fee paid	5.00	
Pro Co pd 7-13-93	28.00	
Pro.Co. pd 1/5/94	6.00	

JURY TRIAL DEMANDED

WRIT OF SUMMONS
Issued Sheriff

July 13, 1993 SHERIFF'S RETURN filed. SERVED Jack Q. Young personally on July 8, 1993 at 5:37 PM by handing a copy of the Summons to him at his residence, RD 3, Box 252C, Saegertown, Crawford County, Pa.
So answers, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Sept. 1, 1993 Appearance of ELDERKIN, MARTIN, KELLY & MESSINA, By Kenneth G. Vasil, attorney for defendants filed.

Sept. 1, 1993 Upon Preacipe of Defendants attorney, Rule to File Complaint filed.

Oct. 5, 1993 Complaint filed.

Nov. 12, 1993 Preliminary Objections to Plaintiffs' Complaint, filed.

Jan. 5, 1994 Upon Praecipe of Jeffrey K. Millin, Esquire, Attorney for Plaintiff, the above number and term is settled and discontinued of record, with prejudice.

1993

Ferguson & Spataro
John F. Spataro

661.

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

DENNIS J. DELO

vs.

WILLIAM HANSEN and JANET L. HANSEN

Filed July 8, 1993
@ 11:05 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	30.00
Pro Pd. 8/20/93	6.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

July 20, 1993 SHERIFF'S RETURN field. SERVED William Hansen on July 16, 1993 at 10:35 AM by handing a copy of the Complaint to Janet Hansen, his wife, at their residence, RD 6, Box 21, Franklin Pike, Meadville, Crawford County, Pa.

SERVED Janet L. Hansen personally on July 16, 1993 at 10:36 AM by handing a copy of the Complaint to her at the residence, RD 6, Box 21, Franklin Pike, Meadville, Crawford County, Pa.

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

July 22, 1993 Appearance of Culbertson, Weiss, Schetroma and Schug, P.C. by E. Max Weiss for Defendants, filed.

Aug. 17, 1993, Upon praecipe of plaintiff attorney, this above captioned case is marked settled and discontinued of record.

1993

Barrett & Dratler
Bruce A. Barrett.

662.

$150.00 Deposited on July 8, 1993 by the Plaintiff for mediation

Aug 11, 1993 Pd Pltf. Refund Bal. Med dep CK # 7722 #37.09
9-22-93 Pd Co Ck#7784 mediation 10391

FRANK C. DASHNER

vs.

CINDY L. DASHNER

Filed July 8, 1993
@ 11:42 AM

Tax & entry paid	50.50
User's Fee paid	5.00

P/U Co Pd 9-22-93 Ck#7785

COMPLAINT FOR CUSTODY
1 copy atty.; 1 copy med.

ORDER:

You, Cindy L. Dashner, Defendant, have been sued in Court to obtain custody and/or visitationof the minor child.
You are ordered to appear in person for a conference at such time ad place as may be set by Bruce Smith, Esq., Child Custody Mediator. You are further ordered to bring with you the chidlren named in this Order.
If you fail to appear as provided by this Order, an Order of Custody and/or Visitation may be entered against you or the Court may issue a warrant for your arrest.
YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Barrett & Dratler
965 South Main Street
Meadville, PA 16335
(814) 336-5521

Court Administrator
Courthosue
Meadville, PA 16335
(814) 336-1151 ext. 298

Anthony J. Vardaro, J

July 19, 1993 AFFIDAVIT OF SERVICE, filed. I. Bruce A. Barrett, Esquire, being duly sworn, deposes and says that the following facts in support of his Affidavit of Service are true and correct to the best of h is knowledge, information and belief.

1. The affiant is the Attorney for the Plaintiff in the above captioned action.

2. A copy of the Divorce Complaint was sent by restricted, certified mail to the Defendant in the above captioned matter.

3. The restricted, certified mail was sent to 529 Grant Street, Franklin, Pa. 16301 on July 9, 1993. The Sender's receipt is attache d hereto.

4. The Defendant received said restricted, certified mail on July 12, 1993. Said receipt card number 147 766 778 is attached hereto.

5. The return receipt card was returned after signature to the office of Bruce A. Barrett, Esq., 965 South Main St., Meadville, Pa. on July 13, 1993.

Aug. 11, 1993 TEMPORARY ORDER OF COURT filed. AND NOW, this 10 day of August, 1993, after Mediation and upon recommendation of theChild Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Frank C.Dashner, II, age eight, born April 21, 1985, and Steven L. Dashner,age six, born October 7, 1986, the parties to this action, shall share legal custody of the said minor children. Said joint legal custody being shared shall entitle both of the parents to equal access to any records relating to the children held by a third party, including,but not limited to, school and medical records, and shall also entitle both parents to equal input with regard to the educational and religious upbringing of the children, as well as to any elective surgery.

2. Primary physical custody of the children shall remain with the natural father, Frank C. Dashner. Regular visitation and temporary custody of the children shall be granted to the defendant mother, Cindy L.Dashner. Physical custody for the defendant mother shall be as follows:

a. The children shall be available to visit in the home of the natural mother on the first, second, and fourth weekends of each month, beginning immediately, from Friday at 6:00 p.m., prevailing time, through Sunday at 4:00 p.m., prevailing time.

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

c. Holiday visitation shall take priority over other scheduled visitation. The parties are encouraged to agree as to holiday visitation; however, in the event that they cannot, the children shall spend Mother's Day with the mother and Father's Day with the father from 8:00 a.m. through 8:00 p.m., prevailing time. During odd-numbered years, beginning in 1993, the mother shall have the children on Easter and the 4th of July each year and the father shall have the children on Memorial Day and Labor Day each year. These days shall begin at 9:00 a.m. and end at 9:00 p.m., prevailing time, and shall be reversed in even-numbered years. The children shall spend Thanksgiving Day in the father's home beginning in 1993. With regard to Christmas Day each year, the children shall be available to spend that day in the mother's home from 2:00 p.m. to 7:30 p.m., prevailing time. Additionally, the children shall be in the mother's home on Valentine's Day,Halloween, New Year's Day, and the birthday of each child each year between the hours of 9:00 a.m. and 5:00 p.m., prevailing time. If these days fall on school days, the remainder of the day after school shall be spent with the mother.

d. The parent receiving the children from the other parent shall provide transportation to that parent's home. Anytime either parent is one hour or more late for a scheduled transfer of custody, that transfer shall not take place until the following day at the same time, unless satisfactory arrangements have beenpreviously made by telephone or otherwise with the parent giving up custody.

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

4. Neither parent shall take the children into any environment which might be commonly thought of as detrimental to their development or to the deveolpment of their characters or which would be commonly thought of as dangerous to their physical persons.

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

6. Each of the parents, any grandparent, and any adult coming into regular contact with the children shall teach the children involved in this case to develop and express that natural love and respect due a parent from his or her children. Neither of the parents (nor any adult coming into regular contact with the children) will do or say anyhting to blacken the character of either parent in the eyes of the children.

Continued to Page 212 A

1993

Frank C. Dashner
vs.
Cindy L.DAshner

Continued from Page 212
of record
AD 1993 - 662

****

7. The parents of the children are encouraged to coooerate in and continue mental health and any other recommended counseling for the children, whether through Mental Health or the school, which has, as its goal, the development of the children's personalities, academic abilities, and self-esteem.

8. This Or der shall not prejudice the right of either party to request further Mediation if there are changed circumstances in the lives of the parties or the children or in the event that the best interest of the children would be served by further Mediation. In the event that the father, while primary custodial parent, intends to mve more than thirty miles from his current residence or out of the County of Crawford, he shall give a written notice of thirty days to the mother. During tht time,she may, if she feels inclined, petition the Court for additional Mediation.

9. The Court of Common Pleas of Crawford County, Pennsylvania, shall retain jurisdiction of this matter so long as either of the parents or one 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 50% by the plaintiff father and 50% by the County of Crawford on behalf of the defendant mother. Any amount in excess of the father's one-half share of the cost of Mediation held by the Prothonotary under Local Rules shall be refunded to him.

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

BY THE COURT:
Anthony J. Vardaro, Judge

Aug. 11, 1993 Copies dist. to Attys. Barrett, Brode & Smith

Oct. 4, 1994, Affidavit of Consent of plaintiff filed.

1993

663.

KIMBERLY D. BOSCO

vs.

BRIAN A. BOSCO

Filed July 8, 1993
@ 1:38 PM

Tax & entry Pd 7-22-93	50.50	
User's Fee Pd 7-22-93	5.00	
Sheriff's costs	25.00	
Pro Co. Pd 7-22-93	9.00	

7-22-93 Rec Sheriff's costs from deft. 25.00
7-22-93 Pd Sheriff Chk # 7684 25.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

Order:

And now, this 8 day of July , 1993 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

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

Hearing is hereby set for July 15, 1993 , at 11:30 a. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

July 13, 1993 Sheriff's Return filed. SERVED Brian Bosco personally on July 9, 1993 at 8:50 AM by handing him a copy of the Protection from Abuse in the Sheriff's office, Third Floor, Crawford County Courthouse, Meadville, Pa.
So answers,

Barbara Bernoski
Robert M. Stevens

July 16, 1993 ORDER filed. AND NOW, July 15, 1993, at the time fixed for hearing in this matter, both parties appeared. Neither party had counsel. The defendant agrees that the following Order shall be entered, but he does not admit that he engaged in the matters settforth in this Petition, and based on the agreement of the parties, the following Order is entered:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or her child.
2. The defendant shall not go to the plaintiff's residence or place of employment. In fact, he shall not be within 100 yards of those places, unless he has legitimate business within that 100 yards, in which case, he shall dispense with his business as promptly as possible and leave the area.
3. This Order may be enforced without a Warrant of Arrest by any law enforcement officer havign reasonable grounds to believe it has been violated.
4. A copy of this Order shall be delivered to the Meadville Police Department and to County Control by the Prothonotary.
5. This Order shall remain in full force and effect until modified or terminated by further Order for one (1) year from this date.
6. The defendant shall pay record ccourt costs in the amount of $89.50 to the Prothonotary no later than Friday, July 23, 1993.
7. The defendant shall not go to the plaintiff's residence or employment, even if she invites him. If the parties reconcile or if they desire to get back tobether on periodic occasions, before doing so, they shall file an appropriate Request for Modification or Termination of this Order. The defendant is warned that even if he is invited to the plaintiff's place, he shall not go because that could result in h is arrest. The plaintiff does not have the right to change Court Orders. Only judges can.
8. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence up to six (6) months.

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

July 16, 1993 copy dist to Plf, Dft, MCPD, Co Control

Sep. 9, 1993 Complaint for Indirect Criminal Contempt for Violation of Protection From Abuse Order filed.

Sep. 9, 1993 Re: Complaint for Indirect Criminal Contempt for Violation of Protection from Abuse Order. Notice of Assignment of Hearing Date filed. AND NOW, Sept. 3, 1993: Hearing in the above captioned matter has been scheduled for September 10, 1993, at 1:30 P.M. in Courtroom 1.

FOR THE COURT,
Ann A. Walker,Court Administrator

Sep. 9,1993 Copies dist. to Plft.& Dft.

Continued on Page 496

214

1993

Bruce A. Barrett

664

STROUT REALTY INC.

vs.

PETER J. FALCO and DEBRA L. FALCO

Filed July 8, 1993
@ 3:40 PM

Tax & entry paid 15.00
Orig. on Pltf. 9.50

WRIT OF REVIVAL

of

DSB 1988 - 375

Writ of Revival indexed against the defendants in favor of the plaintiffs, in the sum of Three Thousand Five Hundred Seventy and no/100 Dollars with Interest from July 11, 1988 and costs.

Debt----------
F-131-41
Barbara H. King, Pro

Issued Sheriff

Jan. 13, 1994 Writ Return filed. Returned to Prothonotary unserved on January 13, 1994. No instructions or service fee received by Sheriff.

So answers,

Robert M. Stevens, Sheriff

1993

Barrett & Dratler
Sylvia L. Dratler

665.

RANAE LUBRESKY

vs.

FRANK G. LUBRESKY

Filed July 9, 1993
@ 11:27 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 10-29-93	9.00

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

July 26, 1993 Affidavit of Service filed. I, Sylvia L. Dratler, Esquire, being duly sworn, deposes and says that the following facts in support ofher Affidavit of Service are true and correct to the best of her knowledge, information and belief.

1. The affiant is the Attorney for the Plaintiff in the above captioned action.

2. A copy of the Divorce Complaint was sent by restricted, certified mail to the Defendant in the above captioned matter.

3. The restricted, certified mail was sent to 50 Westview Avenue, Meadville, PA 16335 on July 9, 1993. The Sender's receipt is attached hereto.

4. The Defendant received said restricted, certified mail on July 12, 1993. Said receipt card number 147 766 779 is attached hereto.

5. The return receipt card was returned after signature to the office of Sylvia L. Dratler, Esq., 965 South Main Street, Meadville, PA 16335 on July 13, 1993.

Sylvia L. Dratler

Oct. 29, 1993 Affidavit of Consent of Defendant, filed.

Oct. 29, 1993 Affidavit of Consent of Plaintiff, filed.

Oct. 29, 1993 Upon praecipe of plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Nov. 8, 1993 AND NOW, November 5, 1993, it is hereby ordered and decreed that RANAE LUBRESKY, Plaintiff, and FRANK G. LUBRESKY, Defendant, are divorced from the bonds of matrimony.

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

BY THE COURT:
Gordon R. Miller, J.

1993

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

666.

RHONDA M. HAMILTON

vs.

DONALD C. HAMILTON

Filed July 9, 1993
@ 11:33 AM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count pd	15.00
State paid	10.00
Pro Co pd 3-16-94	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
2 copies (atty)

July 26, 1993 Affidavit of Mailing filed. Ann Hansen Gamble, being duly sworn according to law, deposes and says that she is an Attorney at Law, duly authorized to practice law in the Commonwealth of Pennsylvania and that on July 12, 1993, she sent a certified copy of the Complaint in Divorce to the Defendant by certified mail, restricted delivery, postage prepaid, receipt requested, to Donald C. Hamilton, 126 East Main Street, Titusville, Pennsyvlania 16354, the Defendant's last known address. The said receipt being attached hereto. Ann Hansen Gamble

FEb. 14, 1994, affidavit of Consent of plaintiff filed.

Feb. 23, 1994 Affidavit of Consent by Donald C. Hamilton, Defendant, filed.

Mar. 11, 1994 Upon praecipe to transmit records, case moved to Court.

DIVORCE DECREE FILED

March 18, 1994 AND NOW, March 17, 1994, it is hereby ordered and decreed that RHONDA M. HAMILTON, Plaintiff, and DONALD C. HAMILTON, 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.

March 18, 1994 MOTION and ORDER filed. AND NOW, this 17 day of March 1994, the above motion is hereby granted.

Anthony J. Vardaro, J.

March 21, 1994 Copy of Order mailed to Atty. Gamble; copy distributed to Plf., and Dft.

1993

William J. Gregg

667.

George B. Angell

LEWIS C. GALENTINE

vs.

ALTA A. GALENTINE

Filed July 9, 1993
@ 11:48 AM

Tax & entry paid		50.50
User's Fee paid		5.00
State paid		10.00
Pro Co	pd 3-23-94	9.00

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

Aug. 4, 1993 Appearance of George B. Angell, Attorney for defendant filed.

Aug. 4, 1993 Answer to Complaint filed.

Dec. 13, 1993 Affidavit of Consent of Plaintiff, filed.

Mar. 2, 1994 Affidavit of Consent of Defendant, filed.

Mar. 10, 1994 Motion to Withdraw Ancillary Counts and ORDER filed. AND NOW, this 8th day of March, 1994, this Honorable Court hereby grants the within Motion and the Ancillary Counts in the captioned divorce action are hereby withdrawn.

BY THE COURT:
Gordon R. Miller, J.

3-14-94 Copy of Order to Attys. Gregg & Angell

Mar. 23, 1994 Acceptance of Service, filed. AND NOW, this 15th day of July, 1993, I hereby accept service of a tarue and correct coopy of the Complaint filed in the above entitled matter.
Alta A. Galentine

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

DIVORCE DECREE FILED

March 24, 1994 AND NOW, March 24, 1994, it is ordered and decreed that LEWIS C. GALENTINE, Plaintiff, and ALTA A. GALENTINE, 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.

1993

Robert J. Felton

668.

Wayne H. Hundertmark

BLAZER CONSUMER DISCOUNT CO.

vs.

SHARI L. ATTLEBERGER

Filed July 9, 1993
@ 1:24 PM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro.Co. pd 11/15/93	15.00
Pro Co. pd 8/15/94	6.00

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

July 9, 1993 Rule entered upon the Plaintiff to file a Complaint issued.

July 15, 1993, Proof of Service filed.

July 19, 1993 Complaint filed. (1 copy atty)

Nov. 5, 1993, Answer to complaint filed.

Nov.15, 1993 Upon praecipe of Robert J.FElton, Esquire, Attorney for Plaintiff for appointment of ARbitrators, the following Arbitrators are appointed.
Joan Mason, Chairman
Bettie Peterson-Muth
~~John Petruse Steven Hall~~
Christopher D. Ferry

Dec. 8, 1993 Arbitrators take qualifying oath.

Mar. 3, 1994, Amended Complaint filed.

JUn. 24, 1994 Praecipe to Substitue Arbitrator, filed.

June 29, 1994 Decision of Arbitrators, filed. And Now, the 29 day of June, 1994 we the undersigned Arbitrators chosen in this case, after having been duly sworn and havign read the evidence and allegations of the parties find that the parties, through their counsel, have stipulated that the Defendant owes the sum of $761.11 to the Plaintiff. The Defendant Shari L. Attleberger is hereby ordered to pay $761.11 to the Plaintiff Blazer Consumer Discount Company. Joan Mason, Chr.
Betti Peterson-Muth
Christopher D. Ferry

6-30-94 Faxed Felton & Hundertmark

June 29, 1994 Notice of Scheduled Arbitration, filed.

August 11, 1994 Upon praecipe of plaintiff attorney, the above case marked settled and discontinued.

1993

Douglas Dinberg

669.

Mary Ann Kirkpatrick

JON C. ROBERTS

vs.

MICHELE M. ROBERTS

Filed July 9, 1993
@ 1:24 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 3-22-95	9.00
Pro Co pd 6-19-95	9.00

COMPLAINT IN DIVORCE
1 copy atty.

July 28, 1993 Appearance of Mary Ann Kirkpatrick for Defendant, filed.

July 29, 1993 ACCEPTANCE OF SERVICE, filed. I accept service of the Complaint filed herein on behalf of MICHELE M. ROBERTS, and certify that I am authorized to do so. Mary Ann Kirkpatrick

Mar. 1, 1995, Affidavit of Consent of defendant filed.

Mar. 16, 1995 Affidavit of Consent of Plaintiff, filed.

Mar. 16, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

Mar. 30, 1995 ORDER filed. This divorce matter has been referred to the Court for review and decree. The Court has reviewed the record and is returning the record to the Prothonotary. A final decree will not be entered at this time because:

__x__ The parties are asking that an agreement be incorporated into the decree yet:

__x__ The agreement disposes of economic or other issues not raised by the pleadings or petition. The Court does not have jurisdiction over matters not properly raised in the proceedings todate. 23 Pa.C.S.A. 3104(a), 3323 (a); Pa. R.C.P.1920.11, 1920.13.

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

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

BY ORDER OF COURT
Gordon R. Miller, J.

3-28-95
3-30-95 Faxed to Atty.Kirkpatrick & mailed Dinberg

June 27, 1995, Affidavit of Consent of defendant filed.

Jul 5, 1995 Affidavit of Consent of Plaintiff, filed.

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

DIVORCE DECREE FILED

July 12, 1995 AND NOW, July 12, 1995, it is ORDERED AND DECREED that JON C. ROBERTS, Plaintiff, and MICHELE M. ROBERTS, Defendant, are divorced from the bonds of matrimony.

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

BY THE COURT:
Gordon R. Miller, Judge

Aug. 10, 1995, Motion to Open or Vacate Divorce Decree filed.

Feb. 4, 1997 Notice of Withdrawl of Motion To Open or Vacate Divorce Decree filed.

220

1993

Jorden & White
Harry Faber White, II

670.

STEVEN NICHOLAS KERR

vs.

VIRGINIA LEE KERR

Filed July 9, 1993
@ 3:54 PM

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

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

Mar. 12, 1998 Important Notice and Court Order filed. Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 7/9/93 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

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

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

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

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

By the Court,
Anthony J. Vardaro, J

Date: March 12, 1998

Mar. 12, 1998 copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.

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

(See original filed at A.D. 1997 - 702)

1993

Cusick, Madden,
Joyce & McKay
James E. douglas

671.

Marsh, Spaeder, Baur,
Spader & Schaaf
Francis J. Klemensic

JOHN J. LIPPERT

vs.

SAEGERTOWN PATTERN COMPANY

Filed July 12, 1993
@ 11:51 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	28.00
Pio Pd 9/8/97	6.00

WRIT OF SUMMONS
Issued Sheriff

July 26, 1993 Writ Return filed. SERVED Saegertown Pattern Company on July 14, 1993 at 2:15 PM by handing a copy of the Summons to Joe McDonugh, Owner, at 403 Mill Street, Saegertown, Crawford County, PA.
So answers Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Aug. 4, 1993 Appearance of Marsh, Spaeder, Baur, Spaeder & Schaaf by Francis J. Klemensic, for Defendant, filed.

Dec. 9, 1993 Complaint filed.

Dec. 14, 1993 Notice Of Serving Interrogatories filed.

Jan. 3, 1994 Complaint filed.

Jan. 3, 1994 Certificate of Service filed. I, James E. Douglas, Esquire, do hereby certify this 30th day of December, 1993, that I served a true and correct copy of the foregoing Complaint in the above-captioned matter by sending the same first class United States Mail, postage prepaid, to counsel for the Defendant as set forth below:
Franic J. Klemensic, Esquire
Marsh, Spaeder, Baur,
Spaeder & Schaaf
Suite 300
300 State Street
Erie, Pa 16507-1481 James E. Douglas

Jan. 3, 1994 Proof of Service filed. On this, the 30th day of December, 1993, before me, a Notary Public, personally appeared Francis J. Klemensic, Esq., who, being duly sworn according to law, deposes and says that he is the attorney for the Defendant in the above captioned matter and that he served a Rule to File Complaint on Plaintiff's counsel, James E. Douglas, Esq., by Certified Mail, Article #P 795 291 168, through the United States Mail and that the Plaintiff's consel accepted service of same on December 23, 1993, as is evidenced by the Return Receipt attached hereto and marked Exhibit "A".
Francis J. Klemensic

Jan. 28, 1994 Defendant's Answer and New Matter, filed.

Feb. 23, 1995 Certificate of Service filed. I, James E. Douglas, Esquire, do hereby certify this 21st day of February, 1995, that I personally served the original and two copies of Plaintiff's Interrogatories to Defendant, Saegertown Pattern Company, in the above-captioned matter by regular first class mail to counsel for Defendant as set forth below:
Francis J.Klemensic, Esquire
300 State Street, Suite 300
Erie, PA16507-1481 James E.Douglas, Esquire

Feb.23, 1995 Certificate of Service filed. I, James E.Douglas, Esquire, do hereby certify this 21st day of February, 1995, that I personally served the original and one copy of Plaintiff's Expert Interrogatories Propounded Upon the Defendant, Saegertown Pattern Company, inthe above-captioned matter by regular first class mail to counsel for defendant as set forth below:.
Francis J.Klemensic, Esquire
300 State Street, Suite 300
Erie, PA 16507-1481 James E.Douglas, Esquire

Feb. 23, 1995 Notice of Service of Plaintiff's First Request for Production of Documents, filed.

Aug. 21, 1995, Plaintiff's Replyto Defendant's New Matter filed.

Aug. 21, 1995, Notice of Service of Responses to Request for Production of Documents (First Set) directed to the Defendant, filed.

Aug. 21, 1995, Notice of Service of Answers to Plaintiff's Expert Interrogatories Directed to Defendant filed.

Aug. 21, 1995, Notice of Service of Answer to Plaintiff's Interrogatories to dft. filed.

Oct. 10, 1995, Notice of Serving Interrogatories (Second Set) filed.

Oct. 17, 1995 CERTIFICATE OF SERVICE filed.
I, JAMES E. DOUGLAS, ESQUIRE, do hereby certify that on this 16th day of October, 1995, that I served Plaintiff's Answers to Defendant's Second Set of Interrodatories to Defendant's Counsel at the address set forth below via first class, postage prepaid mail.

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

222

1993

672.

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

ED STEINBECK

vs.

LLOYDS RENTAL & SALES

Filed July 12, 1993
@ 1:28 PM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro.Co. pd 8/10/93	9.00

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

July 12, 1993 Rule entered upon the Plaintiff to file a Complaint issued.

And Now, August 10, 1993 at 3:14 PM upon praecipe of Defendant's Attorney judgment of Non Pros is hereby entered against the plaintiff for failure to file complaint.

S-55

8-13-93 Notice to Plaintiff

Judgment of Non Pros
Barbara H. King
Prothonotary

1993

pro se

673

KIMBERLY J. LEWIS

vs.

RICHARD E. LEWIS, III

Filed July 12, 1993
@ 3:10 PM

Indigent Filing

COMPLAINT IN DIVORCE, CHILD CUSTODY and SUPPORT,
1 copy Plaintiff

July 12, 1993 Petition To Proceed In Forma Pauperis In A Divorce Action Pursuant To Pa. R.C.P. 1920.62 and Order filed. AND NOW, July 11, 1993, upon consideration of the petition filed by the Plaintiff in this action, and supported by an affidavit attached thereto, all being pursaunt to Pa. R.C.P. 1920.62 the Plaintiff is granted leave to proceed in forma pauperis at this time.

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

BY THE COURT:
Gordon R. Miller, J

July 23, 1993 Before me, the undersigned authority, personally appeared KIMBERLY J. LEWIS, Plaintiff, who, being duly sworn according to law, deposes and says that on JULY 13, 1993 she sent by Certified Mail, Return Receipt Requested, Restricted Delivery, a true and correct copy of the Complaint in Divorce and Other Relief Under the Divorce Code of 1980 filed in the above-captioned case to the Defendant. Said Complaint was receive by RICHARD E. LEWIS III, Defendant, on July 17, 1993. The Return Receipt which was signed by the Defendant ishereto attached.

Oct. 26, 1993, Affidavit of Non Military service filed.

Oct. 26, 1993, Affidavit Regarding the Uniform Child Jurisdiction Act filed.

Oct. 26, 1993, Waiver, Acceptance of Service and entry of General Appearance, filed.

Oct. 26, 1993, Affidavit of Consent of plaintiff filed.

Oct. 26, 1993, Affidavit of Consent of defendant filed.

Oct. 26, 1993, Upon praecipe of plaintiff, for Review under 201(c) of the Divorce Code, this action moved to court.

DIVORCE DECREE FILED

Nov. 12, 1993 AND NOW, November 10, 1993, it is hereby ordered and decreed that KIMBERLY J. LEWIS, Plaintiff, and RICHARD E. LEWIS, III, 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.

224

1993

William Kuhar

674.

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

COMMONWEALTH OF PENNSYLVANIA

vs.

JAMES LEE CROWELL

Filed July 12, 1993
@ 2:41 PM

Tax & entry paid 50.50
User's Fee paid 5.00

PETITION FOR APPEAL FROM THE ORDER OF THE DIRECTOR OF THE BUREAU OF DRIVER LICENSING SUSPENDING OPERATING PRIVILEGES
1 copy Atty.

Order:
AND NOW, this 20th day of July, 1993, it is hereby Ordered and Decreed that a hearing onthe appeal of James Lee Crowell will be held on the 7th day of October, 1993 at 10:00 AM in Courtroom number 1 or 2 in the Crawford County courthouse.
This Appeal shall act as supersedeas until said hearing.
BY THE COURT,
Gordon R. Miller, J

Oct. 8, 1993 Motion forContinuance and ORDER filed. AND NOW, this 6th day of October, 1993, upon consideration of the foregoing Motion for Continuance, said Motionis granted and the hearing scheduled for Thursday, October 7, 1993 is continued gnerally, to be rescheduled on Motion of either party.
BY THE COURT:
Gordon R. Miller, J.
10-19-93 Copy of Order to Attys. Kuhar & Millin

Feb. 23, 1994 Motion to Withdrawal Petition For Appeal From The Order Of The Director Of The Bureau Of Driver Licensing Suspending Operating Privileges and Order, filed. ORDER: AND NOW, this 22nd day of February, 1994, upon consideration of Petitioner's Motion to withdraw his Petition for Appeal from the Order of the Director of the Bureau of driver Licensing Suspending Operating Privileges, the Petition is hereby granted and the Petition is hereby withdrawn and supersedeas is dissolved. BY THE COURT:
Anthony J. Vardaro, J.
Feb. 25, 1994 copy to W. Kuhar & J. Millin

1993

Ferguson & Spataro
Douglas w. Ferguson

675.

July 12, 1993 Plaintiff deposited $150.00 for mediator.

DOUGLAS R. STALLARD

vs.

DEANNA R. STALLARD

Filed July 12, 1993
@ 4:08 PM

Tax & entry paid	50.50
User's Fee paid	5.00
John Fuller, Mediator	

COMPLAINT FOR CUSTODY
1 copy atty; 1 copy mediator

Order:

You, Deanna r. Stallard, Defendant, have been sued in Court to obtain custody, partial custody or visitation ofthe children: Adam Stallard and Andrew Stallard.

John Fuller, Esq., has been appointed Child Custody Mediator andyou are ordered to appear in person for a conference with Child Custody Mediator at such time and place as he directs. You are further ordered to bring with you the child if so requested by the Child Custody Mediator.

If you fail to appear as directed by the ChildCustody Mediator or to bring the child, an order for custody, partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.

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

Court Administrator
Crawford County Courthouse
Meadville, Pennsylvania 16335
Telephone: (814) 336-1151, Ext. 298

And now, this 9th day of July, 1993, upon petition of Douglas R. Stallard, through his attorney, Ferguson & Spataro, Esq., John Fuller, Esq., is hereby appointed Child Custody Mediator in this matter. The parties and their counsel shall attend the mediation conference scheduled by the Child Custody Mediator and shall comply with all requests of the Child Custody Mediator.

Pending the mediation conference, the children shall continue to reside with the father, Douglas R. Stallard.

BY THE COURT,
Gordon R. Miller, J

would be expected to participate and such information shall be furned to the other party in a timely fashion in order that the other party may attend said event or function if he or she so desires.

12. Each party shall make sure that he or she will provide transportation and encouragement for the subject minor children to participate in the athletic and scholastic programs and competitions provided by the children's schoo.

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

BY THE COURT,
Anthony J. Vardaro
2 copies (atty)

Aug. 27, 1993 Consent Custody Order and Order filed. AND NOW, this 26 day of August, 1993, upon Stipulation of the above captioned Plaintiff and Defendant in regard to the above custody action, it is her eby ORDERED AND DECREED that:

1) The parties shall share legal and physical cusotdy of the parties' minor children, Adam Stallard, born July 21, 1994 and Andrew Stallard, born May 25, 1986.

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

3) The subject minor children shall reside with their father who shall be the primary custodial parent or the children, subject to the mother having temporary physical custody and visitation as follows:

SCHOOL VISITATION: a. During the chidlren's school year, the mother shall visitation and temporary physical cusotdy every other weekend commencing July 31, 1993 from 9:00 a.m. Saturday to 7:00 p.m. Sunday.

b. In addition, the mother shall have visitation and temporary physical custody of the parties' minor children during the school year after school on Tuesday and shall be responsible for returning the children to school Wednesday morning, or if there is no school on Wednesday to the home of the father by 9:00 a.m. The mother shall also have temporary physical custody and visitation of the minor children after school on Thursday and shall be responsible for dropping the boys off at school on Friday or in the event there is no school on Friday, returning the boys to the home of the father by 9:00 a.m.

c. The mother shall be responsible for the pick-up and delivery of the boys to the father's residence on said weekend and weekday visitations.

SUMMER VISITATION: a. The weekend visitations as set forth herein shall continue during the summer vacation period of the children from school.

b. In addition, during the summer vacation months, each Tuesday the mother shall pick up the children at day care at approximately 2:00 p.m., and deliver the children back to day care or to the home of the father at approximately 9:00 a.m. on Wednesday. In addition, on Thurdays, the mother will pick the children up at the residence of the father at approximately 7:30 a.m. and drop the children off on Fridays at the father's residence appoximately 9:00 a.m.

HOLIDAY VISITATION: Holiday visitation shall be arranged as follows: a. On Thanksgiving, Christmas and Easter, the minor children shall be at the home of the father until approximately 3:00 p.m. Thereafter, they shall be in the home of the mother until approximately 9:00 p.m. It shall be the responsibility of the mother to provide all transportation and the pick up and delivery of the children on s aid holiday visits.

b. With regard to the children's birthdays, the parties shall make mutual arrangements that the children shall spend an appropriate amount of time with each parent on the children's birthday. If in the fact the parties cannot agree on specified times, the father shall have the chidlren until approximately 5:00 p.m. on the child's birthday and thereafter they shall be in the home of the mother until approximately 9:00 p.m. The provisions of this paragraph shall take precedence over theother provisions of this Order relating to custodial or visitation periods.

4. The minor children shall continue with their regular schedule of school, church and other activities while at the residence of either the mother or father. Each parent agrees that they shall be responsible to have the children at any particular event, function or activity in which the children are involved.

5. SPECIAL PROVISIONS: a. Neither parent shall have a person of the opposite sex not related to the children by blood or marriage in theh ome of the parent after 8:00 p.m. local prevailing time during any time the minor children are at the residence of the parent.

b. The mother hereby agrees that one Brian E. Rogers shall not be in the presence or have nay contact with the minor children at any time or be present at the home of the mother when the minor children are there.

6. Each party shall teach said children togive 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 hs the care and custody of the subject minor children.

8. The parties are cautioned that recent medical research has indicate 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 any child.

9. Any person transporting the children shall make sure that the seatbelts or other restraint are used in accordance with the laws of Pennsylvania.

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

11. Both parties shall promptly furnish information regarding school events and social events in which the parties

1993

~~William J. Gregg~~

Thomas Dana Watson

676.

Watts And Pepicelli
Alan L. Pepicelli

RICHARD M. RIGBY and CHRISTINE A. RIGBY, his wife

vs.

VERA CAMPEAU

Filed July 13, 1993
@ 9:16 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro Co pd 10-4-93	6.00

COMPLAINT IN CIVIL ACTION
1 copy atty.

Aug. 10, 1993 Sheriff's Return filed. SERVED Vera Campeau personally on August 2, 1993 at 3:11 PM by handing a copy of the Complaint to her in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.
So answers, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Aug. 11, 1993 Appearance of Watts and Pepicelli, by Alan L. Pepicelli, Attorney for defendant filed.

Aug. 23, 1993 Appearance of Thomas Dana Watson for Plaintiffs Richard M. & Christine A. Rigby, filed.

Aug. 25, 1993 Motion For Withdrawal of Appearance of Atty. William Gregg, for plaintiffs, and ORDER filed. AND NOW, this 25 day of August, 1993, the above motion is granted.
Anthony J. Vardaro, J.

Aug. 27, 1993 Copy of Order to Attys. Wm. Gregg, T. Watson, A. Pepicelli.

Oct. 4, 1993 Upon praecipe of plaintiff attorney the above-captioned matter, including any Plaintiffs' claim against Defendant and any Defendant's counter-claim against Plaintiffs, settled, discontinued and ended.

1993

Ferguson & Spataro
Douglas W. Ferguson

677.

RANDALL L. HARTZELL

vs.

BONITA L. HARTZELL

Filed July 13, 1993
@ 10:37 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 10-21-93	9.00
Pro Co pd 11-15-93	5.00

COMPLAINT IN DIVORCE
1 copy atty.

Oct. 21, 1993 AFFIDAVIT OF SERVICE, filed. I, the undersigned, being duly sworn according to law, depose and say that I served a true and correct copy of the Complaint in Divorce certified by the Prothonotary of Crawford County, Pennsylvania, on the above named Defendant, Bonnita L. Hartzell, by certiafied mail, addressee only, return receipt requested, dated July 13, 1993. The Defendant acknowledged service on July 16, 1993, by accepting delivery on that date as evidence dby the attached signed return receipt.
Douglad Ferguson

Oct. 21, 1993 Affidavit of Consent of Plaintiff, filed.

Oct. 21, 1993 Affidavit of Consent of Defendant, filed.

Oct. 21, 1993 Upon praecipe of plaintiff's attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

Oct. 29, 1993 AND NOW, October 28, 1993, it is ordered and decreed that RANDALL L. HARTZELL, plaintiff, and BONITA L. HARTZELL, defendant, are divorced from the bonds of matrimony.

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

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

Nov. 15, 1993 Notice of Election to Retake Prior Name, filed. **BONNITA L. HARTZELL** to be known as: **BONNITA L. WINSOR.**

228

1993

Vollmer, Rulong &
Associates, P.C.
John R. Keating

678.

USA, INC. d/b/a USA of OHIO
a/k/a VENDERS SUPPLY OF
AMERICA

vs.

EDIBLES FOOD SERVICE, INC.
f/k/a MILLERS FOOD VENDING
SERVICE

Filed July 13, 1993
@ 11:43 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro Co. pd 8/20/93	9.00

EX1993-99

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

July 26, 1993 Sheriff's Return filed. SERVED Edibles Food Service, Inc. on July 14, 1993 at 2:46 PM by handing a copy of the Complaint to A. Richard Miller, Owner, at R.D. #3, Baldwin Street Extension, Meadville, Crawford County, PA.
So answers, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Aug. 20, 1993, 2:10 p.m., AND NOW upon Praecipe of Plaintiff Attorney, with copy of Notice of Intention to file default judgment attached, judgment is hereby entered in favor of Plaintiff and against Defendant, for failure to file an answer and damages are assessed as follows:

Amount claimed in Complaint	$3,590.55
Interest at rate of 18% from 12/3/92	$430.87
TOTAL	$4,021.42 PLUS COSTS

** (See below)
8-25-93 Notice of entry mailed to Defendants.

** E-181,M-181
Judgment entered 8/20/93

Debt $4,021.42
Interest from
12/3/92
Judgment
Barbara H.King,Pro.

1993

Knox, McLaughlin,
Gornall & Sennett, PC
John O. Dodick

679.

Bukac & Toomey
Terry Toomey

CORRYHIEBERT CORPORATION

vs.

JAMES D. KEMP

Filed July 13, 1993
@ 11:59 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	36.00
Pro Pd 3/10/95	6.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

July 23, 1993 Sheriff's Return filed. SERVED James D.Kemp personally on July 19, 1993 at 3:20 PM by handing a copy of the Complaint to him at his residence, R.D.#2, Spartansburg, Crawford County, PA.
So answers, Scott D. Young, Deputy Sheriff
Robert M.Stevens, Sheriff

Aug. 20, 1993 Preliminary Objections filed. 1 copy Atty.

Aug. 30, 1993 Answer to PreliminaryObjections filed.

Oct. 8, 1993 Upon Praecipe of John O. Dodick, Esquire, the above captioned matter is placed on the next available Argument List.

ON NOVEMBER, 1993 ARGUMENT LIST

Dec. 21, 1993 Order filed. AND NOW, December 20, 1993, upon consideration of the Defendant's preliminary objections to the Plaintiff's complaint and after oral argument and due consideration of the briefs filed in this matter, said preliminary objections are dismissed and the Defendnat shall file a re responsive pleading to the Plaintiff's complaint within 20 days of the date of this order.

In doing so, we note that applying the rationale similar to that of Judge Wettick in his opinion of Commonwealth of Pennsylvnaia v. Larry G. Smith, D.V.M., No. 9510 of 1991 Civil Division, Court of Common Pleas of Allegheny County, Plaintiff's effort to obtain a money judgment agianst Defendant Kemp is a proper action in the Court of Common Pleas.

In th event there is a reinstatement of benefits in the worker's compensation action and the Plaintiff in this action is able to recoup some or all of the purported overpayment made due to the alleged fraud of the Defendnat, said amount would have to be deducted from any amount due form the Defendnat to the Plaintiff as a result of any judgment that may be entered in this action as a result of the alleged fraud of the Defendant.

In entering this order, we note that whether there was fraud resulting in an overpayment of benefits between June 11, 1992 and December 1, 1992 under the facts in this case is an issue that will never be litigated as a worker's compensation issue.

BY THE COURT:
Anthony J. Vardaro, J

Dec. 21, 1993 Copies dist. to Dodick & Toomey

Jan. 18, 1994 Answer and New Matter, filed.

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

Mar. 3, 1995, Upon praecipe of plaintiff attorneys, the above captioned matter is hereby marked settled and discontinued of record.

1993

680.

LESLIE TAR.

vs.

SHIRLEY C. HAGER

Filed July 13, 1993
@ 1:05 PM

Tax & entry paid 50.50
Users' Fee paid 5.00

WRIT OF CERTIORARI TO
DISTRICT JUSTICE WILLIAM D. CHISHOLM

July 13, 1993 Rules entered upon the District Justice to file a Copy of the Record from his office issued.

July 13, 1993 Proof of Service filed.

July 14, 1993, Arguments for Certiorari filed.

July 14, 1993, UPon praecipe of plaintiff, this case placed on argument list.

ON ARGUMENT LIST FOR AUGUST 1993

Aug. 18, 1993 Transcript from District Justice Chisholms office Per Writ of Certiorari filed.

Aug. 26, 1993 Transcript of District Justice Judgment filed.

Sept. 1, 1993 ORDER filed. AND NOW, August 30, 1993, the Court finds in favor of the plaintiff in this certiorari proceeding and the judgment entered by District Justice Chisholm on July 6, 1993 is hereby set aside without prejudice to the cause of action.

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

Sept. 2,1993 copies to B. Chisholm, W. Hager, Plf.

1993

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

681.

Ferguson and Spataro
Douglas W. Ferguson

NANCY A. STALLSMITH

vs.

TERRY E. STALLSMITH

Filed July 13, 1993
@ 2:10 p.m.

Tax & entry paid	$50.50
state paid	5.00
4 counts paid	60.00
state paid	20.00
Pro Pd 9/14/95	9.00

COMPLAINT IN DIVORCE, EQUITABLE DETERMINATION AND DISTRIBUTION, COUNSEL FEES AND COSTS AND EXPENSES, CHILD CUSTODY, ALIMONY, ALIMONY PENDENTE LITE

2 copies (atty)

July 19, 1993 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 Prothonotry of Crawford County, Pennsylvania on the above named Defendant by certified mail, addressee only, return receipt requested, dated July13, 1993. The Defendant acknowledged service on July 15, 1993 by accepting delivery on that date as evidenced by the attached signed return receipt.

Sept. 14, 1995, Affidavit of Consent of plaintiff filed.

Sept. 14, 1995, Affidavitt of Consent of defendant filed.

Sept. 14, 1995, Upon praecipe of defendant attorney, to transmit the record, this case moved to court.

Sept. 14, 1995, Appearance of Ferguson & Spataro, byDouglas W. SpatARO, ATTORNEYS for defendant filed.

Sept. 14, 1995 Motion To Withdraw Count Two - Equitable Distribution Count Three - Counsel Fees, Expert Fees, Costs and Expenses, Count Four - Child Custody, Count Five - Alimony, Alimony Pendente Lite From Plaintiff's Complaint In Divorce and ORDER filed. AND NOW, this 19th day of Sept., 1995, the Court grants the within Motion to Withdraw County Two - Equitable Distribution, County Three - Counsel Fees, Expert Fees, Costs and Expenses, Count Four - Child Custody and Count Five - Alimony, Alimony Pendente Lite from the Complaint in Divorce since the parties have resolved all of the above matters of between them.

BY THE COURT:
Gordon R. Miller, J.

Sept. 21, 1995 Copy of Order to Attys. IRwin and Ferguson.

DIVORCE DECREE FILED

Sept. 21, 1995 AND NOW, September 20, 1995, it is ordered and decreed that NANCY A. STALLSMITH, plaintiff, and TERRY E. STALLSMITH, defendant, are divorced from the bonds of matrimony.

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

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

682.

CONNIE E. DAVIS

vs.

DAVID E. CUTTLER

Filed July 13, 1993
@ 3:30 p.m.

Tax & entry	PD 9-4-96	$50.50
state	PD 9-4-96	5.00
Sheriff's Costs	Pd	40.85
Pro Co	pd 7-21-93	9.00

4-24-97 Rec'd from Heft #100 Bond pmt 3-6-97 C.O.

5-21-97 Rec'd from Heft 21.35

5-21-97 Pd Sheriff #11026 40.85

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plff)

ORDER:

And now, this 13th day of July , 1993, upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

2. Special Conditions:
Defendant shall not contact plaintiff in any way, He shall not go to plaintiffs residenc.

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

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

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

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

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

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

Hearing is hereby set for July 20, 1993 , at 3:30 a.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,

Gordon R. Miller, J.

July 20, 1993 SHERIFF'S RETURN, filed. SERVED David E. Cüttler by deputizing the Sheriff of Warren County, Pa. As per a telephone conversation with Warren County Sheriff's Office, they did serve David E. Cuttler on July 14, 1993 at his place of employment, Penn Auto, Warren, Pa. An Affidavit of Service will be forthcoming.
So answers, Robert M. Stevens, Sheriff

July 21, 1993 ORDER filed. AND NOW, July 20, 1993, this matter is before the Court on Plaintiff's Petition for Relief Under the Protection From Abuse Act.

Both parties appear, neither party represented by counsel, and the defendant is advised as to his right to counsel, he indicates that he has tried to procure counsel unsuccessfully and is willing to go forward at this time without counsel.

By the agreement of the parties, we enter the following Order, without admissions of the allegations of the Petition on the part of the plaintiff:

1. The defend ant shall n ot assault, abuse, harass or threaten the Plaintiff.

2. This Order may be enforced without a Warrent of Arrest by any law enforcement officer having reasonable grounds to believe that it has been violated.

3. A copy of this Order shall be delivered to the Police Departments in the jurisdiction where the plaintiff resides and to County Control. The plaintiff resides at RD 4, Post Office Box 280, 1023 Erie Street Ext., Saegertown, Pa.; and accordingly, a copy of this Order shall be sent to the Saegertown Borough Police Department and to the Pennsylvania State Police Dept.

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

5. The defendant shall be sent a copy of this Order by Regular Mail by the Prothonotary, as shall the plaintiff. The plaintiff's copy shall be sent to the address set forth above and the defendant's copy shall be sent to Post Office Box 71, Tidioute, Pa. 16351.

6. The defendant shall pay court costs in this matter in the amount of $105.35 within sixty (60) days of the date of this Order to the Office of the Prothonotary on the First Floor of the Crawford County Courthouse.

7. This Order shall remain in full force and effect through July 19, 1994.

BY THE COURT,
Anthony J. Vardaro, J.

July 21, 1993 copies dist. to Plf., Dft., Co. Control, Saegertown PD, Faxed copy to Pa.SPD

July 22, 1993 Affidavit of Service filed. Before me the undersigned authority personally appeared Ronald Hodge Deputy Sheriff to Larry E.Kopko Sheriff of the County of Warren, Commonwealth of Pennsylvania who being duly sworn according to law deposes and says that on the 14th day of July,, 1993 A.D. at 11:45 A.M. he served the captioned COMPLAINT upon David E. Cuttler at his place of employment, Penn Auto Alignment, Warren, Warren County, Pennsylvania by handing to and leaving with the said David E. Cuttler, a certified copy with notice to plead endorsed thereon, and by making known unto him the meaning of the contents therein.

Ronald L.HOdge, Deputy Sheriff
Larry E. Kopko,Sheriff, Warren County, Penna.

Continued on page 232 ~A~

Connie E. Davis

vs.

David Cuttler

Record Continued from page 231

of record

A.D. 1993 - 682

****

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

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

BY THE COURT,
Gordon R. Miller, J

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

BY THE COURT,
Gordon R. Miller, J

11-22-96 Distributed Dft.

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

BY THE COURT,
Gordon R. Miller, J

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

Mar 12, 1997 ORDER: AND NOW, March 6, 1997, at a time fixed for hearing on a contempt petition brought by the Prothonotary of Carwford County for nonpayment of costs, the Court finds that the Prothonotary sent to this Defendant a copy of the contempt petition and order setting the hearing for this date, by certified mail, return receipt requested, and further, that the Defendant received said mailing, as evidenced by a green card that is filed of record in this case.
Accordingly, the Defendant failed to appear when ordered to do so. A bench warrant is issued for the Defendant's arrest and incarceration in the Crawford County Jail.
Once the Defendant is incarcerated, the Warden or the Sheriff shall notify the Prothonotary and the Court Administrator, and the Court Administrator will schedule a contempt hearing as soon as the attention of the Court may be had.
The Defendant shall be entitled to bond in the amount of $100.
In the event that the Defendant posts bond and is released, at the time of release, the Defendant shall give to the Sheriff, Prothonotary, or Warden his exact mailing address. That address shall be given to the Court Administrator, and the Court Administrator shall schedule a hearing when the attention of the Court may be had, and give the Defendant written notice of the date, time, and place of the hearing at the address the Defendant gives to the authorities as hereinabove provided. In the event that a Defendant make sbond, it is not necessry that an immediate hearing be held.

Gordon R. Miller, P.J.

Mar 18, 1997 Dist Sheriff, Brickner & Ct. Adm.

Apr 24, 1997 Subpoena returned.

Apr 25, 1997 ORDER: AND NOW, April 25, 1997, having been directed by the corut to reset the above hearing from March 6, 1997, due to Defendant's failure to appear, this matter is hereby reset for Wednesday, June 4, 1997, at 11:30 a.m., in Courtroom #1, Crawford County Courthouse. Pursuant to Court Order of March 6, 1997, Defendant will be served with a copy of this Order by the Court Administrator.

Ann A. Walker, C.A.

May 1, 1997 sent Plf. & Dft.

May 19, 1997 Order Re-setting Hearing filed. And Now, April 25, 1997 having been directed by court to reset hearing from Mar. 6, 1997 due to dft's failure to appear, this matter is hereby reset for Wed. June 4, 1997 at 11:30 a.m in C. R. No. 1, Courthouse, Pursuant to ct. order of Mar. 6, 1997, dft. will be served with a copy of this order by ct. adm.

For the court, Ann A. Walker, Ct. adm.

5/20/97 mailed to plff and dft.

232
~B~

1993

1993

683.

IN THE MATTER OF THE SELECTION OF PERSONS TO SERVE AS JURORS FOR THE YEAR 1994

Filed July 13, 1993
@ 3:41 p.m.

SELECTION OF PERSONS TO SERVE AS JURORS FOR YEAR 1994

ORDER:

AND NOW, July 9, 1993, the Jury Commissioners are hereby directed to fill the jury wheel for the year 1994 with 1,000 names, said names to be selected in accordance with provisions of the Jury Act (1980-78).

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

Copies of order to: Jury Commissioners

Mrs. Dorothy Kennedy
786 Clark St.
Meadville, Pa. 16335

Mr. Ralph Silva
Box 25
Springboro, Pa. 16435

Clerk:

Mrs. Sharon L. Fuller
R. D. #2, Box 118
Edinboro, Pa. 16412

and Sheriff of Crawford County

July 13, 1993, copies distributed by Ct. Adm's Office

Jan. 31, 1994 Jury Wheel for the Year 1994 filed.

1993

[illegible]684.

BRANDI L. FAIVRE

vs.

GARTH A. FAIVRE, JR.

Filed July 14, 1993
@ 10:11 a.m.

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

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (atty)

ORDER:

And now, this 14 day of JUly , 1993, upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

2. Special Conditions:

---

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

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

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

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

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

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

Hearing is hereby set for JUly 22, 1993 , at 3:30 pm., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,

Anthony J. Vardaro, J.

July 15, 1993 Sheriff's Return filed. SERVED Garth A.Faivre, Jr., personally on July 14, 1993 at 2:40 PM by handing a copy of the Protection fromAbuse to him in the Sheriff's Office, Crawford County Courthouse, Meadville, PA.
So answers,

Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

July 21, 1993 Motion To Continue and Order filed. AND NOW, this 21st day of July, 1993, the Hearing set for July 22, 1993 at 3:30 p.m. is continued to the 28th day of July, 1993 at 3:30 o'clock p.m., 1993, all terms and conditions of the temporary order entered inthis case shall remain in full force and effect.

BY THE COURT,
Anthony J. Vardaro, J

July 23, 1993 Copies of order to Atty.s Watson and Lindsay

July 28, 1993 Motion To Continue and Order, filed. ORDER: AND NOW, this 28 day of July, 1993, the Hearing set for July 28, 1993 at 3:30 p.m. is continued generally to be reset on Motion of either party, all terms and conditions of the prior temporry order entered in this case shall remain in full force and effect.

BY THE COURT:
Anthony J. Vardaro, J.

July 28, 1993 (2 copies atty)

Sept. 28, 1993 Motion to Withdraw and Order, filed. ORDER: AND NOW, this 27th day of September, 1993, this Court grants Brian J.Lindsay's request to withdraw as Defendant's counsel. Mr. Lindsayshall serve a copy of this order on the Defendant forthwith. Gordon R. Miller, P.J.
Sept. 30, 1993 copy to B. Lindsay

Oct. 4, 1993 Verification of Service filed. I, Brian J. Lindsay, Esquire, do hereby that I did personally serve by first class mail a copy of the Motion to Withdraw filed at the above term and number on the above-named Defendant, Garth A. Faivre, Jr., at his place of residence, 993 1st Street, Meadville, PA 16335 on the 30th day of September, 1993. Brian J. Lindsay

1993

Gerald Sullivan

685.

AMY J. McCAULEY

vs.

JOSEPH C. POTPROSKY

Filed July 14, 1993
@ 10:41 a.m.

Tax & entry	Pd 8-12-93	$50.50
state	Pd 8-12-93	5.00
Sheriff's Costs		25.00
Pro Co	Pd 8-12-93	9.00
Chief	Pd 8-12-93	5.00

7-12-93 Rec from Pltf Sheriff's costs 25.00
9-12-93 Pd Sheriff Ch# 7724 25.00

PETITION FOR RELEIF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plff)

ORDER:

And now, this 14 day of July, 1993, upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

2. Special Conditions:
The plaintiff shall ahve exclusive possession of the residence at 493 Willos St. Apt. E , Meadville, Pa. 16335. until further order of court. the Meadville City Police shall not return the defendants firearms until further order of court.

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

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

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

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

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

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

Hearing is hereby set for July 23, 1993, at 3:30 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

July 15, 1993 Sheriff's Return filed. SERVED Joseph C.Potprosky personally on July 14, 1993 at 12:15 PM by handing a copy of the Protection from Abuse at his place of employment, Joe's Car Cleaning, 537 State Street, Meadville, Crawford County, PA.
So answers,
Scott D.Young, Deputy Sheriff
Robert M.Stevens, Sheriff

Aug 3, 1993 ORDER filed. AND NOW, July 23, 1993, this matter is before the Court on Plaintiff Petition for Relief under the Protection From Abuse Act.

The parties appear with the plaintiff with counsel and the defendant without counsel. He's been explained his rights to counsel and indicates that he wishes to proceed without counsel and the parties have reached an agreement.

Accordingly, this Order is entered without admission of allegations of the petition on the part of the defendant.

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or any minor child named in the petition.

2. The defendant shall not go to the home of the plaintiff at any time. He is warned that he should not go to the plaintiff's home even if he is invited, insofar as if any police agency is called, they will assume that he is in violation of this order if he is at the home of the plaintiff. If at any time the parties should reconcile and the defendant would be welcome in the plaintiff's home, then a modification of this order must be obtained by coming to Court.

3. The defendant has certain personal affects at the residence at 493 Willow Street and he may send a family member or friend to that residence on July 30, 1993 at noon to pick up those items. He shall not go to the residence himself for that purpose or any other purpose.

4. A copy of this order shall be delivered to the Meadville City Police Department and to County Control by the Prothonotary.

The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000.00 and a j ail sentence of up to six months.

The defendant shal pay Court costs in this matter in the amount of $89.50 to the Prothonotary on the first floor of the Crawford County Courthouse no later than two (2) weeks from the date of this Order.

The Prothonotary shall also send a copy of this order by regular mail to the defendant at his residence at 1355 Conneaut Lake Road, Apartment #2, Starlite Motel, Meadville, Pennsylvania.

This Order shall remain in full force and effect through July 22, 1994.

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

Aug. 3, 1993 copies dist to Deft., Co Control, MCPD & Sullivan

Any provisions of the Protection from Abuse Order of July 23, 1993 assessing court costs shall remain in full force and effect without change or modification and the party or parties against whom costs were assessed shall remain obligated to pay the costs.

BY ORDER OF COURT
Anthony J.Vardaro, J.
Aug.19, 1993 Copy of Order to Atty. C. Brode Co. Control, Cochranton P.D., Plf.&Dft. Meadville P.D.

Aug. 12, 1993, Motion to Vacate Protection From Abuse Order and ORDER filed. AND NOW, this 12 day of Aug.,1993 upon receipt and review of the plaintiff's motion to vacate and terminate the Protection from Abuse Order of July 23,1993, said motion is granted and the Protection from Abuse Order is hereby vacated and terminated.

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

1993

Thomas, truax, Spadafore, and Walker
Gregory a. Keenan

686.

JAMES SCOTT RIDING

vs.

PATRICIA ANN RIDING

Filed July 14, 1993
@ 11:51 a.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro.Co. pd 10/19/93	9.00
Pro.Co. pd 1/24/94	5.00

COMPLAINT IN DIVORCE

2 copies (atty)

Aug. 3, 1993 ACCEPTANCE OF SERVICE, filed. I. John S. Kookogey, Esquire, accept service of the Complaint in Divorce properly endorsed with a notice to Defend on behalf of the Defendant, Patricia Ann Riding, and certify that I am authorized to do so.

Oct. 19, 1993 Affidavit of Consent by Patricia Ann Riding, Defendant, filed.

Oct. 19, 1993 Affidavit of Consent by James Scott Riding, Plaintiff, filed.

Oct. 19, 1993 Upon Praecipe of Plaintiff Attorney, Gregory A. Keenan, Esquire, to transmit record, case moved to Court.

DIVORCE DECREE FILED

Oct. 29, 1993 AND NOW, Oct. 27, 1993, it is hereby ordered and decreed that JAMES SCOTT RIDING, Plaintiff, and PATRICIA ANN RIDING, Defendant, are divorced from the bonds of matrimony.

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

BY THE COURT:
Anthony J. Vardaro, J.

Jan. 24, 1994 Notice of INtention to Retake Prior name of Patricia Ann Riding to be known as PATRICIA ANN WYKOFF, filed.

1993

Berger Kapetan
Meyers Rosen Louik
& Raizman, P.C.
Andrew L. Horvath

687.

Thomas Truax, Spadafore
and Walker
R. Charles Thomas

Dale Huntley
Eric J. Purchase
MacDonald Illig Jones
& Britton, for D. Burk

PATTI BURK

vs.

DANIEL BURK AND JAMES I.
WHITMAN AND MARY A. WHITMAN
t/a SUGARLAKE HOTEL

Filed July 14, 1993
@ 1:59 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	62.80
Pro Co pd 5-23-95	6.00

JURY TRIAL DEMANDED

COMPLAINT IN A CIVIL ACTION

4 copies (sheriff)

July 21, 1993 Appearance of Thomas, Truax, Spadafore and Walker by R. Charles Thomas for Defendants, filed.

July 27, 1993 Sheriff's Return filed. SERVED the within Notice to Defend - et al on 20JUL93, at 10:20 A.M. upon Daniel Burk at Box 52, Cooperstown, PA 16317 by handing to Daniel L. Burk, Jr., in person a true and correct copy thereof and made known to him the contents therein.
So answers, Gene Price, Sheriff
SERVED Daniel Burk by deputizing the Sheriff of Venango County, PA as per his Affidavit of Service attached. Served on July 20, 1993 at Box 52, Cooperstown, PA 16317.
SERVED James I. Whitman personally on July 16, 1993 at 2:15 PM by handing a copy of the Complaint Discovery Request to him at his business; R.D. #1, Cochranton, Crawford County, PA.
SERVED Mary A. Whitman on July 16, 1993 at 2:16 PM by handing a copy of the Complaint and Discovery Requests to James I. Whitman, her husband, at their business, R.D. #1, Cochranton, Crawford County, PA.
Served James i. Whitman and Mary A. Whitman, t/a Sugerlake Hotel, on July 16, 1993 at 2:17 PM by handing a copy of the Complaint and Discovery Requests to James I. Whitman, Owner, at R.D. #1, Cochranton, Crawford County, PA.
So answers, Scott D. Youngs, Deputy Sheriff
Robert M. Stevens, Sheriff

Aug. 9, 1993, Appearance of Dale Huntley and Eric J. Purchase of MacDonald, Illig, Jones & Britton, attorneys for defendant Daniel Burk, only, filed.

Aug. 31, 1993 Answer And New Matter On Behalf Of Defendant Daniel Burk, filed.

Sep. 3, 1993 Reply to New Matter of Defendant Daniel Burk, filed.

Sep. 28, 1993 Answer to Complaint and New Matter filed.

Oct. 19, 1993 Reply to New Matter of Whitman Defendants, filed.

Dec. 20, 1993, Certificate of Service of answers to Plaintiffs Second Set of discovery REquests filed.

May 23, 1995 Upon praecipe of plaintiff attorney the above-captioned case is marked settled and discontinued of record.

688.

DENISE McELHANEY

vs.

JEFF FERRINGER ROSKY

Filed July 14, 1993
@ 14:17 p.m.

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

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

ORDER:

And now, this 14 day of July, 1993, 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 be permitted to go to plaintiff's residence and children but may not go inside at all. Temporary custody of the child is awarded to plaintiff whom shall not leave the child alone order of court.

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

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

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

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

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

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

Hearing is hereby set for July 26, , at 11:30 a.m. in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,

Gordon R. Miller, J.J.

July 15, 1993 Sheriff's Return filed. SERVED Jeff Ferringer personally on July 15, 1993 at 10:15 AM by handing a copy of the Protectionfrom Abuse to him at his place of employment, Channellock, South Main Street, Crawford County, PA.
So answers,

Robert M.Stevens, Sheriff

1993

MacDonald, Illig,
Jones & Britton
Eric J. Purchase

689.

Joseph E. Altomare

PENNSYLVANIA BLUE SHIELD

vs.

BYRON L. DONOVAN, M.D.

Filed July 15, 1993
@ 11:33 a.m.

Tax & entry paid $50.50
state paid 5.00
Pro Co Pd 12-29-93 9.00
Pro Co pd 1-10-94 30.00
User's Fee pd 1-10-94 5.00
Pro.Co. pd ~~2/23/95~~ 3-3-95 6.00

COMPLAINT

1 copy (plaintiff)

Aug 5, 1993 Acceptance of Service, filed. I, Joseph E. Altomare, Esquire, counsel for the Defendant, Byron L. Donovan, M.D., do hereby accept service of the Complaint on his behalf, with full authority to do so.

Aug. 3, 1993, Answer and New Matter filed.

Aug. 3, 1993, Motion for Summary Judgment filed.

Aug. 3, 1993, Affidavit of Defendant Byron L. Donovan, M.D. FILED.

Aug. 3, 1993, Upon praecipe of defendant attorney, this above Motion for Summary Judgment placed on next argument list.

ON ARGUMENT LIST FOR SEPTEMBER 1993

Sep. 15, 1993 Plaintiff's Cross-Motion for Summary Jundgment filed.

Sep. 15, 1993 Upon Praecipe of Eric J. Purchase, Esquire, the Motion for Summary Judgment placed on the next Argument List.

ON OCTOBER, 1993 ARGUMENT LIST

Dec. 15, 1993, MEMORANDUM AND ORDER filed. AND NOW, dec. 15, 1993, for the reasons set forth in the foregoing memorandum it is ordered as follows:

1. The defendants motion for summary judgment is denied.
2. The plaintiffs motion for summary judgment is granted. Judgment is hereby entered in favor of the plaintiff and against the defendant in the amount of $71,096.00.

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

Dec. 15, 1993, copies dist. to Purchase and Altomare.
Judgment entered 12/15/93
D - 23 Debt ---$71,096.00
JUDGMENT
Barbara H. King,
Prothonotary

Jan. 10, 1994 Notice of Appeal, filed.

Jan. 24, 1994 Superior Court of Pa. Docket # 00086PGH94, filed.

Nov.4, 1994 Certificate of Contents of Remanded Record and Notice of Remand under Pennsylvania Rules of Appellate Procedure 2571 and 2572, filed.

Nov.4, 1994 JUDGMENT filed. ON CONSIDERATION WHEREOF, it is now here ordered and adjudged by this Court that the judgment of the Court of Common Pleas of Crawford County be,and the same is hereby AFFIRMED.

Dated: September 21, 1994

BY THE COURT:
Eleanor R.Valecko, Deputy Prothonotary

Nov. 14, 1994 Copy to Attys. Purchase & Altamore

Feb. 23, 1995 Upon Praecipe of Eric J. Purchase, Esquire,Attorney for Plaintiff, the judgment entered at the above term and number is marked satisfied of record.

240

1993

Robert P. Cocco

690.

Charles D. Sheehy
Magnatak, Inc.

Michael L. Fitzpatrick
for Midco Int. INc.

R. W. & WILDA CREVELING
R. D. #3, Cochranton, Pa.
16314

vs.

MAGNATEK, INC.
300 East Main St.
Owosso, Mi. 48867

MIDCO INTERNATIONAL, INC.
2717 N. Greenview Ave.
Chicago, Il 60614

Filed July 15, 1993
@ 1:33 p.m.

Tax & entry paid $50.50
state paid 5.00

Pro.Co. pd 12/6/93 5.00

COMPLAINT IN A CIVIL ACTION

3 copies (atty)

Aug. 30, 1993 Appearance of Charles D. Sheehy for Magnatek, Inc. filed.

Sept. 9, 1993, Appearance of Michael L. Fitzpatrick, Esq. attorney for one of defendants, Midco International Inc. filed.

Sep. 10, 1993 Notice of Service of Interogatories and Request for Production of Documents Directed to Plaintiffs filed.

Sep. 10, 1993 Request for Production of Documents Directed to Defendant, Magnatek, Inc. filed.

Dec.6, 1993 Upon Praecipe of Robert P.Cocco, Esquire, Attorney for Plaintiff, the above captioned action settled, discontinued, and ended.

1993

~~Picadio McCall Kane & Norton~~
~~Anthony P. Picadio~~
~~Paul A. Lagnese~~ Withdrew

691.

Watts and Pepicelli PC
Alan L. Pepicelli
for Headache Center

Grogan Graffam, McGinley & Lucchino, PC
Terrence F. McVerry
for W. Keith Petrella DO

Egler,Garrett & Egler
Frederick N. Egler
Paula A. Koczan

Jorden & White
Wiliam T. Jorden
W. Keith Petrella

MICHAEL PHILLIPS AND
FLORENCE PHILLIPS, HIS WIFE

vs.

W. KEITH PETRELLA, D. O. ,
~~HEADACHE CENTER NEUROLOGY INSTITUTE OF WESTERN PENNSYLVANIA~~, AND ~~URGENT CARE~~ dismissed

Filed July 15, 1993
@ 1:45 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	42.00

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION

3 copies (sheriff)

Aug 4, 1993 Appearance of Watts and Pepicelli PC by Alan L. Pepicelli on behalf of Headache Center Neurology Institute of Western Pennsylvania, filed.

Aug. 6, 1993 Sheriff's Return filed. SERVED W. Keith Petrella,D.O. on July 22, 1993 at 11:00 AM by handing a copy of the Complaint to Leanna Parsons, Nurse and Adult in Charge, at 303 Conneaut Lake Road, Meadville, Crawford County, PA.
SERVED Headache Center Neurology Institute of Western Pennsylvania on July 22, 1993 at 10:59 AM by handing a copy of the Complaint to Leanna Parsons, Nurse and Adult in Charge, at 303 Conneaut Lake Road, Crawford County, PA.
SERVED Urgent Care on July 22, 1993 at 10:51 AM by handing a copy of the Complaint to Jean Klein,Nurse and Adult in Charge, at 1009 Water Street, Meadville, Crawford County, PA.
So answers,

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

Aug. 9, 1993, Appearance of Terrence F. McVerry, Esq. of Grogan, Graffam, McGinley & lucchino, P.C., attorneys for dft. W. Keith Petrella, D.O. filed.

Aug. 19, 1993 Appearance of Egler, Garrett & Egler By Attys. Frederick N. Egler and Paula A. Koczan, attorneys for defendant, Urgent Care, filed.

Sep. 3, 1993 Answer and New Matter of W. KeithPetrella, D.O. To Plaintiffs' Complaint filed.

Jan. 13, 1994 Notice of Service of First Set of Interrogatories and First Request for Production of Documents Directed to Plaintiffs, filed.

Mar. 9, 1994 Withdrawal of Appearance of Picadio McCall Kane & Norton by Paul A. Lagnese, Esquire for Plaintiffs, filed.

Mar. 8, 1994 Appearance of Jorden & White by William T. Jorden for W. Keith Petrella, D.O. filed.

May 6, 1994 ORDER OF COURT filed. AND NOW, this 4th day of May, 1994 it is hereby ORDERED, ADJUDGED and DECREED that the firm of Picadio McCall Kane & Northon is hereby withdrawn as counsel for Plaintiffs in the above encaption action. Provided however since there is no showing that Plaintiffs were served with notice of the filing of this motion as is required by the local rules and since no other apperance has been entered for Plaintiffs, a true and correc t copy of this motion and order shall be served upon Plaintiffs by Mr. Picardio and a proof of service filed of record. Plaintiffs shall have 20 days after service to file an objection. That shall be in the form of a motion for reconsideration and filed pursuant to local motions rules.

BY THE COURT:
Gordon R. Miller, J.

5-5-94 Faxed copies to Pepicelli, Koczan & McVerry. 5-11-94 Faxed copy to Atty. Jorden. 5-11-94 Mailed copy to Atty. Ostroff.

May 17, 1994 Motion To Limit Time For Plaintiff To Retain New Counsel and Order, filed. AND NOW, to sit, this 13th day of May, 1994, upon consideration of URGENT CARE'S Motion to Limit Time for Plaintiffs to Retain New Counsel, it is hereby ORDERED, ADJUDGED AND DECREED, said motion is denied. There is no requiremnet that a party have counsel. Parties may always represent themselves.

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

May 17, 1994 Faxed to McVerry, Egler, Jordan, Pepicelli mailed to Ostroff

May 18, 1994 Motion To Compel on behalf of defendant, W. Keith Petrella, D.O. and ORDER OF COURT filed. AND NOW, to-wit this 17th day of May 1994, upon consideration of the foregoing Motion to Compel Answers to Interrogatories and Production of Documents, and upon motion of Terreence F. McVerry, attorney for Dr. Petrella, it is hereby ORDERED, ADJUDGED and DECREED that plaintiffs are to make full, complete and verified answers to the Interrogatories and produce documents within thirty 30 days of this Order or suffer sanctions to be determined by the Court.

BY THE COURT,
Gordon R. Miller, J.

May 19, 1994 Copies Faxed to Attys. McVerry, Jorden, Pepicelli and Lagnese.

May 18, 1994 Motion To Join Urgent Care's Motion To Limit Time For Plaintiffs To Retain New Counsel and ORDER OF COURT filed. AND NOW, to wit, this 17th day of May, 1994 upon consideration of Urgent Care's Motion to Limit Time for Plaintiff to Retain New Counsel and the joinder therein by Dr. Petrella, said motion is denied. The plaintiffs cannot be forced to obtain counsel. They may proceed pro se.

By the Court,
Gordon R. Miller, J.

May 19, 1994 Copies Faxed to Atty.s Jorden, Pepicelli, McVerry and Lagnese.

May 20, 1994 Proof of Service of Motion To Withdraw Appearance and Order of Court, filed.

Jun. 1, 1994 Motion toDiscontinue as to Less than All Defendants and ORDER OF COURT filed. AND NOW, this 31st day of May, 1994, upon consideration of Plaintiffs' Motion to Discontinue as to Less Than All Defendant s, it is hereby ordered,adjudged and decreed that Plaintiffs' Complaint against Defendant,Headache Center Neurology Institue of Western Pennsylvania, is dismissed in its entirety, with prejudice, and the Prothonotary is instructed to so mark the docket.

BY THE COURT,
Gordon R. Miller , J.

6-1-94 Faxed to Attys. McVerry, Lagnese, Pepicelli & Koczan

Continued to Page 465

242

1993

Robert P. Cocco

692.

ROBERT & KATHLEEN SKELTON
205 Church Street
Cambridge Springs, Pa. 16403

vs.

BANGOR COOLER CO.
200-T Dunbar Ave.
Hartford, Mi 49057

Filed July 15, 1993
@ 1:49 p.m.

Tax & entry Paid	$50.50
state paid	5.00
Pro Co pd 12/20/93	5.00
Pro Co pd 1/3/94	5.00

COMPLAINT IN CIVIL ACTION

2 copies (atty)

Dec. 20, 1993 Upon praecipe of Plaintiff Attorney the above captioned action is settled, discontinued, and ended of record.

Jan. 3, 1993 Upon praecipe of Plaintiff Attorney the abose captioned action is marked settled, discontinued and ended of record.

1993

Elderkin, Martin,
Kelly & Messina
Kenneth G. Vasil

693.

SEARS, ROEBUCK AND COMPANY
800 Millcreek Mall
Erie, Pa.

vs.

JAMES E. JOHNSON AND TERRIE B. JOHNSON, HIS WIFE

Filed July 15, 1993
@ 1:56 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	33.00
Pro Co Pd. 12/14/93	9.00

COMPLAINT

2 copies (sheriff)

Aug.6, 1993 Sheriff's Return filed. SERVED James E. Johnson on July 20, 1993 at 1:16 PM by handing a copy of the Complaint to Terrie E. Johnson,his Wife, at the residence, 1411 Conneaut Lake Road, Meadville, Crawford County, PA.

SERVED Terrie B. Johnson personally on July 20, 1993 at 1:17 PM by handing her a copy of the Complaint at the residence, 1411 Conneaut Lake Road, Meadville, Crawford County,PA.

So answers,

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

ANd Now, Dec. 14, 1993, upon praecipe of plaintiff attorney, with default notices attached, Judgment of default is hereby entered in favor of the plaintiff and against the defendants, for failure to answer, in the amount of Three thousand Three Hundred Twenty One and 23/100 Dollars, plus interest at rate of 1.50% per month from June 1993, and costs of action.

Judgment entered
12/14/93
J. - 224, 205

Debt ----$3,321.23
Int. from June 1993 at rate of 1.50%
JUDGMENT
Barbara H. King,
Prothonotary

1993

Mary Ann Kirkpatrick

694.

MICHELE M. ROBERTS

vs.

JON C. ROBERTS

Filed July 15, 1993
@ 1:59 p.m.

Tax & entry paid	$50.50
state paid	5.00
state paid	10.00
2 counts paid	30.00
state paid	10.00

COMPLAINT IN DIVORCE, ALIMONY PENDENTE LITE, COUNSEL FRES, COSTS, EXPENSES, EQUITABLE DISTRIBUTION

1 copy (atty)

July 30, 1993 Affidavit of Service filed. AND NOW, July 28, 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 Michele M. Roberts, Plaintiff in the above-captioned matter.

2. That on information furnished her by the Plaintiff, she caused a certified copy of the Complaint in Divorce to be forwarded by Certified Mail, P 100 621 25; postmarked July 16, 1993, to the last known address of the Defendant, Jon C.Roberts, 796 W. Central Ave., Titusville, PA 16354.

3. That the Defendant, Jon C. Roberts, on July 19, 1993, personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto.

4. Service of the Complaint against Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.

July 28, 1993 Constance L. Deitman

Mar. 12, 1998 Important Notice and Court Order filed.

Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 7/30/93 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

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

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

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

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

By the Court,
Date: March 12, 1998. Anthony J. Vardaro, J
Mar. 12, 1998 copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.

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

(See original filed at A.D. 1997 - 702)

1993

Elderkin, Martin,
Kelly & Messina
Kenneth G. Vasil

695.

SEARS, ROEBUCK AND COMPANY
800 Millcreek Mall
Erie, Pa.

vs.

MICHAEL L. YOHE AND
JODI YOHE, HIS WIFE

Filed July 15, 1993
@ 2:07 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	35.00

COMPLAINT

2 copies (sheriff)

Aug. 9, 1993 Sheriff's Return filed. SERVED Michael L. Yohe on July 26, 1993 at 11:19 AM by handing a copy of theComplaint to Jodi Yohe, his Wife, at the residence,204 Lake Road, CAmbridge Springs, Crawford County, PA.

SERVED Jodi Yohe personally on July 26, 1993 at 11:20 AM by handing a copy of the Complaint to her at the residence, 204 Lake Road, Cambridge Springs, Crawford County,PA.

So answers,

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

1993

Elderkin, Martin,
Kelly & Messina
Kenneth G. Vasil

696.

SEARS, ROEBUCK AND COMPANY
800 Millcreek Mall
Erie, Pa.

vs.

GEORGE S. McGUIGAN

Filed July 15, 1993
@ 2:11 p.m.

Tax & entry paid	$50.50
state paid	5.00
Pro Co pd 7-26-93	9.00
Sheriff's Costs	27.00
Pro Co pd 6-26-96	6.00

COMPLAINT

1 copy (sheriff)

July 26, 1993 Upon praecipe of Plaintiff attorney Judgment is hereby entered in the amount of $3,237.57, plus interest and costs.
Entered 7-26-93 Debt: $3,237.57, plus interes & costs
M - 73 JUDGMENT
Barbara H. King, Pro.

Aug.6, 1993 Sheriff's Return filed. SERVED George McGuigan on July 20, 1993 at 1:34 PM by handing a copy of the Complaint to Ethel Rader, Adult in Charge at the residence, R.D.#3, Box 164, Conneaut Lake, Crawford County,PA.
So answers, Scott D. Young, Deputy Sheriff
Robert M.Stevens, Sheriff

June 25, 1996 Upon praecipe of plaintiff attorney the above matter is marked satisfied as to debt, judgment, interest and costs, of record.

1993

Gregory A. Keenan
Tamera Ochs Rothschild
Wayne H. Hundertmark
~~Barbara J. Walton~~ Walton
697.

Sylvia Dratler

TAMMY S. DONOVAN

vs.

JAMES E. DONOVAN, JR.

Filed July 15, 1993
@ 2:24 p.m.

Tax & entry paid	$50.50
state paid	10.00
1 count paid	15.00
state paid	10.00
Bruce Smith, Mediator	184.33
Pro Co	9.00
Pro.Co. pd 3/11/94	9.00
Bruce Smith,Mediator pd	$150.00
Pro Co	9.00

COMPLAINT IN DIVORCE, CUSTODY

1 copy (atty)

Aug 16, 1993 PRAECIPE TO APPOINT CUSTODY MEDIATOR and ORDER, filed. You, JAMES E. DONOVAN,JR., have been sued in Court to obtain custody of Jacob James Donovan and Adam Michael Donovan.

You are ORDERED to appear in person at such time and placeas will be determined by the Mediator, Bruce Smith, Esquire, for a mediation conference.

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

Date: Aug 13, 1993 Anthony J. Vardaro, J.

Aug. 23, 1993 copy to W. Hundertmark, B. Smith

Sept. 27 1993 PROOF OF SERVICE OF COMPLAINT, filed. The undersigned, being first duly sworn according to law, deposes and says that:

1. Your deponet is counsel for the plaintiff in the above case.

2. The complaint filed in the above case was served upon the Defendant pursuant to Pennsylvania Rules of Civil Procedure by certified mail with restricted delivery and return receipt requested, addressed to said Defendant at the last known address of said defendant following: Box 645, Hydetown, Pa. 16323.

3. Attached hereto is the following exhibit: The receipt of certified mail delivery signed by the Defendant.

Wayne H. Hundertmark, Esquire

8-16-93 Received from Pltf med. dep 150.00

12-22-93 Pd Pltf per Hundertmark Ck# 7976 150.00

1-18-94 Replacement check # 8039 issued

Sent to Pltf c 44 W Walton Dr Titusville Pa 16354

4-29-94 Rec from Pltf (Judy) Med Fees $92.17

6-9-94 Pd to Ck#8355 $92.17

9-27-94 Rec from pltf med fee 150.00

1-3-94 Pd Barbara Walton # 8770 Med Refund 150.00

1-26-96 Rec fine of $200.00 from Dft.

Dec. 13, 1993 TEMPORARY ORDER OF COURT, filed. AND NOW, this 10 day of December, 1993, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Jacob James Donovan, age five, born September 17, 1988, and Adam Michael Donovan, age two, born February 21, 1991, the parties to this action, shall share legal custody of the said minor children. Said joint legal custody being shared shall entitled both of the parents to equal access to any records relating to the children held by a third party, including, but not limited to, school and medical records, and shall also entitle both parents to equal input with regard to the educational and religious upbringing of the children, as well as to any elective surgery. Whenever either parent receives a medical report concerning the children, he or she shall immediately photocopy it and send it to the other parent.

2. Primary physical custody of the children shall remain with the natural mother, Tammy S. Donovan. Regular visitation and temporary custody of the children shall be granted to the defendant father, James E. Donovan, Jr. Physical custody for the defendant father shall be as follows:

a, The children shall visit in the home of the natural father on the second and fourth weekends of each month, beginning immediately, from Friday at 5:00 p.m., prevailing atime, until Sunday at 6:00 p.m., prevailing time. The father shall also have the opportunity to take the children into his temporary custody on Wednesday between the hours of 2:00 p.m. and 7:00 p.m., prevailing time, upon an advance notice of twenty-fours hours to the mother; otherwise, no visitation shall occur on that Wednesday.

b. Beginning with the month of July, 1994, the father shall have the opportunity to take the children into his temporary physical custody during the first full week of July, 1994, and the first full week of August, 1994.

c. Holiday visitation shall take priority over other scheduled visitatiion. The parties are encouraged to agaree ta to holiday visitatin; however, in the event that they cannot, the children shall be available to be witha the father on Thanksgiving Day from 3:00 p.m. to 8:00 p.m., prevailinga time, on Christmas Day from 3:00 p.m., prevailing atime, through December 26 at 8:00 p.m., prevailing tiem, on Easter Sunday from 3:00 p.m. to 8:00 p.m., previaling time, and on Father;s Day from 12:00 p.m., to 8:00 p.m., prevailing time.

d. The father shall pick up and return the children to the mother's residence. Anytime the father is more than one hour late for a scheduled transfer of custody on the weekend, that transfer and the resulting partial custody shall be considered waived and shall not occur until the 10:00 a.m., prevailing tiem, the following Saturday, unless satisfactory arrangements have been previously made with the mother.

3. The parent having custody of the children at anytime shall notify the other paent as soon as possible in the event of injruy to or illness of the children requiring medical treatment. The mother shal continue to prepare a medication schedule for each child who is receiving medication at the time and shall provide it to the father at the time of physical custody transfer. The father shall strictly follow the said prescription or medication schedule.

4. Neither parent shall take the children into any environment which might be commonly thought of as detrimental to their development or to the development of their character or which would be commonly thought of as dangerous to their physical persons. Because both children have medical problems, neither parent shall have pets in the home. Neither parent shall smoke in the home and neither parent shall have a wood-burning fire in the home when the children are present. Further, the parents shall not take the children to homes where cigarette or cigar smoking is taking place, where there is a wood-burning fire, or where there are pets normally present.

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 encourgaged to do so by mutual consent and agreement.

6. Each of the parents and any adult coming into regular contact with the children shall teach the children involved in this case to develop and express that natural love and respect due a parent from his or her children. No adult coming into regular contact witha the children will do or say anything to blacken the character of either parent in the eyes of the children.

7. This Order shall not prejudice the right of either party to request further mediation if there are changed circumstances in the live sof the parties or the chidlren or in the event that the best interest of the children would be served by further mediation. For the purpose of this paragaraph, if the plaintiff intends to relocate from Crawford County, she shall give a written notice of thirty days prior to movign to the defendant father in order that he may be able to file a petition for further mediation.

Cont'd on Page 456

1993

698.

HEIDI BIDDLE

vs.

JOHN C. BIDDLE, JR.

Filed July 15, 1993
@ 4:14 p.m.

Tax & entry Pd 7-21-93 $15.~~00~~ 50
state Pd 7-21-93 5.00

PROTECTION FROM ABUSE ACTION CERTIFIED FROM THE COURT OF COMMON PLEAS OF VENANGO COUNTY, PENNSYLVANIA------
AD 1993 - 1140

1 copy (county control)

TEMPORARY ORDER:

AND NOW, this 12 dayof july 1993, upon review of the petition of plff, the court enters the following order:

1. the dft. shall refrain from abusing, harassing, and threatening the plff. in any place where she may be found.

2. Dft. is enjoined and prohibited from living at, entering, attempting to enter or visiting the residence located at Box 34, Cranberry, Pa. venango County, Pa. and any subsequent residence in which plff resides during the pendency of this order, and plff. is granted exclusive possession of premises.

4. The plaintiff is awarded temporary custody. No.

8. The order shall be enforced by any law enforcement agency in a county where a violation of this order occurs.

12. A hearing shall be held on the 21 day of July 1993 at 8:30 a.m. in Courtroom No. 1 of the Court of Common Pleas of Venango County, located at Franklin, Pa.

13. This is an order of court,. Any violation of this order shall constitute contempt of court and may be punishable by a fine up to $1000 and a jail sentence of up to six months.

If this order exc ludes you from the residence of the abuse and you resume residence in that domicile, you may be in indirect crim.contempt and punished as above. Consent or invitation of the abused plff to the resumption of residence shall not invalidate this order.

BY THE COURT,

_____Venango County Judge (illegible)

ORDER FOR REVIEW: AND NOW, this 12 dayof July 1993, upon the request of plff. and because the court concludes that service can best be effected by a law enforcement agency,

It is ordered that the sheriff (or other law enforcement agency) serve the dft. with the Petition, order and notice. Servcie shall be effected as soon as possible, and, in any event, service efforts must commence no later than 24 hrs. after the entry of the Temporary order.

The service info sheet shall be attached to this order and conveyed by Pro to sheriff at the time of filing. Upon completing service the verification of service shall be forthwith and immediately returned to the Pro by the law enforce. agency making service.

BY THE COURT,

_____Venango County Judge (illegible)

1993

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

699.

Knox, McLaughlin Gornall
& Sennett,
Richard A. Lanzillo

SECO/WARWICK CORPORATION

vs.

NICHOLS - HOMESHIELD, INC.

Filed July 16, 1993
@ 10:27 a.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	85.00

NON-JURY TRIAL

COMPLAINT

2 copies (sheriff)

Aug. 31, 1993 Appearance of Knox McLaughlin Gornall & Sennett P.C. by Richard A. Lanzillo, Esquire for Defendant, Nichols-Homeshield, Inc. filed.

Aug. 31, 1993 Answer and New Matter filed.

Sept. 14, 1993 Plaintiff's Reply To Defendant's New Matter filed.

Oct. 26, 1993 SHERIFF'S RETURN, filed. SERVED Nichols - Homeshield, Inc. c/o CT Corporation Systems, by deputizing the Sheriff of Philadelphia County, Pa., as per his Affidavit of Service attached. Served on August 2, 1993 at 11:00 AM at 1635 Market Street, Philadelphia, PA 19103.

SERVED Nichols - Homeshield, Inc. by Certified Mail at their last known address of 1725 Rockingham Road, P.O. Box 3808, Davenport IA 52808. Served on July 22, 1993 as per signed Return Receipt attached.

So answers, Robert M. Stevens, Sheriff

SHERIFF'S RETURN: SERVED AND MADE KNOWN TO Nicholas - Homeahield Corp. Defendant Company by handing a tarue and attested copy of the within Summons/Complaitn, issued in the above captioned matter on Aug. 2nd, 1993, at 11:00 A.M. at 1635 Market t - Ct Corp., in the County of Philadelphia, State of Pennsylvanai, to Maria Chambers agent or person for the time being in charge of defendant's office or usual place of business.

So answers, John d. Green, Sheriff

Nov. 3, 1993 Notice of Intent to Complete Discovery, filed.

Feb. 24, 1994 Certificate of Readiness filed.

Apr. 7, 1994 Plaintiff's Motion for Pretrial Conference and ORDER filed. AND NOW, this 28 day of March, 1994, upon consideration of Plaintiff's Motion, it is hereby ordered that a Pretrial Conference is scheduled in the above matter for the 5 day of April, 1994 at 10 A.M. before Judge Thomas.

By the Court:
Anthony J. Vardaro, J.

4-12-94 Copy of Order to Attys. Stack & Lanzillo

Apr. 7, 1994 PRETRIAL MEMORANDUM filed. AND NOW, April 5, 1994 the matter is before the undersigned Court for a pretrial conference. The Court notes a compánion case in the Federal District Court in Iowa between the parties, which is reported not yet ready for trial with a tentative trial date some time in January, 1995.

The pretrial narrative of the Plaintiff generally sets forth the facts and the thrust of the Plaintiff;s argument this date is that the Defendant Nichols accepted the cooler and while they contend that it malfunctioned or did not meet specifications they never rescinded the acceptance in accord with §2608 of the Commercial Code. The defense is that the malfunctioning of the cooler can be shows as a defense in Seco's claim to recover the unpaid balance due on the contract. Seco contends that this has to be raised by way of a counterclaim and Nichols has not done so and accordingly is precluded from raising a defense of a malfunctioning product.

Nichols, however, contends that the malfunctioning of the product, even though accpetance was never rescinded, can be used as a set off against the claim.

Compounding the Crawford County case is the Federal case in which Nichols bring suit against Seco generally, contending that the product delivered was substandard, that the nonpayment of the final installment of some $35,000 was justified and presenting in the Federal case a damage claim relating to the substandard functioning of the Dross cooler.

Seco postulates that Nichols has arranged the pleadings to eliminate a counterclaim which they prefer to exert as their main claim of product defect in the Federal case in Iowa, because of the number of witnesses that will be necessary to prove the alleged defects are more readily available in Iowa than having to transport them to Pennsylvania.

Counsel for Nichols advises the Court some type of supplemental pleading will be presented to frame the issue of whether a set-off frame as a general defective product can be used as a defense to the Crawford County Seco claim for the balance due on the purchase price.

Thus, apparently the Court will be called upon to decide this procedural matter before the non-jury trial in June.

To effectuate the above, counsel for Nichols agrees that on or before April 19th, appropriate supplemental motions or pleadings will be filed and if either party believes the matter should be argued before the Court, t hey may file a motion for special argument on or before May 1. In regard to the filing of additional pleadings or motions, counsel for Nichols will also file a pretrial narrative by the aforesaid April 19th date.

The Court notes, however, that both counsel admit their is some possibility of settling one or both of the lawsuits and this Court urges counsel to diligently pursue the efforts to settle or considerably narrow the focus of the Crawford County non-jury case.

After May 1, 1994 counsel for the Plaintiff and Defendant will confer and counsel for the Plaintiff will present a motion to the Court Administrator of Crawford County to set a date for a non jury trial, listing on said motion the dates that both counsel agree would be inconvenient for them.

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

4-7-94 Copies dist. to Stack & Lanzillo

Apr. 25, 1994 ORDER filed. AND NOW, this 22nd day of April, 1994, non-jury trials are hereby scheduled in the following cases on the dates and at the times set forth below:

# on April '94 Civil Trial List	Caption (abbrvd.) & Docket Number	Non-Jury Trial Date and Time; Courtroom
#14 (Late addition)	Seco-Warwick v. Nichols-Homeshield, Inc. AD 1993 - 699	Trial date to be set on motion of party per pre-trial order.

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

4/25/94 Copies mailed by Ct. Administrator

Record Continued to Page 463.....

250

1993

700.

CLEOTHA MILLER

vs.

DONALD ERWIN MILLER

Filed July 16, 1993
@ 1:42 PM

Tax & entry Pd. 8/17/93 50.50
User's Fee pd. 8/17/93 5.00
Sheriff's Costs Pd. 25.00
Pro. Co. Pd. 8/17/93 9.00

8-17-93 Rec from Pltf Sheriff Costs 25.00
8-17-93 Pd Sheriff ck # 7733 25.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 16 day of July , 19 93 , 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 Plantiff shall have exclusive possession ofthe marital home pending further order of court.

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

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

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

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

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

8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the July 26, 1993 , at 3:30 p.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF THE COURT,

July 20, 1993 SHERIFF'S RETURN filed. SERVED Donald E. Miller personally on July 19, 1993 at 9:50 AM by handing a copy of the Protection from Abuse to him at 1099 South Main Street in the upstairs apartment, Meadville, Crawford County, Pa.
So answers, Dale A. Collins, Chief Deputy Sheriff
Robert M. Stevens, Sheriff

July 28, 1993 ORDER filed. AND NOW, July 26, 1993, at the time fixed for in this matter, the plaintiff appeared with counsel. The defendant appeared without counsel. Apparently, the parties are attempting to work out their differences. The plaintiff desires to withdraw this action. Based upon the plaintiff's representations, this case is DISMISSED without any further proceedings.

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

The plaintiff shall pay court costs in the amount of $89.50 to the Prothonotary no later than Aug. 6, 1993.

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

July 28, 1993 Copies distributed to Atty. Brode, Co. Control, MCPD; July 30, 1993 copy mailed to Plf.

1993

Roeder & Rothschild
Richard W. Roeder

701.

John F. Spartaro

IRENE BURROWS

vs.

CHARLES L. WHITMAN and
CLAUDIA J. WHITMAN

Filed July 16, 1993
@ 3:33 PM

Tax & entry paid 50.50
User's Fee paid 5.00

PETITION TO SET ASIDE TAX SALE

Order:

AND NOW, this 12th day of July, 1993, upon presentation and consideration of the foregoing Petition to Set Aside Tax Sale, IT IS HEREBY ORDERED AS FOLLOWS:

1. The said Petition is hereby granted.
2. The hearing on said Petition is hereby scheduled for the 11th day of August, 1993, at 1:30 o'clock p.m. prevailing time, in Courtroom Number 1 or 2 of the Crawford County Courthouse, Meadvill Pennsylvania.

BY THE COURT,
Gordon R. Miller, J

July 20, 1993 Copies of order to Atty. Roeder, Joe Galbo and Fred Wagner

Aug. 12,1993 ORDER filed. AND NOW, August 11, 1993, this matter is before the Court on a petition to set aside tax sale filed by Irene Burrows. The petition was filed by counsel, butcounsel does not appear this day with his client and the record does not disclose to the Court whether or not the purported purchasers of the real estate, Charles L. and Claudia J. Whitman, have received notice of this hearing.

Accordingly this hearing is continued until August 27, 1993, at 1:00 p.m. in Courtroom Number One or Two at the Crawford County Courthouse.

The County Solicitor shall notify all the appropriate parties, including Charles L.Whitman and Claudia J. Whitman of this hearing by certified mail, return receipt requested.

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

Aug 12, 1993 copies dist to Roeder & Wagner (treas.) & 3 cert copies to Spataro

Aug. 30, 1993 Certification of Service filed. AND NOW,this 27th day of August, 1993, comes the undersigned,John F.Spataro, County Solicitor, whoc represent that he has notified all appropriate parties of the holding of a hearing in this matter for August 27,1993 at 1:00 p.m. and that the notice sent to Charles L.Whitman and Claudia J.Whitman was sent by certified mail, return receipt requested. Attached hereto and made a part herof is the original sender;s receipt and return receipt.

John J. Spataro, Solicitor

Aug. 30, 1993 ORDER filed. AND NOW, August 27, 1993, at the time set for hearing with respect to the Plaintiff's Petition to set aside tax sale, the Court determines initially that the bid of Charles L. Whitman and Claudia J.Whitman to purchase said property from the County Treasurer in the amount of $100.00 is not adequate.

A minimum value for the property is set at $325.00 and the Deputy County Treasurer conducts an auction within the courtroom withthe Plaintiff and the Defendant, Charles L.Whitman,present.

As a result of that auction,the successful bidder is Irene Burrows in the amountoof $425.00 and she shall, therefore, tender that amount forthwith to theTAx Claim Bureau and the Tax Claim shall issue an appropriate deed as soon as practicable.

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

Aug. 30, 1993 Copy of Order to Attys. Roeder, Spataro and Fred Wagner

1993

John S. Kookogey 702.	CHERI L. CLICKETT vs. JASON A. CLICKETT Filed July 19, 1993 @ 9:16 AM Tax & entry paid 50.50 User's Fee paid 15.00 2 Add'l Counts pd 30.00 State paid 10.00 Pro.Co.pd 4/19/94 5.00	COMPLAINT UNDER SECTION 201(d) OF THE DIVORCE CODE, EQUITABLE DISTRIBUTION, ALIMONY, ALIMONY PENDENTE LITE, COUNSEL FEES AND COSTS. 1 copy atty. Apr. 19, 1994 UponPraecipe of John S. Kookogey, Esquire, Attorney for plaintiff, the above captioned action is marked discontinued of record.

1993

Bernard, Stuczynski
& Bonanti
Bruce W. Bernard

703.

MELLON BANK (NORTH) NATIONAL ASSOCIATION, now by merger MELLON BANK N.A.

vs.

MARY E. HUBER

Filed July 19, 1993
@ 1:28 PM

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

COMPLAINT IN MORTGAGE FORECLOSURE
1 copy Sheriff

Aug. 10, 1993 Sheriff's Return filed. SERVED Mary E. Huber personally on August 4, 1993 at 10:43 AM by handing her a copy of the Complaint at her residence, R.D.#8, Box 670, Meadville, Crawford County, PA.

So answers,

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

254

1993

MacDonald, Illig,
Jones & Britton
Susan Fuhrer Reiter

704.

ERIE-CRAWFORD COOPERATIVE

vs.

HAROLD W. SCHMIDT, LUCILLE M. SCHMIDT, JOSEPH O. SCHMIDT, and ELAINE C. SCHMIDT

Filed July 19, 1993
@ 1:27 PM

Tax & entry paid 50.50
User's Fee paid 5.00

COMPLAINT IN CIVIL ACTION
4 copies atty.

1993

Thomas, Truax,
Spadafore & Walker
William L. Walker

705.

Leo Michael Agnew
Robert George Agnew
party pl'ffs.

PAUL E. GEHR, JR. and ALICE J. GEHR, his wife, LEROY BELL and SHIRELY J. BELL, his wife; NILES W. SHELLITO: LORENE ELFORD: KENNETH J. MOOK and DAISY D. MOOK, his wife; CLYDE SHERMAN ALLEN; LESLIE E. ALLEN, JAMES RODNEY ALLEN, WILLIAM C. GALE, JOSEPH URBANIC and CHARLOTTE URBANIC his wife; and MARJORIE M. AGNEW, CARL H. SHERETTS, individually and on behalf of all other persons similarly situated

vs.

MITCHELL ENERGY CORPORATION

CLASS ACTION COMPLAINT
1 copy Sheriff

July 27, 1993 Sheriff's Return filed. SERVED Mitchell Energy Corporation by Certified Mail at their last known address of 2001 Timberlock Place, P.O. Box 4000, The Woodlands, Texas 77387-4000. Signed return Receipt is attached. Served on July 23, 1993.
So answers, Robert M. Stevens, Sheriff

Aug. 12, 1993 Preliminary Objections, filed.

Sept. 1, 1993 Answer To Preliminary Objections, filed.

Sept. 27, 1993 Upon praecipe of Plaintiff Attorney the above Preliminary Objections are placed on the next available argument list.

ON 1993 OCTOBER ARGUMENT LIST

James P. Hollihan

Louis J. Stack
Paul D. Shafer
for defendant

also send copies of all orders to Jerome Weiss, Esq 630 Leader Bldg 526 Superior Ave Cleve. OH 44114-1491

Filed July 19, 1993
@ 4:04 PM

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

March 24, 1994 MEMORANDUM AND ORDER filed. AND NOW, March 23, 1994, it is ordered as follows:
1. Except as hereinafter provided the defendant's preliminary objections are denied.
2. The following preliminary objections are granted:
a. The plaintiffs' claim for attorneys fees is stricken.
b. Paragraphs 2, 3, 19, 21 and 48 of the plaintiffs' complaint are stricken.
c. Those portions of paragraphs 23 and 27 of the plaintiffs' complaint making reference to a prior court order are stricken.
d. Counts based on lease provisions which differ materially shall be set out separately.
3. The plaintiffs are given twenty days from this date to file an amended complaint if they are able to do so with respect to the stricken portions only.
BY ORDER OF COURT
Gordon R. Miller, P.J.
March 24, 1994 Copies of Order distributed to Attys. Hollihan, Walker, Waine and Stack.

Apr. 12, 1994 First Amended Class Action Complaint filed.

May 18, 1994 Mitchell Energy Corporation's Answer and New Matter to First Amended Class Action Complaint, filed.

Jun. 7, 1994 Reply to New Matter, filed.

July 6, 1994 Motion For Class Certification and Order, filed. AND NOW, this 12 day of July, 1994, upon consideration of the foregoing Motion for Class Certification, a hearing is hereby scheduled to consider teh matter for the 26 th day of August, 1994, at 9:00 o'clock A.M. in Cour Room No. 1 of the Crawford County Courthouse. BY THE COURT:
P. Richard Thomas, S. J.
July 13, 1994 Faxed Walker, Hollihan, Stack, Shafer

July 22, 1994 Defendant's Response to Motion for Class Certification filed.

Aug. 16, 1994 Voluntary Substitution of Carol Gale, Executrix of the Estate of William C. Gale, as a Party Plaintiff, filed.

Aug. 25, 1994 Memorandum filed. 8-25-94 copies dist to Shafer, Stack & Walker

Aug. 25, 1994 Mitchell Energy's Motion For Continuance of Class Certification Hearing, filed.

Aug. 25, 1994 ORDER filed. AND NOW, this 24th day of August, 1994, upon consideration and hearing, the Defendant's Motion for Continuance of the class certification hearign scheduled for Friday, August 26, 1994, it is hereby ordered that the class certification hearing is continued until the 27th day of October, 1994 at 1:00 p.m. in Court Room No. 1. The court has scheduled this for one afternoon.
By the Court.
Gordon R. Miller, P.J.
Aug 25, 1994 Faxed Shafer, Stack & Walker

Oct. 18, 1994 Motion to Amend Complaint and ORDER filed. AND NOW, THIS 17th day of October, 1994, upon consideration of the foregoing Motion to AmendComplaint, a hearing and argument will be held on October 27, 1994,at 1:00 P.M. in Court room No.1 of the Crawford County Courthouse to determine whether or not the Amendment requested in the foregoing Motion will be permitted by the court.
BY THE COURT:
Gordon R. Miller, J.
10-18-94 Faxed Attys.Stack & Walker

Oct. 27, 1994 Plaintiff's proposed Findings of Fact & Conclusions of Law on Motion for Class Certification, filed.
Nov. 1, 1994 Verification For Reply To New Matter filed.
Nov. 1, 1994 Vertification forAmended Complaint filed.

see Page 477

Continued to Page 477

1993

Barbara J. Walton

706.

Ferguson & Spataro
Douglas W. Ferguson

7/20/93 $150.00
deposited by Planitiff
9-16-93 Ltr plf/ Medrefund
ch# 7786 150+

SUSAN SULECKI

vs.

RICHARD M. SULECKI

Filed July 20, 1993
@ 2:18 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts pd	30.00
State paid	10.00
Pro Co Pd 8-29-95	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, CUSTODY
1 copy med.; 1 copy atty.

Order:
You, Richard Sulecki, have been sued in Court to obtain custody of Samantha R. Sulecki.
You are ORDERED to appear in person at such time and place as will be determined by the Mediator William Pineo, Esq., for a mediation conference.
If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.
YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE, IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.
Court Administrator
Courthouse
Meadville, PA 16335
(814) 336-1551, ext. 298
Date: July 19, 1993 Gordon R. Miller, J

July 23, 1993 Appearance of Ferguson & Spataro by Douglas W. Ferguson for Defendant filed.

July 23, 1993 Acceptance of Service filed. The undersigned, Douglas W. Ferguson, Esq., Attorney for the Defendant in the above case, does hereby accept service of the certified copy of the Complaint in Divorce filed in the above captioned matter on behalf of the Defendant, Richard M. Sulecki, and certify that I am authorized to do so by the Defendant.
July 23, 1993 Douglas W. Ferguson

Sept. 16, 1993 Motion for Refund of Mediation Deposit and Order filed. AND NOW, September 15, 1993, this Court orders that the Prothonotary's Office refund to Plaintiff's attorney for Plaintiff the amount of $150.00 which is the full amount of Plaintiff's mediation deposit.
By the Court:
Anthony J. Vardaro ,J

Sept. 22, 1993 Copies of order to Atty's Walton and Ferguson

Sept. 23, 1993 CONSENT CUSTODY ORDER filed. AND NOW, this 21st day of Sept., 1993, upon Stipulation of the above captioned Plaintiff and Defendant in regard to the above custody action, it is hereby ORDERED AND DECREED that:

1) The parties shall share legal and physical custody of the parties' minor child, Samantha Sulecki born July 25, 1990.

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 toeither party any and all confidential information which they may have regarding the subject minor child.

3) The subject minor child shall reside with her mothr who shall be the primary custodial parent of the child, subject to the father having temporary physical custody and visitation as follows:

a. The father shall have the child in his temporary physical custody every other weekend commencing at approximately 6:00 p.m. Friday through and including sunday at 6:00 p.m. Said weekend visits to commence with the weekend of Aug. 27, 1993.

b. In addition to the weekend visits set forth in subparagraph "a" the father shall have the minor child in his temporary physical custody one Sunday per month from approximately 9:00 a.m. to 6:00 p.m. local prevailing time. Said Sunday visit shall occur on the first Sunday of the month, unless that Sunday falls on one of father's regularly scheduled visits as set fort in subparagraph "a" of this Order in which case, the Sunday visit shall take place on the second Sunday of the month.

c. The parent receiving the child shall be responsible for the child's transportation of either delivery or pickup of he minor child. However, th father shall be solely responsible for the pick up and delivery of the child for the one Sunday visit per month as set forth in subparagraph "b" of this Order.

HOLIDAY VISITATION:

Holiday visitation shall be arranged as follows:

a. On Thanksgiving, Christmas and Easter, the minor child shall be in the home of the mother until approximately 2:00 p.m. Thereafater, she shall be in the home of the father until approximately 9:00 p.m. It shall be the responsibility of the father to pick the child up at the home of the mother on said holiday visits and for the mother to pick the child up at the home of the father at the end of the holiday visits.

b. With regard to the child's birthdays, the parties shall make mutual arrangements that the child shall spend an appropriate amount of time with each parent on the child's birthday. If in fact the parties cannot agree on specified tiems, the mother shall have the child until approximately 5:00 p.m. on the child's birthday and thereafter the child shall be in the home of the father until approximately 9:00 p.m. The provisions of this paragraph shall take precedence over the other provisions of the Ordr relating to custodial or visitation periods. The paraties shall split the transportation for said birthday visits with the father picking the child up at the mother's home and the mother picking the child up at the father's home at the end of said birthday visit.

4. SPECIAL PROVISIONS:

A. Neither parent shall have a person of the opposite sex not related to the child by blood or marriage in the home of the parent after 8:00 p.m local pevailing time during any time the minor child are at the residence of either parent.

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

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

7. 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 epermit others to do so in a closed automobile in which the child is being transported or in the bedroom of the child.

8. Any person transporting the child shall maek sure that the seatbelts or other restraints are used in accordance with the laws of Pennsylvania.

RECORD CONTINUED ON PAGE 256 (a).....

SUSAN SULECKI

VS.

RICHARD M. SULECKI

RECORD CONTINUED FROM PAGE 256

OF

AD 1993 - 706

****

9. Neitherparty 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. Both paraties shall promptly furnish information regarding school events and social events in which the parties would be expected to participate and such information shall be furnished to the other party in a timely fashion in order that the other party may attend said event or function if he or she so desires.

11. Each party shall make sure that he or she will provide transportation and encouragement for the subject minor child to participate in the athletic and scholastic programs and competitions provided by the child's school.

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

BY THE COURT:
Gordon R. Miller, J.

Oct. 1, 1993 Copy of Order to Attys. Barbara Walton and Douglas Ferguson.

Oct. 15, 1993 Affidavit of Consent of Divorce of Plaintiff filed.

June 27, 1995, Affidavit Under Section 3301(d) of the Divorce Code (of plaintiff) filed.

July 10, 1995, Affidavit of Service of Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code, filed.

Aug 9, 1995 Affidavit of Service of Notice of Intention to Request Entry of Divorce Decree, filed.

Aug. 22, 1995, Defendants Counter-Affidavit Under sect. 3301(d) of the Divorce Code filed.

Aug 28, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

Sept. 1, 1995, this div. matter has been referred to court for review and decree. the court has reviewed the record and is returning the record toProthonotary. A final decree will not be entered atthis time because:

Exonomic and other issues or counts have been raisedin the pleadings or by petition which are not being disposed of by stipulation, withdrawal or hearing. To grant a div. decree without a resolution fo those other issues would be tantamount to an improper bifurcation.

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

by the court,
Anthony J. Vardaro, J.

9/1/95 dist. to walton and ferguson.

Sept. 12, 1995, Petition to Withdraw Grounds for Divorce and Order filed. ORDER: AND NOW, upon presentation of the Petition for Withdrawal of Grounds for Divorce, it is herebyordered that the request for Equitable Distribution is withdrawn.

By the Court:
Gordon R. Miller, J.

9/12/95 faxed to Ferguson, given Walton.

Sept 14, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Sept. 19, 1995 AND NOW, this 19 day of September, 1995, upon presentation of the Stipulation and Consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED AND DECREED that SUSAN SULECKI, Plaintiff, and RICHARD M. SULECKI, 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.

1993

Barbara J. Walton

707

William J. gregg

LAVINA SCHULZ-PETERS

vs.

ANTON SCHULZ-PETERS

Filed July 20, 1993
@ 2:36 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count pd	15.00
State paid	10.00
Pro Co pd 11-5-93	9.00
Pro Co pd 12-3-93	5.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy atty.

July 29, 1993 AFFIDAVIT OF SERVICE, filed. And Now, July 29, 1993, comes Lisa M. Sherretts and states the following:

1. That she is the legal assistant of Attorney for Lavina Schulz-Peters, Plaintiff in the above-captioned matter.

2. That on information furnished her by the Plaintiff, she caused a certified copy of the Complaint for Divorce to be forwarded by Certified Mail, P341 728 844; to the last known address of the Defendant, Anton Schulz-Peters, 120 Erie Street, Box 34, Linesville, Pennsylvania.

3. That the Defendant, Anton Schulz-Peters, on July 26, 1993, personally signed the return receipt card which was affixed to the Complaint for Divorce in the above-matter and which is attached hereto.

4. Service of the Complaint for Divorce against Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.

I verify that the statements made in this Affidavit of Service are true and correct to the best of my knowledge and information. I understand tht false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities.
July 29, 1993 (1 copy atty)

Nov. 1, 1993 Marriage Settlement Agreement, filed.

Nov. 5, 1993 Affidavit of Consent of Plaintiff, filed.

Nov. 5, 1993 Affidavit of Consent of Defendant, filed.

Nov. 5, 1993 Upon praecipe of plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Nov. 19, 1993 AND NOW, November 17, 1993, it is hereby ordered and decreed that LAVINA SCHULZ-PETERS, Plaintiff, and ANTON SCHULZ-PETERS, Defendant, are divorced from the bonds of matrimony.

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

BY THE COURT:
Anthony J. Vardaro, J.

Dec. 3,1993 Notice of Election To Retake Prior Name, filed. LAVINA SCHULZ-PETERS to be known as LAVINA RUNG.

1993

Barbara J. Walton

708.

PATRICIA ORR

vs.

HERBERT G. ORR

Filed July 20, 1993
@ 2:36 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts pd	30.00
State paid	10.00
Pro Co od 1-7-94	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, CUSTODY
1 copy atty.

Sept. 21, 1993 Affidavit of Service filed. And Now, September 20, 1993, comes Barbara J. Walton, and avers as follows:

1. A true and correct copy of the Complaint for Divorce was mailed to the Defendant via Certified Mail, return receipt on July 22, 1993.

2. That the Defendant signed the return card on July 30, 1993 and in accordance with Pa. R.C.P. 412, service of the Complaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No. P 341728845) attached hereto as Exhibit A.

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

Barbara J. Walton

Nov. 9, 1993 Property Settlement Agreement filed. 1 copy atty.

Nov. 23, 1993 Affidavit of Consent by Patricia Orr, Plaintiff, filed.

Nov. 29, 1993, Affidavit of Consent of defendant filed.

Jan. 7, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Jan. 17, 1994 AND NOW, this 14th day of January, 1994, upon presentation of the Stipulation and consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED AND DECREED that:

1. The bonds of marriage between Plaintiff, PATRICIA ORR, and defendant, HERBERT G. ORR, are dissolved because the marriage is irretrievably broken. Plaintiff and Defendant are divorced from the bonds of matrimony.

AND IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that the terms, provisions and conditions of the Property Settlement Agreement between the parties herein, dated Sept. 23, 1993 shall be incorporated in this decree and order by reference as fully as though the same were set forth herein, at length.

