CRAWFORD COUNTY

APPEARANCE DOCKET

BOOK 293
Vol. 3

SEPT 1992

PIRRELLO ENTEPRISES INC.
Scanned June 2017

1992

901

MELISSA BLAKESLEE

vs.

EDWARD BLAKESLEE

Filed September 18, 1992
@ 10:05 am

Tax & entry Pd 10-23-92 50.50
User's Fee Pd 10-23-92 5.00
Sheriff's Costs 25.00
Pro. Co. pd. 10/9/92 5.00
Pro Co Pd 10-23-92 9.00

10-23-92
Recieved from defendant Sheriffs costs
25.00

10-23-92
Paid Sheriff Costs
Ch# 7133
25.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 Copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 18 day of september, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Plaintiff shall have temporary physical custody of the minor child pending further order of court. The Sheriff or his deputies shall take possession of any firearms the defendant has.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for September 25, 1992, at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Sept.22, 1992 Sheriff's Return filed. SERVED Edward Blakeslee personally on September 18, 1992 at 11:15 AM by handing a copy of the Protection from Abuse to him at the residence, R.D. #8, Box 263, Titusville, Crawford county, PA.
So answers,

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

Sept. 29, 1992 Order filed. AND NOW, Sept25, 1992 the parties appear without counsel and advise the Court that they have reconciled and the Plaintiff whishes to withdraw this action.

Accordingly, the temporary order of September 18, 1992 is rescinded forthwith and this action is terminated.

The Defendant will pay court costs in the amont of $94.50 in this case in weekly installments, with the first one in the amount of $25 due on or before October 2, 1992 and a like payment due every Friday thereafter until this amount is paid in full.

A copy of this order shall be sent to the Police Department in the jurisdiction where the plaintiff resides and to County Control.

By Order of the Court,
Anthony J. Vardaro, J.

Sept.29, 1992 Copies given to Plft. & Deft., Co. Control and Pa. State Police.

Oct. 9, 1992 Upon Praecipe of Melissa Blakeslee, Plaintiff, the above case marked discontinued of record.

2

1992

Harold E. Krauss

902

OXFORD FINANCE CO., INC.
Successor to Barclays Bank

vs.

RICHARD BOYLE

Filed September 18, 1992
@ 1:33 PM

Tax & entry paid	15.00
Plff. on orig.	9.25
Sheriff's Costs	50.00
Pro Co. pd. 11-9-92	9.00

WRIT OF REVIVAL

of

DSB 1987 - 902

Writ of Revival indexed against the defendant in favor of the plaintiff, in the sum of Four Hundred Nineteen and 75/100 with interest to september 15, 1992, plus costs.

Debt------$419.75
Int. to September 15, 1992-----$174.20
B-258
Barbara H. King, Pro

Issued Sheriff

Oct. 12, 1992 Sheriff's Return filed. SERVED Richard Boyle personally on September 29, 1992 at 12:45 PM by handing a copy of the Writ of Revival to him in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Crawford County, PA.
So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

Nov. 9, 1992, 2:44 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 Amount of Claim In Complaint In Assumpsit	$593.95
Interest to Date	2.97
TOTAL	$596.92
PLUS COSTS	

Debt $596.92
B-258 Judgment
Judgment entered 11-9-92 Barbara H. King, Pro.
11-17-92 Notice of entry of judgement mailed defendant.

1992

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

903

~~Mary Ann Kirkpatrick~~ Withdrawn

Scott J. Andreassi

DEBORAH W. RICE

vs.

FREDERICK C. RICE

Filed September 18, 1992
@ 1:33 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro Co pd 12/30/93	5.00
Pro Co pd 12-30-93	9.00

COMPLAINT IN DIVORCE, EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION
1 copy (atty)

Sept. 24, 1992 AFFIDAVIT OF ACCEPTANCE OF SERVICE, filed I, Mary Ann Kirkpatrick, Attorney for the Defendant in the above captioned action, being duly sworn according to law, do hereby state that I accepted service of a true and correct copy of the Complaint in Divorce, on September 22nd, 1992 by First Class Mail addressed to me at my office at 941 Federal Court, Meadville, Pennsylvania 16335.

Oct. 30, 1992 Inventory of Defendant filed.

May 10, 1993 Petition For Special Relief Exclusive Possession of Marital Residence filed.

May 10, 1993 RULE TO SHOW CAUSE filed. AND NOW, this 7th day of May, 1993, upon consideration of the within Petition for Exclusive Possession of the Marital Residence, a Rule is granted upon Defendant, Frederick C. Rice, to show cause why the relief requested in said Petition should not be granted.

RULE RETURNABLE, with hearing thereon on the 1st day of June, 1993, at 9:30 a.m. in Courtroom No. 1 or 2 or the Crawford Co. Courthouse, Meadville, PA.

Pending said hearing, neither party shall transfer, convey, remove or alienate in any manner, any jointly owned marital property.

BY THE COURT:
Gordon R. Miller, J.

May 11, 1993 Copy of Order to Attys. James Irwin and Mary Ann Kirkpatrick.

May 11, 1993 Notice of Service filed, And Now, May 11, 1993, comes Mary Ann Kirkpatrick,Esq. and files this NOtice that she mailed a copy of the court's Or der of May 7, 1993 scheduling hearing for June 1, 1993, to the Defendant by 1st class mail on May 10, 1993 to his last known address: 422 Pine HIll Rd.,Kitanning, PA 16201.

By:Mary Ann Kirkpatrick,Esq.

May 11, 1993 Motion for Leave to Withdraw Appearance filed. And Now, May 11, 1993, comes Mary Ann Kirkpatrick,Esq., pursuant to Pa. R.C.P. 1012 and L1012B and moves the court for Leave to Withdraw as counsel for Defendant. Defendant has advised counsel in writing that he longer desires her services.

By: Mary Ann Kirkpatrick, Esq.

Order. And, Now, May 11th, 1993, motion granted.

By the Court:
Gordon R. Miller, J.

May 12, 1993 Copy of Order toAttys. Irwin & Kirkpatrick.

June 3, 1993, Appearance of Scott J. andreassi, attorney for defendant filed.

June 10, 1993, STIPULATION & CONSENT TO ENTRY OF EXLUSIVE POSSESSION ORDER filed. AND NOW, this 18 day of June 1993, the parties hereto agree that the plaintiff shall have exclusive possession of the former marital residence located at 360 Turner Road, Meadville, Pa. to the exclusion of the defendant until further order of court.

Additionally, neither party shall dispose of any marital asset without further order of this court.

BY THE COURT,
Anthony J. Vardaro, J.

June 21, 1993, copies of order to Attys. j. Irwin and S. Andreassi.

Dec. 30, 1993 Notice Of Election To Retake Maiden Name filed. Debra W. Rice TO BE KNOWN AS Deborah Ann Wilson

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

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

Dec. 30, 1993 Upon praecipe of Plaintiff's attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

Jan. 14, 1994 AND NOW, this 12 day of January, 1994, it is ordered and decreed that DEBORAH W. RICE, Plaintiff, and FREDERICK C. RICE, Defendant, are divorced from the bonds of matrimony.

It is further ordered that the parties' Separation and Property Settlement Agreement dated December 30, 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.

1992

Evan, Portnoy & Quinn
Irving M. Portnoy

904

Grogan, Graffam, McGinley & Lucchino, PC
John A. Bass

RUBY IRWIN and DONALD IRWIN, her husband

vs.

JOHN TAYLOR

Filed September 18, 1992
@ 2:06 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	28.00
Pro. Co. pd 12/17/92	9.00

Pro Co Pd 2-16-93 56.50 LC

JURY TRIAL DEMANDED

WRIT OF SUMMONS
Issued Sheriff

Sept. 29, 1992 Writ Return filed. SERVED John Taylor personally on September 24, 1992 at 1:45 PM by handing to him a copy of the Summons at his place of business, 843 Park Avenue, Meadville, Crawford county, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Oct. 7, 1992 Appearance of Grogan, Graffam, McGinley & Lucchino, PC by John A. Bass for Defendant filed.

Oct. 7, 1992 Upon praecipe of Defendant attorney a Rule is hereby issued upon Plaintiff to file a Complaint.

Dec. 17, 1992 And Now, Dec. 17, 1992 at 11:43 A.M. upon Praecipe of Defendant's Attorney, judgment of Non Pros is hereby entered against the plaintiff for failure to file complaint.
"I-144-44"
Judgment of Non Pros
Barbara H. King
Prothonotary

Dec. 29, 1992 Complaint In Civil Action filed.

Jan. 29, 1993 Motion to Strike Plaintiffs' Complaint, filed.

Jan. 29, 1993 ORDER filed. AND NOW, Jan. 28, 1993, the Defendant through counsel appears in Motion Court with a motion to strike Plaintiffs' complaint. Counsel for the Plaintiffs also appears in opposition to the motion and presents a brief with respect to Plaintiffs' position.

The Court hears brief argumetn with respect to both positions and we do not believe we can resolve this matter at Motion Court. Accordingly, the Court Administrator is directed to list this for the next available argumetn court. The parties shall follow the Local Rules of Court with respect to filing briefs except that the Plaintiffs' brief filed this day may be filed of record by the Prothonotary and, if Plaintiffs chose, they need not file a brief in addition to that which they have already filed.

The Plaintiffs also indicate they may wish to file a petition to open judgment or motion to strike judgment with respect to this matter and they may do so within 14 days of the date of this order with argument with respect to the same to also be heard when the argument with respect to Defendant's motion to strike complaint is heard.

At the time of such argument, if any party believes a hearing is necessary for testimony to be taken, we will discuss that issue at the time of the argument and make a determination as to whether it will be necessary to schedule the same.
BY THE COURT:
Anthony J. Vardaro, J.

Jan. 29, 1993 copies of order given to Portnoy & Bass by mail & to Ct. Adm.

Feb. 3, 1993 Assignment of Argument Date filed. February 2, 1993: The Court Administrator having been directed by the Court to schedule an argument date in the above matter, hereby sets argument for March 29, 1993, at 10:00 a.m., in Courtroom 2.
FOR THE COURT,
Imogene Yetman, CA

Feb. 3, 1993 Copies given to Atty's Portnoy, and Bass and to Judge Vardaro.

Feb 11, 1993 Plaintiffs' Motion to Strike Judgment and Petition to Open Judgment, filed.

Feb. 16, 1993 Assignment of Argument Date, filed. Feb. 12, 1993: The Court Administrator having been directed by the Court to schedule an argument date in the above matter, hereby sets argument for March 29, 1993, at 10a.m. in Courtroom 2.
FOR THE COURT,
Ann A. Walker, Crt. Adm.

Feb. 16, 1993 copies given to Portnoy and Bass.

Mar. 3, 1993 Answer to Plaintiffs' Motion to Strike Judgment and Petition to Open Judgment filed.

Apr. 30, 1993 Memorandum and Order filed. AND NOW, april 28, 1993, the Prothonotary of Crawford County is directed to strike the judgment of non pros entered and docketed against the Plaintiffs on December 17, 1992.
The Plantiff's complant in this action filed onDecember 29, 1992 is stricken without prejudice to the Plaintiffs to file a complaint within twenty days ofthe date of this order.
I-144-44
BY THE COURT:
Anthony J. Vardaro, J

Apr. 30, 1993 Copies amiled to Portnoy and Taylor

May 10, 1993 Complaint in Civil Action on behalf of Plaintiffs filed.

May 24, 1993 Preliminary Objections, filed.

May 24, 1993 Praecipe for Argument, filed.

ON ARGUMENT LIST FOR JUNE 1993

Sept. 22, 1993 MEMORANDUM AND ORDER, filed. AND NOW, September 21, 1993, with respect to the Defendant's motion to strike and/or motion for more sspecific pleading, the Plaintiffs shall consistent with our Memorandum be requireed to re-plead Subparagraphs 14(a), (b), (c), (d), (p), (q), (r), (s), (t), (v), (bb), (ee), (ff) and (hh) within 20 days of the date of this order or any subparagraph not so re-plead will be stricken from the complaint.

With respect to Subparagraph 14(e), the Plaintiffs will be permitted to plead the informed consent allegations of that subparagraph in a separate cause of action but with respect to Subparagraph 14(f) concerning informed consent, the Defendant's demurrer is sustained.

Finally, the Defendant's demurrer with respect to punitive damages is denied.
BY THE COURT:
Anthony J. Vardaro, J.

Sept. 22, 1993 copies dist. to Portnoy & Bass

RECORD CONTINUED ON PAGE 4 (a).....

Ruby Irwin and Donald Irwin

VS.

John Taylor

RECORD CONTINUED FROM PAGE 4

OF

AD 1992 - 904

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Oct. 12, 1993 Amended Complaint filed.

Nov. 29, 1993, answer and New Matter filed.

Dec. 13, 1993 Plaintiffs' Reply to Defendant's New Matter, filed.

Dec. 13, 1993 Notice of Service of Int errogatories, filed.

Aug. 5, 1996 Notice of Service by Evans, Portnoy & Quinn by Irving M. Portnoy, Esquire, filed.

June 26, 1997 Certification of Plaintiff's Counsel of taking of deposition of Ruby Irwin, filed.

July 7, 1997 Certificate of Readiness filed.

July 10, 1997 Motion To Strike Plaintiffs' Certificate of Readiness Pursuant To Rule L302(5) and Order filed. AND NOW, this 10 day of July, 1997 it is hereby ORDERED, ADJUDGED and DECREED that Defendant's Motion to Strike Planitiffs' Certificate of Readiness is granted. No Rule L302A(2) notice given per the docket.

BY THE COURT:
Anthony J. Vardaro, J

7-10-97 Faxed Portnoy & Bass

May 15, 1998 AMENDED NEW MATTER FILED ON BEHALF OF Defendant John O. Taylor, MD. FILED.

1992

Barrett & Dratler
Bruce A. Barrett

905

John Gagliotti

KATRINA M. CHAPIN

vs.

GARY M. CHAPIN

Filed September 18, 1992
@ 3:23 PM

Tax & entry paid	50.50
User's Fe epaid	5.00
State paid	10.00
1 count paid	15.00
state paid	5.00
Pro Co Pd 5/27/93	9.00

Property filed.

COMPLAINT IN DIVORCE
1 copy (atty)

sept. 25, 1992 Affidavit of Service filed. Bruce A. barrett, Esquire, being duly sworn, deposes and says that the following facts in support of his Affidavit of Service are true and correct to the best of his knowledge, information and belief.

1. The affiant is the Attorney for the Plaintiff in the above captioned action.
2. A copy of the Complaint was sent by certified mail to the Defendant.
3. The certified mail was sent to the Defendant at Brookdale Campground, Star Route, Meadville, Pennsylvania 16335 on September 18, 1992. The Sender's receipt is attached hereto.
4. The dEfendant received said certified mail on September 23, 1992. Said receipt card number 147 766 760 is attached hereto and signed by Gary M. Chapin.
5. The return receipt card was returned after signature to the office of Bruce A. Barrett, Esq., 965 S. Main Street, Meadville, PA 16335 onSeptember 24, 1992. Bruce A. Barrett

Dec. 22, 1992, Complaint for Equitable Division of Marital

Jan. 12, 1993 Affidavit of Service filed. 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, information and belief.

1. The affiant is the Attorney for the Plaintiff in the above captioned action.
2. A copy of the Complaint for Equitabel Division of Marital Property and a copy of the Divorce Agareement were sent by restricted, certified mail to the Defendant in the above captioned matter.
3. The restricted, certified mail was sent to Box 5299, Conneaut Lake, Pa. 16316 on Dec. 23, 1992. The sender's receipt is attached hereto.
4. The Defendant received said restricted, certified mail on Dec. 30, 1992. Said receipt card number 147 766 764 is attached hereto.
5. The return receipt card was returned after signature to the office of Bruce A. Barrett, Esq., 965 S. Main St., Meadville, Pa. 16335 on Dec. 31, 1992. Bruce A. Barrett

Jan. 12, 1993 Affidavit of Consent of Plaintiff, filed.

Jan. 19, 1993 Petition to Determine Validity of AGreement and ORDER filed. AND NOW, this 19 day of Jan., 1993, upon consideration of the foregoing Petition, a hearing is set for the 29th day of March, 1993, at 2:30 o'clock p.m. in Courtroom No. 1 or 2.

Imogene Yetman, Court Administrator

Jan. 20, 1993 Copy of Order to Atty. Bruce Barrett, copy mailed to Dft.

Mar. 25, 1993 Motion for Continuance and Order, filed. ORDER: And now, March, 1993 the above motion is granted and the hearing is generally continued. FOR THE COURT,
Ann A. Walker, Crt. Adm.

Mar. 29, 1993 copy to B. Barrett & J. Gagliotti

May 25, 1993 Affidavit of Consent of Defendant, filed.

May 27, 1993, UPon praecipe of plaintiff attorney, to transmit the record, this case moved to court.

June 8, 1993 Motion For Withdrawal from Equitable Distribution and ORDER OF COURT filed. And Now, June 7, 1993, The above motion allowed.

Gordon R. Miller, J.

June 14, 1993 Copy of order to Attys. B. Barrett and J. Gagliotti.

DIVORCE DECREE FILED

June 8, 1993 AND NOW, June 8, 1993, it is ordered and decreed that KATRINA M. CHAPIN, plaintiff, and GARY M. CHAPIN, 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.

6

1992

Ferguson & Spataro
John F. Spataro,

906

VICTORIA L. MECK-DOLAN

vs.

DENNIS E. DOLAN

Filed September 18, 1992
@ 3:41 PM

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
State paid	10.00
Pro Co pd 3-15-93	9.00 ✓
Pro.Co. pd 4/21/93	5.00 ✓

COMPLAINT IN DIVORCE
1 copy (atty)

Mar. 9, 1993 Affidavit of Consent Of Plaintiff filed.

Mar. 9, 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 by certified mail, addressee only, return receipt requested, dated September 21, 1992. The Defendant acknowledged service on September 24, 1992, by accepting delivery on that date as evidenced by the attached signed return receipt.

John F. Spataro

Mar. 15, 1993 Affidavit of Consent of Defendant, filed.

Mar 15, 1993 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

Mar. 22, 1993 **DIVORCE DECREE FILED.**

AND NOW, March 17, 1993, it is ordered and decreed that Victoria L. Meck-Dolan, plaintiff, and Dennis E. Dolan, defendant, are divorced from the bonds of matrimony.

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

BY THE COURT,
Gordon R. Miller, J

Apr. 21, 1993 Notice of Election to Retake Maiden Name of Victoria L. Meck, to be known as VICTORIA L. MECK, filed.

1992

Lillian Chatman
vs.
Fred Jenkins

Record continued from page 8
of record
A.D. 1992 - 908

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Jan. 13, 1997 Order filed. AND NOW, January 9, 1997, at the contempt hearing held in this case, the defendant did not appear. The Prothonotary sent notice by regular mail.

ACCORDINGLY, it is ORDERED as follows:

1. The hearing in this case is continued to 1:30 on Thursday, March 6, 1997 in Courtroom No. 1.

2. The Prothonotary shall send a true and correct copy of thecontempt Petition, original notice and Order to Appear and this Order to the defendant at the defendatn's last known address by regular mail and by Certified Mail, Return Receipt Requested.

3. If the Prothonotary believes that service has not been effected on the defendant the Prothonotary shall determine whether she shall serve all 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 PHF.

8
~B~

1992

1992

907

BRENDA J. BECKER

vs.

DONALD C.BECKER

Filed September 21, 1992
@ 10:23 am

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	32.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 21 day of September 19 92, upon review of the petition of Plaintiff, the Court entered 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 sole possession ofthe marital home and temporary physical custody of the minor children. The defendant may remove personal effects while sheriff or deputies are present
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for September 28, 1992 , at 3:30 P M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Sept. 22, 1992 Sheriff's Return filed. SERVED Donald C. becker personally on September 22, 1992 at 8;28 AM by handing him a copy of the Protection from Abuse at the residence, R.D. #1, Box 130, Springboro, Crawford County, PA.
So answers,

Shawn D. Ashbaugh, Deputy Sheriff
Dale A. collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Jan. 27, 1994 ORDER filed. AND NOW, January 27, 1994, the undersigned Judge has reviewed this file and finds that on September 21, 1992 the plaintiff is granted a temporary abuse order; that a hearing was held on September 28, 1992 before the Honorable Robert L.Walker; that it appears that Judge Walker did not dispose of the matter.

Since Judge Walker has now passed away and since a final protection from abuse order is valid for no more than one year (23 Pa.C.S.A. 6108 (b); since neither party has filed a motion to dispose of this matter; and since the plaintiff can, if new acts of abuse occur, seek new and additional protection from abuse, this action is dismissed.

The cost shall be absorbed and paid for by Crawford County.

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

1-28-94 Copy of Order to Atty.Walker, Pltf & Deft.

1992

908

LILLIAN CHATMAN

vs.

FRED JENKINS

Filed September 21, 1992
@ 11:39 am

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	25.00
Pro Co Pd 9/25/92	5.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 21 day of September, 19 92, upon review of the petition of Plaintiff, the Court entered 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 pla intiff shallhave exclusive possession of the marital home and temporary sole custody of the minor child.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for September 28, 1992 , at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Sept. 22, 1992 Sheriff's Return filed. SERVED Fred Jenkins per sonally on September 21, 1992 at 1:08 PM by handing him a copy of the Protectionfrom Abuse at his place of employment, Keystone Recycling, Dunham Road, Meadville, Crawford County, PA.
So answers,

Robert A. Fischer, deputy Sheriff
Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Sept. 25, 1992, Upon praecipe of plaintiff, this action is discontinued as the undersigned does not watn to proceed further with it.

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.

Continued on page 8

1992

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

909

MILDRED A. CUSTARD

vs.

DANIEL L. CUSTARD

Filed September 21, 1992
@ 11:38 am

Tax & entry paid	50.50
User's Fee paid	20.00
3 Add'l Counts paid	45.00
State paid	10.00
Pro Co Pd 4/15/93	9.00

COMPLAINT IN DIVORCE, EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION, COUNSEL FEES, EXPERT FEES, COSTS AND EXPENSES, ALIMONY, ALIMONY PENDENTE LITE
2 copies (atty)

Sept. 28, 1992 Affidavit of Service filed. I, James R. Irwin, Esquire, being duly sworn according to law, depose and say that I am the attorney of record, and as such say that I served a true and correct copy of the Complaint in Divorce certified by the Prothonotary of Crawford County, Pennsylvania on the above named Defendant by certified mail, addressee only, return receipt requested, dated September 21, 1992. The Defendant acknowledged service on September 25, 1992 by accepting delivery on that date as evidenced by the attached s igned return receipt.
James R. Irwin

Dec. 29, 1992 Answer to Complaint in Divorce filed.

Jan. 25, 1993 Inventory and Appraisement Of Daniel L. custard filed.

Apr. 14, 1993 Motion to Withdraw Count From Divorce Complaint and Order filed. AND NOW, this 14 day of April, 1993, upon presentation and consideration of the within Motion, Count 3 of Plaintiff's Complaint in Divorce is hereby withdrawn.
Anthony J.Vardaro, J.
Apr. 19, 1993 Copy of Order toAtty. Irwin.

Apr. 15, 1993, Affidavit of consent of plaintiff filed.

Apr. 15, 1993, Affidavit of Consent of defendant filed.

Apr. 15, 1993, upon praecipe of plaintiff attorney, to transmit the record, this case moved to court.

D I V O R C E D E C R E E F I L E D

April 23, 1993 AND NOW, this 22 day of April, 1993, it is ordered and decreed that **M I L D R E D A . C U S T A R D ,** plaintiff, and **D A N I E L L . C U S T A R D ,** Defendant, are divorced from the bonds of matrimony.

It is further ordered that the parties' Separation and Property Settlement Agreement dated April 6, 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.

Nov. 4, 1993 QUALIFIED DOMESTIC RELATONS ORDER filed. AND NOW, this 4 day of November, 1993, by agreement of the paraties, this Order is made to effect a Qualified Domestic Relations Order pursuant to the parties' Stipulation and Final Decree executed by the parties on the 6th day fo April 1993, and entered as a Final Divorce Decree on the 22nd day of April, 1993 in the Court of Common Pleas of Crawford Co., Pa. at AD 1992-909.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

1. A portion fo Defendant-Participant Daniel L. Custard's interest in the Fostermation Profit Sharing Plan be irrevocably assigned to Plaintiff-Alternate Payee, Mildred A. Custard, as herein provided by a Qualified Domestic Relations Order; and that

2. The last known name and mailing address of Defendant-Participant, Daniel L. Custard, is RD # 4, Box 282, Meadville, Crawford Co., PA. 16335;

3. Defendant-Participant has the Social Security Number of 163-36-5110;

4. The last known name and mailing address of Plaintiff-Alternate Payee, Mildred A. Custard, is RD # 1, Box 500, Conneaut Lake, Crawford Co., PA. 16316;

5. Plaintiff-Alternate Payee, Mildred A. Custard, has the Social Security Number of 207-32-2248;

6. The Pension Plan to which this Order applies is the Fostermation Profit Sharing Plan,as it now exists or is hereafter amended, and any successor plan ("Plan")

7. Fifty percent (50%) of the Account Balance of Defendant-Participant, Daniel L. Custard, in the Plan as of April 22, 1993 is hereby irrevocably assigned to Plaintiff-Alternate Payee, Mildred A. Custard, 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 Retiremer Equity Act of 1984;

8. Plaintiff-alternate Paye, Mildred A. Custard, 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, Daniel L. Custard, attains the earliest retirement age under the Plan or under Section 414 of the Internal Revenue Code, whichever is sooner, whether Defendant-Participant, Daniel L. Custard,actually retires or separates from service. Further, if for any reason Defendant-Participant, Daniel L. Custard, shall commence to receive or be entitled to commence receipt of his Account Balance under the Plan, then the Plaintiff-Alternate Payee, Mildred A. Custard'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, Mildred A. Custard, 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 said Plan, shall not require the Plan to provide increased benefits (determined on the basis of acturial 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;

Record Continued
To Page 34D

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

910

UNIVERSAL MORTGAGE CORP. OF WISCONSIN, Assignee of FIRST NATIONWIDE BANK, A.F. S.B., formerly known as FIRST NATIONWIDE SAVINGS, Assignee of COLONY FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION OF ERIE, successor by merger to FIRST FEDERAL SAVINGS AND LOAN OF ERIE

vs.

DOLAN T. LEGUARD, single and PHILLIP PRYSTALOSKY

Filed September 21, 1992
@ 11:52 am

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	31.00
Sheriff's Costs	25.00
Pro Pd 12/4/92	9.00
Pro Pd 2/3/93	5.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies Sheriff

Oct. 1, 1992 Sheriff's Return filed. SERVED Phillip Prystalosky personally on September 28, 1992 at 1:26 PM by handing him a copy of the Complaint in Mortgage Foreclosure at R.D. #6, Meadville, Crawford County, PA.
NOT FOUND as to defendant Dolan T. Leguard. He has moved to Ohio, exact address unknown.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Oct. 15, 1992 Petition For Alternate Service and Order filed. AND NOW, this 13 day of October, 1992 it appearing to the Court that the Sheriff has been frustrated in service of process, it is Ordered Adjudged and decreed that service of the Complaint and all subsequent documents upon all defendants be accomplished by ordinary mail by Plaintiff and by posting the property by the Sheriff in order to effect compliance with rule 400, et seq., and Rule 3129.1, et seq.
BY THE COURT,
Anthony J. Vardaro, J

OCt. 21, 1992 Copy mailed to Louis Vitti

Oct. 29, 1992 Complaint Reinstated.

Nov. 2, 1992 Certification of Mailing, I Louis P.Vitti, do hereby certify that service of the Compaint was accomplished by ordinary mail on the Defendant (s), Dolan T. Leguard, on October 30, 1992, as per the Order of Court dated October 13, 1992.
Oct. 30, 1992 Louis P. Vitti, Esquire

Nov. 10, 1992 Sheriff's Return filed. POSTED the mortgaged property of Dolan T. LeGuard and Phillip Prystalosky located AT Route 7, Eddy Street, Meadville, Crawford County, PA, on November 4, 1992, at 1:06 PM.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, Dec. 4, 1992, at 1:45 p.m. upon praecipe of plaintiff attorney, with military affidavit attached, Judgment is hereby entered in favor of plaintiffs and against the defendants for want of an answer; damages assessed in the sum of Twenty Four Thousand Nine Hundred Ninety Six and 12/100 Dollars, with int. and costs.
Judgment entered - 12/4/92
L - 34
P - 134

Debt ----- $ 24,996.12
JUDGMENT
Barbara H. King,
Prothonotary

EXECUTION 1992 - 108

Dec. 9, 1992, notice of entry of judgment mailed to each defendant

Jan. 8, 1993 AFFIDAVIT OF SERVICE OF NOTICE OF SALE, filed.

Feb. 3, 1993 Upon Praecipe of Plaintiff Attorney the above case marked settled and discontinue of record.

1992

Roeder & Rothschild
Richard W. Roeder

911

Blystone & Blystone
Curtis E. Blystone

MILTON PETTIT and DONNA PETTIT, his wife

vs.

DAVID L. STERLING

Filed September 21, 1992
@ 11:59 am

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	37.00

Pro Co pd 5-19-97 9 cc

COMPLAINT IN CIVIL ACTION - QUIET TITLE
1 copy (Sheriff)

Sept. 29, 1992 Sheriff's Return filed. SERVED David L. Sterling personally on September 24, 1992 at 11:54 AM by handing a copy of the Complaint to him at his residence, 155 Newland Avenue, Titusville, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Oct. 15, 1992 Answer, New Matter and Counterclaim filed.

Nov. 6, 1992 Answer to New Matter and Counterclaim filed.
Nov.6, 1992 Certificate of Service filed. The undersigned hereby certifies that a true and correct copy of the Answer to New Matter and Counterclaim has been served on this Fifth day of November,1992, by United State First Class Mail,postage prepaid, upon the following: Curtis E. Blystone, Attorney for Defendant.
Richard W. Roeder, Esq.

Nov. 25, 1992 Counter-Reply To New Matter filed.

May 24, 1994 Certificate of Service of Brief in Support of Motion for a Judgment on the Pleadings and Brief in Support of Motion for Judgment on the Pleadings filed.

May 24, 1994 Motion for a Judgment on the Pleadings on behalf of plaintiffs, filed.

Jul. 26, 1994 Motion forSummary Judgment as to Plaintiffs' Complaint against Defendant and Defendant's Counterclaim against Plaintiffs, filed.

Jul.26, 1994 Upon Praecipe Curtis E.Blystone, Esquire, Attorney for Defendant, the above captioned matter is placed on the next availabel argument list.

ON AUGUST, 1994 ARGUMENT LIST

Aug. 1, 1994 Upon Praecipe of Richard W. Roeder, Esq. Attorney for Plaintiff, Plaintiffs' MOtion for Judgment on the Pleadings as to Plaintiff's Complaint against Defendant is placed on the next available argument list.

ON SEPTEMBER, 1994 ARGUMENT LIST

Nov. 15, 1994 Memorandum and ORDER filed. AND NOW,November 10, 1994 it is ordered as follows, for the reasons set forth in the attached memorandum:
1. The plaintiffs' motion for judgment on the pleadings is denied.
2. The defendant's motion for summary judgment is denied.

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

11-15-94 Copies dist. Roeder & Blystone

Dec. 19,1994 Motion For Reconsideration of Defendant's Motion for Summary Judgment and Order, filed. AND NOW, this 19th day of December, 1994, upon presentation and consideration of the Defendant's Motion for REconsideration of Defendant's Motion for Summary Judgment, said Motion's denied.
By the Court,
Gordon R. Miller, P.J.

Dec. 20,1994 Faxed Blystone & Roeder

Mar 18, 1997 Motion for Judgment of Non Pros as to Plaintiffs' Complaint and for Judgment in favor of Defendant and against Plaintiffs as to Defendant's Counterclaim, filed.

Mar 18, 1997 ORDER: AND NOW, this 12th day of March, 1997, upon presentation and consideration of defendant David L. Sterling's Motion for Judgment of Non Pros as to Plaintiffs' Complaint and for Judgment in Favor of Defendant and Against Plaintiffs as to Defendant's Counterclaim, it is hereby Ordered that
(1) A rule is issued upon plaintiffs Milton Pettit and Donna Pettit, his wife, to show cause why the drfendant is not entitled to the relief requested therein;
(2) The rule is returnable for hearing and/or argument on the 10th day of April, 1997 in Court Room 1, Crawford County Courthouse, Meadville, Pennsylvania at 9:15 o'clock a.m., prevailing local time.
Gordon R. Miller, P.J.
Mar 18, 1997 Faxed Blystone & Roeder

Apr 16, 1997 ORDER AND NOW, this 15th day of April, 1997, upon presentation and after consideration of defendant David L. Sterling's Motion for Judgment of Non Pros as to Plaintiffs' Complaint and for Judgment in Favor of Defendant and against Plaintiffs as to Defendant's Counterclaim, and upon plaintiffs' consent to said Motion and the relief requested therein, it is hereby ORDERED and DECREED that plaintiffs Milton Pettit and Donna Pettit, his wife, and each of them, be and hereby are forever barred from asserting any right, lien, title or interest in or to the land described in paragraph 6 of the plaintiffs' Complaint, and also described in that certain deed recorded in Crawford County Record Book 113, Page 75, and that certain deed recorded in Crawford County Record Book 123, page 448, that is inconsistent with the interests or claims of defendant David L. Sterling as set forth in defendant David L. Sterling's Counterclaim; from impeaching, denying,or any way attacking defendant David L. Sterling's title to the property; from issuing or maintaining any action attacking such title and from encumbering, mortgaging or conveying the same or any part thereof unless the plaintiffs, or either 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 plaintiffs, or either of them, within thirty (30) days from and after the date hereof, the same shall become final and the prothonotary, upon praecipe of defendant David L. Sterling, shall enter final judgment.
Gordon R. Miller, P.J.
S - 45 JUDGMENT
Barbara H. King, Pro.
Apr 16, 1997 Dist Blystone

Cont on Pg. 347

12

1992

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

912

Mark E.Mioduszewski

MARK E. SUTLIFF

vs.

KOLB CONSTRUCTION CORPORATION

Filed September 21, 1992
@ 3:36 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sher;iff's Costs	40.50
Pro Co pd 1-9-95	6.00

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION
1 copy (Sheriff)

Oct. 1, 1992 Affidavit of Service filed. SERVED the wihtin Complaint on September 25, 1992, at 1110 hrs. upon Kolb Construction Corporation at 1703 Peninsula Drive, Erie County, Erie Pennsylvania by handing to Lenard Kolb, Vice President a true and correct copy thereof and made known to him the contents therein.
So answers, Robert N. Michel, Sheriff
Jeffrey s. guild, Deputy Sheriff

I hereby deputize the Sheriff of Erie County, Pennsyvlania to serve the within Complaint according to alw.
So answers, Robert M. Stevens, Sheriff

Oct. 7, 1992 Appearance of Mark E. Mioduszewski, Esquire for Kolb Construction Corporation, Defendant filed.

Nov. 2, 1992 Answer and New Matter filed.

Nov. 12, 1992 Reply To New Matter filed.

July 14, 1993 Motion to Amend Complaint and ORDER filed. AND NOW, this 14 day of July, 1993, upon consideration of Plaintiff's Motion to Amend his Complaint, said Motion is Granted. It is hereby Ordered that the Plaintiff's Amended Complaint attached as Exhibit A to the Motion to Amend Complaint is permitted and the original thereof shall be filed forthwith with the Prothonotary and a copy therof served forthwith on counsel for Defendant, Kolb Construction Corporation a/k/a Kolb Construction Company, Inc.

BY THE COURT:
Anthony J.Vardaro, J.

7-15-93 Copy of Order to Attys. Irwin, Millin & Mioduszewski.

July 14, 1993 Amended Complaint and Jury Trial Demanded, filed.

Aug. 4, 1993 Answer To Amended Complaint and New Matter filed.

Nov. 1, 1993 Notice of Intent to Complete Discovery, filed.

Jan. 4, 1995 Upon praecipe of plaintiff attorney the above matter is settled and discontinued with prejudice of record.

1992

Ferguson & Spataro
Douglas W. Ferguson

913

THEODORE L. WALCZAK

vs.

WANDA E. WALCZAK

Filed September 22, 1992
@ 1:38 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 1/26/93	9.00

COMPLAINT IN DIVORCE
1 copy (atty)

Oct. 14, 1992 Affidavit of Service filed.

Jan. 26, 1993 Affidavit of Consent of Plaintiff filed.

Jan. 26, 1993 Affidavit of Consent of Defendant filed.

Jan. 26, 1993 Upon praecipe of Plaintiff Attorney, the above case is moved to Court.

DIVORCE DECREE FILED

Feb. 2, 1993 AND NOW, January 26, 1993, it is hereby ordered and decreed that **THEODORE L. WALCZAK**, plaintiff, and **WANDA E. WALCZAK**, 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.

1992

Pepicelli, Youngs and Youngs, PC
Andrew S. Bacallao

Lisa Pepicelli Youngs

914

Stranahan, Stranahan & Cline
James A. Stranahan, IV

ROSE TAGLIAFERRI

vs.

JOSEPH F. TAFLIAFERRI

Filed September 22, 1992
@ 2:00 PM

Tax & entry paid	50.50
User's Fee paid	20.00
3 Add'l Counts paid	45.00
State paid	10.00
Pro.Co.pd 7/21/94	9.00
Pro Co pd 8-2-94	5.00

COMPLAINT IN DIVORCE, ALIMONY PENDENTE LITE, COUNSEL FEES, EXPENSES AND COSTS, EQUITABLE DISTRIBUTION, ALIMONY
3 copies (atty)

Sept. 28, 1992 Proof of Service filed. I hereby certify that a copy of Complaint in Divorce was served upon the Defendant, Joseph F. Tagliaferri, by mailing the same to him at 162 Walnut Street, Meadville, PA 16335, by Certified Mail, Addressee Only, Return Receipt Requested, Number P 228 802 936. Complaint was received on September 23, 1992, signed receipt attached hereto as Exhibit "A". Andrew S. Bacallao

Mar. 15, 1993 Certificate of Service of Interrogatories filed.

JUn. 30, 1994 Affidavit of Consent by Rose E. Tagliaferri, Plaintiff, filed.

Jun. 30, 1994 Affidavit of Consent by Joseph F. Tagliaferri, Defendant, filed.

Jul. 21, 1994 Post-Nuptial Agreement, filed.

Jul. 21, 1994 Stipulation and Decree, filed.

July 21, 1994 Upon Praecipe of Lis Pepicelli Youngs, Esquire, Attorney for Plaintiff to transmit record, case moved to Court.

DIVORCE DECREE FILED

AND NOW, this 1st day of August, 1994, the Court orders and decrees as follows:

1. DIVORCE:

Upon consideration of the pleadings and affidavits filed in the above-captioned case, this Court hereby grants an absolute divorce from the bonds of matrimony to the above-named parties, on the grounds that the marriage is irretrievably broken and the parties have each filed affidavits of consent.

2. PERSONAL PROPERTY:

Wife shall assign to husband all of her right, title and interest to any and all household goods located at 162 Walnut St., Meadville, PA., excepting only two beds which shall remain property of Wife, and excepting that if the refrigerator, stove, washer and dryer, if not sold with the marital home, shall be sold separately and the proceeds divided equally between the parties.

3. REAL ESTATE:

Husband shall have the right to occupy the premises at 162 Walnut St., Meadville, PA., pending sale of said home. Said home shall continue to be listed with a reputable realtor at all times hereafter, and any offer over $40,000.00 shall be accepted. Husband shall pay within thirty (30) days after due 1) all real estate taxes, state, county, municipal and local charges, assessments and monetary impositions of whatever nature, sewer rents and charges, plumbing, heating, air conditioning, electrical license and inspection fees or other charges; 2) insurance with all perils coverage in amount equal to the replacement value, and public liability and property damage of not less than $300,000.00 per person; 3) all costs of natural gas, electricity, water and sewer, oil and other heating and air conditioning charges, license, inspection fees and other charges; 4) all cost of exterior painting, repairs, replacements, restorations, structural and non-structural, necessary to maintain the building, fixtures and improvements on the property (but not including interior decorating), in good condition. Husband shall pay any and all other expenses of such property, and shall maintain the premises in a condition equivalent to that which exists on the date hereof. Husband shall defend, indemnify and hold Wife harmless from any such liability or obligation. Upon closing of sale, balance due to the Redevelopment Authority of the City of Meadville by reason of rehabilitation deferred loan shall be paid in full.

3. SUPPORT:

Husband shall pay to Wife the sum of $240.00 per month on or before the fifth (5th) day of each month, by delivery of a cashier's check for the same and currently in a form that will be free of taxes to Wife. Husband shall not claim a deduction for said payments on his income tax returns nor assert any position as would attempt to create liability for Wife for the payment of income tax thereon.

4. TAX RETURNS:

Husband and Wife shall file separate tax returns for calendar year 1994, and if any refund results, the refund shall be the sole property of the person whose return generated said refund.

5. LIABILITIES:

Each party shall defend, indemnify and hold the other harmelss from all debts, charges and liabilities incurred prior to or after the date hereof.

6. LEGAL FEES:

Each party shall be responsible for her or his own counsel fees, costs and expenses.

7. MUTUAL RELEASE:

Each party shall release and discharge the other and the estate of each other, from any and all rights, titles, and interests or claims in or against the property of the other or against the estate of such other, as more specifically set forth in Paragraph 13 of a Post-Nuptial Agreement dated June 28, 1994, between the parties.

8. OTHER DOCUMENTATION:

Each party shall forthwith and within thirty (30) days after demand therefor execute any and all writings as may be necessary or desirable for the proper effectuation of said Post-Nuptial Agreement.

9. WAIVER OF FILING OF DOCUMENTS:

Neither party hereto shall require the other party hereto to update an inventory and appraisement or income and expense statement as each party is satisfied with the knowledge he or she now has.

10. DECREE NOT TO BE CONSTRUED AGAINST DRAFTING PARTY:

This Decree is the product of extended negotiation between the parties, through respective counsel. No provision herein shall be construed against or in favor of either party by reason of the identity of the scrivener.

BY THE COURT,
Gordon R. Miller, J.

Aug. 2, 1994 Notice of Election to Retake Maiden Name, filed. **ROSE TAGLIAFERRI** to be known as **ROSE DEBaise**.

Continued on page - 14A -

Rose Tagliaferri, now known as Rose E. DeBaise

vs.

Joseph F. Tagliaferri

Record continued from page 14

of record

A.D. 1992 - 914

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Oct. 14, 1994 Motion To Amend Decree and Amended Decree filed. AND NOW, this 6th day of October, 1994, it is hereby ORDERED and DECREED that the Decree entered on August 1, 1994, be amended to include the following Paragraph 3. All other paragraphs in the August 1, 1994, Decree are to remain the same.

3. SUPPORT:

Husband shall pay to Wife the sum of $240.00 per month on or before the fifth (5th) day of each month, by delivery of a cashier's check for the same and currently in a form that will be free of taxes to Wife. Husband shall not claim a deduction for said payments on his income tax returns nor assert any position as would attempt to create liability for Wife for the payment of income tax thereon. Husband shall make support payments through the Domestic Relations Section of Crawford County.

BY THE COURT,
Gordon R. Miller, J

10-17-94 Faxed Youngs and mailed Stranahan

Oct. 14, 1994 Order filed. AND NOW, October 13, 1994, the Court signed an amended decree pursuant to a motion to amend filed by the Plaintiff with an attached Stipulation signed by both parties. The wording of the Stipulation and the woring of the amended Decree are slightly different. The Court is not certain whether the parties especially the defendant, where aware of the exact wording of the amended decree then they signed the Stipulation.

Therefore a true and correct copy of the Amended Decree shall be served upon the defendant forthwith by counsel for the Plaintiff. A copy of this Order shall also be served by plaintiff's counsel on the defendant forthwith. If the defendant finds that the amended decree contains language that he did not agree to then he shall have ten (100 days from the date of service upon him of this Order in which to file a motion, under motion rules, to have the amended decree vacated. After that the amended decree shall become a final decree.

BY THE COURT,
Gordon R. Miller, J

10/17/94 Faxed Youngs and mailed Stranahan

Oct. 21, 1994 Proof of Service filed. I hereby certify that a copyof Amended Decree and Order was served upon the Defendant, Joseph F.Tagliaferri,by mailing the same to him at 162 Walnut Street, Meadville,Pa. 16335,by Certified Mail, Return Receipt Requested Number Z 439 574 227. Said Amended Decree and Order were received on October 18, 1994, signed receipt attached hereto as Exhibit "A".

Date: October 21, 1994

By Lisa Pepicelli Youngs, Attys. for Plaintiff

1992

Murphy, Taylor &
Trout, P.C.
Gary D. Bax

915

ROYAL INSURANCE COMPANY OF AMERICA

vs.