1. Plaintiff and Defendant have reached an agreement as to the equitable distribution of property and debt as provided in the Property Settlement Agreement.

2. Legal custody of the minor child, CARINA ORR, shall be shred between the parties. Primary physical custody of the minor child shall be with the Father during the school year from Monday to Friday. Mother shall have primary physical custody of the minor child on weekends and during the summer. All other visitation shall be as provided in the Property Settlement Agreement dated Sept. 23, 1993.

3. This Honorable Court shall retain jurisdiction of this matter.

BY THE COURT:
Anthony J. Vardaro, J.

Aug. 25, 1994 Addendum to Property Settlement Agreement, filed.

1993

Quinn, Buseck,
Leemhuis, Toohey &
Kroto, Inc.
Lawrence C. Bolla

709.

NATIONAL FUEL GAS
DISTRIBUTION CORPORATION

vs.

JOHN C. REID

Filed July 20, 1993
@ 2:36 PM

Tax & entry paid	50.50
User's Fee paid	5.00
sheriffs costs	30.00
Pro Co pd 10-7-93	9.00
Exemp. of Record pd	10.00

EX 1993-97

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Aug. 17, 1993, Sheriffs Return filed. SERVED John C. Reid personally on Aug. 13, 1993 at 8:58 a.m. by handing a copy of the complaint to him in Sheriffs Office, third floor, Crawford County Courthouse, Meadville Pa.
So answers, Diane Brittain, Dep. Sheriff
Robert M. Stevens, sheriff

And Now, Oct. 7, 1993, uponpraecipe of plaintiff's attorney judgment is entered in favor of the plaintiff and against the defendant for want of an answer and the same is liquidated at the sum of One Thousand Four Hundred Thirty Seven Dollars and 29/100 plus interest from July 21, 1993 and all costs of suit.
Entered 10-7-93 Debt: $1,437.29 plus interes & Costs
R - 93 JUDGMENT
Barbara H. King, Pro.

1993

William J. Gregg

710.

CRAIG A. HARBAUGH

vs.

THE DUCK WALK INN,. INC.

Filed July 20, 1993
@ 3:09 PM

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

COMPLAINT IN MORTGAGE FORECLOSURE
1 copy atty.

Aug. 10, 1993 Sheriff's Return filed. SERVED The DuckWalk Inn., Inc. on July 30, 1993 at 3:03 PM by handing a copy of theComplaint to Gina Allen,Authorized Agent, inthe Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA. Signed Acceptance of Service attached.

So answers,

Carole Stefanucci, Deputy Sheriff
Robert M.Stevens, Sheriff

1993

Barrett & Dratler
Bruce A. Barrett

711.

Brian Lindsay
Peters, Lindsay, Lewis and Hatheway

JOSEPH EARL STETSON

vs.

LYNETTA KAY STETSON

Filed July 26, 1993
@ 3:46 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 10/15/98	9.00

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

July 26, 1993 Affidavit of Service filed. I, Bruce A. Barrett, Esquire, being duly sworn, deposes and says that the following facts in support of his Affidavit of Service are true and correct to the best of his knowledge, information and belief.

1. That affiant is the Attorney for the Plaintiff in the above captioned action.
2. A copy of the Divorce Complaint was sent by restricted, certified mail to the Defendant in the above captioned matter.
3. The restricted, certified mail was sent to RD 2, Box 371, Linesville, PA 16424, July 10, 1993. The Sender's receipt is attached hereto.
4. The Defendant received s aid restricted, certified mail on July 20, 1993. Said receipt card number 147 766 780 is attached hereto.
5. The return receipt card was returned after signature to the office of Bruce A. Barrett, Esq., 965 South Main Street, Meadville, Pa 16335 on July 23, 1993.

Bruce A. Barrett

Aug. 11, 1997 Answer and Counterclaim filed.

Aug. 12, 1997 Affidavit Under Sect. 3301(d) of the Divorce Code filed.

Aug. 13, 1997 Cert. of Service of Affidavit of Separation and Counterclaim for separation filed.

Aug. 13, 1997 Cert. of Service of Answer and Counterclaim in Divorce filed.

Sept. 3, 1997 Affidavit of consent of plaintiff filed.

***

Oct. 6, 1997 Mtoion To Be Excused From Attending Seminar for Separating Parents and Order filed. And now, this 3 day of October, 1997, upon receipt and review of the Defendant's motion to be excused form attending the Seminar for Separating Parents, said mtoion is granted and both Plaintiff and Defendant are excused from attending the seminar.

BY THE COURT,
Anthony J. Vardaro, J

10-7-97 Faxed Barrentt & Lindsay

***

Sept. 24, 1998 Affidavit of Consent of Defendant filed.

Sept. 24, 1998 Motion To Withdraw Answer and Counterclaim to the Divorce Complaint filed.

Sept. 24, 1998 Waiver of Notice of Intention To Request Entry of Divorce Decree of Defendant filed.

Sept. 25, 1998 Waiver of Notice of Intention To Request Entry of a Divorce Decree Under 3301(c) of the Divorce Code of Plaintiff filed.

Sept. 28, 1998 Upon praecipe of Plaintiff ATtorney To Transmit Record, this case moved to Court.

DIVORCE DECREE FILED

Oct. 23, 1998 AND NOW, October 19, 1998, it is hereby ordered and decreed that JOSEPH EARL STETSON, Plaintiff, and LYNETTA KAY STETSON, Defendant, are divorced from the bonds of matrimony.

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

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

BY THE COURT,
Anthony J. Vardaro, J.

1993

Dennis G. Kuftic

712.

~~HARRY FADER WHITE~~ withdrawn
Lori A. Maurer

ALLEN R. VARNER

vs.

MICHELLE L. VARNER

Filed July 21, 1993
@ 10:21 AM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00
John Fuller, Mediator	180.00
Pro Co Pd 12-24-93 7984	9.00
Pro Co. pd 3/23/94	9.00
Pro Co pd 5-11-98	9.00
John Fuller, Mediator	120.00
Pro Co	9.00

10-19-93 Received from dft Med dep 150.00
12-2-93 Pd dft Bal Med dep. Ck # 7939 white 51.00
Pd 12-24-93 Co Ck # 7983 90.00
12-10-93 Rec from Plf Med Fees 90.00
6-9-94 Pd Cock 4835 90.00
3-3-98 Rec from plf med. dept 200.00
May 11, 1998 pd C.C. Comm. $100.50 Ck 11963
May 11, 1998 Ref. plf. $90.50 Ck 11962
12-15-98 Rec from plf med fee 64.50
12-18-98 Pd Co 64.50
Mar. 1, 1999 Deposited from ~~Plf~~ $200.00
July 1, 1999 pd County $164.02 Ck #
July 1, 1999 Refund plf. $35.98 Ck #

COMPLAINT IN DIVORCE, CUSTODY, MARITAL PROPERTY
1 copy (atty)

Oct. 25, 1993 Motion For Appointment Of Child Custody Mediator and Order, filed. AND NOW, this day of October, 1993, John Fuller, Esq. is appointed Child Custody Mediator in the above captioned matter. Anthony J. Vardaro, J.
Nov. 3, 1993 copy to D. Kuftic, H. White, J. Fuller

Dec. 2, 1993 ORDER filed. AND NOW, November 24, 1993 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS TO-WIT:

I. Legal custody of Michael Ray Varner shall be shared between the mother and the father, the plaintiff and defendant herein, that is, each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions affecting the child such as the education, medical treatment and religious instrution of the subject child.

II. Physical custody of Michael Ray Varner shall be with his Father, subject to the following conditions:

A. The Mother shall be entitled to visit and take the child into her custody every other weekend from 6:00 o'clock p.m. on Friday to 7:00 o'clock p.m. on Sunday, beginning December 3, 1993. Mother shall also be able one (1) evening each week to take the child for a two (2) hour visit. Mother shall notify Father at least twenty-four (24) hours in advance of the time of the visit.

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

C. Beginning with theSummer of 1994, the child shall be in the custody of the Mother for a period of three (3) weeks. The Mother shall give the Father at least thirty (30) days notice of the dates of the Summer visit.

D. Transportation of the child on week ends, holidays and Summer visits shall be equally divided with the Mother picking up the child at Father's home at the beginning of a visit and the Father picking up the child at Mother's home at the end of a visit.

E. Neither mother nor father shall say or do anything in an attempt to turn the child against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the child towards both parents.

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

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

H. For a period of two (2) months (December 1993 and January 1994) Mother shall not permit a man, not related to her by blood or marriage, to be present at any time during a custodial period. After February 1, 1994 Mother shall not permit a man, not related by blood or marriage, to be present in her home after 9:00 o'clock p.m. when the child is in her custody.

I. Both parents have agreed and are, therefore, ordered to attend the next seminar in Erie County on "Children Coping With Divorce".

J. Neither parent shall remove the child from an area encompassing Erie County and Crawford County without the consent of the other parent.

K. This Order is entered without prejudice to the right of either party to require a further mediation conference or hearing at any time after June 1, 1994.

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

IV. Cost of the mediation conference will be equally divided between between the parties. The Prothonotary of Crawford County is hereby directed to a portion of the deposit paid in advance by the Defendant, less the cost of the custody order. Anthony J. Vardaro, J.
Dec. 7, 1993 copy to J. Fuller, D. Kuftic, H. White, Plf. & Dft.

March 22, 1994 Affidavit of Service filed. Before me, the undersigned Notary Public, personally appeared Dennis G. Kuftic, Esq., attorney for Plaintiff, Allen R. Varner, in the above-captioned case. The affiant deposes and states that he mailed a true and certified copy of a Complaint in Divorce in the above-captioned case to Defendant at c/o Charles Troutner, RD # 1, Cambridge Springs, PA 16403, by certified mail, pursuant to Rule 412 of the Pa. Rules of Civil Procedure. The original of the return receipt is attached to this Affidavit and made a part hereof.
Dennis G. Kuftic, Esq.

March 22, 1994 Affidavit of Consent of plaintiff filed.

March 22, 1994 Affidavit of Consent of defendant filed.

March 22, 1994 Upon praecipe of plaintiff attorney for Review under Section 3301(c) of the Divorce Code, this case moved to Court.

Mar. 24, 1994 ORDER filed. March 24,1994 This divorce matter has been referred to the Court for review and decree. The Court has reviewed the record and is returning the record to the Prothonotary. A final decree will not be entered at this time because:
X The custody mediataor fees have not been paid. Plaintiff owes $90.00.
Either party may file a praecipe to refer the matter back to the Court when the record is in such a state that the parties are entitled to a final decree. BY ORDER OF COURT
Anthony J. Vardaro, J.
Mar. 28, 1994 copy to D. Kuftic, H. White, J. Fuller

April 4, 1994 Upon Praecipe of Dennis G. Kuftic,Esquire, Attorney for Plaintiff, to transmit record, Case moved to Court.

RECORD CONTINUED ON PAGE 500.....

1993

Joanna K. Budde

713.

Joanna K. Budde

WAGNERCREST FARMS, BERNARD WAGNER, PATRICIA WAGNER & DAVID WAGNER

vs.

FARMERS MUTUAL FIRE INS. CO.

Filed July 21, 1993
@ 1:27 PM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro.Co.pd 8/16/93	9.00

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

July 21, 1993 Rule entered upon the Plaintiff to file a Complaint Issued.

July 26, 1993 Proof of Service filed.

And Now, Aug.16, 1993 at 11:27 AM upon Praecipe of Joanna K. Budde, Esquire, Defendant's Attorney, judgment of Non Pros is hereby entered against the plaintiff for failure to file complaint.
W-183;23;133;43. Judgment of Non Pros
8/23/93 Copy of Judg. to Pltfs. Barbara H. King, Prothonotary

Aug. 19, 1993 Praecipe for vacate of Judgment NonPros filed.

Aug. 30, 1993 Answer to Praecipe to Vacate Judgment of Non Pros filed.

Sep. 3, 1993 Answer to Petition for Hearing to Vacate Judgment filed.

Sept. 7, 1993 Petition Court For A Hearing To Vacate Of A Judgment, filed.

Sept. 7, 1993 ORDER filed. AND NOW, September 1, 1993, the Plaintiff through Bernard R. Wagner appears pro se and the Defendant is represented by counsel.
The Plaintiff files a pleading headed "Petition Court for a Hearing to Vacate of a Judgment".
From our review of the document and from our conversation in Motion Court, we believe this to be a petition for relief from a judgment of non pros pursuant to Pa.R.C.P. 3051.
Accordingly, we will treat it as such and we direct the Court Administrator to set this matter down for argument on the next available argument list. BY THE COURT:
Anthony J. Vardaro, J.
Sept. 7, 1993 copy to Crt. Adm by Court.

DEc. 22, 1993 Memorandum and Order filed. AND NOW, December 21, 1993, the petition to vacate judgment non pros with respect to Plaintiffs Bernard Wagner and Wagnercrest Farms is denied.
BY THE COURT,
Anthony J. Vardaro, J
Dec. 21, 1993 Copies dist. to Herzberger, Wagner & Budde

1993

Halliday & Halliday
Michael Halliday

714.

NORMAN A. MARNER

vs.

MARY N. MARNER

Filed July 22, 1993
@ 11:37 AM

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

COMPLAINT IN DIVORCE, CUSTODY
1 copy atty.

Aug. 9, 1993, Appearance and Acceptance of Service filed. Appearance entered in above action and service of and acknowledge of receipt of a certified copy of the Complaint filed in this above action, by defendant filed.

Mar. 12, 1998 Important Notice and Court Order filed. Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 8/9/93 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

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

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

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

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

By the Court,
Anthony J. Vardaro, J

Date: March 12, 1998
Mar. 12, 1998 copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.

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

(See original filed at A.D. 1997 - 702)

1993

715.

Culbertson, Weiss, Schetroma & Schug, PC
Kemp C. Scales

ROXANNE HALL-YOUCINA dba
ROXANNE PHOTOGRAPHY

vs.

McGILL, POWER, BELL & CO.

Filed July 22, 1993
@ 3:42 PM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro.Co.Pd 9/24/93	5.00

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

July 22, 1993 Rule entered upon the Plaintiffs to file a Complaint issued.

July 27, 1993 Proof of Service filed.

Sep. 24, 1993 Upon Praecipe of Glenn A.W.Thompson, Esquire, Attorney for Defendants, the above entitled action settled and discontinued of record.

1993

AGRESTI & AGRESTI
Thomas P.Agresti

716.

DAVEI"S SATELITE SALES/
SERVICE

vs.

HOTEL EVERGREEN

Filed July 23, 1993
@ 10:39 AM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro. Co. pd 9/16/93	9.00

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

July 23, 1993 Proof of Service of Notie of Appeal and Rule to File Complaint, filed.

Aug. 4, 1993 Complaint filed.

And Now, Sep. 16, 1993 at 1:37 PM upon praecipe of plaintiff's attorney, with notice of Intention to file Default judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendant for want of an answer and the same is liquidated at sum of One Thousand Five hundred forty-seven and 50/100 dollars plus interest and costs.

	Debt $1,547.50
E-185	Interest from April 23, 1993
Entered on 9-16-93	Judgment
Atty.Thomas P. Agresti	Barbara H. King
Abstract to Atty.	Prothonotary

EX1993-103

1993

Edgar Snyder &
Associates, P.C.
Michael H. Rosenzweig

717.

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

REBECCA McCLAIN

vs.

JENNIFER KELIHER and JOHN T. KELIHER

Filed July 23, 1993
@ 2:10 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	37.00
Pro Co pd 2-11-94	5.00
Pro Co pd 10-6-94	5.00
Pro Co pd 11-14-94	1.00

JURY TRIAL DEMANDED

WRIT OF SUMMONS
Issued Sheriff

Aug. 10, 1993 Sheriff's Return filed. SERVED Jennifer Keliher prsonally on July 29, 1993 at 2:05 PM by handing her a copy of the Summons in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.
SERVED John T. Keliher on July 29, 1993 at 2:06 PM by handing a copy of the Summons to Jennifer Keliher, his Daughter and Authorized Agent, in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA. Signed Acceptance of Service attached.
So answers,

Diane Brittain,Deputy Sheriff
Robert M.Stevens, Sheriff

Sept. 1, 1993 Appearance of Thomas, Truax, Spadafore and Walker by R. Charles Thomas for Defendants, filed.

Sept. 10, 1993 Praecipe For Rule To File Complaint, filed.
Sept. 10, 1993 (issued atty)

Oct. 8, 1993 Rule is entered on the Plaintiff to file a Complaint or suffer judgment of non pros.

Nove. 3, 1993 Complaint in Civil Action, filed.

Nov. 19, 1993, Verification of Service filed. I hereby certify that a true and correct copy of Complaint was served upon R. C. Thomas, Esq. by sending the same to him at Old Post Office Bldg., 296 chestnut St. Meadville, Pa. 16335 by postage prepaid cert. mail ret. rec. req. this 1st day of Nov. 1993. Said Complaint was received by R. C. Thomas Esq. by evidence of the signed Dom. Ret. Rec. attached hereto as Exhibit 1.
Michael H. Rosenzweig esq

Nov. 29, 1993, Answer to Plaintiff's Complaint filed. 1 copy (atty)

Feb. 3, 1994, Plaintiff's Reply to Defendants' New Matter filed. JURY TRIAL DEMANDED.

Feb. 11, 1994 STIPULATION FOR DISCONTINUANCE AS TO DEFENDANT JOHN T. KELIHER UNDER PA.R.C.P. 229(B), filed.

Oct. 6, 1994 Upon praecipe of Plaintiff's attorney the within-captioned matter is settled and discontinued of record.

1993

Evans, Portnoy &
Quinn
Anita Amato Scaglione

718.

ANGELA LAKE

vs.

MONRO MUFFLER BRAKE, INC.
and MARK BITTNER

Filed July 26, 1993
@ 10:49 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	64.00

WRIT OF SUMMONS
Issued Sheriff

Aug. 25, 1993 Sheriff's Return filed. Sheriff of Erie Co., PA., hereby deputized to serve SUmmons on August 9th, 1993, at 1537 hrs., upon Mark Bittner and upon Monro Muffler Brake, Inc., at 12th and Pittsburgh Ave., Erie Co., Erie, PA 16505 by handing to Mark Bittner, Manager a true and correct copy thereof and made known to him the contents therein.

Robert N. Michel,Sheriff
Erie County

Geraldine Taylor, Deputy Sheriff

1993

William J. Gregg	PATRICIA P. BEERS	COMPLAINT UNDER SECTION 3301(c) OF THE DIVORCE CODE 1 copy atty.
719.	vs.	July 29, 1993 ACCEPTANCE OF SERVICE, filed. AND NOW, this 28th day of July, 1993, comes Raymond E. Beers, Defendant in the above captioned matter and acknowledges that he received a Complaint in Divorce and Notice to Defend in the above captioned matter by hand delivery by the Plaintiff, Patricia Beers. Raymond E. Beers
	RAYMOND E. BEERS	Nov. 8, 1993 Upon Praecipe of plaintiff attorney, the above case marked discontinued.
	Filed July 26, 1993 @ 1:30 PM	
	Tax & entry paid 50.50 User's Fee paid 5.00 State paid 10.00 Pro Co. pd 11/8/93 5.00	

1993

Millstone & Kannensohn
Fredric A. Kannensohn

720.

BANK ONE, YOUNGSTOWN, N.A.

.vs.

DAVID A. DELOSA, DODDIE E. DELOSA, fka DODDIE E. FARRINGTON

Filed July 26, 1993
@ 2:57 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	31.00
Pro Co pd 11-15-93	9.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Aug. 12, 1993 SHERIFF'S RETURN, field. SERVED David A. DElosa on July 29, 1993 at 11:51 AM by handing a copy of the Complaint to Debbie E. DeLosa, his wife, at their residence, RD 3, Box 204, Meadville, Crawford County, Pa.
SERVED Doddie E. DeLosa personally on July 29, 1993 at 11:50 AM by handing a copy of the Complaint to her at the residence, RD 3, Box 204, Meadville, Crawford County, Pa.
So answers, Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

Nove. 15, 1993, And Now, upon praecipe of plaintiff attorney judgment is hereby entered in favor of the plaintiff and against the defendant for want of an answer and the same is liquidated at the sum of Twelve Thousand Eight Hundred Thirty-five Dollars and 28/100.
Entered 11-15-93 Debt: $12,835.28
D - 41, 41 JUDGMENT
H - 44 Barbara H. King, Pro.
11-18-93 Notice of entry of judgment sent to Dfts.

1993

Rowley, Wallace, Keck, Karson & St. John
Christopher St. John

721.

Culbertson, Weiss, Schetroma & Schug
E. Max Weiss
John B.Brautigam

SUE ANN THOMAS

vs.

ANTHONY J. BATTAGLIA

Filed July 26, 1993
@ 2:58 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	35.00
Pro Co pd 2-13-96	6.00

JURY TRIAL DEMANDED

WRIT OF SUMMONS
Issued Sheriff

Aug. 9, 1993 Sheriff's Return filed. SERVED Anthony J. Battaglia on August 2, 1993 at 2:13 PM by handing a copy of the Summons to Santo Battaglia, his Fat her, at the residence, R.D.#2, Box 211, Cochranton, Crawford County, PA.
So answers, Dale A.Collins, Chief Deputy
Robert M.Stevens, Sheriff

Mar. 4, 1994, Complaint filed. (Jury Trial Demanded)

Mar. 25, 1994 Appearance of Culbertson, Weiss, Schetroma and Schug, PC by E. Max Weiss for Defendant filed.

May 13, 1994 Answer and New Matter of Defendant to Plaintiff's Complaint, filed.

June 2, 1994 Preliminary Objection filed.

Jun. 3, 1994 Amended Answer and New Matter of Defendant to Plaintiff's Complaint, filed.

June 20, 1994 Reply to New Matter, filed.

June 20, 1994 Notice to Complete Discovery, filed.

June 24, 1994 Notice of Service of Interrogatories and Request for Production of Documents and Things filed.

Apr. 3, 1995 Notice of Deposition of Sue Ann Thomas filed.

May 2, 1995 Notice of Taking Depositions on Oral Examination of Sue Ann Thomas, filed.

May 19, 1995, Plaintiff's first Supplemental REsponse to Defendant's Request for Production filed.

May 19, 1995, PlaINtiff's Response to Defendant's Request for Production of Documents and Things filed.

Jun. 15, 1995 Notice of Oral Deposition of Barry B.Bittman, M. D. filed.

Aug 28, 1995 Notice of Oral Deposition of Jack K. VanDervort, D.C., filed.

Oct. 16, 1995 Upon Praecipe of Christopher J.St.John, Esquire,Attorney for Plaintiff, to place above-captioned matter on the next available trial List.

On FEBRUARY, 1996 TRIAL LIST

Jan. 29, 1996 Motion for Continuance and ORDER filed. And Now, this 29 day of January, 1996, upon consideration of the Motion for Continuance of the Defendant, with the consent of Plaintiff, the case is hereby continued until the April, 1996 Civil Trial Term.
By The Court:
Anthony J. Vardaro, J.
Jan. 30, 1996 Order FAXED Atty. C. St. John; given Brautigam.

Feb 9, 1996 Upon praecipe of plaintiff attorney theabove-captioned matter is marked settled and discontinued of reocrd.

1993

Timothy Bevevino

722.

vs.

JOHN M. DONAHUE

Filed July 26, 1993
@ 2:58 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	30.00
Pro Co pd 10-8-93	9.00
Pro Co. pd 11-29-94	5.00

CITIBANK (SOUTH DAKOTA) N.A.

COMPLAINT IN CIVIL ACTION

Aug. 9, 1993 Sheriff's Return filed. SERVED John M.Donahue personally on July 29, 1993 at 9:50 AM by handing him a copy of the Complaint at his place of employment, Fibro-Tool, Arch Street, Meadville, Crawford County, PA.
So answers,
Dale A. Collins, Chief Deputy
Robert M.Stevens, Sheriff

And Now, October 8, 1993, upon praecipe of plaintiff's attorney judgment is hereby entered in favor of the above named Plaintiff and against the Defendant, John M.Donahue, for failur to file an Answer in the above action within twenty (20) days from the date of service of the Complaitn and assess Plaintiff's damages at Six Thousand Four Hundred Sixty-One Dollars and 22/100 including interest of $367.90 and attorney's fees of $1,015.56.
Entered 10-8-93
Debt: $6,461.22 including interest and attorney's fees
JUDGMENT
Barbara H. King, Pro.

D - 93

Ex. 1993 - 95

Nov. 29, 1994 Upon Praecipe of plaintiff attorney, the above captioned matter is marked satisfied and discontinued.

1993

723.

MARY E. MASON

vs.

TIMOTHY J. MASON

Filed July 26, 1993
@ 3:17 PM

Tax & entry Pd 7-29-93 50.50
User's fee 5.00
Sheriffs Costs Pd 7-29-93 25.00
Proc Cpd 7-29-93 5.00

7-29-93 Received Sheriffs Costs 25.00
7-29-93 Pd Sheriff Ck # 7696 25.00

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

Order:

And now, this 26 day of July , 1993 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

2. Special Conditions: Defendant shall not go to Plaintiff's residence or place of work. Temporary custody of Jessica is awarded to plaintiff.

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

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

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

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

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

8. The court reserves ruling on allocation of fees and costs. Hearing is hereby set for August 2, 1993 , at 2:00 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

July 27, 1993 Sheriff's Return filed. SERVED Timothy J. Mason personally on July 26, 1993 at 3:30 PM by handing a copy of the Protection from Abuse to him at his residence, Crestview Trailer Court, R.D. #8, Box 572, Meadville, Crawford County, PA.
So answers,
Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Aug. 4, 1993 Motion to Vacate Protection from Abuse Order and ORDER filed. AND NOW, this 3 day of August, 1993 upon receipt and review of the plaintiff's motion to vacate and terminate the Protection fromAbuse Order of July 26, 1993, said motion is granted and the Protection from Abuse Order is hereby vacated and terminated.

A true and correct copy of this Order shall be delivered by the Prothonotary to Timonthy J. Mason and to County Control.

Any provisions of the Protecton from abuse Order of July 26, 1993 assessing court costs shall remain in full force and effect without change or modificationand the party or parties against whom costs were assessed shall remain obligated to pay the costs.

BY ORDER OF COURT
Anthony J.Vardaro, J.

8-4-93 Copies given to Co. Control, State Police & PLTF & Deft.

1993

William J. Gregg

724.

IN RE: NAME CHANGE OF
THERESA JANE HOHIEMER
and Adult Individual

field July 26, 1993
@ 3:59 PM

Tax & entry paid 50.50
User's Fee paid 5.00
Rec Pd 5/23/93 #5.00

PETITION FOR CHANGE OF NAME
1 copy atty.

ORDER:

AND NOW, this 22 day of July, 1993, upon consideration of said Petition, a hearing is hereby scheduled for the 10th day of August, 1993, at 1:30 o'clock p.m. in , in Court room 1 or 2, at the Crawford county Courthouse, Meadville, Pennsylvania The Court may inquire into the whereabouts of Hoheimer

Gordon R. Miller, J

Aug. 10, 1993 Motion to Reschedule Hearing and ORDER filed. AND NOW, this 10th day of August, 1993, the Name Change Hearing in the above captioned matter is hereby rescheduled for the 19th day of August, 1993 at 2:15 P.M. in Court Room 1 or 2, at the Crawford County Courthouse, Meadville, Pennsylvania.

FOR THE COURT:
Ann A. Walker, Court Administrator

Aug. 16, 1993 Copy of Order to Atty. Gregg.

Aug. 13, 1993 Motion to Reschedule Hearing and ORDER filed. AND NOW, this 11th day of August, 1993, the Name Change Hearing in the above captioned mater is hereby rescheduled for the 24th day of August, 1993, at 9:30 a.m. in Court Room 1 or 2, at the Crawford County Courthouse, Meadville Pennsylvania

FOR THE COURT:
Ann A. Walker, Court Administrator

Aug. 19, 1993 Copy of Order to Atty. Gregg.

Aug. 24, 1993, Proof of Publication filed.

Aug. 24, 1993, Certificate of Liens (Prothonotary) filed.

Aug. 24, 1993, Certificate of Liens (Recorders Office) filed.

Aug. 24, 1993, ORDER filed. AND NOW, this 24 day of Aug. 1993, following hearing upon the petition for change of name and having heard fromthe adult individual, it is determined that it will be in the best interest ofthe adult individual, Theresa Jane Hohiemer, to be known as Theresa Jane Moss, in as much as it is the name she has used to date. Therefore, the petition for change of name is hereby granted and Theresa Jane Hohiemer shall be henceforth known as Theresa Jane Moss.

BY THE COURT,
Gordon R. Miller, J.

Suh. 26, 1993, copy of order to W. Gregg, Esq

1993

Bernstein & Bernstein
Charles E. Bobinis

725.

NATIONSCREDIT, FORMERLY known as CHRYSLER FIRST CONSUMER DISCOUNT COMPANY, Assignee of SUNSET BUILDERS & REMODELERS, INC.

vs.

PAUL E. LOCKE AND ALBERTA M. LOCKE, his wife

Filed July 27, 1993
@ 1:37 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	50.00
Pro Co. pd 9/23/93	9.00

satisfaction Paid: 12/18/97 $5.00

COMPLAINT IN CIVIL ACTION
2 copies (atty)

Aug. 18, 1993 Sheriff's Return filed. SERVED Paul E. Locke on August 16,1993 at 7:10 PM by handing a copy of theComplaint to Alberta M. Locke, his Wife at their residence, R.D.#2, Box 107A, Saegertown, Crawford County, PA.

SERVED Alberta M. Locke personally on August 16, 1993 at 7:09 PM by handing a copy of the Complaint to her at the residence, R.D.#2 Box 107A, Saegertown,Crawford County, PA.

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

Sept. 29, 1993, 11:42 a.m., AND NOW upon Praecipe of Plaintiffs Attorney with copy of Notice of Intention to file defautl judgment attached, judgment is hereby entered in favor of Plaintiffs and against Defendant for failure to file an answer, as follows:

Amount claimed in Complaint	$3,935.68
Interest from 6/10/93 - 9/22/93	$ 107.69
TOTAL	$4,043.37

Debt $4,043.37
L-136,16 Judgment
Judgment entered Barbara H. King, Pro.
9/29/93

Oct. 6, 1993 Notice of entry to Defendants.

Dec. 18, 1997 This Lien satisfied.
(see paper filed)

1993

William J. Gregg

726.

DARLENE SWARTZ

vs.

BRADLEY L. SWARTZ

Filed July 27, 1993
@ 1:52 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 2/1/94	9.00

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

Aug. 11, 1993 Affidavit of Service filed.William J.Gregg, Esquire, being duly sworn according to law, deposes and says that the following facts in support of his affidavit of Service are true and correct to the best of his knowledge, information and belief:

1. That the Affiant is the Attorney for the Plaintiff in the above-captioned action.
2. That a true and correct copy of the Divorce Compaint was sent by certified mail to the Defendant, Bradley L.Swartz on July 29, 1993.
3. The certified mail was sent to South Second St., Greenville, Pennsyvania, 16125. The sender's receipt is attached hereto.
4. That the Defendant received said certified mail on August 2, 1993. Said Return Receipt Card P 238 202 332 is attached hereto, signed by Bradley L. Swartz and make a part hereof.

Aug. 10, 1993 William J.Gregg, Esq. Atty. for Plaintiff

Dec. 2, 1993 Affidavit of Consent by Darlene Swartz,Plaintiff, filed.

Feb. 1, 1994 Affidavit of Consent by Bradley L. Swartz, Defendant, filed.

Feb. 1, 1994 Upon Praecipe of Plaintiff Attorney, William J.Gregg, Esquire, to transmit record, case moved to Court.

DIVORCE DECREE FILED

February 7, 1994 AND NOW, February 7, 1994, it is ordered and decreed that DARLENE SWARTZ, Plaintiff, and BRADLEY L. SWARTZ, Defendant, are divorced from the bonds of matrimony.

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

BY THE COURT:
Gordon R. Miller, J.

1993

R. Christopher Brode

727.

LAURA ROUSH

vs.

JOHN C. WILTROUT

Filed July 28, 1993
@ 9:33 AM

Tax & entry Pd 10-1-93	50.50	✓
User's Fee Pd 10-1-93	5.00	
Sheriff's Costs	30.00	
Pro Co Pd 10-1-93	9.00	✓
Pro Co. Pd. 4/19/94	5.00	✓

10-1-93 Rec Sheriff's costs 30a

10-1-93 Pd Sheriff Ck #7821 30.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

Order:

And now, this 28 day of July , 19 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

2. Special Conditions: The Plaintiff shall have exclusive temporary physical cusotdy of children with visiation to the defendant at Plaintiff's discretion. The Plaintiff shallhave exclusive temporary possession of 139 W. Adams St. pending further order of court.

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

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

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

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

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

8. The court reserves ruling on allocation of fees and costs. Hearing is hereby set for August 5, 1993 , at 11:30 a. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Aug. 4, 1993 Sheriff's Return filed. SERVED John C. Wiltrout personally on July 28, 1993 at 11:15 AM by handing a copy of the Protection from Abuse to him at his place iof employment, Zinchiak Manufacturing Co., Murray Road, Meadville, Crawford County, PA.

So answers,

Robert M. Stevens, Sheriff

Aug 9, 1993 ORDER filed. AND NOW, August 5, 1993, at the time fixed for hearing in this matter, the Plaintiff appeared with counsel. The Defendant appeared without counsel and was advised as to bhe nature of the proceedings and he understood them. The parties agree to a settlement of this matter, but in doing so, the Defendant does not admit that he committed the acts alleged in the Complaint. Based upon the agreement of the parties, it is ORDERED as follows:

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

2. The Plaintiff shall retain the marital residence and the Defendant shall remove himself. The Defendant shall not be within one hundred (100) yards of the Plaintiff's residence, her place of work or any place where she regularly attends schooling except that he may go to her residence for the purposes herein after set forth and under the conditions herein after set forth.

3. Physical custody of the children shall remain with the Plaintiff, but the Defendant shall have visitation rights. He shall have any visitation rights that the Plaintiff and Defendant mutually agree to. He should at least have the right to visit and take his children with him three (3) weekends per month, that is the first three (3) weekends of the month starting at 6:00 o'clock on Friday evening and ending at 6:00 o'clock on Sunday. Transportation shall be split so that the parent receiving the children shall have the obligation of providing transportation. When the Defendant goes to the Plaintiff's residence, he shall remain in his car and the children shall be delivered to him by the Plaintiff. The parties shall not argue or bicker during these exchanges. If the Defendant does not appear at the Plaintiff's house within sixty (60) minutes of a scheduled visitation, and if the parties have not otherwise agreed to a later pick up, the Plaintiff may assume that that visitation is canceled and the Defendant is not entitled to any substituted time, therefore.

The custody and visitation provisions of this Order are subject to modification nor change as provided by the Act in an appropriate custody proceeding.

4. The parties have agreed to a disposition of certain items of personal property. Tools and certain personal belongings of the Defendant shall be gathered together by the Plaintiff and the Defendant shall to go the Plaintiff's home today between the hours of 3:00 o'clock and 5:00 o'clock p.m. to pick those items up.

Additionally, attached to this Order is a list of items that the Defendant shall pick up sometime within the next thirty (30) days at a time to be scheduled by him on twenty-four (24) hours notice to the Plaintiff. The pick up shall be arranged during daylight hours. In the meantime, the Plaintiff shall do nothing to damage or destroy these items so that the Defendant will pick them up in the condition they are currently in.

5. The Defendant shall have the right to call the Plaintiff, provided the calls are not made after 10:00 p.m. or with unreasonable frequency. During those telephone calls, the Defendant shall not use threatening, abusive or harassing words or language.

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

7. A copy of this Order shall be delivered by the Prothonotary to the Cochranton Police Department and to County Control.

8. This Order shall remain in full force and effect from one year from this date unless modified or terminated by further Order of Court.

Continued on Page 503

278

1993

Thomas, Truax,
Spadafore & Walker
R. charles Thomas

728.

LAURA E. HART

vs.

STEVEN RAY HART

Filed July 28, 1993
@ 9:40 AM

Tax & entry paid	50.50
User's Fee paid	25.00
4 Add'l Counts pd	60.00
User's Fee paid	10.00

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

Sept 9, 1997 Affidavit of Service: R. CHARLES THOMAS, Esquire, being duly sworn accordidsng to law, deposes and ssys that on Aug 20, 1993 he mailed a true and correct copy of the Complaint in Divorce filed in the above captioned action to the Defendant, Steven Ray Hart, by Certified Mail, Restricted Delivery, Return Receipt Requested, at his last known address of R.D.#3, Hogback Road, Cambridge Springs, PA 16403, Return Receipt No P100 620 644; that attached hereto is the return receipt card showing date of delivery as Aug 23, 1993.

Sept 9, 1997 Affidavit of Consent of Plaintiff, filed.

Sept 9, 1997 Waiver of Notice of Intention to Request Entry of Divorce Decree Under Section 3301(c) of the Divorce Code, filed. (Plaintiff)

December 29, 1998 Affidavit of Consent Filed ((Pltf)

December 29, 1998 Waiver of Notice of Intention to Request Entry of a Divorce Under Section 3301(c) of the Divorce Code Filed. (Pltf)

AS OF JANUARY 31, 2000 - ANY FILINGS INVOLVING THIS CASE MAY NOW BE FOUND ON THE COMPUTER

1993

Akman & Associates
Lloyd E. Wilson, II

729.

7/28/93 $150.00
deposited by Plaintiff

LISA WHITMAN

vs.

MICHAEL WHITMAN

Filed July 28, 1993
@ 11:59 AM

Tax & entry paid 50.50
User's Fee paid 5.00

CUSTODY COMPLAINT
no copies

ORDER:
You, Michael Whitman, have been sued in Court to obtain custody of Trenton Whitman.
You are ORDERED to appear in person at such time and place as will be determined by the Mediator Bruce Smith, Esq., for mediation conference.
If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.
YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE, IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELPT.
Court Administrator
Courthouse
Meadville, PA 16335
(814) 336-1151, ext. 298
Date: July 26, 1993 Gordon R. Miller,
J Aug. 2, 1993 Copies of order to Atty's. Wilson and Smith

Sept. 30, 1993 Certificate of Service filed. I hereby certify that a true and correct photocopy of the foregoing Complaint was served on Michael J. Whitman on the 20th day of August, 1993, by mailing said photocopy to him via Certified First Class mail, Restricted Delivery, Return Receipt Requested, postage prepaid, at the address listed below:
Michael J. Whitman
110 East Bloss Street
Titusville, PA 16354
Lloyd E. Wilson

Oct. 26, 1993, ORDER filed. AND NOW, following agreement entered into by the undersigned parties it is ORDERED, ADJUDGED AND DECREED as follows:
The parties have both been served with notice of the above custody proceeding, and they knowingly and intelligently waive their right to proceed to mediation and trial in this matter.
The parties agree that Lisa Whitman shall exercise custoyd to the parties minor child Trenton Whitman at all times. Michael shall exericse the right of visitation only upon the express consent of Lisa whitman. This custody arrangement shall remain in effect until further order of court.

Lisa Whitman MIchael Whitman
Dated: Oct. 18, 1993 Gordon R. Miller, J.
Nov. 4, 1993, copies of order to Lloyd E. Wilson, II and MIchael Whitman, ~~pltf~~.

280

1993

730.

TINA GALLAGHER

vs.

RICHARD GALLAGHER

Filed July 28, 1993
@ 12:21 PM

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

ORDER:

And now, this 28 day of July , 1993 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

2. Special Conditions: The Plaintiff shall have temporary physical custody of the minor child pending further order of Court. The Plaintiff may immediately obtain such custody from the Defendant or a Babysitter where the child is staying.

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

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

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

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

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

8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the August 5, 1993 , at 3:30 p.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Tax & entry	Pd 10-8-93	50.50
User's Fee	Pd 10-8-93	5.00
Sheriff's Costs		32.00
Pro Co	Pd-10-8-93	9.00
		96 50

10-8-93 Received from Deft Sheriff's Cost 32.00

10-893 Pd Sheriff Ck#7832 32.00

July 30, 1993 Sheriff's Return filed. SERVED Richard Gallagher personally on July 28, 1993 at 1:20 PM by handing a copy of the Protection from Abuse to him at his place of employment, Lamb Farms, Fisher Road, Conneautville, Crawford County, PA. Plaintiff did get custody of the child.
So answers, Robert M.Stevens, Sheriff

Aug 9, 1993 ORDER filed. AND NOW, August 5, 1993, at the time fixed for hearing in this matter, both parties appear with counsel and entered into an agreement to resolve the issues in this case. In doing so, the Defendant does not admit that he engaged in the conduct alleged in the Petition. Based upon the agreement of the parties, it is ORDERED as follows:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or the minor child, nor shall he procure others to do these on his behalf.

2. The Defendant will not go to the Plaintiff's residence or place of work.

3. The Plaintiff may go to the Defendant's residence on Sunday, August 8, 1993 at 9:00 a.m. to pick up her personal belongings and the personal belongings and furniture of the child. In the meantime, the Defendant should do nothing to destroy, damage or dispose of any of that property, and he should hold it in safekeeping until then.

The parties shall endeavor to agree as to what the Plaintiff may take. If there is a disagreement about what she plans to take, she shall leave these items there (except clothing and purely personal items of hers, which she may take without argument), and the ultimate transfer of possession of the items in dispute shall take place later on in an equitable distribution action.

4. Primary physical custody of the child shall remain with the Plaintiff, with the Defendant having the right to visit his child every Sunday starting with Sunday, August 8, 1993 between the hours of 9:00 a.m. and 6:00 p.m. under the following conditions. The visitations shall take place at the Defendnat's mother's home in Springboro and the Defendant's mother, Sharon Boardman, shall always be present during the visitations. Transportation for these visitations shall be the joint responsibility of the parties with the party receiving the child having the responsibility of picking the child up. When the Defendant is to receive his daughter, the child shall be picked up by his mother, Sharon Boardman.

5. Neither party shall move out of Crawford County, Pennsylvania.

6. These provisions with respect to custody and visitation are subject to modification in an appropriate custody action brought before a court of competent jurisdiction.

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

8. A copy of this Order shall be delivered by the Prothonotary to the Pennsylvania State Police at Meadville and to County Control.

9. This Order shall remain in full force and effect for one (1) year from this date unless further modified or terminated by further Order of Court.

10. The Defendant shall pay record court costs in the amount of $96.50. One-half (1/2) of these costs or $48.25 shall be paid by August 31, 1993 and the balance by September 30, 1993. If the Defendant fails to pay the costs, the Prothonotary may bring appropriate contempt of court proceedings against the Defendant.

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

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

Aug 9, 1993 copies dist. to Co. Control, PSPD, Walton & Sullivan
Aug 12, 1993 copy to Dft.

1993

Barbara J. Walton

731.

M.A. Kirkpatrick

JANET S. VOGT

vs.

W. SCOTT VOGT

Filed July 28, 1993
@ 1:30 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count	15.00
State paid	10.00
1 Add'l Count	15.00
State	5.00
William Pineo, Mediator	
Pro Co. Pd 3-21-98	9.00
2 Add'l Cts. pd 3-12-98	30.00
State pd 3-12-98	10.00
Pro Co. pd. 6/18/98	9.00
Pro Co pd 12-21-98	5.00

10-13-93 Rec'd 150.00 from deft med depo ret
10-27-93 Pd Counsel/deft. Ch#7877 deposit refund 150.00
7-25-97 Rec'd from deft med dep 200.00
9-16-97 Pd deft 129.00 #11299
3-31-98 Pd Lee med fee 62.00

COMPLAINT FOR DIVORCE, CUSTODY
1 copy atty.

Aug 11, 1993 AFFIDAVIT OF SERVICE, filed. AND NOW, August 11, 1993, comes Maidene H. Rusk and states the following:

1. That she is the temporary legal assistant of Attorney for Plaintiff in the above-captioned matter.

2. That on information furnished her by the Plaintiff, she caused a certified copy of the Complaint in Divorce to be forwarded by Certified Mail, P 334 722 882; to the last known address of the Defendant, W. Scott Vogt, RD 3, Box 657, Conneaut Lake, Pa.

3. That the Defendant, W. Scott Vogt, on August 5, 1993 personally signed the return receipt card, which was affixed to the Complaint in the above-matter and which is attached hereto.

4. Service of the Complaint agaisnt Defendant is therefore effected in accordance with Pa. Rules of Civil Proceedure.

Aug. 20, 1993 AFFIDAVIT OF SERVICE, filed. And Now, this 20th day of August,1993, comes Lisa M.Sherretts, and states as follows:

1. Tht she is the legal assistant of Attorney for Janet S. Vogt, Plaintiff in the above-captioned matter.

2. That on information furnished her by the Plaintiff,she caused a certified copy of the Complaint in Divorce to be forwarded by certified mail, P 334 722 882; to the last known address of the Defendant, W. Scott Vogtr, RD 3, Box 657, Conneaut Lake, Pa. 16316.

3. That the Defendant, W. Scott Vogt, on August 5, 1993, personally signed the return receipt card which was affixed to the Complaint in the above-captioned matter and a copy of which is on file at the Courthouse.

4. Service of the Complaint against the Defendant is therefore effected in accordance with Pennsylvania Rulesof Civil procedure.

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

Sep. 29, 1993 Stipulation filed.

Oct. 4, 1993 PetitionFor Additional Claim filed. (Alimony Pendente Lite)

Oct. 13, 1993 Motion to Refer to Custody Mediator and ORDER filed. And Now, October 11, 1993, this matter is referred to William Pineo, Child Custody Mediator who shall promptly schedule mediation.

For the Court:
Ann A. Walker, Court Administrator

10-20-93 Copy of Order to Atty. Walton, Kirkpatrick & Pineo.

Oct. 26, 1993 Motion and Order, filed. AND, NOW, October 25, 1993, the Prothonotary is instructed to return the sumof $150.00 to Mary Ann Kirkpatrick, Esq., counsel for Defendant.

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

Nov. 4, 1993 copy to B. Walton, M.A. Kirkpatrick, W. Pineo

Oct 26, 1993 Stipulation and Consent Custody Order, filed. And Now, this 25 day of October, 1993, upon presentation of the Stipulation and Consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED AND DECREED that:

1. That Plaintiff shall have primaryphysical custody of the parties minor, CHRIS VOGT, born November 20, 1981.

2. The parties agaree that the Defendant shall have visitation every other weekend from Friday at 5:00 p.m. to Sunday at 5:00 p.m. and Wednesday evenings from 4:00 p.m. to 7:00 p.m.

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

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

5. Neither party shall do or say anything to blacken the character of the other in the child's estimation. Each party shall tareat theother in apolite and respectful manner whenin the child's presence and each party shall instruct his or her relative sand friends to do likewise and also not to disparage the other party in the child's estimation.

6. The parties are free to make additional or alternatiave arrangements resplecting 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.

7. Neither party shall be under the influence of illicit drugs or alcohol while the children are in their custody, nor allow others to care for the children while under the influence of drugs or alcohol.

8. The parties will each keep the other informed of upcoming school and other activities to allow the other meaningful participation in the children's lives.

BY THE COURT:
Anthony J. Vardaro, J.

Nov. 4, 1993 copy to B. Walton, M.A. Kirkpatrick, W. Pineo, Plf. & Dft.

July 23, 1997 Petition To Modify Consent Custody Order and Request For Emergency Relief and Order filed. And, Now, July 23, 1997, it is hereby ORDERED: the Request for Emergency Relief is denied: meidaiton may take place once the appropriate fee is filed and all requirments are meet.

Anthony J. Vardaro, J

7-23-97 Faxed Kirkpatrick, Walton & Pineo

Aug 12, 1997 Certificate of completion of the Seminar for Separating Parents for W. Scott Vogt, filed.

Aug 12, 1997 Certificate of completion of the Seminar for Separating Parents for Janet S. Vogt, filed.

Continued on Page 476

732.

R. Charles Thomas

8-20-93 Received from dept Sheriff's costs 40.25
8-20-93 Pd Sheriff 40.25 ck #7743

REBECCA MAE COLBURN

vs.

ERIC JOHN COLBURN

Filed July 28, 1993
@ 3:37 PM

Tax & entry	Pd 8-20-93	50.50
User's Fee	Pd 8-20-93	5.00
Pro Co	Pd 8-20-93	9.00
Sheriff's Costs		40.25
~~Sheriff's Costs~~		~~40.25~~

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

ORDER:

And now, this 28 day of July , 1993 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The Plaintiff shall have temporary physical cusotdy of the minor children pending further order of court.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or fees and costs will be determined by final court order.
7. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the August 9, 1993 , at 3:30 p.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Aug 11, 1993 ORDER filed. AND NOW, August 9, 1993, the matter is before the Court on an Abuse Petition. The plaintiff is unrepresented and the defendant is represented by counsel. Three children are involved, ages 13, 10 and 8. The defendant husband consents, without admitting the allegations of the petition or that he abused either the spouse or the children, to the entry of a Consent Order along the following lines:

1. The defendant will not threaten, annoy or harass wife or children in any fashion and agrees to amicably remove himself from the residence at Star Route Estates, Lot No. 5, and will be permitted to remove his personal possession on the evening of August 9, 1993, by going to the premises at approximately 7:00 p.m.

2. Temporary custody of all three children is awarded to the wife; provided, however, that the husband will have weekend visitations with the children every other weekend commencing the weekend of August 13, 1993, between the hours of 5:00 p.m., Friday, and 5:00 p.m., Sunday. It shall be the obligation fo the father to pick up and return the children.

3. The husband's income is difficult to estimate at this time, but he receives approximately %00 per week from railroad employment and $100 per month from ancillary employment with Anderson Bus Liens. Commencing with the week of August 8, 1993, the defendant shall pay for the support of the three (3) minor children the sum of $250 per week. From these payments, it shall be the obligation of the mother to pay the utilities and provide for the needs of the children. The defendant shall slso be obligated to pay monthly trailer rent to house the children in the amount of $80 per month.

In this regard, the plaintiff is directed within 20 days to file a support petition with the Domestic Relations Section.

4. The plaintiff wife is to have exclusive possession of the residence aforesaid for herself and the children for a period of not less than 6 months; after which, the matter may be readjudicated by consent, Court Order or further hearign regarding entitlement to possession of the marital residenc.

5. Costs in this case in the amount of $104.75 will be paid by the defendant on or before September 15, 1993 at the Prothonotary's Office.

6. Any Police Officer having reasonable grounds to believe that the defendant has violated the abuse portions of this Order may apprehend the defendant without a Warrant, have him arraigned before an appropriate District Justice of the Peace and request an immediate contempt hearing be held.

7. The parties mutually agree that when the defend ant appears to pick up his personal effects, he shall be entitled to possession of the family car, and the wife agrees to surrender the keys thereto.

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

Aug 11, 1993 copies dist. to Plf., Atty Thomas (w/bill), PSP, County Control

Feb. 11, 1994 SHERIFF'S RETURN, filed. NOT FOUND as to Defendant Eric Colburn. A copy of the Protection from Abuse was sent to Blair County to be served at the Conrail yards in Altoona, but Defendant was not located there. See Affidavit attached.
So answers, Robert M. Stevens, Sheriff

1993

Gerald Sullivan

733.

KARLA LEWIS

vs.

GREGG LEWIS

Filed July 28, 1993
@ 3:43 PM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs Pro Copia.	38.00 9.00

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

Order:

And now, this 28 day of July , 1993 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

2. Special Conditions:The Plaintiff shallhave exclusive possession of the marital house pending further order of court, The defendant shall not go to Plaintiff's place of employment.

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

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

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

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

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

8. The court reserves ruling on allocation of fees and costs. Hearing is hereby set for August 6, 1993 , at 3:30 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardoar, J.

Aug.6, 1993 Sheriff's Return filed. NOT FOUND as to Defendant Gregg Lewis. Attempted service at R.D.#1,Box 101, Hartstown,PA, and at a friends house at the four corner light in Hartstown. Left notes with no reply.
So answers, Robert M.Stevens, Sheriff

Aug 11, 1993 ORDER filed. AND NOW, August 6, 1993, at the time fixed for hearing, the plaintiff appeared with counsel. The defendant was not present in person or by counsel. The plaintiff was present when the defendant was served by Mike Garcia. Based on that representation, we are proceedign in the defendant's absence.

We find as a fact that the plaintiff has been abused by the defendant as defined by the Act, and we enter the following Order:

1. Counsel for the plaintiff shall file an appropriate affidavit of service indicating the date, manner, place and by whom service was made.

2. The defendant shall not assault, abuse, harass or threaten the plaintiff in any way and won't cause others to do those things on his behalf.

3. Sole possession of the marital residence is awarded to the plaintiff. The defendant shall not go to the plaintiff's residence and, in fact, the defendant shall not be within one hundred (100) yards of the plaintiff's residence.

4. The Order shall be served upon the defendant by a law enforcement officer permitted to serve such papers or by a disinterested adult person, who shall file an appropriate proof of service. Service shall be attempted within the next ten (10) days.

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

6. A copy of this Order shall be delivered to the Pennsylvania State Police at Meadville and to County Control by the Prothonotary.

7. This Order shall remain in full force and effect unless modified or terminated by further Order of Court for one (1) year; that is, until August 5, 1994.

8. Costs shall be paid by the County sicne the plaintiff is on Public Assistance and the defendant receives Social Security Disability.

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

10. The defendant shall not stalk and plaintiff or violate the new Pennsylvania Anti-Stalking Statute.

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

Aug. 11, 1993 copies dist. to Atty. Sullivan (dft. copy also), PSP and County Control

Sep. 2, 1993 Affidavit of Service filed. I hereby certify that I personally served the defendant Gregg Lewis with a copy of the July28, 1993 Protection from Abuse petition and temporary order on August 4, 1993 at my residence located at Box 94, Route 18, Hartstown, Pennsylvania.
Date: 8/28/93 J. Michael Garcia

1993

Edward J. Hatheway

Thomas, Truax,
Spadafore & Walker
Gregory A. Keenan

734.

Barbara J. Walton

DALE WAYNE LINDSTROM

vs.

IDA NORA LINDSTORM

Filed July 28, 1993
@ 4:04 PM

Tax & entry paid 50.50
User's Fee paid 5.00

COMPLAINT FOR CUSTODY
1 copy atty.

Aug. 9, 1993, Affidavit of service filed. Gregory A. Keenan, Esq. being sworn according to law, deposes and says that on July 28, 1993, he sent a true and correct copy of complaint for Custody, property endorsed with the Notice to defend, file in above action, to the defendant at defendants last known address of R. D. #1, Box 38, Rt. 77, Centerville, Pa. 16404, by cert. mail No. P 100 620 592 postage prepaid, ret. rec. req. restricted del and that attached hereto is a duly executed ret. rec. card showing date of delivery as July 31, 1993. Gregory a. Keenan.

Oct. 25, 1993 Petition For Entry of Agareement, filed.

Apr 26, 1995 Appearance of Barbara J. Walton, Esquire for IDA NORA LINDSTROM, the above named Defendant, filed.

May 8, 1995 Petition for Contempt and Order filed. Legal proceedings have been brought against you alleging you have willfully disobeyed an order of court for visitation.
If you wish to defend against the claim set forth in the following pages, you may but are not required to file in writing with the court your defenses or objections.
Whether or not you file in writing withthe court your defenses or objections,, you must appear in person in court on June 5, 1995 at 9:15 a.m. in Courtroom Number 1 or 2, Crawford County Courthouse, Meadville, Pennsylvania.
IF YOU DO NOT APPEAR IN PERSON, THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST.
If the court finds that you have wilfully failed to comply with its order for visitation, you may be found to be in contempt of court and committed to jail, fined or both.
YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE, IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.
Court Administrator
Crawford County Courthouse
Meadville, PA 16335
Telephone: (814) 336-1151

BY THE COURT
Gordon R. Miller, J

May 8, 1995 Faxed Keenan, given Walton

Jun. 2, 1995 Motion to Continue and ORDER OF COURT filed. AND NOW, this 31st day of May, 1995, upon presentation of the Motion for Continuance by the Defendant the hearing scheduled in regard to the custody shceduled for June 5, 1995 at 9:15 a.m. is hereby continued and shall be reset upon motion of the parties.

By the Court
Gordon R.Miller, J.

6-2-95 Faxed Atty. Keenan & given Walton

Apr 29, 1996 Appearance of Edward J. Hatheway, Esquire for Plaintiff, filed.

Aug. 15, 1996, Petition for Civil Contempt for Disobedience of Custody Order and order filed. NOTICE AND ORDER TO APPEAR: Legal proceedings have been brought against you alleging you have willfully disobeyed an order of court for custody.
If you wish to defend against the claim set forth you may but are not required to file in writing with court your defenses or objections.
Whether or not you file in writing your defenses or objections, you must appear in person in court on Tues. Aug. 27 1996 at 1:30 p.m. in C. R. No. 2, 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 willfully fialed to comply with its order for custody, you may be found in contempt and committed to jail, fined or both.
by the court,
Anthony J. vArdaro, J.
8/15/96 faxed to Walton and Keenan.

Aug. 29, 1996 ORDER filed. AND NOW, August 27, 1996 this matter comes before the Court on a petition for civil contempt filed by the Plaintiff.
Essentially, this petition addresses a period of temporary physical custody that the Plaintiff was supposed to have with Gabriel and Riley commencing on July 19, 1996 and continuing through July 21, 1996.
The Defendant had not been working at her employment at Meadville Care Center and returned to work but at a different shift. Essentially, normally because the Plaintiff does not have his own transportation but could borrow a neighbor's vehicle, he would pick the children up for the weekend visitation or period of temporary physical custody at 6:00 p.m. on Friday evening. The Defendant began unemployment in July with her shift now commencing at 1:00 or 2:00 p.m. until 10:00 p.m. in the evening and she requested or allegedly requested that the Plaintiff pick up both children at 1:00 p.m. instead of 6:00 p.m. on Friday. Whether or not that conversation took place is disputed.
In any event, the Plaintiff went to the Defendant's residence at 6:00 p.m. on Friday, July 19 and the children were not available and apparently from the records before the Court the Defendant was in fact working that day.
The Defendant is continuing with the current work shift and the problem is ongoing and therefore we will attempt to resolve this problem until there is further order of Court through a modification petition or until everything goes back to normal with the Defendant working the shift that she previously worked, and therefore having the children available at 6:00 p.m. on Friday for the Plaintiff to pick up.
We decline to find the Defendant in contempt but it is ordered and directed that the Plaintiff will have an additional weekend with all three children to make up for the lost weekend and that shall begin on September 6, 1996 at 6:00 p.m. and continue through September 8 at 10:30 p.m.
FOR REMAINDER OF ORDER, PLEASE SEE FILE FOLDER)
BY ORDER OF THE COURT,
Anthony J. Vardaro, J.
8-29-96 DISTRIBUTED Keenan & Rowden

Continued on Page 502

1993

Barbara J. Walton

733A

pro se

TINA MARIE BATHOLOMEW

vs.

ROBERT M. GREGGS

Filed July 28, 1993
@ 3:56 PM

Tax & entry paid	50.50
User's Fee paid	5.00
John Fuller, mediator	90

Pro Se Pd Ch#7795

7-28-93 Received from Pltf Med Dep 150
9-3-93 Pd Pltf Refund Med Dep Ck# 7794 51
9-22-93 Pd Co. Ch 7794 Mediation 90

COMPLAINT FOR CUSTODY

Order:
You, Robert M. Greggs, have been sued in Court to obtain custody of Jamie Lee Bartholomew.
You are ORDERED to appear in person at such time and place as will be determined by the Mediator John Fuller, for a mediation conference.
If you fail to appear as provided by this Order, an Order for custody, partial custody or visitiation 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.
Court Administrator
courthouse
Meadville, PA 16335
(814) 336-1151, ext. 298
Date: 7/28/93 Anthony J. Vardaro, J

Aug 3, 1993 AFFIDAVIT OF SERVICE, filed. And Now, August 3, 1993, comes Lisa M. Sherretts and states the following:
1. That she is the legal assistant of Attorney for Tina Bartholomew, Plaintiff in the above-captioned matter.
2. That on information furnished her by the Plaintiff, she caused a certified copy of the Complaint in Custody to be forwarded by Certified Mail, P 341 728 849; to the last known address of the Defendant, Robert M. Greggs, PO Box 135, Meadville, Pa. 16335.
3. That the Defendant, Robert M. Greggs, on July 21, 1993, personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto.
4. Service of the Complaint agaisnt Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.
I verify that the statements made in this Affidavit of Service are true and correct to the best of my knowledge and information. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. Section 4904, relating to unsworn falsification to authorties.

Aug. 17, 1993, Petition for Special Relief filed.

Aug. 17, 1993, ORDER filed'. AND NOW, Aug. 17, 1993 it appearing that mediation is scheduled for this matter on Aug. 26, 1993 we decline to grant the defendants request for special relief. BY THE COURT,
Anthony J. Vardaro, J.
Aug. 18, 1993, copies distributed to Walton and dft.

Sept. 3, 1993 ORDER filed. AND NOW, Aug. 31, 1993 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:
I. Legal custody of Jamie Lee Bartholomew shall be shared between the mother and the father, the plaintiff and defendant herein, that is, each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions affecting the child such as the education, medical treatment and religious instruction of the subject child.
II. Physical custody fo Jamie Lee Bartholomew shall be with her mother, subject to the following conditions:
A. The father shall be entitled to visit and take the child into his custody every other Saturday from 10:00 o'clock a.m. on Sturday to 8:00 o'clock p.m. on Saturday, beginning Sept. 11, 1993.
B. The father shall be entitled to visit and take the child into his custody every other weekend, beginning Nov. 6, 1993 from 10:00 o'clock a.m. Saturday morning until 8:00 o'clock p.m. Sunday evening.
C. Holidays shall be defined as Christmas, Easter, and Thanksgiving. Custody of the child shall be shared on the aforesaid holidays and in the absence of an agreement to the contrary, the child shall be in the custody of the mother on the aforesaid holidays until 1:00 o'clock p.m. and in the custody of the father on the aforesaid holidays from 1:00 o'clock p.m. until 8:00 o'clock p.m.
D. Transportation of the child on weekends and holidays shall be provided as follows: The parents shall meet and exchange custody at McDonald's in Meadville at the beginning and end of visits. If father is more than thirty (30) minutes late in picking up the child, the visit may be considered cancelled.
E. Neither mother nor father shall say or do anything in an attempt to turn the child against the other parent,but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the child towards both parents.
F. Neither mother nor father shall expose the child to any person or situation which may be harmful to the child's health or well being.
G. Both parents agree to inform the other immediately of any illness or injury regarding the child and both paretns agree to furnish the other with a current telephone number.
H. Neither party may remove he child from the Crawford County-Erie Co. confines without the consent of the other party.
III. Tis 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 medition conference shall be equally divided between the parties. The Prothonotary of Crawford Co. is hereby directed to refund $60.00 of the deposit paid in advance by the Plaintiff, less the cost of the custody order.
Anthony J. Vardaro, Judge
Sept. 9, 1993 Copy of Order to Attys. J. Fuller, B. Walton; copy mailed to Dft.

September 24, 1998 Petition for Contempt under PA Rule of Civil Procedure 1915.12 and Notice and Order to Appear filed. Legal proceedings have been brought against you alleging you have wilfully disobeyed an order of court for (custody)(Partial custody)(visitation).
If you wish to defenda against the claim set forth in the following pages, you may but are not required to file in writing with the court your defenses or objections.
Whether or not you you file in writing with the court your defenses or objections, you must appear in person in court on 2nd day of October 1998 at 1:30 PM in Ctroom No. 1 or 2, Crawford County Courthouse, Diamond Sq., Meadville, PA
IF YOU DO NOT APPEAR IN PERSON, THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST.
If the court finds you have wilfully failed to comply with its order for (custody)(Partial Custody)(visitation you may be found to be incontempt of court and committed to jail, fined or both.
Continued on Page 283-B

1993

Tina Marie Bartholomew
vs
Robert M. Greggs

continued from page 283-A
of record
AD 1993-733A

****

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

Court Administrator, Courthouse
Meadville,PA 16335
Telephone No: (814)333-7498

By the Court
Gordon R. Miller, J

9/24/98 Faxed Irwin Dist. Walton

September 29, 1998 Order Resetting Hearing Filed And Now, September 29, 1998 the Court Administrator having been directed to reset the above contempt hearing from October 2, 1998 due to unavailability of the Court, this matter is reset for Tuesday, October 6, 1998 at 9:30 AM CR #2 Crawford County Courthouse

For the court
Ann A. Walker Ct Admin.

9/29/98 Dist. by Court

October 2, 1998 Petition for Contempt Filed. (Atty for Pltf)

October 12, 1998 ORDER FILED. AND NOW, October 6, 1998 this matter is scheduled before the Court.for a hearing on a Petition for Contempt and the parties agree that we can hear both of these on an infomral basis since the issues that are involved are essentially the same.
The parties are still working under an Augsut 31, 1993 Custody Order entered after mediation.
Some things have changed since then. Specifically and most importantly the plaintiff mother is now remarried.
The complaints of the defendant basically are that for several weekends, he was not permitted to visit with the child for various reasons. It appears that the number of weekends when he was not permitted to visit through he actions of the Plaintiff are somewhat limited, but it appears that these do exist.
It also appears that the plaintiff's new husband has become involved in the arrangements between the parties and in the eyes of the Court perhaps overly involved.
These parties seem to some extent use the specific language of the Order entered in August of 1993 to their benefit to attempt to justify their actions. Specifically, for instance on May 30, 1998 it is the plaintiff's posititon that the defendant was more than 30 minutes late for a visit, but she was aware shortly after that 30 minutes form her own indication that he was jsut across the street at another business and rethare than taking the child there and letting the child go with her father, she did not do so and returned the child home and refused a visit to the defendant. This is not appropriate and is not considered to be complying with the spirit of the Order.
The plaintiff also makes allegations that the defendant has been drinking excessively during visits based on what the child said and based on what her current hsuband says. The problem we have with that is that these allegations go back to May of 1998 and there was no effort to file a Petition for Contmept until August 12 of 1998 which was after the Petition for Contempt was filed by the defendant.
Based on what we have heard informally, we find that the plaintiff is in contempt the court's Order of Augsut 31, 1993 and we do not find that there is sufficient evidence that the defendant is in contempt.
We will not impose any specific sanctions upon the plaintiff if she complies with the Court Order in the future and with the following which shall apply to both parties pending any modification of the Order now in effect, which it would appear may be an appropriate course for these parties to take since this Order has not been reviewed for a number of years.
1. In addition to his nomral periods of temporary physical custody every otehr weekend the defendant shall have additional periods of temporary physical custody form 10AM on October 24, 1998 until 8 pm on October 25, 1998 and from 10 am on December 19, 1998 until 8 pm on December 20, 1998.
2. Pending any further Order of Court when this matter can be further discussed before a Mediator or ultimately the Court in a denovo hearing, the defendant shall not dring alcoholic beverages for a period of 8 hours prior to taking temporary physical custody of the child nor shall he drink alcoholic beverages during the period of time that he has the child in his custody.
3. The exchange of the child at the beginning and end of periods of temporary physical custody with her father shall occur at the Meadville City Building in the parking lot which is to the south of the actual building somewhat adjacent to the City Police Station and only the plaintiff and only the defendant will appear and they will make the exchaqnge of the child as quickly as possible without any confrontations or problems. This exchange procedure can only be changed if both parties agree from time to time that somebody else may make the exchanges if that becomes necessary. If they cannot agree, they mustfollow what we have outlined in this Order.
4. The parties shall continue to comply with the Order of August 31, 1998 in all respects in which it is not inconsistent with the Order we have entered this day.

By the Court
Anthony J. Vardaro, j.

10/12/98 Faxed Walton & Irwin

1993

Thomas, Truax,
Spadafore & Walker
Gregory A. Keenan

735.

MARJORIE D. DEETER

vs.

DAVID L. DEETER

Filed July 28, 1993
@ 4:04 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 2/7/94	9.00

COMPLAINT IN DIVORCE
1 coy atty.

Aug. 2, 1993 Affidavit of Service of Complaint in Divorce filed. Gregory A. Keenan, Esquire, being duly sworn according to law, deposes and says that on July 29, 1993, he sent a true and correct copy of a Complaint In Divorce, properly endorsed with the Notice To Defend, filed in the above action, to the Defendant, David L. Deeter, at Defendant's last known address of c/o Wagner Crest Farms, R.D. #6, Meadville, Pennsylvania 163435, by Certified Mail NO. P 100 620 587 postage prepaid, return receipt requested, restricted delivery and that attached hereto is a duly executed return receipt card showing date of delivery as July 30, 1993.

Gregory A. Keenan

Dec. 15, 1993, Affidavit of Consent of plaintiff filed.

Feb. 1, 1994 Affidavit of Consent by David L. Deeter, Defendant, filed.

Feb. 7, UponPraecipe of Gregory A. Keenan, Esquire,Attorney for Plaintiff to transmit record, case moved to Court.

DIVORCE DECREE FILED

Feb. 14, 1994 AND NOW, February 11, 1994, it is hereby ordered and decreed that MARJORIE D. DEETER, Plaintiff, and DAVID L. DEETER, 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.

286

1993

Jorden & White
Harry Faber White, II

736.

Law Offices Daniel F. LaCava
James E. Harvin

JOSEPH A. BARRETTA and
VIVIAN D. BARRETTA, his wife

vs.

ADHAM MARKETS and J.A.S. MARKETS, INC., d/b/a MEADVILLE COUNTY MARKET d/b/a COUNTY MARKET

Filed July 28, 1993
@ 4:21 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	60.00
Pro Pd 11/14/94-	6.00

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Sept. 15, 1993 Appearance of Law Offices Daniel F. LaCava by James E. Harvin for Defendants filed.

Sept. 15, 1993 Preliminary Objections Raising a Question of Jurisdiction/Defective Service filed.

Sept. 15, 1993 Upon praecipe of Defendant's Attorney the above Preliminary Objections are placed on the next available argument list.

1993 OCTOBER ARGUMENT LIST

Sept. 20, 1993 SHERIFF's RETURN, filed. SERVED Adham Markets, d/b/a County Market, on August 2, 1993 at 1:58 PM by handing a copy of the Complaint to Robert Price, Manager, at Penn Plaza, 660 Terrace Street, Meadville, Crawford County, Pa.

SERVED J.A.S. Markets, Inc. by deputizing the Sheriff of Allegheny County, Pa. per his Affidavit of Service attached. Served on August 20, 1993 at 1930 Spring Garden Avenue, Pittsburgh, Pa. 15211. So answrs, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

RETURN: I hereby deputize the Sheriff of Allegheny County, Pa. to serve the within Complaint accordign to law. The defendants alleged address is 1930 Spring Garden Ave., Pittsburgh, Pa.15212.
Robert M. Stevens, Sheriff

AFFIDAVIT OF SERVICE: SERVED the within Comp. on 8/20/93, at 10:08 A.M. upon J.A.S. Markets at above by handing to Jos. Spagnolo, Mfg. a true and correct copy thereof and made known to him the contents therein. Eugene L. Coon, Allegheny Co.

Oct. 5, 1993 Praecipe to Withdraw Preliminary Objections, filed.

Oct. 18, 1993 Answer and New Matter filed.

Nov.8,1993 Notice of Service of Interrogatories and Request For Production of Documents Directed to Plaintiffs filed.

Jan. 28, 1994 Notice of Deposition of Joseph A. Barretta, filed.

Nov. 14, 1994, Upon praecipe of plaintiff attorney, the above captioned case is marked settled and discontinued of record.

1993

Thomas, Truax,
Spadafore & Walker
Emil M. Spadafore

737.

DAWN KIMMEL

vs.

CANDI S. KRUEGER

Filed July 29, 1993
@ 11:04 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro Co Pd 12/17/93	9.00
Pro Pd. 2/2/94	9.00
Pro Co Pd Cert 4-11-94	2.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Sept. 9, 1993 Sheriff's Return filed. SERVED Candi S. Krueger personally on August 30, 1993 at 11:45 AM by handing her a copy of the Complaint in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.
So answers, Carole Stefanucci, Deputy Sheriff
Robert M.Stevens, Sheriff

And Now, Dec. 17, 1993 at 3:07 p.m., upon praecipe of plaintiff attorney, and with copy of default notice, Judgment by Default is hereby entered in favor of plaintiff and against the defendant for want of an answer, within 20 days of service of the complaint.
Dated: 12/17/93 DEFAULT JUDGMENT
Barbara H. King,
Prothonotary

And Now, Feb. 2, 1993, at 3:26 p.m., upon praecipe of plaintiff attorney, and with default notice attached, Judgment is hereby entered in favor of plaintiff and against the defendant for want of an answer, in the amountof Twelve Thousand five Hundred Sixty and 22/100 Dollars, plus costs.
Judgment entered 2/2/94
K - 34 Debt ---- $12,560.22
JUDGMENT
Barbara H'. King,
Prothonotary

May 31, 1994, RELEASE OF JUDGMENT FILED. (see paper filed)

1993

Dennis V. Williams

738.

MARY K. SORENSEN

vs.

E. MICHAEL SORENSEN

Filed July 29, 1993
@ 2:35 PM

Tax & entry paid 10.50
User's Fee paid 5.00

CERTIFIED COPY OF PETITION OF PROTECTION FROM AUBSE
FROM ERIE COUNTY, PENNSYLVANIA.

Order:

AND NOW, to wit this 20 day of July, 1993 upon consideration of the Petition for Protection from Abuse inthe above-captioned case, it is ORDERED, ADJUDGED and DECREED as follows:

A final hearing for the Petitioner and Respondent will be held on the 3 day of August, 1993, at 9:00 a.m. at the Erie County Courthouse, Erie, Pennsylvania.

Pending said hearing it is ORDERED that:

(a) Temporary custody is grante dto your Petitioner of the parties' 2 minor children.

(b) Possession of the premises at is granted to the Petitioner, for the exclusive occupancy by her and her chidlren. Respondent E. Michael Sorensen is completely excluded from the residence. Respondent shall hereafter have no license or be present on the premises.

(c) Respondent, E. Michael Sorensen, is directed to refrain from striking, hitting, threatening, abusing or harrassing Petitioner and the minor children at any location including but not limited to the Petitioner's residence, his/her place of employment and/or school.

(d) That the Sheriff Department or any other police department within the area of the residence of the parties, including the State Police Department, shall enforce this Order by:

(1) Serving a certified copy of this Order on the Respondent, E. Michael Sorensen at R.D. 2 Fry Rd., Box 66, Edinboro, PA 16412 where s aid Respondent now resides if he is present thereon.

(2) If the Respondent violates this Order, he is to be arrested on the charge of indirect criminal contempt. An arrest for violation of this Order may be without warrant, based solely on probable cause, whether or not the violation is committed in the presence of the Sheriff or Police aforeaid or not.

(3) If the Respondent is placed under arrest for violation of this Order, the Respondent shall be arraigned before the District Magistrate, who shall fix security.

(4) An affidavit having been filed pursuant to Section 23 Pa. C.S.A. Section 6106, this Petition shall be filed and service shall be made without payment of costs.

(5) It is hereby ORDERED that the Respondent immediately relinquish possession or custody of. . The Sheriff's Department or any other law enforcement agency is ordered to enforce this and, if applicable, to witness the exchange.

BY THE COURT
Judge Juliente, J

1993

Barrett & Dratler
Bruce A. Barrett

739.

BANC ONE CARD SERVICES CORPORATION

vs.

ERIC M. BROBST

Filed July 29, 1993
@ 3:14 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	50.00
Pro Co pd 12-1-93	9.00
Exemp. of Record pd. 3/24/94	10.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Sep. 24, 1993 Complaint reinstated.

Nov. 9, 1993 SHERIFF'S RETURN, filed. I hereby deputize the Sheriff of Erie County, Pennsylvania to serve the within Complaint according to law. The defendants alleged address is 1747 Conneautee Road, Waterford, Pa. 16441

AFFIDAVIT OF SERVICE: SERVED the within Complaint on October 18, 1993, at 3:30 p.m. upon Eric M. Brobst at 1747 Conneautee Road, Waterford, Pa. 16441 by handing to Him, Eric W. Brobst a true and correct copy thereof and made known to him the contents therein.

Robert N. Michel, Sheriff
Erie County

Dec. 1, 1993 And Now, upon praecipe of plaintiff's attorney judgment is entered in favor of Plaintiff and against Defendant Eric M. Brobst, by reason of said Defendant's failure to file a responsive pleading or enter an appearance in the above captioned case for a period of 20 days after service upon the Defendant of a certified copy of the Complaint endorsed with a Notice to Defend. Judgment is entered in the amount of: Six Thousand Three Hundred Ninety-eight dollars and 66/100 plus costs and interest of 1.400%/mo. from 5/93.
Entered 12-1-93
B - 54

Debt: $6,398.66 plus int. & costs
JUDGMENT
Barbara H. King, Pro.

EX1994-6

290

1993

Barrett & Dratler
Bruce A. Barrett

740.

BANC ONE CARD SERVICES CORPORATION

vs.

SHARON L. BROBST

Filed July 29, 1993
@ 3:14 PM.

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	50.00
Pro Co pd 10-28-93	9.00
Exemp. of Record pd. 3/24/94	10.00

COMPLAINT IN CIVIL ACTION
1 copy Atty.

Sep. 24, 1993 Complaint reinstated.

Oct. 7, 1993 Sheriff's Return filed. SERVED the within Complaint on September 28, 1993, at 1150 hrs., upon Sharon L. Brobst at Erie County Sheriff Department, 140 West 6th Street, Erie County, Pennsylvania by handing to Sharon L. Brobst a true and correct copy thereof and made known to her the contents therein.
So answers Robert N. Michel,
Sheriff

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

And Now, October 28, 1993, upon praecipe of plaintiff's attorney judgment is entered in favor of Plaintiff and against Defendant, Sharon L. Brobst, by reason of said Defendant's failure to file a responsive pleading or enter an appearance in the above captioned case for a period of 20 days after service upon the Defendant of a certified copy of the Complaint endorsed with a Notice to Defend, Judgment should be entered for Seven Thousand Two Hundred Twenty-six dollars and 51/100.
Entered 10-28-93 Debt: $7,226.51
B - 154 JUDGMENT
Barbara H. King, Pro.

Nov. 5, 1993 abstract put in Barrett's box.

EX1994-7

1993

Mason & Mason
M. Dan Mason

741.

Mason and Mason
M. Dan Mason

JAMES A. KELTNER

vs.

RICHARD KOWALEWSKI et al

Filed July 29, 1993
@ 3:40 PM

Tax & entry paid 50.25
User's Fee paid 5.00

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

July 29, 1993 Rule entered upon the Plaintiff to file a Complaint issued.

Aug. 4, 1993 Proof of Service of Notice of Appeal and Rule to File Complaint, filed.

Aug. 20, 1993 Complaint filed. 1 copy Plff

Aug. 20, 1993 Verification of Service filed.

Oct. 15, 1993 Answer To Complaint and New Matter filed.
(1 copy Atty.)

1993

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

742.

MARQUETTE SAVINGS BANK,
formerly MARQUETTE SAVINGS
ASSOCIATION

vs.

ERNEST B. ELLIS and PATTY A.
AMOS, formerly PATTY A.
ELLIS

Filed July 30, 1993
@ 9:34 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	44.00
Sheriff's Costs	40.00
Pro Co Pd 2/10/94	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies Sheriff

July 30, 1993 Affidavit of Non-Military Service filed.

Sep. 13, 1993 Sheriff's Return filed. SERVED Patty A. Amos personally on August 30, 1993 at 4:43 PM by handing her a copy of the Complaint in Mortgage Foreclosure at her residence, 654 Madison Avenue, Meadville, Crawford County, PA.
NOT FOUND as to Defendant Ernest B. Ellis. Attempted service by Certified REstricted Mail at his last known address of 905 Atlantic Avenue, Point Pleasant, NJ 08742. Letter was returned "Unclaimed".
So answers, Dale A.Collins, Chief Deputy
Robert M.Stevens, Sheriff

Sept. 30, 1993 Complaint Reinstated.

Nov. 1, 1993 SHERIFF'S RETURN, filed. SERVED Ernest B. Ellis by Certificate of Mailing at his place of employment,Medical Center of Ocean County, 2121 Edgewater Place, Point Pleasant, NJ 08742. Sent onOctober 8,1993.
SERVED Ernest B. Ellis by Certificate of Mailing on October 8, 1993, at his last known address of 905 Atlantic Avenue, Point Pleasant, NJ 08742.
SERVED Ernest B. Ellis by Certified Mail addressed at his last known address of 905 Atlantic Avenue, Point Pleasant, NJ 08742. Have not yet received a return receipt.
So answers, Robert M. Stevens, Sheriff

Dec. 8, 1993 Complaint reinstated.

Feb. 10, 1994, Out of State Service of Sheriffs Office filed. Complaint served on 1/6/94 Complaint copy personally served successfuly to defendant Ernest B. Ellis.
Deputy Sheriff of Ocean County,
State of New Jersey

And Now, Feb. 10, 1994, at 2:31 p.m., upon praecipe of plaintiff attorney, for default Judgment and assessment of damages, Judgment is hereby entered in favor of the plaintiff and against the defendants, for want of an answer, damages assessed in the amount of Thirty Eight Thousand Nine Hundred Fifty Five and 72/100 Dollars. (Int. from 6/15/93 thru 1/15/94 of $2,237.06 included in debt and atty. collection fee of 5% - $1,855.00 included in debt)

Judgment entered
2/10/94
E - 203, 131
A - 132

Debt ---- $38,955.72
JUDGMENT
Barbara H. King,
Prothonotary

EXECUTION 1994 - 10

1993

743.

JAMES H. ANDERS

vs.

MEMO MERCHANT"S EXPRESS
M.O. CO.

Filed July 30, 1993
@ 10:51 AM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro Pd 8/23/93	6.00

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

Aug. 2, 1993 Proof of Service of Notice of Appeal and Rule to File Complaint, filed.

Aug. 5, 1993 Complaint filed.

Aug. 6, 1993, Proof of Service filed. I hereby certify that I have mailed 1st class a copy ofthe Complaint to the Appellee above named at: P.O. Box 8863, Camphill, Pa. 17001-8863 on the 5th day of Aug. 1993. James H. Anders.

Aug. 23, 1993, Upon praecipe of plaintiff, the above suit is hereby discontinued of record.

294

1993

Quinn, Buseck,
Leemhuis, Toohey
& Kroto, Inc.
Lawrence C. Bolla

744.

NATIONAL FUEL GAS
DISTRIBUTION CORPORATION

vs.

DONALD HESTER, ind. d/b/a
SPECIAL CASTINGS

Filed July 30, 1993
@ 4:20 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	23.00
Sheriff's Costs	25.00
Pro Co pd 10-1-93	9.00
Pro Co pd 10-14-93	5.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Aug. 12, 1993 SHERIFF'S RETURN filed. NOT FOUND as to Defendant Donald Hester, Ind. and d/b/a Special Castings, located at 764 Bessemer Street, Meadville, Crawford County, pa. They are out of business.
So answers, Robert M. Stevens, Sheriff

Aug. 17, 1993 Complaint reissued. 1 copy Sheriff

Aug. 20, 1993 Sheriff's Return filed. SERVED Donald Hester personally on August 19, 1993 at 10:08 AM by handing him a copy of the Complaint at hs place of employment, Major Products, 600 Erie Street, Saegertown, Crawford County, PA.
So answers, Scott D.Young, Deputy Sheriff
Robert M.Stevens, Sheriff

Oct. 1, 1993 And Now, upon praecipe of plaintiff's attorney judgement is hereby entered in favor of the plaintiff and agaisnt the defendants in the sum of Two Thousnad Eight Hundred Nine dollars and 15/100 plus interest from July 30, 1993 and all costs of suit.
Entered 10-1-93 Debt: $2,809.15 plus interest & costs
H - 45 JUDGMENT
S - 118 Barbara H. King, Pro.
10-7-93 Notice of entry of Judgment sent ot Dfts.

Oct. 4, 1993 Answer Containing New Matter, filed.

Oct. 14, 1993 Upon praecipe of plaintiff's attorney satisfaction was received in full of this judgment, debt, interest and costs and hereby discharge the same of record.

1993

Thomas, Truax,
Spadafore & Walker
R. charles Thomas

745.

Barbara J. Walton

8-4-93 Rec from Plff
Meddep #150.00
11-16-93 Pd plff Bal med dep
Ch# 790 (& RET) 41.00
12-29-93 Pd Co 7983 100.00
10-4-95 Rec'd from Plaintiff
med fee 150.00
12-13-95 Rec'd from deft
med fee 90.00
12-14-95 Refunded deft
90.00 + 51.00 Co. #9623 14.00
12-20-95 pd Co 90.00
#9625
2-5-96 Rec'd from Plff
med fee 90.00
5-15-96 Pd Co 90.00
#10019

JAMES D. KERR

vs.

DENISE HOOVER

Filed August 2, 1993
@ 10:21 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co Pd 12-29-93 7984	9.00
Pro.Co. Pd 12-20-95	9.00

COMPLAINT FOR CUSTODY
1 copy atty.

Order:

You, Denise Hoover, Defendant, have been sued in Court to obtain custody of the following children, James Kerr and Carrie Kerr.

You are hereby ordered to appear in person t such time and at such place as is hereby designated by the Custody Mediator hereinafter appointed for a conference.

If you fail to appear at the time specified by the Custody Mediator hereby appointed by this Order, an Order for custody may be entered against you or th eCourt may issue a Warrant for your arrest.

John Fuller, Esquire, is hereby appointed as Custody Mediator in this case.

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

Court Administrator
Crawford County Court House
Meadville, Pennsylvania 16335
Telephone: (814) 336-1151
Extension 298

Plaintiff's Attorney:
R. CHARLES THOMAS, Esquire
Old Post Office Building
Meadville, Pennsylvania 16335

BY THE COURT
Anthony J. Vardaro, J

Dated: Aug. 2, 1993

Nov. 12, 1993 Order filed. AND NOW, November 8, 1993, after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of James Kerr and Carrie Kerr shall be shared between the mother and the father, the plaintiff and defendant herein, that is, each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions affecting the children such as the education, medical treatment and religious instruction of the subject children.

II. Physical custody of James Kerr and Carrie Kerr shall be with their Father, subject to the following conditions:

A. The Mother shall be entitled to visit the children in the Father's home in Crawford County, every Saturday, beginning November 13, 1993, from 10:00 o'clock a.m. to 5:00 o'clock p.m. The Mother can take the children from Father's hone, but under no circumstances in Clifford Hoover to be present during any visit.

B. The Mother shall be entitled to visit and take the children from Father's home, but under no circumstances is Clifford Hoover to be present during any visit.

B. The Mother shall be entitled to visit and take the children into her custody for weekend visits, form Friday evening until Sunday evening, or for shorter visits, on those weekends or times that Father agrees to, and when Mother can assure Father that Clifford Hoover will not be present in thehome.

C. Holidays shall be defined as Christmas, Easter and Thanksgiving. Custody of the children shall be shared on the aforesaid holidays andin the absence of an agreement to the contrary, the children shall be in the custody of the Father on the aforesaid holidays until 1:00 o'clock p.m. and in the custody of the Mother on the aforesaid holidays from 1:00 o'clock p.m. until 7:00 o'clock p.m. These visits may take place in Father's home or Mother's home, but Clifford Hoover shall not be present during any visit.

D. Transportation of the children on weekends and holidays shall be provided by the Mother.

E. Neither mother nor father shall say or do anything in an attempt to turn the children against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the children towards both parents.

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

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

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are file dby either party within ten (10) days of the date hereof. This Order is without prejudice to the right of either party to request a further mediation conference at any time after May 1, 1994.

IV. Cost of the mediation conference will be divided as follows: One-half (½) Crawford County and one-half (½) Father. The Prothonotary of Crawford County is hereby directed to refund part of the deposit paid in advance by the Plaintiff, less the cost of the custody order.

Anthony J. Vardaro, J

Nov. 18, 1993 Copies of order to Atty's Thomas & Enterline

Sep 29, 1995 Appearance of Barbara J. Walton, Esquire, for Defendant, filed.

Oct. 4, 1995 Petition to Modify Custody, Reappoint Mediator and Notice and Order to Appear filed. You,James D. Kerr, have been sued in Court to obtain shared custody of:

James Kerr
Carrie Kerr

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

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

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

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

BY THE COURT:
Anthony J.Vardaro,J.

Date: 10-3-95
10-4-95 FAxed Thomas, &Fuller, given Walker

CONTINUED ON PAGE 487

746.

ROBERT C. ATROZSKIN

vs.

LISA ATROZSKIN

Filed August 2, 1993
@ 10:55 AM

Tax & entry Pd 9-3-93 50.50
User's Fee Pd 9-3-93 5.00
Sheriff's Costs 23.00
Pro Co Pd 9-3-93 9.00

9-3-93 Received from dfp Sheriff Coats 23.00
9-3-93 Pd Sheriff ck# 7762 23.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 2nd day of August , 1993 , 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 visit the chidlren until further order of court.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or fees and costs will be determined by final court order.
7. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the August 9, 1993 , at 10:00 a.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Aug. 9, 1993 Sheriff's Return filed. SERVED Lisa Atrozskin by Certified Mail mailed out on August 2, 1993, to her last known address; c/o Francis and Sandy Klimkiewicz, 14216 Brunswick Avenue, Maple Heights, OH 44137.
So answers, Robert M.Stevens, Sheriff

Aug. 25, 1993 ORDER filed. AND NOW, August 9, 1993, after an informal hearing, at the close of the Plaintiff's case the Court concludes that the Plaintiff has not made out a prima facie case of abuse as that word is used in a protection from abuse proceedings and therefore the petition is dismissed and the temporary abuse order of August 2, 1993, is vacated.

The prothonotary shall deliver a true and correct copy of this order to the Pennsylvania State Police and County Control.

The Plaintiff shall pay record Court costs inf ull on later than September 9, 1993, with payment to be made by the Plaintiff directly to the Prothonotary's Office.

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

Aug 25, 1993 copies dist. to Co. Control, Pa. SPD, Mason & Angelo

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

1993

Akman & Associates,
Lloyd E. Wilson, II

747.

GERALD PENNOCK

vs.

JONI PENNOCK

Filed August 2, 1993
@ 1:48 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count pd	15.00
State paid	10.00
Pro.Co.pd 1/31/94	9.00
Pro Co pd 5/25/94	5.00

COMPLAINT IN DIVORCE, EQUITABLE DIVISION OF MARITAL PROPERTY
2 copies atty.

Oct. 7, 1993 Certificate of Service filed. I hereby certify that a true and correct photocopy of the foregoing Complaint was served on Joni Pennock on the 26th day of August, 1993, by mailing said photocopy to her via Certified First Class Mail, Restricted Delivery, Return Receipt Requested, postage prepaid, at the address listed below: Joni Pennock, 777 Whittier Avenue Meadville, PA 16335. Lloyd E. Wilson

Dec. 6, 1993 Affidavit of Consent by Gerald Pennock, Plaintiff, filed.

Dec. 6, 1993 Affidavit of Consent by Joni Pennock, Defendant, filed.

Jan. 21, 1994 Affidavit of Non-Military Service filed.

Jan. 31, 1994 Upon Praecipe of Lloyd E. Wilson, II, Esquire, Attorney for Plaintiff, to transmit record, Case moved to Court.

Feb. 7, 1994, Upon praecipe of plaintiff attorney, Court II-Equitable Distribution of Marital Property - is hereby withdrawn.

DIVORCE DECREE FILED

Feb. 10, 1994 AND NOW, Feb. 9, 1994, it is hereby ordered and decreed that GERALD PENNOCK, Plaintiff, and JONI PENNOCK, Defendant, are divorced from the bonds of matrimony.

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

BY THE COURT:
Anthony J. Vardaro, J.

May 25, 1994 Notice Of Election To Retake Maiden Name filed. Joni Pennock TO BE KNOWN AS: Joni L. Foltz

1993

Mary Ann Kirkpatrick

748.

William J.Gregg
Kathleen R. Nelson

Aug. 2, 1993 $150.00 deposited by Plaintiff
10-5-93 Pd Plt/ Bal Med Dep. (Chris Kirkpatrick) Ck# 7828 66.66
10-20-93 Rec from dft - med fees 75.00
10-26-93 Pd Co Med fees Ck#7874 150.00

KATHLEEN EASLY

vs.

DOUGLAS WILCOX

Filed August 2, 1993
@ 1:48 PM

Tax & entry paid	50.50
User's Fee paid	5.00
John Fuller, Mediator	150.00
Pro Co Pd 10-26-93 Ck#7875	9.00

COMPLAINT FOR CUSTODY
1 copy atty; 1 copy mediator

Order:
You, Douglas Wilcox, have been sued in Court to obtain custody of Summer Wilcox.
You are ORDERED to appear in person at such time and place as will be determined by the Mediator John Fuller for a mediation conference.
If you fail to appear as provided by this order, an order for custody, partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.
YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE, IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONCE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.
Court Administrator
Courthouse
Meadville, PA 16335
(814) 336-1151, ext. 298
Date: 8/2/93 Gordon R. Miller,

Order"
And Now, August 2, 1993, John Fuller, Esq., is appointed Child Custody Mediator in the above case and shall promptly schedule mediation.
By the Court
Gordon R. Miller, J

Aug. 24, 1993 Affidavit of Service filed. And Now, Aug. 24th, 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 Kathleen Easly, Plaintiff in the above-captioned matter.
2. That on information furnished her by the Plaintiff, she caused a certified copy of the Custody Complaint to be forwarded by Certified Mail, P 100 621 242; postmarked Aug. 16, 1993, to the last known address of the Defendant, Dougla Wilcox, RD # 3, Box 195E, Cochranton, PA 16314.
3. That the Defendant, Douglas Wilcox, on Aug. 20, 1993, personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto.
4. Service of the Complaint against Defendant is therefore effected in accordance with Pa. Rules of Civil procedure.

Constance L. Deitman

Sep. 3, 1993 Appearance of William J. Gregg by Kathleen R. Nelson, Esquire for Douglas Wilcox, Defendant, filed.

Oct. 5, 1993 ORDER filed. AND NOW, September 30, 1993 after mediation conference before John Fuller, Esquire, IT IS SORDERED AND DECREED AS FOLLOWS, TO-WIT:
I. Legal custody of Summer Wilcox shall be shared between the parties hereto, with each party entitled to 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 child's health, education, religious instruction, and other important decisions.
II. Primary physical custody of Summer Wilcox shall be with her mother, Plaintiff herein, subject to the following conditions:
A. From November 1st through March 31st each year, the father shall be entitled to visit and take the child into his custody on alternate weekends from 6:00 o'clock p.m. Friday through 6:00 o'clock p.m. Sunday.
B. During the months beginning April 1st and ending on October 31st each year, the father shall be entitled to visit and take the child into his custody for two consecutive weekends with the third weekend being the mothers, and followisng the same schedule thereafter, with said visitations with father to begin at 6:00 o'clock p.m. on Friday and ending at 6:00 o'clock p.m. on Sunday.
C. In addition to the visitation set forth above, during the months of November 1st through March 31st, the father shall be entitled to have the child in his custody for two weekday evenings each week, which days will primarily be Tuesdays and Thursdays, with the father receiving the child after school and returning the child to school the following morning. The parties acknowledge that mother is currently attending evening classes to further her education, and, in the event that a weekday evening other than Tuesday or Thursday may be more convenient for her, she shall notify the father within a reasonable period of time in the event she wishes to change a scheduled Tuesday or Thursday over night visitation to another weekday evening. The parties also acknowledge that, once the mother's education has been completed, over night visitation during the weekdays will take place only on Tuesday and Thursdays.
III. Holiday visitation shall be arranged as follows:
A. Christmas Day each year shall be spent with dather during the hours of 10:00 o'clock a.m. until 7:00 o'clock p.m. The parties have indicated a willingness to divide the remainder of the child's Christmas vacation from school, with the parties alternating the first and second half of said school vacation each year, and shall make arrangements for said division no later than the Thanksgiving holiday. Christmas Eve each year shall be spent with the mother.
B. In 1993 and odd years thereafter, mother shall have the child in her custody on Thanksgiving Day from 10:00 o'clock a.m. until 7:00 o'clock p.m. and the father shall have the child in his custody on Thanksgiving Day during even numbered years. The parties have also indicated a willingness to divide the remainder of the child's Thanksgiving vacation from school, with the parties alternating the first and second half of said vacation each year. Arrangements for said division should be made no later than November 1st of each year.
C. There shall be two Easter visitation periods, the first beginning on the Saturday preceding Easter at 7:00 o'clock p.m. and ending on Easter mornign at 10:00 o'clock a.m., and the second beginning at 10:00 o'clock a.m. Easter Day and ending Easter Day at 7:00 o'clock p.m. For 1994, the mother shall have the child during the first period, the father shall have the child during the second period, and the parties shall alternate thereafter. The parties have indicated a willingness to divide the remainder of the child's Easter vacation from school each year. Arrangements for the division shall be made no later than two weeks prior to Good Friday each year.

Continued on Page 452

1993

Ostroff & Kline, PC
Jonathan Ostroff

749.

Cipriani & Werner
Gerard J. Cipriani
Chester A. Dudzinski

HARRY WILLARD BOYER, JR.

vs.

THERESA SMOCK

Filed August 2, 1993
@ 1:48 PM

Tax & entry paid	50.50
User's Fee paid	5.00
sheriffs costs	25.00
Pro Co Pd. 12/16/93	5.00

COMPLAINT IN CIVIL ACTIOIN

Aug. 6, 1993, Upon praecipe of plaintiff attorney, Verification substituted.

Aug. 17, 1993, Sheriffs Return filed. SERVED Theresa Smock personally on Aug. 12, 1993 at 10:38 a.m. by handing a copy of the complaint to her at her residence 508 Baldwin St. Meadville, County of Crawford, Pa.
So answers Scott D. Young, Dep. Sheriff
Robert M. Stevens, Sheriff

Aug. 27, 1993 Appearance of Cipriani & Werner by Gerard J. Cipriani for Defendant filed.

JOct. 13, 1993 Motion For Protective Order and Order, filed. ORDER: AND NOW, this 7th day of October, 1993, upon consideration of defendant's Motion for Protective Order, it is hereby ORDERED, ADJUDGED AND DECREED that a Hearing will be held before this Court at 1:30 p.m. on the 26th day of October, 1993.
BY THE COURT
Gordon R. Miller, P.J.
Oct. 21, 1993 copy to J. Ostaroff & C. Dudzinski

Oct. 20, 1993 Plaintiff's Response to Derendant's Motion for Protective Order filed.

Oct. 22, 1993, Answer and New of Defendant filed.

Nov. 1, 1993 Objections To Interrogatories Served On Defendant By Plaintiff, filed.

Dec. 16, 1993, Upon praecipe of plaintiff attorneys, the above captioned matter is hereby settled, discontinued and ended of record, upon payment of costs only.

300

1993

Kathleen R. Nelson

750.

SHERRI NIES

vs.

CHARLES E. NIES

Filed August 2, 1993
@ 2:44 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro. Co. pd 1/21/94	9.00

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

Aug. 11, 1993 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 Divorce Complaint was sent by certified mail to the Defendant, Charles E. Nies on August 4, 1993.
3. The certified mail was sent to 105 E. SEcond St., Oil City, Pennsylvania, 16301. The sender's receipt is attached hereto.
4. That the Defendant received said certified mail onAugust 6, 1993. Said Return Receipt Card P 238 202 333 is attached hereto, signed by Charles E.Niels and made a part hereof.

August 10, 1993 Kathleen R.Nelson,Esq., Atty. for Plft.

Dec. 28, 1993 Affidavit of Consent by Sherri Nies, Plaintiff, filed.

Dec. 28, 1993 Affidavit of Consent by Charles E.Nies,Defendant, filed.

Jan. 21, 1994 Upon Praecipe of Kathleen R. Nelson. Esquire, Attorney for Plaintiff to transmit record, Case moved to Court..

DIVORCE DECREE FILED

Jan. 28, 1994 AND NOW, January 27, 1994, it is ordered and decreed that SHERRI NIES, Plaintiff, and CHARLES E. NIES, Defendant, are divorced from the bonds of matrimony.

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

BY THE COURT:
Gordon R. Miller, J.

1993

Baarrett & Dratler
Bruce A. Barrett

751.

JOYCE M. KIRCHER

vs.

ROBERT L. KIRCHER

Filed August 2, 1993
@ 3:22 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Sheriff's Costs	29.00
Pro Co pd. 7/10/96	9.00

COMPLAINT IN DIVORCE
1 copy Plaintiff

Aug. 10, 1993 Affidavit of Service filed. Before me, the undersigned authority,personally appeared Joyce M.Kircher,Plaintiff, who, being duly sworn according to law, deposes and says that on August 2, 1993 she sent by Certified Mail, Return Receipt Requested, Restricted Delivery, a true and correct copy of the Complaint in Divorce and Other Relief Under the Divorce Code of 1980 filed in the above-captioned case to the Defendant. Said Complaint was received by Robert L. Kircher, Defendant,on August 7, 1993 The Return Receipt which was signed by the Defendant is hereto attached.
August 10, 1993 Joyce M. Kircher

Dec 11, 1995 Motion to allow an Amended Complaint in Divorce and Order. AND NOW, this 6th day of December upon consideration of the foregoing Motion, it is hereby ordered that the Plaintiff shall be permitted to file an Amended Complaint in Divorce alleging a Divorce pursuant to 3301(d). A true and correct copy of this order shall be served upon the Defendant at such time as the Amended Complaint is served.
Anthony J. Vardaro, J.
Dec 11, 1995 Faxed Barrett

Dec. 13, 1995 Amended Complaint in Divorce on behalf of plaintiff, filed.

Jan. 10, 1996 Complaint Reinstated

Jan 23, 1996 SHERIFF'S RETURN, filed. Served, Robert Kircher, personally at the Sheriff's Office on January 19, 1996 at 2:45 PM.
So answers,
Diane Brittain, Deputy
Robert M. Stevens, Sheriff

June 28, 1996, Upon praecipe of plaintiff attorney, to transmit the record, with Notice of Intention to request Entry of Divorce Decree, Defendatns counter-affidavit, and affidavit under 3301(d) attached, this case is moved to court.

DIVORCE DECREE FILED

July 12, 1996 AND NOW, July 11, 1996, it is ordered and decreed that JOYCE M. KIRCHER, plaintiff, and ROBERT L. KIRCHER, 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.

1993

Thomas, Truax,
Spadafore & Walker
Gregory A. Keenan

752.

JEFFREY L. ROUGH

vs.

MELISSA M. ROUGH

Filed August 2, 1993
@ 3:44 pM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro Co Pd 11/19/93	9.00
Pro.Co. pd 2/2/94	5.00

COMPLAINT IN DIVORCE, CUSTODY
2 copies atty.

Aug. 15, 1993, Acceptance of Service filed. I, Melissa M. Rough, hereby accept service of the Complaint in Div. properly endorsed with the Notice to Defend in regard to the above captioned matter. Date: 8/6/93 Melissa M. Rough. 1 copy (atty)

Aug. 16, 1993 Petition for Entry of Agreement and CONSENT CUSTODY ORDER filed.

AND NOW, this 19 day of August, 1993, upon stipulation of the parties to this action,the following Order is hereby entered.

Jeffry L. Rough and Melissa M.Rough,the parties in the above captioned action, have agreed upon the matters set forth below and agree that the Court of Common Pleas of Crawford County, Pennsylvania, shall enter an Order in accordance with the terms of this Consent Custody Order without the necessity of their being present in Court. They have waived any further notice of the proceedings in conjunction with the entry of said Order and each has received an advance copy of this Consent Custody Order. They represent that each is aware of their right to confer with independent legal counsel for review of this matter,prior to entry into agreement, Stipulation and Court Order.

1. The parties, Melissa M. Rough (Mother) and Jeffrey L.Rough (Father), are the natrual parents of the minor child, Joseph L. Rough, born September 8, 1988.

2. The parties shall share legal and physical custody of the subject minor child, Joseph L. Rough,with each parent entitled to full access to medical records, educational records, and other important records, and each parent shall be entitled to take part in important decisions effecting the child, including those decisions involving the child's education, medical treatment, and religious instruction.

3. Primary physical custody of the minor child shall be with his mother, with partial custody accorded to father as follows:

A. During the shcool year, father shall have partial custody of the minor child from 7:00 p.m. Friday until 7:00 p.m. Sunday. During the summer vacation period, the minor child shall reside with his father during the week with mother to have partial custody every weekend from Friday at 7:00 p.m. until Sunday at 7:00 p.m.

B. The holidays of Christmas, Thanksgiving, and Easter shall be split between the parties with one party having custody of the minor child from wake-up until 2:00 p.m. of said holidays and the other parent having custody from 2:00 p.m. until 9:00 p.m. All holidays not specifically enumerated above shall be alternated between the parties. The parties agree that the minor child spend Mother's Day with mother and Fther's Day with father.

4. 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 of modification shall notify the other party as soon as he or she knows of the necessity which implels the cancellation or modification. Said cancellations or modifications shall not be proposed except for good reason. Should a cancellation or modification be necessary, the party shall attempt at once to arrange for alternative visits or to make alternative arrangements.

5. Each party shall teach the minor child to give to the other party that love, respect and obedience which is due a parent from his or her children. Furthermore, neither party shall do or say anything to blacken the character of the other in the child's estimation. Each party shall treat the other in a polite and respectful manner when in the child's presence and each party shal instruct his or her relatives and friends to do likewise and also not to disparage the other party in the child's estimation.

6.Neither party shall 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.

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

8.The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco nor permit others to do so in a closed automobile in which the child is being transported or in the bedroom of the child.

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 tht would be propert and convenient Said arrangements shall be my mutual consent only, in the absence of which this Consent Order shall govern.

By the Court:
Anthony J.Vardaro, J.

Aug.26, 1993 Copy of Order toAtty. Keenan & Deft.

Nov. 19, 1993, Affidavit of Consent of plaintiff filed.

Nov. 19, 1993, Affidavit of Consent of defendant filed.

Nov. 19, 1993, Upon praecipe of plaintiff atty, for Review, this case moved to court.

DIVORCE DECREE FILED

Dec. 7, 1993 AND NOW, December 6, 1993, it is Ordered and Decreed that JEFFREY L. ROUGH, Plaintiff, and MELISSA M. ROUGH, Defendant, are divorced from the bonds of matrimony.

By the Court:
Gordon R.Miller, J.

Feb. 2, 1994 Notice of Election to Retake Maiden Name of Melissa M. Rough to be known as Melissa M. Murdock, filed.

1993

753.

8-6-93
Rec from dpt Sheriffs Dasty 25.00
8-6-93 Pd Sheriff Ck# 7713 25.00

MARIE ANDROMALOS

vs.

JIM SHIELDS

Filed August 3, 1993
@ 10:50 AM

Tax & entry paid Pd8-6-93 50.50
User's Fee paid Pd 8-6-93 5.00
Sheriff's Costs 25.00
Pro Co Pd 8-6-93 5.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy atty.

Order:

And now, this 3rd day of August , 1993 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not contact the Plaintiff nor go to her home. Custody of the child is awarded to Plaintiff until further court order. *
3. This Order may be enforced without a warrant any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police department in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs. Hearing is hereby set for August 9, 1993 , at 9:15 am.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

* The Plaintiff shall not take the child out of Crawford County

Aug. 4, 1993 Sheriff's Return filed. SERVED Jim Shields personally on August 3, 1993 at 12:03 PM by handing a copy of the Protecton From Abuse to him in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.

So answers,

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

Aug 9, 1993 Motion To Vacate Protection From Abuse Order and Order, filed. ORDER: AND NOW, THIS 6 day of August , 1993 upon receipt and review of the plaintiff's motion to vacate and terminate the Protection from Abuse Order of August 3, 1992, said motion is granted and the Protection from ABuse Order is hereby vacated and terminated.

A true and correct copy of this Order shall be delivered by the Prothonotary to Jim Shields adnd to County Control.

Any provisions of the Protection from Abuse Order of August 3, 1993 assesssing court costs shall remain in full force and effect without change or modification and the party or parties against whom costs were assessed shall remain obligated to pay the costs.

BY ORDER OF COURT
Anthony J. Vardaro, J.

Aug. 9, 1993 copy to County Control, Plf. & Dft.

1993

754.

DOLORES MARIE SAYERS

vs.

LEO C. SAYERS, SR.

Filed August 3, 1993
@ 1:15 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co 11-4-93	9.00

COMPLAINT IN DIVORCE
no copies

Aug. 3, 1993 Affidavit of Service filed. I accept service of the Complaint in Divorce under Section 201c of the Divorce Code
Aug. 3, 1993 Leo C. Sayers, Sr.

Nov. 4, 1993 Acceptance of Service, filed. Before me, the undersigned authority, personally appeared Dolores Marie Sayers, Plaintiff, who, being duly sworn according to law, deposes and says that on Nov. 4, 1993 she sent by Certified Mail,Return Receipt Requested, Restaricted Delivery, a true and correct copy of he Complaint in Divorce and Other Relief Under the Divorce Code of 1980 filed in the above-captioned case to the Defendnat. Said Complaint was received by Leo C. Sayers Sr., Defendant, on The Return Receipt which was signed by the Defendant is hereto attached.

Nov. 4,1993 Affidavait of Consent of Defendant, filed.

Nov. 4, 1993 Affidavit of Consent of Plaintiff, filed.

Nov. 4, 1993 Upon praecipe of Plaintiff to transmit records, case moved to Court.

Nov. 16, 1993 Memorandum filed. AND NOW, November 12,1993, this matter is before the Court on a document filed entitled "Praecipe for Review Under Section 201(d) of Divorce Code.

This matter has proceeded pro se and essentially what the Plaintiff appears to be asking for is a 3301(c) divorce and everything seems to be in order to grant the same.

The only problem at this point is that the decree supplied by the Plaintiff includes language with respect to distribution of personal and real property.

While we are prepared to grant the 3301(c) divorce, no equitable distribution count has been raised and therefore we cannot render relief with respect to that issue.

We are returning this back to the Prothonotary so that the Plaintiff may either praecipe solely for the granting of a divorce or either party may file a claim for equitable distribution in an appropriate manner if in fact they wish this Court to enter an order with respect to equitable distribution of the marital property.

A copy of this Memorandum should be sent by regular mail by the Prothonotary to each party.

BY THE COURT:
Anthony J. Vardaro, J.

Nov. 16, 1993 copies mailed by Reg. mail to Plf. & Dft.

Nov. 17, 1993 Upon praecipe of Plaintiff to transmit record, case moved to Court.

DIVORCE DECREE FILED

Nov. 22, 1993 AND NOW, November 22, 1993, it is hereby ordered and decreed that DOLORES MARIE SAYERS, Plaintiff, and LEO C. SAYERS, 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.

1993

755.

JAMES H. ANDERS

vs.

THOMAS GILDEA, ROBERT FROST
GARY MCCLIMANS, MEADVILLE
CODE APPEALS BOARD

Filed August 3, 1993
@ 1:15 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	49.00
Pro.Co. pd 8/19/93	6.00

ACTION IN MANDAMUS TO COMPEL ADJUDICATION OF CODE APPEALS BOARD TO BE SERVED WITHIN 5 (FIVE) DAYS AS PROMISED
1 copy pltf.

Aug. 12, 1993 SHERIFF'S RETURN, filed. SERVED Thomas Gildea on August 4, 1993 at 3:25 PM by handing a copy of the Action in Mandamus to Roger Gildea, Person in Charge at Goodea Construction Co., Box 202, Airport Road, Meadville, Crawford County, Pa.

SERVED Robert Frost personally on August 5, 1993 at 8:35 PM by handing him a copy of the Action Mandamus in the Sheriff's Office, Crawford Counnty Courthouse, Meadville, Pa.

SERVED Gary McClimans on August 6, 1993, at 12:55 PM by handing a copy of the Action in Mandamus to Barbara McClimans, Authorized Agent, in the Sheriff's Office, Crawford County Courthouse, Meadville Pa. Signed Acceptance of Service attached.

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

Aug. 19, 1993 Upon Praecipe of James H.Anders, Plaintiff, the above-captioned civil action in mandamus the above case marked settled and discontinued of record.

1993

Mary Ann Kirkpatrick

756.

ANDREW FRED MIKSA

vs.

CHRISTINE MAY BARTHOLOMEW MIKSA

Filed August 3, 1993
@ 1:50 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro Co pd 11-9-93	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy atty.

Aug. 31, 1993 ACCEPTANCE OF SERVICE, filed. I accept service of the Divorce Complaint filed on behalf of Andrew Fred Miksa.
Christine May Bartholomew

Nov. 4, 1993 Affidavit of Consent of plaintiff filed.

Nov. 8, 1993 Affidavit of Consent by Christine May Bartholomew Miksa, Defendant, filed.

Nov. 9, 1993 Upon praecipe of plaintiff's attorney to transmit record, case moved to Court.

Dec. 15, 1993 MEMORANDUM AND ORDER filed. ORDER. AND NOW, December 15, 1993, this file is returned to the Prothonotary without prejudice to the parties to file a praecipe for review at such time as it may be in order for a party to do so.
BY THE COURT:
Anthony J. Vardaro, J.
12-15-93 Copy of Order to Atty. Kikrpatrick, & Deft.