BARRY SPEREGEN

Filed September 23, 1992
@ 8:34 AM

Tax & entry paid 50.50
User's Fee paid 5.00

PETITION FOR ISSUANCE OF SUBPOENA DUCES TECUM

ORDER:

AND NOW, to-wit, this 23 day of September, 1992, upon notice and hearing on the Royal Insurance Company of America's Petition for Issuance of subpoena Duces Tecum, the following is ORDERED, ADJUDGED and DECREED:

1. The Prothonotary of Crawford County is authorized to issue a Subpoena Duces Tecum compelling the Custodian of Records c/o Bank Service, Inc., 101 North Second street, Titusville, Pennsylvania 16354 to attend a deposition and produce the following documents and things: Entire file of Bank Services, Inc. on Katherine M. Hart Lease Number: HA086644 Regarding: 1988 Mercedes VIN Number: WDBBA48D1JA086644 INcluding, but not limited to: (1) All documentation referencing th elienholder ando wner of the vehicle; (2) All documentation referencing insurance for the vehicle and Katherine M. Hart; (3) All documentation regarding the leasing of the vehicle to Katherine M. Hart; (4) All documentation regarding repossession and resale of the vehicle; (5) All documentation referencing any deficiency judgments against Katherine M. Hart; (6) All documentation referencing notification of the lapse of insurance coverage for the vehicle. (7) The entire file.

Anthony J. Vardaro, J

Sept. 23, 1992 Affidavit of Service and Notice of Argument filed.

16

1992

Brian J. Lindsay

916

ANITA UHLIG

vs.

ROBERT ERNEST UHLIG

Filed September 23, 1992
@ 10:13 AM

Indigent Filing

Indigent Filing
John Fuller, Mediator 150.00

COMPLAINT FOR CHILD CUSTODY

1 copy (med.)
3 copies Atty.

ORDER:

You, Robert ERnest Uhlig , have been sued in Court to obtain custody of Cristopher Daniel Uhlig

You are Ordered to appear for a hearing before John Fuller Child Custody Mediator, at such time and place as he shall designat e

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

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

Court Administrator
Crawford County Courthouse
Meadville, PA 16335
Telephone: 814-336-1151
ext 298

BY THE COURT,
Gordon R. Miller, J

Date: 9-25-92

ORDER:

AND NOW, this 23 day of September, 1992, plaintiff is permitted to proceed In Forma Pauperis without the necessity to pay the filing fee or the initial deposit for the appointment of a child custody mediator.

Anthony J. Vardaro, J

Oct 6, 1992 AFFIDAVIT OF SERVICE filed. I, Brian J. Lindsay, Esq., after being duly sworn according to law, do hereby certify tha tI 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 September, 1992, send to the above named Defendant, by Certified Mail, Return Receipt Requested, a true and correct copy fo the Complaint for Child Custody filed at the above term and number; and that I did on the 3rd day of October, 1992, receive a duly executed return receipt dated October 2, 1992.

Nov. 6, 1992 ORDER filed. AND NOW, November 5, 1992, after mediation conference before John Fuller, Esq., IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Cristopher Daniel Uhlig 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 shcool 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 Cristopher Daniel Uhlig 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 from time to time for day visits, provided that the father shall give the mother at least forty-eight hours notice of the proposed visit and provided ans such visits shall take place at the home of the father's mother, Goldie Uhlig, in Crawford County.

B. Holidays shall be defined as Christmas, Easter and Thanksgiving. Custody of the child shall be shared on the aforesaid holidays and in the absence of an agreement to the contrary, the child shall be in the custody of the mother on the aforesaid holidays until 1:00 p.m. and in the custody of the father on the aforesaid holidays from 1:00 p.m. until 6:00 p.m. All holiday visits shall take place in Crawford County, at the home of the father's mother, Goldie Uhlig.

C. Beginnign in February of 1993, the father shall be entitled to have the child in his custody one week end a month, provided: (1) The mother is able to inspect the residence in McKeesport where the child will be taken, and (2) the current child abuse investigation involving the father is "unfounded." The hours of the week end visits shall be from 10:00 a.m. on Saturday until 6:00 p.m. on Sunday. Unless the parents agree otherwise, the week end visits shall be the weekend in which the first Saturday falls. Therefore, the first visit will begin on Feb. 6, 1993 unless the mother and father agree otherwise.

D. Transportation of the child on week ends, holidays and Summer visits shall be provided as follows: The mother shall provide all transportation on Crawford County visits to and from the home of the paternal grandmother. The father shall provide all transportation on week end visits to McKeesport.

E. Neither mother nor father shall say or do anything in an attempt to turn the child 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 child towards both parents.

F. Neither mother nor father shall expose th 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 witha current telephone munber.

H. The father shall not consuem alcohol when the child is in his custody and both parents shall see that there are approved seat restraints when transporting the child.

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

IV. Cost of the mediation conference shall be paid by Crawford County inasmuch as neither party is presently employed.

Gordon R. Miller, P.J.

Nov. 13, 1992 copy to B. Lindsay, R. Uhlig, J. Fuller, Plf. & Dft.

Mar. 26, 1993 Petition to Suspend Custody and Visitation and Rule to Show Cause, filed. RULE: AND NOW, March 25, 1993, upon presentation fnd consideration of the foregoing Petition, a Rule is entered upon the Defendant to show cause, if any he has, why the prayer of the Plaintiff should not be granted.

THIS RULE IS RETURNABLE ON April 8, 1993, in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pa. at 1:30 P.M.

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

Mar 30, 1993 copy to B. Lindsay & Dft.

Apr 8, 1993 Affidavit of Service, filed.

Anita Uhlig

vs.

Robert Ernest Uhlig

Record continued from page 16

of record

A.D. 1992 - 916

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Apr. 12, 1993 Order filed. AND NOW, April 8, 1993, this matter is before the Court on the Plaintiff's Petition to Suspend Custody and Visitation filed on March 22, 1993.

The plaintiff appears with counsel and the defendant appears pro se. He is currently incarcertate in the Crawford County Jail.

After informal hearing, the defendant indicates that he is willing to go along with the request of the plaintiff, and accordingly, it is ordered that all visitation and/or partial custody awarded to him with respect to an Order of November 5, 1992 is suspended, except that the derfendant may send letters and card to the child, Christopher Daniel Uhlig.

This Order is without prejudice to the defendant to petition the Court for further visitation and/nor partial custody rights in the future should be circumstances change.

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

Apr. 12, 1993 copies given to Lindsay, defendant @ C.C. Jail

16
B

1992

1992

Cusick, Madden, Joyce & McKay
James E. Douglas

917

Dickie,McCamey & Chilcote
David M. Neuhart

JANICE L. STEWART and JIMMY G. STEWART, wife and husband

vs.

BRIAN MATTHEW AYLSWORTH

Filed September 23, 1992
@ 1:05 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	28.00
Pro Co pd 10-12-95	6.00

JURY TRIAL DEMANDED

WRIT OF SUMMONS
Issued Sheriff .

Oct. 7, 1992 Notice of Service of Plaintiff's First Request For Production of Documents filed.

Oct. 7, 1992 Plaintiff's First Request for Production of Documents filed.

Oct. 7, 1992 Writ Return filed. SERVED Brian Matthew Aylsworth personally on October 1, 1992 at 3:40 PM in the Sheriff's Office, Crawford County Courthouse, Meadville, PA, by handing him a copy of the Summons.
So answers,
Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

October 21, 1992 Appearance of Dickie, McCamey & Chilcote By David M. Neuhart, attorney for defendant filed.

May 16, 1994 Complaint on behalf of plaintiffs filed.

May 17, 1994 Certificate of Service of Plaintiffs' Expert Interrogatories Propounded Uopn the Defendant, Brian Matthew Aylsworth filed.

May 17, 1994 Certificate of Service of Plaintiffs' Interrogatories Directed to the Defendant, Brian Matthew Aylsworth filed.

May 20, 1994 Certificate of Service filed. I, JAMES E. DOUGLAS,ESQUIRE, do hereby certify this 19th day of May, 1994, that I personally served the NOtice of Deposition of Breain Matthew Aylsworth in the above-captioned matter by regular first class mailto the persons set forth below:
David M. Nuehart, Esquire
DICKIE, McCAMEY, & CHILCOTE
Suite 400, Two PPG Place
Pittsburgh, PA 15222-5402

Evelyn S. Perry
Court Reporter
P.O.Box 178
Girard,OH 44420

James E. Douglas,Esquire

June 1, 1994 Certificate of Service of Plaintiffs' First Request for Admissions, filed.

Jun. 14, 1994 Answer and New Matter of Defendant, Brian Matthew Aylsworth, to Plaintiffs' Complaint, filed.

June 30, 1994 Notice of Intent ot Complete Discovery, filed.

Jul. 5, 1994 Notice of Service of Defendant, Brian Matthew Aylsworth's Answers to Plaintiffs' First Set of Interrogatories, filed.

July 3, 1995, Notice of Intent to Complete all Discovery filed. (on behalf of plffs.)

July 24, 1995 Certificate of Service of Notice of Deposition of James R. Macielak, M.D. filed.

Sep. 7, 1995 Certificate of Readiness filed.

On February, 1996 Trial List

Oct 3, 1995 Upon praecipe of plaintiff attorney this civil action is marked settled and discontinued of record.

R. Christopher Brode

918

MELISSA BURNETT

vs.

MARTIN DAVIS

Filed September 23, 1992
@ 1:10 PM

Tax & entry 10-2-92	50.50	✓
User's Fee 10-2-92	5.00	
Sheriff's Costs	25.00	
Pro Se Pd 10-2-92	9 02	✓

10-2-92 Received from deft Sheriff's Costs 25.00

10-2-92 Paid Sheriff Ck# 7092 25.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 23 day of September 19 92, upon review of the petition of Plaintiff, the Court entered 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 joint residence pending further order of court. The plaintiff shall also have exclusive physical custody of the minor child pending further order of court.

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

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

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

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

7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.

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

Hearing is here by set for September 30, 1992, at 3:30 P.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Sept. 23, 1992 Sheriff's Return filed. SERVED Martin Davis personally on September 23, 1992 at 2:30 PM at Crawford County Jail, 360 Center Street, Meadville, PA
So answers,
Diane Severo, Deputy Sheriff
Robert M. Stevens, Sheriff

Oct 1, 1992 ORDER field. AND NOW, Sept. 30, 1992, this matter is before the Court on a petition for relief under the Protection From Abuse Act filed by the Plaintiff. The Plaintiff appears represented by counsel and the Defendant appears without counsel. He is advised of his right to counsel and in light of the fact the parties have reached an agreement he indicates that he will proceed without counsel.

The following Order is entered without admission on the part of the Defendant with respect to the facts alleged in the petition:

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 joint residence of the parties and the Defendant shall not go to the residence at any time except as set forth specifically in this Order.

3. The Defendant is advised that if he is invited to the residence of the Plaintiff at any other time he should not go to tht residence insofar as it shall be presumed that he is in violation of this Order. If he desires to go to the residence and the Plaintiff desires to have him at the residence, the parties shall ask the Court to modify this Order before he goes to such residence.

4. Notwithstanding this Order, the Defendant may go to the joint residence for the purpose of obtaining his personal property for a period of approximately 2 hours at a time to be reasonably determined between the parties.

That personal property shall include:

1. A two-piece mauve leather living room set.
2. A twenty-five inch portable television.
3. A twenty-five inch floor model television.
4. A dresser.
5. Nintendo games and the Nintendo system.
6. A stereo system (complete).
7. A computer stand or desk.
8. Such other stereo equipment as the Defendant owns.
9. A kitchen table and chairs which are stored in the basement of the joint residence.

5. The Plaintiff shall have physical custody of the minor child pending any further Order of Court and pending further Order of Court the Defendant shall have visitation with the minor child upon 24 hour notice to the Plaintiff from 6:00 p.m. to 9:00 p.m. Monday through Friday. Said visitation shall occur at the home of the parental grandparents, Minnie and Bob Henderson at 1223 South Main St., and during such visitation the Defendant shall not remove the child from Crawford County.

6. When said visitation accurs, the Defendant shall not go to the door of the Plaintiff but shall remain outside and the child will be brought out to the Defendant at the beginning of his visitation. At the end of each visit the Plaintiff will go to the Defendant's parents' home and regain physical custody of the child.

7. The Defendant shall not go to the place of employment of the Plaintiff or any place where she is receiving educational training or any other type of training at any time during

Continued on Page 18A

1992

MELISSA BURNETT
VS.
MARTIN DAVIS

CONTINUED FROM PAGE 18
of Record
A. D. 1992 - 918

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8. The Defendant shall only call the residence of the Plaintiff to discuss visitation and shall be permitted to write to the Plaintiff by United States Mail. Any such telephone contact or mail contact shall not in any way contain threatening or abusing or harassing language.

9. The Defendant shall pay costs in this matter in the amount of $89.50 to the Prothonotary of Crawford County on the first floor of the Courthouse in Meadville, Pa. One-half of that amount shall be paid forthwith and the balance shall be paid by the close of business at 4:30 p.m. on Friday, Oct. 2, 1992.

10. This Order shall remain in full force and effect through Sept. 29, 1993.

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

2 copies (Brode) 1 copy (dft.) 1 copy (Co Ctrl.) 1 copy MPD

18
-b-

1992

1992

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

919

JAMIE L. HENDERSON

vs.

BRIAN T. HENDERSON

Filed September 23, 1992
@ 1:34 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
STate paid	10.00
Pro.Co. pd 1/29/93	9.00

COMPLAINT IN DIVORCE, CUSTODY
1 copy (atty)

Oct. 13, 1992 Acceptance of Service filed. I, Brian T. Henderson, do hereby accept service ofthe Notice to Defendant and Claim Rights and the Complaint in Divorce, filed in the above matter and the Waiver of Rights Under the Soldiers and Sailors Civil Relief Act this 5 day of Oct., 1992.

Brian T. Henderson

Oct. 13, 1992 Waiver of Rights Under Soldiers & Sailors Civil Relief Act filed.

Oct. 15, 1992 Stipulation and Order filed. AND NOW, this 15 day of October, 1992, the parties hereto having stipulated and agreed, it is hereby ordered and decreed as follows:

1. The custody ofthe minor ch idlren of the parties, Zachary O. Henderson, date of brith, September 14, 1987, and Zoeneya N. Henderson, date of birth, April 12, 1989, is an sshall remain shared and joint, legal and physical custody.

2. The primary physical custody of the chidlren is and shall rema with plaintiff mother, Jamie L. Henderson.

3. Defendant father, Brian T. Henderson shall have the right to take the children into his physical custody whenever he is locally available to take the chidlren into his physical custody on reasonable notice to the mtoher. It is anticipated that all such physical custody by the father shall occur while he is present in this area and remove them to another location without the prior consent of the mother.

4. In the event that either of the parties hereto shall at sometime in the future desire to have a modification of this order, either may petition this court for a modification hearing and that without establishing a substantial change of circumstances.

5. Neither party shall take the children in to any environment which might commonly be thought of as detrimental to his or her development or to the development of his or her character or as dangerous to his or her physical person.

6. Each of the parents, and any adult coming into regular contact with the children shall teach the children, Zachery O. Henderson and Zoeneya N. Henderson, to develop and express that natural love and respect that a child is entitled to have for a parent. Neither of the parents (nor anyone coming into regular contact with the children) will do or say anything to blacken the character of either parent in the eyes fothe children.

Anthony J. Vardaro, J

Oct. 21, 1992 Copies of order mailed to Atty. Gamble

Jan. 28, 1993 Affidavit of Consent of Plaintiff filed.

Jan. 29, 1993 Affidavit of Consent of Brian T.Henderson, Defendant, filed.

Jan. 29, 1993 Upon Praecipe of Plaintiff Attorney to transmit record, case moved to Court.

FINAL DIVORCE DECREE FILED.

Feb. 3, 1993, it is ordered and decreed that Jamie L. Henderson, plaintiff and Brian T. Henderson, defendant, are divorced fromthe bonds of matrimony.

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

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

20

1992

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

920

Mary Ann Kirkpatrick

ROSEMARY NACHMAN

vs.

JAMES PAUL NACHMAN

Filed September 23, 1992
@ 1:44 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00
master dep'd 5-10-95	250.00
David Pickens, Master	
Pro.Co.Pd 10/4/95	9.00

9-20-95 Rec'd from Plf ck Rep $ filing + cl (master) 22.50

4-3-96 Rec'd from dft master's check for 22.50

4-3-96 Pd Larraine Dallas # 9869 45.00

COMPLAINT IN DIVORCE, ALIMONY, ALIMONY PENDENTE LITE,
COUNSEL FEES, COSTS AND EXPENSES, EQUITABLE DISTRIBUTION
1 copy (atty)

Oct. 14, 1992 Appearance of Mary Ann Kirkpatarick for Defendant filed.

Oct. 19, 1992 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 practive law in the Commonwealth of Pennsylvania and that on September 28, 1992, she sent a certified copy of the Complaint in Divorce to the Defendant, James Paul Nachman, by certified mail, restricted delivery, return receipt requested to the Defendant at the box 229, Townville, Pennsylvania 16360, the Defendant's last known address. Ann Hansen Gamble

Oct 29, 1992 PLAINTIFF'S MONTHLY INCOME AND EXPENSE, filed.

Oct. 29, 1992 INVENTORY OF PLAINTIFF, filed.

Nov. 9, 1992 Notice and Affidavit Under Section 3301 (d) of the Divorce Code filed.

Mar. 8, 1993 Motion for Hearing and Order filed. AND NOW, this 8th day of March, 1993, the 2nd day of June, 1993 at 9:00 o'clock a.m. is hereby set as the time and date for hearing the plaintiff's claim for alimony pendente lite, counsel fees, costs and expenses. FOR THE COURT,
Ann A. Walker, C.A.

Mar. 11, 1993 Copies of order to Atty's Gamble and Kirkpatrick

June 2, 1993 Order filed. AND NOW, June 2, 1993, at the time fixed for hearing on the Plaintiff's request for alimony pendente lite, counsel fees, costs and expenses, both parties appeared with counsel and entered into an agreement that avoids the necessity of a hearing. Based upon the agreement of the parties, it is ORDERED as follows:

1. The Defendant at his own cost and expense will obtain an opinion froma qualified real estate appraiser as to the fair rental value of the marital residence. That shall be obtained within forty-five (45) days from this date and shall be in writing. A true and correct copy of the written opinion shall be furnished to counsel for the Plaintiff immediately after it is received by the Defendant.
2. The Defendant at his own cost and expense shall hire a qualified appraiser to appraise and place a value on the household goods and contents inthe marital residence and also marital propertyin the control and possession of the Plaintiff at her residence. The Plaintiff and defendant shall arrange an appropriate time when the appraiser can come to the Plaintiff's residence for the purpose of appraising and valuing marital property in her possession. This shall be done within forty-five (45) days and shall be in writing. A true and correct copy of the written opinion and appraisal shall be furnished to counsel for the Plaintiff immediately after it is received bythe Defendant.
3. The Plaintiff desires to file a motion for the appointment of a Master. She may do so in accordance with the Rules. Any deposit required by the Court to secure the payment ofthe Master's fee and other expenses in connection with the Master's proceedings shall be paid and deposited by the Defendant. The Master or the court will ultimately apportion responsibility for the Master's fees and expenses of the Master's proceedings.
4. The Plaintiff is continuing generally her claim for alimony pendente lite and counsel fees without prejudice to seek those items in a later proceeding or before the Master or the Court. No disposition of those items is made now.
5. Within forty-five (45) days from this date the defendant shall provide a true and accurate list of all marital debts which said list shall include the names of all creditors, the principal balance fothe indebtedness as of the date of separation, the principal balance as of the itme the list is provided and the amount of the monthly payment that is required on each debt.
6. The Defendant shall file, to the extent required by the rules, an inventory and appraisement and income and expense statement within thirty (30) days form this date. The fact that he will be filing those within thirty (30) days form this date shall not delay the appointment of a Master.

BY ORDER OF THE COUR[illegible]

June 3, 1993 Copies dist. to Kirkpatrick and Gamble.

June 8, 1993 Plaintiff's Amended Monthly Income and Expense Statement filed.

July 9, 1993 Income and Expense Statement of James Paul Nachman, filed.

May 15,1995 Motion for Appointment of Master in Divorce and ORDER APPOINTING MASTER filed. AND NOW,May 12, 1995,David Pickens,Esquire, is appointed master with respect to the following claims: alimony, equitable distribution, counsel fees,costs and expenses.
Deposit required: By Plaintiff $250.00 ByDefendant $ _____
If not filed already the parties are ordered to file their pretrial statements within thirty (30) days from this date. Per Curiam,
Gordon R.Miler,Judge

Received of Plaintiff $250.00;
5-16-95 Faxed Gamble, Kirkpatrick & Pickens

May 26, 1995 Notice of Scheduled Pre-Hearing Conference, filed.

Jun. 6, 1995 Notice of Scheduled Master's Hearing, filed.

Jul.28, 1995 Notice of Scheduled Master's Hearing, filed.

Aug. 22, 1995, Pre-Trial Narrative Statement filed.

Sept. 12, 1995, Notice of Filing Master's Report filed.

Sept.

Continued on Pg 920A

1991

Record continued from page 920 (Nachman vs. Nachman) No. AD 1992 - 920

Sept. 12, 1995, MASTER'S REPORT AND RECCOMMENDATION filed.

Oct. 4, 1995 Upon Praecipe of Mary Ann Kirkpatrick, Esquire, Attorney for Defendant, to transmit record, Case moved to Court.

Oct. 17, 1995 FINAL DECREE filed. AND NOW, October 16, 1995, it is Ordered, adjudged and decreed as follows:
1. The parties hereto are divorced from the bonds of matrimony.
2. Wife shall receive or retain the following items from the list of marital property:
Personal property in her possession
Motor Vehicle already distributed to her
Bank account titled in her name
Life insurance policy titled in her name

Husband will convey to her from his possession:
$5,000 from his Brooks Drug 401(k), pursuant to an appropriate QDRO,
which will be placed in a similar retirement account in wife's name
3. Husband shall receive or retain the following items from the list of marital property:
Marital Residence
Motor vehicle already distributed to him
Personal property in his possession or at the home of his parents
Bank account titled in his name
Any life insurance policies titled in his name
Brooks Drug 401(k), except to extent he transfers $5,000 to wife
4. Husband will pay wife $15,000 in exchange for her release of all interest in the marital residence. He will ensure that she is removed as a liable party on any debt secured by the marital residence and hold her harmless with respect to any such debt. The payment will be delivered within 70 days following the entry of a final decree of divorce in this matter.
5. The exchange of 401(k) funds set forth above will occur in due course following the entry of a final decree of divorce in this matter. It is wife's responsibility to prepare an appropriate Qualified Domestic Relations Order to accomplish this transfer and ensure non-taxability of the distribution.
6. The parties will share equally in any costs for this divorce action not already paid.
7. The parties will execute any and all documents necessary to effectuate this agreement.
8. Husband assumes liability for all marital debt secured. To the extent necessary, he will ensure that wife is removed as a liable party with respect to any such debt and will hold wife harmless for all debt he has assumed under this paragraph.
9. The parties waive any claims they may have for alimony, alimony pendente lite, counsel fees, costs and expenses.
10. From the Master's Deposit already paid, the Prothonotary is directed to pay $45 to Lorraine Dallas, Reporter, forthwith.
11. The parties are each directed to pay $22.50 to the prothonotary as reimbursement of the Reporter's Fee, forthwith and before any divorce decree is released to them.
12. The parties assume responsibility for payment of their own attorney fees and costs and expenses to the extent not provided for herein. To the extent costs have been paid before this date, the party so paying will be responsible for such payment, including but not limited to payments of alimony pendente lite or spousal support, counsel fees, court costs and the master's deposit. The parties waive any claims they may have to the extent no provided for herein.
13. All claims raised in the pleadings which are not specifically dealt with herein are deemed denied.
BY THE COURT:
Anthony J. Vardaro, J.

March 30, 1998 STIPULATION and QUALIFIED DOMESTIC RELATIONS ORDER, filed. The following order is hereby approved:
1. This order shall apply to the Hook-SuperX Inc. Savings and Profit Sharing Plan and shall be directed to the Plain Administrator of the Hook-SuperX Inc. Savings and Profit Sharing Plan at
2. The Plan Participant covered by this order is James P. Nachman, Box 229, Townville, PA. 16360, whose Soc. Security Number is 200-34-7425, and whose date of birth is June 9, 1943.
3. The alternate payee covered by this order is Rosemary Nachman, 38464 Mystic Park Road, Centerville, PA. 16404, whose Soc. Sec. Number is 197-38-1071, and whose date of birth is Feb. 5, 1946.
(SEE PAPERS FILED).

BY THE COURT:
Gordon R. Miller, J.

Date: March 27, 1998
March 30, 1998 FAXED Attys. Kirkpatrick, Gamble.

July 8, 1998 STIPULATION AND AMENDED QUALIFIED DOMESTIC RELATIONS ORDER FILED: THE FOLLOWING ORDER IS HEREBY APPROVED:
1. This order shall apply to the 401(K) Profit Sharing Plan of CVS Corp and Affiliated Companies and shall be directed to the Plain Administrator of the 401(k) Profit Sharing Plan of CVS Corp and Affiliated Companies.
2. The Plan Participant covered by this order is James P. Nachman, Box 229, Townville, PA 16360 whose Social Security No. is 200-34-7425, and whose date of birth is June 9, 1943.
3. The alternate payee covered by this order is Rosemary Nachman, now by marriage Rosemary Archer 38464 Mystic Park Rd, Centerville, PA 16404 whose social Security No. is 200-34-7425, and whose date of birth is June 9, 1943.
4. This order shall apply to $5000.00 of the Participant's account balance in the Plan as of September 12, 1995 and all earnings accrued on such amount beginning on such date and ending on the date of distribution. The balance, if any, of the Participant's account balanace as of foregoing date and all arnings thereon shall remain the sole property of the participant and shall not be subject to this order.
5. The sum shall be paid into and segregated into s separate account by Plan Administrator, solely under the name of the Alternate payee and shall be the Alternate Payee's sole and separate property. The alternate Payee shall have the right to elect to withdraw funds the Plan on or after the date on which Participant becomes eligible to receive a distribution form the Plan or on or after the date Participant attains or would have attained the earliest retirement age as that term is defined by Section 414(p) of the Internal Revenue Code of 1986 except as expressly provided herein the rights of the participant and the Alternate Payee with respect to the payment of benefits shall be determined under the provisions of the Plan.
6. The Participant and Alternate Payee shall submit this order to the 401(k) Profit Sharing Plan of CVS Corp and Affiliated Companies for it determination that this order constitutes a Qualified Domestic Relations Order.
7. It is intended that this order shall constitute a qualified Domestic Relations Order and the Court retains jurisdiction to amend this order as may be necessary to establish or maintain it as a Qualified Domestic Relations order
So ordered, this 8th day of July 1998.

By the Court
Anthony J. Vararo, J.

7/10/98 Faxed Kirkpatrick & Gamble.

920 B

1991

1992

Phillips and Galanter
Stephanie A. McElwain

921

ROBERT ARMSTRONG

vs.

DANIEL COME

Filed September 23, 1992
@ 2:11 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	35.00
Pro Co pd 1-4-93	9.00
Cert pd 3-17-93	2.00

COMPLAINT IN CIVIL ACTION
1 copy (Sheriff)

Oct. 15, 1992 Sheriff's Return filed. SERVED Daniel Come personally on September 30, 1992 at 11:34 AM by handing a copy of the Complaint to him at his residence, R.D.#4, Box 145, Titusville, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, Jan. 4, 1993 upon praecipe of plaintiff's 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 Two Thousand Eight Hundred Eighty-Five Dollars and Fifty-four cents, plus costs.
C - 42 Debt: $2,885.54 plus costs
JUDGMENT
Barbara H. King, Pro.

1992

~~Watts & Pepicelli~~ withdrawn
~~Alan L. Pepicelli~~

922

~~Zimmer, Kunz, Loughren,~~
Hart, Lazaroff, Trenor,
Banyas & Conaway, PC
~~Scott G. Dunlop~~ withdrawn

Marshall, Dennehey, Warner,
Coleman, Goggin
P. Brennan Hart
Rosemary M. Petrantoni

DARLA J. FELTENBERGER and
KENNETH D. FELTENBERGER,
her husband

vs.

ROBERT H. ENGELBERT, JR. and
LINDA J. ENGELBERT, his wife

Filed September 23, 1992
@ 3:19 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	39.00
Pro Co Pd 9/28/94	6.00

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Oct. 5, 1992 appearance of Zimmer, Kunz, Loughren, Hart, Lazaroff, Trenor, Banyas & Conaway, PC by Scott g. Dunlop for defendants filed.

Oct 9, 1992 SHERIFF'S RETURN, filed. SERVED Robert H. Engelbert, Jr. personally on Sept 28, 1992 at 4:32 PM by handing to him a copy of the Complaint, Requests for Production of Documents and Interrogatories in the Sheriff's Office, Crawford County Courthouse, Meadville, Pa.

SERVED Linda J. Engelbert on Sept. 28, 1992 at 4:33 PM by handing a copy of the Complaint, Requests for Production of Documents and Interrogatories to Robert H. Engelbert, Jr., her husband and Authoriized Agent, in the Sheriff's Office, Crawford County Courthouse, Meadville, Pa.

So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar 5, 1993 Praecipe to File Amended Complaint, filed. (1 copy Atty)

Mar 5, 1993 Amended Complaint in Civil Action, filed.
1 copy atty.

Mar. 12, 1993 Stipulation of Counsel, filed.

Mar. 12, 1993 Answer to Amended Complaint and New Matter, filed.

April 28, 1993 Notice of Service of Defendants' First Set Of Interrogatories Diected to Plaintiffs filed.

Dec. 9, 1993 Reply to New Matter of Defendants filed.

Dec. 9, 1993 Notice of Service of Answers to Interrogatoaries filed.

Mar. 28, 1994 Upon Praecipe for Substitution of Counsel of law firm of Marshall, Dennehey, Warner, Coleman & Goggin, appearance of P. Brennahn Hart, Esquire, Attorney for Defendants, and withdraw appearance of Zimmer, Kunz, Loughren, Hart, Lazaroff, Trenor, Banyas & Conaway, P.C. filed.

July 29, 1994 Motion to Withdraw and ORDER filed. AND NOW, this 29 day of July, 1994, upon consideration of the within Motion, Alan L. Pepicelli, Esq., and Watts and Pepicelli PC, are hereby granted permission to withdraw as counsel for the Plaintiffs in the above-captioned case.

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

Aug. 1, 1994 Order FAXED to Attys. A. Pepicelli and P. Brennan Hart.

Sept. 23, 1994, UPon praecipe of plaintiffs, the above captioned action is hereby marked settled and discontinued of record.

1992

Public Defender's
Office
Jeffrey K. Millin

923

COMMONWEALTH OF PENNSYLVANIA
EX REL JOSE ANTONIO GANZALES

vs.

JACK BRICKNER, Warden
Crawford County Prison

Filed September 24, 1992
@ 10:03 AM

Tax & entry	50.50
User's Fee	5.00

PEITITON FOR WRIT OF HABEAS CORPUS
2 copies Atty

ORDER:

AND NOW, this 23 day of September, 1992, upon consideration of the Petition in the above-named matter, and upon motion of Jeffrey K. Millin, Esquire, Attorney for Relator, it is her eby ordered that a Writ of Habeas corpus be issued forthwith and served upon Jack Brickner, Warden of the Crawford County Prison, together with a true and correct copy of the within Petition.

It is further ordered that hearing and argument on the above matter shall be held on the 30 day of September, 1992 at 3:00 p.m. in Courtroom No. 1 at the Courthosue, Meadville, Pennsylvania.

A true and correct copy of the within Petition and Order shall be served forthwith upon the Office of the District Attorney for Crawford County.

BY THE COURT,
Gordon R. Miller

Setp. 24, 1992 Answer to Petition for Writ of Habeas Corpus filed.

Oct. 1, 1992 Order filed. AND NOW, September 30, 1992, the peittion of Jose Antonio Gonzales for Writ of Habeas Corpus is Denied as the court is not satisfied that the government has done anything improper to cause his bond to be revoked. There was no evidence presented at this hearing as to why the bondsman rescinded the bond or revoked the bond, and thus, no way for the Court to known whether or not is had been caused through some improper or illegal activity engaged in by an arm of the government.

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

Oct. 7, 1992 Copies of order to Atty's Dawson and Millin

1992

Public Defender's Office Jeffrey K. Millin

924

COMMONWEALTH OF PENNSYLVANIA EX REL RICHARD E. POPA, a/k/a NOAH JACOBS

vs.

JACK BRICKNER, Warden
Crawford County Prison

Filed September 24, 1992
@ 10:03 AM

Tax & entry	50.50
User's Fee	5.00

PETITION FOR WRIT OF HABEAS CORPUS
2 copies atty

ORDER:

AND NOW, this 23 day of September, 1992, upon consideration of the Petition inthe above-noted matter, and upon motion of Jeffrey K. Millin, Esquire, Attorney for Relator, it is hereby ordered that a Writ of Habeas Corpus be issued forthwith and served upon Jack Brickner, Warden of the Crawford County Prison, together with a true and correct ocpy of the within Petition.

It is fruther ordered that hearin gand argument on the above matter shall be held on the 30 day of September, 1992 at 2:00 p.m. in Courtroom No. 1 or 2 at the Courthouse, Meadville, Pennsylvania

A true and correct copy of the within Petition and Order shall be served forthwith upon the Office ofthe District Attorney for Crawford County.

BY THE COURT,
Gordon R. Miller, J

Oct 1, 1992 Motion to Cancel Habeas Corpus Hearing and Order, filed. ORDER: AND NOW, 9-30-92, the above Motion allowed.
Gordon G. Miller, P.J.
Oct 7, 1992 copy to J. Millin

1992

Mason & Mason
Joan D. Mason

925

JOHN W. ROYAL, JR.

vs.

DEBRA ROYAL

Filed September 24, 1992
@ 11:06 am

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 2-3-93	9.00
Pro Co pd 4-5-93	5.00

COMPLAINT IN DIVORCE
3 copies (atty)

Jan. 7, 1993 AFFIDAVIT OF SERVICE, filed. I, Joan D. Mason, Esq., attorney for the Plaintiff in the above entitled case, and being duly sworn according to law, despose and say that I did on Oct. 2, 1992 mail to the above Defendant, Debra Royal, by certified mail return receipt requested, deliver to addressee only, a Complaint in the above divorce action. Said notice was received on Oct. 3, 1992, as indicated by the return receipt card which was returned to the office of the Plaintiff's attorney and is attached hereto.

Jan. 19, 1993 Affidavit of Consent of Defendant filed.

Jan. 29, 1993 Affidavit of Consent of Plaintiff, filed.

Feb 3, 1993 Upon praecipe of Plaintiff attorney to transmit records, case moved to Court.

Feb. 10, 1993 Motion to Amend Head of Case and ORDER OF COURT filed. And now, February 9, 1993 Motion granted. Caption is so amended.

Anthony J. Vardaro, J.

Feb. 19, 1993 Copy of Order to Atty. Joan Mason.

D I V O R C E D E C R E E F I L E D

February 16, 1993 AND NOW, February 11, 1993, it is ordered and decreed that **J O H N W . R O Y A L , J R . ,** plaintiff, and **D E B O R A H R O Y A L ,** 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.

Apr. 5, 1993 Notice of Election to Retake Maiden Name, filed. **DEBORAH J. ROYAL** to be known as **DEBORAH J. OAKES.**

1992

Evans, Portnoy & Quinn
Irving M. Portnoy

926

Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc
John M. Quinn, Jr.

RUBY IRWIN and DONALD IRWIN, her husband

vs.

MEADVILLE MEDICAL CENTER

Filed September 24, 1992
@ 12:00 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	28.00
Pro Co Pd 6/3/93	9.00

WRIT OF SUMMONS
Issued Sheriff

Oct. 1, 1992 Writ Return filed. SERVED Meadville Medical Center on September 28, 1992 at 12:48 PM by handing a copy of the Summons to Nancy-Blystone, Administrative Assistant at Meadville Medical Center, 751 Liberty Street, Meadville, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Oct. 13, 1992 Appearance of Quinn, Buseck, Leemhuis, toohey & Kroto, Inc. by John M. Quinn, Jr. for Defendant filed.

Oct. 13, 1992 Upon praecipe of Defendant Attorney Rule is hereby entered upon plaintiff to file a Complaint issued.

And Now, June 3, 1993, at 11:30 a.m. Upon praecipe of defendant attorney, Judgment of Non Pros is hereby entered against the named plaintiffs for failure to file a Complaint within 20 days after being ruled so do do.
Judgment entered
6/3/93
I - 144, 44

JUDGMENT OF NON PROS
Barbara H. King,
Prothonotary

1992

927

CONDEMNATION OF:
Real Estate Owned By JOHN J. DELP and NANCY J. DELP, His wife; Estate of HOWARD A. GREEN, Estate of ETTA M. GREEN, MARY ANTILL: ROBERT L. KASTER and ALICE S. KASTER, his Wife; JOSEPH J. LAMENSKIE and ERMA G. LAMENSKIE: HOWARD E. MATTESON and MARTHA N. MATTESON, RUTH M. HOLCOMB WATSON, PATRICIA M. VROMAN, CAROL J. MATTESON, HOWARD EUGENE MATTESON, BERNARD L. MATTESON and LINDA J. MATTESON and DONALD G. MATTESON, Co-Partners trading as MATTESON EQUIPMENT COMPANY ROXANNE MINIUM and ROBERT C. MINIUM, her husband; THOMAS L. NICHOLS and SHARON L. NICHOLS, his wife; JON C. ROBERTS and MICHELE M. ROBERTS his wife; BEATRICE M. ROSS: ALBERT J. SLOTHER and AVIS L. SLOTHER, his wife; CLARENCE L. THOMPSON and JEAN L. THOMPSON, Situate in Oil Creek township, Crawford County, Pennsylvania

By: OIL CREEK TOWNSHIP For the Construction of a Sanitary Sewer Line and Its Appurtenances

Filed September 24, 1992
@ 12:30 p.m.

Tax & entry paid	50.50
User's Fee paid	5.00

DECLARATION OF TAKING

Oct. 29, 1992 Preliminary Objection of Condemnation of John J. Delp and Nancy J,.Delp, filed.

Nov. 2, 1992 Proof of Service by Robert J.FElton, Esquire, filed.

Nov. 4, 1992 Preliminary Objection of Condemnation of Thomas L. Nichols and Sharon L. Nichols, filed.

1992

928

LESLIE TAR

vs.

WILLIAM L. SCOTT

Filed September 24, 1992
@ 2:00 PM

Tax & entry paid	50.25
User's Fee paid	5.00
Arb paid 10/28/93	15.00

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

Sept. 28, 1992 Proof of Service of Notice of Appeal and Rule to File Complaint Filed.

Oct. 12, 1992 Complaint of Plaintiff filed.

Oct. 19, 1992 Proof of Service filed.

Oct. 26, 1992 Answer to Complaint, filed.

Nov. 2, 1992 Verification of Service, I, William L.Scott, the Defendant in the above-captioned action, verify that I mailed a certified copy of the Answer to Complaint on October 27, 1992, by U.S.First Class Mail, postage prepaid, Certified Mail #P899087479, dated October 29, 1992, to Leslie Tarr, M.D., the Plaintiff in the above-captioned action. 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.

William L. Scott

Mar. 17, 1993 Motion To Sanction Answers To Interrogatories By The Defendant filed.

Mar. 19, 1993 Motion for Summary Judgment, filed.

Mar. 19, 1993 ORDER filed. AND NOW, March 17, 1993, upon receipt and consideration of the attached Motion for Sanctions, said Motion is DENIED.

The defendant maintains that he did answer the original Interrogatories and mailed them to the plaintiff Certified Mail, which was rejected on Dec. 22, 1992. The defendant brought those Answers to motions court. Therefore, said Certified Mail article is being handed by the Court tothe plaintiff at this point.

The second set of Interrogatories is merely a copy of the first set, and therefore, no Order is entered with respect to those.

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

Mar. 19, 1993 copies mailed to Plf. & Dft.

Mar. 22, 1993 Praecipe for Argument, filed.

ON ARGUMENT LIST FOR APRIL 1993

Apr. 30, 1993 Order filed. AND NOW, April 28, 1993, the plaintiff's motion for summary judgment is denied as the Court believes there is a genuine issue of material fact centering around the true charges the plaintiff made to the defendant and the payments the defendant made or payments made on his behalf by others. There is a discrepancy between Exhibit A to the complaint and Exhibit A to the motion for summary judgment. The exact amount the defnedant owes the plantiff, if any, ois not clearly reflected by the record.

BY ORDER OF COURT
Gordon R. Miller, J

Apr. 30, 1993 copies mailed to Tar & Scott

May 7, 1993 Upon Praecipe of Plaintiff this case placed on next available Trial List.

Sept. 24, 1993 ORDER filed. AND NOW, Sept. 24, 1993, the Court, having received and considered a motion to strike filed by the defndant in the case of Leslie Tar, M.D v. Edna Ebbert at 1993-233 and having asked the Court Administrator to deliver other cases involving this plaintiff which are on the upcoming civil trial list, hereby strikes these cases above captioned from the October Civil Trial List because all of these cases come within the jurisdictional limits of compulsory arbitration under 42 Pa. C.S.A. 7361, Pa. R.C.P. 1001(b) (1) and Rule L1301 of the Crawford County Rules of Civil Procedure.

These cases shall be stricken from the october Trial List and shall nto be tried at that term.

Arbitration shall not automatically occur as a result of this order. Any party desiring to have these matters heard by arbitration shall file a praecipe for reference to arbitration in accordance with the Rules. Thereafter the case shall proceed in accordance with the rules governing compulsory arbitration.

An original copy of this order shall be filed in each of these four cases.

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

Oct. 4, 1993 Copy of Order to Plf. and Dft. (Order mailed).

Oct. 28, 1993, Upon praecipe of plaintiff, for reference to the arbitrators, the following arbitrators are appointed:

Terry Toomey, CH.
Brian Lindsay
~~Victor Kinnunen~~ ~~Russell Schetroma~~ ~~Bruce Smith~~ Richard W. Roeder

Apr. 8, 1994 Arbitrators take qualifying oath.

Jan. 13, 1995 Decision of Arbitrators filed. And now, the 13th day of January, 1995, we the undersigned Arbitrators chosen in this case, after having been duly sworn and having heard the evidence and allegations of the parties find for Plaintiff and Award $100.00 and costs without interest thereon.
Total Award $139.50.

Terry Toomey,Chairman
Brian J. Lindsay
Richard W. Roeder

Date: 1/13/95
S-238

DECISION OF ARBITRATORS
Barbara H. King,
Prothonotary

Jan. 13, 1995 Distributed to Pltf. and Deft.

1992

Barbara J. Walton

929

Peters,Lindsay, Lewis
& Gagliotti
Brian J. Lindsay

WILLIAM SENSABAUGH

vs.

SUSAN SENSABAUGH

Filed September 25, 1992
@ 8:38 am

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
William Pineo Master Pro Co pd 2-24-93	9.00

10-6-92 Received from Pltf. Med. Deposit 150.00

11-25-92 Refunded to Atty Walton Check # 7200 Med. Dep 150.00

COMPLAINT IN DIVORCE, CUSTODY
2 copies (atty)

Oct. 6, 1992 MOTION TO APPOINT CHILD CUSTODY MEDIATOR and ORDER, filed. ORDER: YOU SUSAN SENSABAUGH, have been sued in Court to obtain custody of JOSHUA SENSABAUGH, age 6 and ANNA SENSABAUGH, age 2.

YOU ARE ORDERED to appear for a hearing before William Pineo, Child Custody Mediator, at such time and place as he shall designate

If you fail to appear 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: 10-5-92 BY THE COURT,
Anthony J. Vardaro, J.

Oct. 6, 1992 1 copy (atty), 1 copy (Med)

Oct. 13, 1992 Answer to Complaint filed.

Nov. 12, 1992 Affidavit of Service filed. A true and correct copy of the Complaint for Divorce and Custody filed in the above-captioned matter was served upon the Defendant Susan Sensabaugh, by certified mail, restricted delivery,pursuant to Pa.R.C.P. 412 on October 1, 1992 as evidenced by the United States Postal Service Return Receipt (Certified No. P 899097837) attached hereto as Exhibit A.

Date: November 10, 1992 Barbara J.Walton,Esq.

Nov. 25, 1992 Motion to Withdraw Mediator Request and Refund of Deposit and Order filed. AND NOW, NOvember 23rd, 1992, this Court orders tht 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.

Dec. 2, 1992 Copy of the Order to Attys. Walton & Lindsay & Pineo.