Jan. 10, 1994 Amended Divorce Complaint, filed.
1-10-94 (1 copy Atty)

Jan. 17, 1994 I accept service of the Amended Divorce Complaint.
Date: 1-17-94
Christine May Bartholomew Miksa, Defendant

Jan. 19, 1994 Marital Settlement Agreement filed.

Apr. 12, 1994 Affidavit of Consent of Defendant filed.

Apr. 12, 1994 Affidavit of Consent of Plaintiff filed.

Apr.13, 1994 Upon Praecipe of Mary Ann Kirkpatrick, Esquire, Attorney for Plaintiff, Request for Entry of Decree, filed.

DIVORCE DECREE FILED

April 28, 1994 AND NOW, April 27,1994, it is ordered and decreed that ANDREW FRED MIKSA, Plaintiff, and CHRISTINE MAY BARTHOLOMEW MIKSA, Defendant, are divorced from the bonds of matrimony. The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

EQUITABLE DISTRIBUTION: the parties shall divide their property in accordance with the terms of their Memorandum of Agreement signed July 29, 1993, filed of record and made a part hereof. This decree is not intended to cover any portion of the Memorandum of Agreement signed July 29, 1993 that covers issues or counts that have never been raised by the pleadings.

BY THE COURT:
Anthony J. Vardaro, J.

1993

Joseph F. Kulwicki

757.

ROBERT R. WEBBER and ALTA I. WEBBER, his wife

vs.

MARSHALL GIBBS MILLER

Filed August 3, 1993
@ 1:51 PM

Tax & entry paid 50.50
User's Fee paid 5.00
Pro Co pd 12-21-93 5.00

WRIT OF SUMMONS
Issued Atty.

Dec. 21, 1993 Upon praecipe of Plaintiff Attorney the above captioned matter is marked settled and discontinued of record.

1993

Wasson, Egan &
Wilson
William H. Burwell

758.

CHRISTINE IONE GALFORD

vs.

WILLIAM ALLEN GALFORD

Filed august 3, 1993
@ 2:16 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 add'l Counts pd	30.00
State paid	10.00
Pro. Co. pd 8/25/94	9.00

COMPLAINT IN DIVORCE, CUSTODY, EQUITABLE DISTRIBUTION
1 copy atty.

Aug. 10, 1994, Affidavit of Consent of plaintiff filed.

Aug. 10, 1994, Affidavit of Consent of defendant filed.

Aug. 25, 1994 Affidavit of Service filed. I, William H. Burwell Attorney for Christine Ione Galford, Plaintiff in the above captioned action, hereby certify that I have served the Defendant with a certified copy of the Complaint in Divorce by mailing him a certified copy of the Complaint, as filed with the Court on August 3, 1993, and sent to the Defendant on August 7, 1993, by certified mail, return receipt requested, and restricted delivery.

Attached hereto and labeled Exhibit "A" is a copy of the receipt for certified mail and the return receipt.

Aug. 24, 1994 William H.Burwell, Attorney for Christine Ione Galford

Aug. 25, 1994 UponPraecipe of William H. Burwell, Esquire, Attorney for Plaintiff to transmit record, case moved to Court.

DIVORCE DECREE FILED

September 1, 1994 DIVORCE DECREE filed. AND NOW, this 31 day of August, 1994, it is ordered and decreed that CHRISTINE IONE GALFORD, Plaintiff and WILLIAM ALLEN GALFORD, Defendant, are divorced from the bonds of matrimony.

That the Plaintiff and the Defendant have entered into an amicable agreement dated February 7, 1994, the purpose and object of which is to compromise, settle and adjust all matters pertaining to property arising out of their marital status and all matters relating to alimony, alimony pendente lite, support counsel fees, costs and expenses.

Said Agreement is annexed hereto and the same be and is hereby:

(a) Approved by this Honorable Court pursuant to the provisions of the Section 3323 of the Divorce Code, 23 Pa. C.S.A. Section 3323, and the amendments and supplements thereto; and

(b) Incorporated as a part of this Order and Decree with full force and effect as though fully and at length set forth herein, but is not merged herein, and shall be deemed a final Order of Court in regard to these matters.

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

BY THE COURT,
Anthony J. Vardaro, Judge

March 18, 1996 Petition for Enforcement of Property Settlement Agreement and ORDER filed.

AND NOW, this 18 day of March, 1996, upon the presentation of the within Petition, a Rule is hereby entered upon William Allen Galford, to show cause, if any he has, as to why the Court should not order the Defendant/Respondent to sign title to a 1989 4X4 XL Ford Truck to said Plaintiff/Petitioner and award counsel fees, expenses and costs incurred by Plaintiff/Petitioner in connection with this action.

This Rule is returnable for hearing on the 3rd day of May, 1996, at 4:00 o'clock p.m. in Courtroom No. 1 of the Crawford Co. Courthouse, Meadville, PA.

Gordon R. Miller, J.

March 18, 1996 Copy of Order given Atty. Butcher.

March 19, 1996 Order filed

May 3, 1996, Certificate of Service of Petition for Enforcement of Property Settlement Agreement and Order filed.

May 8, 1996 ORDER filed. AND NOW, May 3, 1996, the Court held a hearing on the Plaintiff's Petition for Enforcement of Property Settlement AGreement. Defendant is ORDERED AND DIRECTED to pay $200 to Herbert P. Butcher, Esq.,Defendant required to complete transfer of the tile of the Ford Truck to the plaintiff. (SEE PAPERS FILED).

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

May 8, 1996 Order mailed Atty. Butcher.

1993

Barbara J. Walton

759.

MIRIAM ESTHER RAMSAY

vs.

THOMAS A. RAMSAY

Filed August 3, 1993
@ 2:37 PM

Tax & entry paid	50.50
User's Fee paid	20.00
3 Add'l Counts pd	45.00
State paid	10.00
Pro.Co.pd 1/10/94	9.00

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

Sept. 21, 1993 Affidavit of Service filed. And Now, September 20, 1993, comes Barbara J. Walton, and avers as follows:
1. A true and correct copy of the Complaint for Divorce was mailed to the Defendant via Certified Mail, return receipt on August 4, 1993.
2. That the Defendant signed the return card on August 6, 1993, and in accordance with Pa. R.C.P. 412, service of the Complaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No. P 341728848) 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

Jan. 3, 1994 Affidavit of Consent of Plaintiff filed.

Jan. 10, 1994 Affidavit of Consent of Plaintiff, filed.

Jan. 10, 1994 Affidavit of Consent by Thomas A. Ramsay, Defendant, filed.

Jan. 10, 1994 Upon Praecipe of William H.Burwell, Esquire, Attorney for Defendant to transmit record, case moved to Court.

DIVORCE DECREE FILED

Jan. 14, 1994 AND NOW, this 13 day of Jan., 1994, it is ordered and decreed that MIRIAM ESTHER RAMSAY, Plaintiff and THOMAS A. RAMSAY, Defendant, are divorced from the bonds of matrimony.

That the Plaintiff and the Defendant have entered into an amicable agreemetn dated Jan. 10, 1994, the purpose and object of which is to compromise, settle and adjust all matters pertaining to property arising out of their marital status and all matters relating to alimony, alimony pendente lite, support, counsel fees, costs and expenses.

Said Agreement is annexed hereto and the same be and is hereby: (a) Approved by this Honorable Court pursuant to the provisions of the Section 3323 of the Divorce Code, 23 Pa. C.S.A. Section 3323, and the amendments and supplements thereto; and

(b) Incorporated as a part of this Order and Decree with full force and effect as though fully and at length set forth herein, but is not merged herein, and shall be deemed a final Order of Court in regard to these matters.

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

BY THE COURT,
Anthony J. Vardaro, Judge

1993

James r. Irwin

Barrett & Dratler
~~Sylvia L. Dratler~~

760.

William J. Gregg
Kathleen R.Nelson

8-9-93 Rec from Plff
Med. dep 150.00
4-4-95 Pd Plff
Refund #9174 150.00

RINA VAN SCOTER

vs.

KARL R. VAN SCOTER

Filed August 3, 1993
@ 3:31 PM

Tax & entry paid	50.50
User's fee paid	10.00
1 Add'l Count pd	15.00
State paid	10.00
John Fuller, mediator	
2 Add'l Counts 9/20/95	30.00
User fee pd. 9/20/95	10.00
Pro Co pd 2-20-96	9.00
Pro Co pd 4-17-96	5.00

COMPLAINT IN DIVORCE, CUSTODY
1 copy atty.

ORDER OF COURT:
You, Karl R. Van Scoter, dft. have been sued in court to obtain custody and or visitation of the minor child.
You are ordered to appear in person for a conference at such time and place as may be set by JOHN FULLER, ESQ. child custody mediator. You are further ordered to bring with you the children named in this order.
If you fail to appear as provided by this order, an order of court and or visitaion may be entered against you or the court may issue a warrant for your arrest.
You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth to find out where you can get legal help.
Date: 8/13/93 Ann Walker, Ct. Adm.
Aug 20, 1993, copy of order to Sylvia Dratler, ESq. and John Fuller.

Aug. 18, 1993 AFFIDAVIT OF SERVICE, filed. I, Sylvia L. Dratler, Esquire, being duly sworn,deposes and says that the following facts in support of her Affidavit of Service are true and correct to the best of her knowledge, information and belief.
1. The affiant is the Attorney for the Plaintiff in the above captioned actiion.
2. A copy of the Divorce Complaint was sent by restricted, certified mail to the Defendant in the above captioned matter.
3. The restricted, certified mail was sent to RD 6, Box 353, Meadville, Pa. 16335, August 6, 1993. The Sender's receipt is attached hereto.
4. The Defend ant received said restricted, certified mail on August 16, 1993. Said receipt card number 147 766 784 is attached hereto.
5. The returns receipt card was returned after signature to the office of Sylvai aL. Dratler, Esq., 965 South Main Street, Meadville, P.a 16335 on August 17, 1993.

Sep. 3, 1993 Appearance of William J.Gregg by Kathleen R. Nelson, Esquire for Karl R.Van Scoter, Defendant, filed.

Oct. 18, 1993 Petition for Counseling and ORDER filed. AND NOW, this 18th day of October, 1993, upon presentation and consideration of the foregoing Petition, IT IS HEREBY ORDERED AND DECREED THAT:
1. The present divorce proceedings are continued until such time as the above named parties have attended at least three counseling sessions.
2. That the parties herein shall select a counselor of their choice within five (5) days of the date of this Order.
3. If the parties have not reconciled within the time periods required by 23 P.S. Section 3301 and 3302 that the above entitled action shall proceed accordingly.
BY THE COURT:
Gordon R. Miller, J.
Oct. 25, 1993 Copy of Order to Attys. Sylvia Dratler and Kathleen Nelson.

Apr. 4, 1995 Motion for Refund of Mediation Deposit and ORDER filed. AND NOW, this 3rd day of April, 1995, this Court orders that the Prothonotary's Office refund to Plaintiff's attorney for Plaintiff the sum of One Hundred Fifty ($150.00) Dolalrs which is the unused portion of Plaintiff's Mediation deposit.
BY THE COURT:
Gordon R.Miller, J.
4-4-95 Faxed Barrett-Dratler, Fuller & Nelson

Apr. 25, 1995, Appearance of James R. Irwin, attorney for plaintiff filed.

May 2, 1995 Motion To Withdraw Notice of Appearance and Order filed. AND NOW, May 1, 1995 the above motion is allowed. Gordon R. Miller, J
May 2, 1995 Faxed Dratler & Irwin

Sept. 20, 1995 Petition for Related Claims on behalf of petitioner, filed.

Oct. 17, 1995 Request for Hearing and Order filed. ORDER, AND NOW, this 27 day of October, 1995 upon presentation and consideration of the foregoing Request for Hearing a hearing is scheduled with the Court of Common Pleas of Crawford County, Pennsylvania, on the 9th day of November, 1995 at 9:15 o'clock A.M. in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania. BY THE COURT:
Anthony J. Vardaro, J.
10-17-95 Faxed Irwin & Nelson

Nov. 9, 1995 Motion for Continuance and ORDER filed. AND NOW, this 8th day of November, 1995 upon presentation and consideration of the within Motion this hearing is continued generally. Hearing to be scheduled upon Motion of either Plaintiff or Defendant. BY THE COURT:
Gordon R. Miller
FAXED 11-9-95 Attys. Irwin, Nelson.

Jan. 5, 1996 Motion to Reschedule Hearing filed.

Jan. 5, 1996 ORDER filed. AND NOW, this 4th day of January, 1996, upon presentation and consideration of the foregoing Motion to Reschedule Hearing, a hearing on Plaintiff's Petition for Related Claims is rescheduled for the 18th day of January, 1996 at 9:30 o'clock a.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville,Pennsylvania.
BY THE COURT:
Gordon R.Miller,J.
1-5-96 FAxed Nelson & Irwin

Cont on Pg. 310A

Rina Van Scoter
vs.
Karl R. Van Scoter

CONTINUED FROM PAGE 310
of Record
A. D. 1993 - 760

****

Jan 17, 1996 Affidavit of Consent of Plaintiff, filed.

Jan. 20, 1996, Affidavit of Consent of Defendant filed.

Jan 19, 1996 Motion to Withdraw Request for Hearing and Order of January, 17, 1996, granting request to withdraw hearing.
Jan 19, 1996 Faxed Nelson & Irwin
Jan 23, 1996 Faxed Fuller

Feb 15,1996 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Feb. 27, 1996 AND NOW, this 21 day of February, 1996, it is ordered and decreed that RINA M. VAN SCOTER, Plaintiff, and KARL R. VAN SCOTER, Defendant, are divorced from the bonds of matrimony.

It is further ordered that the parties' Separation and Property Settlement Agreement dated Jan. 15, 1996, is incorporated herein and made a part hereof and shall be fully enforceable under the provisions of the Divorce Code.

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

Apr. 11, 1996 Notice of Election To Retake Maiden Name filed. Rina M. VanScoter TO BE KNOWN AS: Rina M. Gaspari

June 1, 2001 ANY FILINGS INVOLVING THIS CASE MAY NOW BE FOUND ON THE COMPUTER

310B

1993

1993

Pepicelli, Youngs
& Youngs, PC
Christopher J. Youngs

761.

PATRICIA J. BUDZBANOWSKI

vs.

BRUNO B. BUDZBANOWSKI

Filed August 3, 1993
@ 3:48 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro. Co.pd 11/8/93	9.00

COMPLAINT IN DIVORCE
3 copies atty.

Aug. 6, 1993, Defendant's acceptance of Service filed. I, Bruno B. Budzbanowski, certify that I amthe Defendant in the above captioned divorce action and that on Aug. 4, 1993, I have accepted service of the Complaint in Divorce in this case.
Bruno B. Budzbanowski.

Nov. 8, 1993 Affidavit of Consent by Bruno B. Budzbanowski, Defendant, filed.

Nov. 8, 1993 Affidavit of Consent by Patricia J. Budzbanowski, Plaintiff, filed.

Nov. 8, 1993 Upon Praecipe of Christopher J. Youngs, Esquire, Attorney for Plaintiff to transmit record, case moved to Court.

DIVORCE DECREE FILED

Nov. 19, 1993 AND NOW, Nov. 12, 1993, it is ordered and decreed that PATRICIA J. BUDZBANOWSKI, plaintiff, and BRUNO B. BUDZBANOWSKI, 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.

1993

Peters, Lindsay,
Lewis & Gagliotti
Brian J. Lindsay

762.

MERLE D. BORLAND, JR.

vs.

PATRICIA A. BORLAND

Filed August 4, 1993
@ 10:05 AM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
state paid	10.00
Pro Co pd 3-15-94	9.00
Pro Co pd 10.14-98	5.00

COMPLAINT IN DIVORCE, CUSTODY/VISITATION
1 copy atty.

Aug. 10, 1993 Affidavit of Service filed. I, Brian J.Lindsay, Esquire, after being duly sworn according to law, do hereby certify that I am the attorney of record for the above named Plaintiff, and that as such I am authorized to make this verification; that I did on the 5th day of August, 1993, send to the above named Defendant, by Certified Mail, Return Receipt Requested, a true and correct copy of the Complaint in Divorce filed at the above term and number; and that I did on the 10th day of August, 1993, receive a duly executed return receipt dated August 7, 1993.
Aug. 10, 1993 Brian J. Lindsay, Esquire

Nov. 4, 1993 Affidavit of Consent by Patricia A. Borland, Defendnt, filed. (1 copy Atty.)

Nov.8, 1993 Affidavit of Consent by Patricia A. Borland, Defendant, filed.

Nov.8, 1993 Affidvait of Consent by Merle D. Borland, Jr., Plaintiff, filed.

Nov. 17, 1993 Consent Custody Order filed. AND NOW, this 17th day of November, 1993, the Court, in consideration of the following Agreement of the parties to this action, does hereby enter the following as a Consent Order based on the terms of said Agreement:

AGREEMENT

AND NOW, this 12th day of November, 1993, the parties Merle D. Borland, Jr., (hereinafter called "Father"), and Patricia A. Borland, (hereinafter called "Mother"), agree as follows:

1. The parties shall share legal and physical custody of the subject minor child: Dallas P. Borland, with e ach parent having primary physical custody alternating every three (3) days, at 5:00 p.m.

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

3. The subject minor child shall have the right to telephone the parent not having physical custody at reasonable times andfor reasonable lengths of time an dsuch conversations will not be unreasonably monitored by the parent having physical custody.

4. Should it be necessary for either party to cancel or modify the visitation as set out in this Order or as previously arranged, the party seeking cancellation or modification shall notify the other parent as soon as he or she knows of the necessity which compels the cancellation or modification. Said modifications or cancellation shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

5. The parties shall split responsibility for transportation with the par ty 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 and respect 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. The parties acknowledge that recent medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the child is being transported or in the bedroom of the child.

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

9. Neither party shall do or say anything to blacken the character of the other in the child's estimation. Each party shall treat the other in a polite and respectful manner when in the child's presence and each party shall 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 shall be free to make additional or alternative arrangements respecting the custodial and visitation periods.

11. The parties hereto request theCourt to enter the above as a Consent Order.

Merle D. Borland
Patricia A. Borland

BY THE COURT:
Gordon R. Miller, J

Nov. 18, 1993 Copy of order to Atty. Lindsay

Mar. 15, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

March 24, 1994 AND NOW, March 23, 1994, it is hereby ordered and decreed that MERLE D. BORLAND, JR., Plaintiff, and PATRICIA A. BORLAND, 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.

October 14, 1998 NOTICE OF ELECTION TO RETAKE MAIDEN NAME FILED. PATRICIAL A. BORLAND to be known as PATRICIA A. OFFI.

1993

763.

ORDER TO SELECT JURORS

Filed August 4, 1993
@ 11:07 AM

ORDER TO SELECT JURORS

To The Sheriff and Jury Commissioners of Crawford County:
We command you, in your official capacity to draw fromthe jury wheel in accordance withthe law, the names of 85 persons to serve as Jurors in the court of Common Pleas, to be held at the court House in Meadville, Pa. commencing October 11, 1993 at 9:00 o'clock a.m.
You, the Sheriff, shall make an appropriate return as to how you have executed this order on the day and date aforesaid.
BY ORDER OF, THE Hon. Gordon R. Miller, President Judge at Meadville, this 4th day of August, 1993.
Barbara H. King, Pro

Oct. 19, 1993 Sheriff's Return filed.

1993

~~Adrienne Johnson~~ withdrawn
pro se

764.

Meyer, Unkovic & Scott
~~Patricia L. Dodge~~ withdrawn

Stephen M. Elek

DON WARD BRIAN

vs.

MEADVILLE AREA AMBULANCE SERVICE, INC.

Filed August 4, 1993
@ 2:42 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co pd 3-10-99	16.50
Pro Co. pd. 3-10-99	30.00
User Fee paid 3-10-99	5.00

9-16-93 Dft's Brief filed.
9-16-93 Dft's Brief filed.

12-21-93 Plff's Brief filed

JURY TRIAL DEMANDED

✓ COMPLAINT IN CIVIL ACTION
1 copy Pltf.

✓ Aug. 4, 1993 Motion For Leave To Proceed In Forma Pauperis and Order filed. AND NOW, this 4th day of August, 1993, Motion denied because the Plaintiff has not complied with Pa RCP 240(c)(d) and (h). However the Prothonotary shall docket the action in accordance with Pa. R.C.P 240(c)(1). No further action may be taken until the Plaintiff pays the costs or excused by the Court under Pa. R.C.P. 240. Gordon R. Miller, J

✓ Aug. 17, 1993, Affidavit of plaintiff filed. I hereby certify that a ocpy of the enclosed civil action has been forwarded by way of cert. mail on this day of Aug. 16, 1993. The Civil action in the Court of Common Pleas of Crawford County, Pa is an action initiated by plaintiff Don Ward Brian vs. Dft. Meadville Ambulance Service, Inc. on Aug. 4, 1993.
Don Ward Brian.

✓ Sept. 9, 1993, Preliminary Objections filed.

✓ Sep. 10, 1993 Upon praecipe of Attorney, Patricia L. Dodge, Esquire, the above captioned matter is placed on the next available Argument List.

ON OCTOBER, 1993 ARGUMENT LIST

✓ Sept. 16, 1993 Preliminary Objections filed.

✓ Sept. 16, 1993 Upon praecipe of Defendant Attorney the above Preliminary Objections are placed on the next available argument list.

1993 October Argument List

✓ Sept. 16, 1993 Appearance of Stephen M. Elek for Defendant filed.

✓ Sept. 29, 1993 Affidavit For Preliminary Objections on behalf of Defendant filed.

✓ Oct. 22, 1993, Motion to Continue Argument and order filed. ORDER: Inconsideration of the within Motion, the arguments heretofore set for Oct. 25, 1993 are continued to the Dec. 1993 Argument List. FOR THE COURT,
Ann A. Walker, Ct. Adm.

✓ Nov. 1, 1993, copies of order to Plff. Attys Dodge and Elek. (previously notified by Ct.)

✓ Dec.22, 1993 Appearance of Adrienne Johnson, Esquire for Don Ward Brian,Plaintiff, filed.

✓ Dec.22, 1993 Answer to Defendant's Two Sets of Preliminary Objections filed.

✓ Jan. 4, 1994 ASSIGNMENT OF ARGUMETN DATE, filed. December 29, 1993, argument in the above matter is hereby set for January 31, 1994, at 2:00 P.M., in Courtroom 2. FOR THE COURT,
Ann A. Walker, Crt. Adm

Dec. 29, 1993 copies dist by Court Adm.

✓ Jan. 31, 1994 ORDER OF COURT filed. AND NOW, this 31 day of January, 1994, Defendant's Preliminary Objections are withdrawn. Plaintiff will file an Amended Complaint.
BY THE COURT:
Anthony J. Vardaro, J.

2-2-94 Copy of Order to Attys. Johnson & Elek, Dodge

✓ Feb. 22, 1994 Notice of Service of Request For Production of Documents Directed to Plaintiff, filed.

✓ Feb. 22, 1994 Notice of Service of Interrogatories Directed to Plaintiff, filed.

✓ Mar. 4, 1994, Amended Complaint filed. (fax)

✓ Apr. 21, 1994 Praecipe For Argument Date, filed.

ON ARGUMENT LIST FOR May 1994

✓ Apr. 21, 1994 Preliminary Objections In The Nature Of A Motion To Strike, filed.

✓ May 2, 1994, Reply to Preliminary Objections in Nature of a Motion to Strike, filed.

✓ Jun. 29, 1994 ORDER filed. AND NOW, June 29, 1994, upon consideration of the Defendant's preliminary objections in the nature of a motion to strike and after hearing oral argument and reviewing the briefs of the parties, Paragraph 12 of Plaintiff's amended complaint as well as the portion of the ad damnum clause with respect to punitive damages are both stricken. The Court finds simply that the complaint alleges "...grossly, outrageously and wantonly negligent..." conduct giving rise to punitive damages but does not provide a factual basis to support those bold assertions.

In light of the fact that, pursuant to McClellan v. HMO, 413 Pa. Super.128, 604 A.2d 1053 (1992) and Nix v. Temple Univ., 408 Pa. Super. 369, _____, 596 A.2d 1132, 1138 (1991) a request for punitive damages does not constitute a cause of action in and of itself but is merely incidental to that cause of action in and of itself but is merely incidental to that cause of action, if we allow the Plaintiff leave to amend his complaint to support a claim for punitive damages, he is not raising a new cause of action after the statue of limitations has run and therefore we will do so.

Accordingly, the Plaintiff is granted leave to amend his complaint to allege facts which would support the recovery of punitive damages if he can do so provided that such second amended complaint is filed within 20 days of the date of this order.

BY THE COURT:
Anthony J. Vardaro, J.

6-29-94 Faxed Elek & Johnson. Mailed to Dodge

Continued to Page 314 A

Don Ward Brian
vs
Meadville Area Ambulance Service, Inc.

Continued from Page 314 of Record
AD 1993 - 764

****

Sep. 1, 1994 Motion to Compel Answers to Int errogatories and Request for Production of Documents, filed.

Sep. 1, 1994 Upon Praecipe of Stephen M.Elek,Esquire, the above captioned matter is placed on the next available Argument List.

ON OCTOBER, 1994 ARGUMENT LIST

Sept. 26, 1994, Answer and New MaTTER TO Plaintiff's Amended Complaint filed.

Oct. 19, 1994 Reply To New Matter filed.

Nov.28, 1994 ORDER OF COURT filed. AND NOW, this 28 day of November, 1994,upon consideration of Defendant's, Meadville Area Ambulance's Moton to Compel, said Motion is GRANTED. Plaintiff is required to file full and complete Answers to Interrogatories and Response to Request for Production of Documents within (20) days of the date of this Order or be precluded from presenting any evidence that would be fairly encompassed within said discovery request.
BY THE COURT:
Anthony J. Vardaro, J.

11-28-94 Faxed to Attys. Elek &A.Johnson

Sept. 15, 1995, Affidavit to Answer and New Matter to Plaintiff's Amended Complaint filed.

Feb 19, 1997 Notice of Deposition of Don Ward Brian, filed.

Feb 25, 1997
Motion for Leave to Withdraw Appearance of Patricia L. Dodge and Order: AND NOW, to-wit, this 24 day of February 1997, upon consideration of the foegoing Motion for Leave to Withdraw Appearance, it is hereby ORDERED, ADJUDGED and DECREED that siad Motion is granted. Anthony J. Vardaro, J.
Feb 25,1997 Faxed Dodge, Johnson, Elek
Feb 28, 1997 sent Plf.

Mar 17, 1997 Notice of Deposition of Don Ward Brian, filed.

Apr 7, 1997 Notice of Deposition of Don Ward Brian, filed.

June 4, 1997 Motion For Sanctions, filed.

June 4, 1997 Reply To Motion For Sanctions, filed.

Juen 11, 1997 ORDER: AND NOW, June 4, 1997, the Court has reviewed the Defendant's Motion for Sanctions and the Plaintiff's reply. It appears that the Plaintiff's deposition was scheduled by the Defendant to be taken at the Crawford CountyCourthouse and propernotice was given. The Plaintiff and counsel did not appear because Plaintiff's counsel simply forgot the deposition was scheduled. Defense counsel traveled to Meadville, waited, and returned without accomplishing the deposition. The Defendant is seeking sanctions and compensation for that event all of that occurred on March 4, 1997.

Another deposition was set for March 31, 1997 at defense counsel's office. Apparently the Plaintiff did not appear through an agreement with defense counsel to permit Plaintiff's counsel to attend a White House Easter Egg Roll. No sanctions should result from that.

The deposition was rescheduled for Pittsburgh on April 28, 1997 but the Plaintiff did not attend the deposition because of physical ailments which was supported by a doctor's excuse. No sanctions should be issued for that event.

Accordingly, it is ordered as follows:

1. The deposition of the Plaintiff shall be takenon July 9, 1997 at a time to be set by defense counsel and a Notice of the Taking of Deposition which shall be served in accordance with the Rules of Civil Procedure. That deposition shall be taken in Meadville unless counsel can agree that it can be taken at defense counsel's office at Pittsburgh.

2. As a sanction for failing to appear at the properly scheduled deposition in Meadville on March 4, 1997, and for the time and expense of defense counsel preparing a Motion for Sanctions, counsel for Plaintiff shall pay the Defendant or its counsel the sum of $650.00 within 45 days of this date.

3. As further sanctions, the Plaintiff or counsel for the Plaintiff shall pay to defense counsel the fee of the court reporter for the appearance at the March 4, 1997 deposition that was aborted.

Gordon R. Miller, P.J.

juen 11, 1997 Mailed Elek & Johnson

June 13, 1997 Notice of deposition of Don Ward Brian filed.

July 23, 1997 Request for Continuance, filed.

July 23, 1997 ORDER: AND NOW, July 21, 1997, the Court has reviewed the Plaintiff's Request For Continuance that he filed, Pro Se, and mailed to the undersigned judge with a letter dated July 5, 1997.

Unfortunately, the undersigned judge was on a one week vacation at that time and did not receive the letter until July 14th which was after the date set for the deposition on July 9th.

We would have denied the request because it was not filed in compliance with Crawford County Civil Rules regarding the filing of motions and petitions. For instance, the request was not accompanied by the notice and certification required by Crawford County Local Civil Rule L206.

We understand from counsel for the Defendant that the deposition did not take place because the Plaintiff did not appear and that counsel is preparing a motion for sanctions. Gordon R. Miller, P.J.
July 23, 1997 Mailed Plf, Elek & Johnson
Aug 6, 1997 sent A. Johnson

Aug. 7, 1997 Motion for Opposing Motion for an Order by Plaintiff filed.

Aug. 7, 1997 Motion for Continuance by Plaintiff filed.

Aug. 7, 1997 Motion for Sanctions by Defendant filed.

Aug. 7, 1997 Order filed. AND NOW, August 6, 1997 it is ordered as follows:

1. The defendant's Motion for Sanctions seeking a dismissal of this action for discovery violation is denied without prejudice to the defendant to seek a similar dismissal if this order is not strictly complied with.

2. The plaintiff and former counsel, Adrienne Johnson are ordered and directed to comply with the Order of

CONTINUED PAGE 314-B . . . . .

764 | DON WARD BRIAN VS. MEADVILLE AREA AMBULANCE SERVICE, INC. | CONTINUED FROM PAGE 314-A OF RECORD A. D. 1993 - 764

****

June 4, 1997 **immediately** or the Court will entertain contempt of court proceedings and sanction them, punish them, or incarcerate them if they are truly in contempt of court.

3. The plaintiff shall submit to the long overdue deposition in Meadville, Pennsylvania at a time to be scheduled by defense counsel. The deposition shall be held at a time between 30 days from this date and 60 days from this date. Defendant shall give plaintiff at least twenty (20) days written notice of the date, time and place of the deposition. The plaintiff shall not be entitled to any continuances unless (a) he files a timely motion for continuance which is supported by a written opinion from a licensed physician or other health care provider that sets forth, inter alia, the history given, examination performed, diagnosis made, treatment prescribed, prognosis, disability made, treatment prescribed, prognosis, disability and an opinion that the plaintiff is physically and/or medically unable to attend a deposition in Meadville, Pennsylvania and all of the supporting reasons why the provider has reached that conclusion; and (b) the plaintiff fully and completely complies with Crawford County Civil Rules regarding the filing of motions and petitions.

4. The matters that the plaintiff filed with the Court Administrator, even though not in compliance with the rules, shall be filed of record by the Prothonotary. The tape which the plaintiff presented has not been reviewed by the Court or any member of the court staff and shall be returned by the Court Administrator to the plaintiff to P.O. Box 374, Meadville, Pennsylvania 16335. The filing of such a tape was totally inappropriate.

BY THE COURT
Gordon R. Miller, P.J.
8-7-97 MAILED Johnson & Elek

✓Aug. 18, 1997 Notice of Depositon of Plaintiff, Don Ward Brian, filed.

✓Aug. 27, 1997 Request for Second Continuance filed.

✓Aug 29, 1997 Motion For Leave To Withdraw As Counsel, filed.

✓Aug 29, 1997 Order: AND NOW, this 29 day of August, 1997, this Court hereby gives leave to Adrienne Johnson to withdraw as counsel of record for Plaintiff in the above-captioned action. Anthony J. Vardaro, J.
Sept 1, 1997 Faxed Johnson & Elek

✓Sept. 30, 1997 Defendant's Third Motion for Sanctions filed.

✓Sept. 30, 1997 Response by Plaintiff to Defendant's Third Motion for Sanctions filed.

✓Oct. 1, 1997 Memorandum and Order filed. AND NOW, September 30, 1997, it is ordered as follows:

1. The defendant's third motion for sanctions is granted in part and denied in part.
2. The deposition of the plaintiff shall be taken within the next thirty (30) days in Meadville, Pa. at a time to be set by defense counsel and a notice of the taking of the deposition shall be served in accordance with the Rules of Civil Procedure upon the plaintiff by mailing the same to P.O. Box 374, Meadville, Pa. 16335.
3. The plaintiff shall not be entitled to any continuances unless (a) he files a timely motion for continuance which is supported by a written opinion from a licensed physician or other health care providers that sets forth, inter alia, the history given, examination performed, diagnosis made, treatment prescribed, prognosis, disability and an opinion that the plaintiff is physically and/or medically unable to attend a deposition in Meadville, Pennsylvania and all of the supporting reasons why the provider has reached that conclusion; and (b) the plaintiff fully and completely complies with Crawford County Civil Rules regarding the filing of motions and petitions. **THERE SHALL BE NO EXCEPTION TO THIS REQUIREMENT.** (SEE PAPERS FILED)

BY THE COURT
Gordon R. Miller, P.J.
10-1-97 MAILED Elek & Briak & FAXED Johnson

✓Oct. 16, 1997 Notice of Deposition of Don Ward Brian filed.

✓Dec. 5, 1997 EXHIBITS FOR PLAINTIFF FILED.

✓Dec 12, 1997 Memorandum and Order: AND NOW, December 9, 1997, that portion of our order of June 4, 1997 which imposes sanctions on Adrienne Johnson, Esquire and directs her to pay $650 on account of defendant's counsel fees is vacated and any attempt to enforce that sanction is hereby dismissed. Gordon R. Miller, P.J.
Decl5, 1997 Mailed all counsel.

✓August 17, 1998 CERTIFICATE OF READINESS FILED. UPON CERTIFICATE OF STEPHEN M. ELEK ATTORNEY FOR DEFENDANT THE ABOVE-CAPTIONED MATTER HAS BEEN PLACED ON THE OCTOBER TRIAL LIST.

✓Sept. 14, 1998 Plaintiff's Objection to Defendant's Certificate of Readiness filed.

✓September 16, 1998 Notice of Video Deposition of R. Norton Hall, M.D. Filed.

✓Sept. 17, 1998 Plaintiff's Application for Extension of time to Prepare for Trial and Order filed. And Now, September 16, 1998 the application of plaintiff for an extension of time to prepare for trial and file a certificate of readiness being oppposed by defendant through defendant's counsel, a hearing on the motion is scheduled fro Spet. 28, 1998 at 9 AM in Courtroom 1 or 2 of Crawfaord county Courthouse at the Call of the October Civil Trial List.

By the Court
Gordon R. Miller, PJ

9/17/98 Mailed Pltf & Elek

✓September 28, 1998 Order filed. And Now, September 28, 1998 the Plaintiff's Motion to Continue this case which is opposed by the Defense is granted even though the Court is not satisfied that the Plaintiff's reasons have a great deal of merit. HOwever, the Plaintiff is Representing himself, appears to have some severe physical problems, and we will give him one continuance. This case will be tried in February of 1999. We will not grant any further continuances to this Plaintiff on account of not being prepared.
The Defendant's current mailing address is P. O. Box 374 Meadville, PA 16335. All notices sent by the Court Administrator, the Prothonotary, this Court or counsel for the Defendant to that address first class mail postage prepaid shall be presumed to have been received by the Plaintiff unless the Plaintiff notifies the Prothonotary, the Court Administrator and counsel for the Defendant in writing of a change of address.

By Order of the Court
Gordon r. Miller, J.

9/28/98 Dist. Pltf & Elek

CONTINUED ON PAGE 314(c)

Don Ward Brian
vs
Meadville Area Ambulance Service, Inc.

continued from page 314(b)
of record
AD 1993-764

****

January 26, 1999 Order Filed. And Now, Jan 25, 1999 the pretrial conference is set for 9 o'clock AM on Feb 1, 1999.
By the Court
Gordon R. Miller, PJ

1/27/99 Dist Pltf & Elek

Feb. 3, 1999 Order Filed. And Now, Feb 1, 1999 at the time for the pretrial conference, the entire time allotted was devoted to the Defendant's motion to dismiss this action because the Plaintiff has not complied with the rules with respect to disclosing the summary of testimony experts, especially Doctor Brandeberry.
Accordingly it is Ordered as follows:
1. The Court will take the motion under advisement.
2. If the matter is dismissed , that would conclude this case.
4. The Plaiantiff indicates that the Defendant did not comply with two discovery matters, to wit, answers to interrogatories adn response to a request for production of documents. Defense counsel disagrees. He claims that former defense counsel responded in a timely fashion on July 28, 1995 and he has records to support that.
In order to complete the record in this case, defense counsel shall submit to the Court, as soon as possible, all documents he has in support of his claim that the Defendant has complied with all of the discovery rules.
He shall also submit a copy of all of those documents that he submits to the Court to the Plaintiff.
By Order of The Court
Gordon R. Miller, PJ

2/3/99 Dist Elek & Brian by Court

Feb. 5, 1999 Memorandum and Order Sur Defendants Motion to Dismiss this Action and Order filed. And now, Feb. 5, 1999 upon receipt and reviewe of the defendant s motion to dismiss and for the resons set forth in the attached memorandum it is ordered as follwos:
1. We reserve a final decision on the defendant's motion to dismiss.
2. We cannot now hold a pre-trial conference because of our caseload upcoming trial load and the relatively short period of time between now and the time trial will begin.
3. As indicated at the pre-trial conference and the call of the trial list jury selection in this case will take place at approximately 10 am on Monday Feb. 8, 1999. The trial will begin shortly thereafter.
4. Plaintiff and defense counsel shall meet with the court at (;30 AM on Feb. 8, 1999.
5. If the palintiff calls any medical experts or other experts whose identity and opinions have not been previously disclosed we will hold an in camera hearing to determine the effect of the testimony of those experts upon the defenant.

By the Court
Gordon R. Miller, PJ

Dsit. by Court

Feb. 10, 1999 Motion To Dismiss filed.
Feb. 10, 1999 Order filed. And now, Feb. 8, 1999 the Defendant's motion to dismiss is granted and judgment is entered in favor of the Defendant and against the Plaintifff.
We advise the Plaintiff that he has a right within thirty days from this date, to file an appeal with the Superior Court of PA. The appeal would be governed by the Rules of Appellate Procedure, which appear in the Rules of Court that are in the CRawford County Law Library. We strongly suggest that the Plaintiff obtain counsel to help him with this because the taking of an appeal all be it simple is thechnical and the thirty days is a permanent deadline.
In the event that an appeal is taken and we must write a more detailed opinion, pursuant to Pa.R.A.P. 1925, we will do so. Essentially however we are following our Memorandum and Order that we entered on Feb. 5, 1999.
There appears to have been an error on Page 4. Apparently, the Defendant did obtain a court Order requiring the Plaintiff to comply with a request for production as to the identity of opinions of experts. That was entered by Judge Vardaro on Nov. 28, 1994 and has not been complied with.
Therefore, we have a Plaintiff who has not complied with the discovery order, the discovery rules the pretrial rules and we are on the day of picking the jury and the Defendant still does not know the opinions that Doctor Brandeberry is going to give. We believe that the defendant is prejudiced by this and are dismissing the action.
By Order of The Court
Gordon R. Miller, PA

Dist 2/11/99 Elek and mailed 2/22/99 Pltf.

March 10, 1999 Notice of Appeal to Superior Court of Pennsylvania, filed.

March 15, 1999 Superior Court of Pennsylvania Offical Docked Docket #00412WDA99 Filed.

March 15, 1999 Order to File Concise Statement of Matters Complaint of on Appeal filed. And Now, March 15, 1999 the court having received a notice of appeal in this case hereby directs the appellant to file of recod and serve on the undersigned Judge a concise statement of matters complained of on appeal no later than 14 days after the date of this Order all pursuant to Pa.R.A.P. 1925(b) so that htis Court may prepare an opinion in support of our orders.
By the Court
Gordon R. Miller, PJ

3/15/99 Fax Elek and mailed Brian

March 29, 1999 Concise Statement of Matters Complained of on Appeal Filed.

March 31, 1999 Transcript of Defendant's Motion to Dismiss at the Tiem set for a Pretrial Conference Filed.

March 31, 1999 Transcript on Defendant's Motion to Dismiss at the Time set for a Jury Trial Filed.

Apr. 9, 1999 Transcirpt of Proceedings at The Time of Hearing filed.

Apr. 15, 1999 Certificate of Service of Concise Statement of Matters Complainted of On Appeal and the Superior Court of Pennsylvania Civil Docketing Statement filed.

Apr. 15, 1999 Transcript of Proceedings At the Time of Hearing Amended Page filed.

Apr. 15, 1999 OpinionSur Pa. R.C.A. 1925 filed.

1993

Culbertson, Weiss,
Schetroma & Schug
E. Max Weiss

765.

VICKE HAMILTON DICKSON

vs.

CARLA J. HINEMAN

Filed August 4, 1993
@ 3:12 pM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	28.00
Pro.Co.pd 2/3/94	6.00

WRIT OF SUMMONS
Issued Sheriff

Aug. 18, 1993 Sheriff's Return filed. SERVED Carla J. Hineman personally on August 13, 1993 at 2:30 PM by handing a copy of the Summons to her in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.

So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

Feb. 3, 1994 Upon Praecipe of E. Max Weiss,Esquire, Attorney for Vicke Hamilton Dickson, the above case marked settled and discontinued of record.

1993

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

766.

PAMELA SAUERS

vs.

EDWARD SAUERS

Filed August 4, 1993
@ 3:47 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro Co pd 2-16-94	9.00

COMPLAINT IN DIVORCE, EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION
2 copies Atty.

Aug. 24, 1993 Affidavit of Service filed. I, James R. Irwin, Esq., being duly sworn according to law, depose and say that I am the attorney of record, and as such say that I served a true and correct copy of the Complaint in Divorce certified by the Prothonotary of Crawford Co., PA. on the above named Defendant by certified mail, addressee only, return receipt requested, dated Aug. 5, 1993. The Defendant acknowledged service on Aug. 6, 1993 by accepting delivery on that date as evidenced by the attached signed return receipt.

James R. Irwin, Esq.

Feb. 15, 1994, Affidavit of Consent of plaintiff filed.

Feb. 15, 1994, affidavit of Consent of defendant filed.

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

DIVORCE DECREE FILED

Feb. 23, 1994 AND NOW, this 22 day of February, 1994, it is ordered and decreed that PAMELA SAUERS, Plaintiff, and EDWARD SAUERS, Defendant, are divorced from the bonds of matrimony.

It is further ordered that the parties' Separation and Property Settlement Agreement dated Feb. 9, 1994, is incorporated hrein and made a part hereof and shall be fully enforceable under the provisions of the Divorce Code.

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

Aug. 10, 1994 Motion To Issue Qualified Domestic Relations Order and Order, filed. AND NOW, THIS 10 day of August, 1994, by agreement of the parties, this Order is made to effect a Qualified Domestic Relations Order; and

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

The alternate payee will receive payments from the participant's retirement plan named below pursuant to the participant's assignment of benefits to the alternate payee, in compliance with Sections 401(a)(13) and 414(p) of the Internal Revenue Code of 1986, as amended, as follows:

1. The participant is Edward Sauers whose last known mailing address is R.D. #3, Box 22B4, Saegertown, Pennsylvania, 16433, and whose social security number is 202-32-6920. The alternate payee is Pamela Sauers whose last known mailing address is P.O. Box 514, Saegertown, Pennsylvania, 16433, and whose social security number is 178-34-8720. They were married on October 18, 1968.

2. The participant assigns to the alternate payee a portion of benefits from the participant's benefits from the following retirement plan in which Edward Sauers is a participant and the following retirement plan will pay benefits to the alternate payee as provided in this Order:

Laborer's District Council of Western Pa. Pension Fund ("Fund")
Dennis Sarnowski, Administrator
Laborers' Combined Funds
1109 Fifth Avenue
Pittsburgh, Pa. 15219

3. The Fund, under the retirement plan from which benefits are assigned under paragraph 2 above, will pay benefits to the alternate payee under the followisgn formula:

(A) Defined Benefit Plans: The retirement plan is a defined plan, and the alternate payee's benefit from plan shall be determined as follows: One-half (1/2), or fifty percent (50%), share of the participant's total pension accumulatiion, together with all interest on such one-half (1/2) share, from October 18, 1968 until May 31, 1993.

4. The term of said payments to the alternate payee is for the life of the alternate payee, with paymetns to commence at the retirement datechosen by the alternate payee, but in no event earlier than the earliest retirement date provided under the plan, with respect to the participant.

5. The benefits payable to the alternate payee will commence when the participant begins to receive benefits under the retirement plan,except as provided in paragaraph 9 below.

6. This assignment of benefits does not require the designated Fund to provide any type or form of benefits, or any option, not otherwide provided under the retirement plan. This assignment does not require the Fund to provide increased benefits (determined on the basis of actuarial value). This assignment does not require the Fund to provide benefits to an alternate payee which are required to be paid to another alternate payee under another Order previously determined to be a Qualified Domestic Relations Order.

7. The participant, the alternate payee, and the Court intend this Order to be a Qualified Domestic Relations Order as defiend in Section 414(p) of the Internal Revenue Code of 1986, as amended, and the Retiremetn Equity Act of 1984, Pub.L.No. 98-397/

8. This Order is issued pursuant to Pennsylvania law which relates to the provision of child support, alimony paymetns, or marital property rights, as defined therein between spouses and former spouses in actions for divorce.

9. The alternate payee shall have the right to elect to receive benefit payments under the retirement plan after the earlier to occur of the first day for payments allowed under the plan or after the participant reaches the earliest retirement age under the plan as provided in Section 414(p)(4) of the Internal Revenue Code of 1986, as amended.

IT IS SO ORDERED.

BY THE COURT:
Anthony J. Vardaro, J.

Aug. 10, 1994 Faxed Irwin & Tinko

1993

767.

CHRISTINE L. BOYLE

vs.

LARRY A. BOYLE

Filed August 5, 1993
@ 9:12 AM

Tax & entry Pd 8-11-93 50.50
User's Fee Pd 8-11-93 5.00
Sheriff's costs $20.00
Pro Co Pd 8-11-93 9.00

Aug 11, 1993 paid Sheriff's Costs $20.00 CK 7723

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

Order:

And now, this 5 day of August , 1993 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

2. Special Conditions: Defendant shall move out. Possession of the premises is awarded to Plaintiff custody of the children is awarded to Plaintiff. Defendant shall not contact Plaintiff directly

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

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

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

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

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

8. The court reserves ruling on allocation of fees and costs. Hearing is hereby set for August 11, 1993 , at 3:30 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

August 9, 1993 Sheriff's Return filed. SERVED Larry A. Boyle personally on Aug. 5, 1993 at approximately 5:40 pm at his residence, 609 South Franklin St., Crawford Co., PA. The paper was served by Titusville City Police Department.
So answers,

Robert M. Stevens, Sheriff

Aug. 13, 1993 ORDER filed. AND NOW,August 11, 1993, at the time set for hearing on this abuse matter,both parties and counsel advise the Court that the matter has been amicably resolved without a hearing and by Consent Order on the following terms and conditions:

1. Without intending to admit the allegations inthe Petition, the defendant agrees that he will not abuse, harass, threaten or annoy plaintiff in any fashion nor procure others to do so on his behalf.

2. The defendant will not go to the residence of the plaintiff at 609 South Franklin Street, Titusville, Pennsylvania, for any purpose, except as noted hereafter,without the express invitation and consent of the plaintiff.

3. The parties mutually agree that at Noon on Saturday, August 14, 1993, the defendant may appear at the marital residence and procure and remove his personal effects and personal possessions.

4. The parties mutually agree that primary custody of the two (2) minor children will be with the plaintiff mother, but reasonable custody and visitation with the father will be worked out in a mutually satisfactory manner by further discussion between the parties. The parties mutually agree that any visitations and pick up and delivery of custody involving the minor children will be at the home of the paternal grandmother at 624 South FranklinStreet, Titusville, Pennsylvania, and on visitation and custody days, the children will walk from their home to grandmother's home at the appropriate time to be visited or picked up by the father.

In the event the parties cannot reach a satisfactory mutual custody agreement, either party may file a custody or visitation proceeding with the Court.

5. This Order will be effective for a period of one (1) year from this dte, and the defendant is advised that any violations thereof subject him to immediate arrest and arraignment and possible court punishment for violation of this Order.

6. The Court assesses costs in this case in the amountof $84.50 and the defendant advises the Court they will be paid forthwith at the Prothonotary's Office at the conclusion of this hearing.

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

Aug.8, 1993 Copies dist. to Co.Control, TCPD, Sullivan & Millin

Mar. 29, 1994 Petition For Rule to Show Cause Why The Court's Order Of August 11, 1993 Should Not Be Amended and Rule Filed. AND NOW, this 25th day of March, 1994, upon consideration of the foregoing petition of the petitioner/plaintiff, Christine L.Boyle, a rule is hereby entered upon the respondent/defendant, Larry A. Boyle, to show cause, if any he has, as to why the Court should not grant the relief requested by the petition and amend its Order of August 11, 1993, in the manner prayed for in said petition.

THIS RULE is returnable on the 4th day of april, 1994, at 10:00 o'clock a.m., in courtroom 3 of the Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT:
Gordon R. Miller, J

Mar. 29, 1994 Copies of order to Atty's. Barnhart & Irwin

Apr. 7, 1994 ORDER filed. AND NOW, April 4, 1994, the matter is before the Court on a Rule to Show Cause Why the Order Hertofore Entered August 11, 1993 Should Not be Amended to required the defendant to remove his personal effects from the marital residence now occupied by the plaintiff wife.

Continued to Page 461

1993

Neil Rothschild

768.

Douglas Dinberg

INVOLUNTARY COMMITMENT OF

JOHN BRADSHAW

Filed August 5, 1993
@ 3:24 PM

PETITION FOR INVOLUNTARY COMMITMENT

ORDER: The court finds the patient is in need of treamtment. The patient was represented by Douglas Dinberg, Esq. Court orders that inpatient treatment for a period not to exceed 90 days.

for the court,
Neil Rothschild Esq., MHMR Review Officer
(Aug. 11, 1993, copies to Attys. Rothschild, Dinberg & MHMR)
Aug. 6, 1993, Gordon R. Miller,
Judge

1993

Thomas, Truax,
Spadafore & Walker
Gregory A. Keenan

769.

HENRY W. BALDWIN, III

vs.

KELLI J. BALDWIN

Filed August 5, 1993
@ 3:28 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co Pd 11/8/93	9.00

COMPLAINT IN DIVORCE
2 copies Atty.

Aug. 9, 1993, Affidavit of Service filed. Gregory a. Keenan, Esq. being duly sworn according to law, deposes and says that on Aug. 5, 1993, he sent a true and correct copy of Complaint in Divorce, properly endorsed with the Notice to Defend, filed in the above action, to the dft., at dft's last known address of 666½ Madison Ave. Meadville, Pa. 16335, by cert. mail NO., P 100 620 594 postage prepaid, ret. rec. req., restricted del, and that attached hereto is a duly executed ret. rec. card showing date of del as Aug. 6, 1993. Gregory A. Keenan, Esq.

Nov. 8, 1993, Affidavit of Consent of plaintiff filed.

Nov. 8, 1993, Affidavit of Consent of defendant filed.

Nov. 8, 1993 Upon praecipe of plaintiff attorney, for review Under Sect. 3301(c) of Divorce Code, this case moved tocourt.

DIVORCE DECREE FILED

Nov. 16, 1993 AND NOW, November 12, 1993, it is hereby ordered and decreed that HENRY W. BALDWIN,III, Plaintiff, and KELLY J. BALDWIN, 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.

1993

770.	IN RE: SATISFACTION OF DEPARTMENT OF PUBLIC WELFARE LIENS Filed August 6, 1993 Pro Co. pd 9/2/93 $1,710.00	AUTHORIZATION TO ENTER SATISFACTION OF JUDGMENT Sept. 2, 1993 Second list of Department of Public Welfare Lien Satisfactions filed. (Entered as of Aug. 6, 1993).

1993

Northwestern Legal Services
Gerald Sullivan

771.

ANGELINA BECK

vs.

QUINCY R. RICHARDSON

Filed August 6, 1993
@ 9:32 AM

Indigent Filing

Tax	.50
Tax & Entry #1 9-496	50.00
User's Fee	5.00
Sheriff's Costs	20.00
Pro Co.	9.00

(9-30-93 received from Deft 50¢ Envelope - Bal due 39.50)

PETITION FOR PROTECTION FROM ABUSE WITH TEMPORARY ORDER
3 copies Sheriff
1 copy atty.

Order:

AND NOW, this 6 day of August, 1993, upon presentation and consideration of the within Petition, a hearing thereon is scheduled for the 16 day of August, 1993 at 3:45 p.m. in Courtroom 1 or 2 of the Crawford County Court house in Meadville, PA.
The Crawford County Sheriff Department is directed to serve a certified copy of this Petition and Order upon the defendant.
This Petition and Order shall be filed and served without paymen of costs; the Court shall determine at the hearing if the defendant shall be requried to apy the costs.
THE DEFENDANT IS HERE BY 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.

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

BY THE COURT,
Anthony J. Vardaro, J

Aug. 6, 1993 Upon praecipe of Plaintiff Attorney To Proeceed In Forma Pauperis.

Aug. 16, 1993 Sheriff's Return filed. SERVED Quincy R.Richardson by deputizing the Sheriff of York County, PA. Per telephone covnersation with York County on August 13, 1993, they indicated they servced Quincy R. Richardson the Protection from Abuse on August 10, 1993.
So answers, Robert M. Stevens, Sheriff

Aug. 16, 1993 SHERIFF'S RETURN, filed. I hereby deputize the Sheriff of York County, Pa. to serve the within Protection From Abuse according to law. The defendants alleged address is 1738F Yourktown Dr., Stonewood Village Apartments, York, Pa. 17404. Robert M. Stevnes, Sheriff
Crawford County, Pa.

AFFIDAVIT OF SERVIE, filed. SERVED the within Protection From Abuse & Order on August 10, 1993, at 5:15 p.m., upon Quincy r. Richardson at 1738F Yorktowne Drive York, Pa. by handing to Quincy R. Richardson a true and correct copy thereof and made known to Quincy R. Richardson the contents therein. Kenneth L. Markel, Sheriff, York County

Aug. 17, 1993 ORDER filed. AND NOW, Aug. 16, 1993 this matter is before the Court on a Petition for Protection from Abuse filed by the plaintiff.

The defendant having been duly served does not appear, and apparently has contacted the plaintiff indicating that he did not intend to do so.

We proceed without the defendant and enter the following order:

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

2. The defendant shall not go to the plaintiff's residence at 207 Lighthouse St., Erie, PA 16507. We note that at the time of the filing of this petition the plaintiff resided in Crawford County.

3. The defendant is advised that he shall not go the residence of the plaintiff even if he is invited to that residence because it shall be presumed that he was in violation of this Order if he is found at that residence regardless of whether he is invited or not. If at any time the parties wish for the defendant to be able to go to plaintiff's residence they shall seek a modification of this Order.

4. This Order may be enforced without an order of arrest by any law enforcement officer having grounds to believe this Order has been violated.

5. A copy of this Order shall be delivered to the police department in the jurisdiction where the plaintiff resides as well as Crawford Co. Control and any appropriate county control agency in Erie Co. Additionally, a copy of this Order shall be sent by regular mail by the Prothonotary to the defendant at his last known address at 1738 Yorktown Drive, Stonewood Village, York, Pa. 17404.

6. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine of up to one thousand dollars and a jail sentence of up to six months.

7. The defendant shall pay court costs to the Prothonotary of Crawford County on the first floor of the Crawford County Courthouse in Meadville, PA in the amount of $84.50 on or before Aug. 27th, 1993.

8. This Order shall remain in full force and effect through Aug. 15th, 1994.

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

Aug. 18, 1993 Copies distributed to Atty. Sullivan, Deft., Co. Controll, MCPD & E.C.P.D.

Jack L. Cherkin, Esq.
Dominic d. Salvatori

772.

ALESHIA TATTERS, a minor by JUNE TATTERS and RAYMOND TATTERS, parents and natural guardians of ALESHIA TATTERS a minor.

vs.

MELISSA A. ANDREWS, GLENN M. GIRADA and ANNA B. GIRADA

Filed August 6, 1993
@ 9:32 AM

Tax & entry	50.50
User's Fee	5.00

PETITION FOR COURT APPROVAL OF COMPROMISE, SETTLEMENT AND DISTRIBUTION OF A MINOR"S CLAIM

Order:

AND NOW, to-wit, this 6 day of August, 1993 upon consideration of the foregoing Petition for Court Approval of Compromise, Settlement and Distribution of a Minor's Claim, it is hereby, ORDERED, ADJUDGED and DECREED, that the settlement of the minor's claim, and the derivative claims of June Tatters and Raymond Tatters in the sum of One Thousand ($1,000) Dollars be and is hereby APPROVED, and distribution is to be made as follows:

1. Jack L. Cherkin, Esquire, P.C.:
   A. Counsel Fees, $333.33
2. Aleshia Tatter:
   Proceeds of Settlement, $666.67

Petitioners request that in light of the minor' upcoming 18th birthday in sox months and the extremely low interest rates on savings deposits, that said sum be immediately distriuted to the minor Petitioner so that said minor may purchase a used car and clothing. Minor Petitioner is currently employed and manages her own money.

BY THE COURT:
Anthony J. Vardaro, J

1993

Joseph f. Kulwicki

773.

JEFFREY N. HEISEY

vs.

JULIEANN HEISEY

Filed August 6, 1993
@ 11:57 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 12/6/93	9.00

COMPLAINT UNDER 3301(c) OF THE DIVORCE CODE

Aug. 25, 1993, Affidavit of Service filed. Debra A. Shook, being duly sworn according to law, deposes and says that she is employed by Atty. Kulwicki, and as such on Aug. 19, 1993, she mailed via cert. mail, rest. del, postage prepaid, a cert. copy of above divorce complaint to dft.

The receipt and signature card for cert. mail P 724 954 502 are attached hereto and made a part hereof.

Debra A. Shook.

Nov. 8, 1993, Affidavit of Consent of the Plaintiff filed.

Dec. 1, 1993, Affidavit of Consent of defendant filed.

Dec. 6, 1993 Upon Praecipe of Joseph F.Kulwicki,III,Esquire, Attorney for Plaintiff toctransmit record, case moved to Court.

DIVORCE DECREE FILED

Dec. 20, 1993 AND NOW, December 15, 1993, it is ORDERED and DECREED that JEFFREY N. HEISEY, plaintiff, and JULIEANN HEISEY, 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.

Gordon R. Miller, J.

1993

Donald E. Lewis

Edward J. Hatheway

774.

Blystone & Blystone
Curtis E. Blystone

BARBARA NUNEMAKER

vs.

TITUSVILLE MOTOR & AUCTION CO.

Filed August 9, 1993
@ 11:18 AM

Tax & entry paid	50.25
User's Fee paid	5.00
Sheriff's Costs	37.00
Pro Co pd 1-5-94	15.00
Pro.Co.pd 4/5/94	5.00

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

Aug. 9, 1993 Rule entered upon the Plaintiff to file a Complaint Issued.

Aug. 9, 1993 Proof of Service filed.

Aug. 30,1993 Complaint filed.

Oct. 18, 1993 Amended Complaint filed.

Oct. 20, 1993 Appearance of Donald E. Lewis, Esquire for Plaintiff filed.

Nov. 3, 1993 SHERIFF'S RETURN, FILED. SERVED TITUSVILLE Motor and Auction Company on October 20, 1993 at 2:49 PM by handing a copy of the Amended Complaint to Rod Weidner, Adult in Charge at the business, 1591 Hydetown Road, Titusville, Crawford County, Pa.
So answers, Scott D. Young, Deputy Shseriff
Robert M. Stevens, Sheriff

Nov. 12, 1993 Answer, New Matter and Counterclaim filed.

Nov. 12, 1993 Notice of Praecipe For Entry of Default Judgment, filed.

Nov. 29, 1993, Reply to New Matter and Counterclaim filed.

Jan. 5,1994 Upon praecipe of plaintiff attorney to appoint Arbitrators, the following Arbitrators have been appointed.
John Fuller, Chairman
Karen Johnson
William Moore

Jan. 18, 1994 Arbitrators take qualifying oath.

Apr. 5, 1994 Upon Praecipe of Edward J. Hatheway, Esquire, Attorney for Plaintiff and Curtis Blystone, Esquire, Attorney for Defendant, the above-captioned matter, including Plaintiff's claim against Defendant and Defendant's counterclaim against Plaintiff is marked discontinued of record.

1993

William J. Gregg

775.

CATHY LYNN VOTINO

vs.

JOHN WILLIAM VOTINO

Filed August 9, 1993
@ 1:51 PM

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

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

Sep. 2, 1993 Acceptance of Service filed. AND NOW, this 1 day of September, 1993, comes JohnWilliam Votino, Defendant in the above captioned matter and acknowledges that he received a Complaint in Divorce and NOtice to Defend in the above captioned matter.
John William Votino

Jan. 13, 1994 Sheriff's Return filed. Returned to Prothonotary unserved on January 13, 1994. No instructions or service fee received by Sheriff.
So answers, Robert M. Stevens, Sheriff

Mar. 12, 1998 Important Notice and Court Order filed.
Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 1/13/94 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.
If you do not object this this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.
If you object to the case being dismissed, you must put your object in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA 1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or sent a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.
YOU MAY LOSE IMPORTANT RIGHTS IF YOUR CASE IS TERMINATED. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP:
Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

By the Court,
Date: March 12, 1998 Anthony J. Vardaro, J
Mar. 12, 1998 copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.

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

(See original filed at A.D. 1997 - 702)

1993

McCabe, Weisberg,
Conway & Watson
J. Scott Watson

776.

EDINBORO UNIVERSITY

vs.

SUSAN A. HARRIS

Filed August 9, 1993
@ 1:51 PM

Tax & entry paid	50.50
User's Fee paid	5.00
sheriffs costs	25.00
Pro. Co. pd 10/18/93	9.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Aug. 17, 1993, Sheriffs Return filed. SERVED Susan A. Harris personally on Aug. 12, 1993 at 1:15 p.m. by handing a copy of the complaint to her inthe sheriffs' office, Crawford County Courthouse, Third Floor, Meadville, Pa.
So answers Carole Stefanucci, Dep. Sheriff
Robert M. stevens, Sheriff

And Now, Oct. 18, 1993 at 1:52 PM upon Praecipe of Plaintiff's Attorney,with notice of Intention to file Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendant for want of an answer and the damages are assessed at the sum of One Thousand Four hundred Eighty and 10/100 dollars, interest and cost of suit.

Debt	$1,480.10
Interest (See paper filed)	
Costs (See paper filed)	
Judgment	

Barbara H. King
Prothonotary

H-154:
Entered on 10-18-93
Atty, Watson

1993

Robert C. Tourek

777.

SHAFER,SWICK,BAILEY, IRWIN & STACK
Paul D. Shafer,Jr.

HOWARD L. STOKES, ROBERT J. STOKES and JAMES A. STOKES

vs.

GEORGE H. SLANELY and HELEN L. SLANEY, his wife

Filed August 9, 1993
@ 1:52 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	42.00
Pro. Co. pd 3/16/94	5.00

COMPLAINT IN EJECTMENT
1 copy Sheriff

Aug. 20, 1993 Sheriff's Return filed. SERVED George H. Slaney on August 18, 1993 at 10:22 AM by handing a copy of the Action in Ejectment and Action for Rents to HelenL. Slaney, his wife, at their residence, R.D.#2, Lake Road, Union City, Crawford County,PA.
SERVED Helen L. Slaney personally on August 18, 1993 at 10:23 AM by handing her a copy of the Action in Ejectment and Action for Rents at the residence, R.D.#2,Lake Road, Union City, Crawford County, PA.
So answers,
Scott D. Young, Deputy Sheriff
Dale A. Collins,Chief Deputy
Robert M. Stevens, Sheriff

Sept. 7, 1993 Answer, New Matter And Counterclaim filed.

Nov. 12, 1993 Reply to New Matter filed.

Nov. 12, 1993 Preliminary Objections, filed.

Nov. 18, 1993 Praecipe for Argument for Preliminary Objections to Counterclaim, filed.

Dec. 21, 1993 Order filed. AND NOW, December 20, 1993, after review of the Plaintiff's preliminary objections to the Defendant's Counterclaim, after review of the briefs filed by the parties and after consideration of the oral arguments they have made, the preliminary objections are denied.
The Plaintiffs shall file a response, if they desire to do so, to the Defendnat's Counterclaim within twenty (20) days form this date.
BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Dec. 21, 1993 Copies dist. to Shafer & Tourek

Jan. 7, 1994 Answer and New Matter, filed.

Jan. 21, 1994 Defendants' Counter Reply, filed.

Mar. 16, 1994 UponPraecipe of Robert C.Tourek,Esquire, Attorney for Plaintiff the above-captioned matter is discontinued without prejudice, filed.

Apr. 29, 1994 Petition for Attorneys' Fees Pursuant to 42 Pa. C.S.A. §2503 and RULE filed.
AND NOW, this 28 day of April, 1994, upon consideration of the foregoing Petition for Attorneys' Fees Pursuant to 42 Pa.C.S.A. %2503, a Rule is issued uponPlaintiffs, to show cause, if any there be, why the relief requested in the within Petition should not be granted.
This Rule should be returned by the 9th day of June,1994 at 1:00 o'clock P.M. in Courtroom number 1, Court of Common Pleas,Crawford County, Pennsylvania. A copy of this Rule shall be served upon Robert C. Tourek, Esquire, as attorney for the Plaintiffs.
BY THE COURT:
Anthony J. Vardaro, J.
4-29-94 Faxed copy to Atty. Shafer. 5-4-94 Copy mailed to Atty.Tourek

June 9, 1994 Answer To Petition For Attorneys' Fees Pursuant To Rule To Show Cause filed.

June 13, 1994 Order filed. AND NOW, June 9, 1994 hearing and argument on the Defendant's Petition for Attorneys Fees, is hereby scheduled for Thrusday, July 21, 1994, at 1:30 o'clock p.m. inCourtroom No. 1 of the Crawford County Courthouse. At tha ttime, the Court will receive evidence on any factual matters which the parties believe are relevant and appropriate to disposition of this Petition.
BY THE COURT,
Gordon R. Miller, J

June 13, 1994 Copies dist. to Tourek and Shafer

Aug. 23, 1994 MEMORANDUM AND ORDER filed ORDER. AND NOW, August 23, 1994, the defendants' petition for counsel fees is denied for the reasons set forth in the attached memorandum.
BY THE COURT
Gordon R. Miller, P. J.
8-23-94 Copies dist. to Attys. Irwin, Stack & Tourek

Sep. 15, 1994 Notice of Intent to Complete Discovery, filed.

328

1993

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

778.

ALICE M. M. MUMA

vs.

BERNARD A. SCHROEDER, II

Filed August 9, 1993
@ 2:05 PM

Tax 7 entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 12-3-93	9.00

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

Aug. 17,1993 Acceptance of Service of Complaint in Divorce filed. AND NOW, this 12 day of August, 1993, and in accordance with Rule of Civil Procedure 1920.4 (3), I hereby accept service of a true and correct copy of the complaint in divorce.
Bernance A. Schroeder, II

Nov. 19, 1993, Affidavit of Consent of plaintiff filed.

Nov. 19, 1993, Affidavit of Consent of defendant filed.

Dec. 3, 1993 Upon praeceipe of Plaintiff's attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

Dec. 14, 1993 AND NOW, December 13, 1993, it is hereby ordered and decreed that ALICE M. M. MUMA, Plaintiff, and BERNARD A. SCHROEDER,II, 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.

1993

779.

LORI L. GRAPPY

vs.

JOHN GRAPPY

Filed August 9, 1993
@ 2:13 PM

Tax & entry Pd 9-22-93 · 50.50
User's Fee Pd 9-22-93 5.00
Sheriff's Costs Pd 9-22-93 57.50
Pro.Co. Pd 9-22-93 9.00

9-22-93 Rec from deft Sheriff Costs 57.50
9-22-93 Pd for Sheriff Costs Ck# 7803 57.50

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

Order:

And now, this 9th day of August , 19 93, upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall move out. Possession of the residence is awarded to plaintiff. Custody of the child is awarded to Plaintiff. Defendant shall not contact Plaintiff in any way.
3. This Order may be enforced without a warrant any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs. Hearing is hereby set for August 18, 1993 , at 9:00 a. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Aug. 18, 1993 Sheriff's Return filed. SERVED John R. Grappy by deputizing the Sheriff of Erie County, PA, as per a telephone call from Erie County Sheriff's Office. He was served on August 12, 1993.

So answers,

Carole Stefanucci, Deputy Sheriff
Robert M.Stevens, Sheriff

Aug. 19, 1993 Sherriff's Return and Affidavit of Service filed. SERVED the within Petition for Protection FromAbuse and Court Order on August 12, 1993, at 1645 hrs upon John R. Grappy at 1734 Woodside Drive, Erie County, Erie,Pennsylvania by handing to John R. Grappy a true and correct copy thereof and made known to him the contents therein.

John Loomis, Deputy Sheriff

See Affidavit of Service endorsed hereon by Sheriff of Erie County, Pennsylvania which is part of this return.

So answers:

Rober M. Stevens, Sheriff, Crawford County, PA

Aug. 20, 1993 ORDER filed. AND NOW,August 18, 1993, this matter is before the Court on a Request for Relief Under the Protection From Abuse Act.

The petitioner appears without counsel and the defendant does not appear this day. He has, however, sent a letter to the Court dated August 11, 1993, in which he admits the allegations of the petition, and accordingly, based on those admissions, we will enter the following Order:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff,or any minor children named in the petition.
2. A copy of this Order shall be delivered to the Police Departments in the jurisdiction where the plaintiff resides and to County Control. The plaintiff currently resides at R.D.#2, Box 108, Centerville,Pennsylvania, and therefore, the Corry State Police shall be notified as the appropriate police agency with jurisdiction. A copy of this Order shall also be sent to the plaintiff by regular mail at the above address, and to the defendant by regular mail at 1734 Woodside Drive, Erie, Pennsylvania, (Zip Code Unknown).
3. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000 and a jail sentence of up to six (6) months.
4. The defendant shall pay costs in this matter to the Prothonotary of Crawford County on the First Floor of the Crawford County Courthouse, in the amount of $122 within 30 days of the date of of this Order.
5. This Order shall remain in full force and effect through August 17, 1994.

BY THE COURT,
Anthony J.Vardaro, J.

Aug. 20, 1993 Copies dist.to Corry SPD, Pltf, Deft. & Co.Control

Aug. 20, 1993 Letter from Defendant filed.

1993

Ferguson & Spataro
Douglas W. ferguson

780.

Aug. 9, 1993 $150.00
deposited by Plaintiff
10-22-93 Pd Pltf
Refund Ch#7866 141a
(to Ferguson)

CONNIE A. CATALANO

vs.

BRIAN K. CATALANO

Filed August 9, 1993
@ 2:25 PM

Tax & entry paid 50.50
User's Fee paid 5.00
Pro Co Pd 10-26-93 Ch#7875 9.00

COMPLAINT FOR CUSTODY

Order:

You, Brian K. Catalano, Defendant, have been sued in court to obtain custody, partial custody or visitation or the children: Vanessa M. Catalano and Sean A. Catalano.

William Pineo, Esq. has been appointed Child Custody Mediator and you are ordered to appear in person for a conference with Child Custody Mediator at such time and place as he directs. You are further ordered to bring with you the child if so requested by the Child Custody Mediator.

If you fail to appear as directed by the Child Custody Mediator or to bring the child, an order for custody, partial cusotdy or vistiation may be entered against you or the court may issue a warrant for your arrest.

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

Court Administrator
Crawford County Courthouse
Meadville, Pennsylvania 16335
Telephone: (814) 336-1151, Ext. 298

BY THE COURT,
Anthony J. Vardaro,

Order:

AND NOW, this 6 day of August, 1993, upon petition of Connie A. Catalano, through her attorneys, Ferguson & Spataro, Esq., William Pineo, Esqs., is hereby appointed Child Custody Mediator in this matter. The parties and their counsel shall attend the mediation conference scheduled by the Child Custody Mediator and shall comply with all requests of the Child Custody Mediator. Pending the mediation conference, the children shall continue to reside with the father, Brian K. Catalano.

BY THE COURT,
Anthony J. Vardaro

Aug. 23, 1993, Affidavit of Service filed. I, the undersigned,being duly sworn according to law, depose and say that I have served a true and correct copy oftheComplaint for Custody certified by the Prothonotary of Crawford County, Pa. onthe above named Dft. by cert. mail, addressee only, ret. rec. req.,dated Aug. 10, 1993. The dft. acknowledged service on Aug. 13, 1993, by accepting delivery on that date as evidenced by the attached signed ret. rec. D. Ferguson.

Oct 21, 1993 Consent Custody Order, filed. AND NOW, this 11th day of October, 1993, upon Stipulation of the above captioned Plaintiff and Defendant in regard to the above custody action, it is hereaby ORDRED AND DECREED that:

1) The parties shall share legal and physical custody of the parties' minor children, Vanessa M. Catalano, born July 17, 1983, and Sean A. Catalano, born November 10, 1989.

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

3) The subject minor child, Vanessa M. Catalano, shall reside with her mother who shall be the primary physical custodial parent of the child, subject to the father having temporary physical custody and visitation with the child.

4) The subject minor c ild, Sean A. Catalano, shall reside with his father who shall be the primary physical custodial parent of the child, subject to the mother having temporary physical custody and visitation with the child.

a. The father shall have both children in his temporary physical custody every other weekend commencing with the weekend of October 16, 1993.

b. The mother shall have both children in her temporary physical custody every other weekend commencing with October 9, 1993. Said weekend visits shall be from approximately 6:00 p.m. Friday local prevailinga time through and including Sunday at approximately 6:00 p.m. local prevailing time.

c. In addition to the weekend visits set forth herein the father shall have both minor children in his temporary physical custody one evening every other week from approximately 5:00 p.m. to 8:00 p.m. local prevailing time. In addition to the wekend visits set forth herein the mother shall have both minor children in her temporary physical custody one evening per week from approximately 5:00 p.m. to 8:00 p.m. local prevailing time. In the event the paraties cannot agaree on the exact day of the week for said evening visits, father shall have both children in his custody on Wednesday evenings and the mother Tuesday evenings.

HOLIDAY VISITATION:

5) Holiday visitation shall be arranged as follows:

a. On Thanksgiving, both the children shall be in the home of the father for one half of the day and both children shall be in the home of the mother for one half of the day. In the event the parties cannot agree otherwise, the children shall be in the home of the mother from approximaely 8:00 a.m. until 2:00 p.m. and in the home of the father from approximately 2:00 p.m. to 8:00 p.m.

b) There shall be a Christmas visit by the parent with both children on Christmas Eve and Christmas Day. Commencing with Christmas Eve of 1993 both children shall be in the home of the father from approximately 4:00 p.m. to 8:00 p.m. On Christmas Day 1993 both children shall be in the home of the mother from approximately 8:00 a.m. until 5:00 p.m. Thereafter, the parties shall alternate years between Christmas Eve and Christmas Day so that for Christmas Eve of 1994 children shall be in the home of the father.

c) There shall be an Easter visit by the parent with both children on Easter Day. Commencing with Easter Day of 1994 both children shall be in the home of the mother from approximately 8:00 a.m. to 12:00 noon. From approximately 12:00 noon on Easter Day until 4:00 p.m. both children shall be in the home of the father. Thereafter, the parties shall alternate years so that Easter Day of 1995 between 8:00 a.m. and 12:00 noon the children shall be in the home of the father and from 12:00 noon until 4:00 p.m. in the home of the mother

Continued on Page 330A

1993

Connie A. Catalano
vs.
Brian K. Catalano

CONTINUED FROM PAGE 330
of Record
A. D. 1993 - 780

****

d. With regard to the children's birthdays and parents' birthdays the parties shall make mutual arrangements that the child shall spend an appropriate amount of time with each parent and his or her sibling on the child's birthday and parent'sbirthday. If in fact the parties cannot agree on specified times, the mother shall have both children on a child's birthday and her birthday until approcimately 5:00 p.m. Thereafter, on the child's birthday both children shall be in the home of the father until approximately 9:00 p.m. The provisions of this paragaraph shall take precedence over the other provisions of the Order relating to custodial or visitation periods. It is the intent of this paragraph that each parent receive time with the child having his or her birthday and that each parent receive time with the children during each parent's birthday during the birthday celebration.

6) The parent receiving the child or children shall be responsible for the children's transportation of either delivery or pickup of the child ro children.

7) Each parent shall be entitles to have both children in his or her custody for two weeks vacation each year. Each parent shall give the other notice of the period of time they ae requesting for their two week vacation period on or before May 15th of each year. Said summer visit shall begin on Sunday at approximately 5:00 p.m. and through and including fourteen days later at 5:00 p.m. Said summer visit shall take precedence over the weekday visits and weekend visits but not over holiday and birthday visits. If a full two week period is not requested, the balance of the vacation can be used during any other break from school during the school year if the requestisng party gives the other party thirty (30) days written notice of the requested visitation.

SPECIAL PROVISIONS:

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

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

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

11) Any person transporting the children shall make sure that the seatbelts or other restraints are used in accordance with the laws of Pennsylvanian.

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

13) Both partie sshall promptly furnish information regarding school events and social events in which the parties would be expected to aprticipate and such information shall be furnished to the other party in a timely fashion in order that the other party may attend said event of function if he or she so desires.

14) The parties agaree that respective step-parent shall have the right to discipline both chidlren as agreed upon by the natural parents provided such discipline is reasonable.

15) Each party shall make sure that he or she will provide transportation and encouragement for the subject minor children to participate in the athletic and scholastic programs and competitions provided by the children's school.

16) 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 gover.

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

Nov. 1, 1993 copy to D. Ferguson

Oct. 21, 1993 Motion to Return Custody Mediator's Fees and Order, filed. AND NOW, this 18th day of October, 1993, the Prothonotary of Crawford County is directed to return the sum of $150.00 to the Plaintiff, Connie Catalano less costs for any custody order.

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

Nov. 1, 1993 copy to Ferguson

May 5, 2003- See Computer for further entries.

330
-6-

1993

1993

Peters, Lindsay,
Lewis & Gagliotti
Brian J. Lindsay

781.

R. Christopher Brode
for J. Holzer

8-9-93 Re Johnson dft Wm Holzer
mail fee 200

RUTH E. STRAIN

vs.

WILLIAM E. HOLZER and
JANE E. HOLZER

Filed August 9, 1993
@ 4:17 PM

Tax & entry paid 50.50
User's Fee paid 5.00

COMPLAINT FOR PRIMARY CUSTODY

Order:

AND NOW, this 9th day of August, 1993, after consideration of the Custody Complaint and the request for Special Relief contained therein this Court hereby orders that the subject children William Holzer, II and Stephanie Holzer shall remain in the primary custody of their maternal grandmother, Ruth Strain, subject to reasonable visitations with Defendant/Mother, until further order of court. Visitations with the mother shall take place each Saturday from 10:00 am to 5:00 pm and Sunday from 1:00 pm to 5 pm This matter is set for hearing on September 1, 1993 at 9:00 am in court Room 1. These weekend visitation shall take place at the home of Mary Holzer.

BY THE COURT,
Gordon R. Miller, J

Sep. 8, 1993 ORDER filed. AND NOW,September 7, 1993, the hearing in this matter is continued until October 7, 1993 at 1:30 o'clock p.m. in Courtroom No.1 of the Crawford County Courthouse.

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

9-10-93 Copy of Order to Attys. Lindsay & Brode

Oct. 8, 1993 ORDER filed. AND NOW, October 7, 1993, the parties appeared in court with counsel and agreed to a resolution of this matter and an entry of a Court Order based on that resolution. Accordingly, it is ORDERED as follows:

1. Primary physical custody of the minor children shall remain with the grandmother until seven (7) days after the mother obtains adequate housing as herein after provided.

2. The mother shall move out of her current residence no later than October 15, 1993.

3. Mother will secure an adequate residential facility for the two (2) children and herself. That facility shall be one in which it is not detrimental to the raising of minor children. It shall have adequate heat and light, kitchen and bothroom facilities. It shall be appropriately furnished and have at least two (2) bedrooms. Mother shall confirm the fact that she has obtained this kind of residential facility for herself and the two (2) children by producign to the grandmother a lease where the lessee shall be the mother only.

4. The grandmother shall have the right to view the residential facility to make sure it complies with this Order.

5. After the mother has been a bonafide resident of this new residential facility for at least seven (7) days and if the facility meets the requirements of this Order, primary physical custody of the two (2) children shall be transferred from the grandmother to the mother.

6. Once primary physical custody is transferred to the mother, the grandmother shall have the following visitation rights:

A. Any periods of time that the parties agree to.

B. For a period of two (2) months after primary physical custody trnsfers to the mother, the grandmother shall have the right to visit and take the children with her every Saturday at 10:00 o'clock a.m. and return the children on Sunday at 5:00 o'clock p.m. These visitations shall last for a period of two (2) full months. Thereafter, the grandmother shall have the right to visit the children every other weekend from Saturday at 10:00 o'clock a.m. to ?sunday at 5:00 o'clock p.m. This shall last for four (4) months.

C. After six (6) months has passed from the date upon which the mother obtains primary physical custody of the children, there shall be no scheduled visitations required by this Order or imposed on the parties, but the parties shall be free to arrange any scheduled visitations between the children and the grandmother by agreement.

7. Until primary physical custody shifts from the grandmother to the mother, the mother shall have the right to visit with her children as follows:

A. Any time the parties agree.

B. At the home of the grandmother from Friday through Sunday at times to be agareed upon. During those visitations the mother may take the children on outings during the daytime.

8. Anthony Baabcock shall not be present during any periods of time when the mother has visitation rights or when the mother has primary physical custody. The parties have agareed and the Court so ORDERS that the children shall have no contact with Anthony Babcock.

9. The mother shall enroll in a counseling program offered by Women's Services at the Greenhouse for support, self-esteem and other similar matters that are appropriate in the discretio of the Women's Services for victims.

10. Child support is currently paid in the amount of $500.00 each month by the father of these children. That support shall be transferred to the mother when the mother secures the housing referred to above. The mother shall have the right to represent to any landlord that she in fact does receive $500.00 per month for the support of her children so that she can demonstrate adequate financial resources in order to obtain the lease.

11. After primaryphysical custody is transferred to the mother, Stephanie shall still participate in a Brownies program and the grandmother shall provide transportation for that program so that Stephanie may attend all programs reasonaaably and regularly offered by Brownies.

12. The Court shall retain continuing jurisdiction over this case for at least one (1) year from this date. The mother shall not live outside of Crawford County, Pennsylvania, during that period of time.

13. Neither party shall do nor say anything or permit others to do or say anything that would blacken the character of the other in the eyes of the children. Disputes regarding rthe children shall take place outside the hearing of the children so that the children shall not be subjected to any discord between these parties.

14. Neither party shall do anything that would adversely affect the health, safety, morals or welfare of these children.

15. The mother shall absolutely abstain from the use or possession of any controlled substances, narcotics or illegal drugs. She shall only be permitted to take drugs and medication that is lawfully prescribed by a tareating health care provider unless temporarily uses over-the-counter medications for temporary periods of time such as for headaches, colds or the like.

16. The mother shall not become visibly intoxicated in the presence of the children and shall not take the children into any taverns or bars.

CONTINUED TO PAGE 453

Kathleen R. Nelson

782.

RONALD A. CUMMINS and DIANE CUMMINS, his wife

vs.

TERRI SUE RYON

Filed August 10, 1993
@ 8:56 AM

Tax & entry paid 50.50
User's Fee paid 5.00

COMPLAINT FOR CUSTODY
1 copy atty.

Aug. 20, 1993 Consent Custody Order filed. AND NOW, this 19 day of August, 1993, upon stipulation of the parties to this action, the following order is hereby entered:

1.Legal custody of Denni Lynn Navin shall be with the Plaitniffs, Ronald A. Cummins and Diame Cummins, his wife. Ronald A. Cummins and Diane Cumminsshall be entitled to records relating to the child held by a third party including, but not limited to, school and medical records. Medical, school personnel, and other care providers are hereby authorized to release to Ronald or Diane Cummins any and all confidential information which they may have regarding the subject minor child. Furthermore, Ronald and Diane Cummins shall be entitled to make decisions regarding the health, education, and religious instruction regarding the subject minor child.

2. Physical custody of Denni Lynn Navin shall be with the Plaintiffs, Ronald A. Cummins and Diane Cummins,his wife,subject to the reasonable visitation rights of the Defendnat, Terri Ryon, including overnight nisits, holiday visits, weekends visits, and summer visits as agreed upon from time to time between the parties hereto.

3. This Order is entered without prejudice to the right of either party to request a mediation conference at some time in the future for the purpose ofobtaining a more specific visitation schedule between the child and the child's mother.

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

5. Neither party shall expose the child to any person or situation which may be harmful to the child's well being.

By the Court,
Anthony J.Vardaro, J.

Aug. 26, 1993 Copy of Order to Atty. Nelson & Deft.

1993

John R. Gavin
and Bruce L. Getsinger

783.

Grogan, Graffam, McGinley
and Lucchino
Terrence F.McVerry

DARLYNN L. MILLER and
JAMES L. MILLER, her husband

vs.

RUTHELLEN WEEKS, M.D.

Filed August 10, 1993
@ 11:54 AM

Tax & entry paid 50.50
User's Fee paid 5.00

#1 WRIT OF SUMMONS
Issued atty.

#2 Sep. 16, 1993 Rule upon Plaintiff for Rule to File Complaint issued. (Issued Attorney)

#3 Sep. 16, 1993 Appearance of Grogan, Graffam, McGinley & Lucchino by Terrence F.McVerry, Esquire for Ruthellen Weeks, M.D., Defendant, filed.

#4 Sep. 23, 1993 Acceptance of Service filed. I, TTerrence F. McVerry,Esquire, hereby accept service of the Writ of Summons which was filed August 10, 1993. I verify that I am authorized to accept service on behalf of the defendant, Ruthellen Weeks, M.C.
Date: September 9, 1993 Terrence F.McVerry,Esquire

#5 Sept. 30, 1993 Affidavit of Service Of Rule To File A Complaint filed. Before me, the undersigned authority, in and for the above-named County and Commonwealth, personally appeared Terrence F. McVerry, Esquire, who first being duly sworn according to law. deposes and says that on September 24, 1993 he served a true and correct copy of the attached Rule to File a Complaint to Bruce L. Getsigner, Esquire, P.O. box 196, Intersection of Route 322 and 257, Cransberry, PA 16319 by certified mail, return receipt requested, and that the same was received by him as evidenced by the attached return receipt card marked here as Exhibit "A". T. McVerry

#6 Oct. 18, 1993 Plaintiffs' Motion for Extension of Time to File Complaint and RULE TO SHOW CAUSE filed. AND NOW, this 26 day of October, 1993, upon consideration of theforegoing Plaintiffs' Motion for Extension of Time to File Complaint, a Rule is hereby issued upon the Defendant to show cause, if any she has,why the relief requested should not be granted, said Rule returnable the 4th day of November, 1993, in Courtroom No. 3 of the Crawford County Courthouse, Meadville, Pennsylvania, at 1:30 P.M.

BY THE COURT,
Anthony J. Vardaro

10-29-93 Copy of Order toAttys. GEtsinger & McVerry.

(Filed at AD 1992-953)

12 5-2-94 Notice of Service of Interrogatories filed.

#7 Jan. 28, 1994 Notice of Service of First Set of Interrogatories and First Request for Productions of Documents, filed.

13 6-16-94 Notice of Service of Interrogatories filed.

#8 Mar. 4, 1994, Complaint filed.

14 8-30-94 Notice of taking depositions filed.

#9 Mar. 30, 1994 Answer and New Matter filed.

15 8-30-94 Notice of service of request for production filed.

#10 April 18, 1994 Plaintiffs' Reply To New Matter of Defendant Ruthellen Weeks, M.D., filed.

#16 10-11-94 New Matter filed.

#11 Apr. 21, 1994 Stipulation To Consolidation and Order, filed. AND NOW, this 21 day of April, 1994, upon consideration of the foregoing Stipulation, it is hereby ordered and decreed that the two above-captioned cases are consolidated into one case. BY THE COURT,
Anthony J. Vardaro, J.

Apr. 26, 1994 copy to J. Gavin, B. Getsinger, T. McVerry

#17 Oct. 25, 1994, Plaintiffs' Reply to New Matter of Defendant Ruthellen Weeks, M.D., filed. (see paper filed at AD 1992 - 953)

#19 10-26-94 Reply to New Matter filed (filed at AD 1992-953)

#18 Oct 26, 1994 Amended New Matter filed)at AD 1992-953

#20 Oct. 28, 1994 Reply To Amended New Matter of Defendant, Titusville Area Hospital, Pursuant to Pa. R.C.P. 2252(d) filed. (see paper filed at AD 1992 - 953)

#21 Nov. 17, 1994, Plaintiffs Reply to Amended New Matter of Defendant Titusville Area Hospital filed. (see paper filed at AD 1992 - 953)

9-12-97 Appeal Bond filed (in Bond Book)

#1 ~~Jan. 12, 1995 Plaintiffs' Motion to Compel Discovery and Motion for Sanctions filed~~.

#22 Jan. 20, 1995 Upon praecipe of plaintiffs attorney, this case placed on next Argument List.

ON FEBRUARY 1995 ARGUMENT LIST Filed at AD 1992-953

#23 Jan. 25, 1995 Notice of Service of Interrogatories and Requests For Production of Documents (Second Set) Directed to Defendant Ralph Nazzaro, M.D., filed.

#24 Jan. 25, 1995 Notice of Service of Interrogatories and REquests For Production of Documents (Second Set) Directed to Defendant Titusville Area Hospital, filed.

#25 Mar. 7, 1995 MEMORANDUM AND ORDER filed. AND NOW, March 6, 1995,a motion to compel discovery filed on behalf of the plaintiffs is granted to the following extent.

1. The defendant, Ruthellen Weeks, M.D., is directed to swear to an affidavit answering the following questions:

a.) Can a sponge which has been left inside a persons' abdomen move from one part of the abdomen to another part of the abdomen?

b.) Do you know whether or not Darlynn Miller might experience future medical problems because of the sponge which was removed from her abdomen in September of 1991?

2. The defendant, Titusville Area Hospital, is directed to have its employee, Chungja C.Shim, M.D., swear to an affidavit answering the following questions:

a.) Were you able to tell from your examination of the sponge how long it had been in Darlynn Miller's body?

b.) How deteriorated was the sponge, the cloth pad that was taken from Darlynn Miller's Body?

3. The foregoing affidavits shall answer the propounded questions completely and shall set forth any explanation that is required to fully understand the answers and the affiants' bases therefor.

Continued to Page 483

334

1993

Knox, McLaughlin,
Gornall & Sennett, PC
Mark G. Claypool

784.

GENERAL MOTORS ACCEPTANCE CORPORATION

vs.

SANDRA A. ARTMAN: WILLIAM W. SHAFFER

Filed August 10, 1993
@ 11:54 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	35.00

COMPLAINT IN CIVIL ACTION
1 copy atty.
2 Copies Sheriff

Aug. 18, 1993 Sheriff's Return filed. SERVED Sandra A.Artman personally on August 13, 1993 at 10:14 AM by handing a copy of the Complaint to her at the residence, R.D.#2, Box 256, Conneautville, Crawford County, PA.

SERVED WilliamW. Shaffer on August 13, 1993 at 10:15 AM by handing a copy of the Complaint to Sandra Artman, Adult in Charge at the residence, R.D.#2, Box 256, Conneautville, Crawford County, PA.

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

1993

John GAgliotti

Christopher Ferry
Alan L. Pepicelli

filed by:
Christopher Ferry

785.

VERNON VANTASSEL

vs.

WILLIAM R. GRANDA, ET AL
(CAROL)
and

WILLIAM R. GRANDA (AND CAROL)

vs.

VERNON VANTASSEL ET AL

Filed Aug. 10, 1993
@ 4:03 p.m.

Tax & entry paid $50.25
state paid 5.00

NOTICE OF APPEAL OF DEFENDANTS FROM
JUDGMENT OF George W. HERZBERGER, III
(AND COUNTERSUIT)

Aug. 11, 1993 Proof of Service of Notice of Appeal and Rule to File Complaint filed.

Sep. 10, 1993 Stipulation on behalf of William R. Granda, filed.

Sept. 14, 1993 Complaint filed.

Sept. 30, 1993 Verfication of Service filed. I, JOhn P. Gagliotti, Esquire, do hereby verify that I am the attorney of record for the above named Plaintiff, and thsat as such I am authorized to make this verification; that I did on the 15th day of September, 1993, send to the above named Defendant, by Certified Mail, Addressee only, Return Receceipt Requested, P147765652, a true and correct copy of the complaint filed at the above terms and number; and that I did on the 22nd day of September, 1993, receive a duly executed return receipt dated September 20, 1993.
Dated: September 29, 1993 John P. Gagliotti

Douglas & Joseph

Joseph M. Joseph
R. Christopher Brode

William J. Gregg

786.

Bruce Barrett

THOMAS L. THURBER

vs.

JODY L. THURBER

Filed Aug. 11, 1993
@ 9:03 a.m.

Tax & entry paid	$50.50
state paid	5.00
William Pineo, Mediator	377.00
Pro Co Pd 10-15-93	9.00
William Pineo, Mediator	182.00
Pro Co Pd 3-12-98	

8-16-1993 Received from Plaintiff $150.00 med dep

10-15-93 Received from Plff 38.50

10-15-93 Received from Defft 188.50

10-26-93 Pd to med fees Ck# 7874 $377.00

8-20-97 Received from Plff. med. dep. $200.00

10-13-97 Pd Plff Refund #11346 9.00

3-12-98 Pd to #11745 182.00

PETITION FOR APPOINTMENT OF MEDIATOR-SPECIAL RELIEF

ORDER:
8/11/93 - Hearing on temporary custody set for Aug. 12, 1993 at 1:15 p.m. Ct. Rm. No. 1.
P. Richard Thomas, J.
Aug. 11, 1993, copy of order to Wm Gregg Esq.

Aug. 17, 1993 ORDER filed. AND NOW, Aug. 12, 1993, the matter comes before the Court on an Emergency Petition, alleging abuse of one child and requesting removal of one or both children from the custody of the mother, which custody was established by written agreement between the two parents at the time of separation.

While the petition does not exactly conform to the pleading requirements of a custody action, both counsel agree that the matter may proceed as a custody action involving the two minor children, ages ten and eight, in this case.

The Court had a informal hearing, receiving input from counsel, both parents and from oldest child Travis in an in-chambers conference with the attorneys.

After this conference, the Court can find no present emergency impacting on either child that would require the removal of the children from the present custody of the mother as established under the written agreement of the parties.

ACCORDINGLY, the two minor children shall remain in the primary custody of the mother, subject to the visitation arrangements with the father as set forth in their prior written agreement.

The Court appoints William Pineo as Custody mediator in this case to schedule a mediation conference and make a recommendation for an Order to the Court.

For the enlightenment of the Custody Mediator, the fathe has already discussed the situation with David Glenn, acting as a counselor, and the father advises the Court he intends to continue counseling for himself and the two children with Mr. Glenn. The mother advises the Court that she is willing to participate in this family counseling and will bend her best efforts to attend such counseling sessions as Mr. Glenn requests for her individually or for the family as a unit.

BY THE COURT,
P. Richard Thomas, S. J.
Aug. 18, 1993 Copies of Order distributed to Attys. Wm. Pineo, Wm. Gregg, B. Barrett and Daivd Glenn.

Sept. 28, 1993 TEMPORARY ORDER, filed. AND NOW, this 27th dayof September, 1993, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor children, Travis and Tyson Thurber.

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 regardinga the subject minor children.

3a. The mother shall have primary physical custody of Tyson and the father shallhave primary physical custody of Travis. Both children shall spend the weekend of September 17 with their father from Friday at 6:00 p.m. through Sunday at 6:00 p.m.; and the weekend of September 24 with their mother during the same hours. The children thereafter shall spend alternate weekends with each parent during the same hours.

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

4. Holiday visitation shall be arranged as follows:

a. Christmas: There shall be two Christmas holiday visitation periods, the first beginning Christmas Eve at noon and ending Christmas Day at 1:00 p.m. and the second beginning Christmas Day at 1:00 p.m. and ending December 26 at noon. For Christmas, 1993, the father shall have the first visitation period with both children, and the mother, the second with both children, and the parties shall thereafter alternate. The father shall have visitation and temporary physical custody of Tyson each year from noon of December 26 through noon of December 29; and the mother shallhave visitation and temporary physical custody of Travis from noon of December 29 through noon of New Year's Day.

b. Thanksgiving: There shall be two Thanksgiving holiday visitation periods, the first beginning on the Wednesday preceding Thanksgiving at 6:00 p.m. and ending Thanksgiving Day at 2:00 p.m. and the second beginning Thanksgiving Day at 2:00 p.m. and ending Thanksgiving Day at 7:00 p.m. For Thanksgiving, 1993, the mother shall have visitation with both of the children during the first period, and the father, the second with both children, and the parties shall thereafter alternate.

c. Easter: There shall be two Easter visitation periods, the first beginning on Holy Saturday at 6:00 p.m. and ending Easter Sunday at 1:00 p.m. and the second beginning Easter Sunday at 1:00 p.m. and ending Easter Sunday at 7:00 p.m. For Easter, 1994, the mother shall have visitation with both of the children during the first period and the father, the second with both children, and the parties shall thereafter alternate.

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

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

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

5. 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 seekign 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 cancellatiions shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

Continued on Page 451

1993

787,

FLORENCE S. PETERSON

vs.

ROBERT E. PETERSON

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

Filed aug. 11, 1993
@ 9:32 a.m.

Tax & entry Pd 10-4-93 $50.50
state Pd 10-4-93 5.00
Sheriff's Costs 32.00
Pro Co. Pd 10-4-93 9.00

10-4-93 Received from Defendant Sheriffs Costs 32.00

Pd Sheriff 10-5-93 Ch # 7826 32.00

ORDER:

And now, this 11th day of August, 1993, upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

2. Special Conditions:

The plaintiff shall have exclusive temporary physical custody of the children pending further order of court. Defendant may visit with children at plaintiffs discretion

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

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

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

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

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

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

Hearing is hereby set for August 20, 1993, at 2:00 Pm., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. vardaro, J.

Aug. 12, 1993 SHERIFF'S RETURN filed. SERVED Robert E. Peterson personally on August 11, 1993 at 10:40 AM by handing a copy of the Protection from Abuse to him at his place of employment, Viking Tool, East Side Road, Conneaut Lake, Crawford County, Pa.
So answers, Scott D. Young, Deputy Sheriff
Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Aug. 23, 1993 ORDER filed. AND NOW, Aug. 20, 1993, after hearing in the above matter, both parties being present, but neither being represented by counsel, the following Order is entered:

1. Neither of the parties shall abuse, harass or threaten to abuse or assault the other under any circumstances and neither party shall go to any place of residence or place of employment where the other might be for any purpose, except as otherwise provided in this Order.

2. Basic custody of the children is awrded to the Plaintiff provided that this Order shall continue in full force and effect only unti a more comprehensive Order may be entered in connection with any custody proceeding.

3. The Defendant shall pay through the Domestic Relations Section of Crawford Co. the sum of $20.00 per week toward the supprot ot he three (3) minor children, but any Order entered in the Domestic Relations Division shall be retroactive to the date of the filing of the proceedings in that Division and the payments made hereunder shall be credited to any Order ultimately entered in the Domestic Relations proceedings.

4. The Defendant shall have the right to obtain custody of his chidlren at Noon on Saturday and retain custody for a visit until 6:00 o'clock p.m. on Sunday of every other week beginning with the weekend of Saturday, August 21st.

5. The record costs in this proceeding shall be paid by the Defendant within thirty (30) days of this date.

6. This Order shall continue in full force and effect for a period of one (1) year provided, however, that the provisions regarding custody and supprot shall terminate when a more permanent Order of custody or support is entered in an appropriate proceeding.

7. A copy of this Order shall be delivered to County Control, Crawford Co. Domestic Relations Section, and to the Oil City Police Dept.

8. Any 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.

Aug. 23, 1993 Copies distributed to OCPD, Co. Control, PA SPD, Plf., Dft. & Dom Rel.

1993

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

788.

MARQUETTE SAVINGS BANK
formerly MARQUETTE SAVINGS
ASSOCIATION

vs.

L. DALE GASTEIGER, SR.

Filed August 11, 1993
@ 2:16 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	45.50
Pro.Co. pd 9/21/93	5.00

COMPLAINT IN MORTGAGE FORECLOSURE
3 copies Sheriff

Sep. 15, 1993 Complaint reissued.

Sept. 20, 1993 SHERIFF'S RETURN, filed. SERVED L. Dale Gasteiger, Sr. by Certified Restricted Mail at his last known address of 2500 Redondo Beach Boulevard, Torrance, Californis 90504, on August 31, 1993. Signed return receipt is attached.

SERVED Carol Main personally on August 17, 1993, at 3:29 PM by handing a copy of the Complaint to her at the residence at the corner of Gasteiger Road and Park Avenue Extension. She is current person in possession of residence.

NOT FOUND as to Wayne Bill Midkiff who was to be the tenant in possession of the residence after August 31,1993. Attempted service but the residence located at the corner of Gasteiger Road and Park Avenue Extension, Meadville, Crawford County, Pa., is vacant. Real estate agent, Mary Beth Maxmier indicated it was not rented as of September 15, 1993. She is aware of Complaint.
So answers, Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

Sep. 21, 1993 Upon Praecipe of Plaintiff Attorney, Charles J. Swick, Esquire, the above case marked discontinued of record.

1993

Peterson & Gula
Richard A. Peterson

789.

pro se

RUTH M. FRANK

vs.

LEO G. FRANK

Filed August 12, 1993
@ 11:38 AM

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

COMPLAINT IN DIVORCE, EQUITABLE DIVISION OF MARITAL PROPERTY
no copies

Aug 18, 1993 GENERAL APPEARANCE, filed. Please enter my General Appearance in the above-described divorce action. I hereby accept service of and acknowledge receipt of a true and correct copy of the original Complaint in Divorce filed in this action.
Leo G. Frank

Jan.6, 1994 Affidavit of Consent by Ruth M. Frank, Plaintiff, filed.

Jan.6, 1994 Affidavit of Consent by Leo G. Frank, Defendant, filed.

Jan.6, 1994 Upon Praecipe of Richard A.Peterson, Esquire, Attorney for Plaintiff to transmit record, case moved to Court.

Jan. 26, 1994 MEMORANDUM, filed. This matter has been referred to the Court for final divorce. The file is being returned to the Prothonotary's office for proceedings consistent with this memorandum.

This divorce complaint includes a count for equitable distribution. That count has not been withdrawn nor has any order been entered with respect to equitable distribution. Therefore to grant the divorce without disposing of the equitable distribution count is tantamount to a bifurcation without an appropriate bifurcation hearing having taken place.

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

1-27-94 Copy of Memorandum to Atty. Peterson & Deft.

DIVORCE DECREE FILED

February 8, 1994 AND NOW, February 8, 1994, it is here ordered and decreed that RUTH M. FRANK, Plaintiff, and LEO G. FRANK, Defendant, are divorced from the bonds of matrimony.

With respect to the equitable distribution of marital property pursuant to the agreement of the parties in their August 9, 1993 marriage settlement agreement which has been filed of record in this action, the terms and conditions of that agreement are confirmed by this Court.

BY THE COURT:
Anthony J. Vardaro, J.

1993

790.

PAULA SIMMONS

vs.

TERRANCE SIMMONS

Filed August 12, 1993
@ 2:20 PM

Indigent Filing

COMPLAINT IN DIVORCE

Aug. 12, 1993 Petition To Proceed In Forma Pauperis In A Divorce Action Pursuant To Pa. R.C.P. 1920.62 and Order filed. AND NOW, August 10, 1993, upon consideration of the petition filed by the Plaintiff in this action, and supported by an affidavit attached thereto, all being pursuant to Pa. R.C.P. 1920.62 the Plaintiff is granted leave to proceed in forma pauperis at this time.

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

BY THE COURT:
Anthony J. Vardaro, J

Aug. 13, 1993 Copy mailed to Plaintiff

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

Mar. 12, 1998 Important Notice and Court Order filed. Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 11/17/93 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

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

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

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

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

By the Court,
Date: March 12, 1998 Anthony J. Vardaro, J
Mar. 12, 1998 copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.

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

(See original filed at A.D. 1997 - 702)

1993

AD1993-791

Hedeung - Divorce

never returned

342

1993

Barbara J. Walton

792.

Thomas, Truax
Spadafore & Walker
Gregory A. Keenan

CATHERINE EAKIN

vs.

LAWRENCE EAKIN

Filed August 12, 1993
@ 2:38 pM

Tax 7 entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro Co pd 2/3/97	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
2 copies atty.

Aug. 20, 1993 AFFIDAVIT OF SERVICE, filed. And Now, this 20th day of August, 1993, comes Lisa M. Sherretts, and states as follows:

1. That she is the legal assistant of Attorney for Catherine Eakin, Plaintiff in the above-captioned matter.

2. That on information furnished her by the Plaintiff, she caused a certified copy of the Complaint in Divorce to be forwarded by certified mail, P 341 728 982; postmarked August 13, 1993, to the last known address of the Defendant, Lawrence Eakin, 746 Kennard Road, Greenville, Pa. 16125.

3. That the Defendant, Lawrence Eakin,on August 16, 1993, personally signed the return receipt card which was affixed to the Complaint in the above-captioned matter and a copy of which is on file at the Courthouse.

4. Service of the Complaint against the Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.

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

Aug. 31, 1993 Appearance of Thomas , Truax, Spadafore and Walker by Gregory A. Keenan for Defendant, filed.

Dec. 15, 1993, ORDER filed. AND NOW, Dec. 13, 1993, wer have before us an emergency petition for special relief at this no. and term, presented by plaintiff in Motion Court on De.c 10, 1993, which was set for hearing this day by Judge Miller at Motions court.

We do not believe that the defendant has had adequate notice to prepare for this hearing, nor do we believe that there is time for the court to hear this matter today, so accordingly we will reschedule the hearing for Jan. 4, 1993 at 1:30 p.m. in C. R. No. 2 of Craw. Co. Courthouse.

Pending that hearing, the temporary order entered on Oct. 25, 1993 shall be in full force and effect, with theexception that pending further order of court, the dft. shall not allow at any time the children to be in the company of Terry Thompson, so long as an order at AD 1993 - 1242 is in effect, which forbids such contact between TerryThompson and the minor children.

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

Dec. 16, 1993, copies dist. to Brode and Keenen and County Control.

May 25, 1994 Affidavit of Consent by Catherine Eakin, Plaintiff, filed.

Feb. 1, 1995 Affidavit of Consent to Divorce by Catherine Eakin, Plaintiff, filed.

Dec 31, 1996 Marital Settlement Agreement, filed.

Jan. 24, 1997 Affidavit of Consent of defendant filed.

Jan. 24, 1997 Waiver of Notice of Intention to Request Entry of Divorce Under Section 3301(c) of Divorce Code of defendant, filed.

Jan. 29, 1997 Praecipe to Transmit by Plaintiff's Attorney filed.

DIVORCE DECREE FILED-

February 10, 1997 AND NOW, February 10, 1997, it is ordered and decreed that CATHERINE EAKIN , plaintiff and LAWRENCE EAKIN, defendant are divorced from the bonds of matrimony.

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that terms, provisions and conditions of a certain Marriage Settlement Agreement between the parties dated December 23, 1996 and attached hereto, are hereby incorporated in this decree and order by reference as fully as though she same were set forth herein at length. Said agreement shall not merge with, but shall survive this decree and order.

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

May 30, 2003 - See Computer for further entries.

1993

Joan D. Mason

793.

LARRY ELWIN SCHENBERG, SR.

vs.

LILLIAN ANN SCHENBERG

Filed August 12, 1993
@ 3:20 PM

Indigent Filing
Tax & Entry Pd 7-7-94 50.50
User's Fee Pd 7-7-94 5.00
Pro Co pd 12.00
State Pd 7-7-93 10.00
Pro Co Pd 5-18-94 9.00

PETITION TO PROCEED IN FORMA PAUPERIS IN A DIVORCE ACTION PURSUANT TO Pa.R.C.P. 1920.62 [DIVORCE ACTION]

Order"

AND NOW, August 12, 1993, upon consideration of the petition filed by the Plaintiff in this action, and supported by an affidavit attached thereto, all being pursuant to Pa. R.C.P. 1920.62 the Plaintiff is granted leave to proceed in forma pauperis at this time.

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

BYTHE COURT:
Anthony J. Vardaro , J

Aug. 13, 1993 Copy mailed to Plaintiff

Aug. 20, 1993 Complaint in Divorce filed. 1 copy, Plft.

Jan. 3, 1994, Petition to Amend Divorce Complaint and Order, filed. ORDER: AND NOW, this 3rd day of January, 1994, upon consideration of the attached Petition, the Plaintiff, Larry E. Schenberg, Sr., is granted permission by the court to amend his divorce complaint to add arequest for divorce pursuant to Section 3301(d) of the Pennsylvania Divorce Code.

Per Curiam,
Gordon R. Miller, P.J.

Jan. 10, 1994 copy to J. Mason

Jan. 3, 1994 Amended Complaint in Divorce, filed. (1 copy Atty)

Jan. 3, 1994 Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code, filed.

Jan. 27, 1994 Affidavit of Service filed. I, Joan D. Mason, Esquire, Attorney for the Plaintiff in the above entitled case, and being duly sworn according to law, depose and say that I did on January 12, 1994, mail to the above Defendant, Lillian Ann Schenberg, by certified mail #P 966 074 015, return receipt requested, deliver to addressee only, a Petition to Amend Divorce Complaint and Order, an Amended Divorce Complaint, and Plaintiff's 3301 (d) Affidavit, in the above divorce action. Said notice was received by Lillian Ann Schenberg on January 18, 1994, as indicated by return receipt card which was returned to the office of the Plaintiff's attorney and is attached hereto.

Jan. 25, 1994 Joan D. Mason, Esquire, Attorney for Plaintiff

Apr. 12, 1994 Affidavit of Consent of Defendant filed.

May 18, 1994 Affidavit of Acceptance of Service, filed. I, Lillian Ann Schenberg, being duly swprm accprdomg to law, do hereby certify that I did receive a certified copy of the Complaint in Divorce filed August 12,1993, on approximately August 27,1993 at my residence, the mailing address being P.O. Box 343, Springboro, Pennsylvania 16435. Said Complaint in Divorce was mailed to my post office box by certified mail and received by Mary T. Himplys who delivered the Complaint to myself.

May 18, 1994 Affidavit of Consent of Plaintiff, filed.

May 18, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

June 1, 1994 ORDER filed. This divorce matter has been referred to the Court for review and decree. The Court has reviewed the record and is returning the record to the Prothonotary. A final decree will not be entered at this time because:

X Other: The Plaintiff originally proceeded pro se and was allowed to proceed in forma pauperis pursuant to Pa. R.C.P. 1920.62. He has now been represented by counsel and, accordingly, this divorce cannot be granted unless he pays the costs or an affidavit is filed by counsel indicating that she is representing the Plaintiff pro bono.

There is a previous divorce action filed on behalf of the same Plaintiff by Attorney Paul E. Allen at 1992-118. That case will have to be discontinued by counsel of record before this divorce can be granted.

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

BY THE COURT:
Anthony J. Vardaro, J.

June 1, 1994 Copies distributed to Atty. J. Mason and Deft.

July 28, 1994 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

Aug. 8, 1994 ORDER filed. This divorce matter has been referred to the Court for review and decree. The Court has reviewed the record and is returning the record to the Prothonotary. A final decree will not be entered at this time because:

X Other: "The Plaintiff originally proceeded pro se and was allowed to proceed in forma pauperis pursuant to Pa. R.C.P.1920.62. He has now been represented by counsel and, accordingly, this divorce cannot be granted unless he pays the costs or an affidavit is filed by counsel indicating that she is representing the Plaintiff pro bono.

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

BY THE COURT:
Anthony J. Vardaro, J.

8-8-94 Copies dist. to DEft.& Mason.

RECORD CONTINUED ON PAGE 495.....

344

1993

Peters, Lindsay,
Lewis & Gagliotti
Brian J. Lindsay

794.

ANITA L. UHLIG

vs.

ROBERT E. UHLIG

Filed August 12, 1993
@ 4:20 PM

Tax & entry paid		50.50
User's Fee paid		5.00
State paid		10.00
Pro Co	pd 12-30-93	9.00

COMPLAINT IN DIVORCE
1 copy atty.