Dec 17, 1992 STIPULATION AND CONSENT TO ENTRY OF CUSTODY ORDER and ORDER filed. ORDER: And Now, this 17th day of December, 1992, upon presentation of the Stipulation and Consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED and DECREED that:

1. Primary physical custody of the minor children, JOSHUA SENSABAUGH and ANNA SENSABAUGH shall be with Mother at her home, in Cochranton, Pennsylvania.
2. The parties shall share joint legal custody of said minor childrne.
3. All visitation between the natural father, WILLIAM SENSABAUGH and the minor children, JOSHUA SENSABAUGH and ANNA SENSABAUGH shall be by mutual stipulation of the parties, as signed and dated December 2, 1992.
4. The parties are free to make additional or alternative arrangements repecting the custodual and visitation periods and are strongly encouraged to do so if it were to be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which, this order shall govern.

By the Court:
Anthony J. Vardaro, J.

Dec. 21, 1992 copy to B. Walton and B. Lindsay

Jan. 14, 1993 Affidavit of Consent by Susan Sensabaugh, Defendant, filed.

Jan. 19, 1993 Plaintiff's Affidavit of Consent filed.

Feb. 24, 1993 Upon praecipe of Plainton attorney to transmit record, case moved to Court.

D I V O R C E D E C R E E F I L E D

March 8, 1993 AND NOW, March 5, 1993, it is hereby ordered and decreed that **W I L L I A M S E N S A B A U G H**, Plaintiff, and **S U S A N S E N S A B A U G H**, 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.

1992

Barbara J. Walton

930

REBECCA LYNN WELSH

vs.

JAMES KYLE WELSH

Filed September 25, 1992
@ 8:42 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00

COMPLAINT IN DIVORCE, CUSTODY, EQUITABLE DISTRIBUTION
3 copies (atty)

Oct. 23, 1992 Affidavit of Service filed. 1. A true and correct copy of the Complaint for Custody filed in the above-captioned matter was served upon the Defendant JAMES K. WELSH, by certified mail, restricted delivery, persuant to Pa. R.C.P. 412 on October 2, 1991, as is evidenced by the United States Postal Service Return Receipt (Certified No. P 899097838) attached hereto as Exhibit A.
Date: October 22, 1992 Barbara J. Walton, Esq.

Mar. 12, 1998 Important Notice and Court Order filed. Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 10/23/92 . 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)

1992

pro se

931

NOLA L. FULMER

vs.

MICHAEL J. FULMER

filed September 25, 1992
@ 9:49 AM

Indigent Filing

COMPLAINT IN DIVORCE
2 copies Plaintiff

sept. 25 1992 Petition to Proceed In Forma Pauperis and Order filed. AND NOW, September 25, 1992, upon consideration of the petition file dby the Plaintiff in this action, and supported by an Affidavit attached thereto, all being pursuant to Pa. R.C.P. 240, the plaintiff is granted leave to proceed in forma pauperis at this time.

The Plaintiff is directed to inform the Prothonotary's office or the Court of any improvement in his/her financial circumstance that would permit him/her to pay the costs in this action and shall be responsible for doing so upon an improvement of financial conditon.

BY THE COURT,
Gordon R. Miller, J

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 9/25/92 . 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)

1992

pro se

932

R. Christopher Brode

LUKE J. MURRAY

vs.

CHRISTOPHER MYERS

Filed September 25, 1992
@ 9:57 AM

Indigent filing
sheriffs costs $39.50
Sheriff's Costs 33.00

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

Sept. 25, 1992 Rule entered upon Plaintiff to file a Complaint Issued.

Sept. 25, 1992 Upon praecipe of Defendant Attorney To Proceed In forma Pauperis filed.

Sept. 28, 1992 Proof of Service filed.

Oct. 12, 1992 Complaint filed.

Nov. 9, 1992 Complaint reinstated.

Nov. 20, 1992, Sheriffs return filed. And Now, Nov. 9, 1992 the attached complaint against Christopher Myers dft. is being returned unserved. Dft. no longer lives at given address. New address is 1011 N. Negley ave. Pgh, Pa. 15206.
Robert N. MIchel, Sheriff
Paul McStraw, dep. sheriff, Erie Co.

NOT FOUND as per a sheriff's return of "unserved" from Erie County, Pa. sheriff's dept. defendant no longer at 5701 E. Lake Rd. Erie, Pa. New address of 1011 North Negley ave, Pittsburgh, Pa. 15206 was given.
So answers, Robert M. stevens, sheriff

dec. 8, 1992 Complaint Reinstated filed.

Jan. 14, 1993 Sheriff's Return filed. Did Not Serve the within Complaint on 11-30, 1992 at 11:10 am upon Christopher Myers at 1011 N. Negley Ave. # 2 Pgh, no such person at given address.
So answers Michele Jenkins, Deputy Sheriff
Eugene L. Coon, Sheriff

I hereby deputize the Sheriff of Allegheny County, Pennsylvania to serve the wtihin Complaint according to law.
So answers, Robert M. Stevens, Sheriff

1992

Jorden & White
William T. Jorden

933

MARK B. FLEMING & REBECCA B. FLEMING on behalf of the Estate of BRIDGET M. FLEMING and REBECCA FLEMING, individually

vs.

MARVIN PERRY

Filed September 25, 1992
@ 10:53 AM

Tax & entry paid 50.50 ✓
User's Fee paid 5.00
Pro Co pd 10-16-92 6.00 ✓

PETITION FOR COMPROMISED SETTLEMENT
DISCONTINUANCE AND DISTRIBUTION
1 copy (atty)

ORDER:

AND NOW, this 25th day of September, 1992, upon consideration of the foregoing Petition the Court does hereby approve the compromise and settlement and does hereby order distribution of the proceeds in accordance with the terms and representations set forth in the Petition as follows:

A. Two hundred fifty thousand ($250,000.00) dollars payable to the estate of Bridget Fleming to be attirubted to wrongful death damages only and to be distributed accordingly by the estate to Mark B. Fleming and Rebecca b. Fleming, natural parents of the minor decedent.

B. Fifty thousand ($50,000.00) dollars payable to REbecca Fleming as compensation for the negligent infliction of emotional distress

C. The $100,000.00 fee payable by the estate of Bridget fleming and by Rebecca fleming to the Firm of Jorden and White is aproved the Firm of Jorden and White shall continue to pursue claims against the other culpable defendants as contemplated by and provided for in the proposed JOint Tort-Feasor's release set forth in the plaintiff's Petition.

BY THE COURT,
Gorodn R. MIller,

Oct 16, 1992 Uponpraecipe of Plaintiff attorney the above captioned matter is hereby settled and discontinued. of record.

1992

Joseph F. Kulwicki
Warren D. Ferry

934

GEORGIA LONG and ORRIE LONG, her husband

vs.

AMERICAN INTERNATIONAL ADJUSTMENT COMPANY, INC.

Filed September 25, 1992
@ 11:04 AM

Tax & entry Pd 11-6-92 50.50
User's Fee Pd 11-6-92 5.00

PETITION FOR RULE TO SHOW CAUSE

ORDER:

AND NOW, to-wit, this 25 day of September, 1992, upon presentation ofthe within Petition, a Rule is hereby entered upon the defendant to show cause why it should not be compelled to appoint an arbitrator or in lieu thereof to have an arbitrator appointed for it.

This Rule returnable the 23rd day of October, 1992, at 1:00 p.m. in Courtroom Room one or two of the crawford County Courthosue, Meadville, Pennsylvania.

BY THE COURT,
Gordon R. Miller, J

Oct. 28, 1992 Order filed. AND NOW, October 28, 1992, neither party appeared at the hearing on the rule to show cause which was held on October 23, 1992.

Therefore, the hearing was cancelled and shall be rescheduled upon motion of either party provided said motion is filed in accordance with the local motions practice.

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

Oct. 28, 1992 Copy of order to Attys.Kulwicki & Ferry.

Jan. 6, 1993 Motion to Withdraw appearance of Warren D. Ferry, Esquire and Order Filed. And Now, January 6, 1993 this motion is granted and counsel may withdraw. Gordon R.Miller, Judge

Jan. 6, 1993 Motion to Withdraw appearance of Joseph F. Kulwicki, Esquire and Order Filed. And Now, January 6, 1993 said motion is granted and counsel may withdraw.

Gordon R. Miller, Judge

Jan. 7, 1993 Copy of Order toAttys.Ferry and Kulwicki.

1992

C. Barton Jones

935

Quatrini, Rafferty, Galloway, P.C.
Barbara J. Artuso

JOHN PERSEGHETTI

vs.

ROBERT McCORMACK

Filed September 25, 1992
@ 11:36 am

Tax & entry paid	50.25
User's Fee paid	5.00
Pro Co pd	15.00
Pro Pd 7/19/93	5.00

NOTICE OF APPEAL OF DEFENDANT FROM DECISION OF DISTRICT JUSTICE CHISHOLM

Sept. 29, 1992 Proof of Service filed.

Oct. 14, 1992 Complaint filed. 1 copy (PLf)

Mar. 10, 1993 Default Notice filed.

Mar. 22, 1992 Answer and Counterclaim on behalf of Defendant, filed.

Mar. 25, 1993 Answer To Defendant's Counter-Complaint, filed.

May 12, 1993 Upon praecipe of plaintiff attorney for appointment of Arbitrators, the following Arbitrators are appointed.
William Peters, Chairman
Charles Swick
Christopher Ferry

June 9, 1993 Arbitrators Take Qualifying Oath.

June 29, 1993 Notice of Hearing Before Board of Arbitrators filed.

July 16, 1993, FULL AND FINAL RELEASE filed; settlement and discontinuance signed by plaintiff.

July 19, 1993 Upon praecipe of plaintiff attorney the above captioned matter is marked settled and discontinued of record.

1992

Gerald Sullivan

936

EDYTHE D. EDWARDS

vs.

RAYMOND JOHN EDWARDS

Filed September 25, 1992
@ 3:37 PM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	35.00
Pro Co pd 11-16-92	5.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 25 day of September, 19 92, upon review of the petition of Plaintiff, the Court entered 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 temporary custody of both 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 of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for October 2, 1992 , at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Sept. 30, 1992 Sheriff's Return filed. SERVED Raymond John Edwards personally on September 30, 1992 at 10:15 AM by handing him a copy of the Protecton from Abuse at the Sheriff's Office, Crawford County Courthouse, Meadville, PA.
So answers,
Robert M. Stevens, Sheriff

Oct. 7, 1992 ORDER filed. AND NOW, Oct. 2, 1992, at the time fixed for hearing in this matter the Plaintiff appeared with counsel. The Defendant appeared without counsel and was advised as to the nature of the proceedings and his right to counsel. He indicated that he understood the proceedings and indicated that he wished to proced without counsel.

The parties reached an amicable agreement and based upon that agreement the Court enters the following Order noting, however, that the Defendant does not admit that he engaged in the conduct alleged in the petition.

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 Defendant will not go to the Plaintiff's residence. In fact, he shall not be within one Hundred (100) yards of her residence except for perfectly legitimate purposes in going to the residence of Christ Underlinger at 402J, Fairmont Apts. He shall not use that as an apportunity or excuse to violate this Order or threaten or abuse the Plaintiff. When going to and from the Underlinger residence he shall do so with dispatch, that is he shall go directly to that residence, there remain until it is time to leave and directly leave.
3. The Defendant shall pay the fair, reasonable and customary cost of repair to the residence where damage occurred on Sept. 24, 1992 and pay the reasonable, customary and usual cost of repair or replacement less depreciation of any personal property of the Plaintiff that was damaged by the Defendant on Sept. 24, 1992. Since the Defendant has such low income, the Court does not impose a deadline on when those bills should be paid. In the event that the Defendant disputes the amount of damage or in the event that the Plaintiff is dissatisfied with the progress the Defendant is making toward paymetn, while the Court encourages the parties to resolve this matter in civil litigation since payment is a part of this Order either party may have a right to file a motion with the Court for a hearing to determine the amount of damages and the method of payment.
4. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
5. A copy of this Order shall be delivered to the Meadville City Police Dept. and to County Control by the Prothonotary.
6. A copy of this Order shall be delivered to the Plaintiff through her counsel and to the Defendant by regular mail in care of Candy Tatters, Lot 21, Asbury Manor, Meadville, Pa.
7. This Order shall remain in full force and effect unless modified or terminated by further Order of Court for one (1) year or until Oct. 1, 1993.
8. The Plaintiff is advised that she should not do anything that encourages the Defendant to violate this Order and should not invite him to her place. If she wishes to have him come to her place, then she should file an appropriate motion to terminate this Order. The Defendant is advised that this is a Court Order and only a Court has a right to change it. If the Plaintiff invites him to have contact with her that is contrary to this Order or to go to her place, he should resist, for if he should violate this Order, he runs a risk of beign held in contempt of court and punished accordingly.
9. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000.00 and a jail sentence of up to 6 months.

Continued on Page 36A

1992

EDYTHE D. EDWARDS
VS.
RAYMOND JOHN EDWARDS

CONTINUED FROM PAGE 36
of Record
A. D. 1992 - 936

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10. In view of the fact that both parties receive Public Assistance and the Defendant's allotment amounts to $204.00 per month plus food stamps, court costs are waived and should be paid by the County. BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Oct 7, 1992 2 (Atty. Sullivan), 1 Dft., 1 Co. Ctrl., 1 MCPD

Oct. 26, 1992 Complaint for Indirect Criminal Contempt for Violation of Protection from Abuse Order,Notice of Assisgnment of Hearing date filed. October 26, 1992: Hearing inthe above catpioned matter has been scheduled for October 27, 1992, at 9:00 A.M., in Courtroom 1 or 2.
FOR THE COURT,
Imogene Yetman, Court Administrator

Oct. 26, 1992 Court Administrator's office sent copy of Order to Sheriff's Office, Atty. Sullivan, Defendant.

Oct 27, 1992 ORDER filed. AND NOW, Oct. 27, 1992, the matter is before the Court for contempt of an Abuse Order ENTERED Oct. 2, 1992. It appears the Defendant admits he violated the Order by going to the residence of the Plaintiff and contends he was intoxicated at the time. The Plaintiff requests the Court to release the Defendant from confinement but to take appropriate steps to assure the Order is complied with. Accordingly, we grant the Plaintiff's request and the Defend ant is released from confinement in the Crawford County Jail subject, however, to comply with the terms and conditions of the Abuse Order entered Oct. 2, 1992. The Plaintiff specifically requests that the Defendant not come to her residence under any circumstances.

The Defendant contends he is an alcoholic, is under treatment with Drug & Alcohol and is attempting to get into the Stepping Stones Rehabilitation Program.

This Court recommends that if this Order is violated in the future by the Defendant that punishment for contempt include a Sentence to the Crawford County Jail of not less than 30 days in view of the warnings given to the Defendant this date.
BY ORDER OF THE COURT,
P. Richard Thomas, S.J.

Oct 27, 1992 Copies given to Co Ctrl., Jail, MCPD, Sullivan & Dft. Oct 29, 1992 copy to Dft.

Nov. 16, 1992 UPon praecipe of Plaintiff the above action is marked settled and discontinued of record.

1992

1992

R.Christopher Borde

937

KRISTINE M. CORNMAN

vs.

CLAYTON E. CORNMAN

Filed September 28, 1992
@ 10:00 a.m.

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

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 28 day of September, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The Plaintiff may enter the marital residence with Sheriff or Deputies present to remove her possessio She may also take possession of '83 Ford Ranger Truck

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for October 6, 1992 , at 3:45 Pm M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Sept. 29, 1992 Sheriff's Return filed. SERVED Clayton E. Cornman personally on September 28, 192 at 10:58 AM at his residence, R.D. #2, Box 147-A, Cochranton, Crawford County, PA. Plaintiff removed her personal belongings and took the 1983 Ford Truck at the time in the presence of the Sheriff and Chief Deputy.
So answers,

Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

Oct 15, 1992 ORDER filed. AND NOW, Oct. 6, 1992, the matter is before the Court on an abuse petition and the parties mutually agree the matter has been amicably resolved as follows:

1. The Defendant admits to the contents of the petition and admits his conduct constituted abuse to the Plaintiff. Accordingly, the Defendant isDIRECTED not to threaten, abuse, annoy or harass the Plaintiff in any fashion.
2. He will not go to any residence where she is residing, to her place of employment or to any schooling place where she may be taking training. In the event that Plaintiff and Defendant end up at the same social function to the end that they may come in contact directly with each other, it shall be the responsibility of the Defend ant to leave such place on his own.
3. Plaintiff will have the opportunity to have her choice of furnishings in the trailer located a tRoute 19 South, RD 2, Cochranton and take from the premises any possessions of her choice. Plaintiff currently contemplates going to said trailer on Oct. 9, 1992 sometime between the hours of 3:30 and 8:00 p.m. The Defendant will not be present at that time.
4. This Order shall be in force and effect for a period of one year.
5. Any police officer having reasonable grounds to believe that the Defendant has violated this Order to the extent that the Plaintiff has been injured or put in fear of injury or death may procure a warrant from a District Justice of the Peace upon probable cause and apprehend the Defendant, confine him in the County Jail and request an immediate contempt hearing.
6. The Defendant is DIRECTED to pay costs in this case in the amount of $91.50 within 20 days of the time he receives a bill therefore from the Prothonotary's Office. The Defendant's current address is RD 2, Cochranton, but he advises that he will be soon changing his address and it shall be the obligation of the Defendant to immediately notify the Prothonotary's Office of his new address as soon as the same is procured.

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

Oct. 15, 1992 copy mailed to Corman, Police; gave copy to Co. Ctrl., Brode

1992

Apple and Apple, PC
James R. Apple

938

MATCO TOOLS CORPORATION

vs.

ROBERT ORR and CHRISTONE S. ORR, jointly and severally

filed September 28, 1992
@ 11:45 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	40.00
Pro.Co. pd. 11/9/92	9.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Oct. 15, 1992 Sheriff's Return filed. SERVED Robert Orr on September 30, 1992 at 11:19 AM by handing copy of Complaint to Christine Orr, his wife, at their residence, R.D.#4, Box 179, Centerville, Crawford County, PA.

SERVED Christine S. Orr personally on September 30, 1992 at 11:20 AM at her residence, R.D.#4, Box 179, Centerville, Crawford County, PA.

So Answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, Nov. 9, 1992 at 3:54 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 defendants for want of an answer and the same is liquidated at the sum ofTwenty-Six thousand Seven hundred Five and 61/100 dollars, plus interest and cost of suit.

Debt	$26,705.61
Int. from 6/1/90 to 11/1/92	
Judgment	

0-144; 34
Entered Nov.13, 1992
Atty. Apple

Barbara H. King
Prothonotary

1992

Northwestern Legal Services
R.Christopher Brode

939

JENNIFER MACPHERSON

vs.

GREG ATKINS

Filed September 28, 1992
@ 2:02 PM

Tax & entry Pd 10-7-92 50.50 ✓
User's Fee Pd 10-7-92 5.00

Sheriff's Costs 25.00
Pro Co Pd 10-7-92 ~~5~~ 00 ✓

10-7-92
Received from
Deft Sheriff's costs
25.00

10-7-92
Paid Sheriff
Ck# 7094
25.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 28 day of September, 19 92, upon review of the petition of Plaintiff, the Court entered 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 of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for October 8, 1992, at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Sept. 29, 1992 Sheriff's Return filed. SERVED Greg Atkins personally on September 28, 1992 at 2:25 PM by handing a copy of the Protection from Abuse to him at his residence, 774 Garden Street, Meadville, Crawford County, PA.
So answers,

Diane Severo, Deputy Sheriff
Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Oct. 7, 1992 Motion to Continue and Order Filed. AND NOW, this 5th day of October, 1992, upon Plaintiff's Motion for Continuance, it is hereby Ordered that the hearing presently scheduled for October 8, 1992 at 3:30 p.m. is continued to October 14, 1992 at 3:30 o'clock p.m.

BY THE COURT,
Anthony J. Vardaro, J.

Oct. 13, 1992 Copy of the Order to R. Christopher Brode, Esq. Copy to Defendant.

Oct. 7, 1992 Upon praecipe of Plaintiff this action is marked settled and discontinued of record.

40

1992

Barrett & Dratler
Bruce A. Barrett

940

Maon & Mason
M. Dan Mason

ROBERT SHAY, SR.

vs.

ERICH SASS

Filed September 28, 1992
@ 3:56 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro Co. pd 11-10-92	15.00
Pro Co pd 3-2-93	5.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Oct. 7, 1992 Sheriff's Return filed. SERVED Erich Sass per sonally on October 1, 1992 at 1:40 PM by handing him a copy of the Complaint in the Sheriff's Office, crawford County Courthouse Meadville, PA.
So answers, Diane Severo, Deputy Sheriff
Robert M. Stevens, Sheriff

Oct. 28, 1992 Answer to Complaint and Counterclaim, filed. 1 copy atty.

Nov. 10, 1992 Reply to Counterclaim filed.

Nov. 10, 1992 Upon Praecipe of Plaintiff attorney for Reference to Arbitrators, the following are hereby appointed:
Peter Blystone
~~John Petruse~~, Chairman
Russell Schetroma
~~Andrew Bacallao~~ Bette Peterson-Muth

Dec. 22, 1992 Arbitrators take Qualifying Oath.

Mar. 1, 1993 Decision of Arbitrators filed in which they find in favor of the plaintiff, Robert Shay, Sr. and against the defendant, Erich Sass, in the sum of Five Hundred Dollars ($500.00) and costs.
S-56 DECISION OF ARBITRATORS
Mar. 2, 1993 copies given to D. Mason and Barrett

~~Copy~~.
Mar. 2, 1993 The above action is hereby settled + discontinued of record.

1992

Barbara J. Walton

941

KIMBERLY BOSCO

vs.

BRIAN BOSCO

Filed September 28, 1992
@ 4:21 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 12-28-93	9.00
Pro Co pd 1/26/94	5.00

COMPLAINT IN DIVORCE
2 copies Atty.

Oct. 23, 1992 Affidavit of Service filed. I. A true and correct copy of theComplaint for Custody filed in the above-captioned matter was served upon the Defendant BRIAN BOSCO, by certified mail, restricted delivery, persuant to Pa. R.C.P. 412 on October 6,1991, as is evidenced by the United States Postal Service Return Receipt (Certified No. P 899097841) attached hereto as Exhibit A.
Date: October 22, 1992 Barbara J. Walton, Esq.

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

Dec. 28, 1993 Affidavit of Consetn of Defendant, filed.

Dec. 28, 1993 Upon praecipe of Plaintiff's attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Jan. 11, 1994 AND NOW, January 7, 1994, it is ordered and decreed that KIMBERLY BOSCO, plaintiff, and BRIAN BOSCO, 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.

Jan. 26, 1994 Notice Of Election To Retake Maiden Name filed. Kimberly D. Bosco
TO BE KNOWN AS: Kimberly H. Hayes

1992

Kathleen R. Nelson

942

DIANE RICHMOND AGNEW

vs.

HAROLD DUANE AGNEW

Filed September 28, 1992
@ 4:30 P M

Tax & entry Pd 11-6-92 50.50
User's Fee 11-6-92 5.00
Sheriff's Costs 11-6-92 25.00

Pro.Co. Pd 11-6-92 9.00

11-6-92
Received from
dft Sheriffs
Costs 25.00

11-6-92
Paid Sheriff
Ch# 7159 25.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 28 day of September, 19 92 upon review of the petition of Plaintiff, the Court entered 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 possesion of the marital home pending further order of court. The plaintiff shallhave temporary custody of 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 of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for October 8, 1992 , at 3:30P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Sept. 29, 1992 Sheriff's Return filed. Served Harold Duane Agnew personally on September 28, 1992 at 5:14 PM at the PA State Police Barracks, Murray road, Meadville, Crawford County, PA. So answers,

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

Oct. 6, 1992 Appearance of Kathleen R. Nelson for Plaintiff filed.

Oct. 14, 1992 Order filed. AND NOW, October 8, 1992, at the time fixed for hearing in this matter, the plaintiff appeared with counsel and the defendant appeared without counsel since he has been incarcerated. He was advised as to the nature of these proceedings and he understood them. He was advised of his right to counsel and he understood that. He agreed to proceed without counsel.

The defendant agrees to the following Order without admitting that he engaged in the conduct set forth in the petition since he is also charged with a crime or crimes as a result of the same incident that an Order be entered as follows, and accordingly, it is ORDERED as follows:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or any of the minor children named in the petition.
2. The defendant shall not goto the plaintiff's residence nor her place of work except as may be reasonably required for visitations if thre is another Order entered for visitations in a custody case. We make no provisions with respect to visitations inthis Order.
3. The defendant shall not contact the plaintiff in any way except for reasonable periods of time to talk to the children by telephone between the hours of 8:00 o'clock in the morning and 9:00 o'clock at night and provided that he isnot threatening, foul, abusive and does not harass the plaintiff or the children.
4. The plaintiff shall have exclusive possession of the marital property and the defendant shall move out.
5. The plaintiff shall gather together the defendant's personal items and deliver them to the defendant's mother within the next five (5) days and the defendant can pick them upfrom his mother.
6. Temporarycustodyof the minor children is awarded tothe plaintiff. We make no provisions for visitation by the defendant with his children.
7. The defendant shall pay $80.00 per week for the support of his three minor children, starting with the first full week after he is out of jail. A full weekshall be defined as being a period of time from Sunday through Saturday. The payment should be made on Friday of each week.
8. The provisions with respect to custody, visitation and support are subject to change and modification in an appropriate custody or support action. These provisions shall last until there is a proper modification in a custody and/or support action. The support amount was based upon the Support Guidelines for three children, assuming the plaintiff earned $1100.00 net take-home pay per month and the defendant earns $900.00 net tkae-home pay per month.
9. The defendant shall pay all reasonable and necessary dental bills incurred in treating the plaintiff for inuuries she sustained on September 28, 1992. He shall pay those bills within a reasonable time after they are presented to him. The Court does not establish a deadline because the Court does not know the amount of the bills and has not fully analyzed the defendant's financial ability.
10. This Order may be enforced without a Warrant of Arrest byany law enforcement officer having reasonable ground to believe that it has been violated.
11. A copy of this Order shall be delivered bythe Prothonotary tothe Pennsyvania State Police and to County Control.
12. This Order shall remain in full force and effect for one year from this date, that is, until October 7, 1993, unless modified or terminated byfurther Order of Court.

Continued of Record to Page 42 A

1992

Diane Richard Agnew
vs
Harold Duane Agnew

Continued of Record from Page 42

AD 1992 - 942

13. The plaintiff shall not invite the defendnt to violate this Order. If she wishes to have him return tothe marital residence or have additional contact, she must file an appropriate petition or motion to modify the Order. The defendant is warned that even if the plaintiff does invite him toher house or place of work or otherwise to violate this Order, he should resist because he may be held in contempt of court if he does violate this Order.

14. The defendant shall pay record court costs inthe amount of$89.50 to the Prothonotary of Crawford County no later than November 20, 1992. If he fails to pay these costs,the Prothonotary or the plaintiff may commence an appropriate contempt of court proceeding.

15. The defendant is reminded that this is anOrder of Court and violation of this Order may be punishable by a fine of up to $1,000.00 and a jail sentence of upto six (6) months.

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

Oct. 14, 1992 Copy of Order to Atty.Nelson,County Control, Deft., P.S.P.D.

1992

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

943

MEADVILLE FARM CREDIT, ACA, now known as PENNWEST FARM CREDIT ACA

vs.

RICHARD W. MERRITT and MARY LOU MERRITT, his wife, and DENNIS P. MERRITT and TERRI A. FOSTER, and the UNITED STATES OF AMERICA

Filed September 29, 1992
@ 10:44 am

Tax & entry paid	50.50
User's Fee paid	5.00
Pro. Co. pd 11-13-92	9.00
Pro Co pd 11-13-92	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
7 copies (Sheriff)

Nov. 10, 1992 SHERIFF'S RETURN filed. I hereby deputize the Sheriff of Allegheny County, Pennsylvania to serve the within Complaint according to law. The defendants alleged address is 1123 Craig St, McKeesport, Pa. 15132. Robert M. Stevens
Sheriff Cr. Co.

AFFIDAT OF SERVICE field. SERVED the within Comp. on 10-5-92, at 3:50 p.m., upon Terri A. Foster at above by handing to Thomas Godfrey - Father a true and correct copy thereof and made known to him the contents therein.

SHERIFF'S RETURN filed. I hereby deputize the Sheriff of Allegheny co, Pennsylvania to serve the within Complaint according to law. The defendants alleged address is US Atty. General Office, 633 Post Office & Courthouse Bldg., Pittsburgh, Pa. 15219
Robert M. Stevens,
Sheriff, Crawford County

SERVED the within Comp. on 10-2-92, at 10:20 a.m., upon U.S.A. at above by handing to Deb Kline Civil Docket a true and correct copy thereof and made known to her the contents therein.
Sgt. C. DeLuca

SHERIFF'S RETURN filed. SERVED Richard W. Merritt by Certified Mail on Oct. 6, 1992, at h is last known address of 388 Milton Dr., Canton, GA 30114, as per signed Return Receipt attached.

SERVED Mary Lou Merritt by Certified Mail on Oct. 5, 1992, at her last known address of 388 Milton Dr., Canton, GA 30114, as per signed Return Receipt attached.

SERVED Dennis P. Merritt personally on Oct. 2, 1992 at 12:02 PM by handing a copy of the Complaint in Mortgage Foreclosure to him at the residence, RD 2, Box 136E, Cambridge Springs, Crawford County,Pa. 16403.

SERVED Terri A. Foster by deputizing the Sheriff of Allegheny Co, Pa. as per h is Affidavit of Service attached. Served on Oct 5, 1992, at 1123 Craig St., McKeesport, Pa 15132.

SERVED United States of America by deputizing the Sheriff of Allegheny County, Pa.,as per his Affidavit of Service attached. Served on Oct. 2, 1992, at U.S. Attorney General Office, 633, Post Office & Courthouse Bldg., Pittsburgh, Pa. 15219.

SERVED The United States of America Department of Justice by Certified Mail at their address of 10th and Constitution Ave. NW, Washington, DC 20530 c/o U.S. Attorney General, on oct. 5, 1992, as per signed Return Receipt attached.

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

Nov. 13, 1992 Motion For Consent Judgment Against United States Of America filed. AND NOW, to wit, this 13 day of November, 1992, it appearing that counsel for plaintiff and counsel for defendant, United States of America, have consented to the entry of the within Order on behalf of their respective clients, it is hereby ORDERED, ADJUDGED and DECREED that a judgment be entered in favor of the plaintiff and against the United States of America for foreclosure of the mortgage of plaintiff in the within cause and for sale of the mortgaged property of defendant(s) Dennis P. Merritt.

It is further ORDERED, ADJUDGED and DECREED that defendant, United States of America, shall be notified by plaintiff of the date, time and place scheduled for any sheriff's sale of the real property of the aforesaid defendant(s); that the United States of America shall be entitled to payment from the proceeds of the sheriff's sale to the extent its proper priority would entitle it to the same; and that the United States of America shall be entitled to redeem the aforesaid property within 120 days from the date of sale, as provided by 28 U.S.C. §2410.

Nothing contained in the within Order shall, in any way, be construed as entry of a monetary judgment against the United States of America, but rather said judgmetn is limited to the foreclosure and sale of the real estate of the aforesaid defendant(s) in the within proceeding.

BY THE COURT:
Gordon R. Miller, J.

Nov. 17, 1992 Copy of Order to Atty . Louis Stack.

And Now, Nov. 13, 1992 at 2:35 p.m., upon praecipe of plaintiff's attorney enter a default judgment in the above captioned matter in favor of the Plaintiff and against the Defendants Richard W. Merritt and Mary Lou Merritt, his wife, and Dennis P. Merritt and Terri A. Foster in the sum of $42,413.93, foreclosure of the mortgage, with costs plus interest from Sept. 14, 1992 at 9.25% per annum for failure to file an answer within 20 days of service of the complaint.

F - 165
M - 44, 144, 245

Debt: $42,413.93
Judgment
Barbara H. King, Prothonotary

EX 1992 - 103

44

1992

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

944

NATIONAL FUEL GAS
DISTRIBUTION CORPORATION

vs.

BARBARA L. VIVIAN and
CHARLES E. VIVIAN

Filed September 29, 1992
@ 1:41 PM

Tax & entry paid	50.50
User's fee paid	5.00
Sheriff's Costs	31.00
Pro Co pd 11-20-92	9.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Oct. 7, 1992 Sheriff's Return filed. SERVED Charles E. Vivian personally on October 1, 1992 at 2:35 PM by handing him a copy of the Complaint at his residence, Route 18, Box 73, Harmonsburg, Crawford County, PA.
SERVED Barbara L. Vivian on October 1, 1992 at 2:36 PM by handing a copy of the Complaint to Charles E. Vivan, her Husband, at their residence, Route 18, Box 73, Harmonsburg, crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, November 18, 1992 at 3:42 p.m., upon praecipe of Plaintiff's attorney judgement is hereby entered in favor of the plaintiff and against the defendant in the sum of One Thousand, Seven Hundred Forty-Seven Dollars and Thirteen Cents, plus interest from September 23, 1992 and all costs of suit for failure to answer or otherwise plead, against all defendants.
V- 23, 33 Debt: $1,747.13
JUDGMENT
Barbara H. King, Prothonotary

Revised to AD 1996-1011

1992

Barbara J. Walton

945

GERALD LAVER

vs.

ELIZABETH ANN LAVER

Filed September 29, 1992
@ 2:11 PM

COMPLAINT FOR CUSTODY
2 copies (atty)

ORDER:

You, Elizabeth Laver , have been sued in Court to obtain custody of Jennifer, Timothy and Kimberly Laver.

You are Ordered to appear for a hearing before Wm. Pineo Child Custody Mediator, at such time and place as he shall designat e

If you fail to appear as provided by this Order, an Order for custody, partial custody or visi tation 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.

Plaintiff's Attorney
Barbara J. Walton, Esq.
1111½ Park Avenue
Meadville, PA 16335
Telephone (814) 336-4132

Court Administrator
Crawford County Courthouse
Meadville, PA 16335
Telephone: 814-336-1151
ext 298

BY THE COURT,
Gordon R.. Miller, J

Date: 9-25-92

$150.00 Deposited on 9/29/92 by Plaintiff

Refund on - 11-30-92 to Plaintiff ck# 7201 $67.00 from med. deposit

Pd 12-15-92 Comm Med Fees Ck# 7222 $76.00

Tax & entry paid 50.50 ✓
User's Fee paid 5.00
William Pineo, Mediator 152.00
Pro Co Pd 12-15-92 Ck# 7223 $90.00

Oct. 2, 1992 Application For Special Relief filed.

Oct. 2, 1992 Order filed. AND NOW, October 2, 1992, upon presentation of an Application for Special Relief by the mother, the defendant is ORDERED as follows:

1. The ex parte Order entered September 25, 1992, with respect to the appointment of a Mediator shall remain in full force and effect, but the fourth paragrph that gives physical custody of the minor children to the father is hereby terminated.

2. Pending further Order of Court, the Court desires to maintain the status quo that existed before September 25, 1992, and therefore, permits the return of the children to the custody of their mother, subject to the visitation privileges and conditions hereinafter set forth.

3. The plaintiff father shall be entitled to visitation rights with the minor children:

A) Each Wendesday from 5:00 p.m. until 8:00 p.m.

B) Every other weekend, beginning with October 10 and 11, 1992, the plaintiff father shall be entitled to take the three minor children into his care and custody from 10:00 a.m. on Saturday until 6:00 p.m. on Sunday.

C) On every other weekend, commencing with the the weekend of Saturdya, October 3, and Sunday, October 4, 1992, the plaintiff father shall be entitled to take the three minor children into his care andcustody on Sunday morning at 10:00 a.m. until Sunday afternoon at 6:00 p.m.

4. Neither par ty shall remove the children from the jurisdiction of this Court. The defendant shall not move outside of Crawford County and shall not take the children outside of Crawford County including, but not limited to, Florida, except for tempora ry shopping excursions or to visit relatives or for appropriate and required medical and health services.

5. The defendant shall not attempt suicide nor shall she treaten or verbalize an intention or an attempt to commit suicide in the presence ofthe chidlren or in a place where the children might hear about it.

6. Neither of the parties shall consume alcoholic beverages during any period in which the childre are in their cutstody and control.

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

Oct. 2, 1992 Copies to Atty's Walton and Toomey

Nov. 30, 1992 Temporary Order filed. AND NOW, this 30th day of November, 1992, after Mediation in the above referenced matter and upon the recommendtions of the Child Custody Mediator,IT IS HEREBY OREDERED AND DECREED THAT:

1. The parties ahll share legal and physical custody of the subject minor children:Jennifer Lynn Laver,Timothy Edward Laver, and Kimberly Sue Laver.

2. The parties ahll 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 shool 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 mother shall have primary physical custody of the subject minor children. The father shall have temporary physical custody and visitation every weekend, except for the last weekend of every month, from Friday at 6:00 p.m. through Sunday at 6:00 p.m. The father shall also have the right to temporary physical custody and visitation during his summer vacation from work. He shall notify the mother thirty (30) days in advance if he wishes to exercise this option.

b. The subject minor children shall have the right to telephone the parent not having physica 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. There shallbe two Christmas holiday visitationperiods, the first beginning on Christmas Eve at 5:00 p.m. and ending Christmas Day at 1:00 p.m., and the second beginning Christmas Day at 1:00 p.m. and ending Christmas Day at 6:00 p.m. For 1992, the mother shall have the first period, and the father, the second, and the parties shall thereafter alternate the periods. The father shall also have the children for that period after Christmas Day in which the plant at which he is employed shuts down, if he will have that period off from work.

b. For Thanksgiving, 1992, and in alternate years thereafter,the father shall have the children for visitation and temporary physical custody from 9:00 a.m. to 6:00 p.m. of Thanksgiving Day.

c. The father shall also have visitation of all of the children on each of the children's birthdays from 4:00 p.m. to 7:00 p.m. , if the birthday occurs during the week. If the birthday occurs on the wekend, then the visitation period shall be from 9:00 a.m. to 2:00 p.m. or from 2:00 p.m. to 7:00 p.m. and the parties shall decide which period each of the parents shall have.

d. The ot her holidays to be observed are New Years Day, Memorial Day, Independence Day, Labor Day, and Easter. Holiday visitation shall be between the hours of 9:00 a.m. and 6:00 p.m., except for Independence Day,when the holiday visitation shall be extended to 11:00 p.m. so that the children may watch the fireworks. The father shall have visitation and temporary physical custody for New Year's Day, 1993, and the parties shall thereafter alternate the holiday periods.

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

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

Continued to Page 503

Pepicelli, Youngs and Youngs
Andrew S. Bacallao

946

JOSEPH P. LABRUZZO

vs.

DIANE B. LABRUZZO

Filed September 29, 1992
@ 4:00 p.m.

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 11/23/93	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, CHILD CUSTODY
3 copies Atty.

Aug. 25, 1993 Affidavit of Consent by Diane B. LaBruzzo, Defendant, filed.

Oct. 25, 1993 Stipulation And Consent To Entry Of Custody Order and 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. The Plaintiff and Defendant shall share legal custody of the parties five (5) children, to-wit: Trisha L. LaBruzzo, Jody N. LaBruzzo, Joseph P. LaBruzzo, Emily r. LaBruzzo and Kirestine LaBruzzo.

2. The Defendant shall have primary physical custody of the aforesaid minor children.

3. The Plaintiff shall have visitations with the aforesaid minor children, to be arranged upon request of the Plaintiff, which request shall be made at least one (1) week prior to the scheduled visitation. Said visitations shall occur at the home of the Plaintiff's parents located at 736 Liberty Street, Meadville, Crawford County, Pennsylvania or such other place of places in the Commonwealth of Pennsylvania as the Plaintiff and Defendant shall determine.

4. On or before Maylst of each year the Plaintiff shall designate a time in which he wishes to have the aforesaid children in his custody for a period not in excess of two (2) weeks. The two-week vacation period so designated shall take place at the Plaintiff's parents' home at 736 Liberty Street, Meadville, Pennsylvania or at such other places in the Commonwealth of Pennsylvania designated by the Plaintiff and Defendant.

5. The Plaintiff shall have the minor children in his custody during the Christmas holiday season for a period of at least three (3) days. The holiday visitation shall take place at the Plaintiff's parents' home at 736 Liberty Street, Meadville, Pennsylvania or such other place or places as the Plaintiff and Defendant may designate in the Commonwealth of Pennsylvania.

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

BY THE COURT,
Anthony J. Vardaro, J.

Nov. 3, 1993 copy to A. Bacallao & Dft.

Nov. 3, 1993 Affidavit of Consent ofPlaintiff, filed.

Nov. 23, 1993 Upon Praecipe of R.Charles Thomas, Esquire,Attorney for Defendant, to transmit record, case moved to Court.

DIVORCE DECREE FILED

Dec. 6, 1993 STIPULATION and DECREE filed. AND NOW, this 3 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 the parties have each field Affidavaits of Consent.

2. REAL ESTATE.

The Plaintiff is awarded certain real estate located at 736 Liberty St., Meadville, PA. Plaintiff agrees to make regular and timely payments on the Mortgage in favor of Marine Bank encumbering the aforesaid property, said Mortgage being recorded in Crawford County Mortgage Book 381, Page 406, and further agrees to indemnify and hold the Defendant harmless from any liability on said Mortgage. In the event that legal action is commenced on accoutn of a default by the Plaintiff of any terms and conditions of the aforesaid Mortgage, then and in that event the Plaintiff shall be responsible for payment of any counsel fees incurred by the Defendant in the defense of such legal proceedings.

3. VEHICLES.

Plaintiff shall retain the 1985 Lincoln Continental. Defendant shall be released from any and all liability on and for the existing vehicle held by the Plaintiff.

4. PERSONAL PROPERTY.

The Defendant is awarded all right, title and interest that she may have in the tangible personal property presently in her possession and formerly located at the marital residence of the parties at 736 Liberty St., Meadville, Pa.

The Plaintiff is awarded all right, title and interest that he may have in the tangible personal property presently in his possession and formerly located at the marital residence of the parties at 736 Liberty St., Meadville,PA.

5. EMPLOYMENT AND PENSION BENEFITS.

It is the agreement of the parties that neither party has vested any employment or pension benefits, and therefore, neither party shall have any interest in or claim to benefits since none exist.

6. ALIMONY, ATTORNEY FEES.

In light of the property distribution stated herein, along with the payment of the Mortgage by the Plaintiff, each party waives all rights he or she may have under teh 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 insruance 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. MISCELLANDOUS 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, during the marriage or after they separated, and neither shall make any further claim to any other assets of the other party hereto, except as set forth in this Decree. Plaintiff agrees to pay for outstanding income taxes owed by both parties.

RECORD CONTINUED ON PAGE 46 (a).....

1992 TERM

JOSEPH P. LABRUZZO

VS.

DIANE B. LABRUZZO

RECORD CONTINUED FROM PAGE 46

OF

AD 1992 - 946

****

9. 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 csutody and visitation at this time. The parties retain the usual rights to modification thereof. The Defendant shall have primary physical custody of the children effective on Oct. 25, 1993, and so no further action is taken with respect to csutody and visitation at this time. The parties retain the usual rights to modificatio thereof.

10. WAIVER OF FILING OF DOCUMENTS.

Neither party hereto shall require the other party hereto to file an inventory and appraisement or to update income and expense statements prior to entry of this Decree as each party is satisfied with the knowledge he or she now has.

11. DECREE NOT TO BE CONSTRUED AGAINST DRAFTING PARTY.

This Decree is the product or 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.

1992

David Hotchkiss

947

Bruce A. Barrett

South Shenango Township and
The Jamestown Area School
LINDA WAITE, TAX COLLECTOR
District

vs.

RONALD PAPP, et al
Edith Papp

Filed September 29, 1992
@ 4:12 PM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro Co pd 11-5-92	15.00
Pro Co. pd 8-5-98	5.00

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

Sept. 29, 1992 Rule entered upon the Plaintiff to file a Complaint Issued.

Oct. 9, 1992 Proof of Service of NOtice of Appeal and Rule to File Complaint filed.

Oct. 13, 1992 Complaint filed.

Oct. 22, 1992 Answer filed.

Nov 4, 1992 Service of Answer, filed.

Nov. 5, 1992 Upon praecipe of Plaintiff attorney for appointment of Arbitrators, the following Arbitrators are appointed.
David Truax, Chr.
Joseph Tinko
Brian Lindsay

Nov. 17, 1992 Arbitrators take qualiying oath filed.

Mar 1, 1993: And now, the 26th day of February, 1993 we the undersigned Arbitrators chosen in this case, after having been duly sworn and having heard the evidence and allegations of the parties find in favor of the Plaintiff, South Shenango Twp. and the Jamestown Area School District and against the Defendants, Ronald Papp and Edith Papp in accordance with the Memorandum Decision of Arbitrators hereto attached.
David Truax, Chr.
Joseph Tinko
Brian Lindsay
Mar. 2, 1993 copies given to Hotchkiss 7 Barrett

July 30, 1998 Upon Praecipe of plaintiffs attorney, this judgment marked satisfied of record.

1992

Thomas, Truax, Spadafore
& Walker
R. Charles Thomas
~~Barbara J. Walton~~

948

JAMES L. CRAIG, JR.

vs.

CHARLOTTE CRAIG

Filed September 29, 1992
@ 4:30 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00

10-9-92
Received from
defendant $150.00
mediation deposit

COMPLAINT IN DIVORCE, CUSTODY, EQUITABLE DISTRIBUTION
3 copies Atty.

Oct. 8,1992 Inventory of Charlotte Craig, Defendant, filed.

Oct. 13, 1992 Motion and Order to appoint child custody Mediato and Order filed. AND NOW, October 9th, 1992, John Fuller, Esq. is appointed child custody mediator. Pending further order of court, the minor child shall remain in his mother's custody and shall visit with his father on alternate weekends from 5:00 p.m. Friday until 5:00 p.m. Sunday beginning Friday, October 9, 1992, entered as it's representation that plaintiff's counsel agrees.

By the Court:
1 copy Med. & atty. Gordon R. Miler, J

Oct. 23, 1992 Affidavit of Service filed. 1. A true and correct copy of the Complaint for Custody filed in the above-captioned matter was served upon the Defendant CHARLOTTE CRAIG, bycertified mail, restricted delivery,persuant to Pa.R.C.P. 412 on October 1, 1991, as is evidenced by the United States Postal Service Return Receipt (Certified No. P 899097840) attached hereto as Exhibit A.
Date: October 22, 1992 Barbara J.Walton, Esq.

Nov. 10, 1992 Appearance of Thomas, Truax, Spadafore & Walker by R. Charles Thomas, Esquire for James L.Craig, Jr., Plaintiff filed.

Mar. 12, 1998 Important Notice and Court Order filed. Out court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 11/10/92. 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)

1992

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

949

James E. Blackwood

HARNED OIL COMPANY, INC.

vs.

CHRIS A. LEHMANN and SHERRY LEHMANN, his wife, individually and trading and do ing business as LEHMANN"S GARAGE

Filed September 30, 1992
@ 10:09 a.m.

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	38.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Oct. 7, 1992 Sheriff's Return filed. SERVED Chris A. Lehmann personally on October 1, 1992 at 2:15 PM by handing him a copy of the Complaint at his place of business, Lehmann's Garage, 117 North Main street, Springboro, Crawford County, PA.
SERVED Sherry Lehmann on October 1, 1992 at 2:14 PM by handing a copy of the Complaint to Chris Lehmann, her Authorized Agent, at Lehmann's Garage, 117 North Main Street, Springboro, Crawford County, PA. Signed Acceptance of Service attached.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Nov. 6, 1992 Answer filed.

May 5, 1993 Statement of Facts Pursuant To Local Rule L1035A on behalf of plaintiff filed.

May 5, 1993 Plaintiff's Motion For Summary Judgment filed.

May 5, 1993 Upon Praecipe of Attorney for plaintiff this case placed on next Argument list.

ON JUNE 1993 ARGUMENT LIST

June 15, 1993 Order filed. AND NOW, this 11th day of June, 1993, the Court having been informed. by counsel for the parties that the defendants in this action on April 27, 1993 filed a petition under Chapter 13 of the Bankruptcy Code, and that this action of our court is subject to the automatic stay provision of the Bankruptcy Code, the argument heretofore set for June 28, 1993 at 10:30 a.m. in Courtroom 1 of the Crawford County Courthouse is continued generally.
BY THE COURT,
Anthony J. Vardaro, J.
June 15, 1993 copies dist. to Shafer & Blackwood

1992

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

950

M. SCOTT DEREMER

vs.

DONNA W. DEREMER

Filed September 30, 1992
@ 10:42 a.m.

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro Co pd 1-19-93	9.00

COMPLAINT IN DIVORCE, EQUITABLE PROPERTY DETERMIANTION AND DISTRIBUTION

Oct. 5, 1992 Affidavit of Service filed. I, James R. Irwin, Esquire, being duly sworn according to law, depose and say that I am the attorney of record, and as such say that I served a true and correct copy of the Complaint in Divorce certified by the Prothonotary of Crawford County, Pennsylvania on the above named defendant by certified mail, addressee only, return receipt requested, dated September 30, 1992. The defendant acknowledged service on October 2, 1992 by accepting delivery on that date as evidenced by the attached signed return receipt.

James R. Irwin

Jan. 19, 1993 Affidavit of Consent of Defendant filed.

Jan. 19, 1993 Affidavit of Consent of Plaintiff filed.

Jan. 19, 1993 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Jan. 22, 1993 AND NOW, this 20th day of January, 1993, it is ordered and decreed that **M. SCOTT DEREMER**, Plaintiff, and **DONNA W. DEREMER**, Defendant, are divorced from the bonds of matrimony.

IT is further ordered that the parties' Separation and Property Settlement Agreement dated July 30, 1992 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.

1992

Salaman, Salaman & Cherwony Robert E. Cherwony 951	BANKCARD ASSOCIATES vs. JOHN A. CLOYD Filed September 30, 1992 @ 11:55 am Tax & entry paid 50.50 User's Fee paid 5.00 Sheriff's Costs 50.00	COMPLAINT IN CIVIL ACTION Nov. 10, 1992 Sheriff's Return filed. NOT FOUND as to Defendant John A. Cloyd. Not at address of 1204 Pennsylvania Avenue, Meadville PA. New address of 299 Poplar Street, Meadville, PA,was given, made six attempts to serve the paper with no response. So answers, Robert M.Stevens, Sheriff

52

1992

952

JACQUELINE ANN SCHAFER

vs.

ROBERT LEROY SCHAFER

Filed September 30, 1992
@ 2:49 PM

Tax & entry Pd 10-9-92 50.50 ✓
User's Fee Pd 10-9-92 5.00
Sheriff's Cost 25.00
Pd Co Pd 10-9-92 9.00 ✓

10-9-92
Received from
deft Sheriff's
Costs 25.00

Paid 10-9-92
Sheriff Chk #102
25.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 Copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 30 day of September, 19 92, upon review of the petition of Plaintiff, the Court entered 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 possession ofthe marital home pending further orderof Court.

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for October 9, 1992 , at 3:30 P.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Oct 6, 1992 SHERIFF's RETURN filed. SERVED Robert Leroy Schafer personally on Oct. 1, 1992 sometime after 7:00 p.m. at his place of residence, RD 1, Box 262, Bentley Rd, Espyville, Crawford County, Pa. So answers. Trooper Rowles, PA State Police
Robert M. Stevens, Sheriff

Oct. 13, 1992 Order filed. AND NOW, October 9, 1992, at the time fixed for hearing both parties have appeared and indicated to the Court that they are attempting to resolve their differences on an amicable basis and wish to have this action terminated. We would encourage the parties to seek some type of profeesional counseling since it is sometimes difficult without intervention of a third party to resolve these kind of problems, but we also encourage the parties to make every effort to resolve their differences and salvage their marriage.
This case is dismissed of record upon payment of total record costs in the amount of $89.50

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

Oct. 9, 1992 Copies of order to Pltf. Deft., PA.S.P. and County Control

1992

John R. Gavin
Bruce L. Getsinger

953

Burns, White & Hickton
~~David B. White~~
for Dft. Titusville Area Hospital
Patrick Mechas
~~John G. Wall~~

Meyer, Darragh, Buckler, Bebenek & Eck
Terry C. Cavanaugh
for Dft. R. Nazzaro, MD

Dickie, McCaMEY & Chilcote PC
Terry C/ Cavanaugh
for dft. Nazzaro

Terrence McVerry, Esq.
Ruthellen Weeks, M.D.

9-12-97 Appeal Bond Filed. (In Bond Bk)

DARLYNN L. MILLER and
JAMES L. MILLER, her husband

vs.

RALPH NAZZARO, M.D. and
TITUSVILLE AREA HOSPITAL
* Ruthellen Weeks, M.D.

Filed October 1, 1992
@ 1:45 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff Costs	50.00
Pro Co pd 7-9-97	30.00
User's Fee pd 7-9-97	5.00
Pro Co pd 8-27-97	9.00
pro co pd 6/10/98	5.00

#1 JURY TRIAL DEMANDED
COMPLAINT IN CIVIL ACTION
2 copies (Sheriff)

#2 Oct 9, 1992 Appearance of Burns, White & Hickton by David B. White for Defendant Titusville Area Hospital, filed.

#3 Oct 9, 1992 SHERIFF'S RETURN, filed. SERVED Titusville Area Hospital on Oct 6, 1992 at 1:50 PM by handing a copy of the Complaint to Anthony Nasralla, President Chief Executive Officer, at the Tiusville Area Hospital, 406 West Oak St, Titusville, Crawford County, Pa.

SERVED Ralph Nazzaro, M.D. on Oct 6, 1992 at 1:55 PM by handing a copy of the Complaint to Elaine Dymond, Medical Receptionist at his place of business, 106 North Perry St., Titusville, Crawford County, Pa.

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

#4 Oct. 16, 1992 Upon praecipe For Substitition of trial Counsel it shall be John G. Wall.

#5 Oct 20, 1992 Appearance of Meyer, Darragh, Buckler, Bebenek & Eck by Terry C. Cavanaugh for Ralph Nazzaro, M.D.

#6 Nov. 16, 1992 Answer and New Matter Pursuant To Rule 1030 of the Pa. R.C.P. filed.

#7 Nov. 17, 1992 Plaintiffs' Reply to New Matter of Defendant Titusville Area Hospital filed.

#8 Jan. 8, 1993 Answer, New Matter and New Matter PUrsuant To Pa. R.C.P. 2252(d) To Plaintiffs' Complaint filed.

#9 Jan. 25, 1993 PLAINTIFFS' REPLY TO NEW MATTER OF DEFENDANT RALPH NAZZARO, M.D., filed.

#10 Jan. 28, 1993 Amended New Matter Prusuant To Rules 1030 and 2252(d) of the Pa. R.C.P. filed.

#11 Jan. 28, 1993 Reply To New Matter Pursuant To Rule 2252(d) of the Pa. R.C.P. filed.

#12 Feb. 1, 1993 Motion to Compel Discovery and Order of Court filed. AND NOW, to wit, this 28 day of January, 1993, it is hereby Ordered, Adjudged and Decreed that a hearing date has been set for February 22, 1993 at 1:30 P.M., to compel the plaintiffs to answer Interrogatories completely and fully and in accordance with the Pennsylvania Rules of Civil Procedure or to take such other appropriate action as this Court deems proper.

BY THE COURT:
Anthony J.Vardaro, J.

Feb. 3, 1993 Copy of Order mailed to Attys. Gavin, White, Wall & Cavanaugh.

#13 Mar. 3, 1993 Reply To New Matter filed.

#14 Mar. 8, 1994, Appearance of Dickie, McCamie and Chilcote, P.C., by Terry C. Cavanaugh, attorneys for defendant Ralph Nazzaro, M.D.. filed.

#15 Apr. 21, 1994 Stipultion to Consolidation and ORDER OF COURT 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.

4-26-94 Copy of Order to Attys.Gavin, Getsinger, Cavanaugh, Wall, McVerry & White

#16 May 2,1994 Notice Of Service Of Second Set Of Interrogatories Directed To Plaintiffs, filed.

#17 Jun. 16, 1994 Notice of Service of Interrogatories Directed to Defendants and Requests for Production of Documents, filed.

#18 Aug. 30, 1994 Notice of Taking Depositions Upon Oral Examination, filed.

#19 Aug. 30, 1994 Notice of Service of Plaintiffs' Request for Production of Documents/Things, filed

#20 Oct. 11, 1994 New Matter Pursuant to Pa. R.C.P. 2252(d) filed.

#21 Oct. 25, 1994, Plaintiffs Reply to New Matter of Defendant Ruthellen Weeks, M.D. filed.

#22 Oct. 26, 1994 Amended New Matter Pursuant to Rule 2252(d) If The Pa.R.C.P. filed.

#23 Oct. 26, 1994 Reply To New Matter of Defendant Ruthellen Weeks, M.D., Pursuant To Rule 2252(d) of the Pa. R.C.P. filed.

#24 Oct. 28, 1994 Reply To Amended New Matter of Defendant, Titusville Area Hospital Pursuant to Pa.R.C.P. 2252(d) filed.

#25 Nov. 17, 1994, Reply to Amended New Matter of Defendant Titusville Area Hospital filed.

#26 Jan. 20, 1995 Upon praecipe of plaintiffs attorney this case placed on next Argument List.

ON FEBRUARY 1995 ARGUMENT LIST

#27 Jan. 25, 1995 Notice of Service of Interrogatories and Requests for Production of Documents (Second Set) Directed to Defendant Titusville Area Hospital, filed.
(original at A.D. 1993 - 783)

#28 Jan. 25, 1995 Notice of Service of Interrogatories and Requests for Production of Documents (Second Set) Directed to Defendant Ralph Nazzaro, M.D. filed.
(original filed at A.D. 1993 - 783)

Continued to Page 343

1992

Fuller, Kinnunen,
Petruso, gAmble,
Fabian & Hall
Gary A. Fabian

954

SIDNEY H. MARTIN and
JUDY A. MARTIN, his wife

vs.

THOMAS FAILS and SARAH FAILS, his wife, and JOSEPH FAILS, JOHN FAILS, AUSTIN FAILS, ELSIE FAILS, and GEORGE M. FAILS, their heirs successors and assigns

Filed October 1, 1992
@ 2:49 PM

Tax & entry paid	50.50 ✓
User's Fee paid	5.00
Sheriff's Costs	271.23
Pro co pd 12/24/92	**9.00**

COMPLAINT IN CIVIL ACTION - QUIET TITLE

Oct. 1, 1992 Affidavit filed. SIDNEY H. MARTIN, being duly sworn according to law, deposes and says that he is one of the plaintiffs in the above-captioned actionto quiet title; that the defendants, Thomas Fails and Sarah Fails, his wife, and Joseph Fails, John Fails, Austin Fails, Elsei Fails, and George M. Fails, their heirs successors and assigns, are unknown to your affiant and that after diligent search and inquiry, the plaintiffs have been unable to ascertain the present whereabouts of the defendants, if living, or the identity of whereabouts of their heirs successor sand assigns, if any; and that the whereabouts of said defendants and the whereabouts of their heirs, successors and assigns if any, are unknown to the plaintiffs. Sidney H. Martin

Oct. 2, 1992 Motion For Service by Publication and Order filed. AND NOW, to-wit, October 2, 1992, upon consideration of the foregoing Motion, the Sheriff of Crawford County is ORDERED AND DIRECTED to make service of the Complaint on the defendants, Thomas fails and Sarah Fails, his wife, and Joseph Fails, John Fails, Austin Fails, Elsie Fails and george M. Fails, their heirs successors and assigns by publication once int he Meadville Tribune Newspaper, a newspaper of general circulation in Crawford County, Pennsyvlania, and in the Crawford County Legal Journal.

BY THE COURT,
Athony J. Vardaro, J

Oct. 7, 1992 Copy of order put in bo;x for Atty's Fabain

Nov. 16,1992 Sheriff;s Return filed. SERVED by publication once only in the Meadville Tribune on Wednesday, October 14, 1992, as per Proof of Publication attached.
SERVED by publication once only in the Crawford County Legal Journal on Wednesday, October 14, 1992, as per Proof of Publication attached.
So answers, Robert M. Stevens, Sheriff

Nov. 20, 1992 Affidavit of Plaintiffs, filed.

Nov. 23, 1992 Motion for Judgment and Final Decree filed. AND NOW, November 23, 1992, upon presentation of the foregoing MOtion, and after due consideration thereof, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the defendants, Thomas Fails and Sarah Fails, his wife, and Joseph Fails, John Fails, Austin Fails, Elsie Fails, and George M.Fails, their heirs, successors and assigns, are forever barred from asserting any right, title, lien or interest in the land described in paragraph No. 3 of the Complaint in the above-entitled case inconsistent with the interest of the plaintiffs as set forth in the Complaint,provided,however, that this decree shall become final only, if the defendants, or any of them, fail to take any action as is herein directed within thirty (30) days from the date of this decree; IT IS FURTHER ORDERED AND DIRECTED that if no petition to open this judgment or to set aside this Order and Decree is presented by the defendants, or within thirty (30) days from and after the entry of this Order, the same shall become final, and if no such action is taken within said thirty (30) days period, the Prothonotary on Praecipe of the plaintifss shall enter final judgment.

BY THE COURT,
Gordon R. Miller, J.

Nov. 30, 1992 Copy of Final Decree sent to Atty. Fabian.

And now, Dec. 29, 1992 @ 9:05 am upon praecipe of plaintiff's attorney, final jdugment is hereby entered in this case, in favor of the plaintiffs and against the defendants, pursuant to the foregoing Order of Court.
F-161-15-91-91-11-51-71

FINAL JDUGMENT
Barbara H. King,
Prothonotary

1992

955

In the Matter of Compelling John McArdle to Complete a Juror Qualification Form

Filed October 1, 1992
@ 3:24 PM

ORDER

AND NOW, this 30th day of September, 1992 at the request and applicationof the Jury Commissioners of Crawford County alleging that John McArdle has not completed a juror qualification form as required by an Act of the General Assembly of Pennsylvania, 42 Pa. C.S.A. 4521(d) it is hereby ordered as follows:

John McArdle shall appear before the Jury Commissioners at the Crawford County Courthouse to complete the juror qualification form. He shall first be served with the Summons signed by the Jury Commissioners. He shall pay the costs of the service of that summons when bille dby the Sheriff.

If John McArdle fails to comply withthe summons the Sheriff of Crawford County, at the request of the Jury Commissioners shall apprehend John McArdle and bring him to the Crawford County Courthouse for th epurpose of completing the jury questionnaire. John McArdle shall also paay the cost of that temporary arrest.

If John.McArdle fails to pay the cost of service of the Summons and the costs involved in his arrest, if that should occur, the S
heriff and/or Jury Commissioners may bring appropriate contempt of court proceedings.

BY ORDER OF COURT,
Gordon R. Miller, J

1992

Mary Ann Kirkpatrick

956

Kathleen R. Nelson

AMY WOULF WALKER

vs.

THOMAS C. WALKER

Filed October 2, 1992
@ 9:44 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 2-24-93	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy (atty)

Oct. 12, 1992 Affidavit of Service filed.

Nov. 5, 1992 Appearance of Kathleen R. Nelson for Defendant Thomas C. Walker, filed.

Jan. 26, 1993 Affidavit of Consent of Plaintiff, filed.

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

Feb. 24, 1993 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

D I V O R C E D E C R E E F I L E D

March 8, 1993 STIPULATION and DECREE filed. AND NOW, this 5 day of March, 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 upon the grounds that the marriage is irretrievably broken and ninety days have elapsed from the date of filing of the Complaint, and an Affidavit has been filed by each of the parties evidencing that each consents to the divorce pursuant to Sec. 3301(c) of the Pa. Divorce Code.

2. Real Property: The parties are owners as tenants by the entireties of real property situate in Summit Township, Crawford Co., PA., with said premises subject to a mortgage with the Fleet Mortgage Company fo Milwaukee, Wisconsin, with a current approximate outstanding balance of $60,000.00. In regard to the aforesaid real property, which was the marital residence of the parteis, it is agreed as follows:

a) The parties shall attempt to rent the premises until same can be sold and shall apply all rentals received toward payment of the monthly mortgage obligation in the amount of $755.00 to the Fleet Mortgage Co. In the event the rentals received are in an amount less than $755.00 per month, the Defendant shall advance from his own funds, the difference between the monthly payment and the rental proceeds received. At the time of sale of the premises, the Defendant shall be credited with any and all amounts advanced prior to a distribution of the sale proceeds between the parties as set forth herein.

b) Plaintiff and Defendant shall execute an Agreement of Sale with the first party or parties to offer a fair market value for the home with a stipulation that any said offer shall at least equal the amount owed to the Fleet Mortgage Company along with any unpaid real estate taxes, and any other municipal charges.

c) AT the time of sale, all closing costs, including the charges set forth in paragraph b above as well as attorney's fees, commissions, transfer taxes and all otehr charges incident to the sale shall first be subtracted from the purchase price, and then Defendant shall be credited with any amounts advanced as set forth in subparagraph a above. The remaining proceeds, if any, shall be divided equally between the parties.

3. Personal Property:

a) Household Goods and Furnishings - Plaintiff shall transfer to Defendant all of her right, title and interest in the following household items: stereo, recliner chair, one vcr, cabinet, bicycle, television in bedroom, water skis and boat equipment, golf clubs, tools, washer and dryer, microwave oven, porch swing, queen size bed, master dresser, grill and tv tables.

Defendant shall transfer to Plaintiff all of his right, title, and interest in and to all other household goods and furnishings not set forth herein.

b) Vehicles - Plaintiff shall transfer to Defendant all of her right, title, and interest in the 1988 Toyota Celica automobile and the Defendant shall be solely responsible for the loan on said vehiclewith the First National Bank of PA. and shall hold Plaintiff harmless in regard to same.

Defendant shall transfer all of his right, title, and interest in the 1990 Chevrolet Lumina automobile and the Plaintiff shall be solely responsible for the loan on said vehicle with Banc One and shall hold Defendant harmless in regard to same.

c) Bank Accounts - All bank accounts currently titled in the anme of the Plaintiff shall remain Plaintiff's sole and separate property, and all bank accounts currently titled in the name of the Defendant shall remain Defendant's sole and separate property.

d) Insurance Policies - Each party shall retain any and all insurance policies upon which they are the named owners as their sole and separate property.

4. Debts:

a) Plaintiff's Obligations: The Plaintiff shall be solely responsible for the following marital debts and obligations, and shall hold the Defendant harmless in regard to same: Discover Card Account, and the Master Card Account with the First National Bank of Western Pa.

b) Defendant's Obligations: The Defendant shall be solely responsible for the following marital debts and obligations and shall hold the Plaintiff harmless in regard to same: Master Card Account with AT & T, and the loan with the First National Bank of Western PA.

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

6. Each party if requested by the other shall execute a bill of sale to the other, transferring title to any items described herein to the other and shall execute any certificates of title, assignments of title, sales and use tax returns, deeds, agreements of sale, or other documents reasonably required to transfer title to any of the assets listed.

BY THE COURT,
Anthony J. Vardaro, J.

1992

Peters, Lindsay,
Lewis & Gagliotti
Brian J. Lindsay

957

$150.00 deposited by
Plaintiff for mediator

11-16-92 Pd Plff Bal of
Med deposit
Ck# 7174 $6900

11-20-92 Pd Comm
Ck# 7184 Med Fee
5200

CATHY L. BRINK

vs.

JEFFREY L. BRINK

Filed October 2, 1992
@ 2:37 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Se Pd Ck#42187 11-20-92	9.00

William Pineo, Mediator

COMPLAINT FOR CUSTODY
1 copy (atty), 1 copy (med.)

ORDER:

You, Jeffrey L. Brink , have been sued in Court to obtain custody of Julie Lynn Brink, Samantha Lynn Brink

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

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

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

Court Administrator
Crawford County Courthouse
Meadville, PA 16335
Telephone: 814-336-1151
ext 298

9/30/92

BY THE COURT,
Gordon R. Miller, J

Oct. 13, 1992 Affidavit of Service filed.

Nov. 13, 1992 Temporary Order filed. AND NOW, this 12th day of November, 1992, after Mediation in the above referenced matter and upon the recommendations of theChild Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THT:

1. The parties shall share legal and physical custody of the subject minor children, Julie and Samantha Brink.

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

3. The mother shall have primary physical custody of the subject minor children. The parties shall continue to arrange between themselves the periods of temporary physical custody and visitation for the father.

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

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

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

9. Costs and fees of Mediation, which are fixed at $52.00. The deposit required for the appointment of the mediator was made by the plaintiff mother. Said deposit shall first be applied against costs in this case and the remainder shall be disbursed to the mother.

10. 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, J.

Nov. 13, 1992 Copy of the Order to Attys. Lindsay and Pineo

1992

958

BOBBIE JO RICHARDS

vs.

EUGENE PAUL RICHARDS

Filed October 5, 1992
@ 11:20 AM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	38.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 5 day of October, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

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

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for October 12, 1992, at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Oct. 7, 1992 Sheriff's Return filed. SERVED Eugene Paul Richards on October 6, 1992 at 1:00 PM by handing him a copy of the Protection from Abuse at the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.
So answers,

Diane Severo, Deputy Sheriff
Robert M. Stevens, Sheriff

Oct. 13, 1992 ProtectionFrom Abuse Order filed. AND NOW, October 12, 1992, this matter is before the Court on a petition for Protection From Abuse filed by the Plaintiff. She appears without counsel and the Defendant appears with counsel.

The Court proceeds informally and it appears that the ciscussion cneters ona continuing dispute with regard to custody and visitation.

The Court believes that in the heat of those discussions the Defendant could have made threatening remarks to the Plaintiff or remarks that were construed by the Plaintiff to be threatening, and in light of prior abuse during the course of their marriage, the Plaintiff is in fear.

The Court does not believe that the Plaintiff is able to establish, however, by a preponderance of the evidence abuse that would be sufficient to allow the entry of an Order under theAct.

With agreement of the parties, the Court enters a modification to the Order at A.D. 1991 - 122 in the custody action in an effort to control any further comments or threats if any have occurred so that the parties can have visitation and custody with respect to the children in a civil manner.

The Court, therefore, dismisses this petition with costs to the County.

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

Oct. 13, 1992 Copy of the Order toCounty Control, Atty. Halliday, Penna. State Police, Plft.

1992

Jorden & White
William T. Jorden

959

PAUL PITTSENBARGER and CAROL PITTSENBARGER, administrators and on behalf of the Estate of TRICIA J. PITTSENBARGER

vs.

MILFORD L. FOX

Filed October 5, 1992
@ 4:15 PM

Tax & entry paid	50.50
User's fee paid	5.00
Sheriff's Costs	35.00
Pro Co pd 5/3/93	6.00

WRIT OF SUMMONS
Issued Sheriff

Oct 14, 1992 SHERIFF'S RETURN filed. SERVED Milford L. Fox on Oct. 7, 1992 at 2:05 PM by handing copy of Summons to Rose Pirette, adult in charge of his residence, Main St, Springboro, Crawford County, Pa. So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Apr. 2, 1993 Petition for Compromised Settlement Discontinuance and Distribution and Order, filed. ORDER: AND NOW, this 2nd day of April, 1993 upon consideration of the foregoing petition, this court does hereby approve the Settlement, Compromise and Discontinuance as set forth in the foregoing petition and does hereby direct that the $74,000.00 settlemetn proceeds to be paid by Milford L. Fox's insurance company and the %50,000.00 amount to be paid as underinsured benefits by Tricia Pittsenbarger's insurance company to be paid to the Estate of Tricia Pittsenbarger to be contributed to wrongful death damages only and to be distributed according the intestate laws of this Commonwealth after deduction of attorneys fees and reasonable and necessary costs.
By the Court,
Gordon R. Miller, P.J.

Apr. 7, 1993 copy to W. Jorden

May 3, 1993 Upon praecipe of Plaintiff Attorney the above captioned matter is hereby settled and discontinued of record.

60

1992

Northwest Legal Services
Gerald Sullivan

960

SUSAN A. ENGLISH

960

JAMES E. ENGLISH

Filed October 6, 1992
@ 11:29 AM

Tax & entry Pd 11-20-92 50.50
User's Fee Pd 11-20-92 5.00
Sheriff's Costs 45.60
Pro. Co. Pd 11-20-92 9.00

11-20-92
Received from
Left Sheriff's
Cost 45.60

11-20-92
Pd Sheriff
Ch 7188 45.60

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 6 day of October, 19 92, upon review of the petition of Plaintiff, the Court entered 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 custody 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 of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for October 14, 1992, at 3:30 P.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Oct. 13, 1992 Sheriff's Return and Affidavit of Service filed. SERVED the within Notice to Defend- Petition for Relief Under Protection from Abuse Act - Temporary Abuse Order on Oct. 08, 1992, at 11:40 A.M., upon James E. English at 308 E. 4th St., Oil City,PA 16301 by handing to James E. English, in person a true and correct copy thereof and made known to him the contents therein.

Gene Price, Sheriff Venango County

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

So answers:

Robert M. Stevens, Sheriff, Crawford County, PA.

Oct. 16, 1992 Order filed. AND NOW, October 14, 1992, this matter is before the Court on a Protection From Abuse Petition filed by the plaintiff requesting relief under that Act.

The plaintiff appears with cunsel and the defendant appears without counsel, particularly in light of the fact that an Order will be entered without admission on his part.

ACCORDINGLY, the following Order is entered:

1. The defendant shall not abuse, assault, harass or threaten the plaintiff or any of the minor children named in the petition.
2. The defendant shall not at any time go to the residence or place of employment nor shall he commit any of the acts in the paragraph above at any time or any place.
3. If the defendant shall be invited to the residence of the plaintiff, he shall not go to residence without further Order of Court as it shall be presumed he is in violation of this Order if he is at the residence of the plaintiff.
4. The plaintiff is granted temporary custody of the minor children, without prejudice to the parties to file an appropriate custody action at any time.
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 Departments in the jurisdiction where the plaintiff resides, County Control and mailed to the defendant at his address at 308 East Forest Street in Oil City, Pennsylvania.
7. The defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000.00 and a jail sentence of up to six (6) months.
8. The defendant shall pay costs in this matter in the amount of $110.10 within forty-five (45) days of this Order.
9. This Order shall remain in full force and effect through October 13, 1993.

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

Oct. 16, 1992Copies mailed to Deft. PASP, and given to Atty.Sullivan and County Control.

1992

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

961

THE FIRST NATIONAL BANK OF PENNSYLVANIA, now by merger, MARINE BANK

vs.

CHARLES A. NICHOLS

Filed October 7, 1992
@ 11:40 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	36.00
Pro Co pd 11/20/92	9.0

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Oct. 16, 1992 Sheriff's Return filed. SERVED Charles A. Nochols on October 13, 1992 at 2:15 PM by handing a copy of the Complaint to Elizabeth Lewis, Adult in Charge at the residence, R.D. #2, Box 2014, Spartansburg, crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
robert M. Stevens, Sheriff

And Now, Nov. 18, 1992 @ 11:31 am upon praecipe of plantiff's attorney, with Notice of Intention to File default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendant for failure to file an answer and the damages are assessed at the sum of Five Thousand Eight Hundred Thirty-seven and 39/100 plus interest and cost of suit.

N-31
judgment entered 11/18/92
Notice of entry of judgment mailed 11/20/92

Debt $5,837.39
Int. from Oct. 6, 1992
Judgment
James F. Simmons
Prothonotary

Ex 1994-68

62

1992

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

962

MARINE BANK

vs.

JOHN S. TRYPUS and
JENNY L. SHERRED

Filed October 7, 1992
@ 1:18 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	38.00
Pro Co pd 11-18-92	9.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Oct. 16, 1992 Sheriff's Return filed. SERVED John S. Trypus personally on October 13, 1992 at 3:48 PM by handing a copy of the Complaint to himat the residence, R.D. #1, Box 120, Venango, Crawford County, PA.
SERVED Jenny L. Sherred personally on October 13, 1992 at 3:49 PM by handing a copy of the Complaint to her at the residence, R.D. #1, Box 120, Venango, crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, Nov. 18, 1992 at 1:50 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 Seventy-eight and ninety-two cents plus interest from Oct. 6, 1992, and all costs of suit for failure to answer or otherwise plead, plus fees of $815.78.
S - 94 Debt: $4,078.92 plus int. & Costs of $815.78
T - 94 Judgment
Barbara H. King, Pro.

Reversed & #D1996-1013

1992

Joseph F.Kulwicki
~~Dallas W. Hartman, PC~~ Withdrawn

963

Thomas, Truax, Spadafore and Walker
R.Charles Thomas

MARGIE L. WYANT

vs.

DOMENICK PETRUSO, JR.

Filed October 7, 1992
@ 1:36 Pm

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's costs	28.00
Pro.Co. pd 4/6/94	6.00

JURY TRIAL DEMANDED

WRIT OF SUMMONS
Issued Sheriff

Oct. 14, 1992 SHERIFF'S RETURN filed. SERVED Domenick Petruso Jr. personally on Oct. 9, 1992 at 9:10 AM at the Sheriff's Office, Crawford County Courthouse, Meadville Pa 16335.
So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

Nov. 30, 1992 Appearance of Thomas, Truax, Spadafore and Walker by R. Charels Thomas, Esquire for Domenick Petruso, Jr., filed

July 23, 1993 Appearance of Joseph F.Kulwicki, Esquire for Margie L.Wyant, Plaintiff, filed.
Upon Praecipe of Dallas W. Hartman, Esquire, his appearance on behalf of Plaintiff, Margie L. Wyant, is hereby withdrawn.

Sept. 10, 1993 Upon Praecipe of Defendant's attorney, Rule To File Complaint filed.

Nov. 29, 1993, Servcie of the foregoing Rule accepted by plaintiff attorney on Nov. 19, 1993.

April 6, 1994 Upon Praecipe of Joseph F. Kulwicki, III,Esquire, Attorney for Plaintiff, the above captioned matter marked settled and discontinued of record.

64

1992

964

SUSAN B. FIELDS

vs.

GREGORY FIELDS

Filed October 7, 1992
@ 4:35 PM

Tax & entry Pd 11-16-92 50.50
User's fee Pd 11-16-92 5.00

Sheriff's Costs 27.00
Pro Co Pd 11-16-92 9.00

11-16-92 Received Sheriff's Costs 27.00
11-17-92 Paid Sheriff Ck# 7177 27.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 opy Plaintiff

ORDER:

And now, this 7th day of October, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff ~~or any of the minor children named in the Petition.~~
2. Special Conditions: Defendant shall not contact Plaintiff. Defendant shall not go to Plaintiff's residence or work. 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 of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for October 20, 1992, at 3:30 P.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Oct. 8, 1992 Sheriff's Return filed. SERVED Gregory Fields personally on October 8, 1992 at 10:02 AM by handing a copy of the Protection from Abuse in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.
So Answers,

DAle A. Collins, Deputy Sheriff
Robert M.Stevens, Sheriff

Oct. 22, 1992 ORDER filed. AND NOW, Oct. 20, 1992, at the time fixed for hearing in this matter both parties appeared with counsel and entered into a settlement agreement in which the parties agree to settle this matter as herein after set forth, however, the Defendant does not admit that he engaged in the conduct alleged in the Petition. Accordingly, it is ORDERED as follwos:

1. The Defendant shall not directly or indirectly assault, abuse, harass or threaten the Plaintiff or the minor child named in the Petition.
2. The Defendant shall not go to the Plaintiff's property ot be within one hundred (100) yards of the Plaintiff's property except to exercise lawful visitation and custody rights. This shall not prohibit the Defendant from driving on a public road that is near the Plaintiff's home so long as he does that for legitimate purposes and not for the purpose of loitering around her property.
3. Until further Order of Court primary physical custody of the child shall remain with the Plaintiff, with the Defendant having visitation rights as follows: The Defendant shall be permitted to take his child into his custody every other weekend commencing with Friday, Oct. 30, 1992. The visitations shall take place between 4:30 o'clock p.m. on Friday and terminate at 4:00 o'clock p.. the following Sunday. The Defendant shall pick up his daughter and return her in a timely fashion. If the defendant does not appear to pick up his daughter within thirty (30) minutes after the required time and if the parties have not agreed to a later pickup, then that particular visitation shall be deemed cancelled and no substitute given therefore.

The parties may agree to additional periods of visitation by the Defendant with his daughter.

4. When the Defendant picks up his chidl and returns his child at the beginning and end of these visitation periods he shall nto get out of his car. The child will make the journey from the trailer to the car and back on her own. The Plaintiff shall be present at or about her trailer at these times for the Court does not expect the child to return to a seemingly empty trailer. During these exchanges the parties shall not become verbally loud or abusive to each other. They shall not argue or bicker in the presence of the child.
5. These provisions with respect to custody and visitation shall remain in full force and effect throughout the life of this Order until changed or modified in a custody or viitation action by an Order of a Court of competent jurisdiction.
6. Neither of the parties shall say anything in the presence of the child that would be derrogatory about the other parent.
7. The Defendnt shall pay court costs in the amount of $91.50 in full no later than Nov. 15, 1992. He shall pay, at least, one-half (½) of the court costs by November 1, 1992. He shall make payment to the Prothonotary of Crawford County at the Prothonotary's Office.
8. This Order shall remain in full force and effect for one (1) year, that is until Oct. 19, 1992 unless it is modified or terminated by further Order of Court. The parties are advised that they cannot violate this Order. Should the Plaintiff invite the Defendant to her home or to do things that are prohibited by this Order the Defendant should resist those invitations because he is under a Court Order and should he respond to her invitations, he may be arrested and held in contempt of court. If the parties wish to change this Order or to terminate it, they must file an appropriate motion or petition in accordance with Local Motions practice.
9. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
10. A copy of this Order shall be delivered to the PA. State Police and to Co. Control by the Prothonotary.
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 up to six (6) months.

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

Oct. 22, 1992 Copy of Order given to Co. Control, PA. SPD, Attys. Mason and Hall.

AS OF MAY 4, 2000, ANY FILINGS INVOLVING THIS CASE MAY BE FOUND ON THE COMPUTER.

1992

965

TAMMY S. DONOVAN

vs.

JAMES E. DONOVAN, JR.

Filed October 8, 1992
@ 10:51 AM

Tax & entry Pd 10-14-92 50.50 ✓
User's Fee Pd 10-14-92 5.00
Sheriff's Costs Pd 10-14 34.00
Pro Co. Pd 10-14-92 5.00 ✓

10-14-92
Received from Deft
Sheriff's Costs
34.00

10-14-92 Paid Sheriff
Ck# 7114 34.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 8th day of October, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not contact Plaintiff in anyway. He shall not go to her residence. Temporary cusotdy of the children is awarded to Plaintiff.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for October 20, 1992, at 3:30 P. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Oct 9, 1992 SHERIFF'S RETURN, filed. SERVED James E. Donovan, Jr. personally on Oct 9, 1992 at 9:40 am at the Sheriff's Office, Crawford County Courthouse, Meadville, Pa. 16335
So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

OCt. 14, 1992 UPon praecipe of Plaintiff this action is marked settled and discontinued of record.

1992

966

PHYLLIS FEIL

vs.

JACK FEIL

Filed October 8, 1992
@ 11:12 AM

Tax & entry Pd 10-14-92 50.50
User's Fee Pd 10-14-92 5.00
Sheriff's cost 25.00
Prothy Pd 10-14-92 5.00

10-14-92
Received from Plff Sheriff's Costs 25.00

10-14-92
Pd Sheriff Sheriff's Costs Ck# 47116 25.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 8th day of October, 19 92, upon review of the petition of Plaintiff, the Court entered the following Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendnat shall not go to Plaintiff's home or place of work. Possession of 468 Chestnut ST. is awarded to Plaintiff. Defendant shall not contact Plaintiff in any way including in personor by phone.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for October 22, 1992, at 3:30 PM., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Oct 9, 1992 SHERIFF'S RETURN, filed. SERVED Jack Feil personally on Oct. 8, 1992 at 11:42 AM by handing a copy of the Protection from Abuse at his place of employment, J&B Appliances, 875 Water St, Meadville, Crawford County, Pa.
So answers, Robert A. Fishcer, Deputy Sheriff
Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Oct 14, 1992 Upon praecipe of Plaintiff this action is discontinued of record.
Oct. 14, 1992 copy to Co Crt. & MCPD

1992

~~Joseph F. Kulwicki~~
withdrawn

967

CARL E. ROBINSON

vs.

CAROL A. ROBINSON

Filed October 8, 1992
@ 12:34 PM

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

COMPLAINT IN DIVORCE
1 copy Atty.

Oct. 20, 1992 Affidavit of Service filed. Stephanie Loper, being duly sworn according to law, deposes and says she is an adult individual, employed by the law office of Joseph F. Kulwicki, Attorney for the Plaintiff, and as such she placed a certified copy of the Divorce Complaint in the United States mail on October 8, 1992, being certified mail number P 724 954 565, addressed as follows: Mrs. Carol Robinson, 802 Forrest Green Estates, Meadville, PA 16335. The signature card for said certified mail item was returned to the office of Joseph F. Kulwicki, Esq.. as having received same on October 9, 1992. Said signature card is attached hereto and made a part hereof.
FURTHER AFFIANT SAITH NOT. Stephanie Loper

Sept. 24, 1993 Motion to Withdraw Appearance of Joseph f. Kulwicki for Plaintiff and Order, filed. ORDER: AND NOW, this 24th day of September, 1993, motion granted. BY THE COURT,
Oct 1, 1993 copy to Kulwicki Gordon R. Miller, P.J

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 9/24/93 . 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)

1992

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

968
Terry A.Toomey

REBECCA GRAY

vs.

RONALD GRAY

Filed October 8, 1992
@ 1:56 PM

Tax & entry	50.50
User's Fee	5.00

PETITION TO REGISTER, ADOPT AND ENFORCE JOURNAL ENTRY AND DECREE OF DIVORCE REGISTERED IN THE STATE OF KANSAS

Order:

AND NOW, this 2 day of October, 1992, upon presentation and considerationof the within Petition, and Order is granted upon the defendant to show cause, if any he has, why the Journal Entry and Decree heretofore entered in the Eighteenth Judicial District of Sedgwick County, Kansas should not be registered in the Court of Common Pleas of Crawford County, Pennsylvania, and adopted as a Decree of the Court of Common Pleas of Crawford County, Pennsylvania.

Returnable for hearing on the 30 day of October, 1992 at 3:30 o'clock p.m. in Court Room No. 1 or 2 of the crawford County Court House, Meadville, Pennsylvania.

BY THE COURT,
Anthony J. Vardaro, J

Nov. 12, 1992 Order Filed. AND NOW, October 30, 1992, the parties are before theCourt on Plaintiff's petition to register, adopt and enforce journal entry and decree of divorce registered in the State of Kansas.

The Plaintiff appears by counsel and the Defendant appears with counsel.

At the tiem set for the hearing, the Defendant files a return of rule upon defendant as well as Defendant;s memorandum of law and memorandum regarding waiver of objection of Kansas' assertion of in personam jurisdiction.

The Plaintiff has not previously been served with these documents and advises the Court that he was unaware that the Defendant would contest this petition.

It appears that the sole issue is whether or not the Kansas court has in personam jurisdiction over the Defendant such tht the order entred in Kansas is valid for the purpose of distributing Pennsylvania real estate.

The parties entere into certain stipulations at the time set for argument centering around the Defendant having been served with the original divorce petition as well as temporary order and summons: a motion of intent to take default judgment; a December 27, 1991 journal entry and decree of divorce and an order nunc pro tunc dated January 8, 1992 amending the December 27, 1991 order to acknowledge that the Defendant never personally appeared nor did he appear by counsel in the Kansas divorce action.

Additionally, the Defendant acknowledged receiving a Domestic Relations affidavit dated September 3, 1992.

All of the coduments are already part of Plaintiff's petition and the parties agree shall be part of the record with the exception of the Domestic Relations affidavit of September 3, 1992 and the original petition dated September 5, 199 and the Plaintiff will supply the Court with copies of those documents to become part of the record by agreement of the parties.

The Plaintiff may file a memorandum of law with respect to this matter within 30 days of the date of this order and within that time period the Defendant may file any additional memorandum that he wishes.

The Court administrator shall schedule this matter for further argument and for any testimony the parties wish to present no sooner than December 10, 1992.

BY THE COURT:
Anthony J.Vardaro, J.

Nov.12, 1992 Copies given to:
Attys. Toomey & Thomas.

Nov. 17, 1992 Order filed. November 17, 1992; The Court Administrator having been directed by the Court to schedule an argument and/or hearing date in the above matter, hereby sets argument and/or hearing for January 28, 1992 at 10:30 AM, in Courtroom No. 2.

For The Court,
Imogene Yetman, C.A.

Nov. 19, 1992 Copies of order to Atty's Thomas and Toomey

Feb. 1, 1993 Motion for Continuance and Order of Court filed. AND now, January 28, 1993 This hearing is continued generally and may be rescheduled at the request of counsel for either party.

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

Feb. 3, 1993 Copy of Order to Attys. Thomas & Toomey.

1992

William J. Gregg

969

SHIRLEY J. MALONE

vs.

MICHAEL F. MALONE

Filed October 8, 1992
@ 3:09 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 1-13-93	9.00
Pro.Co. pd 2/1/93	5.00

COMPLAINT IN DIVORCE
1 copy (atty)

Oct. 30, 1992 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 theComplaint in Divorce and Notice to Defend were sent by registered mail to the Defendant, Michael F. Malone, on October 8, 1992.
3. The registered mail was sent to Michael F. Malone, 113 Glen St. Cambridge Springs, PA 16403. The sender's receipt is attached hereto.
4. That the Defendant received said registered mail on October 13, 1992. Said Return Receipt Card P 360 670123 is attached hereto, signed by Michael Malone, and made a part hereof.

October 29, 1992 William J.Gregg, Esquire

Jan. 13, 1993 Affidavit of Consent of Plaintiff, filed.