Aug. 13, 1993, Verification of sErvice filed. I, Stacey L. Ferrari, do hereby verify that I did personally serve a cert. copy of the divorce complaint filed at above number on the above named dft. at the Crawford County Jail, Meadville, Pa. 16335, on the 12 day of Aug. 1993.
Stacey L. FFerrari.

Nov. 23, 1993 Affidavit of Consent by Anita L. Uhlig, Plaintiff, filed.

Dec. 21, 1993 Affidavit of Consent of Defendant filed.

Dec. 30, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Jan. 14 1994, AND NOW, Jan. 11, 1994, it is ordered and decreed that ANITA L. UHLIG, plaintiff, and ROBERT E. UHLIG, 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 COUT,
Gordon R. Miller, P.J.

1993

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

795.

Gwen M. Ralph

ARTHUR GOURLEY and JULIE COURLEY, his wife

vs.

NATIONAL FUEL GAS CORPORATION

Filed August 13, 1993
@ 1:42 PM

Tax & entry paid 50.50
User's Fee paid 5.00

COMPLAINT IN CIVIL ACTION
no copies

Aug. 24, 1993 Acceptnce of Service of Complaint filed.
filed.

Sept. 7, 1993 Answer and New Matter of Defendant, National Fuel Gas Distribution Corporation, filed.

Sept. 14, 1993 Plaintiffs' Reply To New Matter Of Defendant, National Fuel Gas Distribution Corporation filed.

Sep. 23, 1993 Verification to Reply to New Matter filed.

Feb. 16, 1995 Notice of Intent to Complete Discovery, filed.

Apr. 21, 1995 STIPULATION to Extend Time for Completion of Discovery filed.

May 15, 2002 all future filings may now be found on the Computer

346

1993

Barrett & Dratler
Sylvia L. Dratler

796.

PEARL E. MOOK

vs.

~~LOUIS EUGENE MOOK~~
EUGENE S. MOOK

Filed August 13, 1993
@ 4:20 PM

Tax & entry paid		50.50
User's Fee paid		5.00
State paid		10.00
Pro Co Pd	2/10/94	9.00

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

Nov. 10, 1993 Affidavit of Service filed. I,Sylvia L.Dratler, being duly sowrn, deposes and says that the following facts in support of this Affidavit of Service are true and correct to the best of my knowledge,information and belief.

1. The Affiant is the Defendant in the above captioned action.
2. A true and correct copy of the Complaint with an attached Notice to Defend andClaim Rights was sent by certified, restricted mail to the Defendant.
3. The certified mail was sent to said Defendant at R.D.#2,. Linesville, Pennsylvania, 16424, on or about August 13,1993. The sender's receipt is attached hereto.
4. The Defendant received said certified mail on August 25, 1993. Said receipt card number 147 766 785 is attached hereto and signed by the Defendant.
5. The return receipt card signed by the Defendant was returned after signature on August 26, 1993, tothe office of Sylvia L. Dratler, 965 South Main Street, Meadville, PA 16335.

Nov. 3, 1993 Sylvaia L.Dratler

Dec. 9, 1993 Motion To Amend The Caption to Read Pearl E. Mook vs. Eugene S. Mook and Order filed. AND NOW, this 8 day of December, 1993, the above Motion is allowed.

Anthony J. Vardaro, J

Dec. 15, 1993 Copy of order to Atty. Dratler

Feb. 10, 1994, Affidavit of Consent of plaintiff filed.

Feb. 10, 1994,Affidavit of Consent of defendant filed.

Feb. 10, 1994, Upon praecipe of plaintiff attorney, to transmit the record, this case moved to court.

DIVORCE DECREE FILED

Feb. 17, 1994 AND NOW, February 17, 1994, it is hereby ordered and decreed that PEARL E. MOOK, Plaintiff, and EUGENE S. MOOK, Defendant, are divorced from the bonds of matrimony.

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

BY THE COURT:
Gordon R. Miller, J.

1993

Mason & Mason
Joan D. Mason

797.

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

JENNIFER ANNE SHAFFER

vs.

CHRISTOPHER SCOTT SHAFFER

Filed August 16, 1993
@ 9:35 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co. pd 3-18-94	9.00

COMPLAINT IN DIVORCE
2 copies atty.

Sept. 1, 1993 Appearance of Thomas, Truax, Spadafore and Walker by R. Charles Thomas for Defendanst, filed.

Dec. 1, 1993, Affidavit of Service filed. Joan Mason, Esq. atty. for plff. in above entitled case, and being duly sworn, dispose and say that I did on Aug. 19, 1993, mail to the defendant by cert. mail ret. rec. req. deliver to addressee only, a complain in the above action. Said notice was received on Aug. 21, 1993 as indicated by the ret. rec. card which was returned to office of plff. atty. and is attached hereto. Joan D. Mason Esq.

Mar. 3, 1994, affidavit of consent of defendant filed.

Mar. 18, 1994 Affidavit of Consent of Plaintiff, filed.

Mar. 18,1994 Upon praecipe of Plaintiff's attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

March 24, 1994 AND NOW, March 23, 1994, it is hereby ordered and decreed that JENNIFER ANNE SHAFFER, Plaintiff, and CHRISTOPHER SCOTT SHAFFER, Defendant, are divorced from the bonds of matrimony.

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

BY THE COURT:
Anthony J. Vardaro, J.

1993

Williams, Adair & Ridge
David G. Ridge

Robert P. Cocco

798.

R. Charles Thomas

LAKELAND MUTUAL INSURANCE COMPANY a/s/o PATRICIA MAERTON

vs.

SILVIA MAY EXLEY

Filed August 16, 1993
@ 12:11 PM

Tax & entry paid	50.50
User's Fee paid	5.00
sheriffs costs	30.00
Sheriff's Costs	30.00
Pro Co pd 6-12-95	15.00
Pro Co pd 2-25-97	6.00

COMPLAINT IN CIVIL ACTION

Oct. 5, 1993, Sheriffs Return filed. NOT FOUND as to dft. Silvia May Exley at address given of Box, 117, Conneaut Lake, Crawford County, Pa. there is no such address.
So answers, Robert M. Stevens, sheriff

Oct. 12, 1993 Complaint Reinstated.

Nov. 9, 1993 SHERIFF'S RETURN filed. SERVED Silvia May Exley personally on November 1, 1993 at 11:28 AM by handing her a copy of the Complaint at her residence, Oakmont Drive, Conneaut Lake, Crawford County, Pa.
So answers, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Nov. 12, 1993 Answer To Plaintiff's Complaint, filed.
11-12-93 (1 copy Atty)

Juen 2, 1995 Upon praecipe of plaintiff attorney to appoint Arbitrators, the following Arbitrators have been appointed.
Jeffrey Millen, Chr.
~~Bettie Peterson-Muth~~ Sylvia Dratler
Robert Felton

Aug. 25, 1995, Arbitrators Take the Qualifying Oath.

Oct. 26, 1995, Decision of the Arbitrators filed in which they find in favor of the plaintiff and against the defendant in the amount of $850.00. There is no award of costs.

Decision entered
10/26/95
E - 151

DECISION OF ARBITRATORS
Barbara H. King,
Prothonotary

10/26/95 faxed to Atty. Thomas and mailed to Atty. cocco.

Feb 21, 1997 Upon praecipe of plaintiff attorney the award/judgment of the Board of Arbitrators entered in the above entitled case has been satisfied of record.

1993

Knox, McLaughlin, Gornall & Sennett, PC
Sue A. Beck

799.

Berger, Kapetan, Meyers Rosen, Louis & Raizman
Andrew L. Horvath
Patti Burk

John Brautigam for Daniel & Lori Burk

EVERETT CASH MUTUAL INSURANCE COMPANY

vs.

DANIEL BURK, LORI BURK, PATTI BURK, JAMES A. WHITMAN, and MARY A. WHITMAN, t/a SUGARLAKE HOTEL

Filed August 16, 1993
@ 12:11 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	100.00

ACTION FOR DECLARATORY RELIEF
5 copies Sheriff
1 copy atty.

Aug 27, 1993 SHERIFF'S RETURN, filed. SERVED Daniel Burk by deputizing the Sheriff of Venango County, Pa. as per his Affidavit of Service attached. Served on August 23, 1993 at Box 223, Coopers-town, Pa. 16317.

SERVED Lori Burk by deputizing the Sheriff of Venango County Pa as per his Affidavit of Service attached. Served on August 23, 1993 at Box 223, Cooperstown, Pa. 16317.

NOT FOUND as to Defendant Patti Burk. Not at address of 820 West Oak Street, Titusville, Crawford County, Pa. Per current resident, she moved some time in May, 1993.

SERVED James A. Whitman personally on August 19, 1993 at 11:00 AM by handing a copy of the Action for Declaratory Relief to him at RD 1, Cochranton, Crawford County, Pa.

SERVED Mary A. Whitman personally on August 19, 1993 at 11:01 AM by handing a copy of the Action for Declaratory Relief to her at RD 1, Cochranton, Crawford County, Pa.

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

SHERIFF'S RETURN: I hereby deputize the Sheriff of Venango County, Pennsylvania to serve the within Complaint according to law. The defendants alleged address is Box 223 Cooperstonw, Pa. 16317. Robert M. Stevens, Cheriff, Crawford Co, Pa.

AFFIDAVIT OF SERVICE: SERVED the within Notice-Exhibit-Verification et al on 23 AUG 93, at 10:45 a.m. upon Daniel Burk and Lori Burk at Box 223, Cooperstown, Pa. by handing to Lori Burk, Adult in Charge/Wife/in person a true and correct copy there-of and made known to her the contents therein.
Gene Price, Sheriff, Venango County, Pa.

Sept. 3, 1993 Answer of Daniel Burk and Lori Burk to Plaintiff's Complaint, filed.

Sept. 8, 1993 Defendant Patti Burk's Answer To Complaint For Declaratory Relief And New Matter, filed.

Sep. 21, 1993 Everett Cash Mutual Insurance Company's Reply to New Matter of Patti Burk, filed.

Sept. 24, 1993 Acceptance of Service filed. I hereby accept service of the complaint for declaratory relief on behalf of the defendant, Patti Burk in the above captioned matter and certify that I am authorized to do so.
Andrew L. Horvath

Oct. 13, 1993 Defendant Patti Burk's Motion for Judgment on the Pleadings filed.

Oct. 13, 1993 Upon Praecipe of Andrew L. HOrvath, ESquire, Attorney for Defendant, Patti Burk, the above captioned matter is placed on the next available Argument List.

ON NOVEMBER, 1993 ARGUMENT LIST

Oct. 14, 1993 Response of Plaintiff Everett Cash Mutual Insurance Company to Defendant, Patti Burk's Motion For Judgment on The Pleadings, filed.

Oct. 18, 1993 Defendants, Daniel Burk and Lori Burk's Motion for Judgment on the Pleadings filed.

Oct. 18, 1993 Upon Praecipe of John B. Brautigam, Esquire, Attorney for DAniel Burk and Lori Burk, Defendants, the above catpioned mater is placed on the next available Argument list on the Motion for Judgment on the Pleadings of Defendant, Patti Burk, filed.

12-9-93 Plf supplemental Brief Filed (Hazel)

Nov. 8, 1993, Defendants Whitmans answer to Complaint for Declaratory Relief filed.
3 copies (atty)

Dec. 3, 1993 ORDER filed. AND NOW, November 30, 1993, at the argument in this case, the parties are granted leave of court to file additional briefs or memorandums within ten (10) days from this date on the following issues:

1. What matters the Court may take into account in determining this issue.
2. Can the Court or should the Court decide the culpability of Daniel Burk, who is a Defend-ant in a lawsuit regarding his culpability, in this declaratory judgment action?

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

Dec. 3,1993 Copies dist to Beck, Brautigam & Horvath
Dec. 10, 1993 copy to Sugar Lake Hotel

May 11, 1994 Memorandum and ORDER filed. AND NOW, May 11, 1994, the motions for judgment on the pleadings filed by Daniel Burk, LOri Burk and Patti Burk are granted in part and denied in part.

Judgment on the pleadings is granted in favor of Daniel Burk, Lori Burk and patti Burk and against Every Cash Mutual Insurance Company as to the duty of Everett Cash Mutual Insurance Company to defend Daniel Burk in the underlying suit brough by Patti Burk at 19936-687 in The Court of Common Please of Crawford County, Pennsylvania.

The motion for judgment on the pleadings filed by Daniel Burk, Lori Burk and Patti Burk is denied as to t he duty of Everett Cash Mutual Insurance Company to indemnify Daniel Burk in said underlying lawsuit.

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

5-11-94 Copies of Order distributed to all counsel.

RECORD CONTINUED ON PAGE 471.....

June 13, 1994 Everett Cash Mutual Insurance Company's Reply To New Matter of Defendants, James A. Whitman and Mary A. Whitman, t/a Sugerlake Hotel filed.

Sept. 2, 1994 Notice of Deposition Upon Oral Examination of Lori Burk, filed.

800.

BRENDA MORENO

vs.

BILL BONECUTTER

Filed August 16, 1993
@ 12:11 PM

Tax & entry Pd 8-26-93	50.50
User's Fee Pd 8-26-93	5.00
Sheriff's Costs	32.00
Pro Co pd 8-26-93	90
Pro Co Pd 8-26-93	5 00

8-26-93 Received Sheriff's costs from Plff 32.00

8-26-93 Pd Sheriff Ck # 7753 32.00

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

ORDER:

And now, this 16 day of August , 1993 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions:The Plaintiff shall have exclusive physical custody of the minor child pending further order of court. The Defendant shall turn the child over to plaintiff immediately and the sheriff may aid the plaintiff in seeing that transfer take place.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or fees and costs will be determined by final court order.
7. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the August 25, 1993 , at 3:30 p.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Aug. 17, 1993 Order filed. AND NOW, August 16, 1993, this Court having entered an order earlier this day under this protection from abuse number requiring custody of the minor child to be restored to the Plaintiff and now having been advised by the attorney for the Defendant that the Defendant is concerned the Plaintiff willk leave the area with the child when the child is restored to her custody and further advising the court that the Defendant in the protection from abuse action intends to file a custody complaint, we modify our protection from abuse order entered this day to the extent to indicate that no party shall remove the child from Crawford County pending further order of court.

BY THE COURT:
Anthony J. Vardaro,

Aug. 18, 1993 Copies dist. to Pltf. and Atty. White

Aug. 17, 1993 Sheriff's Return filed. SERVED Bill Bonecutter personally on August 16, 1993 at 2:45 PM by hading a copy of the Protecton from Abuse to him at his residence, R.D.#1, Jouver Road, Cambridge Springs, Crawford County, PA.
So answers,

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

Aug. 26, 1993 ORDER filed. AND NOW,August 25, 1993, at the time fixed for hearing in this matter, both parties appeared with counsel and entered into an agreement that disposes of this case, temporarily resolves visitations, all with the belief that custody and visitation matters will be disposed of in a custody case filed by the Defendant against the Plaintiff at A.D. 1993 - 823. As part of that agreement, the Plaintiff will withdraw her petition in this case and mark the case settled and discontinued of record. In view of the fact that the parties have entered into some agreement with respect to visitation rights in the minor child in the Defendant in this action, the Court is entering an Order simultaneously within the custody action.

Accordingly, the Plaintiff shall go to the Prothonotary's Office and sign a voluntary discontinuance of record on forms provided by the Prothonotary. This action is dismissed and a true and correct copy of this Order shall be delivered by the Prothonotary to the Meadville City Police Department and to County Control.

The temporary abuse Order of August 16, 1993 is hereby dismissed and terminated.

The Defendant in this action shall pay record court costs forthwith.

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

Aug. 26, 1993 Copies dist.to White & Sullivan. Aug. 30, 1993 Copy of Order to County Control & Meadville City Police Dept.

1993

William J. Gregg

801.

IRENE MUTSCHLER

vs.

ALFRED DECARBO and RACHEL DECARBO

Filed August 17, 1993
@ 10:26 AM

Tax & entry paid 15.00
Pltf on orig. 24.50

WRIT OF REVIVAL

of

D.S.B. 1988 - 477

Writ of Revival indexed against the defendants in favor of Irene Mutschler Plaintiff the plaintiffs, in the sum of Seven Thousand Dollars with interes from September 1, 1988

Debt---------- $7,000.00
D-14-144
Barbara H. King, Pro

Issued

Jan. 13, 1994 Writ Return filed. Returned to Prothonotary January 13, 1994. No instructions or service fee received by Sheriff's Office.
So answers, Robert M. Stevens, Sheriff

Robert . Felton

802.

ELLEN J. BAKER

vs.

GARY LEE BAKER

Filed August 17, 1993
@ 2:44 PM

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

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

Aug. 31, 1993 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 August 21, 1993, by sending defendant the same by certified mail no. P 380 583 713, return receipt requested. A complaint was mailed to the defendant on Thursday, August 19, 1993, as reflected in the copy of the receipt for mailing and the return receipt attached hereto.

Mar. 12, 1998 Important Notice and Court Order filed.
Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 8/31/93 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.
If you do not object this this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.
If you object to the case being dismissed, you must put your object in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA 1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or sent a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.
YOU MAY LOSE IMPORTANT RIGHTS IF YOUR CASE IS TERMINATED. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP:
Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

By the Court,
Date: March 12, 1998 Anthony J. Vardaro, J
Mar. 12, 1998 copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.

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

(See original filed at A.D. 1997 - 702)

1993

Peters, Lindsay,
Lewis & Gagliotti
Donald e. Lewis

803.

William A. Kuhar

DONNA G. LUKE

vs.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Filed August 17, 1993
@ 3:33 PM

Tax & entry paid 50.00
User's Fee paid 5.00
TAXed 8-19-93 .50

NOTICE OF APPEAL
1 copy atty.

Aug. 18, 1993, Motion for Hearing and Order filed. 1 copy (atty) ORDER: AND NOW, this 19 day of Aug. 1993 upon motion by the appellant, a hearing is set on said appeal for the 2 day of December 1993, at 9:15 a.m. in C. R. No. 1 or 2 Crawford County Courthouse, Meadville, pa.

Further, notice of said appeal and of this order of court are to be given forthwith by appellants atty. tothe appropriate representatives ofthe appellee by forwarding a true and correct copy of same tothe appellee by First Class U.S. Mail, postage prepaid.

Finally, said appeal shall act as a supersedeas to Appellees suspension of appellants operating privileges.

BY THE COURT,
Anthony J. Vardaro, J.

Aug. 26, 1993, copy to D. Lewis, Esq.

Dec. 3, 1993 ORDER filed. AND NOW, December 2, 1993 at the conclusion of testimony with regard to this license appeal, the attorney for the Defendant indicates that he wishes to have the testimony from this day's hearing transcribed, either in whole or in part, and we will allow him to do so and thereafter, either party may submit a written brief or memorandum within 15 days from when the transcript of this proceedings as requested by the attorney for the Defendant is lodged, in whole or in part.

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

12-6-93 Copies to Atty. Lewis & Kuhar

Dec. 17, 1993 Exhibit filed.

Dec. 30, 1993 Transcript of Proceedings Taken at Time of Suspension Appeal Hearing, filed.

Jan. 21, 1994 ORDER filed. AND NOW, January 19, 1994, after hearing in this matter and having considered the legal arguments presented by counsel, the appeal of the suspension is dismissed and the suspension is affirmed.

BY THE COURT:
Anthony J. Vardaro, J.

Jan. 21, 1994 copies dist to Atty's Lewis & Kuhar

804.

PETITION FOR INVOLUNTARY TREATMENT OF

WILLIAM S. CORNELL

Filed August 17, 1993
@ 4:16 PM

PETITION FOR INVOLUNTARY TREATMENT
Mental Health Procedures Act of 1976
(Section 304 and 305)

Aug. 20, 1993 Report of Mental Health Review Officer and ORDER filed. ORDER. And Now, August 20, 1993, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said William S. Cornell be committed to Warren state Hospital for treatment for a period not to ex ceed 90 days.

This order shall take effect on August 25 or 26, 1993.

BY THE COURT,
Anthony J. Vardaro, J.

Aug. 20, 1993 Copy of Order to Atty. Petruso, MH/MR & Hospital

Nov. 17, 1993 Petition For Involuntary Treatment, filed.

Dec. 14, 1993 Report of Mental Health Review Officer and Order, filed. And now, December 14, 1993, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED AND DIRECTED that the said William S. Cornell be committed to Warren State Hospital for treatment for a period not to exceed 180 days.

This order shall take effect on N/A.

BY THE COURT,
Anthony J. Vardaro, J.

Dec. 21, 1993 copy to B. Barrett, MH/MR, WSH

1993

805.

CAROL J. MASIKER

vs.

MARK A. MASIKER

Filed August 17, 1993
@ 4:28 PM

Tax & entry Pd 9-30-93 50.50
User's Fee Pd 9-3-93 5.00
sheriffs costs 25.00
Pro Lo Pd 9-30-93 9.00 ✓

9-30-93 Rec from Deft Sheriffs Costs 25.00
9-30-93 Pd Sheriff Ch# 7816 25.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

Order:

And now, this 17 day of August , 19 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

3. This Order may be enforced without a warrant any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs. Hearing is hereby set for August 27, 1993 , at 11:15 am.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Aug. 23, 1993, Sheriffs Return filed. SERVED Mark A. Masiker personally on Aug. 20, 1993 at 1:21 p.m. by handing a copy ofthe Protection From Abuse to him in the sheriffs office, Third Follor, Crawford County Courthouse, Meadville, Pa.
So answers, Diane Brittain, Dep. Sher.
Robert Stevens, Sheriff

Aug. 30, 1993 ORDER filed. AND NOW, August 27, 1993, this matter is before the Court on Plaintiff's Petition for Relief under the Protection From Abuse Act.

The parties both appear without counsel and the Defendnat having been advised of his right to counsel indicates that he will proceed without counsel and is agreeable to an Order being entered without admission of the allegations of the Petition on his part.

Accordingly, we enter the following Order:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff at any time or any place.
2. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
3. A copy of this Order shall be delivered to theTitusville Police Department and to Crawford County Control. Additionally, a copy shall be sent to the Oil City Police Department and the Prothonotary shall forward a copy by regular mail tothe Plaintff at 108 Entrance Street, Titusvill Pennsylvania 16354 and totheDefendnt by regular mail at R.D.#1,Box 37, Lot 26,Titusville, Pennsylvania 16354.
4. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000.00 and a jail sentence of up to~~six~~ (6) months.
5. The Defendnat shall pay court costs in this matter in the amount of $89.50 to the Prothonotary of Crawford County on the first floor of the Crawford County Courthouse no later than the close of business on September 30, 1993.
6. This Order shall remain in full force and effect through August 26, 1994.

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

Aug. 30, 1993 Copies dist. OCPD, TPD, Co.Control, Plft & Deft.

Mary Ann Kirkpatrick

806.

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

JOHN FRANCIS VALELLA

vs.

SANDRA LEE HASSETT VALELLA

Filed Aug. 18, 1993
@ 2:24 p.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	10.00
1 count paid	15.00
Pro Co. Pd. 2/9/96	9.00

Karen S. Johnson, Master

6-9-94 Rec from Plff Masters dep. 450.00
6-24-94 Rec'd from Deft Master dep 650.00 (Bal 1100.00)

1-24-95 Paid $180.00 to Ct. Reporter Ck # 8824

1-24-95 paid Master $920.00 Ck 8825

2-13-95 Rec'd from deft Master's fees $312.10

2-22-95 Rec'd from Plff Master's fees $191.40

2-23-95 Pd Master #8922 $503.50

11-27-95 Rec'd Brief from Ct

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

1 copy (atty)

July 18, 1993, Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code filed.

July 18, 1993, Inventory of plaintiff filed.

Aug. 23, 1993 PROOF OF SERVICE, filed. I, Constance L.Deitman, Secretary to Mary Ann Kirkpatrick, Attorney for Plaintiff herein, depose and set forth as follows:

On August 18, 1993, I served by certified mail, certified mail number P 100 621 224, true and correct copies of the Divorce Complaint, the Affidavit of Consent - 3301(d), the Counter-Affidavit of Consent, and the Inventory to the Defendant by mailing same to her at 132 Glenwood Avenue,Meadville, P.a 16335

Sept. 1, 1993 Defendant's Counter-Affidavit Under Section 3301(d) of the Divorce Code, filed.

Sept. 1, 1993 Appearance of Thomas Truax, Spadafore and Walker by R. Charles Thomas for Defendant, filed.

Mar. 28, 1994 Motion to Appoint Mater filed and ORDER APPOINTING MASTER filed. And Now, March 28, 1994, Karen Johnson is appointed Mater in respect to the following claims:

Equitable distribution

By the Court:
Gordon R. Miller, J.

4-4-94 Copy of Order to Attys.Kirkpatrick, Thomas & Johnson

Apr. 14, 1994 Notice of Prehearing Conference, filed.

May 13, 1994 Summary of PreHearing Conference filed.

May 27, 1994 Notice of Master's Hearing filed.

May 25, 1994 Inventory of Defendant's filed.

June 1, 1994 Motion to Establish Deposit and ORDER filed. AND NOW, this 31st day of May, 1994, the Defendant is ordered to file an Inventory as required by Pa. R.C.P. 1920.33 within five (5) days hereof;

IT IS FURTHER ORDERED that the Plaintiff shall deposit the sum of $450.00 and the Defendant shall deposit the sum of $650.00 with the Prothonotary not later than fifteen (15) working days prior to the date set for the Master's hearing. Said deposit toward Master's fee and costs to be without prejudice to the Master to petition for further fees and costs.

BY THE COURT:
Gordon R. Miller, J.

June 1, 1994 Copy Faxed to Atty. R. Charles Thomas; copies given to Attys. Johnson and Kirkpatrick.

Jan. 11, 1995 Notice of Filing and Master's Report filed.

Jan. 20, 1995 Exceptions To Master's Report filed.

Jan. 23, 1995, Plaintiff's Exception to Master's Report filed.

Jan. 23, 1995, Motion for payment of Master's Fees and Stenographic Costs and Order filed. ORDER: AND NOW, this 23 dayof Jan. 1995, the Master's report in the above case having been filed, the court orders and directs the Prothonotary to pay the sum of $180.00 to Lorraine A. Dallas, Court Reporter. That check may be forwarded to Karen s. Johnson, Esq. for payment to the court reporter.

The master's fees in this matter are set at $1,423.50. The balanc eof $920.00 held by the Prothonotary shall for thwith be paid to Karen S. Johnson, Esq. Master. The plaintiff shall make an additional deposit of $191.40. The Defendant shall make an additional deposit of $312.10 within 30 days of the date of this order and when these deposits have been made, the Prothonotary shall pay the balance of $503.50 to the Master without further order of court.

BY THE COURT,
Gordon R. Miller, J.

1/24/95 faxed to Johnson, Kirkpatrick and Thomas.

Oct. 13, 1995, upon praecipe of plaintiff attorney, exceptions placed on next argument list.

ON ARGUMENT LIST FOR NOVEMBER 1995

Nov. 27, 1995 Volume I The Mater's Hearing, held on the 27th and 28th day of June, 1994, Transcript filed.

Nov.27, 1995 Transcript ofVolume II The Master's Hearing,held on the 27thand 28th of June, 1994 filed.

DIVORCE DECREE FILED

Feb. 8, 1996 , AND NOW, February 7, 1996, IT IS ORDERED, ADJUDGED and DECREED as follows:
1. The parties hereto are divorced from the bonds of matrimony. (see papers filed).

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

Feb. 29, 1996 Defendant's Bill of Costs , filed.

1993

pro se

807.

CYNTHIA JEAN ROBINSON

vs.

GEORGE ANDREW ROBINSON

Filed Aug. 18, 1993
@ 2:24 p.m.

indigent filing

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

ORDER:

AND NOW, August 17, 1993, upon consideration of the petition filed by plaintiff in this action, and supported by an affidavit attached thereto, all being pursuant to Pa. R.C.P. 1920.62 the plaintiff is granted leave to proceed in forma pauperis at this time.

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

BY THE COURT,
Anthony J. Vardaro, J.

Aug. 20, 1993, copy of order mailed to plaintiff.

Aug. 23, 1993 Complaint in Divorce, filed. (1 copy Plf)

Aug. 25, 1993, Acceptance of Service filed. I accept service ofthe Complaint in Divorce under Section 201(c) of the Divorce Code.
8/24/93 George Andrew Robinson

Nov. 29, 1993, Affidavit of Consent of plaintiff filed.

Nov. 29, 1993, Affidavit of Consent of defendant filed.

Nov. 29, 1993, Upon praecipe of plaintiff, to transmit the record, this case moved to court.

DIVORCE DECREE FILED

December 10, 1993 AND NOW, December 9, 1993, it is ordered and decreed that CYNTHIA JEAN ROBINSON, plaintiff, and GEORGE ANDREW ROBINSON, 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.

December 6, 1993 CONSENT CUSTODY ORDER filed. AND NOW, this 6th day of December,1993, upon presentation of the Stipulation and consent of the parties, attached hereto and after consideration of same, it is hereby ORDERED, DIRECTED AND DECREED that:

1. The parties shall have shared legal custody of the children SHAWN MICHAEL and ELIZABETH LORRAINE ROBINSON. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor children. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor children.

2. Primary physical custody of the parties' minor children shall be with the Mother, CYNTHIA ROBINSON.

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

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

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

Thanksgiving shall be alternated between the parties, from 10 a.m. till 6 p.m., with the Father having the first turn in 1993. The Mother will have Thanksgiving Day 1994, and so on.

Christmas Eve is agreed to be a separate holiday, with visiting hours between 10 a.m. and 6 p.m. The father shall have the first such visitation period in December of 1993, and the visits shall alternate between the parties thereafter.

Christmas shall be alternated between the parties, with the Mother having Christmas in 1993, and the Father the following year and so on.

The other holidays to be observed are New Years Day, Memorial Day, Independence Day, Labor Day, and Easter. Holiday visitation shall be between the hours of 10 a.m. and 6 p.m., except fro Independence Day, when the holiday visitation shall extend to 11 p.m. so that the children may watch the fireworks. The Mother shall have visitation on the holiday next following the entry of this Order, and the parties shall thereafter the holiday periods.

7. Should it be necessary for either party to cancel or modify the visitation as set out in this Order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellati or modification. Said modifications or cancellations shall not be proposed except for good reason. Should a cancellation or mofification be necessary, the parties shall attempt at once to arrange for alternate visits or make alternative arrangements.

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

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

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

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

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

By the Court,
Gordon R. Miller, J.
Dec. 20,1993 Copy given to Plf., copy mailed to Dft.

1993

Elderkin, Martin, Kelly & Messina
Kenneth G. Vasil

808.

SEARS, ROEBUCK AND COMPANY
800 Millcreek Mall
Erie, Pennsylvania

vs.

JOHN HOLFELDER

Filed Aug. 18, 1993
@ 2:24 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	37.00
Pro.Co. pd 9/23/93	9.00

COMPLAINT

1 copy (sheriff)

Aug. 20, 1993 Sheriff's Return filed. SERVED John Holfelder on August 19, 1993 at 10:51 AM by handing a copy of theComplaint to Kim Holfelder, Adult in Charge at the residence, R.D.#3, Box 121, Union City, Crawford County, PA.

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

And Now,Sep. 23, 1993 at 11:40 A.M. upon praecipe of Plaintiff's Attorney, Kenneth G. Vasil, Esquire, 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 answer or appear and the same is liquidated at the sum of Two Thousand Nine Hundred Fifty-Three and 79/100 Dollars, plus interest at the rate of 1.50% per month from June, 1993, and costs of the action.

H-91
Entered on 9-23-93
Atty. Vasil

Debt $2,953.79
Interest at the rate of 1.50% per month from June, 1993
Judgment
Barbara H. King
Prothonotary

1993

Barbara J. Walton

809.

Ferguson & Spataro
Douglas W. Ferguson

MARY DUCKWORTH DUNKLE

vs.

DAVID N. DUNKLE

Filed Aug. 18, 1993
@ 2:24 p.m.

Tax & entry paid	$50.50
state paid	10.00
2 counts paid	30.00
state paid	15.00
Pro Co pd 3-15-93	9.00
Pro Co pd 4/4/94	5.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, ALIMONY PENDENTE LITE, COUNSEL FEES & COSTS

2 copies (atty)

Aug. 30, 1993 AFFIDAVIT OF SERVICE, filed. 1. A true and correct copy of the Complaint for Divorce filed in the above-captioned matter was served upon the Defendant DAVID N. DUNKLE, by certified mail, restricted delivery, pursuant to Pa.R.C.P. 412 on August 26, 1993, as is evidenced by the United States Postal Service Return Receipt (Certified No. P 341728992) 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 authorties.
Date: Aug. 30, 1993 Barbara J. Walton, Esq.

Aug. 31, 1993 Appearance of Ferguson & Spataro by Douglas W. Ferguson for Defendant, filed.

Sept. 15, 1993 Inventory and Appraisement of Mary A. D. Dunkle filed.

Feb. 25, 1994 Affidavit of Consent by Mary Duckworth Dunkle, Plaintiff, filed.

Mar. 11, 1994 Affidavit of Consent of Defendant, filed.

Mar. 11, 1994 Upon praecipe of Defendant's attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

March 21, 1994 STIPULATION AND DECREE. AND NOW, this 17th day of March, 1994, the Court enters the following Decree:

1. DIVORCE

The necessary Affidavits of Consent to Divorce under Section 3301(c) of the Divorce Code having been filed, it is Ordered and Decreed that MARY DUCKWORTH DUNKLE, Plaintiff, and DAVID N. DUNKLE, Defendant, are divorced from the bonds of matrimony.

2. EQUITABLE DISTRIBUTION - REAL ESTATE

A. David N. Dunkle is hereby awarded all right, title and interest in four parcels of real estate currently owned by the Plaintiff and Defendant as set forth in Crawford Co. Deed Book 566, Page 668 (2.02 acres and house); Record Book 113, Page 606 (20.210 acres and 25½ acres); and Deed Book 68, Page 947 (62.4248 acres and pole building). Mary Duckworth Dunkle shall transfer all of her right, title and interest in the aforesaid properties to David N. Dunkle by quitclaim deeds within fifteen 915) days from the date of this Decree.

David N. Dunkle shall be solely responsible for any and all outstanding mortgages, judgments on the aforesaid properties and shall hold Mary Duckworth Dunkle harmless in regard thereto.

3. EQUITABLE DISTRIBUTION - PERSONAL PROPERTY

The personal property that each of the parteis has in their possession at the present time shall become the sole and exclusive property of that party except for the following:

MARY DUCKWORTH DUNKLE

a. All marital IRAs including a certain IRA in teh name of David N. Dunkle in the Working Assets Capital Management (account #10082050219), One Harbor Place, Suite 225, portsmouth, New Hampshire 03801-3869, shall become the sole and exclusive property of Mary Duckworth Dunkle.

b. The sum of $38,000.00 in cash to be paid by the Defendant, David N. Dunkle to the Plaintiff, Mary Duckworth Dunkle within fifteen (15) days from the date of this Decree less the value as of transfer of a certain Working Assets Capital Management IRA set forth above which is being transferred to Mary Duckworth Dunkle having a value of $6,841.18 as of Dec. 31, 1993.

DAVID N. DUNKLE

a. All automobiles currently in his possession including those vehicles used in connection with a certain steel supply business.

b. All tangible personal property, intangible personal property, equipment, including but not limited to accoutns receivable, inventory, goodwill and everything else associated with Dunkle's Steel Supply shall become the sole and exclusive proeprty of David N. Dunkle.

4. COUNSEL FEES, COSTS AND EXPENSES

Each party shall be solely responsible for their own counsel fees, costs and expenses with no contribution to the other for said counsel fees, costs and expenses.

5. ALIMONY PENDENTE LITE

All requests for alimony pendente lite set forth in the Plaintiff's Complaint in Divorce are hereby denied.

6. MISCELLANEOUS

A. The Plaintiff and Defendant will sign, execute and acknowledge any and all documents necessary to effectuate this settlement including but not limited to deeds titles to motor vehicles, forms to banks to transfer IRA accounts, or any other documents necessary to effectuate the terms and conditions of this Decree.

b. Any and all tax liability in connection with the transfer of certain IRAs designated herein has become the sole and exclusive obligation of Mary Duckworth Dunkle without contribution by the Defendant, David N. Dunkle and Mary Duckworth Dunkle shall indemnify hold the said David N. Dunkle harmless in regard thereto.

BY THE COURT:
Gordon R. Miller, J.

Apr. 4, 1994 Notice Of election To REtake Maiden Name filed. Mary Dunkle TO BE KNOWN AS: Mary Duckworth

Barbara J. Walton

810.

CYNTHIA L. ORTMANN

vs.

JOHN D. ORTMANN, JR.

Filed Aug. 18, 1993
@ 3:46 p.m.

Tax & entry paid	$50.50
state paid	10.00
2 counts paid	30.00
state paid	15.00
Pro.Co.pd 11/23/93	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, CUSTODY

1 copy (atty)

Aug. 30, 1993 AFFIDAVIT OF SERVICE, filed. And Now, August 26, 1993, comes Barbara J. Walton, and avers as follows:

1. A true and correct copy of the Complaint for Divorce was mailed to the Defendant via Certified Mail, return receipt on August 23, 1993.

2. That the Defendant signed the return card on August 24, 1993 and in accordance with Pa.R.C.P. 412, service of the Complaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No. P 341728847) attached hereto as Exhibit A.

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

Nov. 1, 1993 Stipulation and Consent to Entry of Divorce Decree filed.

Nov. 15, 1993 Affidavit of Consent of plaintiff filed.

Nov. 15, 1993 Affidavit of Consent of defendant filed.

Nov. 23,1993 Upon Praecipe of Barbara J. Walton, Esquire, Attorney for Plaintiff, to transmit record, case moved to Court.

Dec. 16, 1993, Affidavit of Consent of plaintiff filed.

Dec. 16, 1993, Affidavit of Consent of defendant filed.

Dec. 28, 1993 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Jan. 5, 1994 FINAL ORDER OF COURT, AND NOW, this 30 day of December, 1993, upon presentation of the Stipulation and Consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED, AND DECREED that:

1. The bonds of marriage between plaintiff, CYNTHIA ORTMANN, and defendant, JOHN D. ORTMANN,Jr., are dissolved because the marriage is irretrievably broken. Plaintiff and Defendant are divorced from the bonds of matrimony.

AND IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that the terms, provisions and conditions of the PROPERTY SETTLEMENT AGREEMENT between the parties herein, dated Oct. 29, 1993 is incorporated in this decree and order by reference as fully as though the same were set forth herein, at length.

1. Plaintiff and Defendant have reached an agreement as to the equitable distribution of property as follows:

a. Husband and Wife have divided all personal property between themselves.

b. The Wife shall retain marital residence located at Franklin St., Linesville, PA.

c. The Husband shall retain marital residence located at Harmonsburg Road, Linesville,PA.

2. Legal Custody of the 2 minor children, Brandon T. and Jamila N. ortmann shall be shared between the parties. Primary physical custody shall be with the Mother, with partial custody and visitation with the Father as provided in the Property Settlement Agreement.

3. This Honorable Court shall retain jurisdiction of this matter.

By the Court:
Anthony J. Vardaro, J.

1993

Thomas, Truax, Spadafore and Walker
Gregory A. Keenan

811.

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

CARLA K. PERRINE

vs.

MARK D. PERRINE

Filed Aug. 19, 1993
@ 10:20 a.m.

Tax & entry paid	$50.50
1 count paid	15.00
state paid	10.00
state paid	10.00
Pro.Co. pd 2/7/94	9.00
Pro Co pd 3-1-94	5.00

COMPLAINT IN DIVORCE, CUSTODY

1 copy (atty)

Sep. 14, 1993 Affidavit of Service of Complaint in Divorce filed. Gregory A. Keenan, Esquire, being duly sworn according to law, deposes and says that on August 23, 1993, he sent a true and correct copy of a Complaint in Divorce, properly endorsed with the Notice to Defend, filed in the above action, to the Defendant, Mark D. Perrine, at Defendant's last known address of R.D.#5, Box 560, Meadville, Pennsylvania, 16335, by Certified Mail No. P 100 620 595, postage prepaid, return receipt requested, restricted delivery and that attached hereto is a duly executed return receipt card showing date of delivery as September 2, 1993.

Gregory A. Keenan, Esquire

Dec. 9, 1993 Affidavit of Consent of Defendant, filed.

Dec. 9, 1993 Affidavit of Consent of Plaintiff, filed.

Dec. 21, 1993 Affidavit of Consent of Defendant filed.

Feb. 7, 1994 Motion to Withdraw County for Custody and ORDER filed. AND NOW, this 7 day of February, 1994, upon consideration in Plaintiff's Complaint in Divorce, said MOtion is granted and the Count for Custody is hereby is hereby deemed withdrawn.

By the Court:
Anthony J. Vardaro, J.

Feb.8, 1994 Copy of Order to Atty. Keenan & Irwin.

Feb. 7, 1994 UponPraecipe of Gregory A.Keenan,Esquire,Attorney for Plaintiff to transmit record, case moved to Court.

DIVORCE DECREE FILED

Feb. 14, 1994 AND NOW, this 11th day of February, 1994, it is Ordered and Decreed that CARLA K. PERRINE, Plaintiff, and MARK D. PERRINE, Defendant, are divorced from the bonds of matrimony.

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

By the Court:
Gordon R. Miller, J.

Feb. 24, 1994 Notice of Election To Retake Maiden Name, filed. CARLA K. PERRINE to be know as: CARLA K. BUCHANAN.

362

1993

Ostroff & Kline PC
Jonathan Ostroff

812.

DAVID M. PHILLIPS

vs.

CRIPE REAL ESTATE
AND
ASBURY MANOR COMMUNITY
HOME PARK

Filed Aug. 19, 1993
@ 2:06 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's costs	52.50
Pro Co. pd 10/13/93	5.00

COMPLAINT

2 copies (sheriff)

Sept. 7, 1993 Sheriff's Return filed. SERVED Cripe Real Estate by deputizing the Sheriff of Erie County, PA., as per his Affidavit of Service attached. Served on Aug. 27, 1993 at 140 West 6th St., Erie, PA. ,by handing to Pat Kosterman, Supervisor.

Robert N. Michel, Sheriff, Erie County
Joyce Hyche, Deputy Sheriff.

I hereby deputize the Sheriff of Erie Co., PA. to serve the within Complaint on the defendants according to law. The defendants alleged address is 2202 Bird Drive, Erie, PA 16510

Robert M. Stevens, Sheriff, Crawford Co., PA.

SERVED Asbury Manor Community Home Park on Aug. 23, 1993 at 10:48 AM by handing a copy of the Complaint to Tammy Taft, Adult in Charge at 44 Asbury Manor West, Meadville, Crawford County, Pa.

So answers,

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

Oct. 13, 1993 Upon praecipe of plaintiff attorney this case marked settled and discontinued of record.

1993

Apple and Apple, PC
Marylouise Wagner

813.

ASSOCIATES CONSUMER
DISCOUNT COMPANY,
ASSIGNEE OF SHAMROCK UTILITY
TRAILERS, INC.

vs.

JAMES R. WILLEY,
i/t/a/d/b/a WILLEY & SONS
AND KAREN A. WILLEY,
JOINTLY AND SEVERALLY

Filed Aug. 19, 1993
@ 2:06 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	42.00
Pro.Co. pd 10/8/93	9.00

COMPLAINT

2 copies (sheriff)

Sept 13, 1993 SHERIFF'S RETURN, filed. SERVED James R. Willey personally on August 30, 1993 at 1:30 PM by handing a copy of the Complaint to him at RD 1, Box 228, Guys Mills,Crawford County, P
SERVED Karen A. Willey on August 30, 1993 at 1:31 PM by handing a copy of the Complaint to James R. Willely, her Husband, at Rd 1, Box 228, Guys Mills, Crawford County, Pa.
So answers, Scott D. Young, Deputy Sheriff
Dale A. Collins, Chief Deputy
Robert M. Stevens, SSheriff

And.Now,10ct. 8, 1993 at 1:11 P.M. upon Praecipe of plaintiff's Attorney, Marylouise Wagner, ESquire, with Notice of IIntention to file Default Judgment attached,judgment is hereby entered in favor of the plaintiff and against the defendants for want of an answer and the same is liquidated at the sum of TWenty-Three thousand Seven Hundred Thirty -One and 27/100 Dollars.

W-91; W-181; W-101:
Entered on 10-8-93
Atty.WAgner
Notice mailed to
Defendants
ABstract to Atty.

Debt $23,731.27
Int.(See paper filed)
Judgment
Barbara H. King
Prothonotary

1993

Apple and Apple, PC
James S. Alter

814.

HERITAGE VALLEY FEDERAL CREDIT UNION f/k/a YORK AREA EMPLOYEES FEDERAL CREDIT UNION

vs.

CHADWICK C. ZVERCHER

Filed Aug. 19, 1993
@ 2:06 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's costs	32.00
Pro co Pd 10/4/93	9.00

COMPLAINT

1 copy (sheriff)

Aug. 25, 1993 Sheriff's Return filed. SERVED Chadwick C. Zvercher on Aug. 20, 1993 at 11:00 AM by handing a copy of the Complaint to Donald Minnis, Adult in Charge at the residence, 176 Snodgrass Road, Jamestown, Crawford Co., PA.
So answers,

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

And Now, Oct. 4, 1993, at 1:18 p.m., upon praecipe of plaintiff attorney, with copy of default notice attached, Judgment is hereby entered in favor of plaintiff and against the defendant in the amount of Two Thousand Four Hundred Forty and 47/100 Dollars. (see paper filed for interest and Atty. Fees)
Judgment entered 10/4/93
Z - 34

Debt ---$2,440.47
Int. from 1/1/93
to 9/1/93 - $173.61
JUDGMENT
Barbara H. King,
Prothonotary

Oct. 8, 1993, notice of entry of judgment mailed to dft.

1993

Peters, Lindsay,
Lewis & Gagliotti
John P. Gagliotti

815.

~~Barbara J. Walton~~
(withdrawn)

DUANE P. BAKER

vs.

JULIE MARIE BAKER

Filed Aug. 19, 1993
@ 2:28 p.m.

Tax & entry paid	$50.50
2 counts paid	30.00
state paid	10.00
state paid	15.00

10-9-96 Rec'd from Plff
~~med~~ fd 150.00
10-14-96 Pd Plff Refund
#10779 150.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, PARTIAL CUSTODY/VISITATION - - -

3 copies (atty)

Aug. 31, 1993 VERIFICATION OF SERVICE filed. I, John P. Gagliotti, Esquire, do hereby verify that I am the attorney of record for the above named Plaintiff, and that as such I am authorized to make this verification; that I did on the 24th day of August, 1993, send to the above named Defendant, by Certified Mail, Addressee Only, Return Receipt Requested, #P147765658, a true and correct copy of the complaint filed at the above terms and number; and that I did on the 27th day of August, 1993, receive a duly executed return receipt dated the 26th day of August, 1993.

Sep. 8, 1993 Appearance of Barbara J. Walton, Esquire for Julie Marie Baker, Defendant, filed.

Oct. 8, 1996 Motion To Have Custody Mediator Appointed and Order filed. AND NOW, this day of October, 1996, Kathleen Nelson, Esq. is hereby appointed child custody mediator in the above-captioned matter.

For The Court,
Ann A. Walker, C.A.

10-8-96 Faxed Nelson, Gagliotti & Walton

Oct. 11, 1996 Appearance by Bernadette M. DeVore, Esquire filed. AND NOW, this 11th day of October, 1996, enter my appearance on behalf of the above named defendant, Julie Marie Baker.
Bernadette M. DeVore, Esquire.

Oct. 14, 1996, Motion to Vacate Appointment of Custody Mediator and order filed. ORDER: AND NOW, this 11 day of Oct. 1996 upon the foregoing Motion in that plff. no longer wishes to pursue custody mediation, it is hereby ordered that the appointment of Kathleen Nelson Esq. as custody mediator in this matter is vacated, and the Prothonotary is directed to refund the plaintiff his deposit of $150.00 less any costs and any fees due to KathleenNelson Esq.

BY THE COURT,
AnthonyJ. Vardaro, J.

10/14/96 faxed to Gagliotti and Nelson

Oct. 21, 1996, Motion to Withdraw and order filed. And now, Oct. 21, 1996, the motion for withdrawal of appearance is granted.

AnthonyJ. Vardaro J.

10/21/96 faxed to Gagliotti and Walton.

Dec 18, 1996 Certificate of completion of the Seminar for Separating Parents for JULIE BAKER, filed.

Apr 1, 1997 Certificate of completion of the Seminar for Separating Parents for Duane P. Baker, filed.

1993

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

816.

Culbertson, Weiss, Schetroma & Schug
E.Max Weiss

LA VICA J. CHARBONEAU

vs.

TAMMY M. ACE

Filed Aug. 20, 1993
@ 10:32 a.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	30.00

COMPLAINT

1 copy (sheriff)

Aug. 27, 1993 SHERIFF'S RETURN filed. SERVED Tammy M. Ace personally on August 26, 1993 at 1:10 PM by handing a copy of the Complaint to her in the Sheriff's Office, T hird Floor, Crawford County Courthouse, Meadville, Pa.
So answers, Diane Brittain, Deputy Sheriff
Robert M. Stevens, Sheriff

Sept. 15, 1993 Appearance of Culbertson, Weiss, Schetroma & Schug, P.C. by E. Max Weiss for Defendant filed.

Oct. 6, 1993 Amended Complaint filed. (1 copy Atty.)

Oct. 26, 1993, Answer and New Matter of Tammy M. Ace to La Vica J. charboneau's Amended Complaint, filed.

NOv. 17, 1993 Reply to New Matter, filed.

1993

David P. Truax
Gregory A. Keenan

817.

COMMONWEALTH OF PENNSYLVANIA EX REL, JEFFREY DONALD PETERSON

vs.

JACK BRICKNER, WARDEN, CRAWFORD COUNTY PRISON

Filed Aug. 20, 1993
@ 2:17 p.m.

PETITION FOR WRIT OF HABEAS CORPUS

3 copies (atty)

ORDER:

AND NOW, this 19 day of Aug. 1993, upon consideration of the within Petition and upon Motion of David P. Truax, Esq. Public Defender and Gregory A. Keenan, Esq. Asst. Pub. Defender, attys. for relator, it is directed that a Writ of Habeas Corpus ad Subjiciendum be issued forthwith and that a hearing be held on the 25 of Aug. 1993, at 1:00 p.m. in C. R. NO. 2 at the Crawford County Courthouse Meadville, Pa. and that the Prothonotary be directed to serve Jack Brickner, Warden of the Crawford County Prison, 360 Center ST. Meadville, Pa. with the said Writ or a true copy thereof.

Notice of said hearing shall be given forthwith to the officew of the Dist. Atty. of Crawford County, pa. by counsel for the relator.

BY THE COURT,
Anthony J. Vardaro, J.

Aug. 23, 1993, copies of order to D. Truax, Jack Brickner, and District Atty.

Sep. 2, 1993 MEMORANDUM AND ORDER filed. AND NOW, September 2, 1993, the relator's petition for a writ of habeas corpus is denied.

BY THE COURT:
Anthony J.Vardaro, J.

Sept. 2, 1993 Copies dist. by Court.

Barrett & Dratler
Bruce A. Barrett

818.

Mary Ann Kirkpatrick

8/20/93
$150.00 paid by Pltff.
3-31-94 Pd Pltf Refund Ck# 8196 150.00 pd Barrett
1-26-95 Ref from pltf meddy 150.00
9-28-98 Ref from Deft med dept 200.00
11-23-98 Pd Co. 245.54
11-23-98 Pd Pltf refund 22.73
11-23-98 Pd Deft 7.73 refund

KERRY P. KUHNS

vs.

MICHELE L. BURROWS

Filed Aug. 20, 1993,
@ 1:30 p.m.

Tax & entry paid $50.50
state paid 5.00
John Fuller, mediator

sher. costs 57.40
Pay co pd 11-23-98

COMPLAINT FOR CUSTODY

2 copies (atty)
1 copy (mediator)

ORDER OF COURT: YOu, Michele L. Burrows, Dft., have been sued in court to obtain custody and/or visitation of the minor child Cassandra Mae Kuhns.

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 further ordered to bring with you the child named inthis order.

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

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

Court Administrator, Courthouse, Meadville, Pa. 16335, 814 336-1151 Ext. 298.
Date: 8/19/93 BY THE COURT,
Anthony J. Vardaro, J.

Sep. 2, 1993 Affidavit of Service filed. Bruce A. Barrett, ESquire, being duly sworn, deposes and says tht the following facts in support of his Affidavit of Service are true and correct to the best of his knowledge, information and belief.

1. The affiant is the Attorney for the Plaintfff in the above captioned action.
2. A copy of the Complaint was sent by certified mail tothe Defendant.
3. The certified mail was sent to the Defendant at P.O.Box 551, Cheyenne,Oklahoma,73628, on August 23, 1993. The Sender's receipt is attached hereto.
4. The Defendant received said certified mail on August 28, 1993. Said receipt card number 147 766 786 is attached hereto and signed by Michele L.Burrows.
5. The return receipt card was returned after signature to the office of Bruce A. Barrett,Esq., 965 South Main Street, Meadville,PA 16335, on August 31, 1993.

Sept. 2, 1993
Bruce A.Barrett, ESquire
Attorney for Plaintiff

Mar. 31, 1994 Motion to Return Mediator's Fees and ORDER OF COURT filed. And Now, March 30, 1994. The above Motion allowed. A copy of this order shall be furnished to the mediator.
Gordon R. Miller, J.
4-6-94 Copy of Order to Attys. Barrett & Fuller.

July 12, 1996 Stipulation and Custody consent Order filed. AND NOW, this 12th day of July, 1996, upon agreement of the parties, the following Consent Order is hereby entered.

1. The parties shall share legal and physical custody of Cassandra Mae Kuhn. The primary physical custody shall be with the natural Father, Kerry P. Kuhns, subject to the partial custody and visitation rights of Michele L. Burrow, the natural Mother.
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 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 minor child.

(FOR REMAINDER OF ORDER, PLEASE SEE FILE FOLDER)
By the corut,
Gordon R. Miller

(In Re Custody: Cassandra Mae Kuhns, born 1/8/90, age 8)

July 28, 1998 ~~Petition To Modify Custody~~, ORDER and ~~NOTICE TO APPEAR~~ filed. (See Below)

And, Now, this 28th day of July, 1998, it is ordered and decreed that the parents in this matter shall satisfactorily complete the Seminar for Separating Parents in accordance with Crawford Co. Civil Rule L1930. Applications for the seminar may be obtained at the Center for Family Services, Inc. at 213 Center St., Meadville, PA. etc.

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;

The Seminar must be completed within forty-five (45) days after application. (SEE PAPER FILED FOR FURTHER INFORMATION).

By the court
Date: July 28, 1998 Gordon R. Miller, J.
July 30, 1998 FAXED Attys. Kirkpatrick, Fuller, Barrett.

NOTICE AND ORDER TO APPEAR

You, Kerry P. Kuhns, have been sued in Court to obtain custody of Cassandra Mae Kuhns, born Jan. 8, 1990, age 8.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator John Fuller, Esq. for a mediation conference. The Mediator shall send you a Notice of the Hearing by mail to the address listed on the complaint or petition that has been filed recently.

(SEE PAPERS FILED FOR FURTHER INFORMATION)
Date: 7/28/98 Gordon R. Miller, J.
July 30, 1998 FAXED Attys. Kirkpatrick, Fuller, Barrett.

above ma

Aug. 28, 1998 Affidavit of Service filed. David A. Elder deposes and sets forth: That in the above matter upon Kerry P. Kuhns, served 9:10 p.m. on Wed. Aug. 26, 1998 at 14459 Coleman Road, Meadville, Pa. David A. Elder

Augsut 31, 1998 CERTIFICATE OF COMPLETION _ SEMINAR FOR SEPARATING PARENTS Filed. Certificate of Completion of Seminar for Separating Parents of Michele Merilatt Defendnat.

continued on Page 368 - A

Kerry P. Kuhns
vs
Michele L. Burrows

Continued from page 368
of record
AD 1993 - 818

****

November 6, 1998 Crder Filed. And Now, November 5, 1998 after mediation conference before John Fuller, Esq. and upon agreement of the parties, IT IS ORDERED AND DECREED AS FOLLOWS, to-wit:

I. Legal custody of Cassandra Mae Kuhns shall be shared between the father and the mother, teh plaintiff and defendant herein, that is each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions affecting the child such as the education, medical treatment and religious instruction of the subject child.

II Physical custody of Cassandra Mae Kuhns shall be shared by he parents the plaintiff and defendant herein, under the following conditions:

A. The child shall reside with her fahter until January 1, 1999 and on that date the child shall go to live with her mother. The child shall remain with her mother until 2 days after school is over in the Spring and then return to live withe her father during the summer and until two weeks before school resumes in the Fallat which time the child shall return to her mother's home and continue to reside with her mother from year to year and with her fahter each summer, as in 1999.

B. Beginning in 1999 the child shall spend 10 days with her fahter beginning on the first day after Christmas vacation from schoool begins and extending fro a 10 day period thereafter.

C. Transportation of the child on holidays and summer visits shall be provided as follows: The parents shall exchange custody of the child at the Hampton Inn near St. Louis, Missouri or such other mutually agreeable place.

D. Neither mother nor father shall say or do anything in an attempt to turn the child against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the child towards both parents.

E. Neither mother nor father shall expose the child to any person or situation which may be harmful to the child's health or well being.

F. Both parents agree to inform the toher immediately of any illness or injury regarding the child and both paretns agree to furninsh the other with a current telephone number.

G. Kerry P. Kuhns and Michele L. Merilatt are hereby ordered to register for, and complete the Seminar for Separating Parents as required by Crawford County civil Rule L 1930 if you have not already attended, within 30 days form this order and shall be subject to the sanctions permitted by rule and law including contempt, fines and possible incarceration.

III. kThis order is a temporary order but shall become a permanent order unless exceptions thereto are filed by etiher party within 20 days of the date hereof.

IV. The fees (240.00) and costs (9.00 court order filing fee and 5.54 certified mailing) in this case are to be paid as follows:

A. The mother has deposited with the Prothonotary the requested $200.00 which shall be partially applied toward the fees and costs. The Prothonotary is hereby directed to refund to mother $72.73.

B. The father has deposited with the Prothonotary $150.00 (January,1995) which shall be partially applied toward the fees and costs. The Prothonotary is hereby directed to refund to fahter $22.73.

Grodon R. Miller, Judge

11/9/98 Faxed Dratler, Kirkpatrick & Fuller

1993

~~Peters, Lindsay, Lewis~~
& Hatheway
Brian J. Lindsay
~~Barbara J. Walton~~ (withdrawn)

819.

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

11-2-94 Rec'd from deft
med. deposit 150.00
1-6-95 pd deft Refund
#8779 37.14
3-21-95 pd Co #9037 103.81

REBECCA MAE COLBURN

vs.

ERIC JOHN COLBURN

Filed Aug. 20, 1993
@ 3:58 p.m.

Tax & entry paid	$50.50
2 counts paid	30.00
state paid	10.00
state paid	15.00
	207.62
Kathleen Nelson, Mediator	
Pro Co Pd 3-21-95	9.00
Pro Co Pd 4/24/95	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
CUSTODY

2 copies (atty)

Sept. 7, 1993 AFFIDAVIT OF SERVICE, filed. 1. A true and correct copy of the Complaint for Divorce filed in the above-captioned matter was served upon the Defendant ERIC JOHN COLBURN, by certified mail, restricted delivery, pursuant to Pa.R.C.P. 412 on August 27, 1993, as is evidenced by the united States Postal Service Return Receipt (Certified No. P 341728986) attached hereto as Exhibit A. Barbara J. Walton

Oct 14, 1993 Appearance of Thomas, Truax, Spadafore & Walker by R. Charles Thomas for Defendant, filed.

Feb. 9, 1994, Affidavit of Consent of plaintiff filed.

Nov. 1, 1994 Motionfor Appointment of Custody Mediator and ORDER OF COURT, filed. And now, October 31, 1994 upon presentation and consideration of the within Motion, Kathleen Nelson, Esquire is hereby appointed as Custody Mediator to convene a conference and conduct a mediation conference for the purpose of resolving the custody and visitation of and with the minor children as set forth in Count II of the Divorce Complaint filed at the above Number and Term.
BY THE COURT,
Anthony J. Vardaro
11-2-94 Faxed to Attys. Thomas,Nelson & Walton

Dec. 5, 1994 Affidavit of Consent by Eric John Colburn, Defendant, filed.

Dec. 5, 1994 Property Settlement Agreement filed.

Jan. 5, 1995 TEMPORARY ORDER, filed. AND NOW, January 4, 1995, after Mediation and upon the recommendation of the Child Custody Mediator, it is Ordered and Decreeed as flolows:

1. Legal custody of the subject minor children, Pamela Sue Colburn, Charles Joseph Colburn and Michael James Colburn, shall be shared by the Father and Mother, the parties to this action, with each parent entitled to full access to any records relating to the children held by a third party including, but not limited to school records and medical records and each parent shall have equal input regarding important decisions affecting the children such as education, religious instruction and medical treatment.

2. Primary physical custody of Pamela Sue Colburn, Charles Joseph Colburn and Michael James Colburn shall be with their Mother, and Father shall be permitted to visit and take the children into his temporary physical custody every weekend from Friday at 6:00 p.m. until Sunday at 6:00 p.m.

3. In the event the Father secures employment, which (a) does not require him to travel out of town; and (b) obtains housing large enough for himself and the children, which housing shall have a bedroom for Charles and Michael and a separate bedroom for Pamela; and (c) obtains beds for all three children, then paragraph two of this order shall be modified as follows:

a. Primary physical custody of Pamela Sue Colburn shall be with her Mother and primary physical custody of Charles Joseph Colburn and Michael James Colburn shall be with their Father.

b. During the first and third full weekend of each month, all three children shall be in the custody of their Mother, and on the second and fourth full weekend of each month all three children shall be in the custody of their Father. Said weekend visits shall begin on Friday at 6:00 p.m. and shall and on Sunday at 6:00 p.m. During the months when there are five weekends, there shall be no visitation except by mutual agareement of the parties.

4. The holidays of Thanksgiving, Christmas and Easter shall be shared by the parties with the children in the custody of their Mother from 9:00 a.m. until 1:00 p.m. and in the custody of their Father from 1:00 p.m. until 6:00 p.m.

5. The children shall spend Mother's Day with their Mother from 9:00 a.m. until 8:00 p.m. and Father's Day with their Father during the same hours.

6. Beginning with the summer of 1995, Father shall have all three children in his custody beginning two days after the slose of school until July 15th at 6:00 p.m. and Mother shall have all three children in her custody from July 15th at 6:00 p.m. until two days prior to the beginning of the school year.

7. Transportation of the child on weekends, holidays and summer visits shall be shared by the parties with the party receiving the custody of the children to provide transportation.

8. Neither parent shall use illegal drugs or be intoxicated at any time when said party has the children in his or her custody.

9. Neither parent shall say or do anything in an attempt to turn the children against the other parent, but rather shall do everything in the power of each to promote a favorable and loving attitude on the part of the children towards both parents.

10. Neither parent shall expose the children to any person or situation which may be harmful to the health, safety or well being of the children.

11. Each parent shall inform the other parent immediately of any illness or injury regarding the children and both parents shall furnish the other with a current address and telephone number.

12. The parents are encouraged to make additional or alternative arrangements regarding physical custody of the child and maymodify the herein custody arrangements if said modifications are by mutual consent only; otherwise, the provisions contained herein shall govern.

13. The cost of the mediation conference shall be equally divided between the parties, with the Mother's share charged to Crawford County as she is unemployed. The deposit paid in advance by the Father shall first be applied to his share of the costs and the remainder refunded to him.

14. This Order is a Temporary Order but shall become a Permanent Order unless exceptions thereto are filed by either parent within 10 days of the date hereof.

BY THE COURT:
Gordon R. Miller, P.J.
Jan. 17, 1995 Faxed to Walton, Thomas & Nelson, sent to Plf. & Dft.

Continued on Page 468

1993

820.

ANITA M. CARPENTER

vs.

TOM E. ZIRKLE

Filed Aug. 23, 1993
@ 10:53 a.m.

Tax & entry	Pd 4-28-94	$50.50
state	Pd 4-28-94	5.00
sheriffs costs		25.00
Pro Co	Pd 4-28-94	9.00

9-10-93 Rec'd 30.00 from Dept
Bal due 59.50 Pd 4-28-94
4-28-94 Received from Sheriff's Office 25.00
Ck # 8269

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy (plff)
3 copies (sheriff)

ORDER:

And now, this 23 day of August , 1993, upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

2. Special Conditions:
The plaintiff shall have exclusive temporary exclusive possession of the residence at 495 N. St. Apt. E-1 pending further order of court.

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

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

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

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

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

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

Hearing is hereby set for Aug. 30, 1993 , at 3:30 p m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,

Anthony J. Vardaro, J.

Aug. 23, 1993, Sheriffs Return filed. SERVED Tom E. Zirkle personally on Aug. 23, 1993, at 12:27 PM by handing him a copy fothe Protection From Abuse at his place of employment, Golfview Manor inthe office located on Park Ave. Meadville, Crawford County Pa.
So answers, Scott D. Young, Dep. Sher.
Dale A. Collins, Ch. Dep.
Robert M. Stevens, Sher.

Sept. 1, 1993 ORDER filed. AND NOW, August 30, 1993, this matter is before the Court on Plaintiff's Petition for Relief Under the Protection From Abuse Act.

The parties appear without counsel and the defendant is convinced that he has a right to counsel, but indicates that he has attempted to obtain free counsel and did not qualify and does not believe he has the funds to obtain paid counsel. He, therefore, will proceed without counsel.

After discussion, the parties agreed to an Order by consent without admission of the allegations of the petition by the defendant.

THEREFORE, we enter the following Order:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or any minor child named in the petition. The defendant shall not contact the plaintiff in any manner, including by telephone.

2. The plaintiff shall have exclusive possession of the residence at 495 North Street, Apartment E-1.

3. The defendant shall not go to that residence at any time, with the exceptions set forth hereinafter.

4. If the defendant goes to the residence, even if he is invited by the plaintiff, if a Police Officer is called to the residence, it shall be presumed that the defendant is in violation of this Order if he is at that residence. Therefore, the defendant is strongly cautioned that he should not go to the residence, even if he is invited by the Plaintiff, and if the parties wish for him to go to the residence, they should seek a modification of this Order.

5. The only exception allowing the defendant to go to the residence at 495 North Street, Apartment E-1, shall be that by agreement of the parties, he may go to that residence on September 5, 1993, at Noon so that he may obtain his clothing, love seat and photographs, all of which shall be on the porch of the residence where they shall have been placed by the Plaintiff. When the defendant goes to obtain those items, he shall not assault, abuse, harass or threaten the plaintiff or any minor child and shall obtain the items and leave the residence as quickly as possible.

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

CONTINUED ON PAGE 370A

1993

ANITA M. CARPENTER
VS.
TOM E. ZIRKLE

CONTINUED FROM PAGE 370
of Record
A. D. 1993 - 820

****

7. A copy of this Order shall be delivered to the Meadville City Police and to County Control. The Prothonotary shall also forward a copy of the Order by regular mail to the plaintiff at P.O. Box 998, Meadville, Pennsylvania, 16335, and to the defendant, in care of Howard and Sue Zirkle, RD 8, Box 218, Meadville, Pennsylvania 16335.

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

9. The defendant shall pay court costs in this proceedign in the amount of $89.50 to the Prothonotary of Crawford County on the First Floor of the Crawford County Courthouse, no later thatn the close of business on September 13, 1993.

10. This Order shall remain in full force and effect through August 29, 1994.

BY THE COURT,
Anthony J. Vardaro, J.

Sept. 2, 1993 copy to MCPD, Co. Control, Plf. & Dft.

Sep. 13, 1993 Motion to Amend or Modify a Protection From Abuse Order and ORDER filed. AND NOW, this 13th day of September, 1993, upon receipt and review of thewithin motin to amend the Protection from Abuse Order of August 30, 1993, the amendment (s) and modification (s) set forth in said motion are hereby approved and made a Court Order.

A true and correct copy of this Order shall be delivered by the Prothonotary to Meadville P.D.and to County Control. Along with a copy of the Motion.

Any paragraphs of the original Order assessing costs on either party shall remain in full force and effect without change or modification.

BY ORDER OF COURT
Gordon R. Miller, J.

Sep. 16, 1993 Copy of Motion and Order to Meadville P.D. and County Control. 9-16-93 Copy of Order to Plft & Deft.

370

-6-

1993

1993

Christopher J.St. John
Rowley, Wallace, Keck,
Karson & St. John

821.

JONNA G. HINKLE

vs.

RICHARD J. HINKLE, JR.

Filed Aug. 23, 1993
@ 12:03 p.m.

Tax & entry paid	$50.50
state paid	10.00
2 counts paid	30.00
state paid	15.00
Pro.Co. pd 2/24/94	9.00

COMPLAINT IN DIVORCE, DISTRIBUTION OF PROPERTY, ALIMONY AND ALIMONY PENDENTE LITE

1 copy (atty)

Sept. 7, 1993 GENERAL APPEARANCE filed. Enter my general appearance in the above-captioned divorce action. I hereby acc ept service of and acknowledge receipt of a certified copy of the original Complaint filed in the above action.

Richard J. Hinkle, Jr.

Feb. 24, 1994 Affidavit of Consent of Jonna G. Hinkle,Plaintiff, filed.

Feb. 24, 1994 Affidavit of Consent of Richard J. Hinkle, Jr. Defendant, filed.

Feb. 24, 1994 Upon Praecipe of Christopher J.St. John, Esquire, Attorneys for Plaintiff, to transmit record, Case moved to Court.

FINAL DECREE

March 7, 1994, Decree in Divorce filed. AND NOW, March 3,, 1994, the court having heard this case and having fully considered and proceeded to determine the same as to law and justice appertain, do sentence and decree that Jonna G. Hinkle be divorced and separated from the nuptial ties and bonds of matrimony heretofore contracted between her, the said Jonna G. Hinkle, the plaintiff and the said Richard J. Hinkle, Jr. dft., and that thereupon all and every, the duties, rights and claims accruing to either the said plaintiff or the said defendant at any time heretofore in pursuance of said marriage, shall cease and determine, and the said plaintiff and defendant shall severally be at liberty to marry again in like manner as if they had never been married.

It is further ordered and decreed that the settlement Agreement dated feb. 9, 1994, entered into betweenthe parties, as included inthe record, is incorporated herein by reference and made a part of this Decree and each and every provision thereof is binding upon the parties as though fully set forth herein.

BY THE COURT,
Anthony J. Vardaro, Judge

As of August 16,2000 any filings involving this case can be found in the computer.

1993

Mary Ann Kirkpatrick 822.	BARBARA ANN POMPONIO LEGUARD vs. JOHN KENNETH LEGUARD Filed Aug. 23, 1993 @ 2:23 p.m. Tax & entry paid $50.50 state paid 10.00 state paid 5.00 Pro Pd 10/30/95 5.00	COMPLAINT IN DIVORCE 1 copy (atty) Oct. 30, 1995, Upon praecipe of plaintiff, the above divorce is marked discontinued of record.

1993

~~Donald E. Lewis~~ Withdrawn

823.

Swensen Perer Johnson
& McCandless
Anthony Sciarrino

LISA D. SANDERSON

vs.

PATRICK HENRY

Filed Aug. 23, 1993
@ 2:23 p.m.

Tax & entry paid	$50.25
state paid	5.00
Sheriff's Costs	20.00
Pro Co pd 1-5-94	15.00
Pro Co. pd 5/23/94	6.00

APPEAL OF DEFENDANT FROM JUDGMENT OF DISTRICT JUSTICE ROBERT J. LEONHART, # 30-3-03

Aug. 23, 1993, Rule entered on plaintiff to file complaint, issued.

Aug. 25, 1993, Proof of Service filed.

Aug. 27, 1993 Acceptance of Service, filed.

Sep. 10, 1993 Complaint filed.

Sept. 20, 1993 SHERIFF'S RETURN, filed. SERVED Patrick Henry personally on September 15, 1993 at 3:50 PM by handing a copy of the Complaint to him in the Sheriff's office, Third Floor, Crawford County Courthouse, Meadville, Pa.
So answers, Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

Sept. 21, 1993 Praecipe to Attach Verification, filed.

Oct. 20, 1993 Appearance of Donald E. Lewis, Esquire for plaintiff filed.

Oct. 20, 1993 Amended Complaint filed.

Nov. 4, 1993 Answer and New Matter and Counterclaim, filed.

Nov. 9, 1993 Notice of Praecipe for Entry of Default Judgment, filed.

Nov.9, 1993 Notice of praecipe for Entry of Default judgment, filed.

Nov. 10, 1993 Plaintiff's Reply to Defendant's Answer and New Matter and CCounterclaim,filed. (1 copy Atty.)

Jan. 5, 1994 Uponpraecipe of Plaintiff's attorney to appoint Arbitrator's the following Arbitratoars have been appointed. R. Charles Thomas, Chr.
Andrew Bacallao
William Gormon

Jan. 18, 1994 Arbitrators Take Qualifying Oath filed.

Feb. 24, 1994 Notice of Service of two (2) copies of Interrogatories and Requests for Production, filed.

Mar. 2, 1994 Withdrawal of appearance of Donald Lewis for Plaintiff and Order, filed. AND NOW, March 2, 1994, the motion of withdrawal of appearance is granted. By the Court:
Gordon R. Miller, P.J.

Mar. 8, 1994 copy to D. Lewis & A. Sciarrino

May 23, 1994 Upon praecipe of defendant's attorney, the above captionedcase marked discontinued of record.

1993

Hutzelman, Walsh, and Walsh

Stephen Hutzelman

824.

Thomas J.Ruth

DENNIS SWEET

vs.

CB HARDWOOD LUMBER COMPANY

Filed Aug. 23, 1993
@ 2:23 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	37.00
Pro.Co.pd 3/4/94	15.00

6 —

$220.00 Appeal costs paid by dft. 5/26/94

COMPLAINT

1 copy (sheriff)

Aug. 27, 1993 SHERIFF'S RETURN, filed. SERVED CB Hardwood Lumber Company on August 25, 1993 at 1:44 PM by handing a copy of the Complaint to William Burkholder, Adult in Charge at the business RD 1, Centerville, Crawford County, Pa. 16404
So answers, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 4, 1994 Upon Praecipe of Stephen H. Hutzelman, Esquire Attorney for Plaintiff for appointment of Arbitrators, the following Arbitrators are appointed.

Louis Stack, Chariman
Joseph Tinko
Ross Prather

Mar. 30, 1994 Arbitrators Take Qualifying Oath, filed.

Mar. 31, 1994 Notice Of Arbitrators' Hearing filed.

May 3, 1994 Respondining Affidavit, filed.

May 3, 1994 Decision of Arbitrators filed. And now, the 3 day of May, 1994, we the undersigned Arbitrators chosen in this case, after having been duly sworn and having heard the evidence and allegations of the parties find in Favor of the Plaintiff and against the Defendant in the sum of $1,500.00 plus legal interest from May 3, 1994 plus costs.

Louis J.Stack, Chairman
Joseph W. Tinko
Ross C.Prather

5-6-94 Copy to Atty. Hutzelman & Deft.

May 26, 1994 Written Answer to Complaint at Law filed.

May 26, 1994, Notice of Appeal of Defendant from Award of Board of Arbitrators filed.

June 22, 1994 Notice of Objection filed.

Apr. 5, 1995 Motion for Continuance filed.

Apr. 5, 1995 Pre-Trial Order filed. AND NOW, April 4, 1995, after pre-trial conference with all counsel present, the Court enters the following Order:

1. The Defendant's motion to continue this matter to the next civil term of court is denied. We recognize that for some reason this matter was not listed on the civil jury trial list and and at the call of the list that was brought tothe Court's attention by Plaintiff's counsel. The Defendant is acting pro se in this case bu the Plaintiff's pre-trial narrative was served on the Defendant sometime in early February 1995 and therefore the Defendant should have had some idea that this matter would be brought to trial in the near future. We have reviewed the pleadings and this is an appeal from arbitration by the Defendant and it does not appear to involve a complicated factual situation.

Therefore, while we will not continue this matter,we will not try it prior to the second week of trials or specifically no sooner than April 17, 1995. The parties should, however, be in contact with the Court Administrator insofar as it is possible that we will pick a jury on April 10, 1995 and they should be prepared to do so.

In the event a jury is to be picked on April 10, 1995, the Defendant shall, prior to jury selection onthat day, provide counsel for the Plaintiff with a list of all potential witnesses the Defendant intends to call. Additionally, the Defendant mayfile its pre-trial narrative no later than the close of business on April 12, 1995. If jury selection is to occur after the close of business on April 12, 1995, the Defendant's potential witnesses may just be included in the pre-trial narrative and there needs to be no separate filing.

This case involves an alleged oral agreement with regard to the procuring and resale of certain particle boards. It is anticipated that this case will take no longer than one day to try.

2. Legal issues. There do not appear tobe any usual legal issues in this case and the exhibits if any will be very limited.

3. Stipulations. There do not appear to be any stipulations between the parties.

4. Peremptory challenges. The Court will call 21 jurors with each party to have four peremptory challenges and the last remaining juror to be an alternate.

5. Points for charge. Any requested points for charge shallbe submitted no later thanthe close of presentationof all evidence. Prior to closing argument by the parties,the Court will rule on requested points for charge so that the parties will know what the Court intends to tell the jury.

6. Proposed verdict slip. Any party desirng to submit a proposed verdict slip shall do so prior to the commencement of final arguments.

Finally, we note that at the pre-trial conference there was some discussion about the case being tried non-jury rather with a jury. The request for jury trialwas made by the Defendant and Plaintiff's counsel indicates that she would consent to trying this case non-jury if that is what the Defendant desires. In the event the Defendant chooses to try this case non-jury, he should notify the Court Administrator no later than the close of business on April 7, 1995 and follow-up that notification with an appropriate written request. Insofar as Plaintiff's counsel has already indicated her consent that procedure, it will not be necessary for the filing by the Defendant to indicate specifically the Plaintiff's consent to proceed non-jury.

If the case is to proceed to a jury trial, the parties should remain in contact withthe Court Administrator since it may be necessary to pick a jury in this case on April 10, 1995 with the understanding that it will not be tried until April 17, 1995.

BY THE COURT:
Anthony J.Vardaro, J.

4-5-95 Copies dist. by Court.

Continued to Page 374 A

Dennis Sweet
vs
CB Hardwood Lumber Company

Continued from Page 374
of Record
AD 1993 -824

****

Apr. 12, 1995 ORDER filed. AND NOW, Apr. 10, 1995 this matter is before the Court for a pretrial conference just prior to the selection of the jury with this case to be tried on April 17, 1995 beginning at 9:00 a.m.

The Defendant appears through William Burkholder, who is indicated to be a partner; although, the pleadings indicate him tobe an "owner" and also present is David Gard, who appeared at the pretrial conference on April 4, 1995. There is an objection that Mr. Gard may not be a partner and therefore, authorized to represent the Defendant.

After some discussion and review of the pleadings,we are unclear as to whether this is in fact a partnership or whether it operates as some sort of a sole proprietorsh or a group of sole proprietorships. Accordingly, we will not permit Mr.Gard to represent C.B.Hardwood LumberCo. at this time,but if he provides some evidence that in fact he is a partner or is related to the company in a capacity that would fall within the requirements of the Rule of Civil Procedure 1012 and LocalRule 1012A, we will reconsider that ruling prior to trial. Such proof will have to be provided totheCourt no later than noon on Friday,April 14,1995 and a copy will be provided to Plaintiff's counsel. In the event that the proof is provided on Friday,April 14, 1995 so that Plaintiff's counsel has an opportunity toreview it ina timely manner before trial, it must be sent by facsimile to her office. We note that if the Defendant wishes to send that information by facsimile to the Court, they may do so by contacting the undersigned's secretary for a facsimile number.

As ordered by our pretrial order of April 4, 1995, the Defendant has provided a witness list which includes 20 people. We have gone through that list to ascertain what each person will be testifying to; and first of all,we note that anyone who is affiliated withthe C.B.Hardwood Lumber Company including William Burkholder and Fred Cleland may testify as may the Defendant call anyone named onthe Pretrial Narrative Statement for the Plaintiff.

With respect to the other witnesses, it appears that numerous witness would be testifying solely to establish the number of sheets, size of sheets, and thickness of sheets of particle board. In that regard, we will allow the Defendant to call three witnesses for that specific purpose. In addition, any witness who was a purchaser of the particle board may also be permitted to testify as to the numberof sheets purchased, the thickness of the sheets purchased,the size of the sheets purchased, and the condition of the sheets purchased. There will be no limit withrespect to those types of witnesses.

For the purpose of selecting a jury, we will provide the jury with each of the names of the possible defense witnesses, since we will not require the Defendant to limit its three witnesses above until the day of trial.

Finally, with respect to the Pretrial Narrative the Defendant will file on April 12, 1995, it should have attached to it photo copies of each exhibit that the Defendant intends to produce at trial so that Plaintiff's counssel will have an opportunity to review those exhibits and make any objections prior to the start of trial at a final pretrial conference to be held on Monday, April 17, 1995 at 8:45 a.m. in Courtroom No. 2.

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

4-12-95 Faxed Deft. Copies dist. by Court

Apr. 13, 1995 Affidavit filed. Before me,a Notary Public in and for this County and State, personally appeared, Bill Burkholder and David Gard, who, being duly sworn according to law, deposes and say that they are both partners and were partners in C B Hardwood Lumber Co. prior to this civil suit,and are required to make this affidavit in the within case,that they are duly authorized to make this affidavit,and that the facts contained in the within document are true and correct to the best of their knowledge, information and belief. This affidavit is being supplied for the purpose of convenience and an affidavit of the party will be supplied upon demand.

April 13, 1995

Bill Burkholder
Dave Gard

Apr. 17,1995 Appearance of Thomas J.Ruth,Esquire for CB Hardwood Lumber Company, Defendant,filed.

AND NOW, Apr. 17, 1995 at 4:24 PM m jury selected on April 10, 1995 and Sworn on April 17, 1995 at 10:03 AM as follows:

1. Phillip M. Nageotte
2. Carolyn Johnson
3. Lorraine Hummel
4. Carol Kinnunen
5. Jeffrey Gable
6. David Hiles
7. Daniel J.Galinsky
8. Elvira Hickernell
9. Jeffrey Farmer
10. Denise McHale
11. Georgia Stanford
12. John Nickelson
13. Charlene Compton (Alt.)

Twelve good and lawful persons who upon their solemn oaths which they have taken and at least 10 of them say: VERDICT

AND NOW, we, the jury, impaneled in theabove action after deliberations, answer the Court's questions as follows:

Question 1:

Do you find that there was an oral contract formed in this case: If yes, go on to No. 2. If no, go to No. 5 and enter a verdict in favor of the Defendant.

Yes x No _____

Question 2:

If you find that there was an oral contract,was that oral contract between Dennis Sweet and C B Hardwood Lumber Company? If you answer yes, go on to No. 3. If you answer no, go to No. 5 and enter a verdict in favor of the Defendant.

Yes x No _____

Question 3:

Do you find that C B Hardwood Lumber Company breached the oral contract between Dennis Sweet and C B Hardwood Lumber Company: If yes, go to No. 4. If no, go to No. 5 and enter a verdict in favor of the Defendant.

Yes x NO _____

Continued to Page 374 B

374
B

1993

Question 4:
What damages do you find that the Plaintiff Dennis Sweet is entitled to from the Defendant C B Hardwood Lumber Company for its breach of the oral contract: When you have determined the amount of damages go to No. 5, enter your verdict in favor of the Plaintiff and enter an amount next to the dollar sign.

Question 5:
Verdict Plaintiff $ 1,750.00

Phuilip M.Nageotte, Jury Foreperson

Date verdict reached: 4-17-95 Time 4:12

Apr. 18, 1995 Exhibit Sheet filed.

Apr. 19, 1995 Plaintiff's Request for Standard Jury Insturctions (Source: Pennsylvania Suggested Standard Jury Instructions) filed.

1993

Colavecchi & Ryan
Joseph Colavecchi

825.

AMERICAN STATES INSURANCE COMPANY

vs.

SCI ACQUISITIONS, INC.

Filed Aug. 23, 1993
@ 2:25 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	37.00
Pro.Co. pd 10/1/93	9.00
Exemp. of Record pd. 10/29/93	10.00

COMPLAINT

1 copy (sheriff)
2 copies (atty)

Aug. 27, 1993 SHERIFF'S RETURN, filed. SERVED SCI Acquisitions Inc. on August 25, 1993 at 2:48 PM by handing a copy of the Complaint to Debbie Barker, Secretary and Adult in Charge at the business, 818 West Spring Street, P.O. Box 326, Titusville, Crawford County, Pa.
So answers, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, Oct. 1, 1993 at 1:25 PM upon praecipe of plaintiff's attorney, with Notice of Intention to File Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendant for want of an answer and damages are assessed at Fifteen Thousand Ninety and 70/100 Dollars, interest and costs included.

S-186:
Entered 10-1-93
Atty.Colavecchi
Abstract to Deft.

Debt $15,090.70
Interest from 8/23/93 to 9/28/93 Included.
Judgment
Barbara H. King
Prothonotary

Oct. 29, 1993 Praecipe to Transfer Certified Copy of Judgment to Clearfield County Courthouse, filed.

1993

Mason and Mason
Joan D. Mason

826.

DAVID A. COULSON

vs.

CYLINDA E. COULSON

Filed Aug. 23, 1993
@ 3:11 p.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	10.00
1 count paid	15.00
Pro Co pd 9-15-94	9.00

COMPLAINT IN DIVORCE, CUSTODY

2 copies (atty)

Nov. 10, 1993 Complaint reinstated.

Dec. 7, 1993 Affidavit of Service filed. I, Joan D. Mason,Esquire, attorney for the Plaintiff in the above entitled case, and being duly sworn according to law, despose and say that I did on November 12, 1993 mail to the above Defendant,Cylinda E.Coulson, by certified mail return receipt requested, deliver to addressee only, a Complaint in the above divorce action. Said notice was received on November 15, 993, as indicated by the return receipt card which was returned to the office of the Plaintiff's attorney and is attached hereto.
Nov. 30, 1993 Joan D. Mason, ESquire

Jan. 3, 1994 Affidavit of Consent To Divorce of Defendant filed.

Sept. 8, 1994 Affidavit of Consent of Defendant, filed.

Sept. 8, 1994 Affidavit of Consent of Plaintiff, filed.

Sept. 13, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Sept. 19, 1994 AND NOW, this 20 day of Sept., 1994, upon presentation of the STipulation and Consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED AND DECR that DAVID E. COULSON, Plaintiff, and CYLINDA A. COULSON, 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.

1993

Peter E. Blystone
Blystone & Blystone

827.

LOUISE WILMOTH, ROBERT D. WILMOTH AND MICHELLE S. WILMOTH

vs.

HORACE RHODES, ROBERT RHODES, ESTELLA RHODES, AND DOROTHY RHODES, THEIR HEIRS AND ASSIGNS

Filed Aug. 23, 1993
@ 3:48 p.m.

Tax & entry paid $50.50
state paid 5.00
Pro Co. pd 11/4/93 $9.00

COMPLAINT - ACTION TO QUIET TITLE

Aug. 24, 1993 Motion For Service By Publication Pursuant To Pa.R.C.P. No. 410 and Pa.R.C.P. No. 430 and Order filed. AND NOW, August 26, 1993, upon consideration of the foregoing Motion and the accompanying Affidavit, plaintiffs are authorized and directed to make service of the Complaint on the named defendants, their heirs and assigns, by publication once in the Meadville Tribune, a newspaper of general circulaiton in Crawford County, Pennsylvania, and once in the Crawford County Legal Journal.

Anthony J. Vardaro, J

Aug. 31, 1993 Copies of order to Atty. Blystone

Sep.. 22, 1993 Affidavit of Service filed.

1. The undersigned, Peter E. Blystone, is attorney for the Plaintiffs in the above-captioned civil action

2. The Complaint was served on the defendants by publication in the Meadville Tribune, a newspaper of general circulation in Crawford County, Pennsylvania on September 3, 1993 and in the Crawford County Legal Journal on September 8, 1993 in accordance with the Order entered by the Court on August 21, 1993, as indicated by the proofs of publication attached hereto and incorporated herein by reference.

I herebv verify that t he statements set forth in the foregoing Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. Section 4904 relating to unsworn falsification to authorities.

Dated: September 22, 1993 Peter E. Blystone, Esquire

In Error Oct. 5, 1993 And now, upon praecipe of ~~plaintiff's attorney,~~ final judgment ~~is hereby entered in this case,~~ in favor of the plaintiffs and ~~agaisnt the defendants,~~ pursuant to the ~~foregoing~~ Order of ~~Court,~~

R ~~46~~, 56, 86, 264 FINAL JUDGMENT
Barbara H. King, Pro.

In Error

~~Oct. 5, 1993 Affidavit and Motion for Final Judgment Pursuant to Pa.R.C.P. No. 1066 and Order filed. AND NOW, this 29th day of September, 1993, the plaintiffs, by their attorneys, Blystone and Blystone, move the Court for Default Judgment against the defendants pursuant to Rule Pa. R.C.P. No. 1066 and represent to the Court that:~~

~~1. Plaintiffs filed their Complaint against the defendants in the above-captioned Action to Quiet Title on August 23, 1993.~~

~~2. Service on the defendants was made by publication in accordance with the Court's Order entered August 22, 1993. A copy of the Affidavit of Service which was filed on September 22, 1993 is attached hereto.~~

~~3. More than twenty days have elapsed since publications where made and no appearance has been entered or answer filed by any defendant.~~

Oct. 5, 1993 Affidavit and Motion for Final Judgment pursuant to Pa.R.C.P. No.1066 and Order filed. AND NOW, October 4, 1993, upon presentation and after consideration of the plaintiff Motion for Default Judgment pursuant to Pa.R.C.P. No. 1066(b)(1), it appearing that service by publication has been made in accordance with the Court's Order and no answer has been filed or appearance entered by any defendant within the time prescribed by the Rules, it is hereby ORDERED and DECREED that the defendants, Horace Rhodes, Robert Rhodes, Estella Rhodes and Dorothy Rhodes, their heirs and assigns, be and they are hereby forever barred from asserting any right, lien, title or interest in or to the land described in paragaraphs 2 and 4 of the Complaint in this action inconsistent with the interests or claims of the plaintiffs as set forth in the Complaint; from impeaching, denying, or any way attacking plaintiffs' title to the property described in the Complaint; from issuing or maintaining any action attacking such title and from encumbering, mortgaging or conveying the same or any part thereof unless the defendants, or any of them shall take such action as is hereinafter directed within thirty (30) days of this judgment.

It is further ORDERED and DECREED that if no petition to open or set aside this decree is presented by the defend ants, or any of them, within thirty (30) days from and after the date hereof, the same shall become final and the prothonotary, upon praecipe of the plaintiffs, shall enter final judgment. Gordon R. Miller, P.J.

Nov. 3, 1993 copy to P. Blystone

R - 46, 56, 86, 264

Nov. 4, 1993, And Now, Nov. 4, 1993 at 11:07 A.M. upon Praecipe of Plaintiffs Attorney, Final Judgment is hereby entered in accordance with Order of Court dated Oct. 4, 1993, in favor of plaintiffs and against defendants, pursuant to the foregoing Order of Court.

R-86,264,56,254

Judgement entered 11/4/93

FINAL JUDGMENT
Barbara H. King
Prothonotary

1993

Stephen H. Hutzelman-

828.

ROBINSON-CONNER, INC.

vs.

HASBROUCK SCRAP IRON & METAL

Filed Aug. 24, 1993
@ 11:50 a.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	37.00
Pro Co pd 1-6-94	9.00

COMPLAINT

1 copy (sheriff)

Aug. 27, 1993 SHERIFF'S RETURN, filed. SERVED Hasbrougk Scrap Iron and Metal on August 25, 1993 at 2:32 PM by handing a copy of the Complaint to Kevin Foresther, Adult in Charge at 208 South Kerr Street, Titusville, Crawford County, Pa.
So answers, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, Jan. 6, 1994 upon praecipe of plaintiff's attorney judgment is hereby entered in favor of the Plaintiff and agaisnt the Defendant for failure to file an answr within the time prescribed by law and access the defendant for damages in the amount of Four Thousand Four Hundred Fifty-one Dollars and 27/100 plus costs.
Entered 1-6-94 Debt: $4, 451.27 plus costs
H - 184 JUDGMENT
Barbara H. King, Pro.
1-11-94 notice of entry of Judgment sent to Dft.

1993

Peters, Lindsay, Lewis
& Gagliotti
John P. Gagliotti

829.

ARTHUR EUGENE DAILY, JR.

vs.

LINDA S. DAILY

Filed Aug. 24, 1993
@ 3:06 p.m.

Tax & entry paid $50.50
state paid 5.00

Pro.Co. 3/29/94 9.00

COMPLAINT IN DIVORCE

2 copies (atty)

Sep. 10, 1993 Verification of Service filed. I, John P. Gagliotti, Esquire, do hereby verify that I am the attorney of record for the above named Plaintiff, and that as such I am authorized to make this verification; that I did on the 30th day of August, 1993 send to the above named Defendant, by Certified Mail, addressee Only, Return Receipt Requested, #P147764659, a true and correct copy of the complaint filed at the above terms and number; and that I did on the 7th day of September, 1993, receive a duly executed return receipt dated the 2nd day of September, 1993.
September 9, 1993 John P. Gagliotti, Esquire

Mar. 29, 1994 Affidavit of Consent by Linda S.Daily, Defendant, filed.

Mar. 29, 1994 Affidavit of Consent by Arthur E. DAily, Jr., Plaintiff, filed.

Mar. 29, 1994 Upon Praecipe of John P,Gagliotti, Esquire, Attorney for Plaintiff to transmit record, Case moved to Court.

Apr. 6, 1994 Order filed. This divorce matter has been referred to the Court for review and decree. The Court has reviewed the record and is returning the record to the Prothonotary. A final decree will not be entered at this time because:

X Other: The affidavits of consent were not filed within 30 days of the date they were executed. Pa. R.C.P. 1920.42(b)(2).

X The Complaint of Record is a photocopy. The original must be filed in its place.

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

BY THE COURT:
Anthony J. Vardaro, J.

Apr. 11, 1994 copy to J. Gagliotti & Dft.

Apr. 15, 1994 Affidavit of Consent by Linda S.Daily, Defendant, filed.

Apr. 15, 1994 Affidavit of Consent by Aruth Eugne Daily, Jr., Plaintiff, filed.

Apr.15, 1994 Upon Praecipe of JohnP. Gagliotti, Esquire,Attorney for Plaintiff, the above-captioned matter is referred back to the Court.

DIVORCE DECREE FILED

April 21, 1994 AND NOW, April 21, 1994, it is hereby ordered and decreed that ARTHUR EUGENE DAILY, JR., Plaintiff, and LINDA S. DAILY, 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.

1993

Shafer, Swick, Bailey, Irwin & Sta ck
Louis j. Stack

830.

Knox, McLaughlin, Gornall & Sennett
Richard A. Lanzillo

SECO/WARWICK CORPORATION

vs.

NICHOLS - HOMESHIELD, INC.

Filed Aug. 24, 1993
@ 3:34 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	25.00
Sheriff's Costs	87.00

COMPLAINT

2 coipies (sheriff)

Sept. 15, 1993 Appearance of Knox, McLaughlin, Gornall and Sennett, P.C. by Richard A. Lanzillo for Defendant filed.

Oct. 5, 1993 Sheriff's Return filed. SERVED Secon/Warwick Corporation on September 29, 1993 at 9:14 AM by handing a copy of the Complaint toJeanne Boswell, Secretary and Person in Charge at the business, Mercer Street, Meadville, Crawford County,PA.
So answers, Scott D.YYoung, Deputy Sheriff
Robert M.Stevens, Sheriff

Oct. 26, 1993 SHERIFF'S RETURN, filed. SERVED Nichols - Homeshield, Inc. c/a CT Corporation Systems by deputizing the Sheriff of Philadelphia Couonty, Pa., as per his Affidavit of Service. Served on September 8, 1993 at 1635 Market Street, Philadelphia, Pa. 19103.

SERVED Nichols - Homeshield, Inc. by Certified Mail at their last known address of 1725 Rockingham Road, PO Box 3808, Davenport, IA 52808. Served on August 30, 1993, as per signed Return Receipt attached.
So answers, Robert M. Stevens, Sheriff

Sheriff's Return: SERVED AND MADE KNOWN TO Nichols - Homeshield, Inc. Defendant Company by handing a true and attested copy of the within Summons/Complaint, issued in the above captioned matter on Sept. 8th, 1993 at 11:00 a.m. at 1635 Market St., in the County of Philadelphia, State of Pa., to Maria Chambers agent or person for the time being in charge of defendant's office or usual place of business. John D. Green, Sheriff

1993

Bette J. Peterson-Muth

831.

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

PHYLLIS A. CRAYS

vs.

ALAN C. CRAYS

Filed Aug. 25, 1993
@ 1:35 p.m.

Tax & entry paid	$50.50
2 counts paid	30.00
state paid	10.00
state paid	15.00
Pro Co pd 8-14-97	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, ALIMONY, ALIMONY PENDENTE LITE, COUNSEL FEES, COSTS AND EXPENSES

2 copies (atty)

Oct 1, 1993 Appearance of Thomas, Truax, Spadafore & Walker by R. Charles Thomas for Alan C. Crays, filed.

Aug. 1, 1994 Petition for Special Relief, Alimony Pendente Lite, Court Costs, Counsel Fees andAppraisal Fees and Order filed AND NOW, August 1st, 1994, a hearing on Plaintiff's request for alimony pendente lite, court costs, counsel fees, appraisal fees and special relief is scheduled for August 23, 1994, at 1:30 o'clock p.m. in Courtroom 1 or 2 of the Crwaford County Courthouse.

BY THE COURT,
Gordon R. Miller, J

Aug. 1, 1994 Faxed Muth & Thomas

Aug. 23, 1994 Income and Expense Statement of Alan C. Crays, Defendant, filed.

Aug. 23, 1994, Affidavit of Service filed. Bettie J. Peterson-Muth, Esq. being duly sworn according to law, deposes and says that she is the attorney for the plff, and that she did serve a true and correct copy of Compalint in divorce filed in above matter on Alan C. Crays by amiling a copy of said Complaint on Aug. 26, 1993 by cert. mail Rest. Del, Ret. REc. Req., to his last known address at R. d. #1, Box 230, Venango, Pa. 16335, Alan C. Crays singed the mail rec. on Sept. 2, 1993. The signed receipt is attached hereto and marked as Ex "A". Bettie j. Peterson-Muth.

Aug. 30, 1994 Memorandum and Order filed. ORDER. AND NOW, August 29, 1994, it is ordered as follows:

1. The defendant shall pay the sum of $200 per month as alimony pendente lite to the plaintiff for four (4) months to-wit: September, October, November and December 1994. The first payment shall be made on or before September 20, 1994 and each subsequent payment shall be made on or before the 20th day of each subsequent month.
2. The defendant shall pay $250.00 per month for three (3) months to apply on the plaintiff's attorneys fees. He shall pay $250 on or before September 30, 1994 and a similar amount on or before the last day of October and November 1994 so that the total payments under this Order for attorneys fees total $750.00.
3. The plaintiff shall be permitted to enter the marital residence during daylight hours at a time to be agreed upon with the defendant to remove the following items: maple rocking chair, organ, cedar chest, records,photographs, Easter ceramcis, Christmas ceramics, Fostoria cake stand, dishes/cookware, recipe books.
4. The plaintiff's request for expenses is denied. We will consider a similar request upon petition of the plaitiff provided she indicates in more detail the amount of anticipated expenses and identifies what the expenses are for.
5. This Order is without prejudice to a Master or the Court to make further awards for alimony pendente lite and counsel fees if the facts and law justify such awards.

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

Apr. 19, 1995, Defendant's Affidavit Under Section 3301(d) ofthe Divorce Code filed.

Apr. 19, 1995, Answer and Counterclaim and Defendant's Affidavit Under Section 3301(d) of thedivorce Code filed.

***

Dec. 28, 1995 Plaintiff's Counter-Affidavit filed.

***

Dec. 24, 1996 Motion For Appointment of Master in Divorce and Order filed. AND NOW, December 30, 1996, David Pickens, Esquire is hereby appointed Master in respect to the following claims: If not filed already the parties are ordered to file their pre-trial statements within twenty (20) days from this date. The Defendant shall file his Inventory within 20 days.

Per Curiam,
Anthony J. Vardaro, J

1-2-97 Faxed Thomas Ferguson & Pickens

Dec. 24, 1996 Inventory and Appraisement of Phyllis A. Crays filed.

Dec. 24, 1996 Income and Expense Statement of Phyllis A. Crays filed.

Jan. 17, 1997 Notice of Scheduled Pre-Hearing Conference filed.

Feb 26, 1997 Plaintiff's Pre-Trial Statemetn Pursuant to Pa.R.C.P. 1920.33(b), filed.

Mar 7, 1997 Summary of Pre-Hearing Conference and Scheduling Order, filed.

Mar 7, 1997 Notice of Scheduled Master's Hearing, filed.

Apr 24, 1997 ORDER: AND NOW, this 24th day of April, 1997, upon presentation and consideration of the within Motion, this hearing is continued for at least thirty (30) days and the Master will reschedule the hearing at the earliest possible time after thirty (30) days.

David W. Pickens, Master

Apr 25, 1997 Faxed Muth, Thomas & Ferguson

April 29, 1997 Income and Expense Statement of plaintiff filed.

May 2, 1997, Notice of Re-Scheduled Master's hearing filed.

Jul 1, 1997 Plainitff's Supplemental Pre-trial Statement Pursuant to PA. R.C.P. 1920.33(b), filed.

Continued Pg. 492

Dec. 24, 1996 $250.00 Master's Fee deposited by Plaintiff.

4-23-97 Rec'd from pltf 50% master fee

8-97 Rec'd from pltf master fee 33⅓

8-22-97 Pd et Rep 33⅓

1993

Jorden and White
Harry Faber White II

832.

Barbara Walton

WILLIAM FREND BONECUTTER

vs.

BRENDA L. MORENO

Filed Aug. 25, 1993
@ 2:30 p.m.

Tax & entry paid	$50.50
state paid	5.00
William Pineo, Mediator	177.00
Pro Co Pd 3-22-94 #8180	9.00

Nov. 1, 1993 Recd $150.00 for Plaintiff

2-3-94 Pd Pltf (White) Refund Chk #8072 52.00

3-22-94 Pd Pltf #8179 89.00

COMPLAINT FOR CUSTODY

1 copy (atty)

Aug. 26, 1993 ORDER filed. AND NOW, August 25, 1993, the parties have appeared in open court with counsel ina Protection from Abuse Action brought by the Defendant in this case against the Plaintiff at A.D. 1993 - 800. The parties have reached an

Aug. 26, 1993 ORDER filed. AND NOW,August 25, 1993, the parties have appeared in open court with counsel in a Protection from Abuse Action brought by the Defendant in this case against the Plaintiff at A.D. 1993 - 800. The parties have reached an agreement as to the disposition of the abuse action and a tentative agreement with respect to custody and visitation in this action pending further protection in this action.

Based uponthe agreement of the parties, it is ORDERED as follows:

1. Custody of Jesse Moreno shall remain with the Defendnt (Mother) until further Order of Court in this action.

2. The Plaintiff (Father) shall have the right to visit his child Jesse every Saturday from 9:00 o'clock a.m. until 6:00 o'clock p.m. prevailing local time commencing with Saturday, August 28,1993. The child shall be picked up at the mother's home by the father's mother and returned by the father's mother to the mother's home at the time set forth above. Unless the mother agrees, if the pickup is not made by 9:30 a.m. on a Saturday, the mother can assume that visitation has been canceled and no substituted time shall be granted. If the pickup is not by 9:30 a.m., the mother can assume she can plan her day accordingly, and that she will have the child.

3. Neither party shall remove the child from the jurisdiction of this Court until this matter is completed.

4. The father shall not contact the mother directly while this custody action is pending. He may contact her indirectly in a nonabusive, and nonthreatening manner through attorneys or others, provided the contact is for lawful and legitimate purposes.

5. The parties shall proceed to mediation as quickly as possible in accordance with the Local Rules so that custody and visitation may be decided on a more permanent basis.

This Order is entered based upon agreement of the parties and is not an adjudication on the merits.

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

Aug.26, 1993 Copies Dist.to Sullivan & White.

Oct. 5, 1993, Acceptance of Service filed. And Now, this 29 dayof Sept. 1993, I Barbara J. walton, as counsel for Brenda L. Moreno, dft. do hereby accept service of the Complaint in Custody in above matter, with teh full force and effect of service under the Rules of Civil Procedure for the Com. of Pa. Barbara J. Walton, Esq.

Oct. 17, 1993 AND NOW, to-wit, this 25th day of August, 1993, you, BRENDA L. MORENO, have been sued in Court for custody of the child JESSE WILLIAM MORENO. You are ordered to appear in person at the Crawford Co. Court House, 903 Diamond Park, Mmeadville, PA., before William Pineo, Child Custody mediator on time and date as notified by Child Custody mediator.

If you fail to appear as provided by this Order, an Order for temporary custody may be entered against you.

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

Lawyers Referral Service
PA. Bar Association
P.O. Box 186
Harrisburg, PA 17108
1 (800) 69207375

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

11/10/93 Gordon R. Miller, J.
Nov. 23, 1993 Copy of Order to Attys. Harry White, Barbara Walton, Wm. Pineo.

Feb. 3, 1994 TEMPORARY ORDER, filed. AND NOW, this 2 day of February, 1994, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. Legal and physical custody of the subject minor child, Jesse William Moreno, is awarded to his mother, the defendant.

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

3. The father shall have visitation and temporary physical custody of the subject minor child for the first three full weekends of each month from Friday at 5:00 p.m. through Sunday at 5:00 p.m. The father shall also have visitation and temporary physical custody for two weeks each summer, to be taken during him vacation.

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 10:00 a.m., and the second beginning Christmas Day at 10:00 a.m. and ending December 26 at 7:00 p.m. The mother shall have the first period each year and the father, the second.

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

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

CONTINUED ON PAGE 382A

William Frend Bonecutter
vs.
Brenda L. Moreno

CONTINUED FROM PAGE 382
of Record
A. D. 1993 - 832

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 ormodification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should attemapt at once to arrange for alternative visits or to make alternative arrangements.

6. The parties shall split responsibility for transportation with the party receiving the child in the exercise of his or her rights picking up the child at the home of the other. Any person transporting the child shall make sure that the seat belts or other restraints are used in accordance with the laws of Pennsylvania.

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

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

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

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

11. Either party may request a review of this order two years from date hereof, or upon a substantial change in the living circumstances of either, to make any adjustments.

12. Costs and fees of tis Mediation, which are fixed at $177.00, are divided equally between the parties with a share of each being assessed to him or her as costs in this case.

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

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

By the Court,
Anthony J. Vardaro, J.

Feb. 7, 1994 copy to W. Pineo, H. White, B. Walton, Plf. & Dft.

Feb. 11, 1994 Motion To Set Aside Order For Costs and Order, filed. ORDER: AND NOW, this 11 day of February, 1994, after review of the above motion and attachments, the court finds that BRENDA MORENO is indigent under that law and sets aside that part of the mediation order requiring her to pay one-half the mediation fee. All other provisions of the order of February 2, 1994 shall continue in full force and effect. Crawford County shall pay the Defendant's shae of the costs. The County shall pay the costs previously assigned to Brenda Moreno,

BY THE COURT,
Anthony J. Vardaro, J.

Feb. 17,1994 copy to B. Walton, H. White, W. Pineo

Feb. 16, 1994 Motion For Technical Correction and Order, filed. AND NOW, this 15 day of February, 1994, upon consideration of the foregoing motion, the same is hereby granted and the temporary order entered on February 2, 1994, is amended by changing Paragraphs 12 and 13 to read as follows:

"12. Costs and fees of this mediation, which are fixed at $177.00, are divided equally. The share of the father is assessed to him as costs in this case. The share of the mother shall be paid by Crawford County, the mediator having informed the court that she is indigent.

13. The deposit required for the appointment of the Custody Mediator was made by the father. The deposit shall first be applied against the father's share of costs and the remainder, if any, shall be remitted to him."

By the Court,
Anthony J. Vardaro, J.

Feb. 18, 1994 copy to W. Pineo, H. White, B. Walton

Aug. 31, 1994 Petition to Stay Custody Order and ORDER filed. AND NOW, this 31 day of August, 1994, upon presentation of the Petiton to Stay the Custody Order, it is hereby Ordered that said petition is denied.

By the Court:
Anthony J. Vardaro, J.

8-31-94 FAXED Attys. Watson, White, & Pineo

Dec. 4, 1995 Stipulation for Modification of Custody Order and ORDER filed. AND NOW, this 4 day of December, 1995, it is hereby Ordered, asjudged, and Decreed that the provisions of the attached Stipulation are incorporated into the Order of Court dated February 2, 1994 and shall continue until any future modification of that Order. All other provisions of the Order dated February 2, 1994 shall remain in full force and effect. By the Court:
Anthony J. Vardaro, J.

12-4-95 Sent Walton.

May 5, 1999 Petition to Modify Custody

May 14, 1999 Certificate of completion of the Seminar for Separating Parents for Brenda Moreno, filed.

July 15, 1999 STIPULATION AND CONSENT AND CONSENT CUTODY ORDER filed. AND NOW, this 15 day of July, 1999, 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 custody of the minor child Jesse William Moreno, born March 11, 1993, 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 that each parent shall be entitled to take part fully in important decisions affecting the child such as education, medical treatment and religious instruction of the subject child.

2. Primary physical custody of the minor child Jesse William Moreno shall be with the Plaintiff Father, by agreement of the parties, subject to the mother's periods of temporary custody, which shall be set forth as: (See papers filed). Plaintiff shall attend the seminar for Separating Parents within 30 days. (SEE PAPERS FILED).

By the Court:
Gordon R. Miller, J.

July 16, 1999 FAXED Attys. Walton; and 7/22/99 FAXED White.

382
-6-

1993

1993

Robert J. Felton

833.

Shafer, Swick, Bailey Irwin & Stack
Robert S. Bailey
John Rugala Chevrolet Buick, Olds, Pontiac, Inc

Culbertson,Weiss, Schetroma & Schug
John B. Brautigam

Shafer,Swick,Bailey, Irwin, Stack & Millin
Jeff Millinofor
Nationwide Life Ins.Co.

ALBERT W. ROSENBERG, ADMINISTRATOR OF THE ESTATE OF PATRICIA A. ROSENBERG, DECEASED

vs.

JOHN RUGALA CHEVROLET BUICK-OLDS - PONTIAC,-INC., AND NATIONWIDE LIFE INSURANCE COMPANY

Filed Aug. 25, 1993
@ 2:30 p.m.

Tax & entry paid	$50.50
state paid	5.00
Pro Pd 11/9/95	6.00

COMPLAINT

2 copies (atty)

Oct. 20, 1993 Appearance of Shafer, Swick, Bailey, Irwin, and Stack by Robert S. Bailey for Defendant, John Rugala Chevrolet - Buick, Olds - Pontiac, Inc filed.

Dec. 2, 1993 Appearance of Culbertson, Weiss, Schetroma and Schug by John B.Brautigam, Esquire for John Rugala Chevrolet Buick-Olds-Pontiac, Inc. one of the Defendants, filed.

Dec. 29, 1993 Answer and New Matter filed.

Feb. 7, 1994, Complaint Reinstated.

Mar. 10, 1994 Affidavit of Service filed. I, Robert J. Felton Esquire, Attorney at Law, 116A West spring Street, Titusville, pennsylvania, do hereby certify that I, in my capacity as attorney for the plaintiff, ALBERT W. ROSENBERG, in the above-catpioned matter, served a true and correct copy of the Complaint, filed in the within action, upon the defendant, NATIONWIDE LIFE INSURANCE COMPANY, by sending the same to it by certified mail, return receipt requested. This mailing was posted at the Titusville Post Office on February 22, 1994, and duly received and receipted for by the defendant on February 25, 1994, as witnessed by the posting for certified mail no. P 380 584 974. and return receipt, bearing the same number, which are attached hereto.

Robert J. Felton

Jul. 24, 1995 Appearance of Shafer, Swick, Bailey, Irwin, Stack & Millin by Jeffrey Millin, Esquire, for Nationwide Life Insurance Company, Defendant, filed.

Jul. 24, 1995 Answer and New Matter, filed.

Nov. 6, 1995, Upon praecipe of plaintiff attorney, the above captioned case is hereby marked settled of record.

1993

Harry Faber White II
Jorden and White

834.
Shafer,Swick,Bailey,
Irwin & Stack
James R. Irwin

RAYMOND A. MILLER

vs.