Jan. 13, 1993 Affidavit of Consent of Defendant, filed.

Jan. 13, 1993 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Jan. 20, 1993 AND NOW, January 19, 1993, it is ordered and decreed that **SHIRLEY J. MALONE**, plaintiff, and **MICHAEL F. MALONE**, 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. 1, 1993 Notice of Election to Retake Maiden Name filed, to be known as SHIRLEY J. LYONS, filed.

1992

Barbara J. Walton

970

Mary Ann Kirkpatrick

EYLANE BUCHHOLZ

vs.

WILLIAM I. BUCHHOLZ

Filed Oct. 8, 1992
@ 4:13 PM

Tax & entry paid	50.50 ✓
User's fee paid	10.00
1 Add'l Count paid	15.00 ✓
State paid	10.00
Pro.Co. pd 6/9/94	9.00 ✓

COMPLAINT FOR DIVORCE, EQUITABLE DISTRIBUTION
1 copy Atty.

Oct. 9, 1992 Affidavit of Service filed.

Oct 19, 1992 MOTION TO SET HEARING ON PETITION FOR SPECIAL RELIEF and ORDER filed. ORDER: And Now, Oct. 16, 1992, motion allowed. Hearing on Plaintiff's Petition for Special Relief is set for Nov. 30, 1992, at 2:30 P.M. in the Crawford County Courthouse, located in Meadville, Pa. For the Court:
Imogene Yetman, Crt. Adm.
Oct 19, 1992 2 copies (atty)

Oct. 21, 1992 Appearance of Mary Ann Kirkpatrick, attorney for defendant filed.

Nov 6, 1992 Inventory of Defendant, filed.

Nov. 12, 1992 Answer to Petition for Special Relief, filed.

Dec 4, 1992 STIPULATION AND ORDER filed. ORDER: AND NOW, this 30th day of November, 1992, upon review of the Stipulation executed by the parties, it is ORDERED that Plaintiff ELYANE BUCHOLZ shall have exclusive possession of the marital home of the parties, located at 171 E. State Rd., Jamestown, Pa. during the pendency of this divorce action.

Defendant will remove himself and his personal belongings from the marital home within 45 days of the date of this order. He may not remove marital assets as part of his personal belongings without the explicit agreement of the parties.

The order pertains to the Plaintiff Petition for Special Relief. BY THE COURT:
Anthony J. Vardaro, J.
Dec. 9, 1992 copy to B. Walton & M.A. Kirkpatrick

May 17, 1994 Affidavit of Consent by Elyane Buchholz, Plaintiff, filed.

Jun. 6, 1994 Affidavit of Consent to Divorce of William I. Buchholz, Defendant, filed.

Jun. 9, 1994 Upon Praecipe of Barbara J.Walton, Esquire, Attorney for Plaintiff to transmit record, Case Moved to Court.

DIVORCE DECREE FILED

June 21, 1994 STIPULATION and DECREE filed. And, Now, June 17, 1994, it is ordered and decreed that ELYANE BUCHHOLZ, plaintiff, and WILLIAM I. BUCHHOLZ, 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.

REAL PROPERTY:
Wife shall be the sole owner of the parties' home located at 171 E. State Rd., Jamestown, PA and she shall be solely liable for all debts, liens and expenses thereof. Husband shall become the sole owner of lots #300 and #301 in the Doughette Allotment and shall be solely liable for any and all debts, liens and expenses thereof.

CASH PAYMENT:
Wife shall pay to husband the sum of $20,000.00 on or before May 1, 1994.

RETIREMENT BENEFITS:
Husband shall pay to wife exactly one-half of the total lump sum retirement benefit he received this year from Westinghouse Electric Company.

PERSONAL PROPERTY:
Wife shall be entitled to keep and become the sole owner of all furnishings and equipment ocated at the 171 E. State Road, Jamestown, PA. property except that husband shall be entitled to keep the tools and personal belongings now in his possession and to receive his welder, compressor, work bench, battery charger, cutting torch, nuts, bolts, miscellaneous shelving and bench vise.

LIFE INSURANCE:
Husband shall relinquish ownership of and wife shall be the sole owner of live insurance policy now insuring the life of husband and wife shall be solely liable to make all payments thereon.

By the Court:
Gordon R. Miller, J.

1992

Edward J. Hatheway

R. Christopher Brode

Barbara J. Walton

971

Joseph W. Tinko
Lori Maurer

MARIALICE OSMAN

vs.

WILLIAM OSMAN

Filed October 8, 1992
@ 4:13 PM

Tax & entry paid	50.50
User's fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00
John Fuller Mediator	
William Pineo, Mediator	
Pro Co pd 8-23-93	9.00
Bill Pineo, Mediator	102.00
Pro Co 8-16-95 pd	9.00
William Pineo, Med.	242.00
Pro Co pd 11-5-98	9.00

William Pineo, Med 152.00
Pro Co 10 -95 9.00

John Fuller, $240.00
Mediator
Pro Co 9.00

10-28-92
Received from Plf
Mediation Deposit
$150.00

3-4-93 Pd Plf
refund med dep
Ck # 7368 150.00

10-15-93 Received from
Dept Med. Fee 51.00

10-26-93 Pd Co Med Fee
Ck 7874 51.00

3-9-95 Refund from Dept
med fee 150.00

8-15-95 Pd Co-med fee
#9358 121.00

8-5-98 Received from
Defendant $200.00

10-5-98 Pd Co 115.50
10-5-98 Pd Plf refund 75.50
11-10-98 Refund from Plf
med fee 124.50

11-23-98 Pd Co 124.50

COMPLAINT IN DIVORCE, CUSTODY and
EQUITABLE DISTRIBUTION
2 copies Atty

October 21, 1992 MEMORANDUM filed. This matter is before the Court on a request by the Plaintiff for a child custody mediator to be appointed. By a separate orer attached, the Plaintiff is requesting that the Court enter an orer allowing temporary custody of teh minor child to be with Plaintiff in order to maintain the status quo.

The Court has reviewed the complaint filed in this matter and it appears that such relief would be appropriate due to the fact that the Defendant apparently currently lives in North Carolina and according to the sworn allegations of the complaint there have been some recent emotional problems with respect to the oldest daughter and her reaction to the domestic problems her parents are facing.

The Court does not believe it is appropriate to enter two separate orders with respect to this matter and would advise counsel that appropriate language should be placed within the notice and order to appear. Normally, that should be done under the paragraph where the child custody mediator is appointed and in this case should indicate as follows:

In order to maintain the status quo, Plaintiff is granted temporary custody of the minor children pending mediation with reasonable visitation to the Defendant. No party shall remove the children from the Commonwealth of Pennsylvania pending mediation.

If the attorney for the Plaintiff presents an order fashioned in this form, the Court will sign the same.

BY THE COURT:
Anthony J. Vardaro, J.

Oct. 21, 1992 Copy given to Atty. Barbara Walton.

Oct 29, 1992 MOTION TO APPOINT CHILD CUSTODY MEDIATOR and ORDER, filed. ORDER: YOU, WILLIAM R. OSMAN, have been sued in Court to obtain custody of CHYNNA and SHANNON OSMAN.

YOU ARE ORDERED to appear for a hearing befor 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.

In ordr to maintain the status quo, Plaintiff is granted temporary custody of the minor children pending mediation with reasonable visitation to the Defen dant. No party shall remove the children from the Commonwealth of Pennsylvania pending mediation BY THE COURT:
Date: 10-26-92 Anthony J. Vardaro, J.
Oct. 29, 1992 1 copy (atty) 1 copy Mediator

Nov. 4, 1992 Affidavit of Service filed. And Now, November 2, 1992, comes Lisa M.Sherretts, secretary to Barbara J. Walton, Esq. 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 October 8, 1992.
2. That the Defendant signed the return card on October 14, 1992 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 899097880) attached hereto as Exhibit A.

Lisa M. Sherretts

Feb. 25, 1993 Settlement Agreement, filed.

Mar. 1, 1993 Motion For Refund of Mediation Deposit and Order filed. And Now, February 26, 1993, Motion allowed. The Prothonotary is ordered to return to Plaintiff her unsued Mediator's Deposit.

By the Court:
Anthony J. Vardaro, J

Mar. 8, 1993 Copies of order to Atty. Walton

May 21, 1993 Motion To Withdraw Counts of Divorce Complaint and ORDER filed. And Now, this 18th day of May, 1993, the within Motion is allowed.

By the Court:
Gordon R. Miller, J.

May 27, 1993 Copy of Order to Atty. Walton, John Fuller.

May 21, 1993 Affidavit of Consent by William Osman,Defendant, filed.

June 18, 1993 Affidavit of Consent of Plaintiff, filed.

Aug. 3, 1993 Certificate of Service filed. I, Joseph W. Tinko, Esquire, the undersigned, hereby certify that on the 3rd day of August, 1993, I served a true and correct copy of a Notice of Intention to Request Entry of Divorce Decree on the following party or the following counsel of record for same by United States First Class Mail, pursuant to the Pennsylvania Rules of Civil Procedure:

Barbara J.Walton, Esquire
310-312 Chestnut Street
Room 334 Masonic Building
Meadville, PA 16335

BY: Joseph W. Tinko, Attorney for Defendant

Aug. 13, 1993, Praecipe to Proceed In Forma Pauperis and Affidavit of plaintiff Marialice Osman, filed.

Aug. 17, 1993 Petition for Custody Modification and Jurisdiction filed.

Aug. 17, 1993 ORDER filed. AND NOW, August 16, 1993, the Court having learned that a custody complaint filed by the Defendant against the Plaintiff in Bedford County has not been dismissed and the Court in Beford County finding that venue was appropriate in Crawford County, this matter is deferred to William Pineo, Child Custody Mediator, for mediation.

The mediator is directed to try to hold a mediation as soon as possible due to the upcoming school year.

BY THE COURT:
Anthony J.Vardaro, J.

Aug. 18, 1993 Copies of Order Dist. Brode & Tinko. Aug. 23, 1993 Copy of Order to Atty. Pineo.

Aug. 23, 1993 Certificate of Service filed. I, Joseph W. Tinko, Esquire, the undersigned, hereby certify that on the 23rd day of August, 1993, I served a true and correct copy of a Praecipe to Transmit Record on the following party or the following counsel of record for same by United States First Class Mail, pursuant to the Pennsylvania Rules of Civil Procedure. By Joseph W. Tinko, ESq.

Aug. 23, 1993 Upon praecipe of defendant attorney to transmit records, case moved to Court.

Continued on Page 337

72

1992

MERAV ARIE

vs.

DREW FITZGERALD

Filed October 9, 1992
@ 9:06 AM

Tax & entry Pd 10-22-92 50.50 ✓
User's fee Pd 10-22-92 5.00

Sheriff's Costs 30.00
Pd Pro Co. 10-22-92 9.00 ✓
Pro Co pd 10-22-92 9.00

10-22-92
Received from dept/Atty/Sheriff
Cash 30.00

Pd 10-22-92
Sheriff Costs
Chk # 7127
30.00

972

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
2 copies Plaintiff

ORDER:

And now, this 9 day of October, 19 92, upon review of the petition of Plaintiff, the Court entered 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 of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for October 22, 1992, at 1:30 P.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Oct. 12, 1992 Sheriff's Return filed. SERVED Drew Fitzgerald personally on October 9, 1992 at 2:15 PM at his residence, 589 Baldwin Street, Meadville, Crawford County, PA 16335
So answers, Robert M.Stevens, Sheriff

Oct 22, 1992 Upon praecipe of Plaintiff the above action is discontinued of record.

1992

Gent, Gent & Snyder Michael D. Snyder 973	MARINE BANK, Successor by merger and Acquisition to the First National BAnk of pennsylvania vs. JAMES R. BOOKER and VICKI D. BOOKER Filed October 9, 1992 @ 9:50 AM Tax & entry paid 50.50 ✓ User's Fee paid 5.00 Sheriff's Costs 50.00	COMPLAINT IN MORTGAGE FORECLOSURE 2 copies (Sheriff) Nov. 13, 1992 SHERIFF'S RETURN filed. NOT FOUND as to Defendants James R. Booker and Vicki D. Booker at address of RD 3, Box 655, Conneaut Laek, Crawford County Pa.. Five attempts were made to the residence with no response. So answers, Robert M. Stevens, Sheriff

74

1992

Paul E. Allen

974

DONNA PERINO

vs.

DOUGLAS J. PERINO

Filed October 9, 1992
@ 2:48 PM

Tax & entry paid	50.50
User's Fee paid	5.00
STate paid	10.00
Pro Co pd 1-22-93	9.00
Pro pd. 1/14/99	5.00

COMPLAINT IN DIVORCE
1 copy Atty.

Oct. 15, 1992 Acceptance of Service filed. I, the undersigned Defendant in the above captioned action, hereby accept service of the Complaint in Divorce.
Date:October 10, 1992 Douglas J. Perino

Jan. 22, 1993 Affidavit of Consent of Plaintiff, filed.

Jan. 22, 1993 Affidavit of Consent of Defendant, filed.

Jan. 22, 1993 Upon praecipe of Plaintiff attorney to transmit record, case moved. to Court.

D I V O R C E D E C R E E F I L E D

January 27, 1993 AND NOW, January 26, 1993, it is ordered and decreed that **D O N N A P E R I N O**, plaintiff, and **D O U G L A S J . P E R I N O**, 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.

JaN. 11, 1999 Notice of Election to Retake Maiden Name filed.
To be known as: DONNA RANDALL

1992

Jorden & White
Harry Faber White, II

975

Thomas, Truax, Spadafore
& Walker
R. Charles Thomas

MELVIN W. WILEY and NANCY A. WILEY, husband and wife, individually and d/b/a CIRCLE W. STABLES

vs.

RALPH STALLARD and JERI STALLARD, husband and wife

Filed October 12, 1992
@ 11:25 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	38.00
Pro Pd 11/3/95	6.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Oct. 15, 1992 Sheriff's Return filed. SERVED Ralph Stallard personally on October 13, 1992 at 3:34 PM by handing a copy of the Complaint to him in the Sheriff's Office, Crawford County Courthouse Meadville, PA.

SERVED Jeri Stallard on October 13, 1992 at 3:35 PM by handing a copy of the Complaint to Ralph Stallard, her Husband and Authorized Agent, in the Sheriff's Office, Crawford County Courthouse, Meadville PA. Signed Acceptance of Service atached.

So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

Nov. 10, 1992 10-Day Default Notice, filed.

Feb. 18, 1993 Notice of Deposition on behalf of Melvin W. Wiley and Nancy A.Wiley, filed.

Feb. 18, 1993 Answer to Complaint and New Matter filed.

Mar. 24, 1993, Notice of Service of Requests for Production of Documents and Interrogatories, filed.

Aug. 23, 1993, Notice of Service of Answers to Interrogatories from Defendant filed.

May 12, 1994, Notice of Service of Plaintiffs' First Supplemental Answers to Interrogatories and First and Second Responses to Request for Production of Documents of Defendants (First Set) filed.

Dec. 2, 1994 Notice of Service of Interrogatories, filed.

Feb. 7, 1995 Notice To Complete Discovery filed.

Feb. 8, 1995 Notice of Intent to Complete All Discovery, filed.

Mar. 15, 1995 Certificate of REadiness, filed.

ON TRIAL LIST FOR June 1995

Nov. 3, 1995, Upon praecipe of plaintiff attorney, the above captioned case is marked settled and discotninued of record.

1992

Gerald Sullivan

976

John P. Gagliotti

CAROL A. ROBINSON

vs.

CARL E. ROBINSON

Filed October 12, 1992
@ 1:49 PM

Tax & entry	50.50
User's fee	5.00
Sheriff's Costs	25.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 12th day of October, 19 92, upon review of the petition of Plaintiff, the Court entered 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 return childrento the plaintiff. Plaintiff shall have temporary custody of the children until further order.

3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for October 26, 1992, at 3:30 P.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so. *

BY ORDER OF COURT,
Gordon R. Miller, J

* The Plaintiff shall not leave Crawford County with in the children except to visit her mother in Erie temporarily.

Oct. 13, 1992 Sheriff's Return filed. SERVED Carl E. Robinson, personally on October 12, 1992 at 2:25 PM by handing to him a copy of the Protecton from Abuse at his residence, Box 46, Plum Street, Harmonsburg, Crawford County, PA. At that time the chidlren were returned to Plaintiff.
So answers,
Edgar D. Householder, Chief Deputy
Robert M. STevens, Sheriff

Oct 30, 1992 ORDER filed. AND NOW, Oct. 26, 1992, after conference with defendant, defendant's counsel and plaintiff's counsel, the court dismisses the subject action upon the plaintiff's request. During the conference a letter, signed by plaintiff and delivered to defendant, was submitted to the court indicating plaintiff's desire to dismiss her petition. A copy of the subject letter is attached hereto and made a part hereof.

A temporary abuse order was issued by the Court on Oct. 12, 1992 which required the defendant, who had been in physical custody of the children, to hand the children over to the plaintiff and that the plaintiff would have temporary custody until further ordered. As the charges have now been dismissed, the tempoary abuse order is hereby vacated, and the parties shall have legal joujt shared custody until further order of this court;[1] the Court putting the parties as they were prior to the temporary abuse order.

Defendant shall not leave Crawford County wtih the children except to Erie County where the defendnt's Marine Corp.'s duty station is located.

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

[1] A custody complaint has been filed by plaintiff against the defendant. No hearing date has yet been set.

Oct. 30, 1992 1 copy Gagliotti

Nov. 5, 1992 Supplemental Order filed. Our attention is directed to the fact that we did not dispose of the cost issue in our withdrawal order dated October 26, 1992. We hereby direct that no costs be assessed against either party in this case and the County assume the costs.

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

Nov. 10, 1992 Copy of the Order to Attys. Sullivan and Gagliotti.

1992

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

977

LUCILLE E. DAY

vs.

HAROLD EDWARD DAY

Filed October 12, 1992
@ 2:15 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co Pd 2-3-93	9.00
Pro Co Pd 2-3-93	

COMPLAINT IN DIVORCE
1 copy Atty.

Feb. 3, 1993 ACCEPTANCE OF SERVICE, filed. I, HAROLD EDWARD DAY, hereby accept service of the complaint in divorc e as of Oct. 27, 1992 the date of delivery fo the complaint by certified mail, return receipt requested, article #P-899-098-427. I further acknowledge receiving by first class mail, the affidavit of Lucille E. Day, dated Jan. 4, 1993, and the counter-affidavit under Section 3301(d) of the Divorce Code.

Feb. 3, 1993 Notice of Intention to Request Entry of Divorce Decree, filed.

Feb. 3, 1993 Affidavit Under Section 3301(d) of the Divorce Code, filed.

Feb. 3, 1993 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

Feb. 10, 1993 **DIVORCE DECREE FILED.**

AND NOW, February 9, 1993, it is hereby ordered and decreed that Lucille E. Day, Plaintiff, and Harold Edward Day, Defendant, are divorced fromthe bonds of matrimony.

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

BY THE COURT:
Anthony J. Vardaro, J

1992

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

978

Mary Ann Kirkpatrick

CHERYL S. CERVONE

vs.

JOSEPH F. CERVONE

Filed October 13, 1992
@ 1:38 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 3-30-93	9.00

COMPLAINT IN DIVORCE, CUSTODY,
EQUITABLE DISTRIBUTION

Oct. 14, 1992 Acceptance of Service filed. AND NOW, this 12th day of October, 1992, I, Mary ann Krikpatrick, being authorized so to do accept service of a copy of the Complaint in Divorce in regard to the above captioned matter on behalf of the Defendant, as proper service hereof. Mary Ann Kirkpatrick

Jan. 28, 1993 Affdiavit of Consent of Defendant filed.

Feb. 19, 1993 Motion and ORDER AND DECREE filed. AND NOW, this 18 of February, 1993, this court hereby approves the agreement and the addendum to the agreement attached hereto, and orders that the said agreement be filed with this order and decree in the above captioned action and further orders and decrees:

1. That all provisions, covenants, and agreements of the said agreement and the addendum to the agreement shall have the same force and effect as if incorporated in and set forth at length in this order and decree.

2. The continuing jurisdiction of the plaintiff, Cheryl S. Cervone and the defendant, Joseph F. Cervone and of the matters and subjects of this order and decree is retained by this court.

3. In accordance with the terms and conditions of said agreement and the addendum to the agreement and not withstanding the approval, adoption, confirmation, and incorporation of the same by and in this decree, the said marriage settlement agreement and addendum to the agreement shall not be merged herein but shall survive and be binding upon the parties.

4. The said marriage settlement agreement and the addendum to the agreement shall not be modified or amended except as provided therein.

5. This decree constitutes the final order as to the matters set forth in this agreement and the court retains jurisdiction of the partaies and the subject matter for the purposes of enforcement only.

BY THE COURT:
Anthony J. Vardaro, J.

March 2, 1993 Copy of Order to Attys. Ann Hansen Gamble and M.A. Kirkpatrick.

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

Mar. 30, 1993 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

D I V O R C E D E C R E E F I L E D

April 5, 1993 AND NOW, April 5, 1993, it is ordered and decreed that **C H E R Y L S . C E R V O N E**, plaintiff, and **J O S E P H F . C E R V O N E**, defendant, are divorced from the bonds of matrimony.

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

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

1992

Peters, Lindsay,
Lewis & Gagliotti
Brian J. Lindsay

979

TERRI L. SMITH

vs.

JOSEPH A. SMITH

Filed October 13, 1992
@ 3:27 PM

Tax & entry paid	50.50
User's fee paid	5.00-
State paid	10.00
Pro Co pd 3-22-93	9.00
Pro Co pd 4-5-93	5.00

COMPLAINT IN DIVORCE
2 copies Atty.

Oct 22, 1992 AFFIDAVIT OF SERVICE, filed. I, Brian J. Lindsay, Esq., after being duly sworn according to law, do hereby certify that I am the attorney of record for the above named Plaintiff, and that as such I am authorized to make this verification; that I did on the 15th day of October, 1992, send to the above named Defend ant, 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 21st day of October, 1992, receive a duly executed return receipt dated Oct. 20, 1992.

Jan. 15, 1993 Affidavit of Consent of Plaintiff filed.

Feb. 17, 1993 Affidavit of Consent of Defendant filed.

Mar. 19, 1993 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

March 25, 1993, FINAL DIVORCE DECREE filed.

AND NOW, March 24, 1993, it is ordered and decreed that Terri L. Smith, plaintiff, and Joseph A. Smith, defendant, are divorced from the bonds of matrimony.

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

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

Apr 5, 1993 Notice of Election to Retake Previous Married Name, filed. TERRI LEE SMITH to be known as TERRI LEE HENDERSON.

80

1992

Barbara J. Walton

980

DIANNA ALLEN

vs.

THOMAS ALLEN

Filed October 13, 1992
@ 3:50 PM

Tax & entry paid	50.50
Useer's fee paid	5.00
State paid	10.00
Pro.Co. pd 2/3/93	9.00

COMPLAINT IN DIVORCE
2 copies atty

Nov. 17, 1992 Acceptance of Service filed. And Now, November 4, 1992, comes Thomas Allen and accepts service of the Divorce Complaint and certifies that he is the Defendant in the above-entitled matter and is authorized to do so.
Date: November 4, 1992 Thomas E. Allen

Feb. 3, 1993 Affidavit of Consent by Dianna Allen, Plaintiff filed.
Feb. 3, 1993 Affidavit of Consent by Thomas Allen, Defendant, filed.
Feb. 3, 1993 Upon Praecipe of Barbara J.Walton, Esq. Attorney for Plaintiff, for Review Under Section 201 (c) of the Divorce Code, this case moved to Court.

Feb. 10, 1993 DIVORCE DECREE FILED.

AND NOW, February 8, 1993, it is hereby ordered and decreed that Dianna Allen, Plaintiff, and Thomas Allen, Defendant are divorced fromthe bonds of matrimony.
The Court retains jurisdiction of any claims raised by the parties to this action for which a final order has not been entered.

BY THE COURT:
Anthony J. Vardaro, J

1992

Peters, Lindsay,
Lewis & Gagliotti
~~Brian J. Lindsay~~ Intervenor

981
N.W. Legal Services
R.Christopher Brode

MICHAEL DAVID RUCK

VS.

MELINDA A. RUCK

Filed October 13, 1992
@ 2:37 PM

$150.00 deposited by Plaintiff 10/13/92

John Fuller, Mediator	212.52
Pro Co	9.00
Tax & entry paid	50.50
User's Fee paid	5.00
John Fuller, Mediator	150.00
Pro Co Pd 12-15-92 CK#7223	9.00
John Fuller, Mediator	200.00
Pro Co	9.00
John Fuller, Mediator	250.00
Pro Co	9.00

12-3-92 Refunded to plaintiff $66.00 CK# 7208

12-15-92 Pd Med Fees to Comm 75.00

6-17-94 Rec from Pltf Med Fee 150 (Bal due 50.00)

5-3-94 Rec from Pltf Med Fee 50.00

9-12-94 Pd Co CK#8649 100.00

11-2-96 Ref from Def Mediator 106.26

10-8-96 Ref from pltf med fee 55.00

12-19-96 Pd Co 161.26 #10433 (Bal due 60.26 Pltf owes)

COMPLAINT FOR CHILD CUSTODY
1 copy Mediator; 2 copies Attorney

ORDER:

You, Melinda A. Ruck , have been sued in Court to obtain custody of Randall Ryan Ruck

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 visi tation may be entered against you or the court may issue a warrant for your arrest.

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

Court Administrator
Crawford County Courthouse
Meadville, PA 16335
Telephone: 814-336-1151
ext 298

10-13-92

BY THE COURT,
Anthony J. Vardaro, J

Oct. 21, 1992 Affidavit of Service of Brian J. Lindsay, Esquire, Attorney for Plaintiff, filed.

Nov. 23,1992 Praecipe to Proceed in Forma Pauperis of Melinda A. Ruck, Defendant,filed.

Dec. 2, 1992 Order filed. AND NOW, November 30, 1992, after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Randall Ryan Ruck, 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 Randall Ryan Ruck shall be with his father beginning December 21,1992, subject to the following conditions:

A. The mother shall be entitled to visit and take the child into her custody every weekend from 7:00 p.m. on Friday to 7:00 p.m. on Sunday, beginning December 24, 1992. (In this case, Thursday evening because Friday is Christmas Day.)

B. Holidays shall be defined as Christmas, Easter, Thanksgiving, Memorial Day and Labor Day. Custody of the child shall be alternated on the aforesaid holidays.

In 1992, and even numbered years thereafter, the child shall be in the custody of the mother on Christmas Day and Easter Sunday, and in the custody of the father on Thanksgiving Day.

In 1993, and odd numbered years thereafter, the child shall be in the custody of the mother on Thanksgiving Day, and in the custody of the father on Christmas Day and Easter Sunday.

The child shall be in the custody of the father every Memorial Day and in the custody of the mother every Labor Day.

The Holiday visitation schedule shall take precedence over the weekend schedule.

C. Beginning with the Summer of 1993, the child shall be in the custody of the mother for a period of one month, without interruption. Unless otherwise agreed, it shall be the month of July

D. Transportation of the child on weekends, holidays and Summer visits shall be provided as follows: Custody of the child shall be exchanged at Exit 31 on Route 79. Transportation shall be by mother and father, or other responsible adults.

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

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

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

H. This Order is entered withut prejudice to the right of either party to request a further mediation conference or hearing at any time after May 1, 1993, to review custody and visitation.

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 will be divided as follows: One-half by the father and one-half by Crawford County. 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, Judge

Dec. 8, 1992 Copy of the Order to Attys. Lindsay and Brode. Copy of Order to Atty. Fuller.

Dec. 21, 1992, Affidavit of Defendant to proceed In Forma Pauperis; Praecipe to Proceed In Forma Pauperis filed.

Dec. 21, 1992, Proof of Service of copy of Order and Motion for Hearing De Novo filed.

Dec. 22, 1992, Motion for Hearing De Novo and Order filed. ORDER: AND NOW, this 22 day of Dec. 1992, upon presentation and consideration of the within motion, a hearing is scheduled in this amtter for the 25th day of Feb. 1993 at 9:30 a.m. in Court of Common Pleas of Crawford County, Pa.

This motion and order shall be served upon plaintiff and his atty. of record, by reg. U.S. mail.

BY THE COURT,
Gordon R. Miller, J.

Dec. 29, 1992, copies of order to B. lindsay, R. C. Brode and J. Fuller.

Continued on Page 327

82

1992

pro se

982

William J. Gregg

LESLIE TAR, M.D.

vs.

CONNIE MORGAN

Filed October 14, 1992
@ 11:11 am

Tax & entry paid 50.25 ✓
User's Fee paid 5.00
Pro Co pd 11-23-92 9.00

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

Oct. 14, 1992 Upon rule entered upon Plaintiff to file a Complaint issued.

Oct. 14, 1992 Proof of Service filed.

Oct. 16, 1992 Complaint filed.

And Now. Nov. 23, 1992 at 9:10 a.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 Three thousand one hundred thirty five dollars and ninety five cents.

M - 34

Debt: 3,135.95
JUDGMENT
Barbara H. King, Pro.

EX1992-112

Mar 9, 1993 Objection to Sheriff's Determination, filed.

Dec. 14, 1993 Preliminary Objection filed.

Dec. 14, 1993 Upon Praecipe of Leslie Tar,M.D., J.D., pro se, the above captioned matter is placed on the next available Argument List.

ON JANUARY, 1994 ARGUMENT LIST

1992

William L. Martin ~~Garvin~~ ~~Kathleen R. Nelson~~ withdrawl 983 ~~Joseph F. Kulwicki~~ withdrawn	CYNTHIA A. KIGHTLINGER VS. HERBERT KIGHTLINGER Filed October 14, 1992 @ 4:13 PM Tax & entry paid 50.50 User's Fee paid 10.00 1 Add'l Count paid 15.00 State paid 10.00 Pro.Co. pd 5/3/93 9.00	COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION OF PROPERTY 3 copies Pltf. Jan. 15, 1993 Affidavit of Consent of Plaintiff filed. Jan. 15, 1993 Affidavit of Consent of Defendant filed. Jan. 25, 1993 Appearance of Kathleen R. Nelson for Plaintiff filed. Feb. 24, 1993 Petition for Bifurcation and Order, filed. AND NOW, this 24th day of February, 1993, upon consideration of the foregoing Petition for Bifurcation, it is hereby ORDERED and DECREED that a hearing upon said Petition is set for the 28th day of April, 1993, at 3:00 P.M. in Courtroom 1 or 2, of the Crawford County Courthouse, Meadville, Pennsylvania. During the pendency of said Petition, both parties are prohibited from doing any act to change the status, ownership, possession or dominion over any marital assets. BY THE COURT Anthony J. Vardara, J. Mar. 4, 1993 copy to W. Martin, K. Nelson, W. Gavin & Dft. Mar. 19, 1993 Withdrawl of appearance of Kathleen R. Nelson for Plaintiff, filed. Apr. 30, 1993 Consent and Order of Court filed. AND NOW, this 29 day of April, 1993, it is ORDERED AND DECREED that upon consideration of the foregoing consent to the Petition to Bifurcation, it is hereby ORDERED and DECREED that said Petition is granted. The Divorce alne may be considered by the Court upoo the filing of a proper Praecipe for Review. In the event a divorce is granted the Court will retain jurisdiction of the claim of equitable distribution of property raised in the Complaint and to which a final order has not been entered. During the pendency of this claim for equitable distribution of property, both parties are prohibited from doing any act to change the status, ownership, possession or dominion regarding any marital assets, including but not limited to the marital residence currently in the possession of the Defendant, personal property located within said marital residence, and pension or retirement benefits of the Defendant. BY THE COURT, Anthony J. Vardaro, J May 7, 1993 Copy of Order to Atty. Martin & Defendant May 3, 1993 Upon Praecipe of Plaintiff Attorney to transmit record, case moved to court. DIVORCE DECREE FILED May 11, 1993 AND NOW, May 11, 1993, it is ordered and decreed that CYNTHIA A. KIGHTLINGER, Plaintiff, and HERBERT KIGHTLINGER, 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. May 17, 1993 Appearance of Joseph F. Kulwicki for Defendant Herbert Kightlinger, filed. Aug. 27, 1993 Motion to withdrawn appearance of Joseph F. Kulwicki and Order filed. ORDER: AND NOW, this 27 day of August 1993, motion granted. BY THE COURT Anthony J. Vardaro, J. Aug. 30, 1993 copy to Kulwicki

AS OF APRIL 20, 2000 - ANY FILINGS INVOLVING THIS CASE MAY NOW BE FOUND ON THE COMPUTER

1992

984

Harry Faber White II

WILLIAM MITCHELL

vs.

LACKOVIC'S AUTO TRUCK/ TRACTOR

Filed October 15, 1992
@ 10:42 am

Tax & entry paid 50.25
User's Fee paid 5.00
Pro Co Pd 11-5-92 9.00

APPEAL OF DEFENDANT FROM DECISION OF
DISTRICT JUSTICE ROBERT J. LEONHART

Oct. 15, 1992 Upon rule entered upon Plaintiff to file a Complaint Issued.

Oct. 15, 1992 Proof of Service filed.

Nov. 5, 1992 AFFIDAVIT OF SERVICE, filed. HARRY FABER WHITE, II, Esq., attorney for plaintiff in the above captioned matter, being duly sworn according to law, deposes and says that he served a copy of the Notice of Appeal from District Justice Judgment and the Rule to File Complaint in the above captioned matter upon the Districxt Justice, Robert J. Leonhart, by certified mail, return receipt requested, on Oct. 16, 1992, at his address, 182 Venango Ave., Cambridge Springs, Pa. 16403. The acceptance of the same is attached hereto.

Nov. 5, 1992 AFFIDAVIT OF SERVICE, field. HARRY FABER WHITE, II, ESQUIRE, attorney for plaintiff in the above captioned matter, beign duly sworn according to law, deposes and says that he served a copy of the Notice of Appeal from District Justice Judgment and the Rule to File Complaint upon the defendant, William Mitchell, by certified mail, return receipt requested, on Oct. 16, 1992, at the defendant's address, 510 Church St., Cambridge Springs, Pa. 16403. The defendant's acceptance of the same is attached hereto.

And Now, Nov. 5, 1992 at 10:22 a.m. upon praecipe of defendants attorney of Non Pros is hereby entered agaisnt the named plaintiff for failure to file a Complaint within twenty days after being ruled so to do.

M - 175 JUDGMENT OF NON PROS
Barbara H. King, Prothonotary

1992

Mazzotta, McCague
& Associates, P.C.
J. Michael McCague
william T. Molczan

985

INTEGRA NATIONAL BANK/NORTH
successor in interest to the
named Lender

vs.

KEDRICK P. BANNISTER d/b/a
CAMBRIDGE SPRINGS PIZZERIA

Filed October 15, 1992
@ 11:44 am

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	29.00
Pro Co pd 12-2-92	9.00

COMPLAINT IN CIVIL ACTION
1 copy (atty)

Oct. 19, 1992 Sheriff's Return filed. SERVED Kedrick P. Bannister personally on October 16, 1992 at 3:26 PM by handing a copy of the Complaint to him at his place of business, Cambridge Spring Pizzeria, R.D. #2, Cambridge Springs, Crawford County, PA.
So answers,

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

Dec. 2, 1992 at 1:44 p.m. upon praecipe of plaintiff's 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 sume of Four Thousand One Hundred Twenty-Nine Dollars and Sixty -six cents.
B - 103
C - 182

Debt: 4,129.66
(int. from 7-30-92 to 11-23-92)
JUDGMENT
Barbara H. King, Pro.

EX1993-21

86

1992

E. Max Weiss
Culbertson, Weiss,
Schetroma and Schug,
Robert J. Felton

986

Quinn, Buseck, Leemhuis,
Toohey & Kroto, INc.
Natalie Dwyer Haller,

DAVID L. PARKER

vs.

LORILEE DAVIS

Filed October 15, 1992
@ 1:39 PM

Tax & entry paid 50.25
User's Fee paid 5.00
Pro Co pd 3-19-93 15.00

APPEAL OF DEFENDANT FROM DECISION OF
DISTRICT JUSTICE RONALD A. COLE, SR.

Oct. 15, 1992 Upon rule entered upon Plaintiff to file a Complaint issued.

Oct. 22, 1992 Proof of Service of NOtice of Appeal and Rule to File Complaint filed.

Oct. 30, 1992 Complaint filed.

Nov. 9, 1992 Acceptance of Service filed. AND NOW, this 5th day of November, 1992, I Natalie Dwyer Haller, Esq., counsel for defendant, Lorilee A. Davis, hereby accept service of a certified copy of the Complaint filed in the within action. I certify that I have been authorized by my client to accept service of this pleading.
Natalie Dwyer Haller, Atty.

Dec. 2, 1992 Defendant's Answer and New Matter filed.

Dec. 17, 1992 Verification of Defendant filed.

Dec. 22, 1992, Appearance of Culbertson, Weiss, Schetroma and Schug, by E. Max Weiss, attorneys for David L. Parker, with respect to the counterclaim, in above case, filed.

Jan. 26, 1993 Reply to New Matter and Answer and New Matter to Counterclaim, filed.

Jan. 26, 1993 Notice of Filing Answers, filed.

Jan. 26, 1992 Answers to Interrogatories to Plaintiff (First Set), filed.

Feb. 3, 1993 Amended New Matter to Courter-Claim filed.

Feb. 18, 1993 Certificate of Service filed. The undersigned hereby certifies that Supplemental answers to Defendnt's Interrogatories (First Set) were served by first class mail upon Natalie Dwyer-Haller, Esquire, Attorney for Defendant, on February 18, 1993, by forwarding her a copy of said Answers.

Mar. 8, 1993 Counter-Reply To Plaintiff's New Matter To Counterclaim filed.

Mar. 19, 1993 Upon praecipe of Plaintiff attorney to appoint Arbitrators, the following Arbitrators have been appointed.
Ann H. Gamble, ~~Chr.~~ ~~William Pineo~~ **Louis J. Stack**
~~Paul Allen~~ --- R. Charles Thomas
Mary Ann Kirkpatrick

Apr. 15, 1993, Arbitrators Take the Qualifying Oath.

Aug. 6, 1993, Upon praecipe of William Pineo, Esq., Louis J. stack substituted as arbitrator.

Aug. 10, 1993 Decision of Arbitrators filed. And now, the _____ day of _____, 19___, 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 on the Complaint in the sum of $1,748.88 and in favor of the Plaintiff and against the Defendant on the Counterclaim.
Louis J.Stack, Chairman
R.Charles Thomas
Mary Ann Kirkpatrick

Aug. 11, 1993 Copies mailed to Attys. Haller, Felton & Weiss.

1992

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

987
withdrawn
~~Mary Ann Kirkpatrick~~

BRENDA L. NICOLS

vs.

ROBERT A. NICOLS

Filed October 15, 1992
@ 2:41 PM

Tax & entry paid	50.50
User's Fee paid	25.00
4 Add'l Counts	60.00
State paid	10.00
Pro.Co. pd.3/17/94	9.00
Sheriff's Costs	50.00

COMPLAINT IN DIVORCE, EQUITABLE PROPERTY DETERMINATION and DISTRIBUTION, COUNSEL FEES, EXPERT FEES, COSTS and EXPENSES, CHILD CUSTODY, ALIMONY, ALIMONY PENDENTE LITE
2 copies atty.

Oct. 20, 1992 Affidavit of Service filed. I, James R. Irwin Esquire, being duly sworn according to law, depose and say that I am the attonrey 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, Pennsyvlania on the above named Defendant by certified mail, addressee only, return receipt requested, dated October 15, 1992. The Defendant acknowledged service on October 19, 1992 by accepting delivery on that date as evidenced by the attached signed retun receipt.

James R. irwin

Jan. 19, 1993 Affidavit of Consent of Plaintiff, filed.

Feb. 25, 1994 Notice To the Defendant filed.

Mar. 9, 1994 Motion to Withdraw Counts from Complaint in Divorce and ORDER filed. AND NOW, this 11th day of March, 1994, upon presentation and consideration of the within Motion, Counts 2, 3, 4 and 5 of Plaintiff's Complaint in Divorce here hereby withdrawn.

Gordon R. Miller, Judge

3-21-94 copy of Order to Atty. Irwin & Deft.

Mar. 17, 1994 Upon Praecipe of James R. Irwin, Esquire, Attorney for Plaintiff, to transmit record, Case moved to Court.

Mar. 24, 1994 MEMORANDUM AND ORDER, filed. AND NOW, March 24, 1994, this matter is referred back to the Prothonotary for teh parties to proceed consistent with the Memorandum this day accompanying this Order.

BY THE COURT:
Anthony J. Vardaro, J.

Mar. 28, 1994 copy to J. Irwin, Dft.

Mar. 29, 1994 Motion for Leave to Withdraw Appearance of Mary Ann Kirkpatrick, Esquire Attorney for Defendant and ORDER filed. And, Now, March 25, 1994, the motion for withdrawal of Appearance is granted.

By the Court:
Gordon R. Miller, J.

3-31-94 Copy of Order to Atty. Irwin & Kirkpatrick

May 9, 1994 SHERIFF'S RETURN, filed. SERVED Robert A. Nicols personally on May 7, 1994 at 4:30 PM by handing to him a copy of the divorce Decree, Plaintiff's Affidavit, and Counter-affidavit, at his residence, RD 4, Centerville, Crawford County, PA.
So answers,

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

May 26, 1994 Upon praecipe of Plaintiff Attorney To Transmit Record, this case moved to Court.

DIVORCE DECREE FILED

June 1, 1994, AND NOW, this 27 day of May, 1994, it is hereby ordered, adjudged and decreed that the marriage heretofore existing between BRENDA L. NICOLS and ROBERT A. NICOLS is hereby dissolved and the parties are hereby divorced and all legal duties, rights and claims of either of the parties to the other in pursuance of said marriage are hereby terminated.

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

88

1992

Peters, Lindsay,
Lewis & Gagliotti
Donald E. Lewis

988

CHRISTOPHER C. LINDQUIST

vs.

COMMONWEALTH OF PENNSYLVANIA

Filed October 15, 1992
@ 3:11 PM

Tax & entry paid 50.50 ✓
User's fee paid 5.00

APPEAL/LICENSE SUSPENSION
2 copies Atty

1992

Ferguson & Spataro
Douglas W. Ferguson

989

DAVID P. CHAMBERLAIN

vs.

LAURA CHAMBERLAIN

Filed October 15, 1992
@ 3:30 PM

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

COMPLAINT IN DIVORCE
1 copy (atty)

Nov. 18,1992 Affidavit of Service filed.I, the undersigned, being duly sworn according to law, depose and say that I served a true and correct copy of the complaint in Divorce certified by the Prothonotary of Crawford County, Pennsylvania, on the above named Defendant by certified mail, addressee only, return receipt requested. The Defendant acknowledged service onOctober 21, 1992, by accepting delivery on that date as evidenced by the attached signed return receipt.
Nov.17, 1992 BY: Douglas W. Ferguson, Esq.

Mar. 12, 1998 Important Notice and Court Order filed.
Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 11/18/92 . 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)

1992

Paul J. Carney, Jr.

990

$150.00 deposited by Plaintiff for mediator

Pd Pltf Bal of med Dep 1-4-92 ck# 7258 41.11

Pd @ C Comm Mediators ck# 7385 99.89

KAREN A. EASTMAN

vs.

JOHN H. C. EASTMAN

Filed October 15, 1992
@ 3:46 PM

Tax & entry paid 50.50 ✓
User's Fee paid 5.00
Bruce L. Smith Mediator 199.78
Bru Cs Pd 3-16-93 ck 7386 90% ✓

COMPLAINT FOR CUSTODY

ORDER:

You, John H. C. Eastman , have been sued in Court to obtain custody of Heidi Eastman, Carl Eastman, John eastman and Joseph Eastman

You are Ordered to appear for a hearing before Bruce Smith 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 visi tation may be entered against you or the court may issue a warrant for your arrest.

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

Court Administrator
Crawford County Courthouse
Meadville, PA 16335
Telephone: 814-336-1151
ext 298

BY THE COURT,
Anthony J. Vardaro, J

Date: Oct. 13, 1992

Dec 31,1992 TEMPORARY ORDER OF COURT filed. AND NOW, this 31st day of December, 1992, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Heidi Eastman, age fourteen, Carl Eastman, age twelve, John Eastman, age ten, and Joseph Eastman, age nine, 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 ot, school and medical records, and shall also entitle both parents to equal imput with regard to the educational and religious upbringing of the children, as well as to any elective surgery.

2. Primary physical custody of the child, Heidi, shall be transferred to the plaintiff natural mother, Karen A. Eastman, and primary physical custody of the children, Carl, John and Joseph, shall remain with the defendant natural father, John H.C. Eastmen. Regular visitation and temporary custody of the children for each parent shall be granted. Physical custody for the defendant father for the child, Heidi, shall be as follows:

a. Heidi shall visit in the home of the natural father on the second and fourth weekends of each month, beginning immediately, from Friday, 6:00 p.m., prevailing time, through Sunday, 4:00 p.m., prevailing time.

b. Beginning with the month of June, 1993, the father shall have the opportunity to take the child, Heidi, into his temporary physical custody for the first two full weeks of June after the completion of shcool.

c. Holiday visitation shall be treated the same as holiday visitation for the three boys is treated.