TERESA A. MILLER

Filed Aug. 25, 1993
@ 2:30 p.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro Co pd 8-31-95	9.00

COMPLAINT IN DIVORCE

1 copy (atty)

Sep. 10, 1993 Affidavit of Service filed. HARRY FABER WHITE, II, attorney for Plaintiff in the above captioned matter, being duly sworn according to law, deposes and says that he served the Notice to Plead and Complaint under Section 3301 (c) of the Divorce Code under the Defendant, Teresa A. Miller, by certified mail, return receipt requsted, on September 1, 1993, at the Defendnat's address, R.D.#1, P.O.Box 742, Cochranton,PA 16314. The Defendant's acceptance of the same is attached hereto.
Sept. 9, 1993 Harry FAber White, II, Esquire

Dec. 1, 1993 Appearance of Shafer, Swick, Bailey, Irwin & Stack by James R. Irwin, Esquire for Teresa A, Miller, Defendant, filed.

Aug. 25, 1995, Affidavit of Consent of plaintiff filed.

Aug. 25, 1995 Affidavit of Consent by Teresa A. Miller, Defendant, filed.

Aug. 28, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Sept. 5, 1995 AND NOW, September 1, 1995, it is ordered and decreed that RAYMOND A. MILLER, plaintiff, and TERESA A. MILLER, 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.

1993

Peters, Lindsay, Lewis
and Gagliotti
Brian J. Lindsay

835.

$150.00 Mediation
deposit pd. 8/25/93

JOSEPH ALLEN HANLEY

vs.

THERESA LYNN HANLEY

Filed Aug.25,1993
at 3:24 PM

Tax & entry paid	$50.50
One Count pd.	15.00
State pd.	10.00
State pd.	15.00

John Fuller, Mediator

COMPLAINT IN DIVORCE , CUSTODY/VISITATION

3 copys atty.

Aug 31, 1993 AFFIDAVIT OF SERVICE, filed. I, Brian J. Lindsay Esquire, after being duly sworn according to law, do hereby certify that I am the attorney of record for the above named Plaintiff, and that as such I am authorized to make this verification; that I did on the 26th day of August, 1993, send to the above named Defendant, by Certified Mail, Return Receipt Requested, a true and correct copy fo the Divorce Complaint filed at the above term and number; and tha tI did on the 30th day of August, 1993, receive a duly executed retrun receipt dated August 30, 1993.

Sept. 7, 1993 Motion for Appointment of Custody Mediator and Order filed. ORDER: AND NOW, this September 7, 1993, John Fuller, is hereby appointed Custody Mediator in the above entitled action. Anthony J. Vardaro, J.

Dec! 15, 1993, Affidavit of Consent of plaintiff filed.

Mar. 12, 1998 Important Notice and Court Order filed.
Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 12/15/93 . 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,
D : 3 Anthony J. Vardaro, J
Mar. 12, 1998 copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.

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

(See original filed at A.D. 1997 - 702)

1993

Kathy Karne

836.

Brian Lindsay

PAMELA A. WALKER

vs.

RANDALL B. WALKER

Filed Aug. 26, 1993
@ 10:40 a.m.

Tax & entry	Pd 1-4-94	$50.50
state	Pd 1-4-94	5.00
Sheriff's Costs		25.00
Pro Co.	Pd 1-4-94	9.00

10-7-93 Rec from Deft 1/2 Costs 44.75 (Envelope)
1-3-94 Rec from Plff 1/2 Costs 44.75
Pd 1-4-94 Sheriff Ck # 8006 25.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy (plff)
3 copies (sheriff)

ORDER:

And now, this 26 day of August , 1993, upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

2. Special Conditions:
Defendant shall move out. Sole possession of the residence is awarded to plaintiff. Defendant shall not go to plaintiffs residence or place of work.

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

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

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

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

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

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

Hearing is hereby set for Aug. 31 1993 , at m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,

Gordon R. Miller, J.

Aug. 27, 1993 SHERIFF'S RETURN filed. SERVED Randall B. Walker prsonally on August 26, 1993 at 11:56 AM by handing him a copy of the Protection from abuse at his residence, RD 5, Parkview Drive, Meadville, Crawford County, Pa.
So answers, Scott D. Young, Deputy Sheriff
Dale A. Collins, Chief Deputy
Robert M. Stevens, Sheriff

Aug. 31, 1993 Motion to Continue and Order, filed. ORDER: AND NOW August 31, 1993, the hearing set for August 31, 1993 at 3:30 p.m. is continued to the 7th day of September, 1993, at 3:45 o'clock p.m., all terms and conditions of the prior temporary order entered in this case shall remain in full force and effect. BY THE COURT:
Anthony J. Vardaro, J.

Aug. 31, 1993 copies dist by Court.

Sept. 14, 1993 ORDER, filed. AND NOW, September 7, 1993, the matter is before the Court with both parties represented by counsel. The matter is amicably resolved as follows:

1. Without admitting the commission of the acts alleged in the petition, the Defendant agrees and the Plaintiff agrees as follows: The Defendant shall not assault, threaten or harass the Plaintiff or procur others to do so on his behalf for aperiod of nine months.

2. Conditions relating to the order will be applicable to the seventeen year-old child. The Defendant shall not go to the marital residence or enter the marital residence for anyprupose except the parties mutually agree on Sunday, September 12, 1993, he may go to the marital residence between the hours of one and five p.m. to remove his personal effects. The residence referred to is the residence at RD 5 Parkview Drive in Vernon Township.

3. The Plaintiff wife agrees she will provide copies of all important papers such as tax returns, insurance bills, etcetera at the request of the Defendant.

4. There is a mortgage on the marital residence and the parties have reached no agreement regarding the responsibility for payment thereof. The parties are scheduled for a support hearing in the Court of Common Pleas October 7, 1993, and they both anticipate an order entered in this proceedings will take into consideration the monthly mortgage payment which totals approximately $870.00.

5. The minor child, Jeffrey, age 17, shall be in the primary custody of the mother with liberal visitation accorded the father by mutual agreement of the parties.

CONTINUED ON PAGE 386A

1993

PAMELA A. WALKER
VS.
RANDALL B. WALKER

CONTINUED FROM PAGE 386
of Record
A. D. 1993 - 836

****

¢. Aoparently there are two vehicles each titled in joint name and the parties mutually agree that each party shall be entitled to use and possess the vehicle now in their possession.

7. There likewise is a street rod automobile apparently titled in the husband's name and currently in his possession which shall remain in the husband's possession but the Court directs he may not dispose of the same without consent of the wife. Any subsequent order entered by any other judge supersedes this sorder.

8. Parties are unable to agree about payment of costs in this case and accordingly the Court directs each party to pay one-half of the costs in the case.

9. Any police officer having reasonable grounds to believe that the abuse portions of this order have been violated by the Defendant may arrest the Defendant and file a citation before the District Justice of the Peace for contempt and request an immediate hearing.

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

Sept. 21, 11993 copy to K. Karne, B. Lindsay, Sept. 14, 1993 mailed copy to PSP & dist to Co. Control

1993

1993

Wayne H. Hundertmark

837.

Baginski & Bashline
James R. Zeis

JOHNNA SNYDER

vs.

LIBERTY MUTUAL INSURANCE COMPANY, A MASSACHUSETTS CORPORATION

Filed Aug. 26, 1993
@ 11:55 a.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	42.00
Pro co pd 7/12/94	5.00

COMPLAINT

1 copy (sheriff)

Oct. 20, 1993 Appearance of Baginski and Bashline by James R. Zeis for Defendant filed.

Oct. 22, 1993 Sheriff's Return and Affidavit of Service filed. SERVED the within Complaint on 9-20-93 at 2:35 p.m. upon Liberty Mutual Ins. at above by handing to Rosemary Arnold Delp a true and correct copy thereof and made known to her the contents therein.
Eugene L.Coon, Sheriff Allegheny County
See Affidavit of Service endorsed hereon by Sheriff of Allegheny County, Pennsylvania, which is part of this return.
So answers:
Robert M. Stevens, Sheriff
Crawford County, PA

Nov. 16, 1993 defendant's Request for Prodcution Of Documents and Materials To Plaintiff filed.

Nov. 16, 1993 Answer and New Matter filed.

Dec. 22, 1993 Reply To New Matter filed.

May 24, 1994 Notice To Take Oral Deposition of Johnna Snyder filed.

July 12, 1994, Upon praecipe of plaintiff attorney, the above captioned case is marked discontinued of record.

1993

Krug and Associates PC
Kimberly McDaniel

838.

FORD CONSUMER FINANCE COMPANY
FORMERLY KNOWN AS MERITOR
CREDIT CORPORATION

vs.

CARLA K. KOLCUN AND
MARK D. PERRINE

Filed Aug. 26, 1993
@ 11:56 a.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's costs	30.00
Pro Co. pd 10-4-93	5.00

COMPLAINT IN REPLEVIN

2 copies (sheriff)

Sept. 7, 1993 Sheriff's Return filed. SERVED Carla K. Kolcun personally on Aug. 31, 1993 at 10:25 AM by handing a copy of the Complaint in Replevin to her in the Sheriff's Office, Third Floor, Crawford Co. Courthouse, Meadville, PA.

SERVED Mark D. Perrine on Aug. 31, 1993 at 10:25 AM by handing a copy of the Complaint in Replevin to Carla K. Kolcun Perrine, his Authorized Agent, in the Sheriff's Office, Third Floor, Crawford Co. Courthouse, Meadville, PA. Signed Acceptance of Service attached.

So answers,

Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

Oct. 4, 1993 Upon praecipe of plaintiff's attorney the action filed in the above-captioned matter is settled and discontinued of record.

1993

Barbara J. Walton

Rowley, Wallace, Keck, Karson & St. John
~~Christopher J. St. John~~ Goldhaber

839.

pro se
Joan Mecon

VICTORIA L. GALLO

vs.

JOHN S. GALLO, SR.

Filed Aug. 26, 1993
@ 12:42 p.m.

Tax & entry paid	$50.50
lcount paid	15.00
state paid	10.00
state paid	10.00
Pro Co	9.00
William Pineo, Mediator	227.00
Pro Co Pd #8180 3-22-94	9.00
Pro Co Pd 10-10-94	9.00

12-3-93 Received from Pltf Med. Dep $150.00

3-17-94 Pd pltf 3rd Mediation Ck#8173 27.50

3-22-94 Pd Co #8179 113.50

8-2-94 Rec from Pltf Med Fee Dep $150.00

10-10-94 Pd Comm Ck#8601 88.50

COMPLAINT IN DIVORCE, ALIMONY PENDENTE LITE, COUNSEL FEES, AND EXPENSES

L COPY (atty)

Sept. 13,1993 GENERAL APPEARANCE AND ACCEPTANCE OF SERVICE, filed. Enter my general appearance in the above-captioned divorce action. I hereby accept service of and acknowledge receipt of a certified copy of the original Complaint filed in the above avtion. John s. Gallo, Sr.

Dec. 8, 1993 Motion For Appointment Of A Custody Mediator and Order filed. AND NOW, on this 7 day of December, 1993, upon consideration of the foregoing Motion for Appointment of a Custody Mediator, IT IS HEREBY ORDERED AND DECREED that William Pineo, Esq. is appointed as the custody mediator in this matter and is directed to hold a conference with the parties as soon as possible In the meantime, the defendant is hereby directed to allow the plaintiff to have reasonable telephone conversations with the minor child and temporary csutody from Friday 6 pm until Sunday 6 pm every other weekend beginning December 17, 1993. Mother shall pick up the child at father homs and father shall pick up child at mother's home after visit. Anthony J. Vardaro, J

Dec. 8, 1993 Copies distributed to Attys. Christ St. John, Wm. Pineo, copy mailed to defendant.

Mar. 16, 1994 TEMPORARY ORDER, filed. AND NOW, this 15th day of March, 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, John s. Gallo,Jr.

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. The parties shall provide each other with their proper home addresses and telephone numbers and shall promptly inform each other of any changes. 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 child shall reside with his father from August 15 of each year through June 15 of the following year, and with his mother from June 15 of each year through the following August 15. The parent not having physical custody and visitation for the first three full weekends of each month from Friday at 8:00 p.m. through Sunday at 6:00 p.m.

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

4. Holiday visitation shall be arranged as follows:

a. Christmas: In even numbered years, the mother shall have temporary physical custody and visitation from 8:00 p.m. of December 23 through 6:00 p.m. of New Year's Day. In odd numbered years, the mother shall have temporary physical custody and visitation from 8:00 p.m. of December 26 through 6:00 p.m. of New Year's Day.

b. Thanksgiving: In odd numbered years, the mother shall have temporary physical custody and visitation from 8:00 p.m. of the Wednesday precedign Thanksgiving through 6:00 p.m. of the Sunday following Thanksgiving. In even numbered years, the subject minor child shall spend Thanksgiving and the Thanksgiving week end with his father.

c. Easter: The mother shall have visitation and temporary physical custody during the child's Easter or Spring vacation from school from 8:00 p.m. of the day school closes until 6:00 p.m. of the evening precedign the reopening of school.

d. In odd numbered years, the mother shall have visitation and temporary physical custody for Memorial Day weekend from Friday at 8:00 p.m. through Monday at 6:00 p.m., and in even numbered years, on Labor Day weekend from Friday at 8:00 p.m. through Monday at 6:00 p.m.

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

5. Should it be necessary for either party to cancel or modify the visitations as set out in this order or as previously arranged, the party seekign 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 wtihs the party receiving the child in the exercise of his or her rights picking up the child at the home of the other. Any person transporting the child shall make sure that the seat belts or other restraints are used in accordance with the laws of Pennsylvanian.

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

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

9. Neither party shall expose the subject minor child to the company of persons of the opposite sex to whom he is not related by blood or marriage between the hours of 9:00 p.m. and 8:00 a.m. Neither party shall expose the child to any display of romantic affection involving persons of the opposite sex to whom he is not related by blood or marriage at any time.

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

CONTINUED ON PAGE 457

1993

Begler, Kowall & Ombres
Edward J. Feinstein

840.

Cipriani & Werner
Gerard J.Cipriani

ORRIE LONG AND GEORGIA LONG

vs.

INSURANCE COMPANY OF THE STATE OF PENNSYLVANIA

Filed Aug. 26, 1993
@ 1:39 p.m.

Tax & entry paid $50.50
state paid 5.00
Pro Co pd 3-28-95 6.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Oct. 8, 1993 Praecipe for Rule to File Complaint ussued. (Issued Atty.)

Oct. 8, 1993 Appearance of Cipriani & Werner by Gerard J. Cipriani, Esquire for Insurance Company of the State of Pennsylvania, Defendant, filed.

Mar. 23, 1995 Upon praecipe of Plaintiff's attorney the above identified matter is settled, satisfied and discontinue of record. 3-28-95 Certificate sent.

1993

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

841.

Michael C. Colville
Counsel for Defendant
United States of Am.

JAMES W. MARTIN AND PHYLLIS H. MARTIN, HUSBAND AND WIFE

vs.

RICHARD E. CHANEY AND MAXINE CHANEY, HUSBAND AND WIFE, UNITED STATES OF AMERICA

Filed Aug. 26, 1993
@ 3:14 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	39.00
Pmt Co Pd 10-19-93	9.00

COMPLAINT IN ACTION OF MORTGAGE FORECLOSURE

3 copies (sheriff)

Oct. 5, 1993 CONSENT JUDGMENT, filed. AND NOW, to wit, this 4th of Octobr, 1993, it appearing that counsel for plaintiff and counsel for defendant, United States of America, have consented to the entry of the wthin Order on behalf of their respective clients, it is hereby ORDERED, ADJUDGED and DECREED that a judgment be entered in favor of the plaintiff and agaisnt the United States of America for foreclosure of the mortgage of plaintiff in the within cause and for sale fo the mortgaged property of defendant(s) Richard E. Chaney and Maxine Chaney.

It is further ORDERED, ADUUDGED and DECREED that defendant, Unites States of America, shall be notified by plaintiff of the date, time and place scheduled for any sheriff's sale of the real property of the aforesaid defendant(s); that the United States of America shall be entitled to payment from the proceeds of the sheriff's sale tothe extent its proper priority would entitle it to the same; and that the Untied States of America shall be entitled to redeem the aforesaid property within 120 days from the date of sale, as provided by 28 U.S.C. Section 2410.

Nothing contained in the within Order shall, in any way, be consrued as entry of a monetary judgment against the United States of America, but rather said judgment is limited to the foreclosure and sale of the real estate of the aforesaid defendant(s in the withinproceeding.

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

U - 183
Oct. 11, 1993 copy to G. Thompson & M. Colville

Oct 6, 1993 SHERIFF'S RETURN, filed. SERVED Richard E. Chaney personally on September 2, 1993 at 10:51 AM by handing him a copy of the Complaint in Mortgage Foreclosure at his residence, Rd 3, Box 83, Conneaut Lake, Crawford County, Pa.

SERVED Maxine Chaney on September 2, 1993 at 10:52 AM by handing a copy of the Complaint in Mortgage Foreclosure to Richard Chaney,Husband, at their residence, RD 3, Box 83, Conneaut Lake, Crawford County, Pa.

SERVED The United States of America by deputizing the Sheriff of Allegheny County, Pa, as per his Affidavit of Service attached. Served on September 9, 1993.

So answers,

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

Oct. 14, 1993, 3:33 P.M., AND NOW upon Praecipe of Plaintiff Attorney, with copy of Notice of Intention to file default judgment attached, judgment is hereby entered in favor of Plaintiff and against Defendant for failure to file an answer and damages are assessed as follows:

Principal and accrued and unpaid interest at 10% per annum	$92,173.34
Property taxes for 1990,1991 and 1992	$ 4,942.52
Attorney's Commission (5%)	$ 4,855.79
Interest from 8-1-93 to 10-13-93 at $27.93 per day	$ 2,066.82
TOTAL:	$104,038.47

Debt $104,038.47
Judgment
Barbara H. King, Pro.

C-142,113
Judgment entered - 10-14-93
10-22-93 Notice of entry mailed to Defendants.

EX 1993-101

392

1993

Pepicelli, Youngs
and Youngs PC
Andrew S. Bacallao

841.A

KENNETH C. FUHRMAN

vs.

RHONDA J. FUHRMAN

Filed Aug. 27, 1993
@ 9:42 a.m.

Tax & entry paid	$50.50
1 count paid	15.00
state paid	10.00
state paid	10.00

COMPLAINT IN DIVORCE - EQUITABLE DISTRIBUTION

3 copies (atty)

Jan. 19, 1996 Complaint Reinstated.

Oct 23, 1997 Complaint reinstated.

Jan. 15, 1998 Complaint reinstated.

Feb 13, 1998 Affidavit of Service: Before me the subscriber personally appeared Rhonda J. Fuhrman who being duly sworn, according to law, doth depose and say I received from Car Corner Complaint in Divorce (Kenneth C.Fuhrman vs. Rhonda J. Fuhrman) on February 6, 1998.

1993

Emil M. Spadafore Jr.

842.

HART'S MACHINERY

vs.

WAGNERCREST FARMS

Filed Aug. 27, 1993
@ 11:55 a.m.

Tax & entry paid	$50.25
state paid	5.00
Pro Co pd 10-15-93	9.00

JURY TRIAL DEMANDED

APPEAL OF PLAINTIFF FROM JUDGMENT OF
MAGISTERIAL DISTRICT 30-3-04

Aug. 31, 1993 Proof of Service of Notice of Appeal and Rule to File Complaint, filed.

Oct. 13, 1993 Complaint filed.(2 copies Atty.)

Oct. 15, 1993 Affidavit of Service filed. I, Anne G. Mathews, being duly sworn according to law, deposes and says that she is the Paralegal to Emil M.Spadafore,Jr., Esquire, Attorney for the Plaintiff in this action and certifies that on October 14, 1993 she delivered to the Post Office in Meadville, PA for delivery to Bernard Wagner at R.D.#6, Meadville, PA 16335 and David Wagner at R.D.#6, Meadville, PA 16335 , by first-class U.S. Mail, a true and correct copy of the Complaint in this matter.
Oct. 14, 1993 Anne G. Mathews

Oct. 15, 1993, 11:40 A.M., And Now, upon Praecipe of defendant, judgment of NON PROS is hereby entered against the named Plaintiff for failure to file a Complaint within twenty days after being ruled so to do.

JUDGMENT OF NON PROS
Barbara H. King, Pro.
Prothonotary

H-184

Nov. 1, 1993 Answers and Counterclaim, filed.

Nov. 22, 1993, Preliminary Objections filed by Plaintiff filed.

Dec.6, 1993 Certificate of Service filed. I certify that a true and correct copy of the Preliminary Objections were served upon the following Defendants by United States first-class mail,postage prepaid on November 24, 1993.

Bernard Wagner	Patricia J.Wagner	David Wagner
201 Lighthouse Cove	R.D.#6	R.D.#6
Conneaut Lake, PA 16316	Meadville, PA 16335	Meadville, PA 16335

392
B

1993

1993

Emil M. Spadafore Jr.

843.

HART'S MACHINERY

vs.

WAGNER CREST FARMS

Filed Aug. 27, 1993
@ 11:55 a.m.

Tax & entry paid $50.25
state paid 5.00
Pro Co.pd 10/15/93 9.00

JURY TRIAL DEMANDED+

APPEAL OF PLAINTIFF FROM JUDGMENT OF
MAGISTERIAL DISTRICT 30-3-04

Aug. 31, 1993 Proof of Service of Notice of Appeal and Rule to File Complaint, filed.

Oct. 13, 1993 Complaint filed. (2 copies Atty.)

Oct. 15, 1993 Affidavit of Service filed. I,Anne G. Mathews, being duly sworn according to law, deposes and says that she is the Paralegal to Emil M.Spadafore, Jr., Esquire,Attorney for the Plaintiff in this action and certifies that on October 14, 1993 she delivered to the Post Office in Meadville, PA for delivery to Bernard Wagner at R.D.#6, Meadville, PA 16335 and David Wagner at R.D.#6, Meadville,PA 16335, by first-class U.S. mail, a true and correct copy of theComplaint in this matter.
Oct. 14, 1993 Anne G. Mathews

Oct. 15, 1993, 11:40 a.m. And Now, upon Praecipe of defendant, judgment of NON PROS is hereby entered against the named Plaintiff for failure to file a Complaint within twenty days after being ruled so to do.

JUDGMENT OF NON PROS
Barbara H. King, Pro.
Prothonotary

H-184

Nov. 1, 1993 Answers and Counterclaims filed.

Nov. 22, 1993, Plaintiff's Preliminary Objections to Defendant's Counterclaim filed.

Dec. 6, 1993 Certificate of Service filed. I certify that a true and correct copy of the Preliminary Objections were served upon the following Defendants by United States First-class mail, postage prepaid on November 24, 1993.

Bernard Wagner 201 Lighthouse Cove Conneaut Lake, PA 16316	Patricia J. Wagner R.D.#6 Meadville, PA 16335	David Wanger R.D.#6 Meadville, PA 16335

1993

Sampson, Cardas and Kimes
Stephen L. Kimes

844.

MERCER COUNTY STATE BANK,
A PENNSYLVANIA CORPORATION

vs.

H. RUSSELL HUDSON AND
ROBERTA J. HUDSON
HUSBAND AND WIFE

Filed Aug. 27, 1993
@ 1:02 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	35.00

COMPLAINT IN MORTGAGE FORECLOSURE

2 copies (atty)

Sept. 9, 1993 Sheriff's Return filed. SERVED H. Russell Hudson on August 30, 1993 at 3:45 PM by handing a copy of the Complaint to Robert J. Hudson, his wife, at their residence, R.D.#3, Cochranton, Crawford County, PA.

SERVED Roberta J. HUdson personally on August 30, 1993 at 3:46 PM by handing a copy of the Complaint at the residence, R.D.#3, Cochranton, Crawford County, PA.

So answers,

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

1993

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

845.

BILLIE GRUNDEN

vs.

CHARLES C. McDONALD and LINDA M. McDONALD, HIS WIFE, AND PATRICK L. CANNON

Filed Aug. 27, 1993
@ 1:38 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's costs	44.00
Pro Co. pd 10/13/93	$9.00

COMPLAINT IN MORTGAGE FORECLOSURE

3 copies (sheriff)

Sept. 7, 1993 Sheriff's Return filed. SERVED Charles C. McDonald on Aug. 31, 1993 at 2:46 PM by handing a copy of the Complaint in Mortgage Foreclosure to Linda McDonald, his Wife and Authorized Agent, in the Sheriff's office, Third Floor, Crawford Co. Courthouse, Meadville, Crawford Co., PA. Signed Acceptance of Service attached.

SERVED Linda M. McDonald personally on Aug. 31, 1993 at 2:44 pm by handing a copy of the Complaint in Mortgage Foreclosure to her in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Crawford County, Pa.

SERVED Patrick L. Cannon on Aug. 31, 1993 at 2:45 PM by handing a copy of the Complaint in Mortgage Foreclosure to Linda Mcdonald, his Sister and Authorized Agent, in the Sheriff's Office, Third Floor, Crawford Co. Courthouse, Meadville, Crawford Co., Pa. Signed acceptance of Service attached.

So answers,

Diane Brittain, Deputy Sheriff
Robert M. Stevens, Sheriff

Oct. 13, 1993, 4:11 p.m., AND NOW upon Praecipe of Plaintiff attorney, judgment is hereby entered in favor of Plaintiff and against Defendant's for failure to file an answer and damages are assessed as follows:

Unpaid principal balance	$54,563.89
Past due interest from 8/24/92 through 7/20/93	4,344.35
Attorney's fees 5%	2,945.41
TOTAL	$61,853.65

M-33,103,C-133
Judgment entered
10/13/93

Debt $61,853.65
Judgment
Barbara H. King, Pro.

Oct. 21, 1993 Notice of entry mailed to Defendants.

EXECUTION NO. 1993 - 96

May 1, 1995 This Judgment Satisfied
(see paper filed)

1993

Phillips and Galanter
Stephanie A. Murphy

846.

William Peters

ROBERT SLINGLUFF AND
LELA SLINGLUFF

vs.

DOUG HUNTER

Filed Aug. 27, 1993
@ 2:17 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's costs	25.00
Pro Co pd 10-21-94	15.00

COMPLAINT

1 copy (sheriff)

Sept. 7, 1993 Sheriff's Return filed. SERVED Doug Hunter personally on Aug. 30, 1993 at 3:30 PM by handing a copy of the Complaint to him at his residence, RD # 3, Meadville, Crawford Co., PA.
So answers,

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

Sept. 21, 1993 Answer to Plaintiff's Complaint, filed. Sept. 21, 1993 (2 copies atty)

Oct. 13,1994 Upon praecipe of Plaintiffs attorney to appoint Arbitrators in this case, the following Arbitrators have been appointed. ~~Gary Fabian,~~ Chr. ~~Paul Shafer~~ William Moore
~~Joseph Barnhart~~ Paul Allen
~~William Moore~~ John Swick

Dec. 7, 1994 Arbitrators take Qualifying Oath, filed.

June 1, 1995, Upon praecipe of Paul Shafer, Esq., said attorney is released from serving as chairman of above board of arbitrators.

June 7, 1995 Decision of Arbitrators, filed. And now, the 7th day of Juen, 1995, we the undersigned Arbitrators chosen in this case, after havign been duly sworn and having heard the evidence and allegations of the parties find in favor of the Defendnat and agaisnt the Plaintiff.

William B. Moore, Chr.
Charles C. Swick
Paul E. Allen

June 7, 1995 Faxed Murphy & Peters

1993

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

847.

GERBER FEED SERVICE, INC.

vs.

THOMAS J. SANDERSON a/k/a TOM SANDERSON AND CAROLYN A. SANDERSON, INDIVIDUALLY AND AS PARTNERS t/a POVERTY KNOB JERSEY FARMS, a/k/a POVERTY KNOB FARMS A PARTNERSHIP

COMPLAINT

3 copies (sheriff)

Sep. 9, 1993 Sheriff's Return filed. SERVED Thomas J. Sanderson personally on August 30, 1993 at 10:06 AM by handing him a copy of theComplaint at Poverty Knob Farms, R.D.#2, Box 1026, Conneaut Lake, Crawford County,PA.

SERVED Carolyn A. Sanderson on August 30,.1993 at 10:08 AM by handing a copy of the Complaint to Thomas J. Sanderson, Husband at Poverty Knob Farms, R.D.#2, Box 1026, Conneaut Lake, Crawford County PA.

SERVED Poverty Knob Jersey Farms, a/k/a Poverty Knob Farms on August 30, 1993 at 10:07 AM by handing a copy of theComplaint to Thomas J.SAnderson, Owner, at R.D.#2,Box 1026, Conneaut Lake, Crawford County, PA.

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

Filed Aug. 27, 1993,
@ 2:18 p.m.

Tax & entry paid	$50.50
state paid	5.00
Pro Co Pd 10/4/93	9.00
Sheriff's Costs	39.00
Pro.Co. pd 2/1/94	8.00

And Now, Oct. 4, 1993, at 3:49 p.m. upon praecipe of plaintiff attorney, with cert. of service and copies of default notices attached, Judgment is hereby entered in favor of plaintiff and against the defendants, for want of an answer, in the amount of Seven Thousand Four Hundred eighty Eight and 94/100 Dollars plus int. of 18% per annum from 5/8/93 and costs of suit.
Judgment entered
10/4/93
S- 163 - 33
P - 184

Debt - $7,488.94
Int. of 18% per snnum from 5/8/93
JUDGMENT
Barbara H. King,,
Prothonotary

Oct. 8, 1993, Notices of Default mailed to defendants.

EX 1993-112

Feb. 1, 1994 Upon Praecipe of Jeffrey K. Millin,Esquire, Attorney for Plaintiff, the above captioned case against all the above named defendants and garnishees The First National Bank of Pennsylvania and Mercer County State Bank, are marked satisfied on record.

1993

Culbertson,Weiss,
Schetroma & Schug
David L. Hotchkiss

848.
Dennis Kuftic,

SHIRLEY LUCAS

vs.

BOYD HALL and ELAINE HALL

Filed August 27, 1993
@ 3:06 PM

Tax & entry paid 50.25
User's Fee paid 5.00
Pro Co Pd 2-15-94 Goo ✓

APPEAL OF DEFENDANTS FROM DECISIONS OF
DISTRICT JUSTICE ROBERT J. LEONHART

Aug. 27, 1993 Rule entered upon the Plaintiff to file a complaint filed.

Sept. 1, 1993 Proof of Service of Notice of Appeal and Rule to File Complaint, filed.

Sept. 22, 1993 Complaint filed.
1 copy Plf. atty

Sep. 27, 1993 Plaintiff's Motion to Quash or Dismiss Defendants' Appeal and Preliminary Order: And Now, this 22nd day of September, 1993, upon consideration of the foregoing Motion to Quash or Dismiss Defendants' Appeal, this matter shall be set down for hearing and argument as follows:
Monday,October 4, 1993 at 3:00 p.m. in Courtroom 1 or 2, Crawford County Courthouse, Meadville,PA.

For the Court:
Ann A. Walker, Court Administrator

10-1-93 Copy of Order to Atty. Hotchkiss & Defendant

Oct. 8, 1993 Motion for Continuance and Order, filed. ORDER: AND NOW, to-wit, this 15th day of October, 1993, upon consideration of the foregoing Motion, a continuance is hereby granted and the argument is rescheduled to the 5th day of November, 1993, at 3:30 P.M. o'clock in courtroom 1, 2 or 3.

FOR THE COURT,
Ann A. Walker, Crt. Adm.

Oct. 15, 1993 copy to D. Hotchkiss & D. Kuftic

Oct. 15, 1993 Motion for Leave of Court to File Appeal Pursuant to Pa.R.C.P.D.J.1002 and ORDER filed. AND NOW, to-wit, this 15th day of October, 1993, upon consideration of the foregoing Motion to file appeal from district justice decision, nunc pro tunc, this matter shall be set down for hearing and argument on the 5th day of November, 1993, at 3:30 o'clock p.m. in courtroom 1,2 or 3.

Gordon R. Miller, J.

10-21-93 Copy of Order to Attys.Hotchkiss & Kuftic

Nov. 8, 1993 Motion to Continue and Order filed. And Now, November 8, 1993, upon consideration of the motion of David L. Hotchkiss, Esquire to Continue, this matter is continued generally to allow time to conclude an agreed settlement.

By the Court:
Anthony J. Vardaro, J.

11-12-93 Copy of Order to Attys. Hotchkiss & Kuftic

Feb. 7, 1994 Motion/Stipulation and ORDER filed. And Now, this 7 day of February, 1994, upon consideration of the foregoing Motion and Stipulation, dated January 14, 1993, signed by counsel of record for Plaintiff and Defendants,it is ordered that judgment is ordered in favor of the Plaintiff and against the Defendants in the amount of Six thousand Eighty-one and 50/100 Dollars together with record costs.

Anthony J. Vardaro, J.

H-21;H-202;
Abstract to Atty.Hotchkiss
Entered 2-7-94

Debt $6, 081.50
Judgment
Barbara H. King, Prothonotary

2-9-94 Copy of Order to Attys. Hotchkiss & Kuftic

OCTOBER 25, 2000, PLEASE SEE COMPUTER FOR ENTRY.

1993

849.

NANCY CRAWFORD

vs.

TONY JONES

Filed August 27, 1993
@ 4:21 PM

Tax & entry pd. 9/3/93 50.50
User's Fee pd. 9/3/93 5.00
Sheriff's costs pd. 9/3/93 18.00
Pro. pd. 9/3/93 9.00
Pro Co pd 4-28-94 5.00

9-3-93 Rec from deft Sheriff cost 18.00
9-3-93 Pd Sheriff Ch# 7765 18.00

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

Order:

And now, this 27 day of August , 1993 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The Plaintiff shall have exclusive possession of residence at 1202 Park Ave., Meadville, PA until further order of Court.
3. This Order may be enforced without a warrant any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs. Hearing is hereby set for September 3, 1993 , at 3:30 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Sept. 2, 1993 Sheriff's Return filed. SERVED Tony Jones on Aug. 27, 1993 between 5:00 PM and 5:30 PM at the residence, 1202 Park Ave., Meadville, Crawford Co., PA. The Protection from Abuse paper was served to Tony Jones personally by Meadville City Police officers Shaw and Hoke. So answers,

Robert M. Stevens, Sheriff

Sep.8, 1993 ORDER filed. AND NOW, September 3, 1993, at thetime fixed for hearing in this matter, the Plaintiff and Defendnat both appeared without counsel. The Court advised the parties, primarily the Defendant, as tothe nature of these proceedings and the Defendant understood them. The Defendant is willing to have an abuse order entered against him. The Plaintiff claims that she has been counseled and of her own free will and without coercion or compulsion would like an order prohibiting the Defendant from engaging in abuse, but nonetheless allowing him to continue to live with her inthe same house. Based upon the agreement of the parties, it is ordered as follows:

1. The Defendant shall not assault,abuse, harass or threaten the Plaintiff in any manner.
2. The Defendant shall be permitted to have unlimited contact withthe Plaintiff and may live with the Plaintiff at any residence, including 1202 Park Avenue so long as he does not violate this order and so long as he does not become physically or sexually abusive tothe Plaintiff.
3. The Defendant shall pay record Court Costs in theamcunt of $82.50 forthwith.
4. The Court does not order the Defendant to undergo additional and continued counseling and treatment, but does note of record that the Defendant is currently involved with counseling and treatment and is the basis for which the Plaintiff is willing to have him move back in with her.
5. This order may be enforced without a warrant of arrest by any law enforcement officer having any reasonable grounds to believe ithas been violated.
6. A copy ofthis order shall be delivered bythe Prothonotary tothe Meadville City Police Department and to Crawford County Control.
7. This order shall remain in full force and effect for one year from this date unless modified or terminated by further Order of Court.
8. The Defendnat is reminded that this is an order of Court and a violation of this order may be punishable by a fine of a thousand dollars and a jail sentence of up to six months.
9. This order shall supersede the temporary abuse order entered August 27, 1993.

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

9-8-93 Copies dist. to Co.Control & MCPD. 9-10-93 Copies mailed to Plft & Deft.

Mar. 28, 1994 Notice of Assignement of Hearing Date filed. March 28, 1994:hearing in the above captioned matter has been scheduled for Thursday, March 31, 1994, at 1:30 P.M., in Courtroom No.2.

FOR THE COURT,
Ann A. Walker, Ct. Adm.

3-28-94 Copies dist. by Ct. Adm.

Mar. 29, 1994 Re: Complaint for Indirect Criminal Contempt for Violation of Protection From Abuse Order. Reassignment of Hearing Date filed. March 29, 1994: Hearing in the above captioned matter heretofore set for Thursday, March 31, 1994, at 1:30 P.M., is hereby reset for Thursday, March 31, 1994 at 9:15 A.M., in Courtroom No. 2.

FOR THE COURT,
Ann A. Walker, Ct. Adminsitrator

3-29-94 Copies dist. by Ct. Adm.

Continued on Page 459

850.

THERESA A. BURCHETT

vs.

DANIEL J. LOWROS

Filed August 30, 1993
@ 9:27 AM

9-21-93 Rec from deft Sheriffs Costs 50.00
9-21-93 Pd Sheriff Ch# 7797 50.00

Tax & entry Pd 9-21-93 50.50
User's Fee Pd 9-21-93 5.00
Sheriff's Costs 50.00
Pro Co Pd 9-21-93 9.00

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

ORDER:

And now, this 30 day of August , 1993 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

2. Special Conditions: Defendant shall not contact Plaintiff in any way. Defendant shall not go to Plaintiff's residence or place of work. Defendant shall not visit with the child until further order of court.

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

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

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

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

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

8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the September 7, 1993 , at 9:15 a.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Sept. 2, 19993 Sheriff's Return filed. SERVED DAniel J. Lowros personally on August 31, 1993 at 1:30 PM by handing him a copy of the Protection FromAbuse to him at his place of employment Pro Shop, behind 929 West Spring Street, Titusville,Crawford County,PA.
So answers,
Dale A.Collins, Chief Deputy
Robert M.Stevens,Sheriff

Sept. 10, 1993 ORDER filed. AND NOW, Sept. 7, 1993 this matter is before the Court with the Plaintiff requesting relief under the Protection from Abuse Act. She appears represented by counsel and the Defendant appears withotu counsel and he indicates that he wishes to proceed without counsel.

The Defendant agrees to the entry of an order without admission of the allegations of the petition on his part and accordingly, the following order is entered.

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

2. The Defendant shall not contact the Plaintiff in any way other than for the purpose of exchanging the couple's minor child for visitation or temporary custody periods as will be set forth in thsi order. The Defendant shall not go to the Plaintiff's residence nor to her place of work and if the Defendant is invited to the Plaintiff's residence, he still shall nto go to that residence because it shall be presumed that if he is at that residence, that he is in violation of thsi order even if he is invited. If the parties should wish to see one another with the Defendant going to the Plaintiff's residence, then they shoudl seek a modification fo this order agreeable to both of them.

3. The parties currently have in effect a consent custody agreemetn and stipulation entered at AD 1993 - 271. By agreement of the parties, we will modify that order to the extent that for ech vistiation or period of temporary custody, the exchange of the child both at the beginning of the visit and at the conclusion fo the visit shall occur on the streets of Titusville in proximity to the Titusville Polie Station.

This modification with respect to the consent custody agreemetn and stipulation is only a modification within this roder and either party is free to pursue any modification of that original consent and custody agreemetn and stipulation they deem appropriate at such time as they may deem appropriate.

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

5. A copy of this order shall be delivered to the Titusville Police Department insofar as the Plaintiff's current residence is 127 W. Central Avenue in Titusville; to County Control; and by regular mail to the Defendant at PO Box 141 Pleasantville, PA 16341; as well as to Plaintiff's counsel.

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

7. The Defendant shall pay Court costs of $114.50 on or before the close of business on Sept. 24, 1993 to the Prothonotary.

8. This order shall remain in full force and effect through Sept. 6, 1994.

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

Sept. 10, 1993 Copies of Order distributed to Atty. Wm. Walker, TPD, Co. Control and Dft.

1993

851.

RICHARD LEE THIEME, JR.

vs.

PEGGY SUE KESSELRING

Filed August 30, 1993
@ 10:04 AM

Tax & entry	50.50
User's Fee	5.00
Sheriff's costs	79.85
Pro Co	9.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

Order:

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

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

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

Hearing is hereby set for , at m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised she may retain a lawyer to represent ~~him~~ her at said hearing if she so desires but she is not required to do so.

BY ORDER OF COURT,

And Now, August 30, 1993 Hearing is hereby set for September 7, 1993 at 10:00 a.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Sept. 3, 1993 Sheriff's Return filed. SERVED Peggy Sue Kesselring by deputizing the Sheriff of Erie County, PA. As per phone call from Erie Co. Sheriff's Office, Peggy Sue Kesselring was served personally on Sept. 1, 1993, at 4:24 PM by Union City Police Dept. at 3 Willow St., Union City, Pa.
So answers,

Robert M. Stevens, Sheriff

Sep. 8, 1993 ORDER filed. AND NOW, September 7, 1993, at the time fixed forthe Protection ffom Abuse hearing in this case the Court has been advised by telephone that the defendant cannot get transportation to the hearing. The plaintiff was present. Accordingly this case is continued one time only. The hearing shall be held on Thursday, September 9, 1993 at 1:00 o'clock p.m. inCourtroom No. 1 or 2 of the Crawford County Courthouse. If the plaintiff does not appear the hearing will take place in her absence. An order may be entered against her in her absence.

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

9-8-93 Copies mailed to Thieme & Kesselring. Court notified parties by phone.

Sept. 10, 1993 ORDER, filed. AND NOW, September 9, 1993, after a formal hearing in which both parties appeared but were not represented by counsel, the Court first explained the nature of these proceedings to the Defendant and she indicated that she understood them. After said hearing the Court is satisfied that the Defendant has engaged in physical abuse as defined by the Act by hitting the Plaintiff in the face with a beer glass in Union City several weeks ago. Accordingly, it is ordred as follows:

1. The Defendant shall not assault, abuse harass or threaten the Plaintiff in any manner.
2. The Defendant shall not go to the Plaintiff's place of residence, place of employment, or otherwise attempt to contact him except for lawful, legitimate purposes, in writing. If the Defendant must have dealings with the Plaintiff and cannot conduct these dealings through a third party, such as lawyers, she may contact him in writing provided the writings are not abusive, harassing or threatening. Since the Defendant is prohibited from going to the Plaintiff's place of residence or place of work and may only contact him through writing, the Plaintiff shall not encourage the Defendant to have further contact with hm, even if the Plaintiff does invite the Defendant tohis place or encourage additional contact, the Defendant shall resist because her doing so is prohibited and she may be held in contempt of Court even if he invites her.
3. This order may be enforced without a warrant of arest by any law enforcement officerhaving reasonable grounds to believe it has beenviolate.
4. A copy of this order shall be delivered by the prothonotary to Crawford County Control and to the Pennsylvania State Police at the Corry Barracks.
5. This order shall remain in full force and effect for one year, until September 8, 1993, unless it is modified or terminated by furether order of Court.
6. The Defendant shall pay record Court costs in the amount of $144.35 on an installment basis by paying at least $75.00 to the prothonotary on or before October 8, 1993, and by paying the balance in full on or before November 9, 1993. Those payments shall be paid directly to the prothonotary's office in the Crawford County Courthouse.

CONTINUED ON PAGE 498

1993

Roeder & Rothschild
Tamera Ochs Rothschild

852.

BETH ANN REPASKY

vs.

RICHARD A. REPASKY

Filed August 30, 1993
@ 1:10 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
Pro Co pd	10.00
Pro.Co. pd 12/13/93	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION OF MARITAL PROPERTY
1 copy (atty)

Sept. 9, 1993, Certificate of Service and Affidavit of Return of Service filed. On Aug. 31, 1993, I mailed a cert. copy of the Divorce Complaint by Cert. mail NO. P 236 793 149 Ret. Rec. REq. Rest. Del. postage prepaid to the dft. addressed as follows: Richard A. Repasky, PO Box 276, Pleasantv ille, Pa. 16341 Defendant signed a ret. rec. upon delivery Sept. 2, 1993 The receipts are attached hereto and marked "Exhibit A".

Tamera Ochs Rothsc hild, Esq.

Dec. 13, 1993 Affidavit of Consent by Richard A. Repasky, Defendant, filed.

Dec. 13, 1993 Affidavit of Consent by Beth Anne Repasky, Plaintiff, filed.

Dec: 13, 1993 Upon Praecipe of Tamera Ochs Rothschild,Esquire, Attorney for Plaintiff, to transmit record, case moved to Court.

DIVORCE DECREE FILED

Dec. 23, 1993 AND NOW, this 22nd day of December, 1993, after review and consideration of the pleadings and other documents filed in this case, it is ORDERED, ADJUDGED AND DECREED that:

1. BETH ANNE REPASKY, Plaintiff, and RICHARD A. REPASKY, Defendant, are divorced from the bonds of matrimony pursuant to 23 P.S. Section 3301(c), i.e., breakdown of their marriage.

2. On October 11, 1993, the parties voluntarily entered into a settlement agreement which is attached hereto.

3. The October 11, 1993, agreement is hereby approved, merged and incorporated and made a part of this Decree.

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

BY THE COURT:
Gordon R. Miller, J.

1993

Terrance L. Whitling

853.

BENEFICIAL CONSUMER DISCOUNT COMPANY, d/b/a BENEFICIAL MORTGAGE COMPANY OF PENNSYLVANIA

vs.

STEVEN W. REED and MARCELLA A. REED, his wife

Filed August 30, 1993
@ 1:15 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	50.00
Pro Co Pd 12/16/93	9.00

COMPLAINT IN MORTGAGE FORECLOSURE

Oct 6, 1993 SHERIFF'S RETURN, filed. SERVED Steven W. Reed on September 28, 1993 at 11:03 AM by handing a copy of the Complaint in Mortgage Foreclosure to Marcella A. Reed, his Wife, at their residence, 686 East Spruce Street, Titusville, Crawford County, Pa.

SERVED Marcella A. Reed personally n September 28, 1993 at 11:02 AM by handing her a copy of the Complaint in Mortgage Foreclosure at her residence, 686 East Spruce Street, Titusville, Crawford County, Pa.

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

And Now, Dec. 16, 1993, at 1:53 p.m. upon praecipe of plaintiff attorney, Judgment is hereby entered in favor of plaintiff and against the defendants in the amount of Thirty Three Thousand Nine Hundred Ninety Seven and 25/100 Dollars together with int. at rate of $12.49 per day form Aug. 23, 1993.

Judgment entered
12/16/93
R - 156, 116

Debt - $33,997.25
Int. from Aug. 23, 1993 at 12.49 per day
JUDGMENT
Barbara H. King,
Prothonotary

EXECUTION 1993 - 109

1993

Donald E. Lewis

854.

ANDRE M. VANBRABANT

vs.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Filed August 30, 1993
@ 1:18 PM

Tax & entry paid 50.50
User's Fee paid 5.00

NOTICE OF APPEAL OF LICENSE SUSPENSION

Aug. 30, 1993 Notice of Appeal (License Suspension) and ORDER filed. AND NOW, this 3rd day of September, 1993, upon Motion by the Appellant, a hearing is set on said Appeal for the 2nd day of December, 1993, at 10:00 o'clock A.M. in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville,Pennsylvania.

Further, notice of said Appeal and of this Order of Court are to be given forthwith by Appellant's attorney to the appropriate representatives of the Appellee by forwarding a true and correct copy of same to the Appellee by First Class,U.S. Mail, postage prepaid.

Finally, said Appeal shall act as a supersedeas to Appellee's suspension of Appellant's operating privileges.

BY THE COURT:
Anthony J. Vardaro, J.

Dec. 2, 1993 ORDER OF COURT filed. AND NOW, to-wit: this 2 day of December, 1993, upon agreement of the parties, this matter is remanded to the Department of Transportation in order for the Department to update its records to reflect the fact, which is evidenced by the attached copy of the abstract of the plaintiff's Illinois driving record, that, on September 24, 1993, the plaintiff's privilege to operate a motor vehicle in the state of Illinois, which had been revoked since Oc tober 20, 1977 because of his conviction in the State of Illinois on September 18, 1977 for driving while under the influence of alcohol on July 18, 1977, was restored, such that, as of September 24, 1993, the plaintiff would be entitled to the issuance of a Pennsylvania driver's license, and for the Department to take further appropriate action with regard to the licensing of the plaintiff to drive a motor vehicle in Pennsylvania in light of the restoration of his Illinois operating privilege.

BY THE COURT:
Anthony J. Vardaro, J.

12-7-93 Copy of Order to Atty. Lewis & Atty. Kuhar, Jr.

1993

855.

JAMES A. RHEA

vs.

CAROLYN F. RHEA

Field August 30, 1993
@ 2:01 PM

Tax & entry paid	10.50
User's Fee paid	5.00
Pro Co pd 8/30/93	5.00

CERTIFIED COPY OF DIVORCE DECREE FROM CUYAHOGA COUNTY, OHIO

Aug. 30, 1993 Notice of Election To Retake Maiden name filed.
Carolyn Rhea TO BE KNOWN AS: Carolyn Bufalino

1993

Barbara J. Walton

856.

$150.00 Deposited on 8/30/93 by Plaintiff

9-29-93 Pd pltf 150.00 refund Ch # 7813

MICHAEL MORRISON

vs.

JACQUELINE S. MORRISON

Filed August 30, 1993
@ 2:33 PM

Tax & entry paid 50.50
User's Fee paid 5.00
John Fuller, Mediator

COMPLAINT FOR CUSTODY

Aug. 30, 1993 NOTICE AND ORDER TO APPEAR, filed. YOU, JACQUELINE S. MORRISON, have been sued in Court to obtain custody of EMERY LEE MORRISON III.

YOU ARE ORDERED to appear for a hearing before John Fuller, Child Custody Mediator, at such time and place as he shall designate.

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

BY THE COURT:
Anthony J. Vardaro, J.

9-9-93 (1 copy atty)

Sep. 14, 1993 Affidavit of Service filed. And Now, September 13, 1993, comes Barbara J. Walton, and avers as follows:

1. A true and correct copy of theComplaint for Custody was mailed to the Defendant via Certified Mail, return receipt on September 7, 1993.

2. That the Defendant signed the return card on September 9, 1993 and in accordance with Pa. R.C.P. 412, service of the Complaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No. P 341728990) attached hereto as Exhibit A.

Sep. 28, 1993 Motion for Refund of Mediation Deposit and ORDER filed. AND NOW, September 23, 1993, this Court orders that the Prothonotary's Office refund to Plaintiff's attorney for Plaintiff the amount of $150.00 which is the full amount of Plaintiff's mediation deposit.

BY THE COURT:
Gordon R. Miller, J.

10-5-93 Copy of Order to Atty. Walton.

5-24-02 - See Computers for future entries.

1993

857.

PHILIMENA MCLAURIN

vs.

RAHMAN BURNETT

Filed August 31, 1993
@ 2:02 PM

9-7-93 Rec from dept Sheriff's Costs $43.50

9-7-93 Pd Sheriff Ck # 7766 43.50

Tax & entry Pd 9-7-93 50.50
User's Fee Pd 9-7-93 5.00
Sheriff's Costs Pd 9-7-93 43.50
Pro Co Pd 9-7-93 5.00
Sheriff's costs $43.50

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

Order:

And now, this 31 day of August , 1993 , 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 Plaintiffs residence. Defendant shall not contact Plaintiff in any way. Defendant shall not be within 100 yards of Plaintiffs home.
3. This Order may be enforced without a warrant any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for September 8, 1993 , at 11:15 a. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Sept. 8, 1993 Sheriff's Return filed. SERVED Rahman Burnett by deputizing the Sheriff of Erie Co., PA., as per his phone call. Defendant served on Sept. 2, 1993 at 10:18 AM at 4008 Lewis Ave., Apt. 1, Erie, PA 16501. On Sept. 7, 1993, Plaintiff pulled Protection from Abuse
So answers,

Robert M. Stevens, Sheriff

Sep. 13, 1993 Motion to Vacate Protection from Abuse Order and ORDER filed. AND NOW, this 10 day of September, 1993 upon receipt and review of the plaintiff's motion to vacate and terminate the Protection from Abuse Order of August 31, 1993, said motion is granted and the Protection from Abuse Order is hereby **vacated** and **terminated.**

A true and correct copy of this Order shall be delivered by the Prothonotary to Rahman Burnett and to County Control.

Any provisions of the Protection from Abuse Order of August 31, 1993 assessing court costs shall remain in full force and effect without change or modification and the party or parties against whom costs were assessed shall remain obligated to pay the costs.

BY ORDER OF COURT
Anthony J. Vardaro, J.

9-17-93 Copy of Order to Defendant, County Control and Meadville City Police Dept.

Sept. 21, 1993 Affidavit of Service filed. SERVED the within Petition of Protection from abuse and Court Order on September 2, 1993, at 1018 hrs. upon Rahman Burnett at 4008 Lewis Avenue, Apartment 1, Erie County, Erie Pennsylvania by handing to Rahman Burnett a true and correct copy thereof and made known to him the contents therein.

Robert M. Michel, Sheriff
Geraldine Taylor, Deputy Sheriff

I hereby deputize the Sheriff of Erie County, Pennsylvania to serve the within Protection from abuse according to law.

Robert M. Stevens, Sheriff

1993

Mason & Mason
Joan D. Mason

858.

James Irwin

MICHAEL W. ABBOTT

vs.

SABINE C. ABBOTT

Filed September 1, 1993
@ 12:00 P.M.

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

COMPLAINT IN DIVORCE
3 copies atty.

Oct. 21, 1993 Preliminary Objections to Complaint in Divorce, filed.

Nov. 8, 1993 Praecipe for Placement on Argumetn List, filed.

ON ARGUMENT LIST FOR DECEMBER 1993

Dec. 1, 1993, Affidavit of Service filed. I, Joan Mason Esq. attorney for plff. in the above case, depose and say that I did on Sept. 22, 1993, mail to defendant Sabine C. Abbott, by cert. mail, P 425 665 273 ret. rec.req. deliver to addressee only, a complaint in the above action. Said notice was received by dft. on Sept. 30, 1993 as indicated by ret. rec. card which was returned to office of Plaintiffs atty. and is attahced hereto. Joan d. Mason, atty.

Dec. 21, 1993 Memorandum and Order filed. AND NOW, December 20, 1993, upon consideration of Defendant's preliminary objections this Court will defer ruling on these objections until such time as the parties have collected evidence related to their respective burdens of proof regarding the factual issues the Court msut determine. The Court will reconsider the Defendant's preliminary objections only upon the praecipe of either party to reset argument and hold a hearing if so deisred. BY THE COURT,
Anthony J. Vardaro, J

Dec. 21, 1993 Copies dist. to Irwin & J. Mason

Feb. 22, 1994 Notice Of Service Of Request For Admissions, fild.

Apr. 6, 1994 Praecipe For Replacement On Argument List, filed.

ON ARGUMENT LIST FOR April 1994

May 27, 1994 Request For Admissions Pursuant to Court Order Dated Dec. 20, 1993, filed.

May 27, 1994 Petition to Allow the Filing of Plaintiff's Answers to the Defendant's Request for Admissions, Nunc Pro Tunc and ORDER filed. And Now, May 27, 1994 this petition shall be signed and heard at the argument on related matters which will be held on May 31, 1994.

Gordon R. Miller, J.
May 27, 1993 Order Faxed to Attys. J. Mason and J, Irwin.

June 30, 1994 Order filed. AND NOW, June 29, 1994, the Plaintiff's petition to allow the filing of Plaintiff's answers to the Defendant's request for admissions nunc pro tunc is granted. However, after reviewing those answers, we find that the Plaintiff has acquired a new domicle in the state of Florida based upon his admissions that as of September 1, 1993 he was registered to vote inthe state of Florida; he used a Florida address for voting purposes in the last presidential election; he has had a valid driver's license only in the state of Florida since approximately 1982; as of September 1, 1993 he only owned real property in the state of Florida which he indicated was purchased as a residence for his family; and that the only tie he apparently has to Crawford County, Pennsylvania is that his father's residence is here and his military records indicate Guys Mills,
Pennsylvania as his residence of record with the military.
Accordingly, the Defendant's preliminary objections in the natur of petition to lack of jurisdiction and the petition alleging improper venue are granted and the Plaintiff's complaint is dismissed as not being filed i nthe proper jurisdiction. BY THE COURT,
Anthony J. Vardaro, J

June 30, 1994 Copies dist. to Mason & Irwin

1993

William J. Gregg
~~Kathleen R. Nelson~~ withdrawn
Mary Ann Kirkpatrick

859.

~~Barbara J. Walton~~
withdrawn
Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc
Frank L. Kroto, Jr.

9-8-94 Rec'd from file/ Master fee dep 300.00
9-14-94 Rec'd from Dept Master 500.00
4-28-95 Pd Master #9137 338.75
4-28-95 Pd Kirkpatrick #9138 172.96
4-28-95 Pd Kroto #9139 288.29

HAROLD M. HAYES

vs.

SHARON L. HAYES

Filed September 1, 1993
@ 3:03 PM

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

~~Kathleen R. Nelson, Master~~ VACATED
Karen Johnson, Master
Pro Pd 4/25/95 9.00

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

Oct. 6, 1993 Acceptance of Service filed. AND NOW, this 30th day of September, 1993, comes Sharon L. Hayes,Defendant in the above captioned matter and acknowledges that she received a Complaint in Divorce and Notice to Defend in the above captioned matter on the 7th day of September, 1993.
Sharon L.Hayes

Nov. 16, 1993 Acceptance of Service filed. AND NOW, this 13th day of November, 1993, comes Sharon L. Hayes, Defendant in the above captioned matter and acknowledges that she received a Complaint in Divorce and Notice to Defend in the above captioned matter on the 7th day of September, 1993.
Sharon L. Hayes

Feb. 16, 1994 Appearance of Mary Ann Kirkpatrick for Plaintiff filed.

Feb. 24, 1994 Affidavit of Consent of Defendant, filed.

June 16, 1994 Motion to Withdraw As Counsel and Order, filed. AND NOW, 1this 15 day of June, 1994, this Honorable Court hereby grants the Motion to Withdraw as Counsel in the above captioned action. BY THE COURT,
Anthony J. Vardaro, J.
June 16, 1994 Faxed copy to Kirkpatrick & Nelson

July 14, 1994 Affidavit of Consent of Plaintiff filed.

July 14, 1994 Inventory filed.

July 14, 1994 Praecipe of Withdrawal from Barbara J. Walton, in the above-captioned matter.

July 14, 1994 Appearance of Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc by FRank L. Kroto, Jr. for Defendant filed.

Aug. 2, 1994 Motion For Appointment of Master in Divorce and Order filed. And Now, August 1, 1994, Kathleen Nelson, Esq., is appointed master in respect to the following claims: divorce, and equitable distribution.
Deposit required: By Plaintiff $300; By Defendant $500
If not filed already the parties are ordered to file their pretrial statements within thirty (30) days form this date.
By the Court:
Gordon R. Miller, J

Aug. 4. 1994 Faxed Kirkpatrick, Nelson & Kroto

Aug. 10, 1994 Motion to Vacate Appointment of Master in Divorce and ORDER filed. AND NOW, this 9 day of August, 1994, the Order of August 1, 1994, appointing Kathleen R. Nelson, Esquire as Master in the above referenced action is hereby vacated. Karen Johnson, Esquire, is hereby appointed Master is respect to the claims for divorce and equitable distribution.
Deposits required: by Plaintiff 300; by Defendant $500.00
If not filed already the parties are ordered to file their pre-trial statements within thirty (30) days from this date.
BY THE COURT:
Anthony J. Vardaro, J.
8-10-94 Faxed to Attys. Johnson, Nelson, Kirkpatrick & Kroto

Aug. 11, 1994 Motion to Vacate Appointment of Master and Order filed. And Now, this 11 day of August, 1994, the Order of August 8, 1994 appointing Karen S. Johnson, Esquire, as Master in the above referenced action is hereby vacated. Christopher J. Youngs, Esquire, is hereby appointed Master in respect to the claims of divorce and equitable distribution.
Deposits required: By Plaintiff: $300.00
By Defendant: $500.00
If not filed already the parties are ordered to file their pre-trial statements within thirty (30) days form this date.
By the Court:
Anthony J. Vardaro ,J
Aug. 11, 1994 Faxed Johnson, Youngs, Kirkpatrick & Kroto

Aug. 15, 1994 ORDER filed. AND NOW, August 10, 1994 after receipt and review of the defendant's petition to Join Frank Merle Hayes the Court hereby sets a hearing to receive evidence and consider arguments on said motion since the need and propriety of said joinder is not clear from the motion. At the hearing the parties should be prepared to present evidence and arguments on whether or not joinder of the plaintiff's father is appropriate, whether or not he is truly an indispensable party etc.
Said hearing shall be held on the 9th day of September, 1994 at 3:00 o'clock p.m.in Courtroom No. 1 or 2 of the Crawford County Courthouse.
A true and correct copy of the motion together with a true and correct copy of this order shall be served upon Frank Merle Hayes at least ten (10) days prior to the hearing so that he may attend the hearing in person and/or with counsel and be heard on the motion if he desires to be heard.
BY THE COURT
GordonR. Miller, P.J.
8-22-94 Faxed to Atty. Kirkpatrick, mailed to Att. Kroto

Aug. 22, 1994 Petition for Joinder, filed.

Sep. 12, 1994 Motion to Continue Generally and ORDER filed. And, Now, September 9, 1994, this matter is continued generally to be rescheduled at the request of either party.
By The Court:
Gordon R.Miller,J.
9-12-94 Faxed to Attys Kirkpatrick & Kroto

Continued on page 475

1993

Ferguson & Spataro
John F. Spataro

860.

Watts and Pepicelli
Christopher D. Ferry

MARGARET L. LLOYD

vs.

RICHARD E. LLOYD and ROSE LLOYD, his wife and BETTY JANE LLOYD

Filed September 1, 1993
@ 3:50 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	100.00
ProCo pd 2-13-97	9.00
ProCo pd 1-16-97	30.00
Userfee pd 1-16-97	5.00

JURY TRIAL DEMANDED

WRIT OF SUMMONS
Issued Sheriff

2 Oct.22, 1993 Sheriff's Return filed. SERVED Richard E. Lloyd by deputizing the Sheriff of Allegheny County, PA, as per his Affidavit of SErvice attached. Served on September 24, 1993 at 220 Kennedy Avenue, Marshall, PA 15120.
SERVED Rose Lloyd by deputizing the Sheriff of Allegheny County, PA, as per his aFfidavit of Service attached. Served on September 24, 1993 at 220 Kennedy Avenue, Marshall, PA 15120.
SERVED Betty Jane Lloyd by deputizing the Sheriff of Allegheny County, PA, as per his Affidavit of Service attached. SErved on September 24, 1993 at 4020 Davis Avenue, Marshall, PA 15120
So answers, Robert M. Stevens, Sheriff

3 Nov. 29, 1993, Appearance of Watts and Pepicelli, by Christopher D. Ferry, attorneys for defendants filed.

4 Nov., 29, 1993, Rule Entered upon plaintiff to file complaint issued. (atty)

5 Dec. 1, 1993 Response to Motion for a Protective Order and Say and ORDER filed. AND NOW, this 1st day of December, 1993, upon consideration of the Defendants' Motion for a Protective Order and Stay and upon further review of the Response of the Plaintiff to the Defendants' Motion, the MOtion for a Protective Order and Stay is denied. The depositions scheduled for tomorrow, December 2, 1993 at 10:00 o'clock, a.m. are to be held as scheduled. The Defendants shall produce all of the documents requested in the notice.
By the Court,
Gordon R. Miller, J.
The plaintiff's notice of deposition does not fully comply with Pa. R.C.P. 4007.1 (c) because the notice does not include a brief statement as to the nature of the cause of action. However, the defendants objections are not timely made as required by Pa. R.C.P. 4016. Furthermore it appears that there has been lengthy correspondence over the years between counsel for the parties so that the parties generally know the cause of causes of action which could be raised as a result of the instruments that have been signed and the arrangements that the parties have been involved in. See the various letters attached to the response.
Motion for Protection Order and Stay and ORDER filed.AND NOW, this 1st day of December, 1993 upon consideration of the Motion of Defendants, RICHARD E. LLOYD and ROSE LLOYD, his wife, and BETTY JANE LLOYD, for a Protective Order and Plaintiff's Answer thereto, said motion is denied.
BY THE COURT:
Gordon R. Miller, J.
12-6-93 Copy of Order to Attys. Spataro & Ferry.

6 Mar. 17, 1994 Complaint - Action To Quiet Title and ActionFor Intentional Infliction Of Emotional Distress filed.

7 Jul.15, 1994 Amendment to Complaint, filed.

8 Aug. 3, 1994 Answer with New Matter and Counterclaim of Defendants filed.

9 Oct. 13, 1994 Reply to New Matter and Answer to Counterclaim, filed.

10 Oct, 13,1994 Motion for Summary Judgment,filed.

11 Oct.13, 1994 Upon Praecipe of John F.Spataro, Esquire, the Plaintiff's Motion for Summary Judgment is place placed on the next available Argument List.

ON NOVEMBER, 1994 ARGUMENT LIST

12 Nov. 1, 1994 Demand for Jury Trial, filed.

13 Nov. 23, 1994 Cross Motion for Partial Summary Judgment by Defendants Seeking Judgment on Counterclaim, filed.

14 Mar. 28, 1995 Deposition of Rose M. Lloyd filed.

15 Mar. 28, 1995 Deposition of Richard E. Lloyd filed.

16 Mar. 28, 1995 Deposition of Betty Jane Lloyd filed.

17 Apr. 3, 1995, MEMORANDUM AND ORDER filed. ORDER: AND NOW, Mar. 30, 1995, after consideration of the plaintiff's motion for summary judgment and the defendants' cross motion for partial summaryjudgment, judgment is entered on behalf of the defendants as to Count I of the Complaint. Plaintiff's motion for summary judgment is denied.
BY THE COURT,
Gordon R. Miller, P.J.
4/3/95 copies given to Spataro and Ferry.

18 Apr. 10, 1995 Notice of Intent To Complete Discovery filed.

19 May 24, 1995 Notice of Deposition of James Lloyd, filed.

20 May 24,1995 Notice of Deposition of Margaret L. Lloyd, filed.

21 Jul 27, 1995 Certificate of Readiness, filed.

ON TRIAL LIST FOR October 1995

Continued to Page 485

1993

L. Todd Goodwin

861.

Donald E. Lewis

COMMONWEALTH OF PENNSYLVANIA

vs.

$3,600 U.S. Currency, One Tandy Cellular Telephone and Misc. Financial Records

Tax & entry pd 9-17-93 50.50
User's Fee pd 9-17-93 5.00
sat Pd 1-7-94 5.00

PETITION FOR FORFEITURE

Sep. 8, 1993 Amended Petition for Forfeiture Civil Action - In Rem filed.

Sept. 23, 1993 Answer To Petition For Forfeiture and Condemnation filed.

Oct. 19, 1993 Appearance of Donald E. Lewis, Esquire on behalf of the above matter,filed.

Oct. 29, 1993 ORDER filed. AND NOW, October 26, 1993, this matter is before the Court in the civil action filed by the Commonwealth for a scheduled hearing. The Assistant District Attorney for the Commonwealth and the Defendant's attorney and the Defendant appear and the Commonwealth makes an oral motion to continue this hearing. We will grant that motion with the consent of the Defendant through his counsel with the understanding that the Commwealth is to follow-up with a written motion.

At the time parties are before us, we also discuss the criminal matter which was in the nature of a petition for return of property.

Apparently a hearing was held with respect to that matter before the late Honorable Robert L. Walker but no decision was rendered pending further hearing and argument with respect to the civil matter insofar as Judge Walker believed that the civil action may render the criminal action moot.

This day the parties agree that all testimony has been taken with respect to the criminal motion for return of property and that any decision that may be necessary with respect to that action can be made by the Court based on the existing testimony taken before Judge Walker.

Accordingly, the Court Reporters of Crawford County are ordered and directed to transcribe the testimony taken before Judge Walker apparently on September 2, 1993 with respect to the above criminal matter.

With respect to the civil matter, hearing and argument are set for December 21, 1993, at 1:30 P.M. in Courtroom No. 2, before the undersigned. At that time, we will also hear argument with respect to whether the criminal action is or is not moot so that we may made a decision with respect to both of these matters.

BY THE COURT:
Anthony J. Vardaro, J.

10-29-93 Copies dist. by Court.

Dec. 2, 1993 Transcript filed.

Dec. 21, 1993, UPon praecipe of plaintiff attorney, Dec. 21, 1993, all claims and causes of action which were, or could have been asserted in this actionhaving been settled, adjusted and compromised this action is hereb y discontinued of record. (at Misc. 1993-53, an order dated 12/21/93 entered by Judge Vardaro, granted John O. Moore's Motion for return of the above captioned property.

Jan. 31, 1994 Order Reassigning Case For Disposition filed. AND NOW, January 28, 1994, by virtue of the authority vested in the undersigned judge as President Judge of Crawford County, the above case, which had previously been heard by, or signed to, the Honorable Robert L. Walker is hereby reassigned to theHonorable Anthony J. Vardaro,

BY ORDER OF COURT,
Gordon R. Miller, J

Feb. 2, 1994 Copies of order to Atty's Goodwin, Lewis and Ann Walker

1993

Kiger, Messer & Alpern
Howard F. Messer
Philip A. Fabiano

862.

Quinn,Buseck,Leemhuis, Toohey & Kroto, Inc.
John M.Quinn, Jr.
for Meadville Medical Center and
~~Kathryn J. Kisak~~ W. Andrew
~~J. Douglas Murphy~~
for Dunn & Fine, MDs,PC

Marsh, Spaeder, Baur, Spaeder & Schaaf
Francis J.Klemensie
for Add'l Deft.

GACA, MATIS, Baum
Rizza
by Marian Patchen
Schleppy
for Dunn + Fine

LENORA SCHANNELL and MARTIN SCANNELL, Her husband

vs.

MEADVILLE MEDICAL CENTER and DUNN & FINE, M.D.'s P.C.

JEAN KIRK, Additional Defendant

Filed September 2, 1993
@ 10:59 am

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	49.00
Disc/Cert paid	$9.00

JURY TRIAL DEMANED

WRIT OF SUMMONS
Issued Sheriff

Sept. 13, 1993 SHERIFF'S RETURN, filed. SERVED Meadville Medical Center on Sept. 7, 1993 at 9:00 AM by handing a copy of the Summons to Nancy Blystone, Administrative Assistant, at 751 Liberty St., Meadville, Crawford County, Pa.

SERVED David W. Dunn, M.D. on Sept. 7, 1993 at 9:00 AM by handing a copy of the Summons to Carole Morris, decretary and Adult in Charge at 381 Chestnut Street, Meadville, Crawford County, Pws.

SERVED Edward M. Fine, M.D., on Sept. 7, 1993 at 8:50 AM by handing a copy of the Summons to Carole Morris, Secretary and Adult in Charge at 381 Chestnut St., Meadville, Crawford County, Pa.

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

Sept. 21, 1993 Appearance of Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc. by John M. Quinn, Jr.,Esquire for Meadville Medical Center, defendant, filed.

Sept. 21, 1993 Praecipe for Rule to File Complaint issued.

Dec. 1, 1993, Complaint in Civil Action filed.
(Jury Trial Demanded)

Dec. 16, 1993, Preliminary Objections to Plaintiff's Complaint filed. (of MMC)

Dec. 16, 1993, Upon praecipe of attorneys for Meadville Medical Center, above preliminary objections placed on next argument list.

ON ARGUMENT LIST FOR JANUARY 1994

Jan. 7, 1994 Notice of Service of Interrogatories and Request for Production of Documents.

Jan. 26, 1994 Appearance of J. Douglas Murphy, Esquire for Dunn & Fine, M.D.s, P.C.

Jan. 27, 1994 Upon Praecipe of John M.Quinn, Jr. Esquire, Writ issued to join Additional Defendant, Jean Kirk, in theabove captioned action, filed. (issued Atty.)

feb. 2, 1994 ORDER filed. AND NOW, January 31, 1994, this matter is before the Court for argument with respect to Defendant Meadville Medical Center's preliminary objections to the Plaintiffs' complaint.

At the time set for such argumetn, Plaintiffs' counsel indicates that he recognizes the deficiencies in the complaint and wishes to file an amended complaint and accordingly, the motion for a more specific complaint filed by Defendant Meadville Medical Center is granted and the Plaintiffs are granted leave to file an amended complaint within 20 days of the date of this order.

BY THE COURT:
Anthony J. Vardaro, J.

Feb. 2, 1994 copies dist to Messer, Quinn & Murphy

Feb. 15, 1994, Affidavit of Service of Writ to Join Additional Defendant filed.

Feb. 25, 1994 First Amended Complaint, filed.

Mar. 11, 1994 Appearance of Marsh, Spaeder, Baur, Spaeder & Schaaf by Francis J.Klemensie, Esquire for Additional Defendant, filed.

Mar. 14, 1994 PreliminaryObjections on behalf of Defendant, Dunn & Fine, M.D.s, P.C., filed.

Mar. 14, 1994 Upon Praecipe of J. Douglas Murphy, Esquire and Joel M.Snavely, Esquire, the above captioned matter is placed on the next available Argument List.

1-31-94 MMC Brief filed

3-14-94 Dunn & Fine Brief filed

ON ARPIL, 1994 ARGUMENT LIST

Apr. 4, 1994 Upon praecipe of Kathryn J. Kisak, Esquire the above captioned matter is placed on the next available Argument List.

ON MAY 1994 ARGUMENT LIST

Apr. 4, 1994 Preliminary Objections, filed on behalf of Defendant Meadville Medical Center.

July 21, 1994 Motion to Compel Answers to Interrogatories and Requests for Production of Documents filed.

July 21, 1994 Upon praecipe of Atty. Kisak, Esq. the above captioned matter is placed on the next available Argument list.

1994 AUGUST ARGUMENT LIST

Aug. 17, 1994 MEMORANDUM AND ORDER filed. AND NOW, Aug. 15, 1994, upon consideration of the preliminary objections of Defendants, Dunn & Fine M.D.'s, P.C. and Meadville Medical Center to the first amended complaint, we make the following rulings:

1. The demurrer and motion to strike Count II of Defendant Dunn & Fine, M.D.'s, P.C. is hereby denied.

2. With respect to the preliminary objections of Defendant Funn & Fine M.D.'s P.C., the work "interrupt" in Paragraph 24(a) is deemed to be "interpret" and the preliminary objections of Defendant Dunn & Find M.D.'s, P.C. in the nature of a motion to strike and, in the alternative, motion for more specific pleading is denied with respect to this paragraph and it is instructed to answer the paragraph making this substitution. In the event that this interpretation is not what the Plaintiffs had contemplated, then leave is given to amend this allegation within

Record Continued on Page 412(a)

SCANNELL VS. MMC VS. KIRK ET AL

RECORD CONTINUED FROM PAGE 412

OF

AD 1993 - 862

****

the time set forth for the other amendments.

3. With respect to the other subparagraphs of Paragraph 24, the preliminary objections of Defendant Dunn & Fine, M.D.'s, P.C. in the nature of a motion to strike and, in the alternative, motion for more specific pleading are hereby denied.

4. With respect to the preliminary objections of Defendant Dunn & Fine, M.D.'s, P.C. to Paragraph 25 and Subparagrap (d) and (g) of that paragraph, the motion to strike is granted and Plaintiffs are directed to amend these allegations to provide more specific allegations of damages.

5. The preliminary objections of Meadville Medical Center with respect to Plaintiffs' allegations of damages in Paragraph 18 and its Subparagraphs (d) and (g) are sustained and those allegations are stricken and Plaintiffs are directed to amend their complaint with respect to these allegations.

6. All other preliminary objections of Defendant Meadville Medical Center are hereby denied.

7. Plaintiffs are directed to file their second amended complaint within 20 days from the date of this order.

BY THE COURT:
Anthony J. Vardaro, J.

Aug. 17, 1994 Copies distributed to Attys. Messer, Murphy, Snavely, Quinn, Kisak & Klemensic.

Sept. 1, 1994 Uncontested Motion To Compel Answers To Interrogatories And Requests For Production Of Documents and Order filed. AND NOW, this 31 day of August, 1994, upon consideration of Defendant Meadville Medical Center's Uncontested Motion to Compel Answrs to Interrogatories and Request for Production of Documents, it is hereby ORDERED, ADJUDGED and DECREED that Plaintiffs are to provide responses to Meadville's Interrogatories and Requests for Production of Documents within sixty (60) days farom this Order or suffer appropriate sanctions. Anthony J. Vardaro, J.
Sept. 1, 1994 copies mailed to Kisak & Quinn
Sept. 2, 1994 Faxed Klemensie, Fabiano & Messer

Sep. 7, 1994 Second Amended Complaint in Civil Action and Certificate of Service, filed.

Sep.16, 1994 Plaintiffs' Verifications to Second Amended Complaint, filed.

Oct. 3, 1994 Third Amended Complaint In Civil Action And Certificate of Service, filed.

Nov. 2, 1994 Defendant Meadville Medical Center's Answer and New Matter Pursuant to Rule 2252(D) to Plaintiffs' Third Amended Complaint filed .

Nov.7, 1994 Reply to New Matter Pursuant to Rule 2252 (d), filed.

Nov. 18, 1994 New Matter filed.

Nov. 21, 1994 Answer and New Matter filed.

Dec. 13, 1994 Plaintiffs' Reply To New Matter of Defendant Dunn & Fine, M.D.'s, P.C, filed.

Dec. 14, 1994 Plaintiff's Reply to New Matter of Defendant Meadville Medical Center, filed.

Dec. 28, 1994 Plaintiffs' Verification to Reply to New Matter, filed.

Mar. 3, 1995, Notice of Servcie of Interrrogatories (Second Set) and Second Request for Production of Documents filed. (on behalf of dft. MMC)

Apr. 11, 1995, Motion of Dft. Dunn and Fine, M.D.'s, PC To Compel Discovery filed.

Apr. 11, 1995, Upon praecipe of defendant Dunn & Fine, M.D.'s,PC, above Motion placed on next argument list.
ON ARGUMENT LIST FOR MAY 1995

April 17, 1995, Notice of Service of Request for Production of Documents (2nd Set) filed.

Aug. 14, 1995, Notice of Service of Plaintiffs Response to Request for Production of Documents (2nd Set) of dunn & Fine, M.D.'s, P.C., filed.

Oct. 10, 1995, Notice of Service of Discovery Requests Directed to Defendant, Meadville, Medical Center, filed.

Oct. 10, 1995, Notice of Service of Discovery Reequest directed to Defendants dunn & Fine, M.D.'s, P.C. filed.

Oct. 10, 1995, Notice of Service of Discovery Requests Directed to Defendant Jean Kirk, M.D. filed.

Nov. 14, 1995 Notice of Service of Responses to Plaintiffs' First Request for Production of Documents to Jean Kirk, M. D., filed.

Nov 14,1995 Notice of Service of Answers to Paintiffs' First Set of Interrogatories to Defendnat, Jean Kirk, M.D., filed.

April 17, 1996 Withdrawal of Appearance of Law Offices of J. Douglas Murphy, By Irving O. Murphy, Esq., on behalf of defendant, Dunn & Fine, M.D.s,P.C., filed.

April 17, 1996 Appearance of Gaca Matis & Baum by Eric G. Soller, Esq., on behalf of Dunn & Fine, M.D.s,P.C., defendant, filed.

Apr.19, 1996 Motion to Compel Responses to Discovery Requests Directed to Defendant, Dunn & Fine,M. D.'s, P. C., filed.

April 25, 1996, Motion to Set Pre-Trial Conference filed.

April 25, 1996, ORDER: AND NOW Apr. 24, 1996 the court administrator having been requested to set hearing, the same is hereby set for Fri., June 7, 1996 at 10:30 a.m. in C. R. No. 2 of Craw. County Courthouse.
FOR THE COURT, Ann Walker, Ct. Adm.
4/25/96 Dist. by court.

Continued on Page 412(B)

412
(b)

1993 TERM

862. LENORA SCANNELL and MARTIN SCANNELL, her husband
VS.
MEADVILLE MEDICAL CENTER and DUNN & FINE, M.D.'S, P.S.,
Defendants
VS.
JEAN KIRK, M.D.,
Additional Defendant

CONTINUED FROM PAGE 412(a)

OF RECORD

A. D. 1993 - 862

****

June 11, 1996 ORDER filed. AND NOW, June 7, 1996, after an informal Pretrial Conference with Counsel and by agreement of counsel, it is ordered and directed that discovery in this case will close on December 7, 1996; the Plaintiff will supply any expert reports to all counsel for the Defendants on or before November 15, 1996 and counsel for the Defendants will supply any and all expert reports of all other counsel on or before December 15, 1996.

This order is without prejudice to any party to request an extension of those time deadlines for good cause.

These time deadlines are set in order to place this matter on track for trial the February 1997 term of Civil Court but the Court has noted to the parties that it will stil be necessary for the Local Rule to be complied with in order to place this matter on the Trial List.

We note that this order anticipates that interrogatories which have been served upon Dunn & Fine, M.D.'s, P.C. by the Plaintiff will be answered within the next seven days.

BY THE COURT:
Anthony J. Vardaro, J.

6-12-96 MAILED All Counsel.

June 13, 1996 AMENDED ORDER filed. AND NOW, June 13, 1996, our Order of June 7, 1996 is amended to reflect proper date discovery will close of September 7, 1996 which was the agreed upon date in an informal pretrial conference. The Order entered on June 7, 1996 improperly indicates a date of December 7, 1996.

In all other respects, the Order of June 7, 1996 shall remain in full force and effect.

BY THE COURT,
Anthony J. Vardaro, J.
6-13-96 MAILED All counsel.

Dec. 12,1996, Notice of Deposition of Defendatn Edward Fine, M.D. filed.

Jan. 8, 1997 Notice of Deposition of Defendant Jean Kirk, M.D. filed.

Jan 16, 1997 Joint Motion to Compel Expert Report, filed.

Jan 16, 1997 Praecipe For Argument List, filed.

ON ARGUMENT LIST FOR February 1997

Jan. 23, 1997 Motion To Compel Production of Original X-Rays filed.

Jan. 23, 1997 Upon praecipe of Attorney Fabiano the above captioned matter is placed on the next available argument list.

Jan. 23, 1997 Motion To Extend Discovery Dates and Continue Trial To Next Trial Term filed.

Jan. 23, 1997 Upon praecipe of Attorney Fabiano the above matter is placed on the next available argument list.

Jan. 23, 1997 Plaintiffs' Motion Directed To Defendants Dunn & Fine, M.D.'s P.C. to Compel Complete Answers To Interrogatories Pursuant to Pa. R.C.P. 4019(a) filed.

Jan. 23, 1997 Upon praecipe of Attoeny Fabiano the above matter is placed on the next available argument list.

Feb. 5, 1997 Defendant's Response to Plaintiffs' Motion to Compel Production of Original X-Rays filed.

Feb 24, 1997 Reply to Plaintiffs' Motion to Compel More Complete Answers to Interrogatories, filed.

Feb 24, 1997 Defendant Dunn & Fine, M.D.'S, P.C.'S Reply to Plaintiffs' Motion to Extend Discovery Dates and Continue Trial to Next Trial Term, filed.

Mar 14, 1997 Memorandum and Order: AND NOW, March 13, 1997, upon considerations of the motions filed in this matter, the defendants' Joint Motion to Compel and Expert Report is granted and the plaintiffs shall provide their expert report or reports to all defense counsel within sixty (60) days from the date that report or reports are produced to produce their expert reports to plaintiffs' counsel and other defense counsel. If the plaintiffs have not produced their expert report or reports within that sixty (60) days, they will be precluded from presenting any expert testimony at the time of trial.

The Plaintiffs' Motion to Compel The Production of the Original X-Ray is denied, except that it must be provided in a manner consistent with what we have indicated in the attached memorandum.

The Plaintiffs Motion to Compel Answers to Interrogatories is denied.

The Defendants' Motion to Extend Discovery Dates is granted and the date to complete discovery is extended through sixty (60) days from the dat of this Order.

Finally, we note that this matter has not been listed for trial by any party and our Order is without prejudice to any party to do so in a manner consistent with the local rules of court. Anthony J. Vardaro, J
Mar 14, 1997 Mailed All Counsel

May 5, 1997 Notice of Deposition of Dft. Meadville Medical Center, filed.

July 23, 1997 Certification of Expert Report, filed.

July 30, 1997 Motion For Partial Summary Judgment, filed.

July 30, 1997 Praecipe For Argument List, filed.

ON ARGUMENT LIST FOR September 1997

Aug. 13, 1997 Motion for summary Judgment filed on behalf of Dunn and Fine, M.D.'s, P.C., Defendant.

Aug. 13, 1997 Upon praecipe of defendatns Dunn and Fine, M.D.'s, above Motion placed on next argument list.

Aug. 28, 1997 Response to Motion for Partial Summary Judgment of Defendant Meadville Medical Center, filed.

Continued on Pg. 412(c)

Sept. 4, 1997 ORDER filed. Re: Motion for Summary Judgment on behalf of Dunn &Fine - Motion for Partial Summary Judgment on behalf of Meadville Medical Center -----And Now, this 4 day of Sept. 1997 the Ct. Adm'. having been directed by court to postpone argt. on above motions in view of recent changes to procedural rules, argt. on both of the above motions is hereby continued to next argt. list (Oct 27, 1997) at a specific time to be scheduled by ct. Adm. after close of list. briefs and/or supplemental briefs shall be filed according to local rules.

FOR THE COURT, Ann Walker, Ct. Adm.

ON ARGUMENT LIST FOR OCTOBER 1997

Sept 10, 1997 Reply to Motion for Summary Judgment of Defendants Dunn and Fine, M.D.'S, P.C., filed.

Oct. 23, 1997 Upon praecipe of plaintiff attorneys, Transcripts and Report in Support of Plaintffs' brief in Support of Response for Motion for summary Judgment of Defendants dunn and Fine, M.D.'s, PC, filed.

Jan 7, 1998 Memorandum and Order: AND NOW, Jan 6, 1998, upon consideration of the Motions for Summary Judgment by Meadville Medical Center and Dunn & Fine, M.D.'s, P.C., as well as the oral arguments and briefs in support thereof, we hereby DENY all requested relief.

Anthony J. Vardaro, J.

Jan 7, 1998 Dist. All Counsel

July 1, 1998 SUGGESTION OF BANKRUPTCY OF PLAINTIFFS FILED.

Aug. 23, 1999 Certificate of Readiness filed.

ON 1999 OCTOBER TRIAL LIST.

Sept 28, 1999 Order Re: Scheduling of Pretrial conference filed. And Now, Sept 27, 1999 a Pretrial conference is scheduled in this matter fro Sept 29, 1999 at 10 am in Courtroom no 2 before Jduge Vardaro.

By the Court
Anthony J. Vardaro, J.

9/27/99 Dist by Court

Sept 31, 1999 Pretrial Order filed. And Now, Sept 30, 1999 after a Pretrial conference with all counsel present the court enters the following Order:

1. All discovery is completed and the partis are ready for trial. It is agreed by the parties if as of Sept 30, 1999 Paris v Vrablik al will be going to trial this case will be continued by the court until the Feb 2000 term of Civil Trials at which time this will be the first case to commence on the first day of that trial term before the undersigned. If it does turn out that this case will be tried during the October 1999 civil trial term, the parties shall be prepared to select a jury as early as the morning of October 11, 1999. It is anticipated that this case will take approximately 7 trial days to try.

There appears that there are certain depositions of physicians that will need to be taken for use at trial and all of that will be done as far before trial as possible and in the event it is necessary for the court to rule on objections the necessary transcripts will be provided to the court as soon as possible after the depositions.

2. Description of Case. This is a medical negligence case in which the plaintiffs allege that the wife plaintiff sought care at the defendant Medaivlle Medical Center on July 21, 1991 after injuring her wrist in an automatic book binding machine while at work.

It is alleged that she was treated by Dr. Fine on behalf of the defendant corporation Dunn and Fine and as th ostensible agent for the Meadville Medical Center. It is further alleged thatshe had at that time a navicular fracture that was not diagnosed and that the failure to do so caused her to have persistent pain and weakness in her wrist even after surgery occured sometime later.

The additional defendant Jean kirk, M.D. was joined by the Meadville Medical Center after the applicable statute of limitation and may only be liable therefore to indemnify the Meadville Medical Center.

The plaintiff also proceeds against the Meadville Medical Center on a corporate liability theory essentially based o the fat that doctors were practicing at the hospital who were not allegedly qualified

3. Legal Issues. The parties agree that there does not appear to be any legal issues for the court to resolve prior to trial.

4. Stipulations. The parties agree that the medical records involved in this case may be used without the necessity of authentication by a reocrd's custodian. Further, there does not appear to be a dispute that the various medical bills listed in the plaintiffs' Pretrial Narrative are fair and reasonable for the services rendered, but there is a dispute as to whether, if the jury finds liability on the part of any defendant, all of those medical services were due to any negligence of the defendants.

5. Exhibits. There does not appear to be any objections to the exhibits that would need to be dealt with prior to trial. This Order is without prejudice to any party to raise any objections that they have to exhibits during the course of the trial.

6. Premptory Challenges. The plaintiff shall have 8 peremptory challenges and each defendant shall have 4 peremptory challenges. Therefore, the plaintiff shall be entitled to exercise 2 peremptory challenges followed by one for each defendant and additonal defendant, followed by for the plaintiff and so on and so forth. In addition to the original 32 jurors called, 7 jurors will be called as alternates with the plaintiff to have 2 peremptory challenges followed by one for each of teh defendants and additional defendant which will result in 2 alternates being left.

7. Prior to jury selection, the parties shall attempt to reach an agreement as to what voir dire questions shall be asked and in doing so shall consider the qeustions contained in Pa.R.Civ.P.220.1. The parties will attempt to put together a jury questionnaire that is acceptable to all parties do that the oral questioning of jurors will be somewhat limited at the time of trial.

8. Points For Charge Counsel shall submit reqeusted Points for Charge as soon as possible but no later than at the close of presentation of all evidence. Prior to oral arguments by the parties the court willrule on the requested Points for charge so that the parties will know what the court intends to tell the jury.

9. Proposed Veredict Slip. Any counsel desiring to submit a proposed VErdict slip, shall do so prior to teh ocmmencement o f final argument.

10. Witnesses. The plaintiff indicates at this time it is their intention to call the plaintiff Lenora Scannell her son Andrew DeJohn, Dr. Charles Bull, Dr. Morris Gardner, Dr. Joseph M. Thomas, Dr. James R. McLamb, Ruth McCracken, Dr. John Lubahn and possibly Dr. Jay Jarrell.

Most of those individuals will be called as live witnesses although they may be eepositions taken of some witnesses prior to trial. The additional defendant, Jean Kirk, M.D intends to testify adn to call Dr. Jay Joseph Danyo, Dr. Graeme C. Baker, Donna L. Skelly, a Mr. Fleury from Warren Industries in Meadville, Roseanna Stein from Warren Industries in Meadville and Bill May also from Warren Industries in Meadville. The defendant dunn & Fine will call Dr. Dunn as well as Dr. John T. Matthews. At this time the Meadville Medical Center does not intend to call any witnesses.

Again, parties should get hard copies of any deposition testimony for use at trial containing objections so that the court may make rulings on those as soon as possible.

By the court
Anthony J. Vardaro, J.

Dist by court

Continued on page 412(d)

4/2 (d)

1993

Continuation of AD 1993 - 862 from page 412(c) - Scannell al vs. Mead. Med. Center al

Oct. 8, ;999. Motion to Continue Trial dAte filed.

Oct. 8, 1999, Notice of Videotape Deposition for use at trial filed.

Oct. 8, 1999, order filed. ORDER: AND NOW this 8 day of Oct. 1999 it is Ordered, ADjudged and Decreed that the abov case is continued tothe first day of Feb. 2000 Trial List. No further discovery and no further expert reports shall be filed by any party. The first day of the Trial List will be a date certain for this case.

BY THE COURT,
Calvin E. Smith, Spec. presiding

10/11/99 dist to all counsel.

AS OF MARCH 9, 2000, ANY FILINGS INVOLVING THIS CASE MAY BE FOUND ON THE COMPUTER.

1993

MacDonald Illig Jones and Britton
Richard j. Parks

Dorothy E. Voelker

863.

INTEGRA BANK/NORTH

vs.

JAMES D. SIMMONS and CHERYL L. SIMMONS

Filed September 2, 1993
@ 12:00 PM

Tax & entry paid	50.50
User's fee paid	5.00
Sheriff's Costs	35.00
Pro Co pd 1-13-94	9.00
release pd. 9/28/94	5.00

COMPLAINT IN CIVIL ACTION
no copies

Sept. 21, 1993 Sheriff's Return filed. NOT FOUND as to Defendants James D. Simmons and Cheryl L. Simmons at address given of R.D. #1, Box 143 A. Titusville, Crawford County, PA. Last known address we found was P.O. Box 48, Centerville, Crawford County, PA. According to Post Office, their mail has not been picked up for some time and they are believed to have moved to Texas.
So answers, Robert M. Stevens, Sheriff

Dec. 2, 1993 Motion To Allow Alternate Service Of Complaint In Civil Action By First Class Mail and Order, filed. ORDER: AND NOW, this 2 day of December, 1993, having heard Plaintiff's Motion for Alternative Service of the Complaint in Civil Action by First Class Mail, it is hereby ORDERED, ADJUDGED and DECREED that the Plaintiff is authorized to serve the Complaint by first class mail, postae prepaid, to the Defendants, James D. Simmons and Cheryl L. Simmons, at Davison Route, Box 66, Gassaway, WV 26624, with service to be complete upon mailing. Anthony J. Vardaro, J
Dec. 12,1993 copies given to Sheriff

Dec. 16, 1993, Affidavit of Service filed. I, Dorothy E. Boekler, atty. for plff, Integra Bank/Pittsburgh, being duly sworn according to law depose and make the following Affidavit regarding service of Complaint in Civil Action in this matter upon the defendants.
1. Pursuant to Order of Court dated Dec.2, 1993, attached hereto as Exhibit "A" and made a part hereof the undersigned served the defendants with a true and correct copy of Plaintiff's Complaint in Civil action by US first class mail, postage prepaid, addressed to Davison Route, Box 66, Gassaway, WV 26624, with service to be complete upon mailing. A true and correct copy of the US Postal Servcie Form 3817, evidencing service by mailing to the Defendants on Dec. 8, 1993, is attahced hereto as Exhibit "B" and made a part hereof. Dorothy E. Voelker.

And Now, January 13, 1994, upon praecipe of plaintiff's attorney judgement is hereby entered in favor of the plaintiff and against the defendants for want of an answer and the smae is liquidated at hte sum of Eighteen Thousand Fifty-Three and 48/100 Dollars, plus interest and costs of suit:

Debt	$7,144.03 for James & Cheryl Simmons
Debt	$10,909.45 for Cheryl Simmons (only)
Judgment	

Entered Jan. 13, 1994
S 92; 32;
Barbara H. King, Prothonotary
Abstract to Integra Bank,
Pittsburgh, PA 15278

Sept. 23, 1994, Appearance of Macdonald Illig, Jones and Britton by Richard J. Parks, attorneys for plaintiff filed.

Sept. 23, 1994, Writing filed wherein plaintiff releases from the lien of the above entitled judgment the following property: All that certain piece or parcel of land, situate in the Borough of Centerville, County of Crawford, and State of Pa. (for complete description, see paper filed)

CHRISTY TREFURT

vs.

MICHAEL TREFURT

Filed September 2, 1993
@ 1:29 PM

Tax & entry pd 11-10-93 50.50
User's Fee pd 11-10-93 5.00

Sheriff's Costs 25.00
Pro Co pd 11-10-93 9.00

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

ORDER:

And now, this 2nd day of September , 1993 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall move out Plaintiff shall have exclusive possession of home. Plaintiff shallhave exclusive custody ofthe child.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or fees and costs will be determined by final court order.
7. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the Sept. 9, 1993 , at 11:15 a.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Sep. 3, 1993 Sheriff's Return filed. SERVED Michael Trefurt personally on September 2, 1993 at 2:18 PM by handing him a copy of the Protection From Abuse at his place of employment, Warren Industries,Old Avtex Building, Meadville, Crawford County, PA.
So answers, Scott D.Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Sept. 13, 1993 AND NOW, September 9, 1993 this matter is before the Court on a request by the Plaintiff for protection under the Protection from Abuse Act.

The parties appear without counsel and the Defendant is advised to his right to counsel and agrees to proceed without counsel.

The Defendant agrees that an order may be entered for a period of one year without admission on his part of the allegations of the petition.

ACCORDINGLY, the following order is entered after discussion with both parties:

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

2. The Pladintiff shall have exclusive possession of the marital home at RD 1, Box 157D in Venango, Crawford County, Pennsylvania and except as set forth hereafter in this sorder, the Defendant shall not go to that residence during the term of this order. Likewise, the Defendant shall not go to any other residence occupied by the Plaintiff during the term of this order.

3. The Defendant is cautioned that if he wishes to go to a residence ocupied by the Plaintiff, even if he is invited to that residence, it shall be presumed by any police agency that he is in violation of this order. Accordingly, if the parties should reconcile at any time such that both parties wish for the Defendant to be present at the Plaintiff's residence, they shall seek a modification of this order prior to the Defendant going to the residence of the Plaintiff.

4. The Defendant may go to the current residence of the ~~Plaintiff this day in the company of Bob Triola, the landlord of the Plaintiff, at 4:30 p.m.~~ for the sole and exclusive prupose of removing personal belongings, including a desk, clothing, computer equipment, art equipment and cassette tapes. During such visit, he shall not assault, abuse, harass or threaten the Plaintiff or any minor child named in the petition and he shall only visit long enough to remove those items and shall remain in the company of Bob Triola at all times while doing so.

5. The only contact that the Defendant may have with the Plaintiff is for the purpose of calling her residence to speak with their minor child Alexandria and when he does so, he shall not do so in a manner that is harassing, threatening, or in any way annoying to the Plaintiff.

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

7. A copy of this order shall be delivered to the police department in the jurisdiction where the Plaintiff currently resides, noting that address is RD 1, Box 157D, Venango, Pa. and to Crawford County Control. Additionally, a copy of this order shall be mailed by the Prothonotary to the Plaintiff at her above address and to the Defendant at an address he shall provide tothe Prothonotary's Office this day.

In the event th4e Plaintiff moves to a different location requsiring a different police agency in the county to be aware of this sorder, it shall be her responsibility to obtain a copy of the order and provide it to that police department.

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

CONTINUED ON PAGE 414A

11-10-93 Recd $25.00 Sheriff's costs

11-10-93 paid Sheriff's costs $25.00 Ck# 7896

CHRISTY TREFURT
VS.
MICHAEL TREFURT

CONTINUED FROM PAGE 414
of Record
A. D. 1993 - 864

****

9. The Defendant shall pay court costs to the office of the Prothonotary of Crawford County on the first floor of the Courthouse, Meadville, Pennsylvania within 60 days of the date of this order.

10. This order shall remain in full force and effect through September 8, 1994.

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

Sept. 14, 1993 Copies dist. to PSP, Plf., Dft. & Co Control.

414

-6-

1993

1993

Ferguson & Spataro
John F. Spataro

865.

Michael C. Colville
Asst. U.S. Atty
Counsel for Dft.
United States of Am.

AVCO FINANCIAL SERVICES
CONSUMER DISCOUNT CO. ONE

vs.

MELVIN E. NOLF and SANDRA K. NOLF and UNITED STATES OF AMERICA

Filed September 2, 1993
@ 4:14 PM

Tax & entry paid	50.50	✓
User's Fee paid	5.00	
Sheriff's Costs	56.50	
Pro Co pd 10/6/93	9.00	✓

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies Sheriff

Sept. 21, 1993 Sheriff's Return filed. SERVED the within Complaint on September 13, 1993, at 1125 hrs., upon United States of America Office of Attorney General at Federal Court House, Erie County, Erie, Pennsylvania by handing to Rhoda Lesh, legal Secretary a true and correct copy thereof and made known to her the contents therein.

Robert N. Michel, Sheriff
Brian S. Copley, Deputy Sheriff

I hereby deputize the Sheriff of Erie County, Pennsylvania to serve the within Complaint according to law.

Robert M. Stevens, Sheriff

SERVED Melvin E. Nolf personally on September 10, 1993 at 10:01 AM by handing a copy of the Complaint to him at his residence, Star Route Estates, Lot #16, Meadville, Crawford County, PA.
SERVED Sandra K. Nolf on September 10, 1993 at 9:51 AM by handing a copy of the Complaint in Mortgage Foreclosure to Tammy Nolf, Adult in Charge at the rresidence, R.D. #1 Hatch Hill Road, Meadville, Crawford County, PA.
SERVED United States of America by deputizing the Sheriff of Erie County, PA, as per his Affidavit of Service attached. Served on September 13, 1993, at Office of Attorney General, Federal Court House, Erie, PA.
So answers,

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

Oct 6, 1993 CONSENT JUDGMENT, filed. AND NOW, to wit, this 6th day of October, 1993, it appearing that counsel for plaintiff and counsel for defendant, United States of America, have consented to the entry of the within Order on behalf of their respective clients, it is hereby ORDERED, ADJUDGED and DECREED that a judgment be entered in favor of the plaintiff and against the United States of America for foreclosure of the mortage of plaintiff in the within cause and for sale of the mortgaged property of defendant(s) Melvin e. Nolf and Sandra K. Nolf.

It is further ORDERED, ADJUDGED and DECREED that defendant, United States of America, shall be notified by plaintiff of the date, time and place scheduled for any sheriff's sale of the real propertyof the aforesaid defendant(s); that the United States of America shall be entitled to paymetn from the proceeds fo the sheriff's sale to the extent its proper priority would entitle it to the same; and that the United States of America shall be entitled to redeem the aforesaid property.within 120 days from the date of sale, as provided by 28 U.S.C. Section 2410.

Nothing contained in the within Order shall, in any way, be construed as entry of a monetary judgment agaisnt the United States of America, but rather said judgment is limited to the foreclosure and sale of the real estate of the aforesaid defendant(s) in the within proceeding.

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

U - 183
Oct. 11, 1993 copy to J. Spataro & M. Colville

And Now, Oct. 6, 1993 at 4:02 PM upon praecipe of plaintiff's attorney, judgment is hereby entered in favor of the Plaintiff and against Melvin E. Nolf and Sandra K. Nolf, defendants for want of answer & damages are assessed at Sixteen thousand Nine hundred twenty-six and 54/100 Dollars, includes interest and costs.

N-11: N-151:
Entered 10-6-93
Atty. Spataro

Debt	$16,926.54	
Int. to 8/19/93	711.91	(included)in debt)
Attorneys Collection Fee	1,500.00	(included in debt)
Accrued expenes	250.00	(included in debt)

Judgment
Barbara H. King,Prothonotary

EXECUTION 1993 - 93

Quinn, Buseck,
Leemhuis, Toohey
& Kroto, Inc.
Lawrence C. Bolla

866.

SAINT VINCENT HEALTH CENTER

vs.

KATHERINE H. FLYNN

Filed September 3, 1993
@ 2:41 PM

Tax & entry paid	15.00
Pltf. on orig.	128.80
Sheriff's Costs	36.00
Pro.Co. pd 11/10/93	9.00

WRIT OF REVIVAL

of

A.D. 1989 - 932

Writ of Revival indexed against the defendants in favor of Saint Vincent Health Center the plaintiffs, in the sum of One Thousand Nine Hundred Sixty five and 85/100 with interest from August 2, 1985 and costs of this action.

Debt---------- $1,965.85
F-101
Barbara H. King, Pro

Issued Sheriff

Oct. 7, 1993 Sheriff's Return filed. SERVED Katherine H. Flynn personally on September 30, 1993 at 1:08 PM by handing a copy of the Writ of Revival to her at her residence,R.D.#2, Box 314, Springboro, Crawford County,PA.
So answers, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, Nov. 10, 1993 at 11:41 A.M. upon praecipe of plaintiff's attorney,Lawrence C. Bolla, Esquire, with notice of Intention to file Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendant in the above-captioned matter in the amount of One thousand Nine hundred Sixty-five and 85/100 dollars with interest from August 2, 1985 plus the costs of this action.

F-101;
Entered on Nov. 10, 1993
Atty.Bolla
Abstract to Atty.

Debt	$1,965.85
Interest from August 2, 1985	
Judgment	
Barbara H. King	
Prothonotary	

Revived AD 1997-710

1993

Thomas Dana Watson

~~Joseph F. Kulwicki~~ Withdrawn

867.

AUDRA D. HILES

vs.

RONALD F. HILES

Filed September 3, 1993
@ 2:41 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 7/26/94	9.00

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

Sep. 22, 1993 Certificate of Service filed. Jennifer L. Bryer, being duly sworn according to law, deposes and says that she is employed by Joseph F. Kulwicki, III, Esquire,Attorney for the Plaintiff, and as such onSeptember 8, 1993, she placed a certified copy of theDivorce Complaint in the U. S. Mail, addressed as follows:

Mr. Ronald Hiles
R.D.#6, Box 130
Meadville,PA 16335

Said Divorce Complaint was mailed certified mail, restricted delivery, being certified mail item number P 724-954-579. The signature card for said certified mail item was returned to the office of Joseph F. Kulwicki, III, Esquire, bearing the signature of Ronald Hiles, as having received same onSeptember 13, 1993. Said signature card is attached hereto and made a par t hereof.

FURTHER DEPONENT SAITH NOT.

September 17, 1993 Jennifer L.Bryer

Feb. 2, 1994 Motion to Withdraw Appearance and ORDER filed. And Now, this 1st day of February 1994, comes Joseph F.Kuwlicki, III, Esquire, and files this Motion to Withdraw his Appearance as attorney for the plaintiff, Audra D. Hiles. NOtice has been provied the Defendnt as required by the Rules of the Court.

ORDER, AND NOW, this 1 day of February, 1994, Motion Allowed.

BY THE COURT,
Anthony J. Vardaro, J.

2-7-94 Copy of Order to Atty. Kulwicki.

Jul. 26, 1994 Affidavit of Service filed. Audra M.Hiles, being sworn according to law, deposes and says that she is the Plaintiff in the above-captioned matter; that she is familiar with the signature of the Defendant; and that the signature on the return receipt attached hereto as Exhibit "A" is the signature of the Defendant.

June 27, 1994 Audra D. Hiles, Plaintiff

Jul. 26, 1994 Affidavit of Consent by Ronald F.Hiles, Defendant, filed.

Jul.26, 1994 Affidavit of Consent by Audra D.Hiles,Plaintiff, filed.

Jul. 26, 1994 NOtice of Intention to File a Praecipe forFinal Decree and Proposed Form of Decree, filed.

Jul. 26, 1994 UponPraecipe of Thomas Dana Watson, Esquire, Attorney for Plaintiff to transmit record, case moved to Court.

Aug. 3, 1994 ORDER filed. This divorce matter has been referred to the Court for review and decree. The Court has reviewed the record andis returning the record to the Prothonotary. A final decree will not be entered at this time because:

x The parties are asking that an agreement be incorporated into the decree yet:

X The agreement disposes of economic or other issues not raised by the pleadings or petition. The Court does not have jurisdiction over matters not properly raised in the proceedings to date. 23 Pa.C.S.A 3104(a), 3323 (a); Pa. R.C.P. 1920.11, 1920.13.

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

BY ORDER OF COURT
Gordon R. Miller

8-3-94 Faxed to Atty. Watson

Sep. 22, 1994 Amended Complaint in Divorce filed.

Sep. 22, 1994 UponPraecipe ofThomas Dana Watson, Esquire, Attorney for Plaintiff to transmit record, Case moved to Court.

Sept. 29, 1994 ORDER filed. This divorce matter has been referred to the Court for review and decree. The Court has reviewed the record and is returning the record to the Prothonotary. A final decree will not be entered at this time because:

X There is no evidence that the Amended Complaitn was served on the Defendant.

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

Date: 9-28-94 Gordon R. Miller, P.J.

Sept. 29, 1994 Faxed Watson

Oct. 3, 1994 Certificate of Service to Amended Complaint, filed. Thomas Dana Watson, Esquire, attorney for the Plaintiff, hereby certifies that he mailed a tarue copy of the amended Complaitn in Divorce to the Defendant Ronald F. Hiles, at his address at R.D. #6, Box 130, Meadville, Crawford County, Pennsylvania on September 22, 1994, according to Pa Rules of Civil Procedure.

The undersigned understands that the statements herein are made subject to the penalties of 18 Pa. Cons. Stat. Sec. 4904, relating to unsworn falsification to authorities.

Date: September 22, 1994

Oct. 3, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

OCt. 13, 1994 AND NOW, this 10th day fo October, 1994, the Court by virtue to the authority vested in it by law, HEREBY ORDERS, ADJUDGES AND DECREES that AUDRA M. HILES and RONALD F. HILES are hereby Divorced form the bonds of matrimony, and the said parties shall be at liberty to marry again.

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the terms, provisions and conditions of a certain marriage and property Settlement Agreement between the parties dated March 2, 1994,

RECORD CONTINUED ON LEFT MARGIN.....

and attached hereto,are hereby incorporated in this Decree and Order by reference as fully as though the same were set forth herein at length. Said Agreement shall not merge with, but shall survive this Decree and Order and shall be enforceable by the Court. By the Court, Gordon R. Miller, Jurbe

418

1993

MacDonald, Illig,
Jones & Britton
Richard J. Parks

868.

INTEGRA BANK/NORTH successor by merger to The Pennsylvania Bank and Trust Company

vs.

MARIAN E. BROOKS, BETH AUDENE HUBER, WILLIAM H. BROOKS and UNITED STATES OF AMERICA

Filed September 3, 1993
@ 2:41 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	87.00
Pro Co pd 10/5/93	9.00
Pro Pd 10/22/93	9.00
Sat paid 12/15/93	5.00

COMPLAINT IN MORTGAGE FORECLOSURE
6 copies Sheriff
1 copy atty.

Sep. 21, 1993 Affidavit filed. Before me, the undersigned authority, a notary public, in and for the aforesaid county and state, personally appeared Richard J. Parks, who being duly sworn according to law deposes and says that he caused to be served a true and correct copyof the Complaint in Mortgage Foreclosure in the above captioned case, by Certified Mail, Return Receipt Requested on Beth Audene Huber at Courthouse, Cape May,NJ 08204, on the 8th day of September, 1993 and that said copy was received on the 14th day of September 1993 as evidenced by Post Office Return REceipt No. P 924 768 144 attached hereto.
September 20, 1993 Richard J. Parks, Esquire

Sept. 24, 1993 Sheriff's Return filed. SERVED Marian E. Brooks personally on September 20, 1993 at 10:45 AM at her residence, R.D #2, Box 96, Meadville, Crawford County, PA.
SERVED William H. Brooks on September 20, 1993, at 10:46 AM by serving Marian E. Brooks, Sister and Authorized Agent, at R.D. #2, Box 96, Meadville, Crawford County, PA. Signed Acceptance of Service attached.
SERVED The United States of America by Certified Mail addressed t the office of United States Attorney, 137 US Courthosue, 617 STate Street, Erie, PA 16501, on September 13, 1993. Signed return receipt attached.
SERVED Janet Reno, Esquire, by Certified Mail addressed to Attorney General of the United States, Department ofJustice, 10th and Constitution Avenue, N.W., Washington, DC 20530, on September 15, 1993. Signed return receipt attached.
POSTED the property located at R.D. #4, Watson Run Road, Meadville Crawford County, PA, on September 13, 1993 at 1:43PM.
POSTED the property located at Liberty Street Extension, West Mead Township, Meadville, Crawford County, PA., onSeptember 13, 1993 at 10:00 am.
So answers, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Oct. 5, 1993 Consent Judgment filed. AND NOW, to wit, this 4th day of October, 1993, it appearing that counsel for plaintiff an dconsel for defendant, United States of America, have consented to the entry of the within Order on behalf of their respective clients, it is hereby ORDERED, ADJUDGED and DECREED that a judgment be entered in favor of the plaintiff and against the United States of America for foreclosure of the mortgage of plantiff in the within cause and for sale of the mortgaged property of defendant(s) Marian E. Brook, Beth Audene Huber, William H. Brooks.
It is further ORDERED, ADJUDGED and DECREED that defendant, United States of America, shall be notified by plaintiff of the date, time and place scheduled for any sheriff's sale of the real property of the aforesaid defendants; that the United States of America shall be entitled to payment from the proceeds of the Sheriff's sale to the extent its proper priority would entitle it to the same; and that the United States of America shall be entitled to redeem the aforesaid property within 120 days from the date of sale, as provided by 28 U.S.C. 2410.
Nothing contained in the within Order shall, in any way, be construed as entry of a monetary judgment agains tthe United State of America, but rather said judgment is limited to the foreclosure and sale of the real estate of the aforesaid defendants in the within proceeding.
BY THE COURT,
Gordon R. Miller,
J

Oct. 11, 1993 Copies of order to Atty's Parks and Colville

And Now, Oct. 22, 1993 at 2:14 p.m., upon praecipe of plaintiff, with affidavit of non military servece, and three copies of default notices attached, Judgment is hereby entered against three of the defendants, Marian E. brooks, beth audene Huber and William H. Brooks, for failure to answer, in the amount of TwentyThousand Nine Hundred Fortyeith and 22/100 Dollars, plus int. at rate of $3.97 per diem from Aug. 1, 1993 and costs of suit.
Judgment entered
10/22/93
B - 114, 244
H - 24

Debt -- $20,948.22
Int. from 8/1/93 at rate of $3.97
JUDGMENT
Barbara H. King,
Prothonotary

Nov. 1, 1993, notices of entry of judgment mailed to the 3 defendants.