3. Temporary physical custody for the plaintiff mother with the boys, Carl, John, and Joseph shall be as follows:

a. The children shall visit in the home of the natural mother the second and third weekends of each month, beginning immediately, from Friday, 6:00 p.m., prevailing time, through Sunday, 4:00 p.m., prevailing time. This visitation program will allow the boys to be in the mother's temporary physical custody during one weekend each month when their sister, Heidi, is also in the mother's custody.

b. Beginning with the month of July, 1993, the mother shall have the opportunity to take the three boys into her temporary physical custody during the first two full weeks of the months of July and August.

c. Holiday visitation for all four children shall be as follows. The parties are encouraged to agree as to holiday visitation; however, in the event that they cannot, all of the children shall spend Mother's Day with the mother and Father's Day with the father from 8:00 a.m, prevailing time, through 8:00 p.m., prevailing time. All other holidays shall be shared by the parents. Those holidays being shared shall include Easter, Memorial Day, 4th of July, Labor Day, Thanksgiving, Christmas, and New Year's Day each year. Of those holidays, the children shall be with the father until 2:00 p.m., prevailing time, and shall then be with the mother until 9:00 p.m., prevailing time. If one of the holidays falls on ta parent's weekend, the holiday schedule shall prevail.

d. The parent receiving custody of the child or children, shall pick up the child or children; and, after the temporary custody is over, shall return the child or children to the other parent's residence.

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

5. Neither of the parents (nor any stepparent or grandparent) shall take the children into any environment which might be commonly thought of as determental to their development or to the development of their characters or which would be commonly thought of as dangerous to their physical persons.

6. The parents are encouraged to discuss arrangements for physical custody of the children; and, if the parties mutually agree to alternative arrangements to accommodate 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.

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

8. This Order shall not prejudice the right of either party to request further Mediation if there are changed circumstances int he live sof 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 immediately written and verbal notice to the father in the event that the daughter, Heidi, has any problems with school authorities or law enforcement authorties while she is in the mother's custody. If the child, Heidi, becomes delinquent

CONTINUED TO PAGE 90A

KAREN A. EASTMAN
VS.
JOHN H.C. EASTMAN

CONTINUED FROM PAGE 90
of Record
A. D. 1992 - 990

or dependent or is in any way out of control in the mother's custody, the child is advised that, in the event of additional Mediation, she could be returned to the primary custody of her father and stepmother.

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

10. The fee for Child Custody Mediation shall be paid 50% by the plaintiff mother and 50% by the defendant father. Any amount in excess of the mother's one-half of the cost of Mediation held by the Crawford County Prothonotary under Local Rules shall be refunded to her.

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, J.

Copy mailed 1-4-93
Jan. 5, 1993 copy to P. Carney, Jr., D. Kuhn, B. Smith, Plf. & Dft.

Dec.21, 1993 Petition For Contempt of Court and Order filed. AND NOW, this 20 day of December, 1993, upon Petition of Paul J. Carney, Jr., Attorney for the Petitioner, Karen A. Eastman, and upon consideration of the within Petition for Contempt of Court, a Rule is entered upon the Respondent, John H.C. Eastman, to show why the prayer of the within Petition should not be granted.

Hearing is set for the 24th day of January, 1994 in Court Room 1 or 2 of the Crawford County Court House, Meadville, PA at 10:00 a.m.

BY THE COURT,
Anthony J. Vardaro , J

Jan. 4, 1994 Copies of order to Atty's Carney, Kuhn & Smith

Jan. 24, 1994 ORDER filed. AND NOW, January 24, 1994, this matter is before the Court on Plaintiff's Petition to hold the Defendant in contempt of Court with respect to this custody matter concerning alleged violations of an Order entered as a result of mediation on December 31, 1992.

The Defendant appears without counsel and indicates that he believed his lawyer was going to be present, but after some discussions, indicates that he wishes to proceed without his attorney. The Plaintiff is represented by counsel and this matter proceeds informally.

After hearing both sides, it appears that there have been some serious miscommunications with respect to this matter, and that both parties have not always been cooperative in what is in the best interest of these children.

Under the facts we decline to hold the Defendant in contempt at this time, but we will modify the temporary Order of Court dated Dec. 31, 1992, and we advise both parties that we expect compliance with the original Order as it will not be modified.

1. With respect to the mother's periods of temporary physical custody on weekends, as well as her holiday visitation mother shall not arrive early for such periods of temporary physical custody or visitation and in the event that mother arrives more than fifteen minutes late to pick up the children for any such period of temporary physical custody or visitation, then such period of temporary physical custody or visitation shall be forfeited.

On the other hand, the father shall have the children ready for each pick up by mother for a period of temporary physical custody or visitation promptly at the time designated and in the event that the children are not available on time, if that time period is more than fifteen minutes, then mother shall not only have the visitation or period of temporary custody to which she is entitled, but she shall have an additional period of physical custody on the next weekend which a period of physical custody or visitation is not scheduled already from 6:00 p.m. on Friday prevailing time through 4:00 p.m. on the following Sunday prevailing time.

2. In the event that mother is more than fifteen minutes late to pick up the children for a holiday visitation, she shall forfeit that visitation.

On the other hand, if the children are not ready within fifteen minutes of the time designated for her to pick them up for such holiday visitation, then she shall still have that visitation and in addition, she shall have a visitation with the children on the first Saturday which she would not normally have a period of temporary physical custody from 10:00 a.m. until 5:00 p.m. on that day.

The Plaintiff/Mother shall provide transportation for the purpose of picking up the children to begin each period of temporary physical custody or visitation and the Defendant/Father shall provide transportation for the purpose of picking the children up at the end of mother's period of temporary physical custody or visitation and returning them to his home. In doing so, father shall not arrive early, but shall arrive on time and in the event that the children are not ready for him to pick up within fifteen minutes of the designated time, then mother shall forfeit her next period of temporary physical custody with the children if she does not have the children ready in a timely manner at the end of a weekend period of temporary physical custody or she shall forfeit her next holiday visit if she does nto have the children ready within fifteen minutes of the designated time with respect to pick up after a holiday visitation.

3. The parties shall make every effort to communicate with the other party by telephone if there is going to be a problem that is anticipated with a visitation or period of temporary physical custody, but in the event that telephone contact is not made, these modifications to the original Order are intended to provide the parties with strict guidelines they must follow with respect to all periods of temporary physical custody and visitation.

4. As was contained in the previous Order in Paragraph 7, the parties are reminded that neither shall do anything or say anything to blacken the character of the other parent or stepparent or grandparent in the eyes of the children. These parties should make every effort to be as polite and reasonable with one another in front of the children, and should not do anything when they are not both in front of the children to make the children dislike or disobey any other parent.

5. In light of the fact that the Defendant/Father will be required to provide transportation to pick up the children after a holiday visitation and he and his current wife run a farming operation that requires them to go to bed early, the holiday visitation hours are modified so that such holiday visitation shall begin at noon and end at 7:00 p.m.

6. In all respects in which this Order is not inconsistent with the Order of Dec. 31, 1992, said Order is affirmed.

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

Jan. 25, 1994 Copies of Order distributed by Court.

1992

1992

Watts & Pepicelli
Alan L. Pepicelli

991

Culbertson, Weiss,
Schetroma & Schug
E. Max Weiss

HENRIETTA T. VALENTINETTI
and ROCCO R. VALENTINETTI,
her husband

vs.

THOMAS J. RICH and MATIE J.
RICH

Filed October 15, 1992
@ 4:12 pM

Tax & entry paid 50.50
User's Fee paid 5.00
Sheriff's Costs 42.00

WRIT OF SUMMONS
Issued Sheriff

Oct. 29, 1992 Sheriff's Return filed. SERVED Thomas J. Rich on on October 28, 1992 at 3:53 PM by handing a copy of the Summons to Matie J.Rich, his mother, at the residence, R.D.#2, Box 36, Meadville, Crawford County, PA.

SERVED Matie J. Rich personally on October 28, 1992 at 3:52 PM by handing her a copy of the Summons at the residence, R.D.#2,Box 36, Meadville, Crawford County,PA.

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

Feb. 3, 1993 Appearance of Culbertson, Weiss, Schetroma & Schug by E. Max Weiss for Defendants filed.

Feb. 3, 1993 Upon praecipe of Defendants the Plaintiff are hereby Ruled to File A Complaint

92

1992

Swensen, Perer & Johnson
Jan C. Swensen

992

Paul R. Marks

MARY LYNN BUDZISZEWSKI, Administratrix of the Estate of Geraldine J. Marcotuli, deceased

vs.

RENO J. MARCOTULI

Filed October 16, 1992
@ 11:21 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	38.50
Pro co Pd 7/11/94	6.00

WRIT OF SUMMONS
Issued Sheriff

Nov. 13, 1992 Writ Return filed. SERVED the within Summons on October 29, 1992, at 3:34 P.M., upon Reno J. Marcotuli at The Lawrence County Sheriff's Office, Government Center, ~~XX~~ New Castle, Penna. by handing to him, personally a true an correct copy thereof and made known to him the contents therein.

Terry R. Bush, Deputy Sheriff

I hereby deputize the Sheriff of Lawrence County, Pennsylvania to serve the within Summons according to law.

Robert M. Stevens, Sheriff

Jan. 4, 1993 Appearance of Paul R. Marks for Defendant Reno J. Marcotuli, filed.

July 11, 1994, Upon praecipe of plaintiff attorney, the above captioned case is hereby settled and discotinued of record.

991.A

1992

Joseph M. Walsh, III 991A	TRACY DORADO vs. JOHN and SHIRLEY BIZZARRO Filed October 16, 1992 @ 9:11 AM Tax & entry paid 50.25 ✓ User's Fee paid 5.00 Pro.Co.pd 11/13/92 9.00	APPEAL OF DEFENDANT FROM DECISION OF DISTRICT JUSTICE LEONHART Oct. 16, 1992 Rule entered upon the Plaintiff to file A Complaint Issued. Oct. 19, 1992 Proof of Service filed. And Now, Nov. 13, 1992 at 1:42 P.M. upon Praecipe of Defendant's Attorney, judgment of Non Pros is hereby entered against the plaintiff for failure to file complaint. D-164 Judgment of Non Pros Barbara H. King,Prothonotary

91
B

1992

1992

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

993

Mary Ann Kirkpatrick

PATRICIA A. McELHANEY

vs.

THOMAS N. McELHANEY

Filed October 16, 1992
@ 11:55 am

Tax & entry paid	50.50
User's fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00
Pro.Co. pd 8/4/93	9.00
Pro.Co.pd 8/18/93	5.00

COMPLAINT IN DIVORCE, ALIMONY, ALIMONY PENDENTE LITE
ALIMONY, ALIMONY PENDENTE LITE COUNSEL FEES, COSTS AND EXPENSES
EQUITABLE DISTRIBUTION
1 copy (atty)

Oct. 16, 1992 Affidavit Under Section 3301(d) of the Divorce Code, filed.

Oct. 26, 1992 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 Oct. 20, 1992, she sent a Complaint in Divorce, Affidavit Under Section 3301(d) of the Divorce Code, and Motion for Hearing to the Defendant by certified mail, restricted delivery, postage prepaid, receipt requested, to Thomas N. McElhaney, 627 E. Central Ave., Titusville Pa 16354, the Defendant's last known address. The said receipt being attached hereto.

Oct. 28, 1992 Motion For Hearing Plaintiff's Claim for Alimony, Alimony Pendente Lite, Counsel Fees, costs and Expenses and Order filed. AND NOW, this 27th day of October, 1992, hearing on the plaintiff's claim for alimony, alimony pendente lite, counsel fee, costs and expenses as set forth in Court II of her complaint in divorce is set for the 18th day of December, 1992, at 11:00 o'clock a.m., in courtroom #1 or 2 ofthe Crawford County Courthouse, Meadville, Pennsylvania.

Anthony J. Vardaro,

Oct. 30, 1992 Copy of order mailed to Atty. Gamble

Nov. 4, 1992 Plaintiff's Monthly Income & Expense, filed.

Nov. 4, 1992 Inventory of Plaintiff, filed.

Nov. 12, 1992 Appearance of Mary Ann Kirkpatrick for Defendant, Thomas N. McElhaney, filed.

Dec. 7, 1992, Amended Inventory of Plaintiff filed.

Dec 18, 1992 MOTION TO CONTINUE and ORDER, filed. ORDER: AND NOW, this 18th day of December 1992, plaintiff's motion for hearing is continued to the 24th day of February, 1993, at 3:00 pm.

Imogene Yetman, Crt. Adm.

Dec. 24, 1992 copy to A. Gamble & M.A. Kirkpatrick

May 7, 1993 Memorandum of Agreement as to Divorce, Alimony, Counsel Fees, Costs and Expenses and Equitable Distribution filed.

Aug. 4, 1993 Waiver of R.C.P. 1920.42 (c) filed.

Aug. 4, 1993 Waiver of Three Days NOtice filed.

Aug. 4, 1993 UponPraecipe of Ann Hansen Gamble,Esquire,Attorney for Plaintiff to transmit record, case moved to Court.

Aug. 12, 1993 Motion and ORDER filed. AND NOW, this 10 day fo August, 1993, the parties hereto having agreed, the Memorandum of Agreement attached hereto is hereby entered as an Order of Court the same as if it had been entered following a full hearing on the merits of the matter.

Anthony J. Vardaro, J.

Aug. 16, 1993 Copy of Order to Attys. Ann Gamble and Mary Ann Kirkpatrick.

DIVORCE DECREE FILED

August 12, 1993 AND NO, Aug. 10, 1993, it is hereby ordered and decreed that PATRICIA A. MCELHANEY, Plaintiff, and THOMAS N. MCELHANEY, 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.

Aug. 18, 1993 Notice of Election to Retake Maiden Name of Patricia A. McElhaney, to be known as PATRICIA ANN LUCAS filed.

Sept. 23,,1993 QUALIFIED DOMESTIC RELATIONS ORDER filed. The following Order is hereby approved:

1. This Order shall apply to the Amoco Inc. Retirement and SAvings Plan (the "Plan") and shall be directed to the Amoco Inc., Benefit Plans Administrative Committee (the "Committee"), 300 Interpace Parkway, Parsippany, NJ 07054-0324, as the Plan Administrator of the Plan.

2. The Plan Participant covered by this Order is Thomas N. McElhaney, of 627 East Central Ave., Titusville, Crawford Co.,PA. 16354, whose Social Security Number is 184-26-9244, date of birth June 30, 1937.

3. The Alternate Payee covered by this Order is Patricia Ann McElhaney, now by change of name, Patricia Ann Lucas, whose addres is 413 West Walnut St., Titusville, Crawford Co., PA. 16354, whose Soc. Sec. # is 190-25-3325, date of birth Jan. 2, 1936.

4. This Order shall apply to 50% of the Participant's account balance in the Plan as of July 5, 1987, and all earnings on such amount beginning on such date and ending on the date of distribution (the "Alternate Payee Benefit"). The balance, if any, of the Participant's account balance as of th foregoing date and all earnings thereon shall remain the sole property of the Participant and shall not be subject to this Order.

5. If the Alternate Payee Benefit is less than $3,500.00 the Plan shall make an immediate distribution of the Alternate Payee Benefit to the Alternate Payee consisting of cash and, if applicable, stock certificates representing shares of Amoco Inc. commons stock as soon as practical after this Order is determined by the Committee to be a Qualified Domestic Relations order within the meaning of Section 414 (p) of the Internal Revenue Code of 1986, as amended ("QDRO"),

RECORD CONTINUED ON PAGE 339.....

94

1992

994

Barrett & Dratler
Bruce A. Barrett

INVOLUNTARY TREATMENT

OF

KIMBELRY KEARNEY (Collins)

Filed October 16, 1992
@ 2:27 PM

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

June 22, 1994 Application For Extended Involuntary Treatment, filed.

June 28,1994 Certification by the Court for Extended Involuntary Emergency Treatment, filed.

July 1, 1994 Petition For Review of Certification and Order. AND NOW, this 1 day of July, 1994, a hearing is hereby scheduled for the 5th day of July, 1994, at 3:30 o'clock p.m.
Anthony J. Vardaro, J.
July 1, 1994 Faxed Barrett

Jul. 7, 1994 Petition for Review of Certification filed.

Jul. 7, 1994 ORDER filed. AND NOW, July 5, 1994 the matter is before the court on a petition by Kimberly S. Collins,age 31, asking to review her certification as mentally ill and to order her discharged from the Mental Health Cent er at Meadville Medical Center. After listening to testimony, it appears that the primary triggering mechanism is an epileptic conditon of long standing, and that frequent grand mal seizures seemingly trigger a psychiatric condition, causing her to become confused and at times aggressive.

If her seizures can be controlled,medical testimony indicates she can function adequately. If she has frequent grand mal seizures, she becomes irritable, at times threatening, and perhaps becomes incapable of caring for herself.

It appears to this Court that with a 20 year history of these seizures, the present condition of the patient represents a medical conditon rather than a mental deficiency or psychiatric condition that requires her classification as a mentally ill person.

The situation is complicated by the patient living alone with no one to look after her in the event of a mild or grand seizures and that the solution to the problem is to try to develop a living arrangement that has her living with someone else in the household, at least until her husband is releaed from confinement.

While theCourt visualizes that it is a danger to this patient to allow her to live alone, the Court is bound by the provisions of §7301 of the Mental Health Act and cannot find that the patient is mentally ill under the terms and conditions of the definitions contained therein.

Accordingly, while the Court fears for her safety, if she is released to function alone without care or a companion in the household, the court believes it has no alternative but to find from the hearing and testimony that patient has primarily a physical epileptic condition that contributes and causes her disoriented states requiring medical attention and that a primary diagnosis of mental infirmity cannot be sustained.

Accordingly, the petition is GRANTED and Kimberly S. Collins is ORDERED to be released from confinement at the Mental Health Unit of Meadville Medical Center forthwith and the staff is directed to comply with this order.

The Court suggests most strongly that the patient Kimberly S. Collins attempt to secure a family member or friend to reside with her until her husband is able to do so for her own safety and welfare.

At the conclusion of dictating this order, the patient went into a seizure and the order heretofore is amended so that she remain in confinement so she may have supervision as to ascertain that it would not be an immediate threat to her physical health to release her. Accordingly, the order of release forthwith is amended and the release may be at the discretion of the staff any time after 7:00 a.m. July 6, 1994.

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

7-7-94 Copy given toAtty. Barrett, 7/13/94 Copy to MH/MR, Meadville Medical Center

1992

Jorden & White
Harry FAber White, II

995

R. L. HUNTER

vs.

MEADVILLE SANDBLASTING, INC.

Filed October 16, 1992
@ 3:28 PM

Tax & entry paid	50.50
User's Fee paid	5.00

COMPLAINT IN CIVIL ACTION
1 copy (atty)

Oct. 29, 1992 ACCEPTANCE OF SERVICE, filed. AND NOW, this 19th day of October, 1992, come sPaul E. Allen, counsle for the defendant and swears that he accepted service of the Notice to Defend and Complaint in the above captioned action on the 19th day of October, 1992.

Nov. 30, 1992 PRELIMINARY OBJECTIONS, filed. 1 copy atty

Aug. 24, 1993, Consent to File Amended Complaint filed.

Aug. 24, 1993, Plantiff's First Amended Complaint filed.

Oct. 12, 1993 Proof of Service filed.

Oct. 12, 1993 Defendant's Answer To Plaintiff's First Amended Complaint filed.

Nov. 4, 1993 60-day Notice of Completion of Discovery, filed.

96

1992

996

SARAH SVIDUNOVICH

vs.

Nicholas Svidunovich

Filed October 16, 1992
@ 4:07 PM

Tax & entry	Pd 10-27-92	50.50 ✓
User's Fee	Pd 10-27-92	5.00
Sheriff's Costs		18.00
Pro.Co.pd 10/27/92		5.00 ✓

10-27-92
Received from
defendant
Sheriff's costs
18.00

10-27-92 Pd
Robert M. Stevens
Sheriff Ck# 1139
18.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 16th day of October, 19 92, upon review of the petition of Plaintiff, the Court entered 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: Possession ofthe residence is awarded to Plaintiff. Defendant shall move out. Defendant shall not go to Plaintiff's residence or place of work. defendant shall not contact Plaintiff in any manner
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for October 29, 1992, at 3:30 p. M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Oct. 19, 1992 Sheriff's return filed. SERVED Nicholas Suidunovich personally on October 16, 1992 at 8:35 PM at his residence, RD #4 Box 754, Brown Hill Road, Meadville, Crawford County, Pa.
So answers,

John Merry Vernon Police
Robert Snyder, Vernon Police
Robert M. Stevens, Sheriff

Oct. 27, 1992 Upon Praecipe of Sarah Svidunovich, Plaintiff, the above case is marked discontinued.
Oct. 27, 1992 Copy to Co. Control & Pa.State Police.

1992

Barbara J. Walton

997

SUSAN M. WELLS

vs.

RICHARD A. WELLS

Filed October 19, 1992
@ 2:28 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro.Co. pd 3/11/93	9.00

COMPLAINT IN DIVORCE, CUSTODY
2 copies (atty)

Nov. 12, 1992 Affidavit of Service filed. A true and correct copy of the Complaint for Divorce and Custody filed in the above-captioned matter was served upon theDefendant Richard A.Wells, by certified mail,restricted delivery,pursuant to Pa.R.C.P.412 on October 25, 1992 as evidenced by the United States Postal Service Return Receipt (Certifed No.P 899097843) attached hereto as Exhibit A.
Date: November 10,1992 Barbara J.Walton, Esquire

Jan. 20, 1993 Stipulation and Consent Custody Agreement and Order filed. And Now, this 15th day of January, 1993, upon presentation of the Stipulation and Consent of the parties, attached hereto, and after considerationof same, it is hereby ORDERED, DIRECTED and DECREED that:

1. Primary physical custody of the parties' minor children, Donna J. Wells, born 2-21-78; Nancy A. Wells, born 4-4-81; and Cindy L. Wells, born 12-3-85 shall be with the Plaintiff/Mother at her home, located in Meadville, Pennsylvania.
2. The Planitiff shall have legal and physical custody of the minor children.
3. All visitation between the natural, Father, Richard A. Wells, and the minor chidlren, Donna J. Wells, Nancy A. Wells and Cindy L. Wells, shall be by mutual agreement of the parties.
4. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

By the court,
Gordon R. Miller, J

Jan. 20, 1993 Copy of order to Atty. Walton

Jan. 22, 1993 Affidavit of Consent of Plaintiff filed.

Mar. 11, 1993 Affidavit of Consent of Defendant, Richard A.Wells, filed.

Mar. 11, 1993 Upon Praecipe of Plaintiff Attorney, Barbara J.Walton, Esquire for Review Under Section 3301 (c) of the Divorce Code, this case moved to Court.

Mar. 22, 1993 **DIVORCE DECREE FILED.**

AND NOW, March 16, 1993, it is hereby ordered and decreed that Susan M. Wells, Plaintiff, and Richard A. Wells, Defendants, 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

98

1992

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

998

ROOFNER-COLLINS FUNERAL
HOME, INC.

vs.

CAROL J. BAIRD

Filed October 19, 1992
@ 3:47 PM

Tax & entry paid 50.50 ✓
User's Fee paid 5.00

Sheriff's Costs 30.00

COMPLAINT IN CIVIL ACTOIN
1 copy Sheriff

Oct. 21, 1992 Sheriff's Return filed. SERVED Carol J. Baird personally on October 20, 1992 at 12:10 PM at her residence, R.D.#10, Box 98, Meadville, Crawford County, PA.
So answers, Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

1992

999

SHERRY MCDONALD

vs.

CHARLES MCDONALD

Filed October 19, 1992
@ 4:15 PM

Tax & entry Pd 1-22-93 50.50 ✓
User's Fee Pd 1-22-93 5.00
Sheriff's costs 30.00
PRO.CO. Pd 1-22-93 9.00 ✓

1-22-93 Received Sheriff cost 30.00

1-22-93 Pd Sheriff costs Ck# 7294 30.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy plaintiff
3 copies Sheriff

ORDER:

And now, this 19 day of October, 19 92, upon review of the petition of Plaintiff, the Court entered 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: Possession of the residence is given to Plaintiff. Defendant shall not contact Plaintiff. defendant shall not go to Plaintiff's home custody of the children is awarded to Plaintiff.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for November 4, 1992, at 3:30 P.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

October 20, 1992 Sheriff's REturn filed. SERVED Charles McDonald personally on October 20, 1992 at 9:30 AM at his place of residence, 275 Loomis Street, Meadville, Crawford County,PA. So answers,

Edgar D. Householder, Chief Deputy Sheriff
Robert M. Stevens, Sheriff

Dec. 16, 1992 Protecton From Abuse Order filed. AND NOW, NOvember 4, 1992 at the time fixed for the hearing in this matter, both parties appeared without counsel. The Court advised the Defendant as to the nature of this proceedings, that he had a right to counsel of his own choice and that the Plaintiff had the burden of proving that the Defendant engaged in abuse as defined by the Protection From Abuse Act. The Defendant indicated that he understood these proceedings and waived his right to an attorney. He agreed that an abuse order could be entered against him and therefore the Court enters the following order.

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or her minor children, Charles and Charlene.
2. Possession of the marital residence is given to the Plaintiff and the Defendant shall not live there until further order of Court.
3. Custody of the minor children shall remain with the Plaintiff, but the Defendant shall have reasonable periods of visitation to go to the Plaintiff's home to visit his children at that home or take the children with him for periods of time during the day or evening. The children shall not stay overnight with the Defendant unless the Plaintiff agrees. The parties shall attempt to work out reasonable periods of visitation whereby the Defendant shall be permitted to see his children during the week or on the weekends. The parties are advised that this order on custody and visitation is temporary and either party has a right to bring a custody or visitation action in this court in another proceedings. Once that happens, any court order in a custody or visitation proceedings shall supercede this order. During periods of visitation, the Defendant shall be absolutely substance free. He shall not have consumed alcoholic beverages within twelve hours of the time he sees his children, and he shallnot consume alcoholic beverages or controlled substances or illegal drugs while he is visiting with his children.
4. The Defendant shall have a right to contact the Plaintiff, but shall not go to her residence unless invited. And under no circumstances shall he spend any nights at her residence until further order of court.
5. Parties are advised if they get back together they should first file a motion or petition with the Court to ammend or terminate this order. The Plaintiff shall not invite the Defendant to violate this order because if the Defendant does violate the order, he may be held in contempt.
6. It appears that the Defendant has a drug and or alcohol problem. The Court encourages him to go to Crawford County Drug and Alcohol Commission for an assessment to determine what sort of treatment he should engage in and that he should follow up with such treatment recommendations. It appears that if he does that faithfully, that the Plaintiff will want to reconcile with him at some point and return him to the family setting. We are not now ordering him to do that, but we strongly suggest that he does do that because apparently that will solve some of the marital problems.
7. The Court does not order the parties to rseolve their marital differences, but encourages them to do so.
8. This order may be enforced without a warrant of arrest by any law enforcement office having reasonable grounds to believe it has been violated.
9. The Prothonotary shall deliver a copy of this order to Meadville Police Department and to County Control.
10. This order shall remain in full force and effect for one year; that is, until November 31, 1993, unless modified or terminated by further court order.

Continued of Record to Page 505

1992

James R. Irwin

1000

LUCIA T. INGALLS

vs.

DOUGLAS W. INGALLS

Filed October 20, 1992
@ 2:02 PM

Tax & entry Pd 2-8-93	50.50	✓
User's Fee Pd 2-8-93	5.00	
Sheriff's Costs	43.50	
Pro. Co. Pd 2-8-93	9.00	✓
Proes Pd 8-15-95	5.00	

2-8-93
Received from
dept. Sheriff
Costs 43.50
2-8-93 Pd Sheriff
Ch# 7329 43.50

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

AND NOW, this 20 day of October , 1992 , upon review of the petition of planitiff, the Court enteres 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 children 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 Plantiff 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 November 4, 1992, 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,

Oct. 27, 1992 Sheriff's Return and Affidavit of Service filed.SERVED the within Petition for Protection from Abuse and Court Order on October 21, 1992, at 1525 hrs, upon Douglas W.Ingalls at Lord Corporation, 1952 West Grandview Boulvard, ERie County, Erie,Pennsylvania by handing to Doulgas W. Ingalls a true and correct copy thereof and made known to Douglas W.Ingalls the contents therein.

Robert N. Michel,Sheriff Erie County
Robert Gunesch, 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

Nov. 5, 1992 Order Filed. AND NOW, November 4, 1992, this matter is before the Court on the Plaintiff's request for a Petition for Relief under the Protection from Abuse Act.

The Plaintiff appears with counsel and the Defendant appears without counsel and advises that he wishes to proceed without counsel.

The parties begin a formal hearing and during the course of the Plaintiff's testimony the Defendant essentially admits what would constitute abuse within the meaning of theAct and the parties determine that they will agree to a stipulated Order.

Accordingly, we enter 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. The Defendant shall not go the marital residence insofar as the Plaintiff shall have exclusive possession of that residence during the course of this Order. The only exception shall be that he may go to the roadway adjoining the marital residence for the purpose of receiving custody of the minor children for visitation purposes and for the purpose of returning custody of the children after such visitations to the Plaintiff.

3. The Defendant shall at no time contact the Plaintiff by telephone for the purpose of harassing her nor shall he harass her during any phone conversations that might pertain to the welfare of the children and at no time shall he procure anyone else to harass her in any manner including through telephone calls.

4. Pending any further Order of Court in this action or any custody action, the Paintiff shall have temporary custody of the minor children with the Defendant to have visitation on alternating weekends beginning on Friday, November 6, 1992 at 6:00 p.m. through the followingSunday, November 8, 1992 at 6:00 p.m. with the same time schedule for each alternating weekend.

The Defendant shall pick up the children for the visit at the end of the dirveway to the marital home and shall return them to that same location. The parties shall attempt to be as prompt as possible for all such exchanges and in no event shall a party have to wait longer than one (1) hour.

If the Defendant does not appear to pick up the children by 7:00 p.m. on any Friday, the visitation for that weekend shall be terminated. If the Plaintiff does not appear to pick up the children by 7:00 p.m.on any Sunday when the children are to be returned to her, the Defendant may continue custody of the children until arrangements are made for the Plaintiff to resume custody.

It is the Court's clear intention that this visitation schedule be maintained as closely as possible and the parties are DIRECTED not to make an effort to be late or to not cocoperate in this visitation schedule.

For the purposes of clarification, the Defendant will provide transporation both at the time he picks up the children for each visit and at the time he returns the children for each visit. The Plaintiff will be responsible for no transportation.

The Defendant agrees to transfer the electric and telephone bills for the marital residence to the name of the Plaintiff within forty-eight (48) hours of today's hearing and to provide to the Plaintiff both of those current bills at the time he picks up the children for visitation on Friday, November 6, 1992 at 6:00 p.m.

Additionally, the Defendant will provide the Plaintiff with a door handle suitable for replacing a door handle that broke when he was at the marital residence. That door handle will be provided to the Plaintiff at the time that Defendant picks up the children for the visitation on November 6, 1992 at 6:00 p.m.

Continued to Page 100 A

1992

Lucia T.Ingalls
vs
Douglas W. Ingalls

Continued from Page 100
of Record
AD 1992 - 1000

****

5. The Defendant is advised that he should not go to the maritial residence for any purpose other than as set forth for any purpose other as set forth for visitation in this Order at any time and that there shall be a presumption that he is in violation of this Order if he is at the marital residence ven if he has been invited by the Plaintiff. If the parties wish for the Defendant to be able to go to the marital residence,she should petition the Court for a modification of this Order prior to him doing so.

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 Departments inthe jurisdiction where the Plaintiff resides and to County Control.

8. The Defendant is reminded tht this is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000.00 and a jail sentence of up to six (6) months.

9. The Defendant shall pay court costs in this matter in the amount of $108.00 within ninety (90) days of the date of this Order.

10. This Order shall remain in full force and effect through November 3, 1993.

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

Nov. 5, 1992 Copy of the Order to Atty. Irwin, Deft., Co. Control & Cambridge Springs Police.

Nov. 19, 1992 AMENDMENT TO PROTECTION FROM ABUSE ORDER, field. AND NOW, Nov. 18, 1992, it is brought to the Court's attention by letter from the Defendant that the order entered by the Court on Nov. 4, 1992 does not specifically indicate that he may go to a rental property owned by the parties for the purpose of receiving rent monies and performing maintenance as required even though that was agreed to by the parties at the time of the hearing.

The Court purposely did not include reference to th at insofar as the order of Nov. 4, 1992 only restricted Defendant from going to the"marital residence" and the Court did not consider that rental property to be the marital residence.

However, so that the parties are absolutely clear, the order of Nov. 4, 1992 is hereby modified to the extent that Defendant shall be entitled to go to the rental property which is located adjacent to the "marital residence" for the sole prupose of receivign rent monies and performing maintenance as required and in doing so shall at no time harass or threaten the Plaintiff.

In all other respects, the order of Nov. 4, 1992 at this number and term shall remain in full force and effect.

A copy of this order in addition to being given to Plaintiff's counsel shall be mailed to Crawford County Control and the Cambridge Springs Police Dept. and a copy shall be sent to the Defendant at P.O. Box 134, Cambridge Springs, Pa 16403 all of the same to be done by the Prothonotary.

BY THE COURT:
Anthony J. Vardaro, J.

Nov. 19, 1992 copies given to Co. Ctrl., CSPD, Dft. & Atty Irwin

May 10, 1993 Motion to Amend or Modify a Protection From Abuse Order and Order, filed. ORDER: AND NOW, this 22nd day of April, 1993, upon receipt and review of the within motion to amend the Protection from Abuse Order of Lucia T. Ingalls, the amendment(s) and modification(s) set forth in said motion are hereby approved and made a Court Order.

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

Any paragraphs of the original Order assessing costs on either party shall remain in full force and effect without change or modification.

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

May 13, 1993 copy to J. Irwin, R.C. Thomas, PSP, Co Control, Plf. & Dft.

Aug.6, 1993, Motion to MOdify Protection From Abuse Order and Order filed. ORDER: AND NOW, this 6 day of Aug. 1993, upon presentation of the within motion, a hearing on the same is set for the 16 day of Aug. 1993, at 3:45 p.m. in Court Room No. 1 and 2, crawford County Court House, Meadville, Pa. Copies of this Motion and order to be ser ved upon plaintiff's counsel James R. Irwin.
1 copy (atty)

BY THE COURT,
Anthony J. Vardaro, J.

Aug. 11, 1993, copies of order to County Control, Irwin, R. C. Thomas.

Aug. 20,1993 Motion to Vacate Protection From Abuse Order and Order, filed. ORDER: AND NOW, this 19 day of August, 1993 upon receipt and review of the plaintiff's motion to vacate and terminate the Protection from Abuse Order of November 4, 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 approprieate police agency and to County Control.

Any provisions of the Protection from Abuse Order of November 4, 1992 assessing court costs shall remin 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. 25, 1993 copy to Pa. SP & Co. Control

1992

Bruce A. Barrett 1001	W. W. GRAINGER, INC. vs. W. E. UNGER, individually and d/b/a W E UNGER AND ASSOCIATES Filed October 20, 1992 @ 2:09 PM Tax & entry paid 50.50 User's Fee paid 5.00 Sheriff's Costs 31.00 Pro Co pd 11-23-92 9.00	COMPLAINT IN CIVIL ACTION 2 copies Sheriff Oct. 23, 1992 SHERIFF'S RETURN, filed. SERVED W.E. Unger personally on Oct. 21, 1992 at 2:30 PM by handing a copy of the Complaint to him at his residence, RD 4, Box 151, Meadville, Crawford County, Pa. SERVED W. E. Unger and Associates on Oct. 21, 1992 at 2:31 PM by handing a copy of the Complaint to W. E. Unger at his residence, RD 4, Box 151,Meadville, Crawford County,Pa. So answers, Dale A. Collins, Deputy Sheriff Robert M. Stevens, Sheriff Nov. 23, 1992 @ 11:30 a.m. upon praecipe of plaintiff's 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 One thousand three hundred sixteen dollars and twenty three cents. U - 173, 183 Debt: $1,316.23 JUDGMENT Barbara H. King, Pro.

1002

MAUREEN K. COUFALIK

vs.

FRANK COUFALIK

Filed October 20, 1992
@ 4:29 PM

Tax & entry	50.50
User's Fee	5.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

ORDER:

AND NOW, this day of , 19 , upon review of the petition of planitiff, the Court enteres 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 Plantiff 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 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,

Oct. 20, 1992 Memorandum and Order filed. AND NOW, October 20, 1992, for the reasons set forth in the attached memorandum the planitiff's petition for relief under the Protection From Abuse Act is denied.

BY ORDER OF COURT,
Gordon R. Miller,

1992

1003

John C. Brydon
Marsh, Spaeder,
Baur, Spaeder &
Schaaf

TUSSEY MOUNTAIN LOG HOMES
AND KITCHEN

vs.

RICHARD AND AUDREY NICK

Filed October 20, 1992
@ 4:37 PM

Tax & entry paid	50.~~50~~ 25
User's fee paid	5.00
Pro Co Pd 12-31-92	5.00

APPEAL OF PLANITIFF FROM DECSION FROM
DISTRICT JUSTICE WILLIAM D. CHISHOLM

Oct. 22, 1992 Proof of Service of NOtice of Appeal and Rule to File Complaint filed.

And Now, Dec. 16, 1992, at 2:35 p.m., upon praecipe of defendant attorney, Appeal Stricken for failure of plaintiff to file Complaint within twnety (20) days after filing Notice of Appeal.
Appeal stricken
on 12/16/92

APPEAL STRICKEN
Barbara H. King,
Prothonotary

1992

Mason & Mason
M. Dan Mason

1004

HALEY THOMPSON, by her parents and natural guardians AUDREY THOMPSON and DALE THOMPSON

vs.

PONDEROSA SYSTEMS, INC

Filed October 21, 1992
@ 8:47 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co pd 11/16/93	5.00

WRIT OF SUMMONS

Oct. 21, 1992 Petition To Settle Minor's Claim filed. AND NOW, October 21, 1992, upon consideration of the foregoing Petition, Audrey Thompson and Dale Thompson, parents of Haley Thompson, are hereby authorized to settle the claim of Haley Thompson, for the sum of $2,000.00. Upon payment to M. Dan Mason, attorney for the Plaintiff, of the aforesaid sum of $2,000.00, less costs, the Defendant shall be released andfurthermore shall be released from any duty to see to the application of the proceeds. M. Dan Mason is hereby directed, upon receipt of the aforesaid $2,000.00, to pay $500.00 to Mason and Mason as attorney fees, to pay the medical bills in the amount of $53.00, to reimburse Mason and Mason for costs of litigation in the amount of $55.50, and to pay the balance of $1,391.50 to Audrey Thomaspon to deposit with a broker or a bank in the name of Audrey Thompson, as custodian for Haley Thompson, under the Pennsylvania Uniform Gift to Minor's Act. Audrey Thompson and Dale Thompson are hereby authorized to execute releases on behalf of their daughter, haley Thomaspon, in full settlement of this claim.

Per Curiam,
Gordon R. Miller,
J

Oct. 22, 1992 Copy of order to Dan Mason

Nov. 16, 1992 Upon praecipe of Plaintiff Attorney the above case is marked settled and Discontinued of record.

1992

Mason & Mason
M. Dan Mason

1005

RYAN KOWALEWSKI, by his parent and natural guardians, AMY KOWALEWSKI and RICHARD KOWALESWSKI

vs.

PONDEROSA SYSTEMS, INC.

Filed October 21, 1992
@ 8:47 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co pd 11/16/92	5.00

WRIT OF SUMMONS

PRAEP. Oct. 21, 1992 Petition To Settle MInor's Claim and Order filed. AND NOW, October 21, 1992, upon consideration of the foregoing Petition, Amy Kowalewski and Richard Kowalewski, parents of Ryan Kowalewski, are hereby authorized to settle the claim of Ryan Kowalewski, for the sum of $5,000.00. Upon payment to M. Dan Mason, attorney for the Plaintiff, of the aforesaoid sum of $5,000.00, less costs, the Defendant shall be released and furthermore shall be released from any duty to see to the application of the proceeds. M. Dan Mason is hereby directed, upon receipt of the aforesaid $5,000.00, to pay $1,250.00 to Mason and Mason as attorney fees, to pay $46.00 to Amy Kowalewski and Richard Kowalewski for reimbursement of the doctor bill, to pay $141.50 to Mason and Mason for reimbursement of litigation costs and medical reports, and to pay the balance of $3,562.50 to Amy Kowalewski to deposit with the broker or a bank in the name of Amy Kowalewski, as custodian for Ryan Kowalewski under the Pennsylvania Uniform Gift to Minor's Act. Amy Kowalewski and Richard Kowalewski are hereby authorized to execute releases on behalf of their son, Ryan Kowalewski, in full settlement of this claims.

Per Curaim,
Gordon R. Miller

Nov. 16, 1992 Upon praecipe of Plaintiff Attorney the above case is marked settled and discontinued of record.

1992

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

1006

NATIONAL FUEL GAS
DISTRIBUTION CORPORATION

vs.

LARRY A. BOYLE and
CHRISTINE L. BOYLE

Filed October 21, 1992
@ 11:22 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	37.00
Pro Co pd 12-11-92	9.00
Pro.Co. Pd. 4/28/94	5.00

COMPLANIT IN CIVIL ACTION
2 copies Sheriff

Oct. 28, 1992 Sheriff's Return Filed. SERVED Larry A. Boyle personally on October 27, 1992 at 1:38 PM by handing a copy of the Complaint to him at his residence, 609 South Franklin Street, Titusville, Crawford County, PA.
SERVED Christine L. Boyle on October 27, 1992 at 1:39 PM by handing a copy of the Complaint to Larry A. Boyle, her husband, at their residence, 609 South Franklin Street, Titusville, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Dec 11, 1992 @ 11:38 a.m. upon praceipe of plaintiff's attorney judgment is hereby entered in favor of the plaintiff and against the defendants for want of an answer ant he same is liquidated at the sum of One Thousand Two Hundred Nineteen Dollars and Twenty-Two Cents, plus interest from Oct. 22, 1992 and all costs of suit for failure to answer or otherwise plead, against all defendants.
B - 31, 318 Debt: $1,219.22 plus int. from 10-22-92
and costs of suit
JUDGMENT
Barbara H. King, Pro.
Dec. 16, 1992 Notice of entry of Judgment sent to Dfts.

Apr. 28, 1994 Upon Praecipe of Lawrence C. Bolla, Esquire, Attorney for Plaintiff, satisfaction in full of this judgment, debt, interest and costs and hereby discharge the same of record.

1992

MacDonald, Illig Jones & Britton Richard J. Parks	INTEGRA NATIONAL BANK/NORTH successor by merger to Pennbank	COMPLANIT IN CIVIL ACTION 1 copy Sheriff Oct. 27, 1992 Sheriff's Return filed. NOT FOUND as to Defendant Josef Klarr. He moved from address of R.D.#2,Box 199, Guys Mills, Crawford County,PA, to Box 125, VEnango,PA. According to the Postmaster in Venango,PA, defendant has not picked up mail since he got the box number. Whereabouts are unknown. So answers, Robert M.Stevens, Sheriff
1007	vs.	
	JOSEF KLARR	
	Filed October 21, 1992 @ 11:35 AM	
	Tax & entry paid 50.50 User's Fee paid 5.00 Sheriff's Costs 23.00	

108

1992

Hayt, Hayt & Landau
Arthur Lashin

1008

FORD MOTOR CREDIT COMPANY

vs.

WILLIAM L. SUM

Filed October 21, 1992
@ 11:45 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	32.00
Pro Co paid 12/3/92	9.00
Sat paid 2/4/94	5.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Oct. 28, 1992 Sheriff's Return filed. SERVED William L. Sum personally on October 26, 1992 at 11:03 Am by handing a copy of the Complaint to him at his residence, 1224 Hartstown Road, Jamestown, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, dec. 3, 1992, at 11:37 a.m., upon praecipe of plaintiff attorney, with notice of default and affidavit of non military servcie attached, Judgment is hereby entered in favor of plaintiff and against the defendant; damages assessed in the sum of One Thousand Four Hundred Twenty and 02/100 dollars.
judgment entered
12/3/92
S - 172

Debt ----$1,420.02
JUDGMENT
Barbara H. King,
Prothonotary

Dec. 8, 1992, notice of entry mailed to defendant.

Feb. 4, 1994, UPon praecipe of plaintiff attorney, this judgment satisfied of record. (see paper filed)

1992

Mazzotta, McGague
& Associates, PC.
Donald S. Mazzotta
William T. Molczan

1009

THE HUNTINGTON ACCEPTANCE COMPANY

vs.

LAURA G. MARKAN and
NANCY A. MARKAN

Filed October 21, 1992
@ 11:53 AM

Tax & entry paid	50.50
User's fee paid	5.00
sheriffs costs	**32.00**
Sheriff's Costs	50.00
Pro Co pd 3-25-93	9.00
Pro.Co. pd 4/7/94	5.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Nov. 25, 1992, Sheriffs Return filed. NOT FOUND as to defendants Laura G. Markan and Nancy A. Markan. Attempts were made to the address of Box 650, Choctaw Trail, Conneaut Lake, Pa. no one was at the residence. A card was left, they did not contact this office to make arrangements to pick up but never showed up.
So answers, Robert M. Stevens, Sheriff

Dec. 23, 1992 Complaint reinstated.

Jan. 18, 1993 Sheriff's Return filed. SERVED Laura G. Markan on January 12, 1993 at 7:31 PM by handing a copy of the Complaint to Nancy A. Markan, Adult in Charge at the residence, Box 650, Choctaw Trail, Conneaut Lake, Crawford County, PA. SERVED Nancy A. Markan personally on January 12 1993 at 7:30 PM by handing a copy of the Complaint to her at the residence, Box 650 Choctaw Trial, Conneaut Lake, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Mar. 25, 1993 at 2:00 p.m. Upon consent of the respective parties listed below, Judgment is hereby entered in favor of the Plaintiff, THE HUNTINGTON ACCEPTANCE COMPANY, and against the Defendants, LAURA G. MARKAN and NANCY A. MARKAN, in the following amount:

Principal Amount Due	$5,337.94
Attorney's Fees	1,067.59
Interest thru March 5, 1993	+ 398.56
	$6,804.09
Less payments to date	-2,000.00
TOTAL	$4,804.09

With interest accruing on total balance of $4,804.09 at the rate of 14.50% from date of Judgment.
Entered 3-25-93 Debt. $4,804.09 plus interest
M - 104, 124 JUDGMENT
Barbara H. King, Pro.

Apr. 7, 1994 Upon Praecipe of William T. Molczan, Esquire, Attorneys for Plaintiff, the above-captioned judgment against Defendants, Laura G. Markan and Nancy A. Markan is marked satisfied of record.

James R. Irwin

1010

MELINDA DENNIS

vs.

ROBERT E. DENNIS

Filed October 21, 1992
@ 1:47 PM

Tax & entry Pd 11-13-92 50.50
User's Fee Pd 11-13-92 5.00

Sheriff's Costs 25.00
Pro Co Pd 11-13-92 9.00

11-13-92
Received from deft, Sheriff cost 25.00

11-13-92
Pd Sheriff
Ck# 7172 25.00

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

ORDER:

AND NOW, this 21 day of October 92 , 19 , upon review of the petition of planitiff, the Court enteres 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 Planitiff shall have exclusive possession of marital residence pending further hearing. The Defendant may not contact plaintiff nor telephone plantiff at work or any other location.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plantiff 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 November 6, 1992, 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

Oct. 22, 1992 Sheriff's Return filed. SERVED RobertE.Dennis personally on October 21, 1992 at 2:30 PM by handing him a copy of the Protection from Abuse on Center Street, outside of Associated Family Services, in Meadville, Crawford County, PA. Defendant given until 4:00 PM on October 21, 1992 to be out of the residence.
So answers,

Diane Severo, Deputy Sheriff
Robert M.Stevens, Sheriff

Oct. 29, 1992 Complaint for Indirect Criminal Contempt for Violation of Protection from Abuse Order and NOtice of Assignment of Hearing Date filed. October 29, 1992: Hearing in the above captioned matter has been scheduled for October 30, 1992 at 10:00 A.M. in Courtroom 1.

FOR THE COURT,
Imogene Yetman, Court Administrator

Oct. 29, 1992 Court Administrator's Office delivered copies tp: Sheriff, Sheriff for Deft.called Plft residence and left message with her mother.

Nov. 4, 1992 Re: Protection from Abuse and Contempt Order filed. AND NOW, October 30, 1992, at the time originally scheduled for the contempt hearing where the Defendant was charged with violating a Temporary Protection From Abuse Order, the Defendant appeared without counsel. The Plaintiff appeared with counsel. The Defendant was advised as to the nature of the proceedings including his right to counsel of his own choice and free counsel if he could not afford it with respect to the contempt matter. The Defendant admitted that he understood these proceedings as well as his right to counsel. He waived his right to counsel and agreed to proceed without counsel.

The Court notes that the formal hearing on the Temporary Abuse Order was not set for this date but was set for November 6, 1992 in this Courthouse. The parties agreed that a hearing on that petition could be heard simultaneously with the contempt hearing and accordingly, both matters are now disposed of.

The Defendant admits that he committed physical abuse as that is defined by the Protection From Abuse Act on some of the incidents set forth in the Plaintiff's Petition. He also admits that he did not go back to the marital residence after he was excluded by the Temporary Abuse Order.Therefore, the Court finds that the Defendant has engaged in abuse as prohibited by the law and has violated the Temporary Abuse Order of October 21, 1992. Accordingly, it is ORDERED as follows:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff in any manner nor cause others to do the same on his behalf either directly or indirectly.
2. The Defendant shall not go to the Plaintiff's place of residence or her place of work. In fact, he shall not be within one hundred (100) yards of the Plaintiff's place of residence for any purpose whatsoever. The Defendant shall not be within one hundred (100) yards of Associated Family Services unless he is traveling on the public street or sidewalk adjacent to Associated Family Services and proceeds past that place of business with dispatch and does not stop for any reason whatsoever within one hundred (100) yards of Associated Family Services except to obey lawful traffic signals.
3. The Defendant shall have absolutely no personal contact with the Plaintiff in person, by telephone or in writing. Since the parties are still married and since they may have matters that connect them that must be resolved and dealt with,the Court recognizes that the Defendant and Plaintiff may have to contact each other for those purposes, but the Defendant shall only do so through his lawyer.
4. The Defendant shall not use, possess or carry any deadly weapon or firearm for the balance of the term covered by this Order. He shall not be issued any license to carry a firearm by the Sheriff of Crawford County or any other law enforcement official or any other party giving him the right to do so.
5. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
6. A copy of this Order shall be delivered by the Prothonotary to the Meadville City Police Department and to County Control.

Continued to Page 110A

1992

Melinda Dennis
vs
Robert E. Dennis

Continued from Page 110
of
A. D. 1992 - 1010

****

7. This Order shall remain in full force and effect for one (1) year from this date, that is until October 29, 1993 unless modified or terminated by further Court Order.

8. The parties are advised that this Order restricts the activities of the Defendant insofar as his relationship with the Plaintiff. The Plaintiff shall not invite or encourage the Defendant to violate this Order. If for some strange reason the parties should reconcile or the Plaintiff shall want to have contact with the Defendant that would be a violation of this Order, the Defendant shall refuse any such offers until there has been a modification of the Court Order because the Plaintiff has no right to modify this Order, only a Court of competent jurisdiction has that right.

Any violation of this Order by the Defendant even if encouraged to do so by the Plaintiff could be considered contempt and the Defendant could be punished accordingly.

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

10. The Court having found that the Defendant is in contempt of the Temporary Abuse Order of October 21, 1992 imposes the following punishment and sanctions. In view of the fact that the Defendant has already spent five (5) dyas in the Crawford County Jail, no further imprisonment is imposed. However, the Defendant is ORDERED to:

A. Pay all record court costs in regard to the original petition and the contempt complaint in full by 4:30 p.m. on MondaY, NOvember 9, 1992. He is encouraged to pay one-half (½) of that by November 2, 1992. If he fails to pay the court costs he may be in further contempt.

B. Pay $250.00 to James R. Irwin, Esquire, attorney for the Plaintiff,as attorney fees in these proceedings, which said amount shall be paid in full no later than 4:30 p.m. on Tuesday, December 15, 1992.

11. The Court does not now enter any Order prohibiting the Defendant from having contact with the Plaintiff's fellow workers, witnesses and family, however, the Defendant is advised that those persons do not want any contact with him and he should be guided accordingly.

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

Nov. 4, 1992 Copies to Atty. Irwin,County Control, Jail Warden, Meadville City Police. NOv. 10, 1992 Copies mailed to Defendant and given to Sheriff.

1992

1992

Ferguson & Spataro
Douglas W. Ferguson

1011

Thomas, Truax,
Spadafore & Walker
William L. Walker

THOMAS OSBORNE and LINDA OSBORNE, his wife By Assignment from OSBORNE BROADCASTING, INC.

vs.

EDWARD PAUL MATTER, III

Filed October 21, 1992
@ 3:20 P.

Tax & entry paid 50.50 ✓
User's fee paid 5.00

COMPLAINT IN CIVIL ACTION
1 copy (atty)

Nov. 18, 1992 MOTION FOR SERVICE OF COMPLAINT PURSUANT TO SPECIAL ORDER OF COURT and ORDER, filed. ORDER: AND NOW, this 18th day of November, 1992, upon consideration of the foregoing Motion and the accompanying Affidavit in support thereof, it is hereby Ordered and Decreed that service of the original Complaint filed at the above-captioned number and term by the Plaintiffs against the Defendant shall be served on the Defendant, Edward Paul Mattar, III, in compliance with Pennsylvania Rule of Civil Procedure 430 in the following manner:

1. The Plaintiffs' attorney, Douglas W. Ferguson, Esq., shall forward by regular mail to the Defendant, Edward Paul Mattar, III, at his last know address, 50 Salisbury St, Suite 43, Worcester, Massachusetts 01609;

2. The Plaintiffs' attorney, Douglas W. Ferguson, Esq., shall also serve by regular and certified mail restricted delivery to addressee only to Lawrence J. Mattar, Esq., 17 Court St., Suite 600, Buffalo, New York 14202-3294. A copy of this Order shall accompany the Complaint sent to both the Defendant and to his brother and attorney-in-fact, Lawrence J. Mattar, Esq.

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

Nov. 18, 1992 2 copies Atty.

Dec. 4, 1992, Affidavit of Servcie filed. 2 copies (atty) I, the undersigned being duly sworn according to law, depose and say that I served a true and correct copy of Complaint cert. by Pro of Crawford County, Pa., on the above named defendants atty. Lawrence J. Mattar, Esq. by Cert. mail, addressee only, ret. rec. req. dated Nov. 23, 1992 The defendnat's atty in fact acknowledged service on Nov. 30, 1992 by accepting delivery on that date as evidenced by the attached signed ret. rec . Douglas Ferguson, Esq.

Feb. 3, 1993 Appearance of Thomas, Truax, Spadafore & Walker by William L. Walker for Defendant filed.

Feb. 3, 1993 Preliminary Objections filed.

112

1992

Pepicelli, Youngs
& Youngs
Andrew S. Bacallao

1012

CAROL A. ROBINSON

vs.

CARL E. ROBINSON

Filed October 21, 1992
@ 3:58 PM

Tax & entry paid 50.50 ✓
User's Fee paid 5.00

COMPLAINT FOR CUSTODY
2 copies Atty.
1 copy Mediator

Order:
You, Carl E. Robinson , Defendant have beensued in Court to obtain custody of the chidlren: Jarred Carl Robinson and Chaise Evert Robinson
You are ordered to appear in person for a conference at such time and place as may be set by , Child Custody Mediator.
If you fail to appear as provided by this Order, an Order for custody may be entered against your or the court may issue a warrant for your arrest.
You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

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

Date:

BY THE COURT,
Anthony J. Vardaro, J

10-21-92 Received from plt's Med fees $150.00

Oct. 27, 1992 PROOF OF SERVICE, filed. I hereby certify that a copy of Complaint For Custody was served upon the Defendant Carl E. Robinson, by mailing the same to him at Box 56, Plum St., Harmonsburg, Pa. 16422 , by Certified Mail, Addressee Only, Return Receipt Requested, Number P 228 802 935. Said Complaint was received on Oct. 26, 1992, signed receipt attached hereto as Exhibit "A". Andrew S. Bacallao

12-20-93 Pd Pepicelli, Young, Young Return Med Dep Chk # 7961 150.00

Dec. 17, 1993 Motionto Return Custody Mediator's Fee and ORDER filed. AND NOW, this 17 day Dec., 1993 the Prothonotary of Crawford County is directed to return the sum of One Hundred Fifty and no/100 ($150.00) Dollars to Plaintiff's counsel, Pepicelli,Youngs and Youngs PC,pursuant tothe Consent of the Plaintiff. The remaining balance of this fee after payment for services to Pepicelli, Youngs and Youngs PC shall be forwarded by Plaintiff's counsel to Plaintiff, Carol A.Robinson.

By the Court:
P. Richard Thomas,S. J.

12-23-93 Copyof Order to Atty. Bacallao.

1992

Fuller, Kinnnunen,
Petruso, Gamble,
Fabian & Hall
Gary A. Fabian

1013

BETTY SHONTZ

vs.

MARY ALICE MOSLEY

Filed October 22, 1992
@ 10:01 AM

Tax & entry paid 50.50 ✓
User's Fee paid 5.00

COMPLAINT FOR CUSTODY
1 copy atty

Nov. 18, 1992 Acceptance of Service Of Complaint For Custody filed AND NOW, in accordance with Rule of Civil Procedure 402(b), I hereby accept service of the Complaint in Custody in the above-captioned matter.
Date: 11-12-92 Mary Alice Mosely

Nov. 24, 1992 Stipulation as to Child Custody and Visitation, Consent and Order filed. AND NOW, this 23rd day of November, 1992, the foregoing Stipulation of the parties is hereby approved and entered as an Order of this Court.
BY THE COURT:
Gordon R. Miller, J.
Nov. 30, 1992 Copy of Order to Atty.Fabian.

1992

1014

Brian Lindsay

JEFFREY S. BARR

vs.

CHERYL L. BARR

Filed October 22, 1992
@ 1:17 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 2/17/93	9.00 ✓

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, LIABILITIES AND DEBTS
1 copy pltf.

Jan. 29, 1993 MOTION TO AMEND DIVORCE COMPLAINT and ORDER, filed. ORDER: AND NOW, this 29th day of January, 1993, in consideration of the foregoing motion, this Court hereby directs that the instant action proceed under 23 Pa. C.S.A. §3301(c) and (d).
Anthony J. Vardaro, J.
Feb. 2, 1993 copy to Lindsay & Plf.

Jan. 29, 1993 CONSENT TO WITHDRAWAL OF ANCILLARY COUNTS IN DIVORCE and ORDER, filed. ORDER: AND NOW, this 29th day of January 1993, Motion to Withdraw Ancillary Counts in Divorce is hereby granted. Anthony J. Vardaro, J.
Feb. 2, 1993 copy to Lindsay & Plf.

Feb. 1, 1993 Plaintiff's Affidavit Under Section3301(d) of the Divorce Code filed.

Feb. 3, 1993 Affidavit of Consent of Defendant filed.

Feb. 17, 1993 Acceptance of Service filed. I, the above named Defendant, hereby accepted service of the Complaint in the above action,on September 24, 1992.
Date: 2/16/93 Cheryl L.Barr

Feb. 17, 1993 Upon praecipe of Brian J. Lindsay, Esquire for Defendant to transmit record, case moved to Court.

Mar 3, 1993 Memorandum filed. Mar. 3, 1993 copy given to Lindsay

Mar 11, 1993 Amended Acceptance of Service, filed. I, the above named Defendant, hereby accepted service of the Complaint in the above action, on Oct. 24, 1992. Cheryl L. Barr

Mar. 18, 1993 Amended Affidavit of Consent of Plaintiff, filed.

Mar.18, 1993 Upon praecipe of Defendant attorney to transmit record, case moved to Court.

Mar. 22, 1993 **DIVORCE DECREE FILED.**

AND NOW, March 19, 1993, it is ordered and decreed that Jeffrey S. Barr, plaintiff, and Cheryl L. Barr, defendant are divorced fromthe bonds of matirmony.
The Court retains jurisidction of any claims raised by the parties to this action for which a fainal order has not yet been entered and which has not been withdrawn by the party making the claim.
BY THE JCOURT,
GordnR. Miller, J

1992

Specter Law Offices
Robert A. Sambroak, Jr

1015

Culbertson, Weiss, Schetroma and Schug,
E. Max Weiss

RANDOLPH SCHNEIDER and TAMMY SCHNEIDER, his wfie

vs.

YOUNG MEN'S CHRISTIAN ASSOCIATION, a non-profit corporation

Filed October 22, 1992
@ 1:52 PM

Tax & entry paid	50.50
User's fee Paid 10-28-92	5.00
Sheriff'sCosts	37.00
Pro Co Pd 3/8/94	6.00

COMPLAINT IN CIVIL ACTION

Oct. 28, 1992 Sheriff's Return filed. SERVED Young Men's Christian Association on October 27, 1992 at 1:24 PM by handing a copy ofthe Complaint to George R. Ebert, Executive Director, at 201 West Spring Street, Titusville, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Nov. 2, 1992 Appearance of Culbertson, Weiss, Schetroma and Schug, P.C. by E. Max Weiss, Esquire for Young Men's Christian Association, defendant filed.

Dec. 2, 1992 Answer and New Matter of Young Men's Christian Association to Plaintiffs' Complaint filed.

Dec. 16, 1992 Reply To New Matter filed.

Jan. 5, 1993 Verification to Reply to New Matter filed.

Feb. 18, 1993 Notice Of Service Of Plaintiffs' Interrogatories Directed To Defendant and Request For Production of Documents filed.

Mar. 4, 1994, UPon praecipe of plaintiff attorney, the above captioned case is hereby marked discontinued of record.

1992

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

1016

MEADVILLE FARM CREDIT, ACA, now known as PennWest Farm Credit, ACA

vs.

VIOLET MAY ALTMAN

Filed October 22, 1992
@ 3:34 PM

Tax & entry paid	50.50	✓
User's Fee paid	5.00	
Sheriff's Costs	43.50	
Pro Co 12-11-92	pd 9.00	

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies Sheriff

Nov. 13, 1992 SHERIFF'S RETURN, filed. SERVED Violet May Altman on Oct. 30, 1992, by Certified Mail at her last known address of 109 Windsor Ave., Hopatcong, NJ 07843, as per signed Return Receipt attached.

POSTED the mortgaged property of Violet May Altman located at Route 77, Riceville, Crawford County, Pa., the property being vacant. Posted on Nov. 10, 1992 at 11:22 AM.

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

And Now, Dec 11, 1992 @ 10:49 a.m., upon praecipe of plaintiff attorney judgment is hereby entered in favor of the Plaintiff and against the defendant Violet May Altman, in the sum of Forty-two Thousand Eight Hundred Twenty-five Dollars and seventy-two cents, foreclosure of the mortage, with costs plus interest from Oct 15, 1992 at 11.25% per annum for failure to file an answer.

A - 161 Debt: $42,825.72
(costs plus interest from Oct. 15, 1992)
JUDGMENT
Barbara H. King, Pro.

Dec. 16, 1992 Notice of entry of Judgment sent to Defendant.

Ex. 1992 - 111

1992

Prather, Prather & Pineo
Mark D. Prather

1017

GEORGE BLY

vs.

MARK ZIMMERMAN and RICK GRUBBS t/d/b/a MARRICK BUILDERS & DESIGN

Filed October 23, 1993
@ 9:03 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	25.00
Pro.Co. pd 12/29/92	5.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Nov. 4, 1992 Sheriff's Return filed. SERVED Mark Zimmerman personally on November 2, 1992 at 8:10 AM in the Sheriff's Office, Crawford County Courthouse, Meadville, PA.
So answers, Carole Stefanucci, Deputy Sheriff
Robert M.Stevens, Sheriff

Dec. 29, 1992 Upon Praecipe of Plaintiff Attorney this case is marked settled and discontinued of record.

1992

Bettie J. Peterson-Muth

1018

LAURIE A. HANCOX

RAYMOND N. HANCOX

vs.

LAURIE A. HANCOX

Filed October 23, 1992
@ 2:13 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 2/23/93	9.00

COMPLAINT IN DIVORCE
1 copy Atty.

Feb. 23, 1993 Affidavit of Service by Mail filed. Bettie J. Peterson-Muth,Esquire, being duly sworn according to law, deposes and says that she is the attorney for the plaintiff, Raymond M. Hancox, and that she did mail a true and correct copy of the Complaint in Divorce filed in the above matter, by certified mail, return receipt requested, deliver to addressee only, to the defendant, Lauria A. Hancox, on November 10, 1992, at her last known address, 214 Walker Drive, Meadville, Crawford County, Pennsylvania 16335. The signed receipt is attached hereto as Exhibit "A".
Feb. 23, 1993 Bettie J.Peterson-Muth,
Attorney for Plaintiff

Feb. 23, 1993 Affidavit of Consent by Laurie A. Hancox, Defendant, filed.

Feb. 23, 1993 Affidavit of Consent by Raymond M.Hancox, Plaintiff, filed.

Feb. 23, 1993 Upon Praecipe of Plaintiff Attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

March 5, 1993 AND NOW, March 3, 1993, it is ordered and decreed that **RAYMOND M. HANCOX**, plaintiff, and **LAURIE A. HANCOX**, defendant, are divorced from the bonds of matrimony.

The Court retains jruisdiction 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.

1992

~~Brian J. Lindsay~~
Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

1019

Kathleen R. Nelson

Peters,Lindsay,
Lewis & Hatheway
Brian J. Lindsay

9-15-95 Rec from PLF. Masters fees 87.50

11-15-95 Record. from Defdt. $87.50 Masters Fees.

3-28-96 Rec Dallas, Ct Rep #9841 175.00

ROXANE FUCCI

vs.

JOSEPH FUCCI

Filed October 26, 1992
@ 8:50 AM

Tax & entry paid	50.50 ✓
User's Fee paid	20.00
3 Add'l Counts paid	45.00 ✓
State paid	10.00
Masters paid 3-30-95	250.00

David Pickens, Master

Pro.Co. Pd 11/15/95 9.00 ✓

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, ALIMONY PENDENTE LITE, COUNSEL FEES & COSTS , and CUSTODY
1 copy Atty.

Oct. 30, 1992 Petition for Special Relief and Order Filed. AND NOW, this 30th day of October, 1992, upon presentation and consideration of the within Petition a Rule is granted upon the Defendant to show cause, if any he has, why the Plaintiff should not be awarded full and exclusive possession of the marital home during the pendency of this divorce proceeding.

Returnable for hearing and/or argument on the 2nd day of December, 1992 at 3:30 o'clock P.M. in Court Room No. 1 or 2 of the Crawford County Court House,Meadville, Pennsylvania.

A copy of this Petition shall be served upon the Defendant by Certified Mail, Return Receipt Requested.

BY THE COURT,
Gordon R. Miller, J.

Nov. 5, 1992 Copy of the Order to Atty.Thomas.

Nov 4, 1992 Appearance of Kathleen R. Nelson for Defendant Joseph Fucci, filed.

Nov. 30, 1992 PETITION FOR SPECIAL RELIEF (RETURN OF TANGIBLE PERSON PROPERTY) and ORDER, field. ORDER: AND NOW, this 30th day of November, 1992, upon presentation and consideration of the within Petition For Special Relief a Rule is granted upon the Defendant, Joseph Fucci, to show cause, if any he has, why the relief set forth in this Petition should not be granted.

This Rule is returnable for hearing on the 2nd day of December, 1992 at 3:30 p.m. in Court Room No. 1 or 2 of the Crawford County Court House, Meadville, Pennsylvania, or as soon thereafter as the attention of the Court may be had.

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

Nov. 30, 1992 copy to R.C. Thomas & K. Nelson

Dec. 8, 1992 ORDER filed. ANDNOW, Dec. 2, 1992, at the time fixed for hearing on two (2) petitions for special relief filed by the Plaintiff, it is ORDERED as follows:

1. The Plaintiff is awarded sole possession of the marital residence no later than Dec. 31, 1992. The Defendant shall find another place to live as soon as possible and nolater than Dec. 31, 1992.

2. Neither of th eparties shall dispose of or destroy any items of personal property until further Order of Court or until they reach an agreement as to the equitable distribution of that property short of a Court Order.

3. The Plaintiff's petition for special relief for the return of tangible personal property is denied as the Court will not become involved in dividign property before an official Decree in Divorce or an equitable distribution Decree except under unusual circumstances whereby the Court will exercise its equitable powers under the Code. However, the Defendant shall make certain that basic tools for making home repairs shall remain with the house such as a plier or pilers, a screwdriver or screwdrivers, extension cords necessary and reasonable for residential purposes.

4. If the Defendant removes anything from the home, and this Court is not sanctioning that now nor prohibiting it, he shall tell his wife beforehand so that she can make an appropriate note and so that she will know what the asset is for appraisement purposes, inventory purposes and equitable distribution pruposes.

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

Dec 8. 1992 Copies given to Attys Nelson & Thomas

July 1, 1994 Affidavit of Consent of Defendant, filed.

Dec. 8, 1994 Petition For Special Relief and Order filed. AND NOW, THIS 8 day of December, 1994, upon presentation and considerationof the within Petition, a Rule is hereby granted upon the Defendant to show cause, if any he has, why the relief requested in the Petition should not be granted.

Returnable for hearing & argument on the 22nd day of December, 1994, at 3:30 o'clock p.m., in Court Room 1 or 2, Crawford County Court House, Meadville, Pennsylvania.

A copy of this Petition and Order to be served upon Defendant's consel by regular mail and on the Defendant by Certified Mail.

BY THE COURT,
Anthony J. Vardaro, J

Dec. 8, 1994 Faxed Nelson& Thomas

Mar. 3, 1995 Inventory of Joseph Fucci,Defendant, filed.

Mar. 3, 1995 Income and Expense Statement of Joseph Fucci,Defendant, filed.

Mar. 27, 1995 Affidavit Under Section 3301(d) of Defendant filed.

Mar. 28, 1995 Motion To Reschedule Hearing On Petition For Special Relief and Order filed. AND NOW, this 27th day of March, 1995, the within Motion is granted and the hearing in this matter is rescheduled for the 19th dayof May, 1995 at 2:30 o'clock p.m. in Court Room No. 1, 2 or 3 of the Crawford County Court House, Meadville, Pennsylvania.

BY THE COURT,
Gordon R. Miller, J

Mar. 28, 1995 Faxed Thomas & Nelson

Mar. 30, 1995 Motion for Appointment of Master in Divorce and ORDER APPOINTING MASTER filed. AND NOW, March31, 1995, David Pickens, Esquire is appointed Master in respect to the following claims:

Fault. Divorce, Equitable Distribution, Alimony Pendente Lite, Counsel Fees & Costs.

If not filed already the parties are ordered to file their pretrial statements within thirty (30) days from this date.

Per Curiam,
Gordon R. Miller, Judge

4-4-95 Faxed Nelson, Pickens & Thomas

Apr. 13, 1995, Notice of scheduled Pre-Hearing conference filed.

Continued to Page 506

1992

BARBARA J. WALTON

1020

Brian J. Lindsay

MICHAEL A. HARNETT

vs.

DEBORAH M. HARNETT

Filed October 26, 1992
@ 10:45 AM

Tax & entry paid	50.50
User's Fee paid	10.00
2 Add'l Counts paid	30.00
State paid	10.00
Pro Co pd 3-10-93	9.00
John Fuller, mediator	200.00
Pro Co Pd 3-22-94 #8178	9.00
Sheriff's Costs	35.00

12-15-93 Received from PBA 150.00 Med dep
2-2-94 Pd PBA Refund Ck#8005 41.00
3-22-94 Pd Co 8179 100.00

COMPLANIT IN DIVORCE, CUSTODY, and
EQUITABLE DISTRIBUTION
1 copy Atty.

Dec. 2, 1992 Stipulation Between Both Parties and Order filed. It is the intention ofthe aprties that the provisions of this Agreement without further notice to either party be entered by the Court of Common Pleas of Crawford County as an Order of Court. The parties heretoagreethat continuingjurisdiction shall be retained by said Court, however, the continuing jurisdiction of siad Court is not, and is not intended to be, execlusive jurisdiction; and the parties may at any subsequent time and form time to time, exercise and establish all rights, liabilities, and dutie relative to the subject of this Order and decree by proceedings in any Court of competent jurisdiction. The contractual duties set forth herein, as well as the duties and remedies provided for here under shall servivie the incproration of this Agreement into the Decree of Divorce.

In Witness Whereof, the parties, wtihthe intent to be legally bound, have signed this Agreement on the date written below.

Witness:
Barbara J. Walton — Michael A. Harnett 10-25-92
Lisa M. Sherretts — Deborah M. Harnett 10-26-92

Dec. 3, 1992 Copy of order put in box for Atty. Walton

Feb. 5, 1993 Affidavit of Consent of Plaintiff filed.

Feb. 8, 1993 Affidavit of Personal Service filed. Barbara J. Walton, Esq., being duly sworn according to law, deposes and sets forth as follows:

1. That she is a competent adult.
2. That on information furnsihed her, she served a certified copy of the Complaint for Divorce in the above-matter upon defendant, Deborah M. Harnett at my office located, at 1111½ Park Avenue, Meadville, Pennsylvania on October 26, 1992.
3. Service ofthe Complaint against the Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.

Barbara HJ. Walton

Feb. 19, 1993 Affidavit of Consent of of defendant filed.

Mar 10, 1993 Upon praecipe of Plaintiff attorney to transmit records, case moved to Court.

March 25, 1993 - FINAL DIVORCE DECREE filed.

AND NOW, March 16, 1993, it is hereby ordered and decreed that Michael A. Harnett, Plaintiff, and Deborah M. Harnett, 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 beenentered.

BY THE COURT:
Anthony J. Vardaro,
Judge

Dec. 15, 1993, Petition to Modify Custody, and Order filed. You, Deborah M. Harnett, have been sued in court to obtain custody of Derek M. Harnett.

You are ordered to appear in person at such time, and place as will be determined by the mediator, John Fuller, for a conference.

If you fail to appear 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, minor child shall remian in custody of father with reasonable visitation to mother in order to maintain the status quo.

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

Ct. Adm., Craw. County Courthouse, Meadville, Pa. 16335 814 336-1151 - Ext. 298.

Date: 12/15/93

BY THE COURT,
Anthony J. vandaro, J.

1 copy (atty) 1 copy (mediator)

Dec. 30, 1993 Affidavit of Service filed. And Now, December 29, 1993, comes Barbara J.Walton, and avers as follows:

1. A true and correct copy of the Petition to Modify Custody was mailed to the Defendant via Certified Mail, return receipt onDecember 18, 1993.
2. That the Defendant signed the return card on December 28, 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. P845923448) 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.

Jan. 4, 1994 Appearance of Brian J. Lindsay for Defendant, filed.

Jan. 7, 1994 Petition to Rescind or Vacate the Portion of the Court's Order of December 15, and ORDER filed. AND NOW, this 7 day of January, 1994, this Court having been presented with the within Petition to REscind or Vacate the Court's Order of December 15, 1993, this Court orders that the partie's are to follow the terms of the Consent Stipulation of October 26, 1992 concerning custody of Derek Harentt and Michael Harnett shall forthwith surrender custody of Derek to Deborah Harnett. Child to be returned to mother immediately & visits with father to be in accord with the Oct. 1992 Agreement of the parties with weekend visits with father to commence the weekend of Jan. 14. Both parties required to attend mediators conference Jan. 26, 1994 P.M.

P.Richard Thomas, S.J.

1-12-94 Copy of Order to Attys.Walton & Lindsay & Fuller

Continued to Page 120 A

Michael A.Harnett
vs.
Deborah M. Harnett

Continued fromPage 120
of Record
AD 1992 - 1020

***

Jan. 25, 1994 Defendant's Answer to Plaintiff's Petition to Modify filed.

Feb. 1, 1994 ORDER filed. AND NOW, January 28, 1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Derek M. Harnett 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 Derek M. Harnett shall be with his Father, beginning January 31, 1994, subject to the following conditions:

A. The mother shall be entitled to visit and take the child into her custody every weekend from 10:00 o'clock a.m. on Saturday to 10:00 o'clock a.m. on Monday, beginning January 29, 1994.

B. Holidays shall be defined as Christmas, Easter and Thanksgiving. Custody of the child shall be shared on the aforesaid holidays and in the absence of an agreement to the contrary, the child shall be in the custody of the mother on the aforesaid holidays from 7:00 o'clock p.m. the eveningprior to the holiday 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 mother's next custody period.

C. Beginning with the Summer of 1994, the child shall be in the custody of each parent for an uninterrupted period of one month. Each parent shall give the other parent at least thirty (30) days notice of the dates of the Summer visit and in the absence of an agreement the child shall be in mother's custody for the month of June and in father's custody for the month of July.

D. Transportation of the child on weekends, holidays and Summer visits shall be provided by the father until mother is able to obtain an automobile. Thereafter, the parties shall equally divide transportation with the one receiving custody providing transportation.

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

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

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

H. Neither parent shall remove the child from the Commonwealth of Pennsylvania without the consent of the other parent.

I. Neither parent shall smoke, or permit others to smoke, in th epresence of the child.

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

IV. Cost of the mediation conference will be divided as follows: The father shall pay one-half (½) thereof and Crawford County the remaining one-half (½). 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. Feb. 4, 1994 copy to B. Walton , B. Lindsay, J. Fuller, Plf. & Dft.

Mar. 4, 1994, MOtion to Withdraw and Order filed. ORDER: AND NOW, this 2nd dayof March 1994, the motion to Withdraw the request for the De Novo Hearing is granted.

BY THE COURT,
Gordon R. Miller, J.

Mar. 8, 1994 copies of order to Attys. Lindsay, Walton, Fuller.

Feb. 7, 1994 Request for DeNovo Hearing, filed.

June 7, 1994 Petition To Proceed In Forma Pauperis Pursuant To Pa. R.C.P. 240 and Order filed. AND NOW, May 31, 1994, upon consideration of the Petition filed by the in this action, and supported by an affidavit attached thereto, all being pursuant to Pa. R.C.P. 240, the Plaintiff is granted leave to proceed in forma pauperis at this time. the Plaintiff is directed to inform the Prothonotary's office or the court of any improvement in her financial circumstance that would permit hher to pay the costs incurred in this action and shall be responsible for doing so upon an improvement of financial condition.

BY THE COURT,
Gordon R. Miller, J

June 7, 1994 Faxed Walton, Lindsay, Fuller , given Pineo

June 7, 1994 Modification Custody Complaint and Order. AND NOW, this 31st day of May, 1994, the Court having appointed a custody mediator in this action for custody, and/or partial custody and/or vistiation of a minor child or children it is ordered and directed as follows:

1. The plaintiff is allowed to proceed without payment of court costs reserving to the Court the right to impose costs at a later time.
2. The Prothonotary is ordered and directed to deliver a true and ocrrect copy of this Order and any complaint or petition filed at the time this Order was entered and any required notice, with appropriate numbers of copies, to the Sheriff of Crwaford County for service uponthe defendant.
3. The plaintiff is ordered and directed to immediately go to the Sheriff's Office to give the Sheriff written instructions on when and where the defendant may be served.
4. The Sheriff of Crawford County is ordered and directed to serve a true and correct copy of the complaint or petition and order upon the defendant ande make an appropriate return of service as required by the law. The Sheriff shall indicate the cost of service which said cost shall be paid by Crwaford County and which said cost may be taxed as record costs and imposed as costs by the Court.

BY ORDER OF COURT,
Gordon R. Miller, J

You, Michael A. Harnett have been sued in Court to obtain custody of Michael & Deborah.
You are ORDERED to appear in person at such time and place as will be determined by the Mediator John Fuller for a mediation conference.
If you fail to appear as provided by this Order, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest.
YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE, IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE TH EOFFICE 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 31, 1994

Gordon R. Miller, J

June 7, 1994 Faxed Lindsay, Walton and Fuller given to Sheriff

July 7, 1994 SHERIFF'S RETURN, filed. SERVED Michael Harnett personally on June 30, 1994 at 12:15 PM by handing a copy of the Custody Complaint to him at his place of employment, D & M Tool, Route 19, Meadville, Crawford County, PA. So answers,

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

Record Continued on Page 120 B.....

Aug. 10, 1994 CUSTODY ORDER filed. AND NOW, Aug. 9, 1994 after mediation conference before John Fuller, Esquire IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Derek M. Harnett 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 Derek M. Harnett 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 week from 10:00 o'clock a.m. on Saturday to 7:00 o'clock p.m. on Monday, beginning Aug. 6, 1994.

B. Holidays shall be defined as Christmas, Easter and Thanksgiving. Custody of the child shall be shared on the aforesaid holidays and in the absence of an agreement to the contrary, the child shall be in the custody of the mother on the aforesaid holidays until 7:00 o'clock p.m. the evening prior to the holiday 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 mother's next custody period.

C. Beginning with the Summer of 1995, the child shall be in the custody of each parent for an uninterrupted period of one month. Each parent shall give the other parent at least thirty (30) days notice of the dates of the Summer visit and in the absence of an agreement the child shall be in mother's custody for the month of June and in father's custody for the month of July.

D. Transporation of the child on weekends, holidays and Summer visits shall be provided as follows: The father shall deliver the child to mother at the beginning of a visit at Bilich's Restaurant, or other mutually agreeable public place. The mother shall return the child to the paternal grandmother at the conclusion 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. Specifically, there shall be no angry exchanges between the parties, or others, when custody is transferred.

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.

I. neither parent shall smoke, or permit others to smoke, in the presence of the child.

J. neither mother nor Roger Morris shall call the father at father's place of employment and Roger Morris shall not contact the father at any time.

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

IV. Cost of the mediation conference will be divided as follows: The father shall pay one-half (½) thereof and Crawford Co. the remaining one-half (½).

Anthony J. Vardaro, Judge

Aug. 16, 1994 Copy of Order to Attys. Walton, Fuller, Lindsay, copy mailed to Plf., Dft.

1992

121

1021

Peters, Lindsay, Lewis
& Gagliotti
Brian Lindsay

ELAINE S. WOODS

vs.

MARK C. WOODS

Filed October 26, 1992
@ 11:54 AM

Tax & entry	50.50
User's fee	5.00
Sheriff's Costs	25.00
Sheriff's Costs	16.00

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

Order:

And now, this 26th day of October 92 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 Plantiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not contact Plantiff nor go to her residence, nor shall he go to her place of work.
3. This Order may be enforced without a warrant of arresdt 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 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 here by set for November 10, 1992 , 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

Nov. 10, 1992 Motion to Continue Hearing and Order Filed. AND NOW, this 9th day of November, 1992, the foregoing MOtion is hereby granted and said Hearing is rescheduled to 19th day of November, 1992 at 3:30 P.M. in Courtroom 1 or 2.

Gordon R. Miller

Nov. 10, 1992 Copy given to Atty. Lindsay.

Nov. 10, 1992 Motion for Rescheduling of hearing by Elaine Woods and Order of Court filed. And now, November 9, 1992. This motion is granted. The hearing is continued to November 19, 1992 at 3:30 P.M.

Gordon R. Miller, J.

Nov. 10, 1992

Nov. 9, 1992 Appearance of Brian J. Lindsay, Esquire for Mark C. Woods, defendant,filed.

Nov. 19, 1992 Sheriff's Return filed. SERVED Mark C. Woods on November 18, 1992 at 3:20 PM by handing a copy of the Protection from Abuse to Lisa L.Pittner, Secretary for Attorney Brian Lindsay who is attorney for Mark C. Woods, 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

Nov. 23 1992, ORDER filed. AND NOW, Nov. 19, 1992, this abuse matter is before the court and apparently the abuse aspects of the case will be bitterly contested. The Defendant refuses to enter into a non-adjudicatory consent agreement regarding his conduct, demands a hearing, and accordingly, we set hearing on the abuse aspect of this case for Dec. 15, 1992 at 1:30 p.m. in C. R. No. 3.

In the meantime, this abuse hearing is continued on the following conditions:

1. The defendant will not go to the reisidence of the plaintiff for any purpose.
2. .He shall not threaten, annoy, or harass her directly or indirectly, or procure others to do so on his behalf.
3. The parties mutually agree that a support agreement was reached between them whereby the defendant pays the sum of $125 per week for child support and he agrees and is ordered to continue making said payments toward child support. The plaintiff is advised that if she is not satisfied with that agreement and believes the child support issue should not be heard in the Dom. Rel. Sections she must file a petition for support within 30 days of this date.
4. The parties have mutually agreed that the mother ofthe children will take the two children to the home of the paternal grandmother, Elizabeth woods, so that the father may have periodic eight-hour visits with them. Accordingly, on Sun. Nov. 22 and onthe first and third Sundays of each and evary month thereafter, the mother shall transport the children to the grandmother's home in Pittsburgh so that the father may have visits with them at that residence between the hours of 10:00 a.m. and 6:00 p.m. At no time during these visits will the father posess or have in his automobile a firearm of any king. During the eight-hour stay at the grandmothers, the court leaves tothediscretion ofthe mother the amount of time she spends in the grandmother's house and suggests strongly that a substantial portion of the time should be devoted to conta ct between father and children. Father shall be permitted to take the children from the residence of the grandmother for the purposes of entertainment or food, but should not be gone from the apartment for a period at any time in excess of two hours.
5. Mother agrees to provide the father with car seats for the safety of the children during transportation and the father agrees he will use the same.
6. There is some question as to whether official service has been made, but the dft. and his atty. agree they accepted service in its full legal force and effect.

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

Nov. 24, 1992, copies of order given to Co. Control, Attys. Mason and Lindsay & mailed to M. P. Dept.

Continued to Page 499

122

1992

1022

THE FIRST NATIONAL BANK OF PENNSYLVANIA now by merger MARINE BANK

vs.

ONEIDA ELECTRONIC MFG., INC.

Filed October 26, 1992
@ 1:11 PM

Tax & entry paid 9.00 ✓
Pltf. on orig. 14.50
Sat. pd. 10/26/87 5.00

AGREEMENT TO REVIVE

OF

The undersigned hereby agrees that judgment revival be indexed; prothonotary indexed same in favor of the plaintiff and against the defendants in the amount of Four Thousand Seven Hundred twenty five and no/100 plus cost.

Debt--------$4,725.00
Dated-------October 16, 1992
O-183

JUDGMENT REVIVAL
Barbara H. King
Prothonotary

March 28.1992 this judgment Satisfied. (See paper filed)

1992

Northwestern Legal Services
R.Christopher Brode

1023

PAM MARIE NOGEE

vs.

JOHN CHARLES MERVINE

Filed October 26, 1992
@ 1:28 PM

7-19-93 Rec Sheriff's costs from dept 25.00
7-19-93 Pd Sheriff Ck# 7682 25.00

Tax & entry Pd 7-19-93 50.50
User's Fee Pd 7-19-93 5.00
Sheriff's Costs 25.00
Prothy Pd 7-19-93 9.00

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

Order:

And now, this 26th day of October , 1992 , 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 Plantiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not contact plantiff. He shall not go to her residence.
3. This Order may be enforced without a warrant of arresdt 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 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 here by set for Nov. 10, 1992 , 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,
Gordon R. Miller, J

Oct. 28, 1992 Sheriff's Return filed. SERVED John Charles Mervine personally on October 27, 1992 at 8:30 Am by handing him a copy of the Protection from Abuse at his place of employment, Meadville Moving and Storage, 894 Bessemer Road, Meadville, Crawford County, PA.
So answers,
Dale A. Collins, Sheriff
Robert M. Stevens, Sheriff

Nov. 18, 1992 Order filed. AND NOW, NOvember 10, 1992, this matter is before the Court on the Plaintiff's request for relief under the Protection FromAbuse Act. The Plaintiff appears with counsel and the Defendant appears without counsel but indicates that he wishes to proceed without counsel insofar as the parties have reached an agreement without admissionof the allegations of the Petition on the part of the Defendant.

Accordingly, the following Order is entered by agreement of the parties:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff or any minor child named in the petition.
2. Pending any further Order of Court in this action or any other action the Plaintiff shall have custody of the minor child with the Defendant to have visitation each Sunday from Noon until 5:00 p.m.

The visitation on each Sunday with the Defendant shall occur either at his father's home on route 408 inTownville or else at theDefendant's home at 408 Vail Street. In any event, for any visitation either the Defendant's father or step-mother shall be present throughout the visitation.

Prior to any visitations occurring at the apartment of the father/defendant, his apartment shall be baby-proofed and during all visitations with father whether they be at his apartment or at his parents' residence, there shall be no smoking while the child is in father/defendant's custody.

3. The Defendant shall have no telephone contact with the Plaintiff except to discuss visitation and during such contact to discuss visitation, he shall not harass or threaten the Plaintiff at any time.
4. The Defendant shall give the Plaintiff at least twenty-four (24) hours telephone notice of where the visitation will occur prior to each Sunday visitation.

With regard to transportation for visits with the child, the Plaintiff shall transport the child, the Plaintiff shall transport the child to the visit and the Defendant shall transport the child back to the Plaintiff's custody at the end of the visit.