Dec. 15, 1993, UPon praeicpe of plaintiff attorney, the above captioned case is hereby marked satisfied of record.

1993

Peters, Lindsay, Lewis & Gagliotti
John P. Gagliotti

869.

MARSHA PHILLIPS

vs.

JAMES E. PHILLIPS

Filed September 3, 1993
@ 2:41 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 3-1-94	9.00

COMPLAINT IN DIVORCE

Sept. 3, 1993 Affidavit of Consent to 3301(d) Divorce of Plaintiff filed.

Sept. 14, 1993 Verification of Service filed. I, JOhn P. Gagliotti, Esquire, do hereby verify that I am the attorney of record for the above named Plaintiff, and that as such I am authorized to make this verification; that I did on the 9th day September, 1993, send to the above named Defendant, by Certified Mail, Addressee ONly, Return Receipt Requested, #P147764659, a true and correct copy of the complaint filed at the above terms and number; and that I did on the 13th day of September, 1993, receive a duly executed return receipt dated the 10th day of September, 1993. John P. Gagliotti

Mar. 1, 1994 Defendant's Counter-affidavait Under Section 3301(d), filed.

Mar. 1, 1994 Upon praecipe of plaintiff's attorney to transmit record, case moved to Court.

Mar. 8, 1994 Order filed. This divorce matter has been referred to the court for review and decree. The Court has reviewed the record and is returning the record to the Prothonotary a final decree will not be entered at this tmie because: As to a 3301(d) divorce: There is no showing that the proper notice required by 1920.42(c)(1) in the form provided by 1920.73 to a party who is unrepresented or to counsel of a represented party was properly mailed or delivered; and/or a copy of that said notice is not attached to the praecipe to refer or submit.
Either party may file a praecipe to refer the matter back to the Court when the record is in such a state that the parties are entitled to a final decree.

BY THE COURT:
Anthony J. Vardaro, J

Mar. 10, 1994 Copies of order to Atty. Gagliotti

May 10, 1993 Verification of Service filed. I, John P. Gagliotti, Esq., attorney for the Plaintiff in the above-captioned action, verify that I mailed on April 18, 1994, a Counter-Aff under Section 3301(d) of the Divorce Code to James E. Phillips, at Mercer State Correctional Facility, 801 Butler Pike, Mercer County, Mercer, PA 16137, by Certified Mail, Return receipt requested, No. P885-064-322; and that on April 20, 1994, he received same as evidenced by the attached signature card.
I make this verification with notice that willful false statements made herein are subject to the penalties of perjury under Section 4904 of the PA. Crime Code, relating to unsworn falsification to authorities.

John P. Gagliotti, Esq.

May 10, 1994 Plaintiff's Affidavit Under Section 3301(d) of Divorce Code filed.

May 10, 1994 Defendant's Counter-Affidavit Under Section 3301(d) of Divorce Code filed.

May 10, 1994 Upon praecipe of plaintiff attorney, the above-captioned case referred back to court for review.

May 23, 1994 Order filed. This divorce matter has been referred to the Court for review and decree. The Court has reviewed the record and is returning the record to the Prothonotary. A final decree will not be entered at this time because: Other: While it is apparent form the record that the Plaintiff has not complied with 1920.42(c)(2), the Court cannot grant this divorce anyway because the Defendant has signed a counter-affidavit under Section 3301(d) of the Divorce Code indicating that he does oppose the entry of the divorce decree.
Therefore, pursuant to 23 Pa. C.S.A. 3301(d)(1)(ii), the Court cannot grant a divorce unless after notice and hearing, we determine that the parties have lived separate and apart for a period of at least two years and that the marraige is irretrievably broken.
Either party may file a praecipe to refer the matter back to the Court wehn the record is in such a state that the parties are entitled to a final decree.

BY THE COURT,
Anthony J. Vardaro, J

May 23, 1994 Copies dist to Gagliotte and deft.

Feb. 17, 1995 Affidavit of Consent by James E.Phillips, Defendant, filed.

Feb. 17, 1995 Affidavit of Consent byMarsha Phillips,Plaintiff, filed.

Feb. 17, 1995 Praecipe to Refer Matter Back to Court,filed.

Feb. 17, 1995 Upon Praecipe of John P.Gagliotti, Esquire, Attorney for Plaintiff to transmit record, Case moved to Court.

DIVORCE DECREE FILED

March 14, 1995 AND NOW, March 13, 1995, it is hereby ordered and decreed that MARSHA PHILLIPS, Plaintiff, and JAMES E. PHILLIPS, 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.

1993

870.

CHERYL MAURI

vs.

DOUGLAS MAURI

Filed September 3, 1993
@ 2:59 PM

Tax & entry Pd 11-12-93 50.50
User's Fee Pd 11-12-93 5.00
Sheriff's costs 25.00
Pro Co Pd 11-12-93 9.00

11-12-93 Rec from dept Sheriff cash 25.00
11-12-93 Pd Sheriff 25.00 Ch# 7904

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

ORDER:

And now, this 3rd day of September , 1993 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

2. Special Conditions: Defendnat shall move out. Sole possession of the residence is awarded to Plaintiff. Defendant shall not contact Plaintiff in anyway. Custody of the children is awarded to Plaintiff until further order of court.

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

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

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

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

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

8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the September 14, 1993, at 3:45 p.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Sept. 8, 1993 Sheriff's Return filed. SERVED Douglas Mauri personally on Sept. 7, 1993 at 9:30 AM by handing a copy of the Protection from Abuse to him at the Mental Health Unit of Meadville Medical Center, Grove St., Meadville, Crawford Co., Pa.
So answers,

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

Sep. 17, 1993 ORDER filed. AND NOW, September 14, 1993, this matter before the Court on the petition filed by the Plaintiff seeking relief from the Protection From Abuse Act.

Both parties appear represented without counsel and having been adivsed of his right to counsel, the Defendant agrees to proceed without counsel.

The Defendant agrees to the entry of an order without admission of the allegations on the petition on his part. Accordingly, we enter the following order:

1.The Defendant shall not assault, abuse, harrass, or threaten the Plaintiff or any minor child named in the petition.

2.The Plaintiff shall have exclusive possession of the marital home at 677 Washington Street and the Defendant shall not go to that residence for any reason other than as we shall set forth in this order. If the Defendant goes to that residence, even if he is invited by the Plaintiff, it shall be presumed that he is in violation of this order. If the parties should reconcile and the Plaintiff wishes to allow the Defendant to go to the marital residence, the parties should seek a modification of this order prior to him doing so.

3. The Defendant may go to the marital home one time with his brother at a time to be arranged prior to the date once the Defendant has been released from the hospital. The purpose of this visit shall be for him remove his personal property and to give the Plaintiff his key to the house. This visit should be arranged with the Plaintiff through a relative of the Defendant. That relative may call the Plaintiff for the purpose of arranging one specific time for the Defendant and his brother to go to the marital residence to remove such property.

When the Defendant goes to the marital residence for that purpose on that one occasion,he shall not assault, abuse or harrass or threaten the Plaintiff or minor children named in the petition.

Pending further order of Court and without prejudice to either Party to file an appropriate Custody Action, the Plaintiff shall have physical custody of the minor child Sara Mauri. The Defendant shall have visitation with said child at least twice a week for a period of one hour and such additional times as the Parties may agree to. The visitation shall take place by a relative of the Defendant contacting the Plaintiff and picking up the child and bringing the child to the Defendant for the visit, and then returning the child to the Plaintiff.

The Defendant may call the Plaintiff at the marital home for the sole purpose of discussing visitation arrangements or legal matters as may become necessary,so long as he does not harrass or threaten the Plaintiff when he makes such phone calls.

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

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

Additionally, in so far as the Parties are not represented, the Prothonotary shall deliver a copy by the regular mail to the Plaintiff at 677 Washington Street in Meadville and to the defendant in care of Reed Mauri at 44 Moss Road in Meadville.

The Defendant is again reminded this is an order of the Court and violation of it may be punishable by a fine of up to $1,000.00 and a jail sentence of up to six months.

Continued to Page 420 A

1993

CHERYL MAURI
vs.
Douglas Mauri

Continued from Page 420
of Record
AD 1993 - 870

****

The Defendant shall pay court costs in this matter to the Prothonotary of Crawford County on the first floor of the Court House by the close of business sixty days from this date. Those court costs are $89.50.

This order shall remain in full force and effect through September 13, 1994.

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

9-17-93 Copies mailed to Plft & Deft. & MCPD & Dist. to Co. Control.

Oct. 28, 1993 Motion to Amend or Modify a Protection From Abuse Order and ORDER filed. AND NOW, this 26 day of October, 1993, upon receipt and review of the within motion to amend the Protection from Abuse Order of 9/14/93, the amendment (s) and modification (s) set forth in said motion are hereby approved and made a Court Order.

A true and correct copy of this Order shall be delivered by the Prothonotary to Meadville City Police and to County Control and to the parties.

Any paragraphs of the original Order assessing costs on either party shall remian in full force and effect without change or modification.

BY ORDER OF COURT
Anthony J. Vardaro, J.

10-28-93 Copy given to Plft. for herself & Dft. Copies given to Co. Control & MPD

Jan. 5, 1994 MOTION TO VACATE PROTECTION FROM ABUSE ORDER and ORDER filed. AND NOW, this 3rd day of January, 1994 upon receipt and review of the plaintiff's motion to vacate and terminate the Protection from Abuse Order of Sept. 14, 1993, said motion is granted and the Protection from Abuse Order is hereby vacated and terminated.

A true and correct copy of the Or der shall be delivered by the Prothonotary to police department where plaintiff lives and to County Control.

Any provisions of the Protection from abuse Order ofSeptember 14, 1993 assessing court costs shall remain in full force and effect without change or modification and the party or parties against whom costs were assessed shall remain obligated to pay the costs.

BY ORDER OF COURT
Gordon R. Miller, J.

1-11-94 Copy of Order to Pltf, Co. Control& MPD

1993

Halliday & Halliday
Michael Halliday

871.
Thomas, Truax, Spadafore
& Walker
Gregory A.Keenan,

12/8/93 $150.00
deposited by Defendant
2-18-94 Paid Left
Ch#8113 (Keenan) 65.00
3-1-94 Rec from Plt
med fee 16.00
3-22-94 Pd Co #8179 152.00
4-15-94 Rec'd from Def 150.00
med dep
3-15-95 Pd dept
Refund # 9010 12.50
4-5-95 Rec'd from
Plt 138.50
5-8-95 Pd Co #9166 277.00
med fee

ALICE R. CLARK

vs.

KEITH D. CLARK, SR.

Filed September 7, 1993
@ 11:05 AM

Pro Co Pd 9-1-93 9.00

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Add'l Count Pro.Co.pd 10/19/93	15.00
State paid 10/19/93	5.00
Mediation Costs	152.00
~~Wm. Pineo, Mediator~~ Pro Co Pd 3-22-94	9.00
William Pineo, Mediator	277.00
Pro Co Pd 5-8-95	9.00

COMPLAINT IN DIVORCE
1 copy atty.

Oct. 19, 1993 Answer and Coutnerclaim filed.

Nov. 3, 1993 Affidavit of Service, filed. On this , the 21st day of October, 1993, before me, the undersigned officer, presonally appeared MICHAEL HALLIDAY, ESQUIRE, wo being duly sworn according to law, deposes and states as follows:

1. That he is an attorney authorized to practice law in the Commonwealth of Pennsylvania, with offices at 111 On the Park, Cambridge Springs, Pennsylvania, 16403.

2. That a Complaint in Divorce was filed in the Prothonotary's Office on September 7, 1993.

3. That on September 20, 1993, he did forward to the Defendant Keith D. Clark, Sr., a certified copy of the Complaint in Divorce as filed on behalf of the Plaintiff in the above-captioned action.

4. That said pleadings were forwarded to the Defendant by certified United States Mail, poostage pre-paid, return receipt requested, addressed to Keith D. Clark, St., 139 Root Avenue, Cambridge Springs, Pa. 16403.

5. That attached hereto in the return receipt as executed by the Defendant, Keith D. Clark, Sr., showing delivery to have been made on September 25, 1993.

1 copy atty.

Nov. 10, 1993 Acceptance of Service filed. I, Michael Halliday, Esquire, accept service of the Answer and Counterclaim on behalf of Alice R. Clark, Plaintiff, and certify that I am authorized to do so.

Date: 10/29/93

Michael Halliday, Esquire

Dec. 8, 1993 Motion to Appoint Custody Mediator and Order filed. You, Alice R. Clark, Planitiff, have been sued in Court to obtain custody of Keith D. Clark, Jr., age 11, and Brittany A. Clark, age 7.

You are Ordered to appear in person at such time and place as will be determined by the Mediator Wm. Pineo, for a Mediation Conference.

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 FORTHB ELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

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

Date: 12/7/93

Anthony J. Vardaro, J

Dec. 15, 1993 Copies of order to Atty's Halliday, Keen and and Pineo

Feb. 17, 1994 Temporary Order filed. AND NOW, this 16 day of February, 1994, after Mediation in the above referenced matter an upon the recommendations ofthe Child Custody Mediator, IT IS HEREBY ORDERED AND DECREED THAT:

1. That parties shall share legal and physical custody of the subject minor children, Keith and Brittany Clark.

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

3a. Primary physical custody of the subject minor children is awarded to their mother. The father shall have temporary physical custody and visitation each weekend from Friday at 6:00 p.m. to Sunday at 6:00 p.m. except for those weekends when the mother is not working. The mother shall notify the father one month in advance of each weekend that she does not work and will therefore be responsible for the children.

b. the subject minor children shallhave 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. The parties inform the mediator that they will be able to work out holiday visitation. However, the question is reserved for further mediation if they cannot come to an agreement.

5. The parties informed the mediator that the fther has been charged with a criminal offense and that said charges are to be tried during the March term of criminal court. When the outcome of the criminal proceedings are known, the matter will be scheduled for further mediation.

6. Should it be necessary for either party to cancel or modify the visitations as set out in this order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

7. The parties shall split responsibility for transportation with the party receiving the children in the exercise of his or her rights picking up the children at the ohome of th eother. Any person transporting the children shall make sure that the seat belts or other restraints are sued in accordance with the laws of Pennsylvania.

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

9. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor children. The parties are cautioned that medical research has indicate 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 roon as the children, in a closed automobile in which the children are being transported, or in the bedroom of the children.

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

CONTINUED ON PAGE 458

1993

Filippi & Nies
Michael J. Nies

872.

J. James Shekerdo

ROXANNA PARKS

vs.

STACEY JEAN KUBERRY

Filed September 7, 1993
@ 2:12 PM

COMPLAINT FOR VISITATION
1 copy mediator, 1 copy atty.

Order:
You, Stacey Jean Ploss, have been sued in Court to obtain visitation ofMandy Louise Ploss.
You are ORDERED to appear in person at such time and place as will be determined by the Mediator Bruce Smith for a mediation conference.
If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.
YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE, IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.
Court Administrator
Courthouse
Meadville, PA 16335
(814) 336-1151, ext. 298
Date: 9/3/93 Anthony J. Vardaro, J

9/7/93 $150.00
deposited by Plaintiff

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	30.00
Pro Co Pd 10-26-93 007875	9.00
Bruce Smith, Mediator	

10-26-93 Pd Co Ch#7874 Med fees 141.00

11-16-93 Received from Pltf Bal Med Fees 36.77

12-29-93 Pd Co Ch#7983 36.77

Sept. 27, 1993 SHERIFF'S RETURN, filed. SERVED Stacey Kuberry personally on September 23, 1993 at 11:14 AM by handing a copy of the Notice, Order to Appear, and Complaint for Visitation to her at the residence, Rd 2, Townville Road Centerville, Crawford County,Pa.
So answers, Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Oct. 4, 1993, Appearance of J. James Shekerdo, attorney for defendant filed.

Oct. 25, 1993 Temporary Order of Court filed. AND NOW, this 22 day of October, 1993, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. As between the parties to this case, the natural mother of the child, Mandy Louise Ploss, age five, Morn March 18, 1988, t he defendnat in this case shall retain legal and physical custody of the said minor child.
2. Visitation with the child shall be provided to the natural grandmother as follows:
   a. The child shall be available for pick up at the home of the mother and visitation with the grandmother on the third full weekend of each month, beginning in October of 1993, which visitation shall take place at the home of the grandmother's son in close proximity to the home of the defendant mother in the Centerville area of Crawford County, Pennsylvania. These visistations shall extend from Friday at 6:00 p.m., prevailing time, through Sunday at 4:00 p.m., prevailing time. During these visitations, the child shall not be taken out of Crawford County by the grandmother at anytime or for any reason.
   b. During the weekend that the plaintiff grandmother is visiting with the child in Crawford County, Ronald N. Parks, the stepgrandfther of the child and husband of the plaintiff grandmother, shall not be present in the Commonwealth of Pennsylvania.
3. During the time that the grandmother has temporary physical custody of the child, she shall immediately seek medical treatment for emergencies and/or ret urn the child to the defendant mother in the event of non-emergency situations. In the event of emergency treatment being sout, the grandmother will immediately notify the defendant mother of the emergency and the place where it is being administered. The mother will be allowed to take over treatment of the child upon arriving at the area or place where treatment is being administered.
4. The grandmother shall not take the child into any environment which might be commonly thought of as detrimental to her development or to the development of her character or which would be commonly thought of as dangerous to her physical person. Under no circumstance will any contact be made by the child with the stepgrandfather, Ronald N. Parks.
5. While the grandmother is exercising visitation with the grandchild, she shall teach the child involved in this case to develop and express that natural love and respect due a parent from his or her child. no adult coming into regular contact with the child will do or say anything to blacken the character of the mother in the eyes of the child.
6. This Order shall not prejudice the right of either party to request further Mediation if there are changed circumstances in the lives of the parties or the child or in the event that the best interest of the child would be served by further Mediation.
7. The Court of Common Pleas of Crawford County, Pennsylvania, shall retain jurisdiction of this matter so long as eit her the parent or the child resides in the Court's jurisdiction and for at least six months from the date of this Temporary Order.
8. The fee for Child Custody Mediationshall be paid by the plaintiff grandmother. If there is any excess from funds paid into the Prothonotary of Crawford County under Local Rules after payment payment of the Child Custody Mediation, said amount shall be refunded by the Prothonotary to the grandmother.
9. 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. Counsel for the defendant mother, J. James Shekerko, Esquire, is hereby notified that contact with the Court Administrator can be made to perfect the filing of exceptions, if it is felt necessary, by contacting the Crawford County Court Administrator at telephone number (814) 336-1151, extension 298.

BY THE COURT:
Anthony J. Vardaro, Judge

11-3-93 Copies of Order mailed to Attys. Nies, Shekerko, & Smith.

Nov. 17, 1993 Exceptions To Master's Report and Order, filed. AND NOW, this 16 day of November, 1993, upon consideration of the within Exceptions and upon motionof J. James Shekerko, Esquire, attorney for Defendant, STACEY JEAN KUBERRY, a hearing is set for the 14th day of December, 1993, at 1:30 o'clock p.m. in Court Room 2 of the CRAWFORD County Court House, Meadville, Pa.
The exsisting temporary order shall remain in full force and effect until further order of Court.

BY THE COURT:
Anthony J. Vardaro, J.

Nov. 23, 1993 copy to J. James Shekerko, Nies & B. Smith

Dec. 14, 1993 Answers To Exceptions To Mediator's Report filed.

Continued on Page 422A

Dec. 15, 1993, ORDER filed. AND NOW, Dec. 14, 1993, this matter is before the court for a de novo custody hearing upon the request of the defendant after a temporary order was entered on Oct. 22, 1993 after mediation.

At the time set for the de novo hearing both parties appear represented by counsel and indicate that they have resolved this matter to their satisfaction.

Accordingly, with the consent of both parties we enter the following order, which shall result in the Order of Oct. 22, 1993, being rescinded in its entirety.

IT IS ORDERED:

1. As between the parties to this case, the natural mother of Mandy Louise Ploss, age five, born Mar. 18, 1988, shall retain legal and physical custody of said minor child.

2. Visitation with the child shall be provided to the plaintiff/Maternal grandmother on the third Fri. of each month, between the hours of 1:00 p.m. at the home of the dft. which currently is at R. D. #2, Townline Road, Centerville Pa. 16404.

3. In the event that such day for visitation is a holiday, then the visitation would occur the following Friday rather than onthe s chedule.

4. The parties are free to sc hedule suc h other visitation as may be agreed upon between them from time to time.

5. Each party recognized the importance of the visitation occurring as sc heduled and in the event that a party will be unable to meed that s chedule, they should contact the other party as soon as possible, but in no event later than 10:00 a.m. on the day of the s cheduled visitation. If the plaintiff has not arrived by 1:30 p.m. on the scheduled visitation day, the defendant may assume that the visitation is conceled. However, the court strongly advises the plaintiff that it is expected that she will notify the defendant if she cannot make a visitation as has been required of both parties as set forth above.

6. Both parties have been advised this day both by their counsel and the court as to what is expected during the visitation, and the plff. has indicated that she recognizes that she will only be able to remove the child from the home if consented to by the defendant, and that plaintiff should anticipate not removing the child from the home during such visitations.

Likewise, the dft. has been advised that she is expected to act reasonable with respect to the p laintiff during such visitations and both parties are cautioned that they should do nothing to disparage the character of any person including the parties to this action or any other person in the eyes of the child. No party should to or say anything to blaCKEN THE character of any other party or any other person in the eyes fo the child.

7. The court of Common Pleas of Crawford County, Pa. shall retain jurisdiction of this matter so long as either the parent or the child resides inthe Court's jurisdiction and for at least a period of six (6) months from the date of this order.

The court enteres this upon the consent fo the parties and insofar as the court finds that such visitation of the maternaL GRANDMOTHER IS IN THE BEST INTEREST OF THE CHILD AND SUCH VISITATION WILL Not interfere with the parent/child relationship.

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

Dec. 15, 1993, Copies to Nies, Shekerdo and Smith:

Dec. 22, 1993 Amendment To Order filed. AND NOW, December 21, 1993, it is brought to our attention that Paragraph 2 of our order of December 14, 1993 was incorrectly transcribed and in fact should indicate "...between the hour of 1:00 P.M. and 4:00 P.M.....and it is so amended.

In all other respects including the remainder of that paragraph, the order of December 14, 1993 is affirmed.

BY THE COURT,
Anthony J. Vardaro, J

12-22-93 Copies dist. to Nies & Shekerko

Jan.5, 1994 MEMORANDUM AND AMENDMENT TO ORDER and ORDER filed. AND NOW, January 4, 1994,our order of December 21,1993 headed "Amendment to Order" is rescinded and it is ordered that the order of December 14, 1993 is modified to the extent that Paragraph 2 shall state:

2. Visitation with the child shall be provided to the Plaintiff/Maternal grandmother on the third Friday of each month between t he hours of 1:00 P.M. and 5:00 P.M. at the home of the Defendant, which currently is at R.D#2,Townline Road, Centerville, PA 16404.

In all other respects, the order of December 14, 1993 is affirmed.

BY THE COURT:
Anthony J. Vardaro, J.

1-11-94 Copies to Attys. Nies & Shekerdo

422B

1993

1993

Ferguson & Spataro
Douglas W. Ferguson

873.

Culbertson, Weiss,
Schetroma & Schug
John B. Brautigam

9-7-93 $150.00 deposited by Plf.

MARK W. LUIKART

vs.

LINDA S. RAY

Filed September 7, 1993
@ 2:12 PM

Tax & entry paid 50.50
User's Fee paid 5.00

COMPLAINT FOR CUSTODY
1 copy atty., 1 copy med.

Order:

You, Linda S. Ray, Defendant, have been sued in court to obtain custody, partial custody or visitation of the child: Zackary Luikart.

Wm. Pineo, Esq. has been appointed Child Custody Mediator and you are ordered to appear in person for a conference with Child Custody Mediator at such time and place as he directs. You are further ordered to bring with the child if so requested by the Child Custody Mediator.

If you fail to appear as directed bythe Child Custody Mediator to bring the child, an order for custody, partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.

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

Court Administrator
Crwaford County Courthouse
Meadville, Pennsylvania 16335
Telephone: (814) 336-1151, ext. 298

9/3/93

BY THE COURT
Anthony J. Vardaro, J

Sep. 20, 1993 Affidavit of Service filed. I, theundersigned, being duly sworn according to law, depose and say that Robert Miller, Deputy Sheriff of McHenry County, State of Illinois, served a true and correct copy of the Custody Complaint certified by the Prothonotary of Crawford County, Pennsylvania, on the above named Defendant, Linda S. Ray, by handing a copy of the same to her at her residence of 317 Cooper Canyon Trail,Cary, Illinois, on the 10th day of September, 1993, at 10:25 a.m. o'clock. And further your deponent sayeth not.
September 20, 1993

Douglas W. Ferguson, Esquire

Sept. 28, 1993 Appearance of Culbertson, Weiss, Schetroma & Schug, P.C. by John B. Brautigam for Defendant filed.

Nov. 24, 1993 Consent Custody Order filed. AND NOW, this 22nd day of November, 1993, upon Stipulation of the above captioned Plaintiff and Defendant in regard to the above custody action, it is hereby ORDERED AND DECREED that:

1) The paraties are the Father and Mother, respective, of Zachary Luikart, age twelve (12) whose date of birth is January 8, 1981.

2) Father currently resides at 346 Euclid Avenue, Saegertown, Crawford County, Pennsylvania 16433.

3) Mother currently resides at 317 Cooper Canyon Trail, Cary, Illinois, 60013.

4) The Superior Court of Connecticut Judicial District of Danbury by Order of August 14, 1985, awarded custody to the "Mother" and awarded liberal visitation rights to "Father". The Order was modified by an Order of March 20, 1989, by the same Connecticut Court after "Mother" had relocated to the State of Texas.

5) While in the custody of either parent the child shall have adequate supervision at all times to avoid the child being alone.

6) The parties herein have agreed to modify said Order as per the following:

(a) Father and Mother shall have joint legal custody of the subject minor child, Zachary Luikart;

(b) Father shall have primary physical custody of the minor child beginning October 8, 1993;

(c) Father shall be responsible for the costs of the shipping the minor child's belongings from Illinois to Saegertown, Pennsylvania.

(d) Mother and Father shall alternate Thanksgiving holidays, with the child being in the custody of the Mother for the year 1993. When Mother is to have the child, Father shall pay the travel costs for the trip to Illinois and Mother shall pay the travel costs for the trip back to Pennsylvania. Said visitation shall begin in accordance withthe minor child's school schedule and continue through to the Sunday immediately following Thanksgiving Day.

(e) Mother and FAther shall alternate Christmas holidays, withthe Father having the child for the year 1993. When Mother is to have the child, Father shall pay travel costs for the trip to Illinois and Mother shall pay the Travel costs for the trip back to Pennsylvania. Said visitation shall begin on the first day of the minor child's Christmas vacation from school and shall terminate one day prior to the commencement of school;

(f) Mother and Father shallhave alternate annual spring breaks with the Mother having the child beginning in 1994. Father shall be responsible for the costs of travel from Pennsylvania to Illinois and Mother shall be responsible for all costs from Illinois to Pennsylvania. The spring break visitation shall be in accordance withthe minor child's school schedule, beginning the first day of the break and continue to the day prior to the commencement of school;

(g) Mother shallhave visitation withthe minor child beginning one week after the minor child has completed school for theyear and shall continue for a period of six (6) weeks;

(h) If Mother should visit Crawford County, Pennsylvania area, she shall have reasonable visitation with the minor child, wich does not exclude overnight visitations;

(i) Mother and Father shall consult with each other involving all major decisions involving the chid's health, education and welfare and have equal access to all school and medical information regarding the minor child;

(j) Father, who currently resides with his parents, shall provide a separate residence for himself and the subject child by March 1, 1994. Said residence shall have a separate bedroom for the minor child;

(k) The Mother shall provide in her residence a separate bedroom for the minor child during his visitation period with Mother.

7) Parties are free to make any additional or alternative arrangements respecting the custodial and visitation periods. Said arrangements shall be mutual consent only in the absence of which this Order shall govern.

8) If the minor child should at some future time wish to have Mother as the custodial parent the Father will respect the wishes of the child and return the primary physical custody of the minor child to the Mother. The change will not occur during the school year, the child shall be permitted to finish out the school year in the Penncrest Schools.

9) If primary physical custody of the minor child changes from Father to Mother, the Father will be granted the same visitation rights as set forth herein for the Mother.

DATED: 11/24/93
1 copy atty.

BY THE COURT,
Anthony J. Vardaro, J

Continued to Page 511

1993

Northwest Legal Services
Christopher Brode

874.

GINA BOYLES

vs.

JEFF BOYLES

Filed September 7, 1993
@ 11:34 AM

Tax & entry	Pd 10-18-93	50.50
User's Fee	Pd 10-18-93	5.00
Sheriff's costs		29.00
Pro.Co.	Pd 10-18-93	9.00

9-14-93 Received from Sheriff Cost $29.00
10-19-93 Pd Sheriff Ck# 7862 29.00

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

ORDER:

And now, this 7 day of September , 1993 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The Plaintiff shallhave exclusive possesion of the marital home at 118 Spring St., Cambridge springs, PA pending further order of court.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or fees and costs will be determined by final court order.
7. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the September 17, 1993 , at 3:00 p.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF THE COURT,
Anthony Vardaro, J

Sept. 8, 1993 SERVED Jeff Boyles personally on Sept. 7, 1993 at 1:30 PM by handing him a copy of the Protection from Abuse to him at his residence, 118 Spring St., Cambridge Springs, Crawford County, PA.
So answers,

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

Sep. 21, 1993 Hearing Under ProtectionFrom Abuse and ORDER filed. AND NOW,September 17, 1993, the parties appeared before the Court. The plaintiff had counsel and the defendant represented himself.

The parties agreed to a settlement, and based upon that settlement, the Court enteres the following Order, without admission by the defendant:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff.
2. The marital residence shall be the exclusive possession of the plaintiff. The defendant shall not go within 100 yards of her residence, nor shall he go to theplaintiff's place of employment, training or education.
3. The defendant may contact the plaintiff by mail and by phone before 9:00 o'clock p.m., provided said contact is not frequent nor repeat ed andprovided it is not harassing, abusing or threatening.
4. The defendant shall go to Mental Health or some other recognized treatment facility for drug and alcohol treatment and follow through with any treatment recommended by that facility. The plaintiff will participate in that counseling if (a) the defendant has faithfully attended that program for at least 3 months, and (b) if the defendant's counsel agrees in writing that it would be appropriate for the plaintiff to participate.
5. This Order may be enforced without a Warrant of Arrest by any law enforcement officer having reasonable ground to believe it has been violated.
6. A copyof this Order shall be delivered to the Meadville Police Department and to County Control by the Prothonotary.
7. This Order shall remain in full force and effect until September 16, 1994, unless modified or terminated by further Order of Court.
8. The plaintiff shall not invite the defendant to violet this Order. If she does, the defendant should resist until there has been a modification or termination of this Order because if he is found by law enforcement officers to be at her place of employment or residence, he could be arrested and be held in contempt.
9. This is an Order of Court, and violation of this Order may be punishable by a fine of up to $1,000 and a jail sentence up to 6 months if the defendant violates it.
10. The defendant shall pay court costs in t he amount of $93.50 to t he Prothonotary of Crawford County by October18, 1993, or else face contempt of court proceedings.

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

9-21-93 Copies of Order dist.to Co.Control, MCPD, Plft Counsel & Deft.

May 2, 1994 Complaint for Indirect Criminal Contempt for Violation of Protection From Abuse Order filed.

May 2, 1994 Assignement of Hearing Date filed. May 2, 1994: Hearing in the above captioned matter has been scheduled for May 3, 1994, at 11:30 A.M., in Courtroom No. 2.

FOR THE COURT,
Ann A. Walker, Ct. Administrator

5/2/94 Copies dist. by Court

Continued to Page 424 A

GINA BOYLES
vs
JEFF BOYLES

Continued from Page 434
of Record
AD 1993 - 874

****

May 4, 1994 ORDER filed. AND NOW, May 3, 1994 at the time fixed for hearing on the Plaintiff's complaint for indirect criminal contempt, the Plaintiff appeared in Court, as did the Defendant. Neither had counsel. The Court explained the proceedings to the Defendant and he understood it. The Court explained to the Defendant his right to counsel, including free counsel if he couldn't afford it, and he understood that, too. He waived his right to counsel, and agreed to proceed with the hearing.

The Court conducted an informal hearing and the Plaintiff indicated that she had invited the Defendant back, contrary to the order, several months ago. They apparently lived in a reasonably peaceful fashion until Friday, April 29, 1994 when after they had been drinking, they got into an argument and the Plaintiff struck the Defendant first. The Defendant apparently got into some fight with the Plaintiff. The Plaintiff decided to go to the police to have the Defendant evicted because she wanted him out.

The Court believes that technically, the Defendant is in contempt of Court because he was ordered to stay away, and he didn't. However,the Plaintiff invited him to come back and they apparently lived in peace for some period of t ime. Even though that was wrong, we do not believe it was a willful violation of a court order. Furthermore, the Plaintiff indicates that she wants to drop the PFA proceedings altogether. Accordingly, it is ORDERED as follows:

1. The complaint for indirect criminal contempt is hereby DISMISSED.
2. The PFA order of September 17, 1993 is DISMISSED.
3. A copy of this order shall be delivered by the Prothonotary to County Control the Pennsylvania State Police at Meadville, and the Cambridge Springs Borough Police.
4. The Defendant shall be discharged from the Crawford County Jail as soon as the Warden may process him out.

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

5-4-94 Faxed to Pa.SPD, CSPD, given to Co. Control, Pltf & Deft.

1993

Ferguson & Spataro
Douglas W. Ferguson

875.

ARTHUR D. FISH

vs.

GERTRUDE B. FISH

Filed September 7, 1993
@ 2:12 PM

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

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

Mar. 12, 1998 Important Notice and Court Order filed. Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 9/7/93 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonably delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

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

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

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

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

By the Court,
Date: March 12, 1998 Anthony J. Vardaro, J
Mar. 12, 1998 copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.

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

(See original filed at A.D. 1997 - 702)

1993

Tamera Ochs Rothschild

876.

DIANE M. BLYMILLER

vs.

JAMES F. BLYMILLER

Filed September 7, 1993
@ 2:13 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co Pd 12/16/93	9.00

COMPLAINT IN DIVORCE
2 copies atty.

Sept. 15, 1993 Certificate of Service and Affidavit of Return of Service filed. On September 8, 1993, I mailed a certified copy of a Divorce Complaint in the above captioned matter by Certified Mail No. P 236 793 185 Return Receipt Requested, Restricted Delivery, postage prepaid, to the Defendant, James F. Blymiller, addressed as follows: James F. Blymiller, 311½ N. Franklin St., Titusville, PA 16354.
Defendant signed a return receipt upon delivery September 9, 1993. The receipts are attached hereto and marked as "Exhibit A".
I make this statement pursuant to 18 Pa. C.S. Section 4904 relating to unsworn fasification to authorities and understand that false statements may subject me to criminal penalties under that statute. Tamera Ochs Rothschild

Dec. 16, 1993, Affidavit of Consent of plaintiff filed.

Dec. 16, 1993, Affidavit of Consent of defendant filed.

Dec. 16, 1993, UPon praecipe of plaintiff attorney to transmit the record, this case moved to court.

DIVORCE DECREE FILED

Jan. 4, 1994 AND NOW, this 29th day of December, 1993, it is ORDERED, ADJUDGED AND DECREED that DIANE M. BLYMILLER, Plaintiff, and JAMES F. BLYMILLER, Defendant, are divorced from the bonds of matrimony. No claims have been raised by the parties to this action for which a final order has not yet been entered.

BY THE CORUT:
Gordon R. Miller, J.

1993

Phillips & Galanter,
Donald L. Phillips

877.

MacDonald, Illig,
Jones & Britton
John W. Draskovic

GELVIN, JACKSON & STARR, INC.

vs.

JAMES J. HORNYAK and NANCY HORNYAK i and as partners t/a ELK CREEK REDI-MIX a/k/a ELK CREEK READY MIX

Filed September 7, 1993
@ 2:13 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	32.00
Pro Co pd 3-29-94	5.00

COMPLAINT IN CIVIL ACTION
3 copies Sheriff

Sept. 22, 1993 SHERIFF'S RETURN, filed. I hereby deputize the Sheriff of Erie County, Pennsylvania to serve the within Complaint according to law. The defendants alleged address is 9165 Tannery Road, Gairard, Pa 16417 (Business address).

Robert M. Stevens, Sheriff, Cr. County, Pa.

AFFIDAVIT OF SERVICE: SERVED the within Complaint on September 14, 1993, at 1810 hrs. upon James J. Hornyak/Nancy Hornyak/Elk Creek Ridi-Mix aka Elk Creek Ready Mix at 8361 Shady Lane, Erie County, Fairview, Pennsylvania 16415 by handing to James J. Hornyak/Nancy Hornyak a true and correct copy thereof and made known to him/her the contents therein.

Robert N. Michel, Sheriff Erie County

Oct. 7, 1993 Appearance of MacDonald, Illig, Jones & Britton by John W. Draskovic for Defendants filed.

March 25, 1994 Upon praecipe of Plaintiff's attorney the above captioned is settled and discontinued of record.

1993

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

878.

JEAN A. HILSON

vs.

JOHN W. HILSON, SR.,

Filed September 7, 1993
@ 2:31 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro Pd. 2/4/94	9.00

COMPLAINT IN DIVORCE UNDER SECTION 3301(c) of 3301(d)
EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION
2 copies atty.

Sept. 9, 1993, Service Verification filed. I, the undersigned, being duly sworn according to law, dpeoses and says that the following facts in support of this affidavit of service are true and correct to the best of may knowledge, infor and belief;

1. That the affiant is an adult individual, over the age of 18 years, and a citizen of the US of America.

2. That on Sept. 8, 1993, at approx. 4:00 p.m. I delivered a cert. copy of the Divorce Compalint in the above matter to the defendant by handing the same to him at the law offices of Shafer, Swick, Bailey add Irwin and Stack, located at 360 Chestnut St., Meadville, Pa. 16335. Patty. Carless.

Feb. 4, 1994, Affidavit of Consent of plaintiff filed.

Feb. 4, 1994, Affidavit of Consent of defendant filed.

Feb. 4, 1994, Upon praecipe of plaintiff attorney, to transmit the record, this case moved to court.

DIVORCE DECREE FILED

Feb. 14, 1994 AND NOW, February 11, 1994, it is ordered and decreed that JEAN A. HILSON, plaintiff and JOHN W. HILSON, SR., defendant are divorced form the bonds of matrimony.

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that terms, provisions and conditions of a certain marriage settlemtn agreement between the parties dated Debruary 4, 1994 and attached hereto, are hereby incorporated in this decree and order by reference as fully as though the same were set forth herein at length.

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

Jul. 12, 1994 Qualified Domestic Relations Order filed. AND NOW, this 12 day of July, 1994, it appearing to the Court that:

1. The parties hereto were formerly husband wife and a divorce decree was entered on February 11, 1994 at the above number.

2. John W. Hilson, Social Security No. 103-32-3705, hereinafter referred to as "Participant", is employed by Alden Physical Therapy,P.C., and is a participant in theAlden Physical Therapy, P. C. Profit Sharing Plan (the"Plan").

3. Jean A. Hilson, Social Security No. 086-32-9016, hereinafter referred to as "Alternate Payee", reaised claims for inter alia, equitable distribution of marital property pursuant to the Pennsylvania Divorce Code, 23 P.S. 5 et. seq.

4. The Participant's current and last known mailing address is: Erie Street Extension, Saegertown, Pennsylvania 16433;

5. The Alternate Payee's current and last known mailing address is: 748 Chestnut Street, Meadville, Pennsylvania 16335;

6. The portion of the Participant's benefits under the Plan payable to the Alternate Payee under this Qualified Domestic Relations Order (QDRO) is $54,156.00 as of February 11, 1994, accumulated with investment earnings until date of distribution.

7. The amount designated inParagraph 6 shall be maintained in a plan account in the Alternate Payee's name.

The Alternate Payee shall have the right to roll over any benefits distributed to her pursuant to the terms and provisions of this Order to a eligible retirement plan such as an Individual Retirement Account or to an Individual Retirement Annuity. This transfer will be considered a tax-free rollover of the benefits distributed provided that the balance to the credit of the Alternate Payee is distributed or paid within one (1) year of receipt;

8. This QDRO does not require thePlan to provide any type or form of benefit the Plan does not otherwise provide;

9. This QDRO does not require the Plan to provide increased benefits;

10. This QDRO does not require the Plan to pay any benefits which another order previously determined to be a qualified domestic relations order requires the Plan to pay to another Alternate Payee;

11. All payments made pursuant to this order shall be conditioned on the certification by the Alternate Payee and the Participant to the Plan Administrator of such information as the Plan Administrator may reasonably require from such parties;

12. Until the Plan completes payment of all benefits pursuant to this QDRO, the Plan shall treat the Alternate Payee as a surviving spouse for the purposes of Code §401 (a) (11) and 417, but the Alternate Payee shall receive, as surviving spouse, only the amount described in Paragraph 6 of this QDRO. The sole purpose of this Paragraph 13 is to ensure payment to the Alternate Payee in case of Participant's death prior to payment by the Plan of the amount described in paragraph 6 of this QDRO. In case of the Alternate Payee's death prior to payment by the Plan of all benefits pursuant to this QDRO, the Plan shall pay the remaining benefits under this QDRO to the children, whether or not surviving, of the marriage of the Alternate Payee and the Participant in equal shares, per stirpes, or if none survive, then to the Estate of the Alternate Payee;

IT IS INTENDED that this Order shall qualify as a Qualified Domestic RElations Order under the ERISA, Section 206 (d) (3). The Court retains jurisdiction to amend this Order as might be necessary to establish or maintain its status as a Qualified Domestic Relations Order under the ERISA, Section 201 (d)(3).

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

7-12-94 Faxed to Atty.Irwin. Mailed copy to Deft.

Nov. 1, 1994 QUALIFIED DOMESTIC RELATIONS ORDER filed. AND NOW, this 31 day of October, 1994, by agreement of the parties, this Order is made to effect a Qualified Domestic Relations Order pursuant to the parties' Final Decree and Order entered on February 11, 1994, filed in this Court at No. AD 1993-878.

RECORD CONTINUED ON PAGE 428 (a).....

1993 TERM

JEAN A. HILSON

VS.

JOHN W. HILSON

RECORD CONTINUED FROM PAGE 428

OF

AD 1993 - 878

****

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

1. A portion fo Defendant-Participant, John W. Hilson's interest in the 403(b) Annuity Program of the Meadville Medical Center, shall be irrevocably assigned to Plaintiff-Alternate Payee as herein provided by a Qualified Domestic Relations order; and that
2. The last known name and mailing address of Defendant-Participant, John W. Hilson, is Erie St.Extension, Saegertown, PA 16433;
3. Defendant-Participant has the Social Security Number of 103-32-3705;
4. The last known name and mailing address of Plaintiff-Alternate Payee, Jean A. Hilson, is 748 Chestnut St., Meadville, PA 16335;
5. Plaintiff-Alternate Payee, Jean A. Hilson, has the Social Security Number of 086-32-9016;
6. The Plan to which this Order applies is the 403(b) Annuity Program of Meadville Medical Center, as it now exists or is hereafater amended, and any successor ("Program")
7. Fifty percent (50%) of the Account Balance of Defendant-Participant, John W. Hilson, in the 403(b) Annuity Program of the Meadville Medical Center is hereby irrevocably assigned to Plaintiff-Alternate Payee, Jean A. Hilson, until full distribution is made to Plaintiff-Alternate Payee as specified herein, she shall have all rights and privileges afforded to Plan participants under the terms of the said Plan and of the Employment Retirement Security Act of 1974, as amended by the Retirement Equity Act of 1984;
8. Plaintiff-Alternate Payee, Jean A. Hilson, shall be entitled to commence receipt of such benefit, as specified hereinabove in Item #7, in accordance with the terms of the Plan on the date Defendant-Participant, John W. Hilson, attains the earlies retirement age under the 403(b) Annuity Program of the Meadville Medical Center or under Section 414 of the Internal Revenue Code, whichever is sooner, whether Defendant-Participant, John W. Hilson, actually retires or separates from service. Further, if for any reason Defendant-Participant, John W. Hilson, shall commence to receive or be entitled to commence receipt of his Account Balance under the Program, then the Plaintiff-Alternate Payee, Jean A. Hilson's benefit shall also become payable at the time and in the manner that benefits are made payable to Program participants generally and as Plaintiff-Alternate Payee, Jean A. Hilson, may elect;
9. The parties and the Court intend this Order to constitute a Qualified Domestic Relations Order as defined in Section 414(p)(1) of the Internal Revenue Code of 1986, as amended, and Section 206(D)(3)(B) of the Employee Retirement Income Security Act of 1974, as amended by the Retirement Equity Act of 1984, and this Order shall be administered and interpreted in conformity with the same. Without limiting the generality of the foregoing, this Order shall not provide any type or form of benefit or any option not otherwise provided in sais Plan, shall not require the Plan to provide increased benefits (determined on the basis of actuarial value), and shall not require the payment of benefits to an alternate payee which are required to be paid to another alternate payee under a previously-issued Qualified Domestic Relations Order;
10. In the event the Alternate Payee dies, any amounts not yet distributed from the Annuity Program shall be paid to the children, whether or not surviving, of the marriage of the Alternate Payee and the Participant in equal shares, per stirpes; or if none survive, then to the Estate of the Alternate Payee;
11. The death of the Participant prior to the death of the Alternate Payee shall not alter the Alternte Payee's rights hereunder to receive payment of amounts set forth in this Order, which are payable to her for her life;
12. The Alternate Payee shall be solely responsible for, and bear the burden of, all federal income taxes, penalties and interest payable with respect to actions undertaken pursuant to this Order;
13. This Court shall retain jurisdiction for purposes of enforcement of this Order or for purposes of establishing and maintaining qualification of this Qualified Domestic Relations Order; and
14. If modification is requested by the Plan Administrator in order to make its determination that this Order qualified as a Qualified Domestic Relations Order, then this Order may be modified by the mutual consent of the parties as may be required by the Plan Administrator of the Plan affected by this Order.

IT IS SO ORDERED.

BY THE COURT:
Anthony J. Vardaro, J.

Nov. 2, 1994 Copy to Atty. Irwin.

June 26, 1995 QUALIFIED DOMESTIC RELATIONS ORDER, filed. AND NOW, this 26th day of June, 1995, by agreement of the parties, this Order is made to effect a Qualified Domestic Relations Order pursuant to the parties' Final Decree and Order entered on February 11, 1994, filed in this Court at No. A.D. 1993-878.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

1. A portion of Defendant-Participant, John W. Hilson's interest in the Retirement Plan for Employees of Meadville Medical Center, shall be irrevocably assigned to Plaintiff-Alternate Payee, as herein provided by a Qualified Domestic Relations Order; and that
2. The last known name and mailing address of Defendant-Participant, John W. Hilson, is Erie Street Extension, Saegertown, Pennsylvania 16433;
3. Defendant-Participant has the Social Security Number of 103-32-3705;
4. The last known name and mailing address of Plaintiff-Alternate Payee, Jean A. Hilson, is 748 Chestnut Street, Meadville, Pennsylvania 16335;
5. Plaintiff-Alternate Payee, Jean A. Hilson, has the Social Security Number of 086-32-9016;
6. The Retirement Plan to which this Order applies is the Retirement Plan for Employees of Meadville Medical Center, as it now exists or is hereafter amended, and any successor plan ("Plan")
7. Fifty p½ercent (50%) of the accrued benefit as of the actual retirement date of the Defendnt-Participant, Joh W. Hilson, in the Retirement Plan for Employees of Meadville Medical Center is hereby irrevocably assigned to Plaintiff-Alternate Payee, Jean A. Hilson. Until full distribution is made to Plaintiff-Alternate Payee as specified herein, she shall have all rights and privileges afforded to Plan participants under the terms of the said Plan and of the Employment Retirement Security Act of 1974, as amended by the Retirement Equity Act of 1984;
8. Plaintiff-Alternate Payee, Jean A. Hilson, shall be entitled to commence receipt of such benefit, as specified hereinabove in Item #7, in accordance with the terms of the Plan on the date Defendant-Participant, John W. Hilson, attains the earliest retirement age under the Plan or under Section 414 of the Internal Revenue Code, whichever is sooner, whether Defendant-Participant, John W. Hilson, actually retires or separates from service. Further, if for any reason Defendant-Participant, John W. Hilson, shall commence to receive or b entitled to commence receipt of his accrued benefit under the Plan, then the Plaintiff-Alternate Payee, Jean A. Hilson's, benefit shall also become payable at the time and in the manner that benefits are made payable to Plan participants generally and as Plaintiff-Alternate Payee, Jean A. Hilson, may elect.

In the event the Alternate-Payee should elect to receive benefits prior to the Participant's normal retirement date, her benefit will be reduced in accordance with the early retirement factors contained in the Plan documents.

9. If the Alternate-Payee has not elected to receive her portion of the Benefit hereunder, and the Participant dies prior to the commencement of his pension under the Plan, the Alternate-Payee shall be treated as the surviving spouse as to fifty (50%) percetn of any pre-retirement spouse's benefit which becomes payable under the Plan to a surviving spuse of the Participant as a result of the Participant's death. The remaining fifty (50%) percent

CONTINUED ON PAGE 428B

Jean A. Hilson
vs.
John W. Hilson

CONTINUED FROM PAGE 428A
of Record
A. D. 1993 - 878

****

of the benefit shall be payable to the Participant's current spouse, or such other personas the Participant may designate for this purpose in accordance with the provisions of the Plan. If the Alternate Payee has commenced receiving her portion of the benefit awarded hereunder, and the Participant dies prior to the commencement of his pension under the Plan, the Alternate-Payee shall not be treated as the surviving spouse pursuant to this paragraph.

10. The Alternate-Payee shall have no entitlement to any surviving spouse or joint annuitant options which might be available to the Participant after returemetn, and the Participant may designate such person as he chooses in connection with these post-retirement death benefits.

11. Payment of the portion of the benefit awarded to the Alternate-Payee from the Plan wil be in the form of a single life annuity, providing monthly payments for the life of the Alternate-Payee, or such other form of payment available under the Plan. It is the intent of this Order to provide two benefits from the Plan. One to the Participant and one to the Alternate-Payee with each person having the option to select the form fo Payment as provided under the Plan as he or she shall determine.

12. The Alternate-Payee shall have the same rights with regard to her portion of the Plan as are available to the Participant with regard to his remaining portion of the Plan. In no event shall the Alternate-Payee have greater rights under the Plan than those which are available to the Participant. The Alternate-Payee i snot entitled to any benefit not otherwise provided under the Plan, and is not entitled to any benefit specifically prohibited by the Retirement Equity Acr.

13. The parties shall promptly notify the Administrator of the Plan of any change in their addressed from those set forth in this Order.

14. The parties and the Court intend this Order to constitute a Qualified Domestic Relations Order as defiend in Section 414(p)(1) of the Internal Revenue Code of 1986, as amended, and Section 206(D)(3)(B) of the Employee Retirement Income Security Act of 1974, as amended by the Retiremetn Equity Act of 1984, and this Order shall be administered and interpreted in conformity with the same. Without limiting the generality of the foregoing, this Order shall not provide any type or form of benefit or any option not otherwise provided in said Plan, shallnot require the Plan to provide increased benefits (determined on the basis fo actuarial value), and shall not require the payment of benefits to an alternate payee which are required to be paid to another alternate payee under a previously-issued Qualified Domestic Relations Order;

15. In the event the Alternate Payee dies before all the benefits from the Pension Plan are paid to her under this Order, all such paymetn sshall cease;

16. The death of the Paticipant prior to the death of the Alternate Payee shall not alter the Alternate Payee's rights hereunder to receive paymetn of amounts set forth herein;

17. The Alternate Payee shall be solely responsible for, and bear the burden of, all federal income taxes, penalties and interest payable with respect to actions undertaken pursuant to this Order;

18. This Court shall retain jurisdiction for purposes of enforcement of this Order or for purposes of establishing and maintaining qualification of this Qualified Domestic Relations Order; and

19. If modification is requested by teh Plan Administrator in order to make its determination that this Order qualified as a Qualified Domestic Relations Order, then this Order may be modified by the mutual consent of theparties as may be required by the Plan Administrator of the Plan affected by this Order.

IT IS SO ORDERED.

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

June 26, 1995 Faced to Irwin

1993

Barbara J. Walton

879.

Douglas Ferguson

CHAD M. COSTELLO

vs.

REBECCA COSTELLO

Filed September 7, 1993
@ 2:45 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd. 6-23-94	9.00
Pro.Co. pd 7/6/94	5.00

COMPLAINT IN DIVORCE
2 copies Atty.

Sep. 10, 1993 Affidavit of Service filed. And Now, September 9, 1993, comes Barbara J. Walton, and avers as follows:

1. A true and correct copy of the Complaint for Divorce was mailed to the Defendant via Certified Mail, return receipt on September 7, 1993.

2. That the Defendant signed the return card on September 8, 1993 and in accordance with Pa. R.C.P. 412, service of the Complaint was made as is evidenced by t he United States Postal Service Return Receipt (Certified No. P 341728983) attached hereto as Exhibit A.

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

Barbara J.Walton, Esq.

Jun. 15, 1994 Affidavit of Consent by Chad M. Costello, Plaintiff, filed.

Jun. 15, 1994 Affidavittof Consent by Rebecca Costello, Defendant filed.

June 17, 1994 Upon praecipe of Plaintiff's attorney to transmit records, case moved. to Court.

DIVORCE DECREE FILED

June 29, 1994 AND NOW, June 27, 1994, it is hereby ordered and decreed that CHAD M. COSTELLO Plaintiff, and REBECCA COSTELLO, 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.

Jul.6, 1994 Notice of Election to Retake Maiden Name of Rebecca Costello, to be known as Rebecca Sheckler, filed.

~~(withdrawn) Barbara J. Walton~~

880.

Peters, Lindsay, Lewis & Hatheway
Edward J. Hatheway

Bernadette M. DeVore

10-10-96 Refund from Atty med fee 150

4-27-94 Pd Atty refund 106

12-19-96 Pd to 212 #10433

SUSAN PHARES

vs.

JOHN MCWILLIAMS

Filed September 7, 1993
@ 3:02 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co pd 3-18-96	9 ~~00~~
Pro Co pd 12-19-96	9 ~~00~~

COMPLAINT FOR CUSTODY
2 copies atty.

Sept. 15, 1993 Affidavit of Service filed. And Now, September 14, 1993, comes Barbara J. Walton, and avers as follows:
1. A true and correct copy of the Complaint for Divorce was mailed to the defendant via Certified Mail, return receipt on September 7, 1993.
2. That the Defendant signed the return card on September 1993 and in accordance with Pa. R.C.P. 412, service of the Complaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No. P 341728991) attached hereto as Exhibit A.
I VERIFY that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. 4904, relating to unsworn falsificiation to authorities. Barbara J. Walton.

June 27, 1994 Appearance of Edward J. Hatheway for Defendant filed.

July 7, 1994, Motion to Withdraw Appearance and Order filed.

ORDER: AND NOW, July 5, 1994, the motion for withdrawal of appearance is granted.
BY THE COURT,
Anthony J. Vardaro, J.
July 7, 1994, copies to Walton and Hatheway.

Jul. 12, 1994 Consent, Stipulation and Court Order and Custody Consent Agreement Order filed. AND NOW, this 27th day of June, 1994, after agreement of the parties, the Plaintiff, John C. McWilliams, and the Defendant, Susan M. Phares, the Court enters the following Custody Order:
1. The Plaintiff,Susan M. Phares, and the Defendant, John C.McWilliams, have indicted to the Court that they are the natural biological parents of jessica McWilliams.
2. The Plaintiff and the Defendant shall have joint legal custody of Jessica McWilliams. However, the Defendant, John McWilliams, shall have primary physical custody of Jessica McWilliams.
3. Jessica McWilliams shall reside with her father, the Defendant in this matter, until further order of Court. In other words, Jessica's residence will be deemed that of the Defendant's.
4. The Plaintiff shall be entitled to visitation privileges. The Plaintiff shall be entitled to visitation privileges with Jessica McWilliams on the first and third weekends of the month. The first weekend of the month shall be defined as the first weekend when both Saturday and Sunday fall together in the same month. For example, if January 31st is a saturday and FEbruary 1st is a Sunday, this is not the first weekend of the month. Instead, Saturday, January 7th and Sunday, January 8th, would be the first weekend of the month.
5. The Plaintiff's visitation shall begin a 7:00 p.m. on Friday night and shall end 7:00 p.m. Sunday night.
6. It is the Defendant's responsibility to transport Jessica McWilliams from his residence to the Plaintiff's residence on Friday night. However,it is the Plaintiff's responsibility to transport Jessica McWilliams back to the Defendant's residence when visitation ends on Sunday at 7:00 p.m.
7. Holiday visitation shall be scheduled as follows:
   a. New Years Evening: Jessica McWilliams shall spend New Years Evening with the Plaintiff;
   b. New Years Day: Jessica McWilliams shall spend New Years Day with the Defendant;
   c. February 8th: Jessica McWilliams shall spend February 8th, t he Defendant's birthday, with the Defendant;
   d. February 28th: February 28th is Jessica's birthday. Jessica shall spend her birthday in the morning and afternoon with the Plaintiff. This is defined as from 9:00 a.m. to 6:00 p.m. Jessica will then spend the evening with the Defendant. Evening is defined from 6:00 p.m. on wards;
   e. Easter: Jessica shall spend Easter morning and afternoon with the Plaintiff. This is defined as from 9:00 a.m.until 5:00 p.m.. Jessica shall then spend Easter evening with the Defendant;
   f. April 23rd: April 23rd is the Plaintiff's birthday. Jessica shall be with the Plaintiff from 9:00 a.m.until 8:00 p.m.;
   g. Mother's Day: Jessica shall spend mother's day with the Plaintiff. Jessica shall be with the Plaintiff from 9:00 a.m.until 8:00 p.m;
   h. Memorial Day: Jessica shall spend Memorial Day with which ever party has visitation according to the regular weekend visitation schedule:
   i. Memorial Day: Jessica shall spend Memorial Day wit h which ever party has visitation according to the regular weekend visitation schedule;
   j. Father's Day: Jessica shall spend Father's Day with the Defendant;
   k. LaborDay: Jessica shall spend Labor Day with which ever party has visitation according to the regular weekend visitation schedule;
   l. Thanksgiving: Jessica shall spend Thanksgiving morning and afternoon with the Plaintiff. This is defined as from 9:00 a.m. until 5:00 p.m.. Jessica shall spend Thanksgiving evening with the Defendant;
   m. Christmas Evening: Jessica shall spend Christmas Eve with the Defendant; and
   n. Christmas Day: Jessica shall spend Christmas Day with the Plaintiff. This is defined as from 9:00 a.m. to 10:00 p.m..
8. The Court notes that Jessica will likely be in school onsome of the above dates listed in paragraph seven (7). Although a party may be entitled to visitation on one of the above dates, Jessica must attend school and can not miss school in order to spend time with one of the parties. For example, Jessica can not miss school simply because it is her mother's birthday and her mother wants to spend time with her. Her mother, the Plaintiff in this matter, would be entitled to visitation. However, the visitation would commence after the school day has ended and terminates as determined according to the particular sub-paragraph in paragraph seven (7) above.
9. The parties shall share with each other any and all information which each may have regarding the health, education, and major events i 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.

Continued to Page 430 A

Susan Phares
vs
John McWilliams

Continued from Page 430
of Record
AD 1993 - 880

****

10. The Defendant is required to keep Jessica on his medical insurance plan which he has trhrough his employment. However, the parties agree that when Jessica seeks and receives medical treatment that the parties will split the cost of paying the medical deductible payment. The Defendant shall pay sixty per cent (60%) of the medical deductible payment and the Plaintiff shall pay forty per cent (40%) of the medical deductible payment. These medical costs include not only visits to a hospital, but also eye care costs and dental costs.

11. The Plaintiff shall pay to the Defendant $30.00 per month for child support.

12. Because theDefendant will now have primary physical custody of Jessica McWilliams, the Defendant is no longer required to pay child support to the Defendant and to have child support payments automatically deducted from his employment pay check. The Crawford County Demestic Relations Office and the Plaintiff's place of employment shall be notified in order to terminate the automatic deduction of child support payments from the Plaintiff's pay check.

13. The parties recognize that there may be circumstances from time to time which may prevent the exercise of visitation at the agreed dates and times. To that end, the parties agree that each will give timely and reasonable notice to the other of the existence of such circumstances.

14. In the event of any serious illness of said child at any time, any party then having custody of the said child shall immediately communicate with the other party by telephone or any other means, informing the other party of the nature of the illness. During such illness, each party shall have the right to visit with the child as often as she or he desires, consistent with the proper medical care of the said child. The word "illness" as used herein shall mean any disability which confines the child to bed under the discretion of a licensed physician for a period in excess of forty-eight (48) hours.

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

16. Neither party shall do or say anything to blacken the character or the other in the child's estimation. Each party shall treat the other ina polite and respectful manner when in the child's presence or when in public 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.

17. Neither pary 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 child.

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

7-12-94 Faxed to Atty. Hatheway, mailed copy to Pltf.

Jan. 10, 1996 Appearance of Bernadette M. DeVore for Defendant filed.

Jan. 31, 1996 Custody Consent Modification and ORDER filed. AND NOW, January 31, 1996, upon presentation and consideration of the foregoing, and the parties hereto having executed same, the foregoing Agreement is entered as an Order of this Court. On entering this order we note that paragraph 1 D regarding child support may not be enforceable since that issue is not now before this court.

BY THE COURT:
Anthony J. Vardaro, J.

Feb. 5, 1996 Order FAXED Atty. DeVore; mailed Pltf.

OCT. 10, 1996 Petition for Modification of a Custody Order by Plaintiff, Order and Notice and Notice and Order to Appear filed. AND NOW, this 10 day of October, 1996 it is ordered and decreed that the parents in this matter shall satisfactorily complete the Seminar for Separating Parents in accordance with Crawford County civil Rule L1930. Applications for the seminar may be obtained at the Center for Family Services, Inc. at 996 S. Main Street, Meadville, Pennsylvania 16335; the Prothonotary at the Crawford County courthouse; or the Court Administrator at the Crawford County Courthouse.

BY THE COURT,
Anthony J. Vardaro, J.

NOTICE AND ORDER TO APPEAR: You, John C. McWilliams, have been sued in court to obtain custody, partial custody or visitation of the child Jessica McWilliams.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator William Pineo Esquire for a mediation conference. The Mediator shall send you a Notice of the Hearing by mail to the address listed on the complaint or petition that has been filed recently.

BY THE COURT
Anthony J. Vardaro, J.

Oct. 24, 1996 Certificate of Completion of Separating Parents Seminar by SUSAN MARIE PHARES filed.

Dec. 6, 1996 Certificate of Completion of Seminar For Separating Parents by Defendant filed.

Nov. 26, 1996 TEMPORARY ORDER filed. AND NOW, this 26th day of November, 1996, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

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

Costs and fees of this Mediation, which are fixed at $212.00, are divided equally between the parties with a share of each being assessed to him or her as costs in this case.

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 vosts and the remainder, if any, shall be remitted to her. The father shall pay his share of costs and fees to the Prothonotary of Crawford Co. within thirty (30) days of the date of this Order.

Either party may move the Court for a hearing de novo within twenty days from the date herof. If neither party so moves, this Order shall be considered permanent. (SEE PAPERS FILED).

By the Court,
Gordon R. Miller, J.

Dec. 2, 1996 Order FAXED Attys. Ferry, DeVore, Pineo.

1993

881.

KATRINA N. SPINALE

vs.

DR. JOSEPH J. SPINALE

Filed September 7, 1993
@ 3:40 PM

Tax & entry paid	10.50
User's Fee paid	5.00

CERTIFIED COPY OF PROTECTION FROM ABUSE ORDER ENTERED IN FRAMINGHAM DISTRICT COURT IN FRAMINGHAM, MA

A. The Court has issued the following Ordereds to the Defendant: This Order has issued without advance notice becuase the Court determined that there is a substantial likelihood of immediate danger of abuse.

1. You are ordered not to abuse the plaintiff by hariming or attempting to harm the plaintiff physically, or by placing the plaingiff in fear of imminent serious physical harm, or by using force, threat or duress to make the the plaintiff engage in sexual relations unwillingly.

2. You are ordered not to contact the planitiff or any children listed below, either in person, by telephone, in writing or otherwise, either directly or through someone else, and to stay at least 100 yards away from them, unless you receive written permission romthe Court to do otherwise.

3. You are ordered immediatley to leave and stay away fromthe the plaintiff's residence which is located at 4 Cahill Park Dr., Framingham, PA.

5. You are ordered to stay away fromthe plaintiff's workplace which is located at: Allegheny College, Meadville, PA

Christopher Brode

882.

LINDA IRLAM

vs.

ROBERT REYNOLDS

Filed September 8, 1993
@ 9:57 AM

Tax & entry pd.10/11/93 50.50
User's Fee pd. 5.00
Sheriff's costs pd. 25.00
Pro Co pd.10/11/93 9.00

10-11-93 Rec Sheriff's cost from dft 25.00

10-11-93 Pd Sheriff Ck# 7837 25.00

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

ORDER:

And now, this 8 day of September , 1993 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

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

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or fees and costs will be determined by final court order.
7. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the September 17, 1993, at3:30 p.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Sept. 8. 1993 Sheriff's Return filed. SERVED Robert Reynolds personally on Sept. 8, 1993 at 10:18 AM by handing a copy of the Protection from Abuse to him at his temporary place of custody in the Crawford County Jail, 360 Center St., Meadville, Crawford Co., PA.
So answers,

Robert M. Stevens, Sheriff

Sept 21, 1993 ORDER filed. AND NOW, September 17, 1993, at the time fixed for hearing the plaintiff appeared with counsel. The defendant appeared without counsel. The parties agreed to a settlement of this action, and the defendant admits that he committed the acts of abuse that are set forth in the petition.

ACCORDINGLY, it is ORDERED as follows:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or any of her minor children.
2. The defendant will not contact the plaintiff or her children in any manner. He will not go to her place of residence and he shall not be within 100 yards of her residence, unless he is lawfully traveling on the street or sidewalk adjacent to her residence; in which case, he may pass her residence, provided he does not stop in any manner, does not step off of public property onto private property and mvoes on.
3. The defendant shall pay any expenses incurred by the plaintiff for medical care treatment as a result of this abuse to the extent that the bills for those services are not covered by other sources. The plaintiff shall provide those bills to the defendant within 30 days after she receives them. She shall send those bills to the defendant mother's home for the defendant to pick up, unless the defendant gives the plaintiff an address where he can be reached by mail at all times.
4. The plaitniff may have some of the personal belongings of the defendant. She shall package those up and have them delivered to the defendant's mother's home no later than September 24, 1993. She shall not damage or destroy any of those items.
5. This Order may be enforced without a Warrant of Arrest by any law enforcement officer having reasonable ground to believe it has been violated.
6. A copy of this Order shall be delivered to the West Mead Township Police Department and to County Control by the Prothonotary.
7. This Order shall remain in full force and effect until September 16, 1994, unless modified or terminated by further Order of Court.
8. The defendant shll pay record costs in the amount of $89.50 to the Prothonotary no later than October 1, 1993.
9. The defendant is reminded that this is an Order of Court, and violation of this Order may be punishable by a fine of up to $1,000 and a jail sentence up to 6 months.
10. The defendant shall not cause or procure others to contact the plaintiff or her children.

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

Sept. 21, 1993 copies dist to Brode, Co. Control, WMPD. Sept. 24, 1993 gave Dft. his copy.

1993

R. Christopher Brode

883.

ANN MARIE HUSON

vs.

CHARLES E. CORLISS

Filed September 8, 1993
@ 10:51 AM

Tax & entry	Pd 10-12-93	50.50
User's Fee	Pd 10-12-93	5.00
Sheriff's Costs		25.00
Pro Co	Pd 10-12-93	9.00

10-12-93 Rec from deft Sheriff's Costs 25.00
10-12-93 Sheriff's Pd Ck # 1838 25.00

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

Order:

And now, this 8th day of Sept. , 19 93, 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 won't contact Plaintiff in any way. Defendant shall not go to Plaintiff's residence.

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

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

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

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

7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.

8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for Sept. 20, 1993 , at 3:30 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Sept. 9, 1993 Sheriff's Return filed. SERVED Charles E. Corliss personally on September 8, 1993 at 12;10 PM by handing a copy of the Protection from Abuse to him at his place of employment B and C Auto, Route 322, Meadville, CRawford County, PA.

So answers,

Scott D.Young, Deputy Sheriff
Robert M.Stevens, Sheriff

Sept. 21, 1993 ORDER filed. AND NOW, September 20, 1993, this matter is before the Court on plaintiff's petition, requesting relief under the Protection From Abuse Act.

The parties appear, with the plaintiff represented by counsel and the defendant unrepresented, although he is advised of his right to counsel.

The hearign proceeds formally, and after hearing testimony, which consists of the plaintiff and the defendant, we are convinced that the plaintiff has proven buse within the meaning of the Act to our satisfaction.

ACCORDINGLY, we enter the following Order:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff, nor shall he have any contact with her in any way. The defendant shall not go to the plaintiff's residence during the term of this Order, even if he is invited. If both parties wish for the defendant to go to the plaintiff's residence, then they shall seek a modification of this Order insofar as any police agencey called to the home of the plaintiff shall now presume that the defendant is in violation of this Order for being at that residence and that shall continue unless and until this Order is modified.

2. This Order may be enforced without a Warrant of Arrest by any law enforcement officer having reasonable grounds to believe it has been violated.

3. A copy of this Order shall be delivered to the Police Departments in the jurisdiction where the plaintiff resides; in this case, the Pennsylvania State Police Barracks, and to County Control. Additionally, a copy of this Order shall be sent by regular mail to the defendant by the Prothonotary of Crawford County. The Defendant's address is RD 2, Cochranton, Pa.

4. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000 and a jail sentence of up to six (6) months.

5. The defendant shall pay costs in this matter in the amount of $89.50 within ten (10) days of the date of this Order. They shall be paid to the Office of the Prothonotary on the First Floor of the Crawford County Courthouse.

6. This Order shall remain in full force and effect through September 19, 1994.

7. The parties agree that each of them has some items belonging to the other one, and to the extent that they agaree, the plaintiff will within one week of the date of this Order, arrange for a third party to deliver the items she agrees, from reviewing the list provided by the defendant, is entitled to, and those will be delivered to his pladce of employment. At that time, the defendant will have available any such items as he believes he has in his possession that belong to the plaintiff or her children, which will then be turned over to that third party to return to the plaintiff or her children. Any items remaining in dispute at that time, the parties will be free to seek appropriate legal action with regard to the same.

BY THE COURT,
Anthony J. Vardaro, J.

Sept. 29, 1993 copy to C. Brode, Plf. & Dft.

884.
Thomas, Truax, Spadafore, & Walker
Gregory A. Keenan

CINDY SLANCZKA

vs.

ALBERT LEE BAKER, II

Filed September 8, 1993
@

Tax & entry Pd 11-15-93 50.50
User's Fee Pd 11-15-93 5.00
Sheriff's Costs 30.00
Pro. Co. Pd 11-15-93 9.00

11-15-93 Received from Dft Sheriff Costs 30.00

11-16-93 Pd Sheriff 30.00 Ck# 7905

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

ORDER:

And now, this day of , 19 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions:
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or fees and costs will be determined by final court order.
7. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves Ruling on allocation of fees and costs. Hearing is hereby set for the , at m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF THE COURT,

Sept. 2, 1993 Order filed. AND NOW, September 9, 1993, the Court having entered a temporary abuse order on September 8, 1993, which among other things prohibited the Defendant from visiting or seeing his son, Albert, the Plaintiff and Albert III have appeared before the Court in open Court this date indicating they wish that a portion of the temporary abuse order be modified. The Plaintiff has placed her request in writing and we will order the prothonotary to place it of record in this case.

Based on the Plaintiff's motion, the temporary abuse order of September 8, 1993, is hereby modified as follows:

1. The Defendant shall be permitted, if he so desires, to visit and take his son Albert into his custody on Sunday, September 12, 1993, at eight o'clock a.m. and to take him to the Job Corps in Red Rock, Pennsylvania, at the time Albert is required to report to the Job Corps on Monday, September 13, 1993.
2. In all other respects, the temporary abuse order of September 8, 1993, shall remain in full force and effect without change or modification.
3. The prothonotary shall deliver a true and correct copy of this order to the Pennsylvania State Police at Meadville and to County Control. A true and correct copy of this order shall be delivered to the Defendant by the Plaintiff or Albert III within the next twenty-four hours. The Defendant shall have a right to refuse to take his son into his custody and to take him to the Job Corps. If he does so, he shall notify the Plaintiff at the time he is served with a copy of the order so the Plaintiff may make alternate plans.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Sept. 9, 1993 Copies dist. to Plft.(1 cert. for Deft.) PASPD & Co. Control

Sep. 9, 1993 Sheriff's Return filed. SERVED Albert Lee Baker, II, personally on September 8, 1993 at 1:33 PM by handing him a copy of the Protection from Abuse at his residence, R.D.#2, Box 53, Linesville, Crawford County, PA.

So answers,

Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Sep. 21, 1993 Motion to Reschedule Hearing and ORDER filed. AND NOW, this 20th day of September, 1993, upon consideration of Defendant's Motion to Reschedule the Protection from Abuse hearing currently set for September 20, 1993, at 3:30 p.m., said request is hereby granted and this matter is rescheduled for the 15th day of October, 1993, at 3:30 p.m. in Courtroom No. 1 or 2.

The Temporary Order which was entered on the 8th day of September, 1993, shall be in full force and effect until the rescheduled hearing date as above set forth. Counsel for Defendant shall serve a true and correct copy of the motion and this order on the Plaintiff.

By the Court:
Gordon R. Miller, J.

9-28-93 Copy of Order to Atty. Keenan, & Plft.

Sept. 23, 1993 Letter from plaintiff dtd. 9/9/93 requesting visitation modification filed.

Oct. 18, 1993 ORDER filed. AND NOW, October 15, 1993, at the time set for hearing, the parties and their respective counsel advise the Court that the matter has been amicable resolved and than an abuse Order is entered and the former Order of September 9, 1993 will be superseded by the following Order:

Continued to Page 434 A

1993

CINDY SLANCZKA
vs.
ALBERT LEE BAKER, II

Continued from Page 434
of Record
A. D. 1993 - 884

****

1. The Defendant agrees he will not assault, annoy, harass or abuse the Plaintiff in any fashion.

2. Son Albert, III, is now in the Job Corps and the parties mutually agree that any conditions of this abuse Order shall not be applicable to him.

3. The Defendant will not go within one hundred (100) yars of the Plaintiff's residence or her employemtn or within one hundred (100) yards of the school where son Robert is attending.

4. Temporary custody of the minor child Robert shall be with the mother subject to the following visitations accorded to the fat her:

A. The father may see the child and visit with the child on the first and third Saturdays of each and every month commencing October 16, 1993. The visitation shall be carried out by the father at the home of Joyce and Ken Cavatto, 1727 West 30th Street, Erie, Pennsylvania.

B. If there is some school activity that prevents son Robert from participating in the visit, the visit, the visit will be canceled, but then fat her and his sister, Joyce Cavatto, will det ermine an alternate date of a similar length and Joyce Cavatto will notify the mother of an appropriate alternate date for the visit, which has been canceled because of scheduled school activities involving Robert.

C. The mother agrees that she will provide transportation to take Robert to Erie for the visit and will pick him up and agrees that the child will be dropped off at the end of the driveway and picked up at the same location to avoid the necessity of the mother going to the house of the VAcattos to deliver and pick up the child.

5. The Defendant acknowledges that he has clothes, boots, a hunting license, vaccination certificate, personal times, a $10.00 bill, that are the personal property of son Robert, and he will surrender the same by delivering them to the residence of his mot her, and the Plaintiff shall pick up the same on or about 4:00 p.m. , October 16, 1993.

Further, the parties agree that when Robert attains the age of eighteen (18) years,he shall be entitled to possession of a twelve gage REmington shotgum, and the father will arrange for transfer upon his attaining eighteen years.

6. The Defendant is DIRECTED to pay costs in this case within thirty (30) days of this date.

BY ORDER OF THE COURT,
P. Richard Thomas, S.J.

10-26-93 Copy of Order to Attys. Brode, Keenan, County Control & Pa. State Police.

1993

Thomas, Truax,
spadafore & Walker
R. charles Thomas

885.

THOMAS M. BROWN

vs.

LINDA LEE BROWN

Filed September 8, 1993
@ 2:10 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Addd'l Count pd	15.00
State paid	10.00
Pro.Co.pd 4/18/94	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy atty.

Apr. 15, 1994 Affidavit of Consent of Defendant filed.

Apr. 18, 1994 Affidavit of Consent by Thomas M.Brown, Plaintiff, filed.

Apr. 18, 1994 Affidavit of Service of Complaint in Divorce,filed R. Charles Thomas, Esquire, being duly sworn according to law, deposes and says that on September 8, 1993, he sent a true and correct copy of a Complaint in Divorce,properly endorsed with the Notice to Defend, filed in the above action, to the Defendant, Linda Lee Brown, at Defendant's last known address of 215 South Main Street, Cambridge Springs, PA 16403, by Certified Mail No. P 100 650 586 postage prepaid, return receipt requested, restricted delivery and that attached hereto is a duly executed return receipt card showing date of delivery as September 10, 1993.
April 18, 1994 R.Charles Thomas, Esquire

Apr. 18, 1994 Upon Praecipe of R. Charles Thomas,Esquire, Attorney for Plaintiff to transmit record, Case moved to Court.

DIVORCE DECREE FILED

April 28, 1994 STIPULATION and FINAL DECREE filed. AND NOW, this 21st day of April, 1994, it is ordered and decreed that THOMAS M. BROWN, Plaintiff, and LINDA LEE BROWN, Defendant, are divorced from the bonds of matrimony.

IT IS FURTHER ORDERED AND DECREED as follows:

I. EQUITABLE DISTRIBUTION - REAL ESTATE

1. The Plaintiff, Thomas M. Brown, is awarded the marital real estate located in Cambridge Township, Crawford Co., PA. and having a mailing address of RD # 1, Cambridge Springs, Crawford Co., PA. 16403, and being the same land conveyed to the Plaintiff and Defendant by Deed of Floyd E. Humes and Doris I. Humes dated May 14th, 1971 and recorded in the Office of the Recorder of Deeds of Crawford County in Deed Book 455, Page 992.

II. EQUITABLE DISTRIBUTION - TANGIBLE PERSONAL PROPERTY

2. The Plaintiff is awarded a certain 1991 Dodge Dynasty motor vehicle.

3. The Plaintiff is awarded all tangible personal property presently in the Plaintiff's custody or under the Plaintiff's control and which property is located at the former marital residence of the Plaintiff and Defendant at RD # 1, Cambridge Springs, Crawford Co., PA.

4. The Defendant is awarded all tangible personal property presently in her custody or under her control and located at the Defendant's residence at 215 South Main St., Cambridge Springs, PA., and which tangible personal property was formerly located at the former marital residence of the Plaintiff and Defendant at RD # 1, Cambridge Springs, Crawford Co., PA.

III. EQUITABLE DISTRIBUTION - INTANGIBLE PERSONAL PROPERTY

5. The Plaintiff is employed as a teacher in the Penncrest School District and as such is a participant in the Public School Employees Retirement System. The Plaintiff and Defendant were married on Aug. 23, 1969 and separated on March 15, 1993. In connection with the Plaintiff's participation in the Public School Employees Retirement System, as of June 30th, 1993 the Plaintiff had completed 24.06 years of service for purposes of public school employees retirement. As of June 30th, 1993 the monthly payments to which the Plaintiff would have been entitled as a participant in the Public School Employees Retirement System would have been in the amount of $922.38. The Defendant, Linda Lee Brown, would receive a marital share of said monthly benefit commencing on the date when payments begin pursuant to a Qualified Domestic Relations Order to be entered in this case. The Defendant's share shall be $406.77 per month.

The foregoing figure is computed as follows: 23.58 years (length of time the parties were married to date of separation) divided by 24.06 (Plaintiff's length of credited service as of June 30, 1993) = 0.98 divided by 2 = 44.1 or 44.1%.

The exact figures in this Decree are subject to modification as may of necessity be required in obtaining approval of a Qualified Domestic Relations Order for execution by the Court from the Commonwealth of PA., Public School Employes' Retirement System.

6. The Plaintiff, Thomas M. Brown, shall be entitled to all other benefits available to him as a professional employee of the Penncrest School District and as a participant in the Public School Employes' Retirement System of the Commonwealth of PA. except that portion of the retirement benefits heretofore awarded to the Defendant, Linda Lee Brown.

IV. MARITAL DEBTS

7. The Plaintiff shall be solely and exclusively responsible for payment of the following marital debts:

a) Mortgage to Associates Equity Services Inc.
b) Personal loan to Beneficial Consumer Credit Corp.
c) personal loan to PNC Bank 9formerly Marine Bank)
d) Personal loan to Chrysler Credit Corp. (financing of 1991 Dodge Dynasty)
e) Montgomery Ward charge account
f) J.C. Penney charge account
g) M/M Select credit card charge account
h) Discover Card charge account
i) M/M Master Card charge account

The Plaintiff shall indemnify and hold the Defendant harmless from any liability on the foresaid obligations.

V. MISCELLANEOUS

8. The Plaintif and Defendant shall sign, execute and acknowledge any and all documents necessary to effectuate the transfer of the real estate awarded to the Plaintiff pursuant to this Decree in Divorce and shall also sign, execute and acknowledge any other documents necessary to effectuate the transfer of the tangible personal property awarded pursuant to this Decree.

9. That neither the Plaintiff nor the Defendant shall make any further claim against the other hereto except for the enforcement of the rights and responsibilities set forth in this Decree of Divorce.

BY THE COURT,
Gordon R. Miller, J.

June 27.2003 - See Computer for further entries

Pepicelli, Youngs & Youngs
Christopher J. Youngs

886.

CONSTANCE SUE MILLER

vs.

DANE ERIC MILLER

Filed September 8, 1993
@ 3:23 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro pd. 12/14/93	9.00

COMPLAINT IN DIVORCE
1 copy atty.

Sep. 17, 1993 Proof of Service filed. I hereby certify that a copy of Complaint in Divorce was served upon the Defendant, Eric Dane Miller, by mailing the same to him at 998 Second Street, Meadville, Pennsylvania, 16335, by Certified Mail, Addressee Only, Return Receipt Requested, Number P 100 651 499. Said Complaint was received on 9/15/93, signed receipt attached hereto as Exhibit "A".
Date: 9/17/93

By Christopher J. Youngs, Esquire
Attorneys for Plaintiff

Dec. 14, 1993, Affidavit of Consent of plaintiff filed.

Dec. 14, 1993, Affidavit of Consent of defendant filed.

Dec. 14, 1993, UPon praecipe of plaintiff attorney, for review, this case moved to court.

DIVORCE DECREE FILED

December 23, 1993 AND December 23, 1993, it is ordered and decreed that CONSTANCE SUE MILLER, plaintiff, and DANE ERIC MILLER, 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.

1993

887.

LINDA HALL

vs.

CHARLES JILES

Filed September 9, 1993
@ 1:25 PM

Tax & entry	50.50
User's Fee	5.00
Sheriff's costs	25.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT
3 copies Sheriff
1 copy Plaintiff

Order:

And now, this 9 day of September , 1993 , upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The Plaintiff shall have exclusive custody of the minor chidlren until further order court. She may at her discresion allow him to visit the children.
3. This Order may be enforced without a warrant any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court Liability for payment or fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.
8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for september 17, 1993, at3:30 p. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Sept. 13, 1993 Sheriff's Return filed. SERVED Charles Jiles personally on Sept. 9, 1993 at 3:56 PM by handing a copy of the Protection from Abuse to him at his temporary place of custody in the Crawford County Jail, 360 Center St., Meadville, Crawford Co., PA.

So answers,

Scott D. Young, Deputy Sheriff
Robert M. Stevens, Sheriff

Sep. 21, 1993 Hearing Under Protection From ABuse Act and ORDER filed. AND NOW, September 17, 1993, both parties appeared in court and agreed to the following Order; however,the defendant does not admit that he engaged in the conduct alleged in the Petition.

Based upon the agreement of the parties, it is ORDERED as follows:

1. The defendant shall not assault, abuse harass or threaten the plaintiff or any of the minor children named in the petition.
2. The plaintiff shall have exclusive occupancy of her residence and custody of the children. The defendant shall not go to the plaintiff's residence. TThe defendant may contact the plaintiff in writing or by telephone between 8 o'clock in the morning and 9 o'clock at night, provided that contact is civil. During those contacts, he shall not be abusive, threatening or harassing.
3. The plaintiff indicates that she will give tthe defendant the opportunity to see his children and that she will accomplish that by delivering the children to some other place. Visitations shall not take place in the plaintiff's home.
4. This Order may be enforced without a Warrant of Arrest by any law enforcement officer having reasonable ground to believe that it has been violated.
5. A copy of this Or der shall be delivered by the Prothonotary to the Meadville City Police Department and to County Control. A copy shall be served on tthe defendant at the Crawford County Jail.
6. This Order shall remain in full force and effect until September 16, 1994, unless modified or terminated by further Order of Court.
7. Costs of $89.50 shall be paid by Crawford County since neither party is working.
8. The defendant is reminded that this is an Or der of Court and violation of this Order may be punishable by a fine of up to $1,000 and a jail sentence up to 6 months.

BY THE COURT,
Gordon R. Miller, P.J.

9-21-93 Copies dist. to Co. Control, MCPD,Plft & Deft.

1993

pro se

888.

LUANN EVANS

vs.

JAMES ROBERT EVANS

Filed Sept. 9, 1993
@ 1:50 p.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro Co pd 12/9/93	9.00

COMPLAINT IN DIVORCE

Sept. 10, 1993 WAIVER, ACCEPTANCE OF SERVICE AND ENTRY OF GENERAL APPEARANCE, filed. Comes now the Defendant, JAMES ROBERT EVANS, who is the Defendant in the above captioned cause of action, who acknowledges receipt of a copy of the NOTICE TO DEFEND AND CLAIM RIGHTS and the Complaint in Divorce and cause of action, and admits the allegations in said Complaint in Divorce, and consents to a final Decree in this matter without further notice to the Defendant and waives all notice of disposition of this case. The Defendant hereby acknowledges that HE has been advised of HIS right to counsel in this matter and knowingly and intelligently waives the same. Furthermore, Defendant hereby accepts and agarees with all the provisions and arrangements requested in the complaint in the above-captioned cause. James R. Evans, Defendant

Dec. 9, 1993 Affidavit of Consent of Defendant filed.

Dec. 9, 1993 Affidavit of Consent of Plaintiff filed.

Dec. 9, 1993 Upon praecipe of Plaintiff this case is hereby moved to court.

DIVORCE DECREE FILED

Dec. 20, 1993 AND NOW, December 20, 1993, it is ordered and decreed that LUANN EVANS, plaintiff, and JAMES ROBERT EVANS, 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.

1993

Louis P. Vitti &
Associates PC
Louis P. Vitti

889.

FLEET MORTGAGE CORP.,
ASSIGNEE OF FLEET NATIONAL
BANK, ASSIGNEE OF EAST
BAY MORTGAGE CORPORATION

vs.

DAVID W. WAID AND TERESA
L. HOLMBERG, AND ALL OTHER
OCCUPANTS

Filed Sept. 9, 1993
@ 3:02 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	33.00

COMPLAINT IN EJECTMENT

3 copies (sheriff)

Sep. 22, 1993 Sheriff's Return filed. SERVED David W. Waid on September 16, 1993 at 11:10 AM by handing a copy of the Complaint in Ejectment to Donna Waid, Wife and Adult inCharge at the residence, 306 North Street, Apt.C., Meadville, Crawford County, PA.
NOT FOUND as to Def endant Teresa L. Holmberg. Address of 229 Allegheny Street,Meadville, Crawford County, PA is vacant.
So answers, Scott D.Young, Deputy Sheriff
Robert M.Stevens, Sheriff

440

1993

Pepicelli, Youngs and
Youngs PC
Andrew S. Bacallao

890.

HELEN A. SMITH

vs.

ROBERT R. SMITH

Filed Sept. 9, 1993
@ 4:12 p.m.

Tax & entry paid	$50.50
1 count paid	15.00
state paid	10.00
state paid	10.00
Pro Pd 12/20/93	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

3 copies (atty)

Sep. 20, 1993 Proof of Service filed. I hereby certify that a copy of Complaint in Divorce was served upon the Defendant, Robert R. Smith, Jr., by mailing the same to him at R.D.#3, Linesville, PA 16424, by Certified Mail, Addressee Only, Return REceipt Requested, Number P 100 650 687. Said Complaint was received onSeptember 17, 1993, signed receipt attached hereto as Exhibit "A".
Date: September 20, 1993 By:Andrew S. Bacallao, Esquire

Dec. 17, 1993, STIPULATION BETWEEN PARTIES filed.

Dec. 17, 1993, Affidavit of Consent of plaintiff filed.

Dec. 17, 1993, Affidavit of Consent of defendant filed.

Dec. 17, 1993, upon praecipe of plaintiff attorney, to transmit the record this case moved to court.

DIVORCE DECREE FILED

Jan. 5, 1994, AND NOW, this 30 day of December, 1993, the Court orders and decrees as follows:

1. DIVORCE:

Upon consideration of the pleadings and affidavits filed in the above-captioned case, this Court hereby grants an absolute divorce from the bonds of matrimony to the above-named parties, on the grounds that the marriage is irretrievably broken and ninety (90) days have elapsed from the date of the filing of the Complaint, and an affidavit of consent has been filed by each of the parties, evidencing that each of the parties consents to the divorce pursuant to 3301(c) of the PA. Divorce Code.

2. REAL ESTATE:

There is no real estate owned by these parties, therefore, no distribution is required.

3. VEHICLES:

a) Plaintiff shall retain the 1993 Toyota Corolla Wagon registered in her name. Defendant shall be released from any and all liability on and for the existing vehicle held by the Plaintiff. Defendant shall become the sole and exclusive owner of the 1987 Ford Pickup registered in his name, and Plaintiff shall be released from any and all liability on and for the existing vehicle held by the Defendant. Any title and/or documentation necessary for transfer of said motor vehicles shall be executed by the parties within five (5) days of the date of the divorce decree.

4. TANGIBLE PERSONAL PROPERTY:

a) Plaintiff hereby transfers to the Defendant, all right, title and interest he may otherwise ahve in the tangible personal property now currently in the possession of the Defendant.

b) Defendant hereby transfers to the Plaintiff, all right, title and interest she may otherwise have in the tangible personal property now in the possession of the Plaintiff.

c) Plaintiff and Defendant shall keep as her or his sole property, free and clear of any interest of the other party, all of the funds on deposti held by the Plaintiff or Defendant in any bank or depository or safety deposit box and standing in his or her name as of the signing of the Stipulation.

5. DEBTS:

There are no remaining marital debts between the parties, therefore, all obligations are concluded and no outstanding debts are to be paid.

6. ALIMONY; ATTORNEYS FEES:

In light of the property distribution as stated in this Decree, each party waives all rights he or she may have under the PA. Divorce Code as amended to: no payment will be required of the Plaintiff towards alimony, alimony pendente lite or counsel fees, costs or expenses.

7. LIFE INSURANCE:

Each party has disclosed to the other full information on all life insurance policies insuring his or her life. Each party shall become and remain the sole owner of all policies insuring his or her life and shall have all rights to receive dividends, designate beneficiaries and any other rights and shall have full responsibility for payment of all premiums.

8. MISCELLANEOUS RIGHTS AND CLAIMS:

Except as set forth above, neither party shall make any claim to any property acquired by the other party hereto before they were married, or after they separated, and neither shall make any further claim to any other asset of the other party hereto, except as set forth in this Decree.

9. WAIVER OF FILING OF DOCUMENTS:

Neither party hereto shall require the other party hereto to file an inventory and appraisement as would otherwise have been required by the PA. Rules of Civil Procedure. Each party is aware of the debts and assets acquired during the marriage.

10. WAIVER OF CLAIMS:

Neither party hereto shall make any claim against the other party hereto, except for enforcement of the rights and responsibilities set forth in this Decree.

11. DECREE NOT TO BE CONSTRUED AGAINST DRAFTING PARTY:

This Decree is the product of extended negotiation between the parties. no provision herein shall be construed against or in favor of either party by reason of the identify of the scrivener.

BY THE COURT,
Anthony J. Vardaro, J.

1993

Pepicelli, Youngs and Youngs PC
Christopher J. Youngs

891.

JOHN F. GERDES

vs.

MARYANNE L. GERDES

Filed Sept. 9, 1993
@ 4:12 p.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	10.00
1 count paid	15.00
Pro. Co.pd 11/22/94	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

3 copies (atty)

Sept. 9, 1993, Affidavit Under 3301(d) of the Divorce Code filed.

Sept. 15, 1993 Proof of Service filed. I hereby certify that a copy of Complaint in Divorce was served upon the Defendant, Maryanne L. Gerdes, by mailing the same to her at 786 Washington Street, Meadville, PA, 16335, by Certified Mail, Addressee only, Return Receipt Requested, Number P 228 802 902. Said Complaint was received on , signed receipt attached hereto as Exhibit "A".
Christopher J. Youngs

Nov. 9, 1994 Affidavit of Consent of Plaintiff, filed.

Nov. 22, 1994 Affidavit of Consent by MaryAnne L. Gerdes, Defendant, filed.

Nov. 22, 1994 Upon Praecipe of Christopher J. Youngs, Esquire, Attorney for Plaintiff to transmit record, case moved to Court.

Dec. 1, 1994 Order filed. This divorce matter has been referred to the Court for review and decree. The Court has reviewed the rrecord and is returning the record to the Prothonotary. A final decree will not be entered at this time because: Economic and other issues or counts have been raised in the pleadings or by petition which are not being disposed of by stipulation withdrawl or hearing. To grant a divorce decree without a resolution of those other issues would be tantamount to an improper bifurcation.
Either party may file a praecipe to refer the matter bacl to the Court when the record is in such a state that the parties are entitled to a final decree.

BY THE COURT:
Anthony J. Vardaro, J

Dec. 1, 1994 copies dist. to C. Youngs

Feb. 24, 1995 Upon praecipe of plaintiff attorney for Review Under Section 3301(c) of Divorce Code, this case moved to Court.

March 9, 1995 Motion To Withdraw Claim For Equitable Distribution and ORDER filed. Upon consideration of Plaintiff's motion to withdraw his claim for equitable distribution of property, the Court hereby allows said claim to be withdrawn.
SO ORDERED, this the 7 day of March, 1995.

BY THE COURT,
Anthony J. Vardaro, J.

March 9, 1995 Copy of Order to Atty. C. Youngs.

DIVORCE DECREE FILED

March 9, 1995 AND NOW, March 7, 1995, it is hereby ordered and decreed that JOHN F. GERDES, Plaintiff, and MARYANNE L. GERDES, 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.

442

1993

Watts and Pepicelli PC
Alan L. Pepicelli

892.

Anthony J. Sciarrino

JOSEPH SCADUTO AND
JOANNA SCADUTO, HIS WIFE

vs.

ROBERT W. SHOLLENBERGER

Filed Sept. 9, 1993
@ 4:12 p.m.

Tax & entry paid	$50.50
state pd 9-14-93	5.00
Sheriff's Costs	46.20
Pro Co pd 3-29-95	6.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Oct. 12, 1993 Appearance of Anthony J. Sciarrino, Esq., for Defendant Robert W.Shollenberger, filed.

Oct. 19, 1993 SHERIFF'S RETURN filed. I hereby deputize the Sheriff of Mercer County, Pennsylvania to serve the within Summons according to law. The defendants alleged address is 21 State Street, Greenville, Pa.16125. Robert M. Stevens, Sheriff
Crawford County

AFFIDAVIT OF SERVICE: SERVED the within Summons on 10-1-93 at 4:07 p.m. upon denise Shollenberger, adult family member with whom resides Robert W. Sheriff of Mercer County

Sept. 29,1994 Complaint in Civil Action, filed. (2 copies atty)

Oct. 4, 1994, Notice of Service filed. Alan L. Pepicelli, ESq. hereby certifies that a cert. copy of Complaint in Civil action, an orig. Requests for Production and orig. and 2 sets of Interrogatories were served cert. mail, ret. rec. req. upon the defendant by sending same to dft. at 21 State St. Greenville, Pa. 16125. The receipt for cert. amil and the return receipt are attached hereto as Exhibit "A". Alan L. Pepicelli Esq.

Oct. 13, 1994 Defendant's Answer and New Matter To the Plaintiffs' Complaint filed.

Nov.30,1994 Reply to New Matter of Defendant,filed.

Feb. 14, 1995 Notice of Service of Interrogatories Directed To The Plaintiffs By Defendant Robert W. Shollenberger and Request For Production of Documents Directed To Plaintiffs (First Set) filed.

Feb. 14, 1995 Notice of Service of Answers To Interrogatories Directed To Defendant, Robert W. Shollenberger, First Set) and Response To Requests For Production of Documents Directed To Defendant (First Set) filed.

Mar. 24, 1995 Upon praecipe of plaintiffs attorney the above-captioned case is settled and discontinue of record.

1993

Watts and Pepicelli PC
Alan L. Pepicelli

893.

Thomas, Truax, Spadafore, and Walker
R. Charles Thomas

Knox, McLaughlin, Gornall & Sennett, PC
William C. Wagner
Charles R. Foust, Additional Defendant

LISA L. FOUST AND CHARLES R. FOUST, HER HUSBAND

vs.

EMILY K. RODGERS; GLEN RODGERS AND KATHLEEN RODGERS, HIS WIFE

Filed Sept. 9, 1993
@ 4:12 p.m.

Tax & entry paid	$50.50
state 9-14-93 Pd	5.00
Sheriff's Costs	50.00
Pro Co 1-2-96	6.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Sept. 21, 1993 Writ Return filed. SERVED Emily K. Rodgers on September 16, 1993 at 9:17 AM by handing a copy of the Summons to Kathleen Rodgers on September 16, 1993 at 9:17 AM by handing a copy of the Summons to Kathleen Rodgers, Mother and Authorized Agent, in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA. Signed Acceptance attached.

SERVED Kathleen Rodgers personally on September 16, 1993 at 9:15 Am by handing a copy of the Summons to her in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.

So answers, Diane Brittain, Deputy Sheriff
Robert M. Stevens, Sheriff

Oct. 13, 1993 Writ Reissued.

Oct. 13, 1993 Acceptance of Service filed. I accept service of a Writ of Summons in Civil Action on behalf of Emily K. Rodgers Glen Rodgers and Kathleen Rodgers, his wife, the above-captioned Defendants, and certify that I am authorized to do so.
Date: 10-13-93 Joseph tokarczyk

Oct. 22, 1993, Appearance of Thomas, Truax, Spadafore, and Walker by R. Charles Thomas, attorneys for defendants filed.

June 24, 1994 Complaint in Civil Action filed.

June 27, 1994 Notice of Service filed. Alan L. Pepicelli, Esquire, hereby certified the original Answers to Interrogatories, a certified copy of the Complaint in Civil Action, an original Requests for Production ofDocuments and an original and two sets of Interrogatories were served upon counsel for the Defendant, R. Charles Thomas, Esquire, via hand delivery to his offices situate at the Old Post Office Building, 296 Chestnust Street, Meadville, PA 16335, on the 24th day of June 1994. Alan L. Pepicelli

Sep.12, 1994 Answer to Plaintiffs' Complaint, filed.

Nov. 23, 1994 Appearance of Knox, McLaughling, Gornall & Sennett, PC by William C. Wagner for Charles R. Foust filed.

Dec. 30, 1994 Additional Defendants Reply To New Matter Asserted By Original Defendants filed.

Aug. 16, 1995, Notice ofDepositions of Emily K. Rodgers filed.

Dec 29, 1995 Upon praecipe of plaintiff attorney the above-captioned case is settled and discontinued of record.

444

1993

Ostroff & Kline, PC
Jonathan Ostroff

894.

STEVEN PROVOST, A MINOR BY HIS PARENTS AND NATURAL GUARDIANS, ARTHUR AND ROSE ANN PROVOST
R. D. #5, Box 922
Meadville, Pa. 16335

vs.

DONALD E. AND KATHLEEN G. CHADMAN
R. D. #1
Emlenton, Pa. 16373

Filed Sept. 10, 1993
@ 10:17 a.m.

Tax & entry paid	$50.50
state paid	5.00
Pro.Co. pd 10/6/93	5.00

SUMMONS IN A CIVIL ACTION, PETITION TO APPROVE SETTLEMENT OF MINOR'S CLAIM AND SCHEDULE OF DISTRIBUTION PURSUANT TO PA. R.C.P. 2039, AFFIDAVITS, AND ORDER FOR DISTRIBUTION

1 copy (atty)

ORDER FOR DISTRIBUTION: AND NOW, this 10 day of Sept. 1993, upon consideration of the foregoing Petition to Approve Settlement of Minor's claim in the above matter for Thirteen Thousand Dollars ($13,000), it is hereby approved and distribution is ordered as follows:

To: Ostroff & Kline, PC - Reimbursement of costs	$ 178.60
To: Ostroff & Kline, PC - Counsel Fee (25%)	3,250.00
To: Steven Provost, Minor, to be placed in a trust account, and marked not to be withdrawn until he reaches the age of eighteen (18) years (January 19, 2001	9,571.40
TOTAL VALUE.....	$13,000.00

The attorney for plaintiff will provide evidence of the deposit within thirty (30) days.

BY THE COURT,
Anthony J. Vardaro, J.

Sept. 13, 1993, copy of order to Atty. Ostroff.

Oct.6, 1993 Upon Praecipe of JonathanOstroff, Esquire, Attorney for Plaintiffs, the above matter settled, discontinued and ended, upon payment of costs only.

1993

Barbara J. Walton
pro se

895.

Fuller, Kinnunen, Petruso, Gamble, Fabian & Hall
Gary A. Fabian
for Defendant

BRENDA K. HEIM

vs.

FREDERICK L. HEIM

Filed Sept. 10, 1993
@ 10:17 a.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00

COMPLAINT IN DIVORCE (3301D)

3 copies (plff).

Sept. 10, 1993 Affidavit Under Section 3301(d) of the Divorce Code filed.

Sep. 22, 1993 Affidavit of Service filed. And Now, September 21, 1993, comes Barbara J. Walton, and avers as follows:
1. A true and correct copy of the Complaint for Divorce was mailed to the Defendant via Certified Mail, return receipt on September 15, 1993.
2. That the Defendant signed the return card on September 20, 1993 and in accordance with Pa. R.C.P. 412, service of the Complaint was made as is evidenced by the United States Postal Service Return Receipt (Certified No. P 341728846) attached hereto as Exhibit A.
I VERIFY that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to t he penalties of 18 Pa.C.S.§4904, relating to unsworn falsification to authorities.

Barbara J. Walton, Esquire

Oct. 14, 1993 Counter-Affidavit Under Section 3301(d) of the Divorce Code, filed.

Oct. 14, 1993 Appearance of Fuller, Kinnunen, Petruso, Gamble, Fabian & Hall by Gary A. Fabian for Defendant, filed.

Oct. 15, 1993 Notice of Intention to Request Entry of Divorce Decree filed.

Aug. 24, 1994 Motion to Withdraw and ORDER filed. AND NOW, Aug. 24, 1994, Gary A. Fabian, is granted leave to withdraw as attorney for defendant, Frederick L. Heim, in the above-captioned matter. Counsel shall send a copy of this order to the defendant at his last known address forthwith.

BY THE COURT
Gordon R. Miller, J.

Aug. 24, 1994 Copy of order FAXED to Attys. Walton and Fabian.

Mar. 12, 1998 Important Notice and Court Order filed. Out court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 8/24/94 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonable delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.
If you do not object to this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.
I If you object to the case being dismissed, you must put your objections in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or send a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.
YOU MAY LOSE IMPORTANT RIGHTS IF YOUR CASE IS TERMINATED. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHER EYOU CAN GET LEGAL HELP.
Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

By the Court,
Anthony J. Vardaro, J

Date: March 12, 1998
Mar 12, 1998 Copies mailed by Court Administrator's Office

Apr. 3, 1998 Affidavit of Consent To Divorce of Defendant filed.

Apr. 3, 1998 Waiver of Notice of Intention to Request Entry of Divorce Decree Under 3301(c) of the Divorce Code of Defendant filed.

June 4, 1998 MEMORNADUM FILED. THIS divorce action was terminated for inactivity pursuant to PA.R.J.A. 1901 and Crawford County L.J.A. 1901.
Some filing other than written objections to termination, as required by thelocal rule, have been filed after the notice of termination was entered, mailed and served.
The matters have been filed since that notice was sent are a nullity and will not be considered further by the Court since the matter has been formally terminated.

BY THE COURT
Dated:June 3, 1998 GRODON R. MILLER, P.J.
6/4/98 FAXED TO FABIAN 6/4/98 Copy to Walton

1993

896.

JANICE VOLK

vs.

JOSEPH KUBAN

Filed Sept. 10, 1993
@ 10:42 a.m.

Tax & entry	Pro Se Pd	$50.00
state	Pd 11-2-94	5.00
Sheriff's Costs		37.00
Pro Se Pd 11-2-94		9 00

11-2-94 Rec'd from dept Sheriff's costs 37 00
11-2-94 Pd Sheriff Chk # 8648 37 00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy (plff)
3 copies (sheriff)

ORDER:

And now, this 10 day of Sept., 1993, upon review of the petition of Plaintiff, the Court enters the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.

2. Special Conditions:

Defendant shall not contact plaintiff in any way. Defendant shall not go to plaintiffs residence or place of work.

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.

4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.

5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.

6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or fees and costs will be determined by final court order.

7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000 and a jail sentence of up to six months.

8. The court reserves ruling on allocation of fees and costs.

Hearing is hereby set for Sept. 22, 1993, at 3:30p.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. MIller, J.

Sept. 14, 1993 Sheriff's Return filed. SERVED Joseph Kuban on September 10, 1993, at 6:30 PM by handing him a copy of theProtection from Abuse at Plaintiff's residence, R.D. #2, Box 2117, Union City, Crawford County, PA. Plaintiff Janice Volk served the paper.
So answers, Robert M. Stevens, Sheriff

Sept. 23, 1993 ORDER filed. AND NOW, Sept. 22, 1993, at the time fixed for hearing in this matter, the plaintiff appeared. The defendant did not. The Corut is satisfied that the defendant was served with the Petition and Temporary Abuse Order setting this hearing, and therefore, we are permitted to proceed in his absence.

The plaintiff has presented evidence that the defendant engaged in physical abuse as that is defined by the Protection From Abuse Act, and acordingly, the Court is satisfied that she is entitled to relief, and we enter the following order:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff in any way.

2. The defendant shall not contact the plaintiff in any way. He shall not go to her residence or place of work. In fact, he shall not be within 100 yards of her residence or place of work.

3. This Orer may be enforced without a Warrant of Arrest by any law enforcement officer having reasonable ground to believe that it has been violated.

4. The Prothonotary shall deliver a copy of this Order to the Pa. State Police at its Corry Barracks and to Co. Control.

5. The Prothonotary shall send a copy of this Order to the defendant in care of Joseph Kuban, 372 Crescent Garden Drive, Pittsburgh, PA (Zip Coe Unknown), with a copy also to the defendant in care of the plaintiff for forwarding onto the defendant at any forwarding address gives to the postal authorities.

6. This Order shall remain in full force and effect for one year from this date; that is, until Sept. 21, 1994, unless modified or terminated by further Order of Court.

7. The defendant shall pay record court costs in the amount of $101.50 by paying the same to the Prothonotary no later than Oct. 29, 1993. If he fails to pay the record court costs, he may be held in contempt and punished accordingly.

8. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000 and a jail sentence of up to 6 months.

BY THE COURT,
Gordon R. Miller, P.J.

Sept. 24, 1993 Copy of Order to Corry PSP, County control;(copy mailed to plf., dft. - 10/1/93).

Aug. 12, 1994 Petition for Contempt and ORDER OF COURT filed. AND NOW, this 12 day of August, 1994, the within Petition having been presented and duly considered,the prayer of the Petition is granted and a Rule is issued on said Defendant to show cause, if any he has, why he should not be held in contempt of this court.

Said Rule returnable and to be heard on the 27 day of September, 1994 at 8:45 o'clock a.m. in Courtroom 1 or 2, Crawford County Courthouse, Meadville, Pennsylvania.

Continued to Page 446 A

Janice Volk
vs
Joseph Kuban

Continued from Page 446 A
of Record
AD 1993 - 896

The Prothonotary is directed to mail a certified copy of the Petition, Rule and Order to the Defendant by certified mail. If Service cannot be made by certified mail,the Sheriff of Crawford County shall forthwith serve or have served a copy of the Petition, Rule and Order upon the Defendant.

BY THE COURT,
Anthony J. Vardaro, Judge

8-12-94 Certified copy mailed to Deft. by Cert. Mail

Sep. 21, 1994 Affidavit of Service filed. Barbara H.King, Prothonotary, being duly sworn according to law, deposes and says that:

1. She is the Prothonotary of Crawford County, Pennsylvania.
2. That a true and attested copy of the above-captioned Petiton for Contempt and Order Setting Hearing was mailed to the above Defendant by Certified Mail on 8-17-94 and by regular mail on 8-17-94.
3. That the Certified Mail was addressed to Joseph Kuban at R.D.#2, Box 2117 UnionCity, PA and the Return Receipts are attached hereto. Service was accepted by Joseph Kuban on 8-18-94.
4. That Regular Mail was addressed to Joseph Kuban at R.D.#2, Box 2117 Union City,PA and was never returned.

Barbara H. King, Prothonotary

Sept. 28, 1994 ORDER filed. This matter came before the Court on September 27, 1994 on a petition for contempt filed by the Prothonotary requesting the Defendant be held in contempt of court for failure to pay costs amounting to $101.50 in this abuse case under an order entered Sept. 23, 1993. The record shows that a certified mail notice was delivered to the Defendant at RD #2, Box 2117, Union City, PA 16438 on or about August 18, 1994. At the time of hearing, the Defendant fails to appear.

The Court finds the Defendant in contempt of court for failing to pay the aforesaid costs and authorizes the Prothonotary to issue a bench warrant for the apprehension of the Defendant and for hearing to be set before the Court at the request of the Prothonotary.

BY THE COURT:
P. Richard Thomas, S. J.

Sept. 29, 1994 Bench Warrant issued to Sheriff with copy of Order to Sheriff and Deft.

Nov. 2, 1994 Warrant Returned.

1993

Thomas Dana Watson

897.

DONALD SCHANZ, TIMOTHY GEER, JON GARLAND, ROSEANN GEER, AND JOHN LYONS

vs.

CONNEAUT LAKE PARK VOLUNTEER FIRE DEPARTMENT, A PENNSYLVANIA NON-PROFIT CORPORATION

Filed Sept. 10, 1993
@ 11:00 a.m.

Tax & entry paid $50.50
state paid 5.00
In Error ~~Sheriff's Costs 31.00~~

PETITION FOR APPOINTMENT OF CUSTODIAN

10 copies (atty)

ORDER OF COURT - APPOINTMENT OF CUSTODIAN FOR CONNEAUT LAKE PARK VOLUNTEER FIRE DEPARTMENT: AND NOW, to-wit, this 10 day of Sept. 1993, it is hereby ORDERED, ADJUDGED AND DECREED as follows, to-wit:

1. Sadsbury Township, Crawford County, Pa. the Superv isors thereof, is/are hereby appointed Custodian of the Conneaut Lake Park Vol. Fire Dept. pursuant to 15 Pa. C.S.A. Sec. 5764 (and 5981) inter alia, and according to law and equity.

2. Said Custodian shall have all powers set forth in and pursuant to said Statute, and common law and equity as well, with full power of substitution in whole or in part in the performance of its duties and full power to act through designated agents and appointees as designated and appointed by the Custodian.

3. Said Custodian shall have sole and exclusive power and authority to manage, direct, operate and conduct all of the affiars of the said Dept. and in such manner and by such persons as the said custodian shall deem necessary and proper according to law and equity, and shall have the exclusive right and authority to continue to manage, direct, operate and to conduct all of the affairs fo the department and to do all acts and things whatsoever which the department itself might do, according to law and equity. etc.

4. This Custodianship shall continue until December 31, 1993 unless extended by further order of court in order to allow the custodian to account for the financial and other affairs of the Department, and in order to organize, manage and direct the affairs of the Department, and to conform its operations and management in accordance with law, etc.; and after a reasonable period of time, upon proper motion of the Petitioner or of the officers and directors of the department or of the Custodian itself, the court shall consider the continuation or termination or modification of the Custodianship, as the court shall deem just and equitable and proper under the circumstances at that time.

5. This is entered without prejudice to any party to seek further hearing prior to Dec. 31, 1993.

BY THE COURT,
Anthony Vardaro, Judge

Sept. 13, 1993, copy to Atty. Watson.

ORDER OF COURT:

AND NOW, to-wit, this 10 day of Sept. 1993, upon consideration of the Petition and Order for Appointment of custodian of and for Conneaut Lake Park Volunteer Fire Department, it appearing that the custodian appointed is the municipality in which the said Department is located, Sadsbury Township, Crawford County, Pa., the Supervisors thereof, and according to Township Code, it being the legal responsibility fo the said Twonship to provide fire protection, and it being the legal right and authority ofthe Township to make rules and regulations pertaining to fire departments within its jurisdiction, and upon the finding of the court that no bond or surety is nexessary in this case , the Petitioners and the Custodian are hereby relieved of any requirements to post bonds or sureties, and the appointment of the Custodian and the commencement of its duties and actions under said appointment shall take effect forthwith.

BY THE COURT,
Anthony Vardaro, Judge

Sept. 13, 1993, copy of order to Atty. Watson.

In Error ~~Sept. 20, 1993 SHERIFF'S RETURN, filed. SERVED Benny J. Petruso personally on September 16, 1993 at 9:00 AM by handing a copy of the Complaint to him in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Pa.~~

~~SERVED Angeline Petruso on September 16, 1993 at 9:01 AM by handing a copy of the Complaint to Benny J. Petruso, her Authorizedm Agent, in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Pa. Signed Acceptance of Service attached.~~

So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

Dec. 29, 1993 Motion to Extend the Custodianship of the Township and Order filed. AND NOW, this 29 day of December, 1993, upon presentation and considerationof the wthin Motion, it is hereby ordered and decreed that the Township of Sadsbury shall continue as custodian for the Conneaut Lake Park Volunteer Fire Department for an indefinite period of time provided, however, that this Court will entertain a further motion to terminate the custodianship upon motion of the Petitioners or by officers and directors of the Department or by the original Petitioners in this case after March 31, 1994.

BY THE COURT,
Anthony J. Vardaro, J

Jan. 7, 1994 Copies of order to Atty. Watson and Thomas

Sept. 7, 1994 Petition to Terminate Custodianship and Discharge Custodian and Order filed. AND NOW, to-wit, this 7th day of September, 1994 upon consideration of the foregoing Petition to Terminate Custodianship and to Discharge the Custodian, it is hereby Ordered, Adjudged and Decreed that the Custodianship of the Conneaut Lake Park Volunteer Fire Department be and is hereby Terminated; and further, is it hereby Ordered, Adjudged and Decreed that the Custodian, being Sadsbury Township and the Supervisors thereof, is/are hereby fully and finally Discharged; and further, it is hereby Ordered, Adjudged and Decreed that the Custodian is relieve of any obligation to provide any further formal accounting of its activities or affairs as Custodian.

All matters whatsoever under the authority, direction or control of the Custodian shall be duly assigned, appointed, transferred and turned over entirely unto the Conneaut Lake Park Volunteer Fire Department itself as soon as is reasonable and practicable, forthwith.

6 copies atty.

BY the Court,
Gordon R. Miller, J

1993

Phillips and Galanter
Donald L. Phillips

898.

GELVIN, JACKSON & STARR, INC.

vs.

CONCRETE SERVICES, INC.

Filed Sept. 10, 1993
@ 2:05 p.m.

Tax & entry paid $50.50
state paid 5.00
Sheriff's Costs 28.00
Pro Co. pd 3-29-94 5.00

COMPLAINT

1 copy (sheriff)

Sept. 27, 1993 SHERIFF'S RETURN, filed. I hereby deputize the Sheriff of Erie County, Pa. to serve the within Complaint according to law. The defendants alleged address is 9165 Tannery Road, Girard, Pa. 16417. Robert M. Stevens, Sheriff, Crawford County

AFFIDAVIT OF SERVICE: SERVED the within Complaint on September 20, 1993, at 1115 hrs., upon Concrete Services, Inc. at 9165 Tannery Road, Erie County, Girard, Pennsylvania by handing to Nancy Hornyak, owner a true and correct copy thereof and made known to her the contents therein. Robert F. Michel, Sheriff, Erie County

Oct. 7, 1993 Appearance of MacDonald, Illig, Jones & Britton by John W. Draskovic for Defendant filed.

Mar. 25, 1994 Upon praecipe of Plaintiff's attorney the above captioned cae is settled and discontinued of record.

1993

Edwin W. Smith
Ely and Smith

899.

Sesler & Sesler
Gregory P. Sesler
Benny J. Petruso &
Angeline Petruso

S. E. Riley Jr.,
Conner & Riley
for Prin. Financial Gp.

HAMOT MEDICAL CENTER OF THE CITY OF ERIE, PENNSYLVANIA

vs.

BENNY J. PETRUSO; ANGELINE PETRUSO AND THE PRINCIPAL FINANCIAL GROUP

Filed Sept. 10, 1993
@ 2:05 p.m.

Tax & entry paid $50.50
state paid 5.00
Sheriff's Costs 31.00

Pro Co Pd 1/20/99 5.00 ✓

COMPLAINT

3 copies (sheriff)

Sept. 20, 1993 SHERIFF'S RETURN, filed. SERVED Benny J. Petruso personally on September 16, 1993 at 9:00 AM by handing a copy of the Complaint to Him in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Pa.

SERVED Angeline Petruso on September 16, 1993 at 9:01 AM by handing a copy of the Complaint to Benny J. Petruso, her Authorized Agent, in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Pa. Signed Acceptance of Service attached.
So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

Oct. 6, 1993 Answer, New Matter and Counterclaim Against Additional Defendant filed.

Oct. 6, 1993 Appearance of Sesler & Sesler by Gregory P. Sesler for Defendant, Benny J. Petruso and Agneline Petruso filed.

Oct. 6, 1993 Vertifiecation filed.

Oct. 21, 1993 Reply To New Matter And Answer To Counterclaim, filed.

Oct. 21, 1993 Certificate of Service on Interrogatories and Request for Production of Documents to Defendant - First Set, filed.

Oct. 21, 1993 CERTIFICATE OF SERVICE, of Reply to New Matter and answr to Counterclaim, filed.

Nov. 1, 1993, Verification filed. I, Edwin W. Smith Esq. hereby verify that I served true and correct ocpy of palintiff's compalint in the above case on dft. by cert. mail, ret. rec. req. to the Principal Financial Group at its address at 711 High st. DesMoine, Ia. 50309, on Oct. 18, 1993, The ret. rec. signed by Evelyn Dunca, being attached hereto.
Edwin W. Smith Esq.

Nov. 3, 1993 CERTIFICATE OF SERVICE, filed. I. GREGORY P. SESLER, hereby certify that a true and correct copyof the Answer, New Matter and Counterclaim Against Additional Defendant were served.

Nov. 30, 1993, Answer and New Matter on Behalf of Defendant The Principal Financial Group, filed.

Nov. 30, 1993, Reply to New Matter, Answer to Counterclaim, and New Matter to Counterclaim on Behalf of Defendant the Principal Financial Group, filed.

Dec. 9, 1993 Certificate of Service, of Reply to New Matter of The Principal Finance Group Life Insurance Compnay, filed.

Dec. 9, 1993 REply To New Matter Of The Principal Financial Group Life Insurance Company, filed.

Jan. 26, 1994 Certificate of Service of Request for Admission, filed.

Jan. 26, 1994 Motion To Amend and Order, filed. ORDER: AND NOW, to-wit, this 24th day of January, 1994, it is hereby ORDERED, ADJUDGED and DECREED that the caption of the above set forth complaint shall be amended to properly reflect the defendants as Benny J. Petruso, Angelina Petruso and Principal Mutual Life Insurance Company, individually and doing business as The Principal Financial Group. Further, it is hereby ORDERED that any reference to Angeline Petruso in the dbody of the complaint shall be deemed in reference to Angelina Petruso and any reference to the Principal Financial Group shall be deemed in reference to Principal Mutual Life Insurance Company, individually and doing business as The Principal Financial Group.
Gordon R. Millelr, P.J.
Jan. 26, 1994 copy given to Atty Smith

Feb. 3, 1994 Certificate of Service, filed. I, GREGORY P. SESLER, hereby certify that a true and correct copy of the within Answer to Plaintiff's Request for Admission to Defendnats - First Set were served upon above named plaintiff as follows: Service on Hamot Medical Center by personal delivery of a copy thereof to Ely & Smith, Edwin W.Smith,Esq. Attorneys for Plaintiff, at their offices located at 23 West 10th Street, Erie,Pennsylvania 16501; the address last known to me, on the 2nd day of February, 1994.
Gregory P.Sesler, ESq. Atty.for DEfedants,
Benny J. Petruso and Angeline Petruso

Mar. 10, 1994 Certificate Of Service of Answers to Interrogatories and Request for Production of Documents to Plaintiff filed.

Oct. 3, 1994 Response to Request for Production ofDocuments,filed.

Oct. 30, 1995 Motion for Partial Judgment filed.

Oct. 30, 1995 Answers to Interrogatories and Request for Productionof Documents to Defendants - First Set, filed.

Oct.30, 1995 Request for Admission to Defendants - First Set,filed.

Nov. 1, 1995, upon praecipe of attorney for plaintiff, this case placed on next argument list.

ON DECEMBER 1995 ARGUMENT LIST

Continued on Pg. 481

1993

Feczko and Seymour
Mark F. Bennett

900.

NANCY PAPROCKI

vs.

CHRISTOPHER CHARLAND AND
NAOMI MADDEN

Filed Sept. 10, 1993
@ 2:05 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Copsts	37.00
Pro Co pd 12-23-93	9.00
Certification pd 10-12-94	$2.00
	6.00

COMPLAINT IN CIVIL ACTION

1 copy (sheriff)
1 copy (atty)

Sept. 21, 1993 Sheriff's Return filed. NOT FOUND as to Defendant Naomi Madden at address given of 311 Davis Place, Titusville, Crawford County, PA. As per the Titusville Police Department, she has moved to Florida.
So answers, Robert M. Stevens,
Sheriff

Nov. 15, 1993 Upon praecipe of plaintiff attorney, Complaint reinstated filed.

Nov. 23, 1993 Affidavit of Service filed. Before me, the undersigned authority, a Notary Public, in and for said County and Commonwealth, personally appeared Mark F. Bennett, Esquire, who, being duly sworn according to law, deposes and says that a true and correct copy of the Complaint in Civil Action was served on Naomi R. Madden at the address of 3925 Rambler Avenue, St. Cloud, FL 34772 by certified and regular U.S. Mail, on the 19th day of November, 1993, as is evidenced by the return receipt which is attached hereto and marked as Exhibit "A". Mark F. Bennett

Dec. 23, 1993 And Now, upon praecipe of Plaintiff's attorney judgment is hereby enter in favor of the plaintiff and against the defendants for want of an answer and athe same is liquidated at the sum of Four thousand three hundred seventy-five dollars and 60/100. Debt: $4,375.60
C - 34 JUDGMENT
M - 123 Barbara H. King, Pro.
1-6-94 Notice of entryof Judgment sent to Defendants.

Jan. 13, 1994 Sheriff's Return filed. Returned to Prothonotary unserved on January 13, 1994. No instructions or service fee received by Sheriff.
So answers, Robert M. Stevens, Sheriff

Jun. 8, 1994 Petition for Service Pursuant to Special Order of Court and ORDER OF COURT filed. AND NOW, to-wit, this 8 day of June, 1994, upon presentation of the within Petition and consideration by t he Court of the matters contained therein, the Plaintiff is authorized to reinstate the Complaint and serve the Defendant,Christopher Charland, by ordinary regular U. S. mail at 1415 Minnesota Avenue, St. Cloud, Florida 34769. If said ordinary regular U. S. mail is not returned, it shall be presumed effective service.
BY THE COURT:
Anthony J. Vardaro, J.

6-8-94 Copy mailed to Atty. Bennett.

Jun. 13,1994 Complaint reinstated.

July 18, 1994 AFFIDAVIT OF SERVICE, filed. BEFORE ME, the undersigned authority,a Norary Public, in and for said County and Commonwealth, personally appeared Mark F. Bennett, Esquire who, being duly sworn according to law, deposes and says that a true and correct copy of the Complaint in Civil Action was served on Christopher Charland at 1415 Minnesota Avenue, St. Cloud, Florida 34769 by regular U.S. mail, on the 14th day of June, 1994, and said regular mail has not been returned.

Aug. 4, 1994, 1:36 p.m., AND NOW upon Praecipe of plaintiff Attorney,with copy of Notice of Intention to file default judgment attached, judgment is hereby entered in favor of Plaintiff and against Defendant for failure to file an answer and damages are assessed as follows:

Amount claimed in Complaint		$4,375.60
Interest from----		
	Total	$4,375.60
	Debt $4,375.60	
C-34	Judgment	
Judgment entered 8/4/94.	Barbara H. King, Pro.	

Aug. 12, 1994 Notice of judgment mailed defendants.

Jan. 13, 1995 Sheriff's Return filed. Returned Not Served. Received no instructions or check.
So answers, Robert M. Stevens, Sheriff

As of August 23, 2000 any filings involving this case can be found in the computer

FRONT

THOMAS L. THURBER
VS.
JODY L. THURBER

CONTINUED FROM PAGE 336
of Record
A. D. 1993 - 786

8888888888

Kathleen Easly
vs.
Douglas Wilcox

CONTINUED FROM PAGE 298
of Record
A. D. 1993 - 748

****

D. The Memorial Day and Labor Day three day weekends shall be alternated between the parties each year, beginning at 6:00 o'clock p.m. on the Friday preceding the holiday and ending at 6:00 o'clock p.m. on the evening of the holiday. The Independence Day holiday,in the event it falls on a Friday or Monday, shall be also oberved as a three day weekend visitation. In the event that Independence Day falls in the middle of the week, the holiday shall be celebrated between the hours of 9:00 o'clock a.m. and 11:00 o'clock p.m. so that the child may watch fireworks.

E. The child shall spend Father's Day with the father and Mother's Day with the mother, with said visitation periods to begin at 9:00 o'clock a.m. and end at 6:00 o'clock p.m.

F. The child's holiday, New Years Eve and New Years Day, shall be alternated between the parties in a manner to be agreed upon between the parties.

G. The provisions of this paragraph shall take precedence over other provisions of this Order relating to the custodial or visitation periods.

IV. The parties shall split the responsibility for transportation with the party receiving the child in the exercise of his sor her rights picking up the child at the home of the other. If, however, father receives any visitation with the child that is not specifically set forth in this Order, father shall provide all transportation in regard to said visitation.

V. Should it be necessary for either party to cancel or modify the visitations as set forth herein, or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows as the necessity which impels the cancellation or modification. The parties shall attempt to give each other at least twelve hours notice of any cancellation or modification. Said modification or cancellation should 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, unless, however, a party fails to give any notice whatsoever regarding a cancellation or modification, whereby that party will be deemed to forfeit the scheduled visitation period in question.

VI. The parties are free to make additional or alternative arrangements respecting the custodial and visitationperiods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

VII. 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.

VII. Cost of the midiation conference shall be equally divided between the parties. The Prothonotary of Crawford County is hereby directed to refund one-half (½) of the deposit paid in advance by the Plaintiff, less the cost of the custody order.

Gordon R. Miller, P.J.

Oct 11, 1993 copy to M.A. Kirkpatrick, K. Nelson, J. Fuller, Plf. & Dft.

1993

Ruth S. Strain
vs.
William E. and Jane E. Holzer

CONTINUED FROM PAGE 331
of Record
A. D.. 1993 - 781

****

17. No specific visitation schedule is created herein for the father. The parties shall attempt to give the father reasonaable periods of visitation in these children so that he may have continuing contact with them. If the father desires to have visitations, he shall first attempt to work out an agreement with the mother and grandmother, and if that cannot be doen, he has a right to file an appropriate action with this Court.

The father shall not take the children from the jurisdiction of tis Court unless he does so with the agreement of the mother and the grandmother, both had in writing.

18. The mother shall at all times keep the grandmother and father advised of a current address and telephone number where she can be reached.

19. Any party having custody or temporary visitation rights in the children shall immediately notify the others of any illness, sickness or matter adversely affecting the health, morals, safety or welfare of the children.

20. For Christmas, 1993, if the mother has obtained the residence described above and is the primary physical custodian at that time, she shall have the children with her that weekend giving, however, the grandmother a reasonable period of visitation at a time to be agreed between them.

If that is normally a weekend when the grandmother would have the children, another weekend shall be substituted therefore.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Oct. 11, 1993 copies dist to Brode, Lindsay, & Dft.(w/Holzer)

Dec. 7, 1999, AS OF THIS DATE, ALL ENTRIES ARE ON COMPUTER

Dale R. Cummings
vs.
Rose M. Cummings

CONTINUED FROM PAGE 55
of Record
A. D. 1993 - 505

Nov. 9, 1993 Affidavit of Consentof Defendant, filed.

NOv. 9,1993 Upon praecipe of Plaintiff's attorney to transmit record, case mvoed to Court.

Nov. 22, 1993, MEMORANDUM from Gordon R. Miller, Judge, filed.
Nov. 22, 1993, copies dist. to Walton and Keenan, attys.

Nov. 29, 1993, UPon praecipe of plaintiff attorney, for Review, this case moved to court.

DIVORCE DECREE FILED

Dec. 7, 1993 AND NOW, this 6th day of December, 1993, it is Ordered and Decreed that DALE R. CUMMINGS, Plaintiff, and ROSE M. CUMMINGS, Defendant, are divorced from the bonds of matrimony.

By the Court:
Gordon R. Miller, J.

March 16, 1994 Petition for Entry of Agreement and CONSENT CUSTODY ORDER filed. AND NOW, this 15th day of March, 1994, upon stipulation of the parties to this action, the following Order is hereby entered:

Dale R. Cummings and Rose M. Cummings, the parties in the above captioned action, have agreed upon the matters set forth below and agree that the Court of Common Pleas of Crawford Co., PA., shall enter an Order in accordance with the terms of this Consent Custody Order without the necessity of their being present in Court. They have waived any further notice of the proceedings in conjunction with the entry of said Order and each has received an advance copy of this Consent Custody Order. They represent that each is aware of their right to confer with independent legal counsel for review of this matter, prior to entry into agreement, Stipulation and Court Order. (EXHIBIT "A")

1. The parties Dale R. Cummings (Father) and Rose M. Cummings (Mother), are the natural parents of the minor children, Alex J. Cummings, age 5 and Adam J. Cummings, age 8.

2. The parties shall share legal and physical custody fo the subject minor children. Both parties are entitled to full access to medical records, educational records, and other important records, and each parent shall be entitled to take part in important decisions affecting the children, including those decisions involving the children's education, medical treatment, and religious instruction. Furthermore, in addition to each parent being entitled to full to access to medical records, the parteis agree to disclose to each other any and all information pertaining to any medical treatment received by the children or which is contemplated to be received by the children without the other party being compelled to rely only on medical records for dissemination of this information. Likewise, the parties agree to share with each other all information of any nature which pertains to the minor chidlren and which either party would reasonably believe that the other party would have an interest in being advised of.

3. The natural mother shall have primary physical custody of the subject minor children, and father shall have partial custody of the subject minor children as hereinafter set forth:

A. Father shall have partial custody of the subject minor children on alternate weekends from Friday at 6:00 p.m. through the following Sunday at 6:00 p.m. Father's initial weekend of partial custody shall commence on March 11, 1994. Additionally, father shall have partial custody of the subject minor children for two (2) weeks during the summer months. Father may choose two (2) consecutive weeks in the summer or one (1) week at a time. In either event, father agrees to notify mother at least 30 days in advance of his intention to avail himself of his summertime visitation.

B. The parties shall alternate the holidays of Thanksgiving, Christmas and Easter with the party receiving custody on said holidays obtaining custody at 12:00 noon and relinquishing custody at 8:00 p.m. The parties shall alternate the holidays in a manner that the party who has the children for Thanksgiving would also have them for Easter while the other party would have them on Christmas day. Initially, Father will have custody of the subject minor children for Easter and Thanksgiving in 1994 and Mother will have custody of the subject minor children on Christmas Day of 1994. Thereafter, the parties would alternate this arrangement annually.

Furthermore, the parties agree that the children will be in fathers custody on every Father's Day and in mother's custody on every Mother's Day.

C. Father agrees to provide all transportation necessary to give effect to the custody provisions set forth in this agreement so long as mother shall continue to reside in Crawford County. In the event that mother relocates outside of Crawford Co., the parties agree that at that time they will share equally in the transportation responsibilities.

3. Each party shall teach the minor children to give to the other party that love, respect and obedience which is due a parent from his or her children.

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 children.

5. Any person transporting the children shall make sure that seat belts or other restraints are used in accordance with the laws of PA.

7. Neither party shall do or say anything to blacken the character of the other in the children's estimation. Each party shall treat the other in 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.

8. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco nor permit others to do so in a closed automobile in which the chilfen are being transported or in the bedrooms of the children.

9. The parties are free to make additional or alternative arrangements respecting the custodial periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Consent Order shall govern.

By the Court:
Gordon R. Miller, J.

Mar 13, 1997 Petition for Civil Contempt for Disobedience of the Custody Order and Order: AND NOW, this 13th day of March, 1997, upon presentation of the Plaintiff's Petition for Civil Contempt for Disobedience of the Custody Order, a Rule is granted upon the Defendant to show cause, if any she may have, why the relief requested in this Petition should not be granted.

RETURNABLE for hearing and/or argument on the 24th day of March, 1997 at 10:00 a.m. in Courtroom No. 2.
Ann A. Walker, C.A.

Mar 13, 1997 Faxed Irwin & Keenan
Mar 18, 1997 Faxed Walton

Mar 26, 1997 ORDER: AND NOW, March 24, 1997, this matter comes beforfe the Court on the Plaintiff's Petition for Civil Contempt for Disobeyance of a Custody Order. The hearing starts formally, and after some testimony, we have discussions with counsel for both parties and it is agreed that after the Court has clarified and explained further the meaning of the shared legal custody provisions of the Order with regard to normal and "emergency" situations, that the Petition for Contempt shall be dismissed and it is dismissed without prejudice obviously to any party to bring future contempt proceedings based on conduct that may occur from this day forward. Anthony J. Vardaro, J.
Mar 26, 1997 Dist Keenan & Irwin Apr 2, 1997 Dist Walton

Cont on Pg. 466B

DANIEL C. JESSE

VS.

DIANNE L. JESSE

RECORD CONTINUED FROM PAGE 77

OF

AD 1993 - 527

****

5. DEBTS:

Payment of debts incurred during the course of the marriage, shall be made by both parties equally, including a home equity loan and an extra cash account with Integra Bank. It is hereby agreed that the proceeds from the sale of real estate as described above in Paragraph 2 shall be applied to these outstanding debts. During the time of separation Plaintiff alone made payments toward the home equity loan and extra cash account. The amounts paid by Plaintiff during separation will be included in the total amount of debts be paid with the proceeds of the sale of real estate. Once all debts have been paid, the net proceeds shall be distributed equally between the Plaintiff and Defendant.

6. RETIREMENT AND PENSION BENEFITS:

It is the agreement of the parties that each paraty shall retain any and all interest, vested or otherwise, in any employment or pension benefits held through their respective employers. Any documentation needed to divest the respective party's interest in the other party's benefits shall be executed, if not already done so, within five (5) days of the date of the signing of the divorce decree.

7. ALIMONY; ATTORNEYS FEES:

In light of the property distribution as stated in this Decree,each party waives all rights he or she may have under the Pa. Divorce code a amended to: no payment will be required of the Plaintiff towards alimony, alimony pendente lite or counsel fees, costs or expenses.

8. LIFE INSURANCE:

Each party has disclosed to the other full information on all life insurance policies insuring his or her life. Each party shall become and remain the sole owner of all policies insuring his or her life and shall have all rights to receive dividends, designate beneficiaries and any other rights and shall have full responsibility for payment of all premiums.

9. MISCELLANEOUS RIGHTS AND CLAIMS:

Except as set forth above, neither party shall make any claim to any property acquired by the other party hereto before they were married, or after they separated, and neither shall make any further claim to any other asset of the other party hereto, except as set forth in this Decree.

10. CHILD CUSTODY AND VISITATION:

By agreement and stipulation of the parties, a Consent Custody order was entered at the above-captioned case and so no further action is taken with request to custody and visitation at this time. The parties retain the usual rights to modification thereof. The Defendant shall have primary physical custody of the children as set forth in this Consent Order and so no further action is taken with respect to custody and visitation at this time. The parties retain the usual rights to modification thereof.

11. WAIVER OF FILING OF DOCUMENTS:

Neither party hereto shall require the other 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 of the debts and assets acquired during the marriage.

12. WAIVER OF CLAIMS:

Neither party hereto shall make any claim against the other party hereto, except for enforcement of the rights and responsibilities set forth in this Decree.

13. DECREE NOT TO BE CONSTRUED AGAINST DRAFTING PARTY:

This Decree is the product of extended negotiation between the parties. No provision herein shall be construed against or in favor of either party by reason of the identity of the scrivener.

BY THE COURT,
Anthony J. Vardaro, J.

Tammy S. Donovan
vs.
James E. Donovan, Jr.

CONTINUED FROM PAGE 247
of Record
A. D. 1993 - 697

****

8. The Court of Common Pleas of Crawford County, Pennsylvania, shall retain jurisdiction of this matter so long as either of the parents or one 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 defendant father and 50% by the County of Crawford on behalf of the indigent mother. Prothonotary shall refund to Plaintiff the deposit of $150.00 she has made. Same may be provided for her counsel.

10. This Order shall be a Temporary Order, but shalll become a permanent Order unless exceptions are filed by either party within ten days from the date of this Temporary Order.

BY THE COURT:
Anthony J. Vardaro, J.

Jan. 5, 1994 copy to W. Hundertmark, S. Dratler, B. Smith, Plf. & Dft.

Feb. 18, 1994 Appearance of Tamera Ochs Rothschild, Esq. on behalf of plaintiff filed.

Mar. 1,1994 Affidavit of Consent of Plaintiff, filed.

Mar. 1, 1994 Affidavit of Consent of Defendant, filed.

Mar. 11, 1994 Upon Praecipe of Tamera Ochs Rothschild, Esquire, Attorneys for Plaintiff, to transmit record, Case Moved to Court.

Mar. 24, 1994 Order filed. AND NOW, March 21, 1994, the court has reviewed the plaintiff's praecipe to transmit the recored for a final decree. The Court returns the record to the Prothonotary. It appears that the record is in proper order for the entry of a divorce decree but theCourt will not enter a divorce decree at this time beacause the defendant owes $92.17 toward custody mediation fees. So long as there are outstanding costs the Court will do nothing further in this case.

BY ORDER OF COURT,
Gordon R. Miller, J

Mar. 24, 1994 Copies dist. to Rothschild & dft.

Apr. 29, 1994 Upon praecipe of Plaintiff's attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

May 9, 1994 AND NOW, this 4th day of May, 1994, it is ORDERED, ADJUDGED AND DECREED that Tammy S. Donovan, Plaintiff and JAMES E. DONOVAN, JR., Defendant, are divorced from the bonds of matrimony. No claims have been raised by the parties to this action for which a final order has nto yet been entered.

BY THE COURT:
Gordon R. Miller, J.

Sep. 27, 1994 Petition to Modify Custody; Reappoint Mediator and NOTICE AND ORDER TO APPEAR, filed. You, JAMES E. DONOVAN,Jr., have been sued in Court to obtain shared custody of Adam Donovan and Jacob Donovan.

You are ORDERED to appear inperson at such time and place as will be determined by the Mediator BRUCE L. SMITH for a mediation conference.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

Until the time of the above hearing neither party shall remove the children from the Commonwealth of Pennsylvania.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE, IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU AN GET LEGAL HELP.

Court Administrator
Crawford County Courthouse
Meadville, PA 16335

(1 copy Atty. 1 Mediator)

Date: 9/21/94

BY THE COURT:
Gordon R. Miller,J.

10-3-94 Copy to Attys. Walton & Hundertmark & Deft. & Atty. Smith

Oct. 11,1994 Affidavit of Service filed. And Now,October 10, 1994, comes Barbara J. Walton, and avers as follows:

1. A true and correct copy of the Motion to Appoint a Custody Mediator and Petition to Modify Custody was mailed to the Defendant via Certified Mail,return receipt on October 5,1994.

2. That the Defendant signed the return card on October 7,1994 and inaccordance 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.Z070383638) 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 falsificationto authorities.

Barbara J.Walton,Esquire

Dec. 6, 1994 Motion To Withdraw Petition To MOdify Custody and Appoint Custody Mediator and Order, filed. AND NOW, this 5 day of December, 1994, upon presentation of the Motion to Withdraw Petition to Modify Custody and Appoint Custody Mediator by the Plaintiff, same is hereby granted and the Order of December 10, 1993 shall remain in effect.

By the Court:
Anthony J. Vardaro, J.

Dec. 6, 1994 Faxed Drather & Smith, given Walton

Jan. 3, 1995 Motion For Refund of Medition Deposit and Order, filed. AND NOW, December 28, 1994, this Court orders that the Prothonotary's Office refund to Plaintiff's attorney for Plaintiff the amount of $150.00 which is the unused portion of Plaintiff's mediation deposit.

BY THE COURT:
Anthony J. Vardaro, J.

Jan. 3, 1995 Faxed Dratler, Smith, given Walton

June 16, 1995 Petition For Special Relief and ORDER filed. AND NOW, this 16 day of June, 1995, upon consideration of the Petition For Special Relief filed on behalf of the Plaintiff, it is hereby Ordered that, prior to the Defendant receiving custody of the subject minor children for the first full week of July and August of 1995, that the Defendant communicate to the Plaintiff in writing within 5 days where he will exercise the periods of partial custody with the children such that he will not be violating Paragraph 4 of the custody Order dated Dec. 10, 1993.

BY THE COURT:
P. Richard Thomas, S. J.

June 16, 1995 Order FAXED Attyls Keenan and Dratler.

Jun. 16, 1995 Petition to Hold Defendant in Contempt and ORDER filed. AND NOW, this 16th day of June, 1995, upon consideration of Plaintiff's Pettion to Hold Defendant in Contemtp, a hearing is hereby in this matter for the 5th day of July, 1995, at 1:30 P.M. in Courtroom No. 1 or 2.

BY THE COURT:
Anthony J.Vardaro, J.

6-21-95 Faxed Keenan & Dratler

Continued on Page 456A

Donovan vs. Donovan A. D. 1993 - 697 CONTINUED FROM PAGE 456

Jul 7, 1995 ORDER filed. AND NOW, July 5, 1995 this matter comes before the Court on the Plaintiff's petition to hold the Defendant in contempt. Essentially, this has to do with the children being around pets at the residence of the Defendant's parents, where the Defendant now resides. Apparently, both parties were aware enough of the chidlren having problems with being exposed to pets as well as smoke to the extent that in the mediator's recommendation of December 10, 1993 Paragraph 4 indicates that neither parent shall have pets in the home and that neither parent shall smoke cigarettes or cigars in the home, nor shall they have a wood burning fire when the children are present.

The Defendant now resides at his parents' house and there are several kittens and apparently at least one small dog and one large dog, and it is obvious from talking to the children that they do have contact, whether it be outside or inside, with these pets.

Accordingly, we find that the Defendant is in contempt of the temporary order of court entered on December 10, 1993 and specifically Paragraph 4 of that order.

He may purge himself of contempt by following that order completely and totally, and he may not take the children during any period of temporary physical custody to his parents' home unless there are no pets present, either inside or outside. His period of temporary physical custody may continue so long as the visitations occur at some other location where there are no pets nor nay violations of Paragraph 4 of the order of December 10, 1994.

With respect to the Defendant taking the children to his parents' house if the parents have inside pets who continue to reside at the house, the children may not go in the house, it being the Court's intention that either there be no pets whatsoever at the Defendant's parents' home or, at the very minimum, they be outside pets who are not present when the children are visitign at that residence.

The Defendnat shall pay attorney's fees to Plaintiff's counsel within 30 days from this date in the amount of $150.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

July 7, 1995 copies dist to Keenan & Dft.
July 13, 1995 Faxed B.Smith, Dratler & Walton, sent Hundertmark

July 18, 1995 Praecipe for Withdrawal of Counsel and ORDER filed. This 14th day of July, 1995, upon consideration of the above Praecipe to Withdraw, it is hereby ORDERED and DECREED that Roeder and Rothschild be permitted to withdraw its appearance of record for the plaintiff, Tammy S. Donovan, in the above-captioned matter.

Gordon R. Miller, J.

July 19, 1995 Order FAXED Atty. Tamera Rothschild, B. Smith, S. Dratler, B. Walton; copy mailed Hundertmark.

July 25, 1995 Motion To Withdraw and Order filed. AND NOW, July 24, 1995 the motion for withdrawal if appearance is granted.

By the Court:
Gordon R. Miller, J

July 25, 1995 Faxed Dratler, given Walton

Nov. 13,1995 Petition to Hold the Defendant in Contempt and ORDER filed. AND NOW, this 9th day of November,1995,upon consideration of the Plaintiff's Petition to the Hold the Defendant in Contempt, a hearing in this matter is hereby shceduled for the 7th day of December, 1995, at 1:00 P.M. in Court Room No. 2.

BY THE COURT:
Gordon R.Miller, J.

11-13-95 Faxed Attys. Keenan, B.Smith,S.Dratler

Dec 13, 1995 ORDER filed. AND NOW, December 7, 1995, this matter is once again before the Court on the Plaintiff's petition to hold the Defendant in contempt.

After informal hearing and after an interview withe the children on the record, we find that the Defendant is in contempt of the order entered as a result of the recommendation on Dec. 10, 1993 and is further in contempt of our order of July 10, 1995.

Since this is the second time he has been in contempt, it is ordered and directed that he pay a fine of $200 within 30 days of this date and that he pay attorney's fees to the Plaintiff's counsel in the amount of $150 within 30 days of this date.

The Defendant may not have the children in his physical custody until he arrives in an agreement with the Plaintiff that applies an alternative satisfactory location for the periods of temporary physical custody with the children other than his parents' home; or if that cannot be done until, he makes a proposal to the Court for such alternative sof temporary physical custody that the Court finds satisfactory.

It is not this Court's intention to keep this Defendant from visiting with his children, and it is obvious that these children love both parents and like to visit with them both. Therefore, until that matter can be resolved with the satisfactory location, we will not mandate it; but we will strongly suggest that the Plaintiff allow the Defendant to have some periods of visitation either at her residence with the children or at some neutral location so that they do not lose contact with their father while this matter is being resolved for their benefit. GW

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

Dec 13, 1995 given Keenan & Dratler
Dec 15, 1995 Faxed B. Smith

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

6-24-04 See Computer for further entries.

456B

1993 TERM

Victoria L. Gallo
vs.
John S. Gallo, Sr.

CONTINUED FROM PAGE 389
of Record
A. D. 1993 - 839

****

11. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this order shall govern.

12. Either party may request a review of this order upon a substantial change in the living circumstances of either or upon any substantial change of circumstances involving the child.

13. Costs and fees of this Mediatiion, which are fixed at $227.00, are divied equally between the parties with a share of each being assessed to him or her as costs in this case.

14. The deposit required for the appointment of the Custody Mediator was made by the mother. The deposit shall first be applied against the mother's share of costs and the remainder, if any, shall be remitted to her. The father shall pay his share of costs and fees to the Prothonotary of Crawford County within thirty (30) days of the date of this Order.

15. Either party maymove the Court for a hearing de novo withintem (10) days from date hereof. If neither party so moves, this Order shall be considered permanent.

By the Court,
Gordon R. Miller, P.J.

Mar. 21, 1994 copy to W. Pineo C. St. John, J. Mason, Plf. & Dft.

Mar. 29, 1994 ORDER filed. AND NOW, on this 25th day of March, 1994, upon consideration of plaintiff's Motion for a de novo custody hearing. IT IS HEREBY ORDERED AND DECREED that a de novo custody hearing shall be held in Courtroom No. 1 or 2 of the Crawford County Courthouse on the 26th day of May, 1994 at 9:15 A.M.

BY THE COURT:
Gordon R. Miller,P. J.

4-4-94 Copy of Order to AttysPineo, St. John., J. Mason ,Pltf & Deft.

May 25, 1994 Motion to Discontinue De Novo Custody Hearing and ORDER filed. AND NOW,on this 24th day of May, 1994, upon consideration of plaintiff's Motion to cancel a de novo custody hearing, IT IS HEREBY ORDERED AND DECREED that the de novo custody hearing scheduled for May 26, 1994 at 9:15 a.m.by and between the parties is hereby discontinued upon the request of the moving party, Victoria L. Gallo, by and through her attorney.

BY THE COURT:
Gordon R. Miller, P.J.

5-25-94 Faxed copy to J.Mason & St. John. 6-2-94 Faxed copy to Atty.Pineo.

Aug. 2, 1994 Petion to Modify Custody and Order, filed. ORDER: YOU JOHN S. GALLO, SR., have been sued in Court to obtain shared custody of John S. Gallo, Jr.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator William Pineo for a mediation conference.

If you fail to appear as provided by this Order, and Order for custody, partial custody or visitation may be entered agaisnt you aor the Court may issue a warrant for your arrest.

Until the time of the aabove hearing neither party shall remove the child from Crawford County, State of Pennsylvania.

BY THE COURT:
Gordon R. Miller, P.J.

(1 copy Mediator, 1 copy atty)
Aug 2, 1994 Faxed to J. Mason

Aug. 3, 1994 Petition to Stay Custody Order and ORDER filed. AND NOW, this 3 day of August, 1994, upon presentation of the petition for Stay of Custody Order it is hereby ORDERED, ADJUDGED AND DECREED that until such time as a Mediation hearing is held, the minor child shall remain in the custody of the Mother with the Father to have visitation as arranged by the parties to take place in Crawford County.

By The Court:
P. Richard Thomas, S. J.

Aug. 3, 1994 Order FAXED to Attys. Walton, J. Mason and Pineo.

Aug. 5, 1994 Upon Praecipe of Christopher J.St.John, Esquire, Attorney for Plaintiff, his appearance is hereby withdrawn Appearance of Barbara J.Walton, Esquire, Attorney for Plaintiff, filed.

Aug. 16, 1994 Affidavit of Service filed And Now, August 15, 1994, comes Barbara J.Walton, and avers as follows:

1. A true and correct copy of the Motion to Appoint a Custody Mediator and Petition to Modify Custody was mailed to the Defendant via Certified Mail, return receipt on August 5, 1994.

2. That the Defendant signed the return card on August 10, 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. Z070383651) attached hereto as Exhibit "A".

I VERIFY that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. § 4904, relating to unsworn falsification to authorities.

Barbara J. Walton, Esquire

Sept. 8, 1994 TEMPORARY ORDER filed. AND NOW, this 7th day of September, 1994, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator.

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor child, John S. Gallo, Jr.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and major events in the life of the subject minor child. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor child.

3.a. The mother shall have physical custody of the subject minor child each year from Aug. 15 to the following June 15 and the father shall have physical custody of said child from June 15 to the following August 15. The father shall also have the right of visitation and temporary physical custody during the child's Christmas vacation from school. In even numbered years, the Christmas visitation period shall begin on the day after the child's school shall have closed for the vacation and shall end on the day before school resumes. In odd numbered years, the Christmas visitation period shall begin on Dec. 26 and end on the day before school shall resume.

b. The subject minor child shall have the right to telephone the parent not having physical custody at reasonable times and for reasonable lengths of time and such conversations will not be unreasonably monitored by the parent having physical custody.

4. 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.

RECORD CONTINUED ON PAGE 469.....

Alice R. Clark

vs.

Keither D. Clark, Sr.

Record continued from page 421

of record

A.D. 1993 - 871

****

11. Neither party shall expose the children to the company of person of the opposite sex to whom they are unrelated by blood or marriage betweenthe hours of 8:00 p.m. and 8:00 a.m. Neither party shall expose the children to any physical display of affectiondirected toward persons of the opposite sex to whom they are unrelated by blood or marriage at any time.

12. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this order shall govern.

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.

14. The deposit required for the appointment of the Custody Mediator was made by the father. The deposit shall first be applied against the father's share of costs and the remainder, if any, shall be remitted to him. The mother shall pay her share of costs and fees to the Prothonotary of Crawford County within thirty (30) days of the date of this Order.

15. Either party may move the Court for a hearing de novo within ten (10) days from date hereof. If neither party so moves, this Order shall be considered permanent.

By the Court,
Anthony J. Vardaro, J

Feb. 23, 1994 Copies of order to Atty's Halliay, Keenan and Pineo

Mar. 10, 1994 Request for Hearing De Novo, filed.

Mar. 10, 1994 ORDER filed. AND NOW, March 8, 1994, the plaintiff's request for hearing de novo is denived as it appears that the request is not timely made and the plaintiff has not been granted leave to request the hearing de novo nunc pro tunc.

BY ORDER OF COURT

Gordon R. Miller, P. J.

3-14-94 Copy of Order to Attys. Halliday, Keenan & Pineo

Mar. 14, 1994 Motion To Strike Plaintiff's Request For De Novo Custody Hearing and Order, filed. AND NOW, this 14 day of March, 1994, upon consideration of Defendant's Motion to Strike Plaintiff's Request for Hearing De Novo, and upon the Court's finding that Plaintiff's Request for De Novo Custody Hearing was not timely filed, Defendnat's Motion to Strike is hereby Granted.

By the Court:
Anthony J. Vardaro, J.

Mar. 16, 1994 copy to G. Keenan, Halliday & W. Pineo

Apr. 14, 1994 Motion To Refer Back to Mediator and Order filed. AND NOW, this 13 day of April, 1994, upon consideration of Defendant's Motion, said Motion is granted. This matter is hereby referred back to the mediator, William Pineo, Esquire, for forther mediation.

BY THE COURT,
Anthony J. Vardaro, J

Apr. 19, 1994 Copies of order to Atty's Keenan, Halliday and Pineo

Nov. 14, 1994 Certificate of Service ofDefendant's First Set of Interrogatories Directed to Plaintiff, filed.

Mar. 13, 1995 TEMPORARY ORDER, filed. AND NOW, this 10 day of March, 1995, after Mediation in the above referenced matter and upon the recommendation of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor children, Keith Clark and Brittany Clark.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and major events in the life of the subject minor children. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor children.

3 a. The children shall reside with their Mother from 5:00 p.m. of the second day preceding the opening of school for the fall session until 5:00 p.m. of the second day after the closing of the school session for the following summer. The Father shall have primary physical custody from 5:00 p.m. of the second day after the closing of school for the summer until 5:00 p.m. of the second day preceding the reopening of school in the fall.

3 b. The parent not having physical custody of the subject minor children shall have the right to telephone them at reasonable times and for reasonable lengths of time. Such conversations will not be unreasonably monitored by the parent having physical custody. The parent making the telephone calls will make a good faith effort to avoid making such calls during the children's dinner hour or times which would interrupt their preparations for bed. The calling party shall also take care not to make the telephoen calls with such frequency or to prolong them to such a degree as to constitute interference with the family life of the other party.

3 c. During the period when the mother has primary physical custody, the father shall have the right to temporary physical custody and visitation each weekend, except for one week end each month. The mediator notes for the Court that the Mother is on a rotating schedule giving her approximaely one week end off per month. The parties shall therefore schedule the weekend when the Mother is to retain temporary physical custody for the weekend which the Mother has off from work.

3 d. During the Father's period of physical custody, the Mother shall have the right to temporary physical custody and visitation two days each week when she is off from work on her rotating schedule. The Father shall have the right to retain custody of the children one week end per month. The parties shall cooperate in the scheduling.

3 e. During the summer months, each party shall have the right to designate a two week period during which he or she shall have exclusive custody of the children and no visitation need be accorded the other party.

4. The Mediator notes for the Court that the parties have been able to arrange visitation over the holidays. However, the Father will have the right of visitation and temporary physical custody durign the children's Christmas vacation from school each year from 5:00 p.m. of December 27 through 5:00 p.m. of January 1.

5. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this order shall govern.

CONTINUED ON PAGE 458A

Alice R. Clark
vs.
Keith D. Clark, Sr.

CONTINUED FROM PAGE 458
of Record
A. D. 1993 - 871

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 implies the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation ormodification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

7. The parties shall split responsiblity for transportation with the party receiving the child in the excercise of his or her rights picking up the child at the home of the other. Any person transporting the child shall make sure that the seat belts or other restraints are used in accordance with the laws of Pennsylvania.

8. Each party shall teach said children to give to the otherparty that love and respect which is due a parent from hsi or her children.

9. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor children. The parties are cautioned that medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in the same room as the children, ina closed automobile in which the children are being transported, or in the bedroom of the children.

10. Neither party shall do or say anything to blacken the character of the other in the child's estimation. Each party shall treat the other in a polite and respectful manner when in the children's presence and each party shall instruct his or her relative sand friends to do likewise and also not to disparage the other party in the children's estimation.

11. Neither party shall expose the childrento the company of persons of the opposite sex to whom they are not related by blood or marriage between the hours of 8:00 p.m. and 8:00 a.m.

12. Costs and fees of this Mediation, which are fixed at $277.00, 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, of any, shall be remitted to him. The Mother shall pay her share of costs and fees to the Prothonotary of Crawford County within thirty (30) days of the date of this Order.

14. Either party may move the Court for a hearing de novo within ten (10) days from date hereof. If neither party so moves, this order shall be considered permanent.

By the Court,
Anthony J. Vardaro, J.

Mar. 17, 1995 Faxed to Pineo, Keenan & Halliday, sent to Plf. & Dft.

Mar. 24, 1995 Request For A Hearing and Order filed. AND NOW, this 24th day of March, 1995, upon consideration of the wtihin Request for a Hearing, it is HEREBY ORDERED that the hearing de novo in this matter shall be held on the 24th day of April, 1995 at 1:30 o'clock p.m., inCourtroom No. 1, 2 or 3 of the Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT:
Gordon R. Miller, J

Mar. 24, 1995 Faxed Halliay, Keenan & Pineo

Apr. 26, 1995 ORDER filed. AND NOW, April24, 1995, this matter is before the Court for review requested by plaintiff mother. It appears the parties have been through an acrimonious breakup of their marriage, but through the benefit of counsel, the Order of March 10, 1995, seemingly provides primary custody with mother during the school year and primary custody with the father during the summer months. The summer visits with father are somewhat complicated by his uncertain working hours. HOWEVER,after a conference with both children, counsel and the parents,this Court is satisfied that the general provisions of the TemporaryOrder dated March 10, 1995 are in the best interests of parents and children, with the following modification:

Minor child Keith, Jr. has been active in baseball and is highly desirous of completing his summertime baseball team activities. In the summertime,except for scheduled full-time visits with mother, he will be in the primary custody of the father, whose work hours may preclude him from transporting minor child Keith,Jr. from Saegertown to Cambridge Springs for his games in that borough and at other locations.

ACCORDINGLY, the Court believes the aforesaid March 10, 1995 Order should be adopted as a Final Order regarding custody of the children with the following exception:

During the summer baseball season, minor child Keith, Jr. will be transported to and from baseball games by the mother, unless the father notifies the mother that his working schedule on baseball game days will permit him tottransport the child Keith, Jr. to and from games and the father will give the mother adequate advance notice so she does not make an unnecessary trip from Cambridge Springs to Saegertown to pick up minor child Keith,Jr.

Any further disputes occurring betweenthis date and September 15, 1995, requiring the attention of theCourt may be brought to the attention of the Court by petition without the necessity of additional referral back to the Custody Mediator.

BY THE COURT,
P.Richard Thomas, Senior Judge

4-26-95 Copies dist.Halliday& Keenan

May 29, 1997 Affidavit of Consent of dft. filed.

May 29, 1997 Waiver of Notice of Intention to REquest entry of div. dec. (dft) filed.

Sept. 23, 1997 Waiver of Notice of Intention to Request Entry of Divorce Decree Under Section 3301(c) of the Divorce Code by Alice R. Clark, Plaintiff, filed.

Sept. 23, 1997 Affidavit of Consent by Alice R. Clark, Plaintiff, filed.

July 16,1 998 AFFIDAVIT OF CONSENT OF ALICE R. CLARK FILED.

July 16, 1998 AFFIDAVIT OF CONSENT OF KEITH D. CLARK, SR. FILED.

July 16,1998 WAIVER OF NOTICE OF INIENTION TO REQUEST ENIRY OF A DIVORCE UNDER SEC. 3301(c) OF THE DIVORCE CODE FILED. (Pltf)

July 16, 1998 WAIVER OF NOTICE OF INIENTION TO REQUEST ENIRY OF A DIVORCE UNDER SECTION 3301(c) OF THE DIVORCE CODE FILED (DEFT)

Sept 1, 1998 Separation and Property Settlement Agreement, filed.

Sept 1, 1998 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

Sept. 25, 1998 DIVORCE DECREE FILED.

AND NOW, September 18, 1998, it is ordered and decreed that ALICE R. CLARK, Plaintiff, and KEITH D. CLARK, SR., Defendant, are divorced from the bonds of matrimony.

The terms and conditions of a Separtion and Property Settlelment Agreement of November 22, 1996, are incorporated into this decree.

The Court retains jurisdiction of any claim raised by the aprties to this action for which a final Order has not yet been entered.

BY THE Court,
Anthony J. Vardaro, J

458B

1993 TERM

1993

Nancy Crawford
vs.
Tony Jones

CONTINUED FROM PAGE 399
of Record
A. D. 1993 - 849

****

Apr. 4, 1994 ORDER, filed. AND NOW, March 31, 1994, this matter is before the Court on a Complaint for Indirect Contempt for violation of a Protection From Abuse Order which has been filed of the plaintiff. The Order in effect is an Order of September 3, 1993 entered by President Judge Gordon R. Miller.

After listening to testimony, we find that the defendant is in contempt of the Order of September 3, 1993. He has been incarcerated since March 27, 1994 and he is forthwith released with respect to that incarceration.

Judge Miller's Order of September 3, 1993 is modified to the extent that the defendant shall not be permitted to go to the residence of the plaintiff, which is currently 1202 park Avenue, nor to any other residence she occupies at any time except as hereinafter stated in this Order.

The defendant is cautioned that if he should be at that residence if he is invited, the police will presume that he is in violation of this Order if he is found there. ACCORDINGLY, he should not go to the residence, even if he is invited. If the parties should reconcile and the plaintiff should want the defendant to be able to go to that residence, they should seek a modification of this Order plrior to him doing so.

The defendant has certain personal belongings at the plaintiff's residence and the parties agree that he may call her to make arrangements for a time when he can come and remove those items, bearing in mind that he should not assault, abuse, harass or threaten her at any time when he is doing so.

A copy of this Order shall be delivered by the Prothonotary to the Meadville City Police Department and to Crawford County Control and a copy shall be sent by Regular Mail to the plaintiff at 1202 Park Avenue in Meadville, Pennsylvania and to the defendant at 216 Pomona Alley in Meadville,Pennsylvania.

BY THE COURT,
Anthony J. Vardaro, J.

Apr. 4, 1994 copies dist to Plf., Dft., Co. Control & MCPD

May 2, 1994 Motion to Vacate Protection from Abuse Order and ORDER filed. AND NOW, this 29 day of April, 1994 upon receipt and review of the plaintiff's motion to vacate and terminate the Protection from Abuse Order of 3/31/94 and 9/3/93, said motion is granted and the Protection from Abuse Order is hereby vacated and terminated.

A true and correct copy of this Order shall be delivered by the Prothonotary to proper police agency and to County Control.

Any provisions of the Protection from ABuse Order of 3/31/93 & 9/3/93 assessing court costs shall remain in full force and effect without change or modification and the party or parties against whom costs were assessed shall remain obligated to pay the costs.

BY ORDER OF COURT
Anthony J. Vardaro, J.

5-2-94 Faxed to MCPD, 5-4-94 Copy to Pltf. & Co. Control

1993

DENNIS MATTERN

VS.

SUSAN BALSBAUGH

RECORD CONTINUED FROM PAGE 74

OF

AD 1993 - 524

****

April 25, 1994 Motion To Withdraw Request for Further Mediation And To Return Mediation Fees and ORDER filed. AND NOW, this 22 day of April, 1994, upon consideration of Plaintiff's Motion to withdraw his request for mediation and refund teh amount of $150.00 which was advanced by the Plaintiff in contemplation of further mediation, it is hereby Ordered that the Plaintiff's request for further mediation by Motion dated April 6, 1994, is hereby withdrawn and no further mediation will be scheduled for this case. FURTHERMORE, the Prothonotary is hereby directed to refund to the Plaintiff the amount of $150.00 which was advanced by Plaintiff to appoint a mediator, less any amount due for costs.

By the Court:
Anthony J Vardaro, J.

April 26, 1994 Copy of Order to Attys. Gregory Keenan, Brian Lindsay and John Fuller.

1993

Christine L.Boyle
vs.
Larry A. Boyle

Continued from Page 317
of Record
AD 1993 - 767

****

There is also an allegation of following and stalking made by the wife.

Both parties are represented by counsel and the matter has been amicably resolved with an Amended Consent Order as follows:

1. The defendant agrees he will not follow, stalk or anny the Petitioner in any fashion or procure others to do so on his behalf.

2. Both parties agree that on Sunday, April 10, 1994 at 10:00 a.m.the defendant husband will appear at the marital residence and remove the following items;

Personal clothing;
Ten (10) guns and gun cabinet;
Selected dishes;
A collection ofBudweiser mugs and shelves;
Personal male jewelry;
Personal papers;
Tools located in the basement; and
A Coke machine.

During removal, there shall be no argument or confrontation or threats between the parties.

The aforesaid agreement is reached with the understanding by counsel and the parties that there is no admission of a violation of theCourt's Order of August 11, 1993.

The Court notes a divorce is pending as well as a companion support action.

If there are any additional costs accruing on this case, the defendant husband will be responsible for payment of the same within 10 days of being billed by the Prothonotary's Office.

BY THE COURT,
P. Richard Thomas, S. J.

4-8-94 Copies dist. to Barnhart & Irwin

Walter Beck
vs.
Kimberly Beck

CONTINUED FROM PAGE 15
of Record
A. D. 1993 - 465

****

May 10, 1994 ORDER filed. This divorce matter has been referred to the Court for review and decree. The Court has reviewed the record and is returning the record to the Prothonotary. A final decree will not be entered at this time because:

_____ There is no showing that the proper notice required by 1920.42(c)(1) in the form provided by 1920.73 [Notice of Intention to Request Divorce Decree] to a paraty who is unrepresented [1920.73(a)(2)] or to counsel of a represented party [1920.73(a)(1)] was properly mailed or delivered; and/or a copy of said notice is not attached to the praecipe to refer or submit.

Either party may file a praecipe to refer the matter back to the Court when the record is in such a state that the parties are entitled to a final decree.

BY THE COURT:
Anthony J. Vardaro, J.

May 10, 1994
May 10,1994 faxed to Gagliotti

May 26, 1994, Upon praecipe of plaintiff attorney, this divorce resubmitted to the court with the addition of. the Notice of Intention to Request Divorce Decree, Counter Affidavit and Verification of Service filed.

Jun.7, 1994 ORDER filed. This divorce matter has been referred to the Court for review and decree. The Court has reviewed the record and is returning the record to the Prothonotary. A final decree will not be entered at this time because:

x Other: T here is no date and manner of service on the praecipe to transmit of the Notice of Intention to Request Divorce Decree to show that it was properly mailed or delivered pursuant to Pa. R.C.P. 1920.42 (c)(1).

Either party may file a praecipe to refer the matter back to the Court when the record is in such a state that the parties are entitled to a final decree.

BY THE COURT:
Anthony J. Vardaro, J.

6-7-94 Copies dist.to Gagliotti& Deft.

July 7, 1994 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court, with verification of service.

July 22, 1994 **DIVORCE DECREE FILED.**

AND NOW, July 18, 1994, it is hereby ordered and decreed that Walter Beck, Plaintiff, and Kimberly Beck, 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

1993

SECO/WARWICK CORPORATION

/vs,

NICHOLS - HOMESHIELD, INC.

RECORD CONTINUED FROM PAGE 249

OF

AD 1993 - 699

****

May 31, 1994 STIPULATION and ORDER filed. AND NOW, this 31st day of May, 1994, upon consideration of the joint Stipulation of plaintiff, Seco/Warwick Corporation and defendant, Nichols-Homeshield, Inc., it is hereby ORDERED that the Stipulation is APPROVED, and in accordance therewith, it is further ORDERED that:

1. Nichols-Homeshield, Inc. will pay the sum of $35,890.40 to Seco/Warwick Corp. within ten (10) business days of the filing of this Stipulation, and, if payment is not received within ten (10) business days, Seco/Warwick Corp. is authorized to enter judgment against Nichols-Homeshield, Inc.;
2. Seco/Warwick Corp. will promptly discontinue the above-captioned action upon receipt of payment;
3. Nichols-Homeshield, Inc. will not pursue its claim for recision of contract and/or revocation of acceptance with respect to the dross cooler in the action pending in the United States District Court for the Southern District of Iowa; and
4. The agreement and Stipulation between the parties are without prejudice to, and in no way limit, Nichols-Homeshield, Inc.'s right to pursue its remaining claims against Seco/Warwick Corporation in the action commenced by Nichols-Homeshield, Inc. in Iowa.

Gordon R. Miller, Judge

June 6, 1994 Copy of Order FAXED to Attys. Stack and Lanzillo.

Mar. 28, 1995 Order filed. AND NOW, March 27, 1995, at the call of the trial list, it appears that this case has been settled, but not discontinued of record. Accordingly, the Court sua sponte strikes this case formthe trial list. If either party wishes to place the case on a future trial list believing the case to not be settled, that party may place the case onthe trial list in the manner provided by the Local Rules.

BY ORDER OF THE COURT,
Gordon R. Miller, J

Mar. 28, 1995 copies dist. to Stack & Lanzillo

Wallace D. Yoder and Dawn R. Yoder
vs.
The Zoning Hearing Board of Vernon Township

Record continued from page 163

of record

A.D. 1193 - 613

****

Nov 4, 1994 Answer to Petition to Intervene filed.

Nov.14, 1994 ORDER filed. AND NOW, this 10 day of November,1994,upon consideration of the foregoing Petition for Stay of Order of the Zoning Hearing Board of Vernon Township, a rule to show cause is hereby granted upon the Zoning Hearing Board of Vernon Township andDennis Mumford, Ann McBride-Mumford, and Mark McBride to show cause, if any they have, why the aforesaid Petition should not be granted.

Returnable for hearing and/or argument on the 21st day of November, 1994, at 3:30 o'clock p.m. prevailing local time, inCourt Room No.2, Crawford County Courthouse, Meadville,Pennsylvania. Hearing/Argument tobe held pursuant to 53 PS § 11003-A(d).

A copy of this Order shall be served upon counsel of record for the Zoning Hearing Board of Vernon Township and Dennis Mumford,Ann McBride-Mumford and Mark McBride by regular mail.

BY THE COURT,
Anthony J.Vardaro, Judge

11-14-94 Faxed to Blystone, Spataro & Tinko

Nov. 14, 1994 Petition for Stay of Order of theZoning Hearing Board of Vernon Township, filed.

Nov.16, 1994 Certificate of Service filed. Ihereby certify that a true and correct copy of the Court's Order of November 10,1994 was served upon John F.Spataro,Esq., 283 Walnut Street, Meadville,Pensylvania, 16335, and Joseph W. Tinko,Esq., 279 Chestnut Street, Meadville,Pennsylvania,16335 by First Class United States mail, postage prepaid, on November 14, 1994.

By: Curtis E.Blystone,Attorney for Appellants

Nov. 16, 1994 Response to Petition for Stay of Order, filed.

Nov. 22, 1994 ORDER filed. AND NOW, November 21, 1994 this matter is before the Court with respect to a petition to intervene filed on behalf of Dennis Mumford and Ann McBride-Mumford as well as Mark McBride. Additionally, the proposed intervenors request that if they are permitted to intervene, oral argument with respect to issues before the Court on November 28, 1994 be continued for a period of two months to the January 1995 argument list which is scheduled for January 30, 1995.

The appellants have filed a petition tostay the order issued by the Zoning Hearing Board of Vernon Township.

We have heard argument with respect to all of these issues this day and at the end of argument, the parties have agreed that Dennis Mumford and Ann McBride-Mumford, husband and wife, may intervene and Mark McBride, single may not. At the request of the intervenors, oral argument in this matter with respect to the issues now pending before the Court on November 28, 1994 is continued, to be held on January 30, 1995 at a time tobe set by the Court Administrator.

Pending further order of Court after that argument on January 30, 1995 and after any further testimony that may be ordered by the Court, and an ultimate decision by the Court, imposition of the order entered by the Zoning Hearing Board of Vernon Township on August 30th, 1994 is stayed,and Vernon Township is ORDERED and DIRECTED to not enforce that order until further order of Court.

BY ORDER OF THE COURT,
Anthony J.Vardaro, J.

11-22-94 Copies dist. to Tinko, Blystone & Spataro. 11-28-94 Copy Ct. Adm. (see Original filed at #605.)

ON JANUARY 30, 1995 ARGUMENT LIST

May 24, 1995 Motion For Continuance, filed. (Original filed at A.D. 1993 - 605).

May 24, 1995 Transcript filed.

May 24,1995 Memorandum and Order, filed. AND NOW, May 24, 1995, the decision and order of the Vernon Township Zoning Hearign Board dated August 30, 1994 is affirmed.

BY THE COURT:
Anthony J. Vardaro, J.

May 24, 1995 faxed & dist Tinko,blystone & Spataro

Jun. 7, 1995 Motion to Lift Stay of Order and ORDER TO LIFT STAY filed. AND NOW, this 7 day of June, 1995,upon consideration of the foregoing Motion to Lift Stay of Order of DENNIS MUMFORD and ANN MCBRIDE-MUMFORD, Intervenors,and upon consideration of the Order of this Court dated May 24, 1995 affirming the Order of this Court dated May 24, 1995 affirming the order of the Zoning Hearing Board of Vernon Township dated August 30, 1995, it is hereby ordered and directed that the Stay of Order issued by this Court on November 21, 1994 of the Zoning Hearing Board of Vernon Township Order of August 30, 1994 is hereby lifted; effective June 24, 1995.

Anthony J.Vardaro, J.

6-8-95 Faxed to Attys. Tinko, C. Blystone & Spataro

Papers on Top of File Cabenet w old dockets

1993

Michael Phillips and Florence Phillips
vs
W.Keith Petrella, D.O., Headache Center Neurology Institute of Western Pennsylvania and Urgent Care

Continued from Page 241 of REcord

AD 1993 - 691

****

Jun. 1, 1994 Motion to Discontinue as to Less T han all Defendants and ORDER OF COURT filed. AND NOW, this 31st day of May, 1994, upon consideration of plaintiff's Motion to Discontinue as to Less Than All Defendants, said Motion is denied. This is a duplicate of another Motion filed and approved this date.

BY THE COURT:
Gordon R. Miller, J.

6-1-94 Faxed to Attys. McVerry, Lagnese, Pepicelli & Koczan

Jun.7, 1994 ORDER filed. AND NOW, June 3, 1994 upon review of an order enetered May 31, 1994 wherein we erroneously concluded that the order dismising the action against Urgent Care was a duplicate of the order dismising the action against Headache Center Neurology Institute of Western Pennsylvania said order is vacated.

Furthermore, said motion is granted and it is ordered, adjudged and decreed that the plaintiffs' complaint against the defendant Urgent Care is dismissed in its entirety, with prejudice and the Prothonotary is instructed to mark the docket accordingly.

BY ORDER OF COURT
Gordon R. Miller, P.J.

6-8-04 Faxed to Pepicelli, McVerry,Koczan, Lognese, mailed Phillips

Sept. 23, 1996 Petition For A Rule To Show Cause Why A Judgment of Non Pros Should not Be Entered and Order filed. AND NOW, to wit, this 23rd day of September, 1996 upon consideration of the foregoing petition, it is hereby ORDERED that

(1) a rule is issued upon the respondents (plaintiffs) to show cause why the petitioner is not entitled to the relief requested'

(2) the respondents shall file an answer to the petition within twenty (20) days of service upon the respondents;

(3) the petition shall be decided under Pa.R.C.P. No. 206.7;

(4) depositions shall be completed with 60 days of this date;

(5) argument shall be held on Mon. Dec. 2, 1996 at 9:15 A.M. Courtroom 1 of the Crawford County Courthouse; and

(6) notice of the entry of this order shall be provided to all parties by the petitioner.

BY THE COURT,
Gordon R. Miller, J

9-23-96 Faxed Jorden mailed McVerry & pltfs.

Sept. 25, 1996 Affidavit of Service filed. Before me, the undersigned authority, in and for the above-named County and Commonwealth, personally appeared Terrence F. McVerry, Esquire, who first being duly sworn according tolaw, deposes and says that on September 16, 1996, he served a true and correct copy of the attached Petition For A Rule To Show Cause Why A Judgment of Non Pros Should Not Be Entered to Mr. and Mrs. Michael Phillips, 540 North Avenue, Meadville, PA 16335, by certified mail, return receipt requested, and that the same was received by Mr. and Mrs. Michael Phillips as evidenced by the attached return receipt card marked here as Exhibit A.

Terrence F. McVerry

Oct. 10, 1996 Affidavit of Service of Order of Court to Petition for Rule to Show Cause why a Judgment of Non Pros should Not Be Entered filed.

Dec. 10, 1996 Letter of November 25, 1996 to Plaintiffs Michael Phillips and Florence Phillips, his wife, from counsel for Defendant, W. Keith Petrella, D.O., filed pursuant to Order of Court Dated December 2, 1996 filed.

Dec 17, 1996 Affidavit of Service of Order of Court Entering a Judgment of Non Pros in Favor of Defendant, W. Keith Petrella, D.O., filed.

Dec 17, 1996 And now, upon praecipe of defendants attorney judgment of Non Pros is hereby entered against the named plaintiff for failure to file a Complaint within twenty days after being ruled so to do.

JUDGMENT
Barbara H. King, Pro.

Rebecca J. Shaffer
vs.
Donald M. Shaffer

CONTINUED FROM PAGE 27
of Record
A. D. 1993 - 477

****

f. The children shall spend Father's Day with their father from 9:00 a.m. to 9:00 p.m., and Mother's Day with their mother during the same hours.

g. The provisions of this paragraph shall take precedence over the other provisions of this order relating to the custodial or visitation periods.

5. Should it be necessary for either party to cancel or modify the visitations as set out in this order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modificatiion. Said modifications or cancellation shall not be proposed except for good reasons. Should a cancellation or modificatin be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

6. The parties shall split responsibility for transportation with the party receiving the children in the exercise of his or her rights picking up the children at the home of the other. Any person transporting the children shall make sure that the seat belts or other restraints are used in accordance with the laws of Pennsylvania.

7. Each party shall teach said children to give to the other party that love and respect which is due a parent from his or her children.

8. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor children. The parties are cautioned that medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in the same room as the children, in a closed automobile in which the child is being transpsorted, or in the bedroom of the children.

9. Neither party shall do or say anything to blacken the character of the other in the children's estimation. Each party shall treat the other in a polite and respectful manner when in the children's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the children's estimation.

10. Either party may request a review of this order during the month of April, 1995, to see if any adjustments need be made.

11. 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.

12. The deposit required for the appointment of the Custody Mediator was made by the mother. The deposit shall first be applied against the mother's share of costs and the remainder, if any, shall be remitted to her. The father shall pay his share of costs and fees to the prothonotary of Crawford County within thirlty days of the date of this Order.

13. Either party may move the Court for a hearing de novo within ten (10) days from date hereof. If neither party so mvoes, this Order shall be considered permanent.

By the Court,
Anthony J. Vardaro, J.

July 7, 1994 faxed to Pineo, Gamble & Irwin, mailed to Plf. & Dft.

Jul.15, 1994 Request for Hearing De Novo and ORDER filed. AND NOW, this 14th day of July, 1994 upon presenation and consideration of the foregoing Request for Hearing a hearing is scheduled with the Court of Common PLeas of Crawford County, Pennsylvania, on the 24th day of August, 1994 at 9:15 o'clock A.M. in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT:
Gordon R. Miller, J.

7-15-94 Faxed toAttys.Irwin, Gamble & Pineo

Aug. 23, 1994 Motion to Withdraw Request for Hearing De Novo and ORDER filed. AND NOW, this 23 day of August, 1994 upon presentation and consideration of the foregoing Motion, Defendant's Request for Hearing De Novo is hereby withdrawn.

BY THE COURT:
Anthony J. Vardaro, J.

8-23-94 Faxed to Attys. Irwin & Gamble

Aug. 24, 1994 Stipulation and ORDER filed. AND NOW, this 23 day of August, 1994, the parties hereto having stipulated and agreed, the order of June 28, 1994 is hereby amended to read as follows:

It is hereby ordered and decreed that:

1. The parties shall share legal and physical custody of the said minor children, Casey Leigh Shaffer and Krista Marie Shaffer.

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, sschool personnel, and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor children.

3a. The father shall have primary physical custody of the subject minor children.

b. The father shall have the primary physical custodyof the subject minor children during the weeks of June 27, 1994, August 1, 1994, and September 5, 1994, each such week to begin on Sunday at 8:00 p.m. anc concludes Saturday at 8:00 p.m. During these three periods no physical custody shall be accorded to the mother.

c. For the week of July 11, 1994, the mother shall have visitation and temporary physical custody on Monday, Wednesday, and Friday from 9:00 a.m. to 3:00 p.m. During this time, the children are not to be exposed to the company of her boyfriend, Michael. For the weeks of July 18th, July 25th, August 8th, and August 15th, the mother shall have visitation on Mondays and Wednesdays from 9:00 a.m. to 3:00 p.m.. During these periods the mother's boyfriend is not to be present. For each of the preceding specified weeks, she shall also have visitation each Friday from 9:00 a.m. through the following Saturday at 3:00 p.m. and during these times, the boyfriend may be present.

d. The mother shall have visitation and temporary physical custody for the week of August 21st from Sunday at 8:00 p.m. through the following Saturday at 8:00 p.m. During this time no periods of physical custody shall be accorded to the father. The boyfriend may be present.

e. Thereafter, the mother shall have visitation for the second and fourth weekends of each month from Friday, at 8:00 p.m. through Sunday, at 8:00 p.m. The children shall remain in the father's custody on the first and third weekends of each month.

In the event that there is a fifth weekend in the month, the mother shall have the children from Saturday morning at 9:00 a.m.until Sunday morning at 9:00 a.m., whereupon they shall be returned to the custody of the father. The number of weekends shall be counted if t he Friday preceding the weekend falls within the month.

f. The mother shall have the right to take the minor children into her temporary physical custody every Wednesday from 3:00 o'clock until 8:00 p.m. beginning September 14, 1994.

g. The subject minor children shall have the right to telephon the parent not having physical custody at reasonable times and for reasonable lengths of time and such conversations will not be unreasonable monitored by the parent having physical custody.

4. Holiday visitation shall be arranged as follows:

a. Christmas: There shall be two Christmas visitation periods, the first beginning on Christmas Eve at noon and ending Christmas Day at noon, and the second beginning Christmas Day at noon and ending December 26th at noon. For Christmas, 1994, the father shall have the first period and the mother, the second, and the parties shall thereafter alternate.

b. Thanksgiving: There shallbe two Thanksgiving visitation periods, the first beginning on Thanksgiving Day at 8:00 a.m. and endingThanksgiving Day at 2:00 p.m. and the second beginning Thanksgiving Day at 2:00 p.m. and ending Thanksgiving Day at 8:00 p.m. For Thanksgiving, 1994, the father shall have the first period and the mother, the second, and the parties shall thereafter alternate.

Continued to Page 466 A

c. Easter: The mother shall have visitationand temporary physical custody in odd numbered years each Easter period from Friday at 8:00 p.m. through Easter Sunday at 1:00 p.m. The fatherrshall have that perioddof visitation ineven numbered years. If Easter wekened falls on a weekend in which the other parent would have custody of the children, he or she may choose one of the weekends which would normally belong to the other parent as a compensatory custodial period provided that the said compensatory weekend occurs within thirty (30) days of the Easter weekend and provided that thirty (30) days notice of theweekend to be selected shall be given to the other parent.

d. Other holidays: In odd numbered years themother shall have visitation on Labor Day from 9:00 a.m. to 9:00 p.m. and in even numbered years on Memorial Day from 9:00 a.m. to 9:00 p.m.

e. Family reunions: Each family has reunions. The father's reunion always occurs during the week of July 4th and the mother's reunion may occur during any time of the summer. The parties shall confer on or before May 31st to work out the reunion dat es. The children shall be with the father during the father's family reunion and with the mother during the mother's family reunion,provided that the dates have been worked out. The Mediator also notes that each of the parties has vacation time from work. If the parties' vacation time interferes with the reunions, the vacations shall take precedence over the reunion provisons but the party losing custodial time during his or her family reunion, may choose an extra weekend from the other party as a compensatory custodial period.

f. The children shall spend Father's Day with their father from 9:00 a.m. to 9:00 p.m., and Mother's Day with their mother during the same hours.

g. The provisons 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 thevisitation as set out in this order or as previously arranged, the party seeking cancelllation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancelllationor modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancelllation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

6. The parties shall split responsibility for transportation with the party receiving the children in the exercise of his or her rights picking up the children at the home of the other. Any person transporting the children shall make sure that the seat belts or ot her restraints are used in accordance with the laws of Pennsylvania.

7. Each party shall teach said children to give to the other party that love and respect which is due a parent from his or her children.

8. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor children. The parties are cautioned that medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in the same room as the children, in a closed automobile in which the children are being transported, or in the bedroom of the children.

9. Neither party shall do or say anything to blacken the character of the other in the children's estimation. Each party shall treat the other in a polite and respectful manner when in the children's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the childrens' estimation.

10. Either party may request a review of this order during the month of April, 1995, to see if any adjustments need be made.

Anthony J. Vardaro, J.

8-23-94 Faxed to Attys. Gamble & Irwin

May 22, 1997 Affidavit of Consent of Defendant filed.

May 22, 1997 Affidavit of Consent of Plaintiff filed.

May 22, 1997 Waiver of Notice of Intention To Request Entry of a Divorce Decreed Under Section 3301(c) of the Divorce Code of Plaintiff filed.

May 22, 1997 Waiver of Notice of Intention To request Entry of a Divorce decree under Section 3301(c) of the Divorce Code of Defendant filed.

May 22, 1997 Separation and Property Settlement Agreement filed.

May 22, 1997 Upon praecipe of Defendant Attorney To Transmit Record, this case moved to court.

DIVORCE DECREE FILED

May 28, 1997 AND NOW, this 27th day of May, 1997, it is ordered and decreed that REBECCA J. SHAFFER, Plaintiff, and DONALD M. SHAFFER, Defendant, are divorced from the bonds of matrimony.

It is further ordered that the parties' Separation and Property Settlement AGreement dated May 21, 1997, is incorporated herein and made a part hereof and shall be fully enforceable under the provisions of the Divorce Code.

BY ORDER OF THE COURT,
Gordon R. Miller, J.

AND NOW, MAY 19, 2000 - ANY FILINGS INVOLVING THIS CASE MAY NOW BE FOUND ON THE COMPUTER.

466
B

1993 TERM

Dale R. Cummings
vs.
Rose M. Cummings

CONTINUED FROM PAGE 454
of Record
A.D. 1993 - 505

Nov 5, 1997 Certificate of completion of the Seminar for Separating Parents for Dale R.Cummings, filed.

Dec. 1, 1997 Certification of completion of Seminar (dft) filed.

Oct. 16, 1997 PETITION FOR ENIRY OF AGREEMENT FILED ON BEHALF OF DALE R. CUMMINGS AND ORDER FILED. CONSNET CUSTODY ORDER. AND NOW, this 25th day of Nov. 1997 upon stipulation of the parties to this action, the following order is hereby entered:

1. The parties Dale R. Cummings (father) and Rose M. Cummings (mother) are the natural parents of the minor children, Alex J. Cummings, age 8 and Adam J. Cummings, age 11.

2. The parties shall share legal and physical custody of the subject minor children. Both parties are entitled to full access to medical records and other important records, and each parent shall be entitled to take part in important decisions affecting the children, including, but not limited to, those decisions involving the children's education, medical treatment and religious instruction. Furthermore, in addition to each parent being entitled to full access to medical records, the parties agree to disclose to each other any and all information pertaining to any medical treatment received by the children or which is contemplated to be received by the children without the other party being compelled to rely on medical records for dissemination of this information. Likewise, the parties agree to share with each other all information of any nature which pertains to the minor children and which either party would reasonably believe that the other party would reasonably believe that the other party would have an interest in being advised of.

3. Mother shall have primary physical custody of the minor child Alex J. Cummings. Father shall have primary physical custody of the minor child Adam J. Cummings. Mother shall have partial custody of the minor child Adam J. Cummings and father shall have partial custody of the minor child Alex J. Cummings as hereinafter set forth:

A. Father shall have partial custody of Alex J. Cummings on alternate weekends from Friday at 6:00 PM through the following Sunday at 6:00 PM Mother shall have partial custody of Adam J. Cummings on alternate weekends from Friday at 6:00 PM through the following Sunday at 6:00 PM. It is the intent of the parties that their respective alternating weekends of partial custody will be coordinated so that each party will have partial custody of both minor children on the parties respective weekends.

Additionally, both parties shall be entitled to have custody of the subject minor children for a full two weeks during the summer months. The parties may choose two consecutive weeks in the summer or one week at a time. In either event, the parties agree to notify each other at least thirty (30) days in advance of their intention to avail themselves of their summer time custodial periods

b. The parties shall alternate the holidays of Thanksgiving, Christmas and Easter, with the party receiving custody of the minor children on said holidays, obtaining custody at 12:00 noon and relinquishing custody at 8:00 PM. The parties shall alternate the holidays in a manner so that the party who has the children for Thanksgiving would also have them for Easter while the other party would have them on Christmas day. Initially, mother will have custody of the subject minor children for easter and Thanksgiving in 1997 and father will have custody of the subject minor children on Christmas day of 1997. Thereafter, the parties shall alternate this arrangement annually.

Furthermore, the parties agree that the children will be in father's custody on every Father's Day and in mother's custody on every Mother's Day.

c. Father agrees to provide all transportation necessary to give effect to the custody provisions set forth in this agreement so long as mother shall continue to reside in Crawfrod County. In the event that mother relocates outside of Crawford County, the parties agree that at that time, they will share equally any transportation responsibilities.

4. Each party shall teach the minor children to give to the other party that love, respect and obedience which is due a parent from his or her children.

5. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor children.

6. Any person transporting the children shall make sure that seat belts or other restraints are used in accordance with the laws of PA.

7. Neither party shall do or say anything to blacken the character of the other in the children's estimation. Each party shall treat the other in 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.

8. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco nor permit others to do so in a closed automobile in which the children are bieng transported or in the bedrooms of the children.

9. The parties are free to make additional or alternative arrangements respecting the custodial periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Consent Order shall govern.

BY THE COURT
GORDON R. MILLER

11/26.86 FAXED KEENAN

AS OF MAY 25, 2000 - ANY FILINGS INVOLVING THIS CASE MAY NOW BE FOUND ON THE COMPUTER

Thomas L.Thurber
vs
Joyd L. Thurber

Continued from Page 451
of Record
AD 1993 - 786

****

Jun. 10, 1994 Petition for Contempt and ORDER filed. AND NOW, this 10 day of June, 1994, upon consideration of t he foregoing Petition for Contempt, a hearing is set for the 16th day of June, 1994, at 2:00 o'clock p.m.

Anthony J. Vardaro, J.

6-13-94 Faxed to Barrett, Nelson & Pineo

Jun. 20, 1994 ORDER filed. AND NOW, June 16, 1994, the matter is before the Court on a petition for contempt filed by the mother against the husband arising over a scheduled visit that did not occur.

The matter is also before the Court by agreement of counsel and the Court to review the matter of whether the children should remain each in a respective parent's home or should be united together in one of the parents' homes as the Court eluded to in its prior Order.

After extensive review and direct and informal questiioning of the parents, children, counselor Glenn and Counselor Bellanca, the Court believes that the present situation with the father having primary custody of minor child Travis and mot her having primary custody of minor child Tyson, is appropriate for the immediate future and at least for the next upcoming school year. The Court notes the fat her has remarried and the new wife brings a five-year old daughter into the household. TheCourt notes there is no deficiencies in the mother's home or her parenting ability as a mother. Likewise, the Court notes that the ongoing bitterness between these parents arising over the break up of the marriage has adversely impacted on both children, and the Court urges both parents to treat each other civilly and courteously and not to espress derogatory comments or make adverse comments against the other to either of the children regarding the other parent.

Visitation schedules generally will remain the same as established by the Order of September 27, 1993, and the Court urges the cooperation of the parents in the exchange of the children so that each can have adequate time with the noncustodial parent.

The Court urged the parents to divide the summer school vacation period into visits that would give each parent an extended time to have both children in their possession for any vacations and to accord both parents to have extended periods of time with both children in their respective homes or elsewhere together.

The parents are seeminly unwilling to discuss accommodating each other for these vacation schedules and accordingly, the Court establishes the following periods of time for each parent to have both children in their exclusive custody during June, July and August.

Both children shall be in the exclusive custody of the father from noon, June 26, 1994 until noon, July 10, 1994.

Both children shall be in the exclusive custody of the mother from noon, July 10th to noon, July 24th.

Both children shall be in the exclusive custody of the father from noon, July24th until noon, August 7th.

Both children shall be in the exclusive custody of the mother from noon, August 7th until noon, August 21st.

Both children shall be in the exclusive custody of the father from noon, August 21st until noon the second day before school commences for the following term.

While the father technically violated the strict terms of the custody Order, the Court finds insufficient evidence to hold the father in contempt, but cautions both parents that in the future the Court expects strick compliance with the previous visitation Orders as augmented by this Order.

This Court cannot find at this time that additional psychological counseling is required for minor child Tyson but believes ongoing continued counseling with counselor Glenn for minor child Travis and places the responsibility upon the father to arrange for such counseling. In this regard, the Court appreciates the efforts of the mother to secure additional counseling for the children on a rather informal basis with her pastor, Reverend Bellanca, but the Court DIRECTS that said counseling be discontinued with REverend Bellanca as the Court believes that minor child Travis and to some extent minor child Tyson are satisfied and comfortable with counselor Glenn and should continue primarily for the benefit of Travis and if either parent determines it is necessary for minor child Tyson.

It is the Court's intent and counsel agree that the original temporary Order dated September 27, 1994, which became a final Order relating to visits between parents and other holidays remain in force and effect except that the conditions in the prio Order relating to July 4th are superseded by the Order dictated this date.

BY ORDER OF THE COURT,
P. RichardThomas, S. J.

6-20-94 Copies dist.to Barret & Gregg. 6-23-94 Faxed Copy to Atty. Pineo.

Jun. 23, 1994 Exhibits filed.

Aug 12, 1997 Certificate of completion of the Seminar for Separating Parents for Jody L. Thurber, filed.

Aug 20, 1997 Custody Modification Request for Mediation and Orders: ORDER: You, Jody L. Thurber, have been sued in Court to obtain custody, partial custody or visitation of: Travis Thurber, age 14 years and Tyson Thurber, age 12 years.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator, William Pineo, Esq., for a mediation conference. The Mediator shall send you a notice of the hearing by mail to the address listed on the complaitn or petition that has been filed recently.

Date: 8/19/97 Anthony J. Vardaro, J.

AND

ORDER: AND NOW, this 19 day of August, 1997 a Complaint in Divorce being filed herewith which avers that there are children of the marriage under the age of 18 years. It is ORDERED and DECREED that the parties shall comply with Crawford County Civil Rule L1930 and shall attend and complete the Seminar for Separating Parents.

Application must be made by the Plaintiff within fifteen (15) days after he/she filed the Complaitn in this action; and the application must be made by the Defendant within fifteen (15) days after he/she was served with the Complaint.

Each party is required to complete the seminar within forty-five (45) days after he/she makes application.

Date: 8/19/97 Anthony J. Vardaro, J.

Aug 28, 1997 Faxed Barrett & Pineo and Dist. Brode

Sept 3, 1997 Motion For Hearing For Temporary Custody and Order: AND NOW, this 3rd day of September, 1997, upon consideration of the above Motion, it is denied. Anthony J. Vardaro, J.

Sept 3, 1997 Faxed Barrett & Gregg

Sept 24, 1997 Certificate of completion of the Seminar for Separating Parents for Thomas Thurber, filed.

Continued on page 473

Rebecca M. Colburn
vs.
Eric J. Colburn

CONTINUED FROM PAGE 369
of Record
A. D. 1993 - 819

****

Jan. 16, 1995 Request For Hearing De Novo and Order, filed. AND NOW, this 12th day of January, 1995, the above request for Hearing De Novo is hereby granted and shall be scheduled on the 10th day of February, 1995, at 9:15 o'clock at a.m. at the Crawford County Courthouse in Courtroom 1 or 2. By the Corut:
Gordon R. Miller, P.J.

Jan. 16, 1995 Faxed to RCT Given Walton
Jan. 18, 1995 Faed to Nelson

Jan. 30, 1995 Affidavit of Consent of Defendant filed.

Feb. 22, 1995 Order filed. AND NOW, February 17, 1995, the custody hearing that began on February 10, 1995 is hereby continued to Monday, May 1, 1995 at 9:30 o'clock a.m. in Courtroom No. 1 of the Crawford County Courthouse.
BY THE COURT,
Gordon R. Miller, J

Feb. 22, 1995 Copies dist. Walton & Thomas

Apr. 24, 1995, Upon praecipe of plaintiff attorney, to transmit the record, this case moved to court.

Apr. 27, 1995 Motion to continue and Order filed. AND NOW, this 26 day of April, 1995, upon presentation of the Motion for Continuance by the Plaintiff the hearing scheduled in regard to the custody scheduled for May 1, 1995 at 9:30 a.m. is hereby continued until July 6, 1995 at 9:30 a.m.
BY THE COURT,
Anthony J. Vardaro, J

Apr. 27, 1995 Faxed Thomas, given Walton

DIVORCE DECREE FILED

May 8, 1995 AND NOW, this 4 day of May, 1995, upon presentation of the Stipulation and Consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED AND DECREED that:
1. The bonds of marriage between Plaintiff, REBECCA MAE COLBURN, and Defendant, ERIC JOHN COLBURN, are dissolved because the marriage is irretrievably broken. Plaintiff and Defendant are divorced from the bonds of matrimony.
AND IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that the terms, provisions and conditions of the Property Settlement Agreement between the parties herein dated Dec. 2, 1994, shall be incorporated in this decree and order by reference as fully as though the same were set forth herein, at length, including the following:
1. The Wife shall become the sole and exclusive owner of the marital home, a mobile home, currently situate at Star Route Estates, Meadville, Crawford Co., PA.
2. The Wife waives any and all interest which she may currently have or in the future have to the pension of Husband's through his employer, Consolidated Rail Corporation.
3. All other provisions of the Property Settlement Agreement dated Dec. 2, 1994, are incorporated herein and the parties are directed to comply with said agreement.
4. This Honorable Court shall retain jurisdiction over this matter.
By the Court:
Anthony J. Vardaro, J.

Jun. 13, 1995 Motion for Leave to Withdraw Appearance of Barbara J. Walton, Esquire, counsel for Plaintiff, ORDER filed. And Now, June 9, 1995, the motion for withdrawal of appearance is granted.
By the Court:
Anthony J.Vardaro, J.

6-13-95 Faxed Thomas, given Walton

July 3, 1995, Motion to Continue and Order filed. ORDER: AND NOW, this 3 day of July 1995, upon consideration of plaintiff's motion this matter is cotninued to Aug. 16, 1995 at 9:00 a.m. No further continuances for the plaintiff.
by the court,
Gordon R. Miller, J.
7/3/95 faxed to Thomas. 7/7/95 copy to plff

Aug. 14, 1995, Appearance of Peters, Lindsay, Lewis and Hatheway, by Brian J. Lindsay, attys. for plff. filed, 2 copies (atty)

Aug. 22, 1995, Motion for Continuanceand Order filed. ORDER: AND NOW, THIS 21 day of Aug. 1995 upon presentation and consideration of the within Motion, this hearing is continued to the 5 day of Oct. 1995 at 9:15 a.m. in C. R. No. 1 of the Crawford County Courthouse, Meadville, Pa. BY THE COURT,
Gordon R. Miller, J.

Oct, 5, 1995, Exhibits filed. (in folder in envelope) on Top of File #1

Oct. 10, 1995 ORDER FILED AND NOW, October 5, 1995, the hearing in the matter is continued to Thursday, November 30, 1995 at 1:00 p.m. in courtroom No. 1. The Court will be able to ddevote 2 hours to this case at that time.
BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Faxed 10/10/95 Lindsay & Thomas

Nov. 30, 1995 EXHIBITS filed.

Dec 13, 1995 Memorandum and Order, filed. AND NOW, December 11, 1995,
1. Legal custody of the subject minor children, Pamela Sue Colburn, Charles Joseph Colburn and Michael James Colburn, shall be shared by the Father and Mother, the parties to this action, with each parent entitled to full access to any records relating to the children held by a third party including, but not limited to school records and medical records and each parent shall have equal input regarding important decisions affecting the children such as education, religious instruction and medical treatment.
2. Primary physical custody of Pamela Sue Colburn, Charles Joseph Colburn and Michael James Colburn shall be with their Mother, and Father shall be permitted to visit and take the children into his temporary physical custody every other weekend commencing with December 15, 1995 from Friday at 6:00 p.m. until Sunday at 6:00 p.m. Since the Father lives in New York State, he shall contact the Mother at least seventy-two (72) hours in advance of a weekend visitation to notify her if he in fact is going to exercise that visitation. If he does not notify the Mother within seventy-two (72) hours of theproposed visitation the Mother and children may assume that that visitation has been cancelled. There shall be no make up time.
3. Thanksgiving, Christmas and Easter shall be shared by the parties with the Father having custody at Christmas in odd-numbered years and having custody on Thanksgiving and Easter in even-numbered years with the Mother having custody on said holidays at all other times. For the Father's holiday visitations he may pick the children up at 6:00 o'clock p.m. on the day preceding the holiday and return them tot he Mother at 6:00 o'clock p.m. on the day of the holiday in the case of Easter and the day after the holiday in the case of Christmas and Thanksgiving. Holiday visitations shall preempt all other visitations.

CONTINUED ON PAGE 468A

Rebecca M. Colburn
vs.
Eric J. Colburn

CONTINUED FROM PAGE 468
of Record
A. D. 1993 - 819

****

$. The children shall spend Mother's Day with their Mother and Father's Day, between the hours of 9:00 o'clock a.m. and 8:00 o'clock p.m., with their Father. Mother's Day and Father's Day shall preempt all other visitations.

5. The Father shall have a longer period of visitation with his children in the summer but the Court does not now set the schedule for the summer of 1996. This was not addressed at the hearing. If the parties are unable to settle this on their own then one or both may file a petition with the Court for modification which said petition must be filed with the Court before April 1, 1996.

6. Transportation for all visitations shall be provided by the Father since he has removed himself to New York State.

7. Neither parent shall use illegal drugs or be intoxicated at any time when said party has the children in his or her custody.

8. Neither parent shall say or do anything in an attempt to turn the children against the other parent, but rather shall do everything in the power of each to promote a favorable and loving attitude on the part of the children towards both parents.

9. Neither parent shall expose the children to any person or situation which may be harmful to the health, safety or well being of the children.

10. Each parent shall inform the other parent immediately of any illness or injury regarding the children and both parents shall furnish the other with a current address and telephone number.

11. The parents are encouraged to make additional or alternative arrangements regarding physical custody of the child and may modify the herein custody arrangements if said modifications are by mutual consent only; otherwise, the provisions contained herein shall govern.

BY THE COURT
Gordon R. Miller, P.J.

Dec 13, 1995 Dist to Thomas & Lindsay

468B

1993

VICTORIA L. GALLO

VS.

JOHN S. GALLO, SR.

RECORD CONTINUED FROM PAGE 457

OF

AD 1993 - 839

****

5. The parties shall split evenly the responsibility for paying for the transportation of the child in the exercise of this Order. The Mediator notes that the father lives in California and the mother in PA. Transportation costs shall therefore include the cost of airline tickets and meals for the child and for anyone accompanying the child if such a person is required by the airliens.

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 fo 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 transproted, or in the bedroom of the child.

8. Neither party shall do or say anything to blacken the character of the other in the child's estimation. Each party shall treat the other in a polite and respectful manner when in the child's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the child's estimation

9. The parties 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. Either party may request a review of this Order if either party changes his or her residence or the identity of the persons with shom he or she lives, or upon any other substantial change in their circumstances or in the circumstance of the child.

11. Costs and fees of this Mediation, which are fixed at $177.00, are divided equally between the parties with a share of each being assessed to him or her as costs in this case.

12. The deposit requried for the appointment of the Custody Mediator was made by the mother. The deposit shall first be applied against the mother's share of costs and the remainder, if any, shall be remitted to her. The father shall pay his share of costs and fees to the Prothonotary of Crawford Co. within thirty (30) days of the date of this Order.

13. Either party may move the Court for a hearing de novo within ten (10) days from date hereof. If neither party so moves, this Order shall be considered permanent.

By the Court,
Gordon R. Miller, J.

Sept. 14, 1994 Order Faxed Attys. B. Walton, Wm. Pineo, J. Mason.

Mar. 12, 1998 Important Notice and Court Order filed. Out court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 9/8/94 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonable delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

If you do not object to this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever.

I If you object to the case being dismissed, you must put your objections in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or send a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.

YOU MAY LOSE IMPORTANT RIGHTS IF YOUR CASE IS TERMINATED. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHER EYOU CAN GET LEGAL HELP.

Court Administrator
Second Floor-Crawford County Courthouse
Meadville, PA 16335
(814) 333-7498

By the Court,
Anthony J. Vardaro, J

Date: March 12, 1998
Mar 12, 1998 Copies mailed by Court Administrator's Office

May 6, 1998 Order filed. AND NOW, this fourth day of May, 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given to counsel and parties by publication of a "Notice of Intent to Terminate Cases" printed in the Crawford County Legal Journal on April 15, 1998, and no objection thereto haing been received by the Court from either party in the cases listed below, **all and each of the 245 cases listed below are hereby terminated and dismissed with prejudice.** A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 1901.

By the Court:
Gordon R. Miller, P.J.

(See original filed at A.D. 1997 - 702)

Leslie C Smith
vs
Karen S. Smith

continued from page 501
of record
AD 1993-463

****

Each parent shall give the other parent at least 30 days notice of the dates of the Summer visit.
C. Transportation of the children on weekends, holidays and summer visits shall be shared and in absence of an agreement to the contrary the parent receiving custody shall provide transprotation.
D. Neither mother nor father shall say or do anything in an attempt to turn the children against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the children towards both parents.
E. Neither mother nor father shall expose the children to any person or situation which may be harmful to the children's health or well being.
F. Both parents agree to inform the other immediately of any illness or injury regarding the children and both parents agree to furnish the other with a current telephone number.
G. Leslie C. Smith and Karen S. Smith are hereby ordered to register for, and complete the Seminar for Separating Parents as required by Crawford County Civil Rule L. 1930 if you have not already attended within 30 days from this order or shall be subject to the sanctions permitted by rule and law including contempt fines and possible incarceration.
V. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within 20 days of the date hereof.
VI The fees ($210.00 and costs ($9.00 court order filing fee and $5.96 certified mailings) in this case are to be paid as follows:
A. The mother has deposited with the Prothonotary the requested $200.00 which sahll be partially applied towad the fees and costs. The Prothonotary is hereby directed to refund to mother $87.52.
B. The father shall within 30 days of the date of this order pay the Prothonotary $112.48 representing his share of the fee and costs.

Atnhony J. Vardaro, J.

Faxed Parma Borard of Education & Fuller Copy mailed Pltf & Deft

February 17, 1999 Order Filed. And Now, Feb 16, 1999 upon agreement of the parties Paragraph IV,B. of the Order of Feb. 3, 1999 is amended to provide:
B. Beginning with the Summer of 1999 the children shall be in the exclusieve custody of each parent for a period of 30 days. Each parent shall give the other parent at least 30 days notice of the dates of the Summer Visit.

Anthony J. Vardardo, J

Copy to Pltf & Deft.

1993

Everett Cash Mutual Insurance company

VS.

Daniel Burk, Lori Burk ET Al.

RECORD CONTINUED FROM PAGE 349

OF

AD 1993 - 799

****

Sept. 26, 1994 Notice to Complete Discovery Within Sixty Days Pursuant to Local Rule L302A(2), filed.

Dec. 14, 1994 Certificate of Readiness filed.

** ON FEBRUARY 1995 TRIAL LIST

Feb. 15, 1995 Proposed Jury Interrogatory of Daniel and Lori Burk, filed.

Feb. 15, 1995 Proposed Jury Instructions of Daniel and Lori Burk, filed.

Feb. 15, 1995 Proposed Jury Instructions of Patti Burk, filed.

Feb. 15, 1995 AND NOW, Feb. 14, 1995 at 9:45 a.m., Jury selected and sworn as follows:

1. James Cormier
2. Eric Krafft
3. Wayne Miller
4. Tammy Grasso
5. Laban Smith
6. Gail Peterson
7. Victoria Petrarca
8. Lisa Arnold
9. William Goodman
10. Amanda Prusia
11. Philip Mears
12. Joan Kozlowsky

Alt. Christine Marsh

twelve good and lawful persons who upon their solemn oath which they have taken and at least 10 of them say, Feb. 14, 1995, 5:15 p.m., they find:

AND NOW, February 14, 1995, at 5:15 p.m., we the jury empaneled in the above-entitled case do find as follows and answer the following interrogatory submitted to us as follows:

On August 31, 1991, when Daniel Burk pushed Patti Burk while the two were on the porch of the Sugar Lake Hotel, do find that Daniel Burk either pushed Patti Burk with a desire to cause the same general type of injuries and harm that she sustained, or that Daniel Burk acted knowing that such consequences were substantially certain to occur?

Yes_____ No X

James J.Cormier, Foreman

Feb. 15, 1995 Exhibits filed.

** Feb. 14, 1995, Affidavit of Service filed.And Now, February 13, 1995, comes Darleen.J. Swan, who being duly sworn according to law, deposes and sets forth as follows: 1. I served a Subpoena on David Bell in person at his place of employment, Drafto Corp., Fab, located on Old Route 322, Cochranton, Pennsylvania, for his appearance on Februray 14, 1995 at 8"45 a.m. in the Crawford County Courthouse, Meadville, Pennsylvania. By: Darleen J. Swan

Feb. 22, 1995 DECLARATION filed. AND NOW, February 14, 1995,after the jury has rendered a verdict on the factual issue presented to the jury, and answered the special interrogatory "No", the Court hereby declares that the conduct of Daniel Burk on Aug. 31, 1991 is not an intentional act (as that term is used in the policy in question and is defined under the applicable case law for insurance liability coverage exclusion purposes) and is, therefore, not excluded from the coverage provided to Daniel Burk by his home owner's insurance carrier, Everett Cash Mutual Insurance Company, and we further declare that Everett Cash Mutual Insurance Company has a duty to defend and indemnify Daniel Burk in connection with the incident of Aug. 31, 1991.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Feb. 22, 1995 Copies distributed to Attys. Horvath, Beck, Thomas and Brautigam.

Mar. 6, 1995 Pre-Trial Order, filed. AND NOW,February 10, 1995, after pre-trial conference with all counsel present the Court enters the following order:

1. All discovery is completed and all parties are prepared for trial. Jury selection shall take place at approximately 10:00 o'clocka.m. on February 13, 1995 and the trial will commence at 9:00 o'clock a.m. on February 14, 1995. It is anticipated that this case shall take two days to try.

2. This is a declaratory judgment action wherein the plaintiff, a casualty insurance carrier, is seeking a declaration that the conduct of Daniel Burk in pushing his ex-wife, Patti Burk, at the Sugar Lake Hotel onAugust 31, 1991 was intentiona or was otherwise not cofered by Daniel's homeowners insurance policy.

The policy provides liability coverage for losses caused by Daniel as a result of an occurence-that is an accident. Excluded from the coverage are injuries caused by an intentional act.

3. Factual issues.

The primary factual issue centers around what did Daniel do to Patti and did that amount to an intentional act or a negligent act.

4. Legal Issues.

The primary legal issue is whether or not Daniel's conduct on August 31, 1991 was the type of conduct for which the plaintiff owes a defense and indemnity in a separate tort action brought against himby Patti Burk.

5. Disposition of pre-trial motions and pre-trial rulings.

a. Two of the defendants, Daniel Burk and Lori Burk have filed a motion in limine raising four issues which we now dispose of.

(i) Whether or not the jury should hear evidence of alcohol consumption by Daniel Burk. We will not specifically rule on this motion at this point however we will briefly indicate the applicable principles of law. In a case where the conduct,negligent or intentional,of a party is at issue the mere fact of alcohol consumption is not admissible as being unfairly prejudical unless it reasonably establishes intoxication. It may well be that we will hold a hearing in camera or receive an offer of proof to determine whether or not there is sufficient evidence to reasonably establish intoxication. If so Daniel's alcohol consumption may be heard by the jury. If not then the parties will be prohibited from introducing any evidence of his alcohol consumption.

(ii) Whether or not Daniel's plea to harassment arising out of theincident in question may be introduced as evidence at the trial. That motion in limine is granted and there shall be no reference to that plea. Other statements that Daniel may have made at the time he entered the plea might well be admissible depending upon the nature of the statements.

Continued to Page 472

(iii) Whether or not evidence regarding a protection from abuse action entered after, as a result of, the incident of August 31, 1991 may be introduced into evidence. That motion in limine is granted. No evidence regarding a post-incident protectionfrom abuse action shall be admitted. However any statements that Daniel may have made at the time of the protection from abuse.action may be admissible dependingupon the nature of the statements.

(iv) Whether or not evidence of past abuse and fights between Daniel Burk and Patti Burk may be introduced into evidence. That motion in limine is granted. We understand that the incidents of past abuse occurred prior to 1983.

b. Rulings on other issues raised at pre-trial conference.

(i) All issues of fact shall be decided by a jury and therefore the plaintiff's request for jury trial is granted. The issue between the parties, to-wit; the conduct of Daniel Burk, if tried in another form of action there would be a right to a jury trial. See 42 Pa.C.S.A 7539(b); explanatory note to Pa.R.C.P. 1601; Geisinger Clinic v. DiCuccio, Pa. Super, 606 A.2d 509 (1992).

(ii) A post accident statement allegedly made by Patti Burk to Daniel Burk shortly after she fell to the ground that "you will pay for this" is admissible as part of the res gestae.

6. Plaintiff's case in chief:

a. Witnesses:

The plaintiff intends to call all the witnesses listed in its pre-trial narrative except for Michael F.Goodwin, plaintiff's investigator to authenticate photos or certain insurance documents. The parties shall endeaver to stipulate as to what his testimony would be.

b. Exhibits:

The plaintiff intends to introduce photographs and drawings of the scene including various insurance documents including all portions of the policy that was in effect on August 31, 1991.

7. Defendants', Daniel Burk and Lori Burk, case in chief:

a. Witnesses.

These defendants intend to call the witnesses listed in their pre-trial narrative.

b. Exhibits.

These defendants intend to introduce an April 12, 1993 letter regarding the notice issue although it appears that late notice/prejudice are no longer an issue in this case.

8. The Defendant is, Patti Burk, case in chief:

a. Witnesses.

This defendant intends to call the witnesses listed on her pre-trial narrative.

b. Exhibits.

This defendant intends to use any exhibits that were used during any of the depositons.

9. The Defendants', James A.Whitman and Mary A.Whitman, t/a Sugar Lake Hotel, case in chief:

a. Witnesses.

These defendants intend to call the witnesses listed on page 4 of their pre-trial narrative.

b. Exhibits.

None.

10. Stipulations.

The parties will attempt to stipulate and agree on as many matters as possible no later than 4:30 o'clock p.m. on Friday, February 10, 1995.

11. The parties have agreed that the plaintiff shall be entitled to six preelmptory challenges, and that each defendant will be entitled to two preemptory challenges for a total of six for the defendants. Thejury shall include two alternates. The plaintiff shall have an additional preeptory challenge and the defendants shall have a total of one preemptory challenge to use in the selection of the two alternate jurors.

12. All counsel shall prepare and exchange written voir dire questions no later than 4:30 o'clock p.m. on Friday, February 10, 1995. All objections to proposed voir dire questions shall be brought to the attention of the Court prior to jury selection. After the Court has asked basic questions of the jury panel, counsel shall be permitted to read or paraphrase their own voir dire questions. The Court will permit counsel to supplement their voir dire questions if said questions are reasonably necessary to make further inquiry on matters raised by voir dire by the Court or other counsel.

13. All counssel shall submit requested points for charge as soon as practicable but no later than the close of the presenttion of all evidence.

14. Counsel desiring to submit a proposed verdict slip or special interrogatories shall do so prior to the commencement of final arguments.

15. If the parties have not already done so they shall prenumber all exhibits and provide true and correct copies of all exhibits, as prenumbered, to opposing counsel no later than 4:30 o'clockp.m. on February 10, 1995.

16. After jury selection the Court will hold another pretrial conference to resolve any remaining outstanding issues and to determine the specific questions that will be presented to the jury.

BY THE COURT
Gordon R. Miller,P. J.

3-6-95 Copies dist. by Court.

March 8, 1995 Motion for Post-Trial Relief and RULE TO SHOW CAUSE filed. AND NOW, to-wit, this 27th day of February, 1995, upon consideration of the foregoing motion for post trial relief, it is hereby ORDERED, ADJUDGED and DECREED that the plaintiff shall be granted a rule to show cause why the motion should not be granted upon the defendants returnable the 27 day of March, 1995 at 2:15 P.M. before Judge Miller in Courtroom No.1. The partiess shall file Briefs in accordance with the local rules governing argument court.

Gordon R. Miller, Judge

March 8, 1995 Order FAXED Attys. Beck, Brautigam and Horvath.

April 6, 1995 MEMORANDUM AND ORDER filed. AND NOW, April 5, 1995 for the reasons set forth in the attached memorandum the plaintiff's motion for post-trial relief is denied.

BY THE COURT
Gordon R. Miller, P.J.

April 6, 1995 Copies of Order distributed to all counsel.

April 6, 1995 Certificate of Service filed.

April 6, 1995 Motion in Limine on behalf of Daniel and Lori Burk, defendants, filed.

1993

Thomas Thurber

vs.

Jody L. Thurber

Record continued from page 467

of record

AD 1993 - 786

****

Oct. 1, 1997 Custody Contempt and attorney Fees and Order filed. Legal proceedings have been brought against you alleging you have willfully disobeyed an order of court for visitation. If you wish to defend against the claim set forth in the following pages, you may but are not required to file in writing with the court your defenses or objections.

Whether or not you file in writing with the court your defensnes or objections, you must appear in person in court on 30th day of October, 1997 at 1:30, p.m. in Courtroom #3, of the Crawford County Courthouse located in Meadville, Pennsylvania.

IF YOU DO NOT APPEAR IN PERSON, THE COURT MAY ISSUE A WARRENT FOR YOUR ARREST.

If the court finds that you have willfully failed to comply with its order for visitation, you may be found to be in contempt of court and ocmmitted to jail, fined or both. The court may also order you to apy the petitioner's attorney fees and 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.

Northwestern Legal Services
231 Chestnut Street 4th Floor
Meadville, Pennsylvania
(814) 724-1040

BY THE COURT,
Gordon R. Miller, J

9/22/97
10-2-97 Faxed Barrett and distributed Brode

Oct 10, 1997 ORDER: AND NOW, this 10 day of October, 1997, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. The Order of September 27, 1993, as modified by the Order of Juen 16, 1994, is hereby continued in full force and effect.

2. Costs and fees of this Mediation, which are fixed at $182.00, are divided equally between the parties with a share of each being assessed to him or her as costs in this case.

3. The deposit required for the appointment of the Custody Mediator was made by the father. The deposit shall first be applied against the costs in this case and the remainder, if any, shall be remitted to him. The parties shall settle up with each other such that each shall have paid one-half of the costs of the Mediation, within thirty (30) days of the date of this Order.

Anthony J. Vardaro, J.

Oct 13, 1997 Faxed Barode & Barrett
Nov 3, 1997 Faxed to Pineo

October 31, 1997 MOTION TO WITHDRAW CUSTODY CONTEMPT/ATTORNEY FEE PETITION AND ORDER: AND NOW, October 20, 1997, upon consideration of Plaintiff's attached Motion to Withdraw Contempt Petition/Attorney Fees, the court grants the Plaintiff's request.

Anthony J. Vardaro, J

Nov. 3, 1997 FAXED Barrett

Mar 2, 1998 Petition For Special Relief and Order: And Now, March 2, 1998 after argumetn in motion court the Plaintiff withdraws the petition.

Anthony J. Vardaro, J.

Mar 3, 1998 Faxed Gregg, Brode, Barrett & Joseph

Byron L. Wheeler
vs.
Arlene Rae Wheeler a/k/a
Arlene Loga Wheeler

Record continued form page 5
of record
A.D. 1993 - 455

****

whatsoever except those rights accruing to Defendant under this agreement. Defendant expressly agrees that Plaintiff has made a full disclosure of all relevant matters, including property rights, and that Defendant hereby expressly waives any right, claim or entitlement whatsoever except as is set forth in the body of this Decree.

Plaintiff does hereby remise, release, quit claim and forever discharge Defendant, and the estate of the defendant, from any and every claim that he now has, may hereafter have or can have at anytime, against Defendant, or in or to or against her estate, or any party thereof, whether arising out of any former contracts or liabilities of Defendant, or by way of curtesy or claim in the nature of curtesy, widower's rights, or under the intestate laws or the right to take against Defendant's Will or for support or maintenance, or any other nature whatsoever, excep those rights accruing to Plaintiff under this agreement.

BY THE COURT,
Anthony J. Vardaro,
J.

In the event Defendant obtains homeowners coverage other than the existing policy then Plaintiff shall uon demand, assign his right to recieve any policy reimbursement.

III. TANGIBLE PERSONAL PROPERTY The parties hereto shall each retain those items of personal property such as jewelry, clothing and personal effects now inhis or her possession. Furthermore the paraties shall abide by the previous agreement between them, as to the divisionof furnishings, furniture and tangible personal prperty which are located within or about the marital home and real estate on Wallace Avenue in Linesville Borough, Crawford County, Pennsylvania. Simultaneous withthe execution of this agreement, Plaintiff reserves unto himself theright to request any items of personal property and contents which are located at the formal marital residence whcih he wishes to retain as his sole property. Additionally, the parties have agreed that each shall retain the motor vehicle or vehicles which are presently in their possession, the same to remain their sole properties. The parties agree that any Certificates of Title with respect to behicles shall be signed over to the party receiving that vehicle as soon as practicable following the Divorce Decree.

IV DEBTS AND OBLIGATIONS

a. Plaintiff's Obligations Plaintiff shall be solely responsible for the following marital debts and obligations, and shall hold Defendant harmless in regard to same:

1. Bank One Lafayette, N.A. - Account nUmber 4332-6450-6005-5962 which states a current principal balance of $3,443.29 (said debt to be subject to whatever negotiation for final settlement can be arranged by Plaintiff).

2. Attorney's fees payable to Brian J. Lindsay, Esquire, in the amount of $1,645.00 representing the total fees due and owing for Defendant's attorney.

3. Defendant's outstanding invoice payable to Dr. Chris Knapp, Chiropractor, less any portions paid by insurance for injuries sustained by Defendant as a result of Defendant falling off the front porch of the residence this past spring of 1994. Both Plaintiff and Defendant shall cooperate in processing any insurance claims regarding the porch indicent.

4. The parties have stipulated and agree that there are no debts or obligations incurred by either of them since the date of the filing of the Divorce Complaint which could in any fashion conceivable result in any claim or liability onthe part of the other party. Each debt or obligation incurred by either of the parties since the date of filing of the Divorce Compalint shall be and remain the sole liability and responsibilty of that party.

V. HCSPITALIZATION/HEALTH INSURANCE Plaintiff agrees that he shall be responsible for and shall keep and maintain on behalf of Defendant a policy or plicies of hospitalization/health insurance for a period of three (3) years following the date of the Divorce Decree. Said policy or policies of hospitalization/health insurance shall be commensurate with the coverage presently existing which are applicable to Defendant under Plaintiff's employer-sponsored health insurance program. At the expiration of three(3) years form the date of the Divorce Decree Defendant shall have no further right or entitlement or claim upon Plaintiff for such health insurance coverage.

VI. ALIMONY Commencing November 1, 1994, and on the 1st day of each succeeding month thereafter, Plaintiff agrees to pay to Defendant the sum of four undred fifty ($450.00) dollars a month for her separate support and maintenance, with payment ending after a period of ten (10) years or one hundred twenty (120) months, or at his death or her death, which ever shall occur first. Said payments are non-modifiable and are due and apyable on or before the 1st day of each and every month. The parties agree that the entire amount being paid to Defendant pursuant to this paragraph is a separate maintenance periodic payment, included and intended to be included with the income ofthe Defendant within the meaning and intent of Section 71 of the United States Internal Revenue Code of 1954 and deductible from the Plaintiff's gross income pursuant to the provisions of Section 215 of the Untied States Internal Revenue Code of 1954. Defendant agrees that all said payments shall be included as income of the Defendant in her applicable tax returns and that she shall pay such taxes as may be required by reason of such inclusion.

VII. IRA The parties have discussed the existence of an IRA account in the name of Byron Len Wheeler, which is adminstered through the Easton Vance Group of Funds. This IRA fund was formerly established in the nature of an ESOP through Plaintiff's employment at Alltel. Based upon the sub-total in existence at the time ofthe account, and following full disclosure by the Plaintiff to the Defendant, it has been determined that Defendant's interest inthis account be determined to be four thousand six hundred and fifty four ($4,654.00) dollars, in full satisfaciton of all Defendant's claims with respect to this item of perperty. Plaintiff agrees that he will make a check payable to Defendant in the amount of four thousand six hundred and fifty four ($4,654.00) dollars on or before October 1, 1994. Defendant expressly releases and holds harmless the Plaintiff from any and all other claims or entitleement with respect to the IRA account.

VIII. PENSION Plaintiff has, with Alltel Corporation, his place of employment, a pension plan The parties agree and it is ordered that Defendant shall receive one-half (1/2) of Plaintiff's pension accumulation which has accrued between May 28, 1982 and May 5, 1993, or eleven (11) years. Thus Defendant's interest in Plaintiff's pension shall be determined by a formula which shall be a fraciton, the numerator of which shall be eleven (11) and the donominator of which shall be the total number of years of covered service that Plaintiff has under the terms of the pension plan as of the date of his retirement or termination with Alltel, as multiplied by one-half (1/2) representing the Defendant's one-half (1/2) share of such account. Plaintiff's attorney shall be responsible of the preparation and submission to the Court of a Qualified Domestic Relations Order effectuating the aforesaid distribution fothe pension plan.

IX. ALIMONY, ALIMONY PENDENTE ITE, COUNSEL FEES, COSTS AND EXPENSES Defendant in her Counter-Claim has raised the above issues. It is acknolwedged that alimony has been covered inthis Decree With respect to Alimony Pendente Lite, Counsel Fees, Costs and expenses it is ordered that Defendant hereby waives any claim for Alimony Pendente Lite andCosts and Expenses, and her sole entitlement with respect to Counsel Fees shall be the sum of sixteen hundred forty five ($1,645.00) which Plaintiff shall pay to Brian J. Lindsay, Esquire, as set forth above.

X. TAX RETURNS The parties acknowledge that a Final Divorce Decree will be entered during 1994 and according, each party agrees that he or she will be responsible for filing individual income tax returns for the calendar year 1994. The party filing the return shall be entitled to the full refund therefrom, and further, shall be fully obligated forthe payment of any and all income tax which must be paid.

XI. WAIVER OF RIGHTS Defendant does hereby remise, release, quit claim and forever discharge the Plaitiff and Plaintiff's estate from any every claim that she now has, may hereafter have opr can have at any time against the Plaintiff, or in or to or against his estate, or any part thereof, whether arising out of any former contracts, engagements or liabiliy of Plaintiff, or by way of dollar or claim in the nature of dower, widow's rights, or under the intestate laws, or the right to take against husband's Will, or for support or maintenance, or any other nature

1993

Harold M. Hayes

vs.

SHARON L. Hayes

Record continued from page 409

of record

A.D. 1993 - 859

****

Oct. 26, 1994 Notice of Master's Hearing filed.

Oct. 26, 1994 Summary of Pre-Hearing Conference filed.

Oct. 31, 1994 Intentory And Appraisement of Defendant filed.

Nov.9,1994 Motion toWithdraw Petition for Joinder and ORDER filed. AND NOW,to wit, this 7th day of November, 1994,u upon consideration of the foregoing Motion toWithdraw Petition for Joinder, it is hereby ORDERED, ADJUDGED and DECREED that the Petition is withdrawn.

Gordon R. Miller,J.

11-10-94 Faxed to Attys.Kroto & Kirkpatrick

Nov. 22, 1994 Notice of Master's Hearing,filed.

Jan. 12, 1995 Notice Of Master's Hearing filed.

Feb. 14, 1995 Master's Pre-Hearing Directive to the Parties, filed.

Mar. 31, 1995 Affidavit of Consent of Defendant filed.

Apr. 13, 1995, Upon praecipe of plaintiff attorney, this divorce moved to court.

DIVORCE DECREE FILED

April 27, 1995 And, Now, April 26, 1995, it is ordered and decreed that HAROLD M. HAYES, plaintiff, and SHARON L. BIRD HAYES, defendant, are divorced from the bonds of matrimony. The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

IT IS FURTHER ORDERED:

Equitable Distribution: Husband shall be the sole owner of real estate and business owned in his sole name. Wife shall be the sole owner of her pension. Husband shall pay to Wife the sum of $45,000.00 pursuant to the terms of the parties' written agreement.

Masters Fees and Costs: The sum of $338.75 is owed to the Master, Christopher Youngs, Esq. Husband has on deposit with the Prothonotary the sum of $300.00 and Wife the sum of $500.00. From these deposits the Prothonotary shall pay as follows:

$338.75 to Christopher Youngs, Esq., Master
$172.96 to Mary Ann Kirkpatrick, Esq., attorney for Plaintiff
$288,.29 to Frank L. Kroto, Jr.; Esq., attorney for Defendant.

By the Court:
Gordon R. Miller, J.

Janet S. Vogt

vs.

W. Scott Vogt

Record continued from page 281

of

No. AD 1993 - 731

Aug. 29, 1997 Affidavit of Consent of defendant filed.

Sept. 15, 1997 Order filed. AND NOW, this 12th day of Sept., 1997, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator.

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor child, Christopher Vogt.

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.

Costs and fees of this Mediation, which are fixed at $62.00, are divided equally between the parties with a share of each being assessed to him or her as costs in this case.

The deposit required for the appointment of the Custody Mediator was made by the father. Said deposit shall first be applied against the costs in this case and the remainder, if any, shall be refunded to the father. The parties shall settle up with each other and with the Prothonotary of Crawford County within thirty (30) days of the date of this Order. (SEE PAPERS FILED)

By the Court,
Gordon R. Miller, J.

9-16-97 FAXED Walton & 10-8-97 MAILED Deft

Mar 2, 1998 Amended Complaint in Divorce, filed.

May 8, 1998 AFFIDAVIT OF CONSENT TO DIVORCE FILED (PLTF.)

May 8, 1998 WAIVER OF NOTICE OF INTENTION TO REQUEST ENTRY OF A DIVORCE DECREE UNDER SECTION 3301(c) OF THE DIVORCE CODE FILED (PLTF)

June 11, 1998 WAIVER OF NOTICE OF INTENTION TO REQUEST ENTRY OF A DVIORCE DECREE UNDER SECTION 3301(c) OF THE DIVORCE CODE FILED. (W. Scott Vogt, Deft)

June 11, 1998 ACCEPTANCE OF SERVICE FILED (W. SCOTT VOGT, DEFT.)

June 15, 1998 Upon Praecipe of defendant attorney for Review under 3301(c) of Divorce Code, this case moved to Court, filed.

DIVORCE DECREE FILED

June 23, 1998 STIPULATION and DECREE filed. And, Now, June 23, 1998, it is ordered and decreed that JANET S. VOGT, Plaintiff and W. SCOTT VOGT, Defendant, are divorced from the bonds of matrimony. The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered.

Any existing spousal support order shall hereafter be deemed an order for alimony pendente lite if any economic claims remain pending.

It is further ordered:

Equitable Distribution

Husband's 401K shall be divided so that wife shall receive 75% of the portion which accrued prior to June 10, 1997, and husband shall receive the remaining balance of the 401K Plan.

Each party shall kepp all personal property now in his and her own possession and each party shall keep all assets titled in his and her own separate name.

Alimony

Neither party shall receive nor pay alimony, alimony pendente lite, or spousal support.

Each party shall be responsible for his and her own counsel fees, costs and expenses in connection with this action.

By the Court,
Gordon R. Miller, Judge

Dec. 17, 1998 Notice of Election To Retake Prior Name filed. Janet Vigt TO BE KNOWN AS: Janet O'Leary

Dec 18, 1998 Stipulation For The Entry of A Qualified Domestic Relation Order and Order: And Now, this 17 day of December 1998, it appearing to the Court that:

1. The parties hereto were formerly husband and wife having been divorced on June 23, 1998 by this Court at the above number.

2. W. Scott Bogt, herinafter referred to as "busband," or "Participant," is employed by Haemer Tool and Die and is a participant in the 401K Retirement Plan;

3. thru 6. (see paper filed)

IT IS ORDERED, ADJUDGED AND DECREED as follows:

1. A portion of the aforementioned 401K account is marital property subject to distribution by this Court.

2. The Plan to which this Ordr applies is the Haemer Tool and Die 401K retirement and annuity plan or any successor plan.

3. thru 9. (see paper filed)

IT IS INTENDED that this Order shall qualify as a Qualified Domestic Relations Order under the Retirement Equity Act of 1984. The Court retains jurisdiction to amend this Order as might be necessary to establish or maintain its status as a Qualified Domestic Relations Order under the Retirement Equity act of 1984. Anthony J. Vardaro, J.

Dec 21, 1998 Faxed Kirkpatrick

PAUL E.GEHR, JR. and ALICE J.GEHR,his wife, LEROY BELL and Shirley J.Bell, his wife; Niles W.Shellito; Shellito; Lorene Elford; Kenneth J. Mook and Daisy D.Mook, his wife, Clyde Sherman Allen, Leslie E. Allen, James Rodney Allen, William C.Gale, Joseph Urbanic and Charlotee Urbanic, his wife, and Marjorie M. Agnew, Carl H.Sheretts, Individually and on behalf of all other persons similarly situated
vs
Mitchel Energy Corporation

Continued from Page 255 of Record

AD 1993 - ~~255~~ 705

****

Oct.31, 1994 ORDER FILED. AND NOW, October 27, 1994, the Plaintiff's motion to amend the first Amended Complaint which said current motion was filed with the Prothonotary on October 19,1994 is hereby granted.

BY ORDER OF THE COURT,
Gordon R.Miller, P. J.

11-1-94 Copies dist. to Counsel of record.

Oct. 31,1994 ORDER filed. AND NOW, October 27, 1994, the Defendants shall file Proposed Findings of Fact and Conclusions of Law with respect to the issue of class certification no later than 4:30 o'clock p.m. on Friday, November 18, 1994. At that time the matter will then be before the Court for determination.

The Court ORDERS and DIRECTS both parties to file a Brief or Memorandum of Law by 4:30 o'clock p.m. on Friday, November 18, 1994 setting forth arguments citations and authorities with respect to class actions and class action certification in contract matters.

BY ORDER OF THE COURT,
Gordon R. Miller, P. J.

11-1-94 Copies dist.to counsel of record.

Feb. 28, 1995 Stipulation of Parties,filed.

Mar. 1, 1995, FINDINGS,fCONCLUSIONS AND ORDERoFILED.ofORDERoOFsCERTIFYINGrCLASSaACTION: AND NOW,1Feb. 27,D1995,fafterWhearing2ondpladntiffs'lMotioneforoClaSS Action Certification, itoisrORDEREDrthatrthisiactioneisrcertifiedeas87a classiactionbasafolows: The Director of the ?urdsuThe classrshalloconsistbofealiethosespersonsowhonwereiowners ofeandinterestiinton. real property located int heYCommonWealth of Pennsylvania between 1985 and 1992, inclusive, either as a result of leasesrentered intordirectlydwith Mitchell Energy Corp. or leases enteredrinto with.acpartyaothero thanarMitchell Energy Corp oration which were later assigned or subleased to Mitchell Energy Corporation. Subclasses are hereby established as defined by the language in the lease agreements relating to royalty payments. The following subclasse are created:

1. Those individuals whose lease described the royalties to be paid to the lessor by reference to "Market value at the wells," "value at the mouth of the well." This is comprised of individuals who executed lease forms identified by the parties as the Cabot Form 715, the Columbia Gas form, the MECJBIII form, the MECPA83 form, and the Conneaut Lake Golf Course Form.

II. Those individuals whose lease described the royalties to be paid to the lessor by reference to the "price received at the wellhead or lease line." This is comprised of individuals who executed lease forms identified by the parties as the Royal Resources No. 3 form (a.k.a the R. W. Keener form).

III. Those individuals whose lease described the royalties to be paid to the lessor by reference to the "proceeds" or "amount realized" by the sale of gas. This is comprised of individuals who executed lease forms identified by the parties as the Eastern Oil & Gas Form, the MECPA77 form, the Royal Resources form No. 1 and the No. 2, and the Goldia H. Stitt form.

2. A conference will be held between counsel and the Court on the 3rd day of April 1995, at 11:00 a.m. in Courtroom No. 1 of the Crawford County courthouse. At that time the parties will discuss and be heard on the matters provided for in Pa. R.C.P. 1712 to-wit: the details of the notice to be given to class members and setting a date to respond.

3. A proposed form of notice to the class shall be prepared by counsel for the plff. pursuant to Pa. R.C.P. 1712(c) and shall be filed with the Prothonotary fifteen (15) days prior to the conference and a true and correct copy served upon counsel for the defendant simultaneously with the filing. Counsel for the defendant shall file any written objections to the proposed notice no less than five (5) days prior to the conference.

BY THE COURT,
Gordon R. Miller, P.J.
Mar. 1, 1995, copies dist. to Shafer, Stack, Walker, Walker, and Hollihan.

Mar. 23, 1995 Defendant's Objections To Class Action Notice Pursuant To Rule 1712(c) filed.

Mar. 27, 1995 Defendnt Mitchell Engergy Ciorporaltion's Motion to Amend Answer to Add Counterclaim set-off and Recoupment, filed.

Mar. 17, 1995 Notice of Pendency of Class Action filed.

Apr. 4, 1995 Memorandum inSupport of Motionto amend Answer to Add Counterclaim, Set-off and Recoupment,filed.

Apr 6, 1995 ORDER filed. AND NOW, April 3, 1995, at the tiem fixed for a conference pursuant to Pa. R.C. P. 1712, the parties agree to a brief continuance of this matter to deal with three issues.

The plaintiffs need 10 days to consider the defendant's proposal that the parties engage in a settlement conference and settlement negotiations and/or mediation; and the plaintiffs need time to file a Memorandum or Brief outlining their position with respect to the defendant's Motion to Amend its Answer to Add a Counterclaim, Setoff and Recoupment. The defendant would like an additional period of time to review and respond to the plaintiff's latest Proposed Notice of Pendency of Class Action.

CONTINUED ON PAGE 478

ACCORDINGLY, this conference is continued until April 26, 1995, at 4 o'clock p.m. in Courtroom No. 1.
IT IS FURTHER ORDERED AS FOLLOWS:
1. The plaintiffs shall on or before April 19, 1995 file and serve upon the defendant their Memorandum or Brief with respect to the defendant's Motion to Amend its Answer to Add Counterclaim, Setoff and Recoupment and to advise the defendant as to the plaintiffs' position with regard to a settlement conference and/or mediation and whether or not the plaintiffs desire to have the notice provisions concluded before settlement or mediation is entered into or are willing to wait to determine the outcome of settlement and/or mediation.
2. The defendant shall on or before April 19, 1995 file and serve upon counsel for the plaintiffs the defendant's Response to the Latest Notice of Pendency of Class Action prepared by the plaintiffs. BY THE COURT,
Gordon R. Miller, P.J.

Apr. 6, 1995 dist to all counsel.

Apr. 10, 1995 Notice of Pendency of Class Action filed.

Apr. 17, 1995 Defendant's Objections to First Amended Class Action Notice Pursuant to Rule 1712(c) filed.

May 31, 1995, Motion to File Reply Brief filed.

May 31, 1995, MEMORANDUM AND ORDER filed. ORDER: AND NOW, May 30, 1995, defendant's motion to amend its answer to add a counterclaim, set off and recoupment is denied for the reasons set forth in the attached memorandum.
BY THE COURT,
Gordon R. Miller, P.J.
6/1/95 copies dist to all counsel.

Jun.14,1995 ORDER filed. AND NOW, June 6, 1995, itis ordered as follows:
1. The class notification hearing shall be delayed to enable the parties to engage in meaningful settlement discussions.
2. A settlement conference is hereby set for the 29th day of June, 1995 at 3:30 o'clock p.m.in Courtroom No. 2 before the Honorable Anthony J.Vardaro. At that time the parties may discuss settlement but more likely they will discuss how the settlement process will proceed and schedule additional settlement or mediation meetings and conferences.
3. The hearing on the class notification issues may be held after July 31, 1995 to be set on motion of any interested party.
BY THE COURT
Gordon R.Miller, P. J.

6-14-95 Faxed W.Walker, Stack & Shafer, mailed J.Walker

Jun. 19, 1995 Application to Amend Order to Include Statement Specified in 42 PA.C.S.A. §702(b) filed.

Jun. 19, 1995 ORDER filed. AND NOW, this 19 day of June, 1995, it is hereby Ordered that a Rule to Show Cause why this Court should not enter an Order to include the statements specified by 42. Pa. C.S.A.§702(b) is hereby entered and returnable for argument on the 29th day of June, 1995 at 1:30 P.M. in Courtroom No.1.
By the Court:
P. Richard Thomas, S.J.

6-19-95 Faxed Stack,W. Walker, mailed J. Walker

Jun. 19, 1995 Application to Trial Court to Include Determination of Finality Pursuant to Pa.R.A.P. 341(C) filed.

Jun. 19, 1995 ORDER filed. AND NOW, this 19 day of June, 1995,it is hereby Ordered that a Rule to Show Cause why this Court should not enter an Order to include a determination of finality pursuant to Pa.R.A.P. 341 (C) is hereby entered and returnable for argument on the 29 dayof June, 1995 at 1:30 P.M. in Court Room No.1.
By the Court:
P.Richard Thomas, S.J.

6-19-95 Faxed Stack, W.Walker, J. Walker

Jun.22, 1995 Opposition of Plaintiffs to Mitchell Energy Corporation's Applications for Pursuit of An Immediate Appeal, filed.

June 30, 1995, Voluntary Substitution of Leo Michael Agnew and Robert George Agnew Administrators of the Estate of Marjorie M. Agnew, as a party plaintiff, filed.

Jul. 3, 1995 ORDER filed. AND NOW, June 30, 1995, it is ordered as follows:
1. The defendant's application to the trial court to include a determination of finality pursuant to Pa.R.A.P. 341 (c) is denied.
2. The defendant's application to amend the order to include a statement specified in 42 Pa.C.S.A. §702 (b) is denied.
3. If an appeal is taken from this order we will write an opinion in support of this order as required by the Rules of Appellate Procedure.
BY THE COURT
Gordon R.Miller, P. J.

7-3-95 Dist. to Walker, Shafer & Stack

Jul. 7, 1995 ORDER filed. AND NOW, July 6,1995,the parties having agreed that this class action litigation may bemediated before the undersigned in an effort to reach a settlement and the Court having met with the parties on June 29, 1995, itis ordered and directed as follows:
1. This matter is scheduled for a mediation/settlement session for July 20, 1995 at 1:00 P.M. in Courtroom No. 2 at the Crawford County Courthouse before the undersigned.
2. Counsel and representatives of their clients shall meet independently at 8:30 A.M. on July 20, 1995 at a place to be agreed upon in an effort to try to resolve this matter prior to meeting with the Court.
3. On or before July 10, 1995 at 4:30 P.M.,each party shall submit to the Court a statement setting forth their legal and factual position in this case with said statement to be no longer than 15 typewritten pages.
4. Counsel shall come prepared on July 20, 1995 at both the morning session and the afternoon session before the Court with settlement authority and with access as maybe reasonable as possible to persons able to make decisions which may be necessary during the course of the litigation toward an effort to resolve this matter.
5. If this matter is not resolved prior to the 1:00 P.M. session on July 20, 1995, counsel shall come prepared to make a brief oral presentation to the Court setting forth their settlement position and shall thereafter be prepared to meet separate from the other party with the Court to candidly discuss their position.
6. The parties agree that the Court shall meet with both sides together and each side separately as may be needed in the opinion of the Court in an effort to see if a resolution of this matter may occur. No party shall be required to disclose a settlement position other than what they have already disclosed to the other party or are willing to disclose with the other party present. Once the other party is not present, the Court, however, will expect each party to candidly advise the Court as to their settlement positions so that the Court will be in a position to determine whether a mediated settlement of this matter is possible.
7. During this process of mediation/settlement, the Court and the parties have agreed to be bound by the following passage from the American Arbitration Association Commerical Mediation Rules:

Confidential information disclosed to mediator by the parties or by witnesses in the course of the mediation shall not be divulged by the mediator. All records, reports, or other documents received by a mediator while serving in that capacity shall be confidential. The mediator shall not be compelled to divulge such records or to testify in regard to the mediation in any adversary proceeding or judicial form.

Continued to Page 479

The parties shall maintain the confidentiality of the mediation and shall not rely on, or introduce as evidence in any arbitral, judicial, or other proceeding:

(a) views expressed or suggestions made by another party with respect to a possible settlement of the dispute;
(b) admissions made by another party in the course of the mediation proceedings;
(c) proposals made or views expressed by the mediator; or
(d) the fact that another party had or had not indicated willingness to accept a proposal for settlement made by the mediator.

8. If a resolution is not reached on July 20, 1995, the Court will schedule further mediation session if it is the opinion of the Court that a resolution of this matter may be possible.

BY THE COURT:
Anthony J.Vardaro, J.

7-7-95 Faxed Shafer & W. Walker/ 7-17-95 Phoned & Mailed J. Walker & Hollihan

Aug. 17, 1995, Defendant's (Mitchell Energy Corporation) Objections to August 14, 1995 Class Action Notice Pursuant to Rule 1712(c) filed.

Aug. 22, 1995, Motion to Schedule Hearing concerning the Notice of Pendency of Class Action and order filed.

ORDER: AND NOW, this 21st dayof Aug. 1995, upon consideration of the foregoing motion, a hearign and argument shall be held on the 13th day of Sept. 1995 at 3:30 p.m. in C. R. No. 1 of the Crawford County Courthouse to determine the form of the notice of Pendency of Class Action which is to be sent to the class memebers in this action.

by the court,
Gordon R. Miller, J.

8/22/95 faxed to Stack, J. Walker and W.Walker.

Sept. 26, 1995 Notice of Class Action and ORDER filed. AND NOW, September 22, 1995, having received and reviewed the proposed notices of class action submitted by the parties, and having held a hearing addressing the same, it is hereby ORDERED:

1. The parties and the Court are in agreement as to the form of the Notice of Class Action which will be mailed to the potential class members in this case. That Notice is attached hereto and incorporated herein.
2. The plaintiffs shall submit to the defendant a list of the potential class members which the plaintiffs desire to notify by Friday, Sept. 22, 1995.
3. The defendant shall make every effort to provide the addresses of such potential class members to the plaintiffs by Friday, Oct. 6, 1995.
4. The plaintiffs shall mail the Notice of Class Action to the potential class members by Wednesday, Nov. 1, 1995. The plaintiffs shall bear the cost of such mailing.
5. The plaintiffs shall file of record a list of the names and addresses of the persons to whom the Notice of Class Action is sent.
6. The potential class members shall have until Dec. 20, 1995 to mail the Request for Exclusion attached to the Notice of Class Action to the Prothonotary's office. Each potential class member who does not mail the Request for Exclusion, postmarked by Dec. 20, 1995, shall be deemed a member of the plaintiff class for pusposes of the instant class action.

BY THE COURT
Gordon R. Miller, P.J.

Sept. 26, 1995 Order FAXED Attys. Walker, Hallihan, Stack, Shafer.

Oct. 31, 1995 Certificate of Mailing filed. AND NOW,this 31st day of October, 1995, comes William L.Walker, Esquire, counsel for the Plaintiffs in the above-captioned action, who certifies tht he has caused to be mailed to the persons on the atached list and at the addresses on the attached list a Notice of Class Action. A copy of the NOtice of Class Actio mailed to the individuals is attached hereto. To the extent that there are duplications in that the same individuals or entities are listed more than once on the attached list, only one notice was mailed to that individual or entity.

The mailings were accomplished by first class mail,postage prepaid,all in accordance with the Order of Court of September 27, 1995.

William L. Walker, Esquire

Jan. 15, 1996 Entry of appearance of Jerome F. Weiss, Esq., and William T. Davis, esq., filed. (Denied by Court). (see papers filed)

BY THE COURT
Gordon R. Miller,P.J.

Jan. 15, 1996 Order FAXED attys. Hollihan, Stack and Shafer; mailed Attys. Wm. Davis-Weiss.

Mar. 25, 1996 Exclusion Notice filed.

June 13, 1996, Motion for Status Conference and Order filed. ORDER: ADN NOW this 12 day of June 1996 upon consideration of the foregoing Motion for Status Conference is hereby scheduled to consider the completion of discovery, the consolidation of this action with other pending cases, and the setting of a trial date.

The Status Conference will be held on the 16th dayof July 1996 at 11:00 a.m. in Court Room 1 of Courthouse.

by the court,
Gordon R. Miller, P.J.

6/14/96 faxed toStack, Walker and Hollihan.

June 13, 1996, DefendANT"S Response to Plantiffs' Motion for Status Conference, filed.

July 19, 1996 ORDER filed. AND NOW, July 17, 1996, after a brief status conference a hearing to consider and approve a settlement of this matter is hereby scheduled for the 29th day of August, 1996 at 9:00 o'clock a.m. in Courtroom No. 1 of the Crawford County Courthouse.

BY THE COURT
Grodon R. Miller, P.J.

7-19-96 MAILED Walker. DISTRIBUTED Walker & Stach.

Aug. 26, 1996 Petition to Approve Settlement and Motion Issuance of Order with Respect to Notice Settlement Hearing and Administration filed. and order filed. AND NOW, this 29th day of August, 1996, upon review and consideration of the Stipulation and Settlement Agreement dated as of August 29,1996 (the "Settlement Agreement") executed on behalf of Paul E. Gehr, Jr., Alice J. Gehr, Leroy Bell, Shirley J. Bell, Niles W. Shellito, Lorene Elford, Kenneth J. Mook, Daisy D. Mook, Clyde Sherman Allen, Leslie E. Allen, James Rodney Allen, Carol Gale as Executrix of the Estate of William C. Gale, Josephy Urbanic, Charlotte Urbanic, Leo Michael Agnew and Robert George Agnew as Administrators of the Estate of Marjorie M. Agnew, and Carl H. Sheretts, individually and as representatives of all class members (collectively "Plaintiffs") and Defendant Mitchell Energy Corporation ("MEC"), in the above-captioned litigation the ("Litigation"), a hearing on the

proposed settlement described in the Stipulation and Settlement Agreement is necessary.

NOW, upon petition of Plaintiffs, it is hereby ORDERED as follows:

1. The terms of the Stipulation and Settlement Agreement, and the settlement provided for therein, are preliminarily approved, subject to further consideration thereof at the hearing described at paragraph 7 of this Order.

Continued on Page 494

512.

ETHEL A. SNYDER, Executrix of the Estate of CLARENCE J. SNYDER, Deceased

VS.

Y. C. FAN, M.D., and TITUSVILLE AREA HOSPITAL

CONTINUED FROM PAGE 62

of RECORD

A. D. 1993 - 512

****

4. The settlement proceeds therefore, are to be distributed as follows:

Specter Law Offices, P.C. (Attorney Fees) . . .	$80,000.00
Specter Law Offices, P.C. (Reimbursement of Costs Advanced)	$10,271.59
PA Estate Taxes	$ 1,366.44
Ethel Snyder	$82,213.82
Constance Joy Tisi (daughter)	$ 8,716.05
Clarence John Snyder (son)	$ 8,716.05
Janet Lee Owen (daughter)	$ 8,716.05
TOTAL SETTLEMENT	$200,000.00

5. Upon payment of record costs, Plaintiff shall settle and discontinue this docket.

BY THE COURT:
Gordon R. Miller, J.

Faxed 12-15-95 White & Macerelli.

Dec. 21, 1995 Upon praecipe of Plaintiff Attoreny the above case is marked settled and discontinued of record and forward the undersigned counsel a certificate relfecting the record costs.

1993

Hamot Medical Center of
the City of Erie

vs.

Benny J. Petruso et al

Record Continued from page 449

of

AD 1993 - 899

Nov. 6, 1995, Affidavit (hospital records) filed.

Nov. 6, 1995, Certificate of Servcie of Affidavit filed.

Dec. 1, 1995 Consent Motion to Continue Arguments and ORDER filed. AND NOW, Nov. 30, 1995, above continuance is granted.
BY ORDER OF COURT,
Gordon R. Miller, P.J.

12-1-95 FAXED Sisler & Smith.

Jan. 17, 1996 ORDER CONTINUING ARGUMENT TO FEBRUARY LIST filed. AND NOW, January 15, 1996, the Court Administrator having made an error on the published Argument List for January 1996, and the Court and counsels' schedules not permitting the argument set in the above case to be rescheduled to another, sooner date, the argument is hereby continued (with the consent of all parties) to the February argument list, at a time to be determined by the Court Administrator when the February list is published.

FOR THE COURT
Ann A. Walker, Court Administrator

Jan. 18, 1996 Order FAXED Attys. Edwin Smith, Gregory Sesler and S.E. Riley.

Feb 15, 1996 Interrogatories and Request For Production of Documents to Plaintiff - First Set, filed.

Apr. 9, 1996 Memorandum and ORDER filed. AND NOW, April 8, 1996, plaintiff's motion for partial summaryjudgment is granted in part and denied in part as hereinafter provided:

1. Plaintiff's motion for summary judgment concerning whether defendant Benny Petruso assigned any insurance benefits to plaintiff is granted as to the applicable Blue Cross Blue Shield Coverage.
2. Plaintiff's motin for summaryjudgment concerning whether defendant Benny Petruso assigned his benefits under his Principal Mutual Life Insurance Company policy is denied.
3. Plaintiff's motion for summary judgment concerning whether defendant Benny Petruso may revoke any assignment of insurance policy benefits he may have made is denied.
4. Plaintiff's motion for summary judgment concerning whether defendant Angelina Petruso is jointly and severally liable for defendant Benny Petruso's debts for his surgery is denied.

BY THE COURT
Gordon R.Miller, P. J.

4-9-96 Mailed Attys. of Record.

July 2, 1996, Amended Answer, New Matter and Counterclaim, filed.
July 3, 1996, Plaintiff's Answer to Counterclaim filed.

Apr. 29, 1997, Reply to Amended New Matter and Answer to New Matter - Crossclaim Principal Mutual Life Ins. Co vs. Petruso, filed.

Apr. 29, 1997 Certificate of Service of Above reply filed.

Oct 29, 1997 Notice To Complete Discovery, filed.

Dec 30, 1997 Certificate of Readiness, filed.

ON TRIAL LIST FOR April 1998

March 18, 1998 Request For Settlement Conference on behalf of Plaintiff, filed.

March 18, 1998 Motion For Continuance and ORDER filed. AND NOW, March 18, 1998, to-wit, it is hereby ORDERED, ADJUDGED and DECREED that the trial of this matter is removed from the April, 1998 calender and moved to the next available trial list. This is a 1993 case. There shall be no further continuances for any reason whatsoever. The next Civil Term is October 1998. Thus, the parties now have 6½ months to conclude this case or to prepare for trial.
Gordon R. Miller, J.

March 23, 1998 FAXED Attys. E. W. Smith, Greg Sesler, Grant Travis.

March 18, 1998 ORDER SETTING SETTLEMENT CONFERENCE, filed. AND NOW, March 17, 1998, upon consideration of Plaintiff's request for Settlement Conference in the above action, and having been advised by the Court that this case is continued to the October 1998 civil trial list, settlement conference is hereby set for Thursday, June 4, 1998, at 1:15 P.M., CR#1, Crawford Co. Courthouse, Meadville, PA.

FOR THE COURT,
Ann A. Walker, Court Administrator

May 22, 1998 Upon Praecipe of Plaintiff's Attorney, the above case placed on next Argument List, filed.

ON JUNE 1998 ARGUMENT LIST

May 22, 1998 Joint Motion For Summary Judgment on behalf of plaintiff's, filed.

June 8, 1998 STIPULATION FILED.

September 11, 1998 Motion for Continuance and Order filed. And Now, to-wit this 11th day of Septmeber, 1998, it is hereby ordered, adjudged and decreed that the above captioned case shall be continued to February 1999 trial list although we cannot understand why it takes so long to consumate this settlement.
Gordon R. Miller J

9/14/98 Faxed Edwin Smith, Grant Travis Greg Saeler

Jan 15, 1999 Praecipe and Power of Attorney for Satisfaction and/or Termination filed. Upon Praecipe of Edwin W. Smith Esq. Atty for Hamot Medical Center the above captioned suit is marked settled discontinued ended and costs paid.

Jan 28, 1999 Praecipe and Power of Attorney for Satisfaction and/or Termination Filed

Cindy Mitchell

vs.

T. D. Mitchell

Record continued from page 11

of record

A.D. 1993 - 461

****

July 28, 1994 Response to Judicial Notice and Deman by Affidavit filed by Defendant filed.

Aug. 10, 1994 MEMORANDUM filed. We file this memorandum of record to indicate that we have reviewed the defendant's "Judicial Notice and Demand by Affidavit." We have ordered it filed of record but the Court is not responding to it because it is not a recognized filing under Pennsylvania law.

We previously advised the defendant that he is bound by the rules of civil procedure and the Crawford County Rules of Court.

BY THE COURT
Gordon R. Miller, P.J.

Aug. 10, 1994 Copy of Order to Dft. and Atty. Walton.

Aug. 12, 1994 Affidavit of Service filed. And Now,, August 12, 1994, comes Barbara J. Walton, and avers as follows:
1. A true and correct copy of the Notice of Intention to Request Entry of Divorce Decree was mailed to the Defendant via Certified Mail, return receipt onAugust 5, 1994.
2. That the Defendant signed the return card on August 8, 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. Z070383649) attached hereto as Exhibit A"".

I VERIFY that the statements made in this Affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. 4904, relating to unsworn falsification to authorities.

Barbara J. Walton

Aug. 29, 1994 Notice of Intention to Request Entry of Divorce Decree, filed.

Sep. 1, 1994 Upon Praecipe of Barbara J. Walton, Esquire, Attorney for Plaintiff to transmit record, Case moved to Court.

DIVORCE DECREE FILED

Sept. 14, 1994 AND NOW, September 12, 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 CINDY MITCHELL, plaintiff, and T. D. MITCHELL, 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.

The Prothonotary shall send a true and correct copy of this decree to the defendant at his last address as reflected by the filings in this matter.

BY THE COURT
Gordon R. Miller, P.J.

These Item filed at AD 1992-953
37 Feb 12, 1996 Amended New Matter filed.
38 Feb 12, 1996 Motion in Limine filed.
34 Feb 12, 1996 Proposed Vior Dire Questions filed.
40 Feb 12, 1996 Plaintiffs Proposed Voir Dire filed.
41 Feb 16, 1996 Proposed Points for Charge filed.
42 Feb 16, 1996 Suoplemental Points for Charge filed.
43 Feb 16, 1996 Points for Charge filed.
44 Feb 16, 1996 Proposed Pointf or Charged filed.
45 Beb 16, 1996 Plaintiff's Requested Jury Instructions filed.
46 Feb 20, 1996 Verdict form filed.

1993

#47 Feb 20, 1996 Order filed.
#48 Feb 20, 1996 Order filed.
#49 Feb 20, 1996 Order filed.
#51 Feb 26, 1996 Motion for Post Trial Relief filed.
52 Feb 26, 1997 Motion for Post Trial Relief filed.

Darlynn L.Miller and
James L. Miller
vs
RRuthellen Weeks, M. D.

Continued from Page 333
of Record

AD 1993 - 783

****

4. In all other regards,the plaintiffs' motion to compel discovery and motion for sanctions are denied.

BY THE COURT
Gordon R. Miller, P. J.

3-7-95 Copies mailed to all counsel

#26 Apr. 6, 1995 Answers to Interrogatories and Response to Requests for Production of Documents (Second Set). (Original filed at A. D. 1992 - 953).
#27 Apr 26, 1995 Notice of Service of Answers to Plaintiffs Interrogatories filed.
#28 May 11, 1995 Affidavit of Dr. Shim filed.
#29 June 28, 1995, Notice of Intent to Complete Discovery filed. (seepaper filed at AD 1992 - 953)
#30 June 29, 1995, Notice of Intent to Complete Discovery filed. (see paper filed at AD 1992 - 953)
#31 Aug 28, 1995 Certificate Of Readiness filed.
#32 Sep. 26,1995 Motion to Continue filed. (see paper filed at AD 1992 - 953)
#33 Sept. 26, 1995 Order filed.
#34 Dec. 27, 1995 Appearance of James M. Flaherty as Co-Counsel for Plaintiffs filed. (See paper filed at AD 1992-953)
#35 Jan 22, 1996 Praecipe for Substitute of Counsel filed.
#36 Feb 8, 1996 Pretrial Order filed.
#37 Feb. 23, 1996 Motion for Post-Trial Relief on behalf of Plaintiffs filed.
#38 Feb. 23, 1996 Motion for Delay Damages Pursuant to Pa. R.C.P. 238 on behalf of plaintiffs filed.

#53 Feb. 29, 1996 ORDER filed. AND NOW,February 27, 1996, the Court having received a Motion for Post-Trial Relief filed by Ruthellen Weeks, M. D., it is ordered as follows:

1. Argument ons aid motion is hereby scheduled for May 28, 1996 at 1:30 o'clock p.m. in Court room No. 1 of the Crawford County Courthouse.
2. The Court believes that atranscirpt is not required to properly dispose of these motions. Nonetheless, if any party believes thaty a transcript of part or all of the trial is necessary or appropriate then the party desiring said transcripts shall obtain the same in accordance with the Uniform Rules Governing Court Reporting and Transcripts (Rule 5001 et seq. of the Rules of Judicial Administration) as well as the Crawford County Civil Rules. Any such request shallbe filed with the court reporters no later than March22, 1996 so that the court reporters may have the transcripts completed by April 30, 1996. The transcript shall be delivered to the Court at least five (5) days prior to the time for the argument.
3. The parties shall comply with Crawford County Civil Rule L306D that provides for the time when briefs must be filed.

BY THE COURT
Gordon R.Miller, P.J.

3-1-96 to all counsel (backup)

#54 FEb. 29, 1996 ORDER filed. AND NOW, February 27, 1996, the Court having received motions for Post-Verdict Relief and a Motion to Mold the Verdict filed by Ralph Nazzaro, M. D., it is ordered as follows:

1. Argument on said motions is hereby scheduled for May 28, 1996 at 1:30 o'clock p.m.in Courtroom No. 1 of the Crawford County Courthouse.
2. The Court believes that a transcript is not required to properly dispose of these motions. Nonetheless, if any party believes that a transcript of part or all of the trial is necessary or appropriate then the party desiring said transcripts shall obtain the same in accordance with the Uniform Rules Governing Court Reporting and Transcripts (Rule 5001 et seq. of the Rules of Judicial Administration) as well as the Crawford County Civil Rules. Any such request shallbe filed with the court reporters no later than March 22, 1996 sothat the court reporters may have the transcripts completed by April 30,1996. The transcript shallbe delivered to the Court at least five (5) days prior to the time for the argument.
3. The parties shall comply with Crawford County Civil Rule L306D that provides for the time when briefs must bed filed.

BY THE COURT
Gordon R.Miller, P. J.

3-1-96 to all counsel (Backup)

55 March 7, 1996 Answer To Plaintiffs' Motion For Post Trial Relief, filed.

56 ,arcj 7. 1996 Answer To Plaintiffs' Motion For Delay Damages Pursuant to Pa. R.C.P. 238, filed.

57 Mar. 11, 1996 Upon Praecipe of Terry C.Cavanaugh,Esquire,Attorney for Defendant, the above-captioned matter on the next available Argument List.

ON APRIL, 1996 ARGUMENT LIST

58 Mar. 18, 1996 Upon Praecipe of James M.Flaherty,Esquire,Attorneys for Plaintiff, the Motion for Delay Damages Pursuant to Pa. R.C.P.238 and Motion for Post-Trial Relief are placed on the May 28, 1996 Argument list.

ON MAY, 1996 ARGUMENT LIST

59 Mar. 25, 1996 ORDER filed. AND NOW, March 22, 1996, argument on the plaintiff's motions for delay damages and post trial relief are scheduled for May 28, 1996 at 1:30 o'clock p.m. in Courtroom No. 1 of the Crawford County Courthouse.
The parties shall comply with Crawford County Civil Rule L306D that provides for the time when briefs must be filed.
The following motions will be argued at that time:
1. Nazarro's motions for post trial relief.
2. Weeks' motions for post trial relief.
3. Plaintiffs' motion for delay damages.
4. Plaintiffs' motions for post trial relief.

BY THE COURT
Gordon R. Miller, P. J.

3-25-96 Faxed all Counsel

60 May 1, 1996, Transcript of Proceedings At time of Jury Trial filed.

61 May 1, 1996, Transcript of Proceedings At time of Jury Trial filed. (Volume II of II.

62 June 10, 1997 Memorandum and Order: AND NOW, June 10, 1997, it is ordered as follows:
1. All post trial motions filed by the parties are denied except as hereinafter provided.
2. Dr. Ralph Nazzaro's motion to mold the verdict is granted. A verdict is entered in favor of Darlynn L. Miller and agaisnt Ralph Nazzaro, M.D. in the amount of $17,500.00. A verdict is entered in favor of James L. Miller against Ralph Nazzaro, M.D. in the amount of $1,000.00.

CONTINUED ON PAGE 484

DARLYNN L. MILLER and
JAMES L. MILLER
vs.
RUTHELLEN WEEKS,M.D.

CONTINUED FROM PAGE 483
of Record
A.D. 1993 - 783

****

3. Dr. Ruthellen Weeks' Motion to Mold the Verdict is granted. A verdict is entered in favor of Darlynn L. Miller agaisnt Ruthellen Weeks M.D. in the amount of $41,250.00. A verdict is entered in favor of James L. Miller and against Ruthellen Weeks,M.D. in the amount of $6,000.00.

4. The plaintiffs' Motion for Delay Damages is granted in part and denied in part. The plaintiffs are awarded the following delay damages against the following defendants:

Darlynn L. Miller against Ralph Nazzaro, M.D.	$3,417.06
James L. Miller agaisnt Ralph Nazzaro, M.D.	195.26
Darlynn L. Miller against Ruthellen Weeks, M.D.	2,361.99
James L. Miller agaisnt Ruthellen Weeks, M.D.	343.56

Gordon R. Miller, P.J.

June 10, 1997 Mailed All Counsel

#63 July 9, 1997 Notice of Appeal of Defendant Nazzaro, M.D. from Order of June 10, 1997 to SuperiorCourt of Pennsylvania (See Paper filed at A.D. 1992 - 953)

#64 July 15, 1997 SuperiorCourt of Pennsylvania Official Docket Docket #01454PGH97 filed.

#65 August 21, 1997 Upon Praecipe of Plaintiff's Attorney this.case is marked settled and discontinued as to Ruthellen Weeks.

#66 August 20 1997 @2:53 p.m. Judgment is hereby entered in favor of the Plaintiffs and Against the Defendants. Rapph Nazzaro and Titusville Area Hospital on the verdictof the Juy and the Courts Memorandum and Order on the Post-Trail Motion entered June 10, 1997

N-144, T-185

Judgment
Barbara H. King,
Prothonotary

May 13, 1998 Judgment filed. On Considertion whereof, it is now here ordered and adjudged by this Court that the judgment of the Court of Common Pleas of Crawford County be, and the same is hereby Affirmed.

BY THECOURT:
Eleanor R. Valecko

Dated; March 31, 1998

May 13, 1998 Certificate of Contents of Remanded Record and Notice of Remand under Pennsylvania Rules of Appellate Procedure 2571 and 2572: Record in Two parts, one Deposition and Two Transcripts Superior Court Opinion and Judgment Ordr filed.

May 22, 1998 PRAECIPE TO DISCONTINUE FILED. UPON PRAECIPE OF JAMES M. FLAHERTY, ATTORNEY FOR PLAINTIFF MARK THE JUDGMENT AGAINST DEFENDANT, RALPH NAZZARO, MD AS PAID AND DISCONTINUE THE WITHIN ACTION WITH REGARD TO DEFENDANT, RALPH NAZZARO, MD. -Also see AD 1992-953- Paper filed at AD 1992-953

Margaret L. Lloyd
vs.
Richard E. Lloyd and
Rose Lloyd, his wife,
and Betty Jane Lloyd

Continued from Page 410 of Record

OF

AD 1993 - 860

****

22 Sept. 28, 1995 Request for SEttlement Conference filed.

23 Sept. 28, 1995 ORDER filed. AND NOW, September 28, 1995, upon consideration of Plaintiff's request for settlement conference, a settlement conference is set for Oct. 2, 1995 at 9:30 AM., before the undersigned. Said conference will be held prior to pretrial conference in this matter on the same day before President Judge Gordon R. Miller

BY THE COURT:
Anthony J. Vardaro, J.

9-28-95 FAXED to Attys. Spataro and Ferry.

24 Oct. 5, 1995 ORDER filed. (Pre-Trial order) 10/5/95 dist. to Watts and Spataro.

25 Oct. 5, 1995, Request for Pre-Trial conference filed.

26 Oct. 6, 1995, Order filed.

27 Oct. 16, 1995, Amendment to Complaint filed.

28 Oct 25, 1995 Amendment to Complaint, filed.

29 Oct 25, 1995 ORDER filed. AND NOW, October 16, 1995 the plaintiff's motion for leave to amend her complaint is granted. Said amended complaint shall be filed within seven (7) days from this date.

BY THE COURT
Gordon R. Miller, P.J.

Oct 27, 1995 Faxed Ferry & Spataro

Dec. 12, 1995 Answer with New Matter and Counterclaim to Defendants Complaint filed.

~~Oct. 25, 1995 Motion for Leave to Amend Complaint filed.~~

30 Oct. 25, 1995 Motion for Leave to Amend and Counterclaim filed.

31 Dec. 12, 1995 Answer with New Matter and Counterclaim to Defendants Complaint filed.

32 Dec. 18, 1995 O R D E R filed. AND NOW, December 13, 1995, at the close of the Plaintiff's case in chief, the Plaintiff's have withdrawn count four.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

12-18-95 Spataro, Ferry.

33 Sept. 19, 1996 Exhibits filed.

34 Sept. 19, 1996 Memorandum and Decision filed. AND NOW, September 19, 1996 it is ordered as follows:

1. Judgment is entered in favor of the plaintiff and against the defendants and the defedants are forever barred from asserting any right, lien or title or interest in the parcel of land hereinafter described inconsistent with the interest or claim of the plaintiff as set forthin her complaint.
2. Judgment is entered in favor of the plaintiff and against the defendants on defendant's counter claim.
3. The puported deed from Herbert I. Lloyd and Margaret L. Lloyd, his wife, to Richard E. Lloyd and Jane H. Lloyd, his wife, dated April 7, 1948 and recorded June 16, 1992 in Crawford County Record Book 157, page 864 is hereby cancelled and declared to be invalid.
4. The Recorder of Deeds of Crawford County is hereby ordered and directed to mark on the deed copy that is recorded in Crawford County Record Book 157, page 864 as being declared to be cancelled and invalid pursuant to this order of court in this case at the above number and term.
5. The Chief Assessor of Crwaford County is ordered anddirected to mark his assessment cards, assessment maps andany other records pertaining to the parcel of land described in said deed and pertaining to said deed with a notation that the deed is cancelled and declared to be invalid by this Order in these proceedings and making reference to these proceedings where appropriate.
6. This judgment shall be final if the defendants do not seek post adjudication relief in accordance with the Rules of Civil Procedure within thirty (30) days from this date.
7. The premises that is subject to this judgment is described as follows:

ALL that piece or parcel of land situate in Bloomfield Township, County of Crawford, and State of Pennsylvania, located on the Northeast side of Canadohta Lake and being bounded and described as follows to-wit:

BEGINNING at an iron stake in the south line of farm of land owned by Samuel S. Weed, said stake being at the low water line of Canadohta Lake and the property of Richard E. and Jane H. Lloyd, his wife,thence in a northerly direction following the meandering of Canadohta Lake at low water line a distance of fifty (50) feet to an iron stake, thence in an easterly direction through the land of the said SAmuel S. Weed, a distance of one-hundred seventy-six (176) feet more or less, to an iron stake, thence in a southerly direction a distance of one-hundred twenty (120) feet to an iron stake in the south line of land of Samuel S. Weed, and the north line of land of Richard E. Lloyd and Jane H. Lloyd, thence in a westerly direction along the divinding line of said property of Samuel S. Weed and Richard E. Lloyd and Jane H. Lloyd a distance of one-hundred eight-five (185) feet, more or less to a stake where the south line intersects with the low water line of Canadohta Lake, at the place of beginning.

Together with a rightof way of ingress, egress and regress to and from the above described property over theroads now existing upon other property owned by the grantor of the said property to the parties of the first part hereto.

Together with all rights a pertinent thereto.

BEING the same property conveyed to Herbert I. Lloyd and Margaret L. Lloyd, his wife, bydeed of Samuel S. Weed onNovember 22, 1946 and rrecorded in Crawford County Deed Book 333, page 413.

BY THE COURT,
Gordon R. Miller, J

35 Sept. 30, 1996 Motion for Post-Trial Relief filed.

36 Sept. 30, 1996 Request for Transcription of Testimony filed.

37 Oct. 1, 1996 Certificate of Service of Motion for Post-Trial Relief filed.

38 Oct. 7, 1996, Upon praecipe of plaintiff attorney, Defendants' Motion for Post Trial Relief placed on next argument list.

ON ARGUMENT LIST FOR NOVEMBER 1996

39 Oct 29, 1996 ORDER: AND NOW, Oct 23,1996, after receipt and review of the defendants' Motion for Post Trial Relief the Court hereby sets an argument for the 16th day of December, 1996 at 9:15 o'clock a.m. in Courtroom No. 1 of the Crawford County Courthouse.

The parties fshall file briefs in accordance with the Crawford County Civil Rules regarding filing of briefs.

The Court does not order that transcripts be provided. In the event that either or both ofthe parties desire transcripts of any portion or all of the trial they shall order the same in accordance with the Pa. Rules of Judicial Administration and make certain that the original transcripts are filed within five (5) days of the argument date.

Gordon R. Miller, P.J.

Oct 29, 1996 Dist Ferry

40 Oct. 31, 1996 Transcript of proceedings at the time of Nonjury Trial filed.

Continued on Page 486 -

486

1993 ~~TERM~~

Continued from page 485 - Margaret L. Lloyd vs. Richard E. Lloyd et al - AD 1983 - 860

41 Nov. 21, 1996, Motion to Strike Matter from Argument list and order filed. ORDER: AND NOW, this 19 day of Nov. 1996 the court hereby confirms that argt. concerning the dfts. motion for post trial relief is set for 16 day of Dec. 1996 at 9:15 a.m.

The prothonotary is directed to strike this matter from the Nov. 1996 Argt. list.

The dfts. brief shall be filed on or before Dec. 1, 1996. The plaintiffs brief shall be filed on or before Dec. 11, 1996.

by the court,
Gordon R.Miller, J.

11/22/96 faxed to Kirkpatrick and Spataro.

Dec. 19, 1996 Brief by Defendants filed.

42 Dec. 11, 1996 Brief by Plaintiff filed.

43 Dec. 19, 1996 Order filed. AND NOW, December 18, 1996, the defendants' Motion for Post Trial Relief is denied in all respects.

BY THE COURT
Gordon R. Miller, P.J.

44 Jan 16, 1997 Appeal Packet, filed.

45 Jan. 23, 1997 Superior Court of Pennsylvania Notice of Appeal Docketing No. Assigned 00139PGH97, filed.

46 And Now, Feb. 12, 1997 at 11:07 upon praecipe of Plaintiff Attoreny judgment is hereby entered in favor of the Planitiffs and against the Defendants per Judge Gordon R. Miller's Orders of September 19, 1996 and December 19, 1996.
L-141-141-21

Judgment
Barbara H. King
Prothonotary

Oct. 27, 1997 Certificate of contents of Remanded Record and Notice of Remand filed.

Oct. 27, 1997 MEMORANDUM AND ORDER certified from the Superior Court of Pennsylvania filed. JUDGMENT: ON CONSIDERATION WHEREOF, it is now here ordered and adjudged by this court that the judgment of the court of Common Pleas of Crawford County be, and the same is hereby AFFIRMED. BY THE COURT,

Before: Tamilia, Kelly and Brosky, JJ

1993

JAMES E. KERR,
Plaintiff

VS.

DENISE HOOVER,
Defendant

CONTINUED FROM PAGE 295
of RECORD
A. D. 1993 - 745

****

Nov. 8, 1995 ORDER filed. AND NOW, November 8, 1995 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

i. Legal custody of James Kerr and Carrie Kerr shall be shared between the father and the mother, the plaintiff and defendant herein, that is, each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions affecting the children such as the education, medical treatment and religious instruction of the subject children.

II. Physical custody of James Kerr and Carrie Kerr shall be with their father, subject to the following conditions:

A. Beginning with the summer of 1996, and each summer thereafter, Carrie Kerr shall be in the custody of her mother from June 10th to August 10th each summer. The mother and father shall equally divide the costs of transportation to and from mother's home.

In addition, mother may have Carrie in her custody for a period of seven (7) days, each year, beginning in 1995, during Carrie's Christmas vacation of school provided mother shall pay all costs of transportation.

B. At any time mother is visiting in Crawford County, Pennsylvania she may have James and Carrie in her custody for a period not exceeding forty-eight (48) hours and provided she gives father at least ten (10) days advance notice of any such visit.

C. James Kerr is encouraged, but not required, to visit his mother in Florida. In the event James chooses to visit mother, costs of transportation shall be divided equally between the parents.

D. Neither mother nor father shall say or do anything in an attempt to turn the children against the other parent, but on the other hand shall do everything in the power of each to foster a favorable and loving attitude on the part of the children towards both parents.

E. Neither mother nor father shall expose the children to any person or situation which may be harmful to the children's health or well being.

F. Both parents agree to inform the other immediately of any illness or injury regarding the children and both parents agree to furnish the other with a current telephone number.

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within twenty (20) days of the date hereof.

IV. Cost of the mediation conference will be equally divided between the parties. The Prothonotary of Crawford County is hereby directed to refund a portion of the deposit paid in advance by the Defendant, less the cost of the custody order.

Gordon R. Miller, Judge

Copy To: R. Charles Thomas, Esquire
Barbara J. Walton, Esquire.

FAXED 11-8-95 Attys. Thomas, Walton, Fuller. 11-14-95 Copy mailed to Pltf & Deft. w/Bill

488

1993

1993

1993

1993

831 | PHYLLIS A. CRAYS VS. ALAN C. CRAYS | CONTINUED FROM PAGE 831 OF RECORD A. D. 1993 - 831

****

Aug 1, 1997 Notice of Filing Master's Report, filed.

Aug 1, 1997 Master's Reprot and Recommendation, filed.

Aug 1, 1997 Transcript of Proceedings, filed.

Aug 12, 1997 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Aug.15, 1997 AND NOW, Aug. 15, 1997, it is Ordered, adjudged and decreed as follows:

1. The parties hereto are divorced from the bonds of matrimony.
2. The parties property and debt will be distributed in accordance with the terms, conditions and provisions of the attached transcription of their settlement agreement and the same is incorporated herein as if set forth in full. To the extent not provided for in the agreement, claims for alimony, alimony pendente lite, counsel fees, and costs not provided for in the agreement are waived.
3. The parties will execute any and all documents necessary to effectuate this agreement and otherwise cooperate in accordance with the terms of the agreement.
4. The master's fee is covered by the deposit previously paid by Wife. Wife is directed to pay $33.00 to the Prothonotary forthwith to cover remaining stenographic fees.
5. The prothonotary is directed to pay the reporter's fee of $83.00, once the $33.00 is received from Wife, to Lois Conklin Reporting Service, 7611 Franklin Pike, Meadville, PA. 16335.
6. The court retains jurisdiction of any claims raised by the parties to this action for which a final order has not yet been entered. Any existing spousal support order shall hereafter be deemed an order for alimony pendente lite if any economic claims remain pending.
7. A certified copy of this decree may be provided to either party only after payment of all costs due hereunder, including master's fees, reporter's fees and fees otherwise due the Prothonotary.

BY THE COURT:
Gordon R. Miller, J.

Oct. 9, 1997 Petition for Contempt for Failure of Defendant To Comply with Provisions of Final Decree In Divorce and Order filed. AND NOW, this 7th day of October, 1997, upon consideration of the foregoing Plaintiff's Petition For Contempt it is hereby Ordered and Decreed that a Hearing in regard thereto is scheduled for MOn., October 27, 1997 at 2:30 P.M., CR #1.

A copy of this Order shall be served upon the Defendant through his counsel, R. Charles Thomas, Esquire, by forwarding a copy of the same to him by regular mail.

BY THE COURT,
Anthony J. Vardaro, J

10-9-97 Faxed Thomas & Ferguson

Oct 29, 1997 ORDER: AND NOW, October 27, 1997, at the contempt hearing, the Court finds that the defendant was under an Order to pay $65,000 in cash before he made the agreement to do so on July 24, 1997 and that the financing did not work out. We do not know if that was through his fault or not. The plaintiff presents no evidence to indicate to the contrary.

The defendant maintains that he tendered $40,000 to the plaintiff, provided she would take a second mortgage for the balance and she refused that proposal. We do not find that that was a sufficient tender since it had conditions on it. (see paper filed)

ACCORDINGLY, it is ORDERED as follows:

1. We withold an adjudication of contempt at this point.
2. Based upon the defendant's representation, he is ordered and directed to pay $65,000 in full on or before 4:30 o'clock p.m. on Friday, November 14,1997, with interest at the rate of 6 percent per annum from September 24, 1997.

Gordon R. Miller, P.J.

Oct 29, 1997 Dist Thomas & Ferguson
(FOR COMPLETE ORDER SEE PAPER FILED)

1993

712

ALLEN R. VARNER
VS.
MICHELLE L. VARNER

CONTINUED FROM PAGE 500
OF RECORD
A. D. 1993 - 712

****

As required by the previous order, the Defendant shall notify the Plaintiff of which three weeks she wants at least 30 days in advance and that includes the Summer of 1996.

At this time after some discussion with the parties, we also delete from the requirements in the order Paragraph II J of the 1993 order which restricted the child from being removed from Erie and Crawford County without the consent of the other parent.

In entering this order, our order of April 4, 1996 shall remain in full force and effect including it's reference to previous orders to the extent that they are not inconsistent with that order and with this order.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.
6-13-96 FAXED White & Kuftee

705 | PAUL E. GEHR, et al VS. MITCHELL ENERGY CORPORATION | CONTINUED FROM PAGE 479 OF RECORD A. D. 1993 - 705

2. 2. As soon as practicable after the entry of this Order, notice of this settlement and of the settlement hearing shall be provided to all members of the Plaintiff Class as certified by this Court's February 27,1995 Order (the "Plaintiff Class") by Plaintiffs' counsel at Plaintiffs' cost, as follows:

(a) By mailing to all members of the Plaintiff Class, other than class members who have previously requested exclusion, a copy of the Notice of Proposed Settlement of Class Action, Settlement Hearing and Right to Appear ("Notice"), substantially in the form attached hereto as Exhibit A, and the substantially in the form attached hereto as Exhibit B, to the last know address appearing in the records maintained by MEC with respect to such members of the Plaintiff Class; and

(b) By publication notice, substantially in the form attached hereto as Exhibit C, twice, once in each of two successive weeks in the Meadville Tribune within twenty (20) days of the date of this Order.

A hearing (the "Settlement Hearing") shall be held before the undersigned at 3:00 p.m. on October 21, 1996 in the Court of Common Pleas of Crawford County, Pennsylvania, Courtroom No. 1, Crawford County Courthosue, Meadville, Pennsylvania 16335, to consider the fairness, reasonableness and adequacy of the proposed Settlement, and dismissal of the Litigation. At the Settlement Hearing, the Court shall also consider any request for reimbursement of costs and expenses associated with this Litigation, and any applications for attorneys' fees filed pursuant to paragraphs 2(a) and 2(b) of the Stipulation and Settlement Agreement.

(FOR REMAINDER OF ORDER PLEASE SEE FILE FOLDER)

BY THE COURT:
Gordon R. Miller, J.

Aug. 29, 1996 Stipulation and Settlement Agreement by Plaintiffs filed.

Aug. 30, 1996 Mtichell Energy Corporation's Settlement Memorandum filed.

Oct. 23, 1996 Petition of Manion McDonough & Lucas and William Walker, Esquire for Attorneys Fees and Reimbursement of Reasonable Expenses filed.

Oct 29, 1996 ORDER AND NOW, Oct 21, 1996 the Court hereby indicates its willingness to approve the settlement and to approve and confirm the petition for attorneys' fees and reimbursement of reasonable expenses. We order and direct that counsel prepare an order that is acceptable to al parties, and submit the same with the stipulation indicating the same, and submit the same together with a stipulation indicating approval to the Court within the next 7 days.

We will then review that proposed order and the other matters that are now before us and must likely sign the order. Gordon R. Miller, P.J.

Oct 29, 1996 mailed J. Walker and dist. W. Walker & Stack

Nov. 1, 1996 Order filed. AND NOW, this 21st day of October, 1996, upon consideration of the request by the parties for approval of the August 29, 1996 Stipulation and Settlement Agreement, and upon consideration of the petition of Manion McDonough & Lucas, P.C. and William Walker, Esquire for attorneys' fees and reimbursement of reasonable expenses, and after a hearing thereon on October 21, 1996, it is hereby ordered as follows:

1. The Court finds that the settlement between defendant Mitchell Energy Corporation and the Plaintiffs and Plaintiff Class, reflected by the August 29, 1996 Stipulation and Settlement Agreement, is fair and reasonable, adequately protects members of the Plaintiff Class, and secures a substantial benefit for members of the plaintiff class in exchange for the release of claims against Mitchell Energy Corporation embodied in the August 29, 1996 Stipulation and Settlement Agreement. Accordingly, pursuant to Rule 1714(a) of the Pennsylvania Rules of Civil Procedure, the August 29, 1996 Stipulation and Settlement Agreement is approved and incorporated herein by reference. The parties are hereby directed to proceed with implementation of the settlement reflected by the August 29, 1996 Stipulation and Settlement Agreement, in accordance with the terms and conditions of said agreement.

The Court's August 29, 1996 Order With Respect to Notice, Settlement Hearing and Administration is hereby modified to extend the due date for class members to return executed Proof of Claim forms from November 1, 1996 to December 1, 1996.

Hon. Gordon R. Miller, P.J.
11-1-96 FAXED Stach & James Walker

April 25, 1997, Petition to Amend Plan of Distribution of Settlement Proceeds and order filed. ORDER: AND NOW, this 25 day of Apr. 1997 upon consideration of Plffs' Petition it is hereby ordered as follows:

1. Plaintiffs' counsel shal mail to each of the Claimants disclosed in Ex. A hereto at the best available address contained therein a copy of the Notice which is attached to Plffs' Petition.

2. This court willhold a hearing on July 2, 1997 at 9:15 a.m. to rule upon the Petition to Amend.

by the court,
4/25/97 faxedto W. Walker, J. Walker, J. Hollihan. Gordon R. Miller, PJ

July 3, 1997 ORDER: AND NOW July 2, 1997, it is order as follows:

1. The petition to amend the Plan of Distribution of Settlement Proceeds is granted and approved.

2. The class representative or their counsel shall make distribution of the net settlement proceeds in accordance with the formula that is set forth in the petition to amend.

3. Except as herein provided, the Plan of Distribution of Settlement Proceeds as originally approved on Oct 21, 1996, shall remain in full force and effect.

4. Counsel for the named Plaintiffs shall fiel a brief report with the Cour tindicating inter alia that the distributions have been made in accordance with the order of Oct 21, 1996, as amended this date, and any other appropriate information they wish to place of record to bring this matter to a conclusion. Gordon R. Miller, P.J.

July 3, 1997 Dist Stack & Walker, mailed Walker

1993

Larry E. Schenberg, Sr.

VS.

Lillian A. Schenberg

RECORD CONTINUED FROM PAGE 343

OF

AD 1993 - 793

****

DIVORCE DECREE FILED

September 1, 1994 AND NOW, August 31, 1994, it is hereby ordered and decreed that LARRY E. SCHENBERG, SR., Plaintiff and LILLIAN A. SCHENBERG, 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.

KIMBERLY D. BOSCO
VS.
BRIAN A. BOSCO

CONTINUED FROM PAGE 213
of Record
A. D. 1993 - 663

****

Sept. 13, 1993 ORDER filed. AND NOW, September 10, 1993, both parties appeared before the Court on a criminal contempt charge for violation of a Protection From Abuse Order. The Defendant was advised as to the nature of the proceedings and his right to counsel including free counsel if he couldn't afford it. He indicates that he works a full-time job plus some weekend music work and that he waives his right to counsel and agrees to proceed alone without counsel.

The Court finds that the Defendant has violated the Protection From Abuse Order entered July 15, 1993 by going to the Plaintiff's home and entering it without specific invitation and refusing or failing to leave when asked to do so. Accordingly, the Court imposes the following punishment for said violation:

1. The Defendant shall pay a civil fine of $100.00 to the Plaintiff within fifteen (15) days from this date.

2. The Defendant is sentenced to undergo imprisonment in the Crawford County Jail for a minimum term of thirty (30) days and a maximum term of three (3) months, which said jail sentence is suspended provided that the Defendant shall spend two (2) weekends in the Crawford County Jail as follows: From 7:00 o'clock p.m. on Friday, September 17th to 7:00 o'clock p.m. on Sunday, September 19th, and from 7:00 o'clock p.m. on Friday, September 24th to 7:00 o'clock p.m. on Sunday, September 26th. He shall appear at the Crawford County Jail on time and be totally substance free. He shall not have consumed any alcoholic beverages, beer, wine or intoxicating liquors nor any nonpresecribed medication or drugs within twenty-four (24) hours of his appearance at the jail. The Warden of the Crawford County Jail shall have the right to administer such tests to this Defendant upon the admission to the jail to make sure that he is substance free and has not violated these provisions.

Additionally, the Defendant shall pay the Warden $30.00 for eadch day he is in jail. He shall make that payment to the Warden in such manner as the Warden directs.

3. IF the Defendant violates the protection From Abuse Order of July 15, 1993 at any time after this date, he may be arrested without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated, and shall be directly remanded to the Crawford County Jail to complete serving the sentence imposed by this Order. HE shall not be entitled to Work Release privileges.

4. If the Defendant is arrested for a violation, he shall have a right once incarcerated to file a motion with the Court for a hearing to determine whether or not he actually has violated the Order and to give him a chance to defend himself in the event he believes that he did not violate the Order.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Sept. 14, 1993 copies dist. to Pa.SP, Co Control, Plf. & Warden
Sept. 20, 1993 copy to Dft.

1993

DENNIS BOWERS

VS.

ANGEL L. BOWERS

RECORD CONTINUED FROM PAGE 75

OF

AD 1993 - 525

****

3. In addition to the above visitation, the Mother shall have physical visitation with the minor child ASHLEY from Sunday at 6 p.m. until Friday at 6 p.m. each week. The parties agree and understand that this is only visitation; if at any time the Father reasonably believes that the minor child ASHLEY is being abused or neglected, he shll have the right to terminate the weekday visits and return to the weekend schedule.

4. 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.

5. Any person transporting he 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. The parties are free to make additional or alternative arrangemetns respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

8. Neither party shall be under the influence of illicit drugs or alcohol while the children are in their custody, nor allow others to care for the children while under the influence of drugs or alcohol.

9. The parties to this action agree that this Honorable Court retain jurisdiction of this matter.

10. Court costs for entry of Order and mediation fees to Bruce Smith, Esq., in the amount of $39.43 shall be paid from the deposit with the Prothonotary.

By the Court:
Anthony J. Vardaro, J.

Sept. 20, 1993 Copy of Order to Attys. Barbara Walton, Bruce Smith .

Sept. 13, 1993 MOTION FOR REFUND OF UNUSED MEDIATION DEPOSIT and ORDER filed. And Now, this 9 day of September,1993, this Court orders that the Prothonotary's office refund to Plaintiff's attorney the amount of unused mediation deposit. After paying Bruce Smith, Esq. $39.43 for mediation fees and costs of deducting $9.00 from Court Order.

By the Court:
Anthony J Vardaro, J.

Sept. 13, 1993 Copy of Order to Atty. Barbara Walton; Sept. 21, 1993 Copy mailed to Atty. Bruce Smith.

Richard Lee Thieme, Jr.
vs.
Peggy Sue Kesselring

CONTINUED FROM PAGE 401
of Record
A. D. 1993 - 851

****

&. The Defendant is reminded that this is an order of Court and violation of this order in any manner may be punishable by a fine of up to a thousand dollars and a jail senterceof up to six months.

8. If the parties wish to modify this ordr or to get back together or tohave future dealings in any way, they may not do so until this order is modified in an appropriate proceedings.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

AMENDMENT ORDER, filed. And oow, 9-15-93 it appears there is a typorgraphical error in paragraph 5. This order shall be in effect until September 8, 1994.

Gordon R. Miller, P.J.

Sept. 16, 1993 copy to SPD Corry, Co. Control, Plf. Dft.

Sept. 17, 1993 Sheriff's Return filed. SERVED the within PetitionFor Protection From Abuse and Court Order on August 31, 1993, at 1624 hrs., upon Peggy Sue Kesselring at 3 Willow Street, Erie County, Union City, Pennsylvania by handing to Peggy Sue Kesselring a true and correct copy thereof and made known to her the contents therein.

Robert N. Michel

I hereby deputize the Sheriff of Erie County, Pennsylvania to serve the within Protection from Abuse according to law.

Robert M. Stevens, Sheriff

Aug. 12, 1994, Petition for Contempt and Order filed. ORDER: AND NOW, this 12 dayof August 1994, the within Petition having been presented and duly considered, the prayer of the Petition is granted and a Rule is issued on said defendant to show cause, if any she has, why she should not be held in contempt of this court.

Said Rule returnable and to be heard on the 27 day of sept. 1994 at 8:45 a.m. in C. R. No. 1 or 2, Crawford County Courthouse, Meadville, Pa.

Defendant shall be present.

The Prothonotary is directed to mail a cert. copy of the Petition, Rule and order to the defendant by cert. mail. If service cannot be made by cert. mail, the sheriff of Crawford county shall forthwith serve or have served a copy of the Petition, Rule and order upon the defendant.

BY THE COURT,
Anthony J. Vardaro, J.

Aug. 12, 1994, Petition Rule and order mailed to dft. by Prothonotary, cert. mail.

Aug. 15, 1994, Letter received from defendant.

Sep. 23, 1994 Affidavit of Service filed. Barbara H. King, Prothonotary, being duly sworn according to law, deposes and says that:

1. She is the Prothonotary of Crawford County, Pennsylvania.
2. That a true and attested copy of the above-captioned Petition for Contempt, and Order Setting Hearing was mailed to the above Defendant by Certified Mail on 8-15-94, 9-7-94 & 9-16-94 and by regular mail on same as above.
3. That the Certified Mail was addressed to Peggy Sue Kesselring and/or Thieme at 3 Willow St. Union City, and 1708 W. 15th St., Erie and the Return REceipts are attached hereto. Service was not accepted by not accepts.
4. That Regular Mail was addressed to Peggy Sue Kesslering and/or Thieme at same as above, was never returned.

Barbara H. King, Prothonotary

Sept 28, 1994 Order filed. AND NOW, September 27, 1994, this matter was before the Court on petition for contempt filed by the Prothonotary for failure of the Defendant Peggy Sue Kesselring (Thieme) to pay costs assessed against her by court order in an abuse case. The records inthe case show that certified mail ntoice was sent to the Defendant at 3 Willow Street, Union City, PA 16438 with the first notice being mailed August 12, 1994, and the secord ntoice being mailed August 22, 1994 and both letters having been returned as unclaimed.

Accordingly, no srvice has been made upon this Defendant and when the Prothonotary learns an appropriate service address and procures service of notice of a contempt hearing the Court will entertain a motion to set a hearing on this matter.

BY THE COURT:
P. Richard Thomas

Returnable for hearing and/or argument on the 21st day of November, 1994,at 3:30 o'clock p.m. prevailing local time, in Court Room No. 2, Crawford County Courthouse, Meadville, Pennsylvania. Hearing/argument to be held pursuant to 53 PS § 11003-A (d).

A copy of this Order shall be served upon counsel of record for the Zoning Hearing Board of Vernon Township and Dennis Mumford, Ann McBride-Mumford and Mark McBride by regular mail.

BY THE COURT,
Anthony J.Vardaro,Judge

11-14-94 Faxed to Blystone, Spataro & Tinko (See papers Filed at AD 1993-613)

Nov. 14, 1994 Petition for Stay of Order of theZoning Hearing Board of Vernon Township filed. (See papers filed at AD 1993-613)

Nov.16, 1994 Certificate of Sevice filed. I hereby certify that a true and correct copy of theCourt's Order of November 10, 1994 was served upon John F.Spataro,Esq.,283 Walnut Street, Meadville, Pennsylvania, 16335, and Joseph W.Tinko,Esq., 279 Chestnut Street, Meadville, Pennsylvania, 16335 by First Class United States mail,postage prepaid, on November 14, 1994.

By: Curtis E.Blystone, Atty. forAppellants

(See papers filed at AD 1993-613)

Nov. 16, 1994 Response to Petition for Stay of Order,filed. (See paper filed at AD 1993-613)

Nov. 22, 1994 ORDER filed. AND NOW, November 21, 1994 this matter is before the Court with respect to Intervene filed on behalf of Dennis Mumford and Ann McBride-Mumford as well as Mark McBride. Additional, the proposed intervenors request that if they are pemitted to intervene, oral argument with respect to issues before the Court on November 28, 1994 be continued for a period of two months to the January 1995 argument list whichis scheduled for January 30, 1995.

The appellants have filed a petition to stay the order issued by the Zoning Hearing Board of Vernon Township.

We have heard argument with respect to all of these issues this day and at the end of argument,the parties have agreed that Dennis Mumford and Amm McBride-Mumford, husband and wife, may intervene and Mark McBride, single, may not. At the request of the intervenors,oral argument in this matter with respect to the issues now pending before the Court on November 28, 1994 is continued, to be held on January 30, 1995 at a time to be set by the Court Administrator.

Pending further order of Court after that argument on January 30, 1995 and after any further testimony that may be ordered by the Court, and an ultimate decision by the Court, imposition of the order enteredby the Zoning Hearing Board of Vernon Township on August 30th, 1994 is stayed, and Vernon Township is ORDERED and DIRECTED to not enforce that order until further order of Court.

BY ORDER OF THE COURT,
Anthony J.Vardaro, J.

11-22-94 Copies dist.to Tinko, Blystone & Spataro 11-28-94 Copy Ct. Adm.

ON JANUARY 30, 1995 ARGUMENT LIST

May 24, 1995 Motion For Continuance, filed.

May 24, 1995 Memorandum and Order, filed. AND NOW, May 24, 1995, the decision andorder of the Vernon Township Zoning Hearing Board dated August 30, 1994 is affirmed.

BY THE COURT:
Anthony J. Vardaro, J.

May 24, 1995 faxed & dst. to Tinko, blystone & Spataro

Jun. 7, 1995 Motion to Lift Stay of Order and ORDER TO LIFT STAY filed. AND NOW,this 7 day of June, 1995, upon consideration of the foregoing Motion to Lift Stay of Order of DENNIS MUMFORD and ANN MCBRIDE-MUMFORD, Intervenors, and upon consideration of the Order of this Court dated May 24, 1995 affirming the order of the Zoning Hearing Board of Vernon Township dated August 30, 1995, it is hereby ordered and directed that the Stay of Order issued by this Court on November 21, 1994 of the Zoning Hearing Board of Vernon Township Order of August 30, 1994 is hereby lifted; effective June 24, 1995.

Anthony J. Vardaro,J.

6-9-95 Faxed to Attys. Tinko, Blystone & Spataro (original filed at AD 1993-613)

File on Top of Cabinet w/old docket

DIVORCE DECREE FILED

April 6, 1994 AND NOW, April 5, 1994, it is ordered and decreed that ALLEN R. VARNER, Plaintiff, and MICHELLE L. VARNER, Defendant, are divorced from the bonds of matrimony.

The Court retains jurisdiction of the following claims which have been raised of record in this action for which a final order has not yet been entered: None.

All duteis, rights and claims of the parties in regard to each other as a result of their marriage are hereby terminated, except for those duteis, rights and claims specifically enumerated in a Postnuptial Agreement executed by the parties and dated March 22, 1994, the terms of which are hereby incorporated by reference as if fully set forth herein.

BY THE COURT:
Anthony J. Vardaro, J.

May 17, 1994 Petition To Have Respondent Held In Contempt For Failure To Comply With Custody Order and Order filed. Legal proceedings have been brought against you alleging that you have willfully disobeyed an Order of Court.

If you wish to defend against the claims set forth in the following pages,you may but not required to file in writing with the Court your defenses or objections.

Whether or not you file in writing with the Court your defenses or objections, you must appear in person in Court on the 24th day of June, 1994, at 1:30 o'clock p.m. in courtroom No. 1, 2 or 3 of the Crawford County Courthouse.

BY THE COURT:
Gordon R. Miller, P.J.

May 17, 1994 Faxed White, Kuftic & Fuller

June 28, 1994 Order filed. AND NOW, June 24, 1994,after an informal hearing on the Plaintiff's Petition for Contempt the Court does find the Defendant in contempt of court for not attending the seminar in Erie County and for not notifying the father of times when she cannot be present for vistiation. Accordingly, it is ORDERED as follows:

1. The Defendant shall pay $250.00 to apply on Plaintiff's attorney's fees which s aid payment shall be made in full within six (6) months from this date.
2. She shall attend the seminar referred to in Paragraph I of the November 24, 1994 Order and complete it no later than July 31, 1994.
3. She shall immediately give the Plaintiff the exact address where she is living and telephone number where she may be reached. The Plaintiff shall not use that information to harass or threaten or stalk or follow the Defendant. That address shall be made available incase the Plaintiff has a legitimate reason or need to contact the Defendant.
4. At all times both parties shall furnish the other with the exact address and telephone number including employment telephone numbers where the other party may be reached for the purpose of communicating and contacting each other over matters involving the child.
5. The Order of November 24, 1993 is modified slightly to provide that if the mtoher is unable to exercise a visitation period she shall notify the father immiedately. If at the time she is to pick up the child for vistiations she does not appear, she shall have forty-five (45) minutes thereafter to appear. If she has not appeared within forty-five (45) minutes of th eitme stated forthe visitation, the father may assume that that vistiation has been surrounded and canceled and he may go about his business with the child as thought said vistiation was not to occur. The mother shall not receive any substitute time for missed vistiationunless the parties agree that she may receive a substituted time. The point of this paragraph is that the mother if she knows she cannot exercise vistiation shall let the father and the child known that they may make other plans and so that the child is not anticipating a visit form her. The purpose is also to permit the father and the child to go about their business if she cannot get there within forty-five (45) minutes of the appointed time.
6. The mother shall be entitled to exercise her summer vistiation for 1994 on or after August 20, 1994 if she has fully and completely complied with this Order as well as the prior Order between now and then; and is able to comply with the Order during all periods of visitation including but not limited to Paragraph II with respect to other men. She claims that she would like to exercise her vistition during the day but not in the evening or nights which would require the child to be picked up by her in the morning, kept by her all day, and the returned to the fther at night for three (3) weeks. The Court finds that to be unacceptable and not in keeping with the language of the November 24, 1993 Order. If that happens, it must happen with the ocnsent of the father and we will not impose that on him if he is not willing to do it.

BY ORDER OF THE COURT,
Gordon R. Miller, J

June 28, 1994 Copies dist. to Kuftic & White

Mar. 21, 1996 Notice and Order to Appear filed. Legall proceedings have been brought against you alleging you have wilfully disobeyed an Order of Court relative to Custody Issues.

If you wish to defend against the claim set forth in the following pages, you may but are not required to file in writing with the Court your defenses or objections.

Whether or not you file in writing with the Court your defenses or objections, you must appear in person in Court on 4th day of April, 1994, at 9:15 AM o'Clock in Courtroom 2 at the Crawford County Courthouse, Meadville, PA.

BY THE COURT,
Gordon R. Miller, J.

3-21-96 Faxed Kuftic, White

Mar. 29, 1997 Answer to Petition for Contempt and Counterclaim for Contempt filed.

April 12, 1996 ORDER filed. AND NOW, April 4, 1996 this matter comes before the Court on the Defendant's Petition for Contempt and the Plaintiff's counter petition for contempt. Court has made a few modification of the previous order. (SEE PAPERS FILED).

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

April 12, 1996 Order Distributed to Atty. White; mailed Atty. Kuftic.

May 31, 1996 Order Re-Setting Hearing filed. AND NOW, May 31, 1996, the Court Administrator, having been directed by the Court to re-set the custody ocntempt hearing at the abov enumber, the same is hereby set for Tuesday, June 4, 1996, at 3:45 PM in Courtroom #2 of the Crawford County Courthouse, Meadville, PA.

FOR THE COURT,
Ann A. Walker, C.A.

June 13, 1996 ORDER filed. AND NOW, June 4, 1996, this matter comes before the Court as a result of our order of April 4, 1996 directing the Court Administrator to set further hearing so that we may have an opportunity to hear from the Defendant's fiancee insofar as the defendant was requesting the three weeks of summer visitation that was set forth in the order of November 24, 1993.

After doing so, it appears that there is nothing inappropriate about the Defendant's fiancee and she is awarded three weeks of summer visitations for 1996 and every summer thereafter until further order of court.

By agreement of the parties, those three weeks will actually consist of the Defendant having the child from Monday at 6:00 a.m. until friday at 4:00 p.m. each week and then the child being in his father's custody for the weekend each time.

Continued Page 500A

Dec 12, 1997 Answer to Defendant/Petitioner's Petition for Civil Contempt and Respondent's Counterclaim for Civil Contempt and Order: AND NOW, to-wit, this 11 day of December, 1997, in consideration of the foregoing Counterclaim for Civil Contempt, a hearing is hereby scheduled on this matter at the same time as the Defendant/Petitioner's Petition for Civil Contempt on January 6, 1998, at 3:00 p.m. Anthony J. Vardaro, J.
Dec 18, 1997 Faxed Kuftic & Maurer & Fuller

Jan 12, 1998 ORDER: AND NOW, Jan 6, 1997, this matter comes before the Court on a petition for contempt filed by the Defendant against the Plaintiff and on a counter-petition filed by the Plaintiff against the Defendant.
Both parties appear represented by counsel and after an informal hearing, we find that the Plaintiff is in contempt of the Court's Orders in that he denied the Defendant three (3) weeks of summer temporary physical custody with the child in 1997. He maintains that he did so because of the way that the Defendant takes care of the child and the problems the child has after beingwith his mother, but we believe that issue should have been raised in either a contempt petition or a petition to modify the current Order. The bottom line is that the Plaintiff has not complied with the Court's Order as it currently stands. The Plaintiff may purge himself of contempt by doing the following: (see paper filed)
Anthony J. Vardaro, J.
Jan 12, 1998 Distributed Kuftec & Maurer

May 6, 1998 ORDER FILED. AND NOW, May 7, 1998 after mediation conference before John Fuller, Esq. IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:
I. The parties shall abide by the terms of Judge Vardaro's order dated Jan 6, 1997 until further order of court.
II. The parties shall submit to a home study and custody evaluation by David M. Glenn.
III. On completion of the home study and custody evaluation a further mediation conference shall be held, if deemed necessary by the custody mediator.
IV. On completion of the home study and custody evaluation, a furtherOrder of Court will be made
V. The fees ($210.00) and costs ($9.00 court order filing fee) in this case are to be paid as follwos;
A. The fahter has deposited with the Prothonotary the requested $200.00 which shall be partially applied toward the fees and costs. The Prothonotary is hereby directed to refund to fahter $90.50.
B. Crawford County shall pay the Prothonotary $109.50 representing the mother's share of the fees and costs.
Gordon R Miller, J.

Faxed Kuftic & Maurer 5/11/98

May 8 1998 ORDER FILED. AND NOW, May 8, 1998 the Court has reviewed this matter adn finds that neither party has complied with Crawford County Civil Rule L1930, or at least there is no evidence in the file that either has attended the Seminar for Separating Parents.
Accordingly, both parties are ordered and directed to cmplete said course and/or file a certification indicating compliance with Rule L1930 within 30 days from this date.
BY THE COURT
GORDON R. MILLER, PJ.

Faxed Kuftic & Maurer

July 13, 1998 ORDER FILED. AND NOW, July 13, 1998 the parties having failed to comply with our Order of May 8, 1998 shall show cause if any they have why they should not be held in contempt of court and appropriately punished.
Said rule is returnable for hearing on Friday, July 31, 1998 at 1:00 o'clock PM in Courtroom No. 1
By The Court:
Gordon R. Miller, P.J.

7/14/98 Transmitted to Kuftic, Maurer Ct Admin.

August 4, 1998 PETITION TO SUBSTITUTE ERIE COUNTY'S CHILDREN COPE WITH DIVORCE SEMINAR FOR THE MANDATORY SEMINAR FOR SEPARATING PARENTS FILED.

August 4, 1998 ORDER FILED. AND NOW, July 31, 1998 the contempt proceeding is vacated becausr both parties have completed the seminar requirement by attending a similar seminar in Erie County.
BY THE COURT
GORDON R. MILLER, PJ

Faxed Kuftic & Massey

Dec 3, 1998 ORDER: AND NOW, December 2, 1998 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED S FOLLOWS, TO-WIT:
I. Legal custody of Michael R. Varner shall be shared between the father and the mother, the plaintiff and defendant herein, that is, each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions affecting the child such as the education, medical treatment and religious instruction of the subject child.
II. Physical custody of Michael R. Varner shall be with his father, subject to the following condistiions: (see paper filed)
III. This sorder is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within twenty (20) days of the date hereof.
IV. The fees (120.00) and costs ($9.00 court order filing fee) in this case are to e divided equally between the parties. The custody evalution by David M. Glenn shall be paid by Crawford County.
Anthony J. Vardaro, J.

Dec 3, 1998 Faxed Kuftic, Maurer, Massey
Dec 10, 1998 dist Glenn & Finance Off.

500
B

1993

This may be a temporary pg misplaced otherwise

Allen R. Varner

vs.

Michelle L. Varner

Record continued from page 500

of

No. AD 1993 - 712

May 27, 1997 Transcript of Proceedings Taken at Time of Hearing filed.

Oct 23, 1997 Praecipe to **Enter and Withdraw** of Appearance: **Enter** appearance of Northwestern Legal Services by Lori A. Maurer, Esq., on behalf of Defendant and **Withdrawal** of appearance of Harry Faber White, II, on behalf of Defendant, filed.

Nov. 12, 1997 PETITION FOR CIVIL CONTEMPT FILED ON BEHALF OF DEFENDANT AND NOTICE AND ORDER TO APEAR FILED. Legal proceedings have been brought against you alleging you have willfully disobeyed an Order of Court relative to Custody Issues .

If you wish to defend against the claim set forth in the following pages, you may but are not required to file in writing with the Court your defenses or objections, you must appear in person in Court on 6th day of Jan. 1997 at 3:00 o'clock in Courtroom 2 at 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 willfully failed to comply with its Order relative to Custody Issues, you may be found in Contempt of Court and committed to jail, fined or both.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

CRAWFORD COUNTY BAR ASSOC.
c/o The Court Administrator
Crawford County Courthouse
Meadville, PA 16335
814-333-7300
BY THE COURT:
Gordon R. Miller, J

11/12/97
11/13/97 FAXED Kuftic & Maurer

March 2, 1998 Complaint to Modify Custody Order NOTICE AND ORDER TO APPEAR, filed. You, Michelle O. Willis, have been sued in court to obtain custody, partial custody or visitation of the child: Michael R. Varner.

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. The Mediator shall send you a Notice of the Hearing by mail to the address listed on the complaint or petition that has been filed recently.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the court may issue a warrant for your arrest.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help:

c/o Court Administrator
Courthouse
Meadville, PA 16335 (814)333-7498
(FOR FURTHER INFORMATION SEE PAPERS FILED).

BY THE COURT,
Gordon R. Miller, J.

ORDER AND NOTICE filed. AND NOW, this 23rd day of March, 1998, it is ordered and decreed that the parents in this matter shall satisfactorily complete the Seminar for Separating Parents in accordance with Crawford Co. Civil Rule L1930. Applications for the seminar may be obtained at the Center for Family Services, Inc. at 996 S. Main St., Meadville, PA. 16335; the Prothonotary at the Crawford Co. Courthouse; or the Court Administrator at the Crawford Co. Courthouse.

Application for attendance at the seminar must be made by the plaintiff or petitioenr within fifteen (15) days after the pleading or petition is filed; and by the defendant or respondent within fifteen (15) days after he or she is served with the pleading or petition.

The Seminar must be completed within forty-five (45) days after application. Failure to attend the seminar may result in sactions, including contempt of Court, a dismissal of the action or a delay in the proceedings unless attendance is waived by order of court.

(FOR FURTHER INFORMATION, SEE PAPERS FILED).

BY THE COURT,
Gordon R. Miller, J.

March 26, 1998 ORDERS FAXED Atty. Fuller; Kuftic.

March 1, 1999 Petition To Modify Custody and NOTICE AND ORDER TO APPEAR, filed. YOU, Michelle Willis, have been sued in Court to obtain custody of Michael R. Varner.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator, John Fuller, Esq., for a mediation conference. The Mediator shall send you a Notice of the Hearing by mail to the address listed on the complaint or petition that has been filed recently.

If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.

You should take this paper to your lawyer at once, if you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.*

Court Administrator
Crawford County Courthouse
Meadville, PA 16335
(814)336-1151 ext. 298

BY THE COURT:
Gordon R. Miller, J.

* March 2, 1999 If the parties have not done so they shall comply with local rule L1930 and complete the seminar.
March 4, 1999 Order FAXED Atty. Fuller, Legal Service; Distributed Atty. Walton.

March 8, 1999 MOTION TO VACATE and ORDER filed. AND NOW, March 5, 1999, after consideration of the within Motion to Vacate, IT IS HEREBY ORDERED AND DECREED AS FOLLOWS, TO-WIT: John Fuller, Esquire is hereby granted leave to withdraw as custody mediator in the above-captioned custody case and Kathleen Nelson, Esq., is hereby appointed as mediator in his place.

Gordon R. Miller,
Judge

March 11, 1999 FAXED Northwest Legal Services, Attys. Nelson, Fuller; Distributed Atty. Walton.

Con't on Page 500-C

1973

S31761

Allen R. Varner
vs
Michelle L. Varner n/b/m Michelle L. Willis AD 1993 - 712

continued from page 500-b
of record

June 30, 1999 Temporary Order filed. And Now, June 28, 1999 after mediation and upon the partial agreement of the parents and the recommendation of the Child Custody Mediator and based upon the partial agreement of teh parents it is Ordered and Decreed as follows:

1. Legal custody of the subject minor child, Michael R. Varner, shall be shared by the father and mother, the parties to this action, with each paren entitled to full access to any records relating to the child held by a third party including, but not limited to school records and medical records and each parent shall have equal input regarding important decisions affecting the hcild such as education religious instruction and medical treatment.

2. Physical custody of Michael R. Varner shall be with his father subject to the following:

a. During the child's shcool year, the mother shall be entitled to have the child in her custody every other weekend beginning on Friday at 6 pm through Saturday at 7 pm. During those weekends when the child is not in school for the summer, mother shall be entitled to have the child in her custody every other weekend from Friday at 6 pm through Sunday at 6 pm. If the mother is more than fifteen minutes late without notifying the father that she is going to be late for a visit, she shall forfeit that visitation period and shall not be entitled to a make up visit.

b. Holidays: i. The holidays of Thanksgiving, Christmas and Easter shall be share by the parents with the hcild in the custody of his father until 1 pm and in the custody of the mother from 1 pm through 7 pm.

ii. The child shall always be in the custody of his mother on Mother's day and in the custody of his fahter on FAther's Day from 1 pm through 7 pm.

c. Summer: i. for summer 1999 the child shall be in the custody of his mother from July 11th at 6 pm through July 17th at 7 pm, from July 27 at 6 pm throught July 29th at 7 pm from August 15 at 6 pm through Augsut 21 at 7 pm and from August 26 at 6 pm throught Aug 28 at 7 pm.

ii. Beginning with the summer of 2000, the child shall be in the custody of his mother for a period of three weeks which weeks ned not be consecutive. the mother shall give the father notice of the weeks she has selected for her summer visitation by May 1 each year.

iii. The holiday visitation periods shall take precedene over all other visitation periods.

3. Transportation of the hild for all visits shall be shared between the parens, with the parent receiving custody to provide transportation The proper child reswtraints, I.e. car seat and/or seat belts shall be worn at all times during the transporting of the child for said visits.

4. Neither parent shall expose the child to any person or situation which may be harmful to the health safety or well being of the child.

5. No one shall smoke in the child's presence or ina home where the child is present. Mother shall take steps to ensure her home is as smoke free and dust free as possible during those times when the child is in her custody.

6. Both parents shall follow the directives of the medical doctors treating Michael and fahter shall send the childj's medication with him on all visits with his mother.

7. Neither parent shall say or do anything in an attempt to turn the child against the other parent nor shall either parent permit others to do so, but rather each parent shall do everything in their power to promote a favorable and loving attitude on the part of the child toward both parents. The paretns shall communicate between themselves regarding matters inovlving their son, and shall not use michael as a messenger or otherwise involve him in custodial matters.

8. Each parent shall inform the other paretn immediately of any serious illness or injury regrding the hcild and both parents shall furnish the other with a current address and telephone number If the child sustains a minor injury or illness it is sufficient that the parent notify the other parent of same when there is an exchange of custody of the child.

k9. Neither parent shall use illegal drugs or alcohol at any time when that parent has the care and custody of the subject minor child. This Order is not intended to preclude either parent from taking the child to a restaurant which serves alcoholic beverages so long as neither parent shall consume alcoholic beverages in that establishment when the child is with the parent.

10. The parents are encouraged to make additional or alternative arragnements regarding physical custody of the child and may modify the herein custody arrangements if such modifications are by mutual consent and in wriing and signed by both parens only; otherwise, the provisions contained herein shall govern and this order shall be followed completely as it is written.

11. The cost of the mediation conference shall be divided equally between the parents. The deposit paid in advance by the father shall first be applied to his share of the costs and the remainder refunded to him, less the cost of the Court's Order.

12. This order is a temporary order but shall become a permanent Order unless either parent files a request for a hearing DeNovo within twenty days of the date hereof.

By the Court
Anthony J. Vardaro, J.

7/1/99 faxed Walton & Nelson

LESLIE C. SMITH
VS.
KAREN S. SMITH

CONTINUED FROM PAGE 13
of Record
A. D. 1993 - 463

****

8. 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.

9. The fee for Child Custody Mediation shall be paid 50% by the plaintiff father and 50% by the defendant mother. Any amount in excess of the plaintiff father's one-half of the cost of Mediation held by the Crawford County Prothonotary under Local Rules shall be refunded to him.

10. This Order shall be a Temporary Order, but shall become a permanent Order unless exceptions are filed by either party within thirty days from the date of this Temporary Order.

BY THE COURT:
Anthony J. Vardaro, J.

June 29, 1993 copy to ~~R. Felton,~~ B. Smith, Plf. & Dft. & E. Malc
June 22, 1993 copy mailed to Felton

July 21, 1997 Order: You, KAREN S. SMITH, have been sued in Court to modify custody, partial custody or visitation of the children, Keith Smith, Soctt Lee Smith and Jamie Lee Smith.

You are ORDERED to appear in person at such time and place as will be determined by the Mediator John Fuller, Esquire, for a mediation conference. The Mediator shall send you a Notice of the Hearing by mail to the address listed on the complaint or petition that has been filed recently.

Gordon R. Miller, P.J.
July 22, 1997 Faxed Malc & Fuller and Distributed Felton

and

ORDER: AND NOW, THIS 21st day of July, 1997, it is ordered and decreed that the parents in this matter shall satisfactorily complete the Seminar for Separating Parents in accordance with Crawford County Civil rule L1930. Application for the seminar may be obtained at the Center for Family Service, Inc. at 996 S. Main Street, Meadville, Pennsylvania 16335; the Prothonotarty or Court Administrator.

Application must be made by plaintiff or petitioner within fifteen (15) days after the pleading or petition is filed; and by defendant or respondent within fifteen (15) days after he or she is served with the complaint.

Gordon R. Miller, P.J.
July 22, 1997 Faxed Malc & Fuller and Distributed Felton

Aug 12, 1997 Certificate of completion of the Seminar for Separating Parents for Leslie C. Smith, filed.

Sept. 24, 1997 Petition for Withdrawal and Order filed. AND NOW, to-wit, this 24th day of September 1997, it is hereby ORDERED ADJUDGED AND DECREED, that Elizabeth A. Malc, Esquire is permitted to withdraw her representation of the Defendant, Karen S. Smith, in the above-captioned action.

Gordon R. Miller, J.
9-24-97 FAXED Fulton, Malc

Oct 8, 1997 ORDER: AND NOW, October 7, 1997 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Keith Smith, Scott lee smith and Jamie Lee Smith shall be shared between the father and the mother, the plaintiff and defendant herein, that is, each parent shall be entitled to full access to school records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions affecting the children such as the education, medical treatment and religious instruction of the subject children.

II. Physical custody of Keith Smith, scott Lee Smith and Jamie Lee Smith shall be with their father, subject to the following conditions: (see paper filed)

IV. The fees ($210.00) and costs ($9.00 court order filing fee) in this case are to be paid by Crawford County.

A. The Prothonotary is hereby directed to refund to father the $200.00 deposit.

V. The defendant shall register for and complete the next available seminar for separating parents.

Anthony J. Vardaro, J.
Oct 10, 1997 Faxed Fuller, Felton and Dist Ct. Adm.
Nov 3, 1997 sent to Dft
(FOR COMPLETE ORDER SEE PAPER FILED)

November 5, 1997 Certificate of Separating Parent Seminar, filed

December 17, 1998 Petition to Modify Existing Child Custody Court Order Notice and Order Filed. You, Leslie C. SMith have been sued in Court to (obtain)(modify) custody, partial custody of visitation of the children James, Keith, Scott. You are ordered to appear in person at such time and place as will be determined by Mediator John Fuller, Esq. for a mediation conference. The Mediator shall send you a Notice of the hearing by mail to the address listed cn the Complaint or petition that has been filed recently.

If you fail to appear as provided by this Order, an Order for custody, partial custody of visitation may be entered against you or the Corut may issue a warrant for your arrest.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator, Courthouse
Meadville,PA 16335
Telephone No: (814)333-7498

AMERICANS WITH DISABILITIES ACT OF 1990 The Court of Common Pleas of Crawford County is required by law to comply with the Americans with Disabilities Act of 1990 For information bout accessible facilities and reasonable accommodations available to disabled individuals having business before the Corut, please contact the Court Administrator's Office. Allarrangements must be made at least 72 hours prior to any hering or business before the Court. You must attend the scheduled conference or hearing.

By the Court
Date 12/18/98 Anthony J. Vardaro, J.
12/20/98 Faxed Felton mailed Deft & Fuller

Feb. 3, 1999 Order Filed. And Now, Feb. 3, 1999 after mediation conference before John Fuller, Esq. IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT: 1. Legal Custody of Keith L. Smith, James L. Smith and Scott 1. Smith shall be shared between the father and the mother, the plaintif and defendant herein, that is, each parent shall be entitled to full access to shcool records, medical records and other important records and that each parent shall be entitled to take part fully in important decisions affecting the children such as the education, medical treatment and religious instruction of the subject children.

II. Physical custody of James L. Smith shall be with his mother subject to the following conditions:
The fahter shall be entitled to visit and take James L. Smith into his custody every other weekend from 10o'clock AM on Saturday to 8 o'clock PM on Sunday beginning Feb. 6, 1999.

III Physical custody of Keith L. Smith and Scott L. Smith into her custody every other weekend from 10 am on Saturday to 8 pm on Sunday beginning Feb. 13, 1999.

Iv. A Holidays shall be defined as Chrsitmas Easter and Thanksgiving. Custody of the children shall be shared on the aforesaid holidays and in the absence of an agreement to the contrary, the children shall be in the custody of the fahter on the aforesaid holidays until 1 pm and in the custody of the mother ont he aforesaid holidays from 1 pm unti 8 pm Sudnay, beginning Feb. 13, 1999.

B. Beginning with the summer of 1999 the children shall be in the exclusive custody of each parent for a period to 2 weeks.

continued on page 470

502

1993

734	Dale Wayne Lindstrom, Plaintiff/(Respondent), vs Ida Nora Lindstrom Defendant/(Petitioner)	CONTINUED FROM PAGE 284 OF RECORD A. D. 1993 - 734

Sept. 17, 1996 Petition for Civil Contempt of Custody Visitation Order and Notice and Order to Appear filed. Legal proceedings have been brought against you alleging you have wilfully disobeyed an order of court for Custody.

If you wish to defend against the claim set forth in the following pages, you may but are not required to file in writing with the court your defenses or objections.

Whether or not you file in writing with the court your defenses or objections, you must appear in person in court on Tuesday Oct. 1, 1996, at 1:30 P.M. in Courtroom 2.

IF YOU DO NOT APPEAR IN PERSON, THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST.

BY THE COURT:
Gordon R. Miller
9-17-96 FAXED Rowden & Keenan

Oct. 8, 1996 Order filed. AND NOW, October 1, 1996, this matter comes before the Court on a petition for contempt filed by the Defendant in which she asked the Cour to hole the Plaintiff in contempt for failing to exercise a period of temporary physical custody granted by the Court in our Order of August 27, 1996.

After listening to both parties, we decline to hold the Plantiff in contempt, but he shall have forfieted that period of temporary physical custody as well as an apparent temporary physical custody he did not exercise the following week.

Otherwise the Order of August 27, 1996 is rescinded as being mute and the parties are ordered and directed to abide by the previous Order of October 25, 1993 in all respects until such time as it shall be modified by the Court upon petitioner of either party or by agreement.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J

10-9-96 Faxed Keenan & Rowden

1993

LAURA ROUSH
VS.
JOHN C. WILTROUT

CONTINUED FROM PAGE 277
of Record
A. D. 1993 - 727

****

9. The Defendant shall pay court costs in the amount of $94.50 no later than September 6, 1993. Payment shall be made to the Prothonotary's Office in the Courthouse.

10. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence up to six (6) months.

BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Aug. 12, 1993 copy to C. Brode, Co. Control, Cochranton P.D., Plf. & Dft.

Sept. 1, 1993 ORDER filed, AND NOW, August 31, 1993, the time for the defendant to pay the costs is extended to October 5, 1993.

BY ORDER OF COURT
Gordon R. Miller, P.J.

Sept. 1, 1993 copies sent to Roush & Wiltrout

Apr. 21, 1994 Motion to Vacate Protection from Abuse Order and ORDER filed. AND NOW, this 20 day of April, 1994 upon receipt and review of the plaintiff's motion to vacate and terminate the Protection from Abuse Order of August 5, 1993, said motion is granted and the Protection from Abuse Order is hereby vacated and terminated.

A true and correct copy of this Order shall be delivered by the Prothonotary to proper police Agency and to County Control.

Any provisions of the Protection from Abuse Order of August 5, 1993 assessing court costs shall remain in full force and effect without change or modification and the party or parties against whom costs were assessed shall remain obligated to pay the costs.

BY ORDER OF COURT,
Anthony j. Vardaro, J.

4-25-94 Copy of Order to Atty.Brode, Deft., Co.Control& Cochranton PD

504

1993

	PHYLLIS P. FEIL VS. JACK L. FEIL	CONTINUED FROM PAGE 149 of Record A. D. 1993 - 599

Sept. 7, 1993 Motion To Amend Or Modify A Protection From Abuse Order and Order filed. ORDER: AND NOW, this 7 day of September, 1993, upon receipt and review of the within motion to amend the Protection from Abuse Order of July 7, 1993, the amendment(s) and modification(s) set forth in said motion are hereby approved and made a Court Order.

A true and correct copy of this Order shall be delivered by the Prothonotary to Jack L. Feil, County Control, Meadville City Police and Plaintiff.

Any paragraphs of the original Order assessing costs on either party shall remain in full force and effect without change or modification.

BY ORDER OF COURT
Anthony J. Vardaro, J.

Sept. 9, 1993 copy to County Control, Meadville Police Dept., Plf. & Dft.

Wade Largent, a minor, by his natural parents, Richard Largent and Dolores Largent and Richard Largent and Dolores Largent, in their own right
vs.
Ronald Overton and Cripe Real Estate

Continued from Page 29 of Record AD 1993 - 479

****

Aug. 15, 1994 Notice of Service-Entry of Default Judgment filed.

Sept. 27, 1994, Proof of Deposit - Minor's Settlement - filed.

Nov. 2,1994 Motion to Refer Case to Arbitration and ORDER filed. Upon motion of the Plaintiff and good cause appearing IT IS HEREBY ORDERED that the above-entitled matter be referred to an arbitration panel for a hearing on the issue of the amount of damages to be assessed against the Defendant, Ronald Overton as the result of a Default Judgment entered against him in this matter on August 10, 1994. The Plaintiff shall file a praecipe for arbitration and follow the Local Rules that cover arbitration.

BY THE COURT:
Gordon R. Miller, J.

11-2-94 Faxed Sambroad & Wagner

Nov. 9, 1994, UPon praecipe of plaintiff attorneys, for appointment of arbitrators, the following arbitrators are appointed: ~~Joan MaSON~~, Chairman Peter Blystone
Kemp C. Scales
~~Emil Spadafore~~ Bruce Smith

Mar. 3, 1995 Arbitrators Take Qualifying Oath.

Apr. 26, 1995 Notic eof Arbitration Hearing, filed.

Apr. 26, 1995 Notice of Arbitration Service, filed.

Apr. 26, 1995 Decision of Arbitrators, filed. And now, the 26th dayof April, 1995, we the undersigned Arbitrators chosen in this case, after havign been duly sworn and having heard the evidence and allegations of the parties fien in favor of the Plaintiff Wade Largent, a minor, by his natural parents, Richard Largent and Dolores Largent in the sum of Five Thousand Dollars ($5,000.00) and against the Defendant Ronald Overton.

Peter E. Blystone, Chr.
Kemp C. Scales
Bruce Smith

506

1993 TERM

William R.Burlingame and
Jody Burlingame
vs
Hubbard Bus Service and Richard
and Veronica Ann Gilbert

Continued from Page 22
of Record
AD 1993 - 472

****

Oct.7, 1994 ORDER filed. AND NOW, October 6, 1994, in consideration of plaintiffs' request that a settlement conference be scheduled in the above-captioned matter, a settlement conference is hereby set for October 17, 1994 at 1:30 p.m. at the Crawford County Courthouse, Meadville,Pennsylvania (room to be determined,please check at the Judges' Chambers).

FOR THE COURT,
Ann A.Walker,Court Administrator

10-6-94 Copies mailed by Ct. Adm. (counsel notified by phone earlier)

Oct. 21, 1994 ORDER filed. AND NOW, Oct. 17, 1994, we conduct a settlement conference with regard to this matter.

It appears that this case is to be scheduled for non-jury trial by the Court Administrator sometime in December 1994.

Apparently, within the last week, the Plaintiffs have raised as issue with respect to loss of earning power for a year in which he would have been the branch manager rather than an auto glass installer but for the fact that this accident occurred.

The Defendant will require further discovery as a result of this issue and we have indicated this day that discovery can commence and, in the event it is not completed prior to teh time of trial, the Defendant's may move for a continuance of trial and we would be inclined to grant the same in order to give Defendants necessary time to address this issue.

Likewise, once the issue has been addressed, if the parties need the Court to discuss settlement with them further, they may ask for a further settlement conference with respect to this matter.

BY THE COURT:
Anthony J. Vardaro, J.

Oct. 24, 1994 Copies distributed to Attys. Sciarrino, Rudolph and to Ct. Adm.

Oct. 28, 1994 ORDER filed. AND NOW, this 27th of October, 1994, non-jury trials are hereby scheduled in the following cases on the dates and at the times set forth below:

# on October, 1994 Civil Trial List	(Abbrvd.) & Docket Number	Non-Jury Trial Date and Time; Courtroom
#26	William Burlingame and Jody Burlingame, his wife vs. Hubbard Bus Service, Richard C. Hubbard and Veronica Ann Gilbert AD 1993-472	December 19 & 20, 1994 9:15 A.M. #1 (2 days)

Oct. 31, 1994 Order FAXED Attys. Rudolph and Sciarrino.

Nov. 10, 1994, Notice of Deposition of Dale Wauthier filed.

Nov. 15, 1994 Reassignment of Nonjury Trial Date filed. AND NOW, November 15, 1994,upon request of counsel in this case the Nonjury trial in the above captioned case set for December 19 and 20, 1994 is hereby reset for December 20 and December 21, 1994,at 9:15 A.M., in Courtoom No. 1, before the Honorable Gordon R. Mille, Crawford County Courthouse, Meadvile, PA

FOR THE COURT,
Ann A.Walker,Ct.Administrator

11-15-94 Faxed to Millin & Kuhar. 11-15-94 Copies dist. by Ct. Adm. to Attys.Rudolph & Sciarrino

IN ERROR

~~Nov. 15, 1994 ORDER filed. AND NOW, November 14, 1994, hearing in the above case on the Defendant's License Appeal has been scheduled for January 26, 1995, at 2:15 P.M., in Courtroom No. 1, 2 or 3, Crawford County Courthouse, Meadville,PA. It shall be the responsibility of Jeffrey K. Millin, Attorney for defendant to serve a copy of the Order on the defendant and on William A.Kuhar,Jr. Assistant Counsel, Office of Chief Counsel, Department of Transportation, 1209 State Office Building, Pittsburgh, PA 15222~~

Jan. 11, 1995 Upon praecipe of plaintiff attorney kindly mark the above-captioned matter settled, discontinued and ended.

508

1993 TERM

DENNIS G. ROBBINS VS. LINDA B. ROBBINS RECORD CONTINUED FROM PAGE 175 OF AD 1993 - 625

Rae Jean Fabian
vs.
Robert John Fabian

Continued from Page 193
of Record
AD 1993 - 643

****

Nov. 14,1994 Certificate of Service filed. Barbara J.Walton, Esquire, certifies that she is the attorney for plaintiff, Rae Jean Fabian,in the above captioned matter, and on October 19, 1994 she served upon the opposing counsel, an original and two copies of Interrogatories by personal delivery to the law office of John Gagliotti, Esquire at the address set forth below:

John Gagliotti,Esquire
211 Chestnut Street
Meadville,PA 16335

Barbara J.Walton, Esquire

Jan. 10, 1995 Affidavit of Consent of defendant filed.

Jan. 12, 1994 Petition to Withdraw Grounds and ORDER filed. And Now, upon presentation of the Petition for Withdrawal of Grounds for Divorce, it is hereby Ordered that the request for Equitable Distribution, Alimony Pendente Lite, Reasonable counsel Fees, Costs and Expenses and Permanent Alimony are withdrawn.

By the Court:
Gordon R. Miller, J.

Dated: January 10, 1995
Jan. 12, 1995 Order FAXED Atty. Gagliotti, copy given Atty. Walton.

Jan. 13, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Jan. 17, 1995 AND NOW, this 17 day of January, 1995, upon presentation of the Stipulation and Consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED AND DECREED that RAE JEAN FABIAN, Plaintiff, and ROBERT JOHN FABIAN, 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 unless said claims withdrawn by a party.

BY THE COURT:
Anthony J. Vardaro, J.

510

1993 TERM

1993 TERM

Mark W.Luikart
vs.
Linda S.Ray

Continued from Page 423
of Record
AD 1993 - 873

****

Dec. 20, 1994 Emergency Petition for Special Relief filed.

Dec. 20, 1994 ORDER filed. AND NOW,this 19th day of December, 1994 the Plaintiff/Respondent, Mark W. Luikart, is herebyordered to deliver custodyof his son, Zachary Luikart, to the Defendant/Petitioner in compliance with the provisions of theConsent CustodyOrder entered November 24, 1994. Specifically, he shall make sure that said child is present at such appointed time and place so that he will be able to be transported by air travel to his mother in conjunction with the travel tickets purchased by the mother with TWA Airlines.

Any police officer having jurisdiction over the father may enforce the spirit and letter of this order by assisting in the transfer of custody from father to mother's designated agent, who shall be responsible, in the event of father's failure to comply with the currently existing court order,to deliver the child to the air carrier with whom the mother has made arrangements to effectuate the purposes of the Consent Custody Order dated November 24, 1993.

The Plaintiff father will pay one-half of the fare as it would be for the child to travel from Pittsburgh to Charlotte, North Carolina, which the parties believe to be one-half of $218 more or less, and any additional amount as a result of additional fare because the child is actually going from Pittsburgh to Oklahoma City will be borne by the Defendant mother.

BY ORDER OF THE COURT,
Anthony J.Vardaro, J.

12-20-94 Copies dist.to Attys. Ferguson & Irwin.

1993 TERM