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 departments in the jurisdiction where the Plaintiff resides and to County Control.
7. A copy of this Order shall be mailed by the Prothonotary by regular mail to the Defendant at 304 Vail Street insofar as he is unrepresented.
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 $89.50 with weekly installments beginning on or before November 13, 1992 and continuing weekly thereafter in the amount of $10.00 per week until the same has been paid in full. Those payments shall be made to the office of the Prothonotary on the first floor of the Crawford County Courthouse and each weekly payment shall be made by the close of business on Friday of that week at 4:30 p.m.
10. This Order shall remain in full force and effect through NOvember 9, 1993.

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

Nov.18, 1992 Copies sent to Co.Control, Police, Atty.Brode & Deft.

124

1992

SALAMAN, SALAMAN & CHERWONY
Robert E. Cherwony

1024

BANK OF NEW YORK

vs.

GORDON H. CARLSON

Filed October 26, 1992
@ 2:01 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	37.00
Pro Co pd 12-7-92	9.00

EX1993-7

COMPLAINT IN CIVIL ACTION
1 copy (Sheriff)

Oct. 28, 1992 Sheriff's Return filed. SERVED Gordon H. Carlson on October 27, 1992 at 1:30 PM by handing a copy of the Complaint to Brad Carlson, Adult in Charge at the residence, 130 East Diamond Street, Titusville, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Dec 7, 1992 @ 1:04 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 assess damages as follows: Six thousand four hundred eighty-seven dollars and thirty-three cents (incluses: interest of $397.16 and Attorney Fees of $1,609.64)
C - 287 Debt: $6,487.33 (incluses interst of $397.16 and atty fee of $1,609.64
JUDGMENT
Barbara H. King, Pro.
Dec 11, 1992 Notice of entry of Judgment sent to Defendant.

1992

Watts & Pepicelli
Alan L. Pepicelli

1025

Karen L. Hughes
for Dft. Edward M.Barnat

Warren D. Ferry
for Dft. E. M. Severs

GERALD E. SMITH and REBECCA J. SMITH

vs.

EDWARD M. SEEVERS and EDWARD M. BARNAT

Filed October 26, 1992
@ 2:32 PM

Tax & entry paid	50.50	✓
User's Fee paid	5.00	
Sheriff's Costs	60.00	
Sheriff's Costs	36.50	
Pro.Co. pd 1/11/93	9.00	✓
Pro Co pd 7-15-94	6.00	✓

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Nov. 20, 1992 Appearance of Karen L. Hughes for Defendant Edward M. Barnat, filed.

Nov. 23, 1992 Sheriff's Return filed. Personally appealed before me, Richard Fersch, a Deputy for Eugene L. Coon, Sheriff of Allegheny County and in the Commonwealth of Pennsylvania, who being duly sworn according to law, deposes and says that he made diligent search andinquiry for Edward M. Seevers at Western Penitentiary Pgh., Pennsylvania, and elsewhere onthe 9 day of Nov., A.D. 1992, up to and including the day of AD 19 , and was unable to find the said deft.-not at given address anywhere within said County of Allegheny, Pennsylvania.
So answers, Richard F. Fersch, Deputy
Eugene L. Coon, Sheriff

Personally appeared before me, Richard Fersch, a Deputy for Eugene L. Coon, Sheriff of Allegheny County and in the Commonwealth of Pennsylvania, who being duly sworn according to law, deposes and says that he made diligent search and inquiry for Edward M. Barnat at Western Penitentiary Pgh. Pennsylvania , and elsewhere on the 9 day of Nov., A.D. 1992, up to and including the day of A.D., 19 , and was unable to find the said Deft.-not at given address anywhere within the said County of Allegheny Pennsylvania
So answers, Richard F. Fersch, Deputy
Eugene L. Coon, Sheriff

NOT FOUND as to Defendants Edward M. Seevers and Edward M. Barnat, as per Affidavit of Not Found returns received from Allegheny County Sheriff's Office. Neither Defendant in Western Penitentiary in Pittsburgh, Pennsylvania.
so answers, Robert M. Stevens, Sheriff

Nov. 25, 1992 Complaint Reinstated.

Dec. 16, 1992 Affidavit of Service filed. SERVED the within Complaint in Civil Action on December 8, 1992, at 2:38 PM, upon Edward M. Seevers at State Regional Correctional Facility-Mercer, 801 Butler Pike, Mercer by handing to Edward M. Seevers personally a true and correct copy thereof and made known to him the contents therein.
So answers, William H. Romine, Jr. Sheriff
Mark S. Fisher, Deputy Sheriff

I hereby deputize the Sheriff of Mercer County, Pennsylvania to serve the within Complanit according to law.
So answers, Robert M. Stevens, Sheriff

And Now, Jan. 11, 1993 at 4:03 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, Edward M. Seevers, pursuant to Pa.R.C.P. Rule 237.1 and Rule 1037 (b)(1) for said Defendant's failure to answer Plaintiffs' Complaint within the required time period.

S-54

Judgment
Barbara H. King
Prothonotary

July 15, 1994 Upon praecipe of plaintiff attorney the above-captioned case is settled and discontinued of record.

Jan. 14, 1993 Acceptance of Service filed. AND NOW, this 11 day of January, 1993, I hereby accept service of a true and correct copy of the Complaint in Civil Action, Requests for Production of Documents and Interrogatories on behalf of Edward M. Barnat, one of the above-captioned Defendants being duly authorized to accept service on behalf of said Defendnat, Edward M. Barnat.
Karen L. Hughes, Esquire

May 27, 1993 Answer, New Matter and New Matter Pursuant To Rule 2252(d) filed.

June 2, 1993, Preliminary Objections filed on behalf of plaintiff filed.

June 11, 1993, verification to Answer, New Matter and New Matter Pursuant to Rule 2252(d) filed.

Jan. 18,1994 Notice of Intent to Complete Discovery filed.

Jan. 18, 1994 Notice of Service filed.

Jan. 18, 1994 Notice of Service filed.

Jan. 25, 1994 Certificate of Service of Interrogatories, Requests for Production of Documents and Requests for Admissions filed.

Jan. 31, 1994 Certificate of Service of Interrogatories, original Requests for Production of Documentd and Requests for Admissions filed.

Feb. 22, 1994 Appearance of Warren D. Ferry, Esquire for Defendant Edwar M. Seevers, filed.

Mar. 28, 1994 New Matter Under Rule 2252(d) and Reply To Cross-Claim of Co-Defendant filed.

Apr. 5, 1994 Plaintiffs' Preliminary Objections to Defendant Seevers' New Matter Under Rule 2252 (d), filed.

May 13, 1994 Answer Of Defendant Edward M. Seevers to Preliminary Objections filed.

May 13, 1994 VERIFICATION filed. I, Edward M.Seevers, do hereby state that the contents of the foregoing New Matter Under Rule 2252 (d) and Reply to Cross-Claim of Co-Defendant are true and correct to the best of my knowledge, information and belief. I understand that this verification is made pursuant to the provisions of 18 P.S. Section 4904 relating to unsworn statements to civil authorities.
Date: 5-7-94 Edward M. Seevers

Continued on Margin

126

1992

Barbara J. Walton

1026

EDDIE G. SHREFFLER

vs.

DELLA FICHER

Filed October 26, 1992
@ 3:39 PM

Indigent Filing

COMPLAINT FOR CUSTODY
2 copies Pltf.

Oct 27, 1992 AFFIDAVIT IN SUPPORT OF PETITION TO PROCEED IN FORMA PAUPERIS PURSUANT TO Pa. R.C.P. 240, filed.

Oct. 27, 1992 PETITION TO PROCEED IN FORMA PAUPERIS PURSUANT TO Pa. R.C.P. 240 and ORDER, filed. ORDER: AND NOW, October 27, 1992, upon consideration of the petition filed by the Plaintiff in this action, and supported by an affidavit attached thereto, all being pursuant to Pa. R.C.P. 240, the Plaintiff is granted leave to proceed in forma pauperis at this time.

The Plaintiff is directed to inform the Prothonotary's office or the Court of any improvement in his/her financial circumstance that would permit him/her to pay the costs incurred in this action and shall be responsible for doing so upon an improvement of financial condition. BY THE COURT:
Anthony J. Vardaro, J.

Oct 29, 1992 copy to B. Walton & Plf.

Sheriff's Costs $20.00
William Pineo, Mediator

Nov. 10, 1992 Sheriff's Return and Affidavit of Service filed. served the within Notice to Pleade - Complaint for Custody-Accpetance for Service (Signed and Returned) on 02 Nov., 1992 at 1:15 P.M.,upon Della A. Fischer, in Person at 10 Arbor Cr., Apt.310, Franklin,PA 16323 by handing to Della A. Fischer, in Person a true and correct copy thereof and made known to her the contents therein.

Gene Price, Sheriff Venango County.

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

So answers:

Robert M.Stevens, Sheriff, Crawford County, PA

Dec. 4, 1992 Motion to Appoint Child Custody Mediator and Order to Appear filed. You,DELLA FISCHER, have been sued in Court to obtain custody of LETHA SHREFFLER.

YOU ARE ORDERED to appear for a hearing before Wm. Pineo, Child Custody Mediator, at such t ime 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 enetered against you or the court may issue a warrant for your arrest.

In order to maintain the status quo,Defendant is granted temporary custody of the minor child pending mediation with reasonable visitation to the Plaintiff. No party shall remove the child from the Commonwealth of Pennsylvania pending mediation.

BY THE COURT:
Anthony J.Vardaro, J.

Dec. 9, 1992 Copy of Order to Atty. Walton, Pineo and Defendant.

Feb. 11, 1993 Petition for Entry of Agreement and Order filed. AND NOW, this 10 day of February, 1993, the Court Orders as follows:

Eddie G. Shreffler and Della Ficher, 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 advanced 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, Eddie G. Shreffler (Father) and Della Ficher (Mother), are the natural parents of the minor child, Letha Shreffler, age 3.

2. The parties agree that primary physical custody of the minor child shall be with her Father.

3. The parties agree that Mother shall have visitation and/or partial cusotdy with the minor child as follows:

A. The parties agree that Mother shall be entitled to partial custody/visitation withthe minor child each weekend form the hours of 5:00 p.m. Friday through 7:00 p.m. on Sunday. The parties agree to cooperate regarding transportation of the child between the residence of Father and Mother, with the general understanding being that each party will be responsible for either pick up or drop off responsibilities.

B. The parties agree to alternate holidays with the minor child, said holidays including Christmas, Easter, Thanksgiving and the child's birthday. The parties may agree to alternate any other holidays as they may desire. The above, not withstanding, parties agree that the child will spend Father's Day with the Father and Mother's Day with the Mother.

4. Mother and Father may both exercise reasonable telephone contact with the minor child when said child is in the custody of the other.

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

6. The parties agreethat they shall not use or be under the influence of illegal drugs or alcohol and will not expose the minor child to others who may be under the influance of illegal drugs or alcohol at any time when he or she has the custody of the 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 nor permit others to do sin a closed automobile in which the child is being transported or inthe bedroon of the child.

8. Any person transporting the minor child shall make sure that the seat belts or other restraints are used in accordance with the law of Pennsylvania or any other state through which the child is being tranported.

9. Neither party shall do or say anything to blacken the character of the other in the child's estimation. Each pa rty shall treat the other in a polite and respectful manner when in the child's presence and each parjty shall instruct his or her relatives to do likewise and also not to disparage the other par ty in the child's estimation.

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

By the Court,
Anthony J. Vardaro, J

Feb. 17, 1993 Copies to Atty's Keenan and Walton

October 11, 2002 - See Computer for further entries.

1992

pro se

1027

JAMES H. ANDERS

vs.

PENNSYLVANIA DEPT. OF TRANSPORTATION

Filed October 27, 1992
@ 10:13 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co pd 2-17-93	9.00

NOTICE OF APPEAL OF DRIVER'S LICENSE

Jan. 26, 1993 Praecipe for A Rule to File A Complaint issued.

Jan. 28, 1993 Proof of Service of Rule to File Complaint filed.

Feb. 10, 1993 Motion To Have This Court Order The Meadville City Police To Return Appellant's License Plate filed.

Feb. 10, 1993 Memorandum and Order filed. AND NOW, February 9, 1993, the Appellatn's motion to have this Court order the Meadville City Police to return his license plate is denied.

BY THE COURT:
Anthony J. Vardaro, J

Feb. 10, 1993 Copy mailed to Anders by Court.

Mar 3, 1993 Motion to have Court Compel Meadville City Police to Return Lic. filed

Feb. 17, 1993 Praecipe for Judgment of Non Pros, filed.

Mar 3, 1993 Motion to Have Licence Plate Returned filed.

Mar. 3, 1993 MEMORANDUM AND ORDER, filed. ORDER: AND NOW, Feb. 26, 1993 it is ordered as follows:

1. The appellant's motion to have thsi Court compel the Meadville City Police to return his license based on a judgment of non pros is denied.

2. A hearing in this appeal of a registration suspension is hereby scheduled for the 9th day of June, 1993 at 9:15 a.m. in Courtroom 1 or 2 of the Crawford County Courthosue pursuant to 75 Pa.C.S.A. 1377.

3. The appellant shall mail a true and correct copy fo this Order scheduling the hearing together with the attached memorandum tothe Pennsylvania Dept. of Transportation via certified mail, returne receipt requested, to the Dept. of Transportation, Room 103, Harrisburg, Pa. 17123.

4. The appellant shall file an appropriate proof of service with the Prothonotary and said proof of service shall become a part of the record in this case.

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

Mar. 3, 1993 copies mailed to Anders (1 cert for Dept. of Trans.)

March 9, 1993 Proof of Service filed. I hereby certify that I am this 8th day of March 1993 mailing a copy of MEMORANDUM AND ORDER in the matter of AD 1992-1027 to the Pennsylvania Dept. of Transportation Room 103, Harrisburg, PA. 17123 by certified mail, return receipt requested.

James H. Anders

Mar. 15, 1993 Order Filed. AND NOW, March 12, 1993, the Prothonotary is ordered and directed to refund to James H.Anders any sums paid by him to obtain a judgment of non pros.

It is further ordered that any judgment of non pros entered in this case is hereby stricken.

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

Mar. 17, 1993 Copy given to Anders.

Mar. 17, 1993 Motion to Reduce the Court's Direction to an Order and Order filed. AND NOW this 17th day of March 1993, the Prothonotary is ordered to refund to Appellant any sums paid to obtain a judgement of non pros.

By the Court:
Gordon R. Miller

Mar. 17, 1993 Copy of Order to Anders.

Mar. 25, 1993, Motion for Reconsideration filed.

Mar. 25, 1993, MEMORANDUM AND ORDER filed. ORDER: AND NOW, Mar. 24, 1993, upon the Appellant's motion for reconsideration, a rule is entered upon the Commonwealth of Pa. Dept. of Trans. and upon the Meadville City police to show cause, if any they have, why the Appellant should not be entitled to have his registration plate back pending his appeal of the suspension of the same.

This rule is returnable for hearing and argument on the 8th day of April, 1993, at 10:00 a.m. in C. R. No. 2, crawford County Courthouse, Meadville, Pa.

The Appellant shall immediately mail a true and correct copy of this order scheduling the hearing together with the attached Memorandum and our Memorandum and Order of Feb. 9, 1993 to the Pa. Dept. of Trans. and to the Meadville City Police, both by cert. mail, return receipt requested. The mailing to the Pa. Dept. of Trans. shall be to the attention of Timothy P. Wile, Office of Chief Counsel, 103 Transportation and Safety Building, Harrisburg, Pa. 17120 and the mailing to the Meadville City police shall be to the City Building, 984 Water Street, Meadville, Pa. 16335.

BY THE COURT:
Anthony J. Vardaro, J.

Mar. 25, 1993, copy mailed to plff. by Court.

And now, Feb. 17, 1993 at 9:50 a.m. Please enter a judgement of non pros against the Defendant in that the Defendant has not complied with your Rule to File a Complaint as evidenced by the attached Rule and proof of service,

James H. Anders
P - 183
JUDGMENT OF NON PROS
Barbara H. King, Pro.

Apr 2, 1993 Motion to Compel District Magistrate to Release Docket Numbers and Order, filed. ORDER: AND NOW this 2nd day of April 1993 the District Magistate of Meadville & West Mead Township is ordered to release to the Appellant the docket numbers relating to his conviction on March 25, 1993 of 75Pa.C.S. 1371a by mailing a copy of the Judgement Notices to the Appellant, no later than April 22, 1993 by certified mail, return receipt requested, R.D. 7, Springs Rd., Meadville, Pa. 16335.

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

Apr 8, 1993 copy to B. Chisholm, Plf.

April 8, 1993 Proof of Service filed. (1 copy to Appellant) of opinions and orders of Court.

Continued to Page 507

1992

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

1028

LAWRENCE COLLURA and RUTH COLLURA, his wife

vs.

SENECA L. SHONGO aka SENECA L. DONAHUE aka SENECA L. SHONGO DONAHUE

Filed October 27, 1992
@ 11:35 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	31.00
Pro Co Pd 12/4/92	9.00

COMPLAINT IN MORTGAGE FORECLOSURE
2 copies Sheriff

Nov. 4, 1992 Sheriff's Return filed. SERVED Seneca L.Shongo personally on October 29,1992 at 10:41 AM by handing her a copy of the Complaint in Mortgage Foreclosure at her place of employment, National Fuel Gas, Water Street, Meadville, Crawford County, PA. Seneca L. Shongo is the person who resides at R.D.#9, Box 424, Meadville, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M.Stevens, Sheriff

Dec. 4, 1992, And Now, at 2:10 p.m. upon praecipe of plaintiff attorney, Judgment is hereby entered in favor of plaintiff and against the defendant in the sum of Seventeen Thou-and Two Hundred Fifteen and 11/100 Dollars plus int. from Sept. 30, 1992 at rate of 10%
judgment entered - 12/4/92
S - 153
D - 153 Debt ------$17,215.11
D - 153 Int. from Sept. 30, 1992
JUDGMENT
Barbara H. King,
Prothonotary
Dec. 9, 1992, notice of entry of judgment mailed to dft.

EXECUTION 1992 = 109

1992

Gerald Sullivan

1029

Harry F. White

11-13-92
Received from Pltf-Sheriff Cost
27.00

11-13-92 Paid Sheriff Costs Ck# 7171
27.00

TERESA MILLER

vs.

RAYMOND MILLER

Filed October 27, 1992
@ 3:14 PM

Tax & entry Pd. 11-13-92 50.50
User Fee Pd. 11-13-92 5.00
Sheriff's Costs Pd. 11-13-92 27.00
Pro Co. Pd. 11-13-92 9.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

Order:

And now, this 27 day of October , 1992 , 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 Plantiff or any of the minor children named in the Petition.
2. Special Conditions: The defendant shall not go to plaintiff's residence. The Plaintiff shallhave exclusive custody of the minor child pending further order of court.
3. This Order may be enforced without a warrant of arresdt 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 departmen- 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 here by set for November 12, 1992 , at 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

Oct. 28, 1992 Sheriff's Return filed. SERVED Raymond Miller personally on October 27, 1992 at 9:00 AM by handing a copy of the Protection from Abuse to himat his parents residence, R.D. #1, Cochranton, Route 173, Crawford County, PA.
So answers,

Dale A. Collins, Deputy Sheriff
Shawn Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Nov. 18, 1992 ORDER filed. AND NOW, Nov. 12, 1992, at the time fixed for hearing in this matter both parties appeared with counsel. The parties agreed that the following Order could be entered. By so agreeing, the Defendant does not admit that he engaged in the conduct alleged in the petition. Nonetheless, based on 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 named in the Petition.
2. The Defendant shall not go to the Plaintiff's place of residence nor place of employment at any time for any purpose.
3. The Defendant shall have no direct contact with the Plaintiff. If it is necessary for him to contact the Plaintiff for any reason includign reasons involving their minor child, the Defendant shall ask his mother, Connie Miller, to contact the Plaintiff or the Plaintiff's mother in order that messages and information can be passed in that fashion.
4. Temporary custody of the parties' minor child is hereby awarded to the Plaintiff. The Defendant shall have the right to visit his child under the following conditions. Each Saturday commencing with Saturday, Nov. 14, 1992 the chidl shall be picked up at the home of the Plaintiff by the Defendant's mother, Connie Miller, at 12:00 o'clock Noon and returned to the home of the Plaintiff by the Defendant's mother no later than 4:00 p.m. the same afternoon. The Defendant is prohibited from beign in the car that transports the child to and from the Plaintiff's home.

The visitations shall take place at the home of Connie Miller or some other appropriate location provided that Connie Miller is always present during those visitations.

This Order with respect to custody and visitation is subject to change or modification in an appropriate custody proceedign as provided for in the Statute. Until it is changed by such a proceedign, this Order shall remain in effect with respect to custody and visitation.

During visitation exchanges, the Plaintiff and the Defendant's mother, Connie Miller, shall not engage in any unpleasant conversation or accusations and not argue or bicker or malign one another in the presence of the child.

5. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
6. A copy of this Order shall be delivered by the Prothonotary to the Cochranton Police Dept. and to county Control.
7. This Order shall remainin full force and effect for 1 year from this date, that is until Nov. 11, 1993 uless terminated or modified by further Order of Court.
8. The Defendant shall pay court costs in the amount of $91.50 by 4:30 p.m. on Friday, Nov. 13, 1992. Payment shall be made at the Prothonotary's Office in the Crawford County Court-house.
9. The Plaintiff and Defendant are reminded that the Plaintiff cannot modify this Order on her own and she shall not invite or encourage the Defendant to violate the Order. If the Plaintiff invites the Defendant to her home or invites the Defendant to contact her, the Defendant should refuse until the Order is changed. The proper method for changing a Court Order is on motion or petition filed in accordance with Local Motions practice. The Defendant is warned that if he does violate the Order even if encouraged to do so by the Plaintiff he may well be in contempt of court and punished accordingly.

CONTINUED ON PAGE 501

130

1992

Culbertson Weiss,
Schetroma & Schug
John B. Brautigam

1030

RONALD L. BALDWIN

vs.

AMY E. BALDLWIN

Filed October 27, 1992
@ 3:13 PM

Tax & entry paid 50.50 ✓
User's Fee paid 5.00

COMPLAINT FOR PARTIAL CUSTODY
1 copy Atty.

Nov. 2, 1992 Consent Order filed. And Now, this 21 day of October, 1992, upon the consent of the parties hereto and upon review of the Court, it is hereby ordered and decreed that:

1. The natural parents of Holly Renee Baldwin, age 1, born October 7, 1991, shall share legal custody of the said minor child. Said joint legal custody being shared, both parents shall be entitled to equal access to any records relating to the child held by a third party, incluing, but not limited to, school and medical records, and both parties shall also be entitled to equal input with regard to the educational and religious upbringing ofthe child, as well as with regard to elective surgery.

2. Primary physical custody of the child shall remain withthe natural mother, Amy Baldwin. Regular vistiation and partial custody of the child shall be granted to the natural father, Ronald Baldlwin. Physical custody of the child for the natural father shall be as follows:

a. The child shall be made available to visit with the father on every Saturday, from 9:00 a.m. to 9:00 p.m.

b. Beginning with the summer of 1993, the father shall have the right to take the child into his temporary custody for two periods of two consecutive weeks each. The father shall make arrangements with the mother for the two two-week visits at least thirty days prior to the commencement of the proposed vistiation.

c. On Christmas, Thanksgiving, Easter, and the child's birthday, father shall have physical custody from 9:00 a.m. until 2:00 p.m. or form 2:00 p.m. until 7:00 p.m., as the parties decide. If the parties cannot agree to this matter, on even years, beginning with Thanksgiving of 1992, mother shall have custody of the child from 9:00 am until 2:00 p.m. and father shallhave physical custody from 2:00 p.m. until 7:00 p.m.

d. Beginning with 1993, father shall have physical custody of the child on Memorial Day and Labor Day from 9:00 a.m. until 9:00 p.m. and mother shallhave physical custody of the child on the Fourth of July. These days and physical custody shall be reversed in the even numbered years.

e. Father shall make arrangements to pick up and drop off the child at the mother's residence, but shall not do so himself. Transportation of the child for visitation purposes shall be by Lois Baldwin or Donald Hanes or anyone else who is acceptable to both parties.

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

4. Neither party shalltake the child into any environment which might be commonly thought of as detrimental to her development or to the development of her character or which would be commonly thought of as dangerous to her physical person.

5. The parents are encouraged to discuss arrangements for physical custody of the child and, if the parties mutually agree to alternataive arrangements to accommodate themselves and/or the child's schedule, they may adjust the physical custody arrangements accordingly and are encouraged to do so by mutal consent and agreement.

6. Both ofthe parties shall teach the child to develop and express the natural love and respect due a parent form her or his child, and neither ofthe parents will do or say anything to blacken the character of the other parent in the eyes of the child.

10-20-92 Amy E. Baldwin, Defendant
10-16-92 Ronald L. Baldwin, Plaintiff

By The Court:
Anthony J. Vardaro, J

Nov. 9, 1992 Copies of order to Atty's Brautigam and Sullian

1992

Jeffrey K. Millin	BORO. OF CONNEAUT LAKE GARBAGE	APPEAL OF PLAINTIFF FROM DECISION OF DISTRICT JUSTICE HUBERT E. VOGAN
1031	vs.	Oct. 29,1992 Proof of Service of NOtice of Appeal and Rule to File Complaint filed.
	P.A. & D.J., INC	Nov.6, 1992 Complaint filed.
	Filed October 27, 1992 @ 4:22 PM	And Now, Dec. 16, 1992, at 2:55 p.m. upon praecipe of plaintiff attorney, with notices of default and affidav it of service attached, Judgment is hereby entered in favor of the plaintiff and against the defendant for want of an answer.
	Tax & entry paid 50.25 ✓ User's Fee paid 5.00 Pro Co Pd 12/16/92 9.00 ✓ sat paid 4/21/93 5.00 ✓	Judgment entered 12/16/92 Debt -- $154.00 JUDGMENT Barbara Hoke Kings, Prothonotary
		Dec. 17, 1992, notice of entry of judgment mailed dft.
		EX1993-12
		April 21, 1993, This Judgment satisfied. (see paper filed)

1992

1032

ANNIE MARIE CHILDERS

vs.

PATRICK M. CHILDERS

Filed October 28, 1992
@ 11:59 AM

Tax & entry Pd 11-9-92 50.50
User's fee Pd 11-9-92 5.00
Sheriff's Costs 34.00
Pro. Co. Pd. 11/9/92 5.00

11-9-92
Received from
Plff Sheriff's Costs
34.00

11-10-92
Paid Sheriff
Ck# 7165 34.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

AND NOW, this 28thday of October , 19 92, upon review of the petition of planitiff, the Court enteres 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 Plaintiff's home or work place. He may contact her by phone so long as he is not abusive or threatening Custody of the child is granted 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 Plantiff 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 November 12, 1992 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

Oct. 30, 1992 Sheriff's Return filed. SERVED Patrick M. Childers personally on October 28, 1992 at 8:00 PM at the residence, R.D.#1, Centerville,Crawford County,PA.
So answers,
Annie Marie Childers,Plaintiff
Robert M.Stevens, Sheriff

Nov. 9, 1992 Upon Praecipe of Plaintiff, Annie Marie Childers, the above case marked discountinue of record.

1992

Culbertson, Weiss, Schetroma & Schug
John B. Brautigam

1033

PEGGY F. MONNIE

vs.

JEFFREY L. MONNIE

Filed October 28, 1992
@ 2:12 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts paid	30.00
State paid	10.00
Pro Pd. 3/1/94	9.00

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

Nov. 5, 1992 AFFIDAVIT OF SERVICE, filed. And Now, NOv. 5, 1992, comes John B. Brautigam, esq., who being duly sworn according to law, deposes and sets forth as follows:

1. That he is the Attorney for Peggy F. Monnie, Plaintiff in the above -captioned matter.

2. That on information furnished to him by the Plaintiff, he caused a certified copy of the Complaint in Divorce to be forwarded by Certified Mail No. P 401 441 543, postmarked Oct. 28, 1992, to the last known address of the Defendant, Jeffrey L. Monnie, at R.D. 8, Box 468, Meadville,Pennsylvania.

3. That the Defendant, Jeffrey L. Monnie, on Nov. 2, 1992, personally signed the return receipt card which was affixed to the Complaint in the above matter and which is attached hereto as Exhibit "A".

4. Service of the Complaitn against the Defendant is therefore effected in accordance with Pa. Rules of Civil Procedure.

Feb. 7,1994 Affidavait of Consent of Plaintiff, filed.

feb. 7, 1994 Affidavit of Consent of Defendant, filed.

Feb. 16, 1994 Motion For Entry of Consent Custody Order and Order filed. And Now, this 15 day of February, 1994, upon the consent of the parties hereto and upon review of the Court, it is hereby ordered that:

1. Legal custody of the parties' minor child, Christopher Charles Monnie, who was born September 30, 1989, shall be shared by the parties hereto, in that each will discuss with the other any major decisions pertaining to the child, including but not limited to medical, educational, religious and other important matters.

2. Physical custody of the above named minor child shall be shared between the parties as follows:

a. Primary physical custody of said child shall be with the Mother.

b. The Father shall have the child every second and fourth weekend of every month, from Friday at 5:00 P.M. until Sunday at 5:00 p.m.

c. In all odd numbered years, beginning in 1993, the Father shall be entitled to have the child for Christmas Day from 8:00 p.m. Christmas Eve until 5:00 p.m. Christmas Day and the Mother shall have the child on Christmas Eve day from 9:00 a.m. to 8:00 p.m. Said days and times shall be reserved in all even numbered years.

d. Easter shall be alternated between the parties, with the Mother having the child for Easter, 1993, and in all odd numbered years thereafter. The Father shall have the child for Easter, 1994, and in all even numbered years thereafter. The child shall be with his parent from Easter Saturday at 8:00 p.m. through Easter Sunday at 6:00 p.m.

e. The child's birthday, September 30, shall be alternated, with the Father having the child in 1993 and in all odd numbered years thereafter. The Mother shall have the child for his birthday. The Mother shall have the child for his birthday in 1994 andin all even numbered years thereafter. If the birthday falls on a weekday when the child has school, the parent shallhave the child immediately after school until 8:00 p.m. If the birthday falls on a Saturday or Unday, the parent shall have the child from 9:00 a.m. until 8:00 p.m.

f. The parents shall, by mutual consent and agreement, make arrangements for physical custody of the child on any other dates, such as on holidays, and during the parents' respective vacations If the parties mututally agree to alternative arrangements to accommodate themselves and/or the child's schedule, they may adjust the physical custody arrangements accordingly and are encouraged to do so by mutual consent and agreement. If the party is unable to take custody of the child at the time provided herein, said party shall give the other party reasonable notice of said inability.

The Husband shall be entitled to a two week summer visitation period, said weeks to be consecutiv The Husband shall provide to the Wife at least thirty (30) days notice in advance of the commencement of the summer visitation.

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

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

i. Both of the parents shall teach the child to develop and express the natural love and respect due a parent from her or his child, and neither of the parents will do or say anything to blacken the character of the other parent in the eyes of the child.

In Witness Whereof, the parties, with the intent to be legally bound, have signed this Agreement on the date written below:

Witness
Michelle L. Powell
Rosalie K. Mercatous

Jeffey L. Monnie 12/14/93
Peggy F. Monnie 2/7/94

By the Court:
Anthony J. Vardaro, J

Feb. 18, 1994 Copy of order to Atty. Brautigam

Feb. 16, 1994 Motion to Withdraw Count and Order filed. And Now, this 15 day of February, 1994, the Plaintiff's Motion to Withdraw Count I of her Complaint is allowed and said Count I is hereby discontinued.

By The Court:
Anthony J. Vardaro, J

Feb. 18, 1994 Copy of order to Atty. Brautigam

Mar. 1, 1994, Upon praecipe of plaintiff attorney, for review, this case moved tocourt.

DIVORCE DECREE FILED

March 9, 1994 And Now, March 8th, 1994, it is ordered and decreed that PEGGY F. MONNIE, Plaintiff, and JEFFREY L. MONNIE, Defendant, are divorced from the bonds of matrimony.

By the Court:
Gordon R. Miller, J.

1992

1034

PAT ROXBERRY for
TODD WAID

vs.

BRUCE WHITMORE, ~~JERAMY SHULTZ~~

Filed October 28, 1992
@ 2:54 PM

Tax & entry	50.50
User's fee	5.00
Sheriff's Costs	51.50
Pro Co	9.00

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

ORDER:

AND NOW, this 28 day of october , 1992 , upon review of the petition of planitiff, the Court enteres 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 Plantiff 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 November 13, 1992at 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

* No order is entered against Jeramy Schultz the other named defendant.

Nov. 10, 1992 Sheriff's Return filed. SERVED Bruce Whitmore personally on November 5, 1992 at 10:15 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 Street, Meadville, Crawford County, PA. Erie County Sheriff sent a Not Found return dated 11-5-92,attached.
So answers,

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

Dec 2, 1992 ORDER filed. AND NOW, NOv. 13, 1992, this matter is before the Court on PLaintiff's request for relief under the Protection From Abuse Act with respect to a minor child.

The parties appear without counsel, and the Defendant will proceed without counsel.

He agrees to the entry of this Order without admission of the allegations contained in the petition. And accordingly we enter the following Order:

1. The Defendant shall not assault, abuse, harass, or threaten the Plaintiff minor child named in the petition.
2. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grunds to believe it has beenviolated.
3. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
4. 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 one thousnad dollars and a jail sentence of up to six months.
5. The Defendant shall pay court costs in this matter in the amount of one hundred and sixteen dollars to be paid in full to the prothonotary of Crawford County on the first floor of the Crawford County Courthouse within ninety days from date of this Order.
6. This Order shall remain in full force and effect till Nov. 12, 1993.
7. A copy of this Order shall be sent by regular mail to the Plaintiff, through his mother, at Post Office Box 289, Saegertown, Pennsylvania, 16433, and a copy of this Order shall also be sent by regular mail to the Defendant, Bruce Whitmore, at 152 Walker Drive, Meadville, P Pennsylvania, 16335, with all copies to be sent by the prothonotary.

BY THE COURT,
Anthony J. Vardaro, J.

Dec. 8, 1992 copy to Plf, Dft, Co Ctrl & Saegertown Police

1992

Culbertson, Weiss,
Schetroma & Schug
John B. Brauatigam

1035

DANIEL J. DELO

vs.

MELISSA J. HALL

Filed October 28, 1992
@ 3:09 PM

Ingidgent Filing

COMPLAINT FOR CUSTODY
1 copy atty.

ORDER:

You, Melissa J. Hall, Defendant have been sued in Court to obtain custody of the child,Keirsten Hall

You are ordered to appear in person before Custody Mediator Bill Pineo , at such time and place as the Mediator may specify.

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

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAYWER 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, Pennsylvania 1633
Telephone 814-336-1151,
ext. 298

Date: 10-28-92

By the Court,
Anthony J. Vardaro, J

Oct. 28, 1992 Upon praecipe to Proceed in Forma Pauperis filed.

Oct. 29, 1992 ORDER filed. AND NOW, Oct. 28, 1992, upon consideration of the Plaintiff's praecipe to proceed in forma pauperis, the Prothonotary is directed to allow the Plaintiff to so proceed. The Plaintiff shall have a continuing obligation to inform the Court of an improvement in his financial circumstances that would place h im in aposition to pay costs in this matter and this order is without prejudice to the Court to make a determination at a later date as to whether Plaintiff becomes able to pay Court costs with respect to this matter.

BY THE COURT:
Anthony J. Vardaro, J.

Oct 29, 1992 copy of order given to Atty Brautigam

Dec. 10, 1992 Affidavit of Service of Custody Complaint and Order filed. And Now, December 9, 1992, comes John B. Brautigam, Esquire, who being duly sworn according to law, deposes and sets forth as follows:

1. That he is the Attorney for Daniel J. Delo, Planitiff in the above-captioned matter.
2. That on information furnished to him by the Plaintiff, he caused a certified copy of the Complaint and Order, entered on October 28, 1992, to be forwarded by Certified Mail No. P 401 441 551., postmarked December 4, 1992, to the last known address of the Defendant, Melissa J. Hall, at 317 Walker Drive, Meadville, Pennsylvania.
3. That the Defendant Melissa J. Hall, on December 5, 1992, personally signed the return receipt card which was affixed to the Complaint in the above matter and which is attached hereto as Exhibit "A".
4. Service of the Complaint against the Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.

John B. Brautigam

Jan. 8, 1993 Temporary Order filed. AND NOW, this 6th day of January, 1993, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator, IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor child, Keirston Hall.
2. The parties shall share with each other any and all information which each may have regarding the health, education, and the major events in the life of the subject minor child. Health care, school personnel, andother care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor child.
3a. The mother shall have primary physical custody of the subject minor child. The father shall have visitation and temporary physical custody from 3:00 p.m. to 7:00 p.m. each Wednesday and Saturday, starting with Saturday, January 2, 1993. This visitation schedule will terminate on Friday, January 29, 1993, and thereafter, the father shall have visitation and temporary physical custody each weekend, except for the first full weekend of each month, from Friday at 5:00 p.m. through Sunday at 7:00 p.m. Each Wednesday preceding the first full weekend of each month, the father shall have visitation and temporary physical custody with Keirston from 3:00 p.m. to 7:00 p.m.
b. When Keirston shall have reached the age of five (5) years, she 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. Holiday visitation shall be arranged as follows:
a. Christmas: there shall be two Christmas holiday visitation periods. The First shall begin Christmas Eve at noon and end Christmas Day at 10:00 a.m. and the second shall begin on Christmas Day at 10:00 a.m. and end Christmas Day at 7:00 p.m. Each year the mother shallhave the first period, and the father, the second.
b. Thanskgiving: There shall be two Thanksgiving holiday periods, the first beginning onthe Wednesday preceding Thanksgiving at 5:00 p.m. and ending Thanksgiving Day at 2:00 p.m., the second beginning Thanskgiving Day at 2:00 p.m. and ending Thanksgiving Day at 7:00 p.m. For Thanksgiving, 19993, the father shallhave the first period, and the mother, the second, andthe parties shall thereafter alternate.
c. Easter: The father shall have the right of visitation and temporary physical custody with Keirston each Easter Sunday from 10:00 a.m. to 5:00 p.m.
d. The other holidays to be observed are Memorial Day, Independence Day, and Labor Day. Holiday visitaiton shall be between the hours of 9:00 a.m. and 8:00 p.m., except for Independence Day, when the holiay visitation shall be extended to 11:00 p.m. so that the children may watch the fireworks. The father shallhave visitation for Memorial Day, 1993, and the father parties shall thereafter alternate the holiay periods. In addition, the father shall have the right of visitation on Keirston's birthday from 9:00 a.m. to 8:00 p.m. if Keirston is not attending school, or from the close of school until 8:00 p.m., if Keirston is in school

Continued on page 488

Northwestern Legal Services
Gerald Sullivan

1036

JENNIFER LYDA

vs.

ALLEN HARRIS

Filed October 29, 1992
@ 11:48 AM

Tax & entry 50.50
User's Fee 5.00

Sheriff's Costs 30.00
Pro.Co. 9.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Planitiff

ORDER:

And now, this 29 day of October , 1992 , upon review of the petition of Plaintiff, the Court enterss 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 custody of the minor children pending further order of court with reasonable vitiation to defendant at plaintiff's 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 tis 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 November 13, 1992 , 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

Oct. 30, 1992 Sheriff's Return filed. SERVED Allen Harris personally on October 29, 1992 at 1:27 PM by handing him a copy of the Protection from Abuse at 302 Loomis Street, Meadville, Crawford County, PA.
So answers,

Dale A. Collins, Deputy Sheriff
Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

Dec. 2, 1992 Order filed. AND NOW, November 13, 1992, this matter is before the Court on a Petition filed under the Protection from Abuse Act by the Plaintiff.

The Plaintiff appears with counsel, and the Defendant appears without counsel. He was advised of his right to counsel and indicated that he wished to proceed without counsel,particularly in light of the fact that the parties have reached an agreement.

Therefore, the Court enters the following Order without admission of the allegations contained in the petition on the part of the Defendant:

1. The Defendant shall not abuse or threaten to abuse or harass the Plaintiff at any time or any place.
2. The Defendant shall not go to the residence of the Plaintiff at any time. He is cautioned that if he is invited to the residence of the Plaintiff, he should not go there without further Order of Court of a modification of this Order, because it will be presumed by any police agency that if he is at Plaintiff's residence, he is in violation of this Order.
3. The Plaintiff shall have temporary custody of the parties' minor children pending further Order of Court at this term and number or at any other appropriate action. And the Defendnat shall have visitationas agreed to by the parties.
4. A copy of this Order shall be delivered to the police department in the jurisdiction where the Plaintiff resides and to County Control. Additionally, a copy shall be sent by regulr mail to the Defendant at 165 South Main Street in Meadville, Pennsylvania, 16335.
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 one thousand dollars and a jail sentence of up to six months.
6. The Defendant shall pay costs in this matter in the amount of ninety-four dollars and fifty cents to the prothonotary of Crawford County on the first floor of the Crawford County Courthouse within ninety days of the date of this Order.
7. This Order shall remain in full force and effect through November 12th, 1993.

BY THE COURT,
Anthony J.Vardaro, J.

Dec. 4, 1992 Copy of Order to Atty. Sullivan, Defendant, County Control and City Police

1992

Cheryl L. Cook

1037

EARL KRIDER, BONITA L. KRIDER, PAUL L. HUBER, FRANCES J. HUBER, WM. C. HANAWAY, W. BRIAN WEBER, M. JEAN WEBER, NED S. BROWN, LINDA BROWN, SUSAN ANDERSON, CLIFTON L. ANDERSON, WILLIAM ALEXANDER, DAVID ALEXANDER, DAVID BRECKENRIDGE RICHARD W. NICHOLS, GLADYS NICHOLS, RICHARD A. PORTER, CINDY PORTER, RAYMOND HOLABAUGH, LILA HOLABAUGH, TIM J. SMOLINSKI, RUTH E. SMOLINSKI, DONALD W. ANTHONY, LINDA L. ANTHONY, RAYMOND E. ANTHONY, HELEN C. ANTHONY, ROBERT A FREYERMUTH, BARBARA J. FREYERMUTH, HARRY R. HOGE, ESTHER HOGE, JAMES I. BROWN, VIRGINIA M. BROWN, KENNETH J. YODER, LOIS YODER, THOMAS F. ETTER, DOLLY Y. ETTER, WAYNE PYLE, EMMA PYLE, WILLIAM EWING, JR., PATRICIA EWING, JUNIOR SCOTT, MABEL SCHOTT, JACK D. SCOTT, EWELL K. SCOTT, LARRY H. COON, JR., MARY G. COON, and VELMA SMITH

vs.

VERNON TOWNSHIP BOARD OF SUPERVISORS

Filed October 29, 1992
@ 2:01 PM

Tax & entry paid 50.50 ✓
User's Fee paid 5.00

APPEAL OF THE VERNON TOWNSHIP BOARD OF SUPERVISORS REJECTION OF AN AGRICULTURAL SECURITY AREA
2 copies Atty.

Feb. 26, 1993 Upon praecipe of Plaintiff's Attorney the above captioned matter is placed on the next available argument list.

1993 March Argument List

Mar. 24, 1993 Vernon Township Supervisors Public Hearing for the purpose of Argicultural Security Area on September 16, 1992 filed.

May 4, 1993 Motion To Take Additional Testimony filed.

May 4, 1993 Appellants' Objections To Appellee's Motion To Take Additional Testimony filed.

May 4, 1993 Memorandum and Order filed. AND NOW, May 3, 1993, upon consideration ofthe appeal filed in this matter, we determine that, pusruant to 2 Pa. C.S.A. 754(a), there is an incomplete record for us to consider and we remand these proceedings to the local agency for an adjudication once hearing is held within the requirements of the Local Agency Law.

In conducting such hearing, the Appellee Township Supervisors shall comply with all ofthe applicable provisions of the Agricultural Area Security Law and particularly the requirements of 3 P.S. 906, 3 P.S. 907 and 3 P.S. 908.

Additionally, in conducting such hearing, the Appellee Township Supervisors shall comply with the provisions of the Local Agency Law and particularly 2 Pa. C.S.A. 554 and 2 Pa. C.S.A 555. Also, we direct the Appellee Township Supervisors atall township expense to have the contents of said hearing stenographically recorded and additionally to have stenographically recorded any discussions and/or deliberations conducted by the Appellee Township Supervisors whether that be at a work session or sessions or at specially scheduled meetings with respect to a determination of whether an agricultura security area should be designated in Vernon township as originall requested in the petition of the Appellants.

It is the Court's intention, pursuant to 2 Pa. C.S.A. 754(a), for the Appellee Township Supervisors to make an adjudication with respect to the request by the Appellants as required by 2 Pa. C.S.A. 555 once there has been proper hearing with the requirements of the Local Agency Law.

In so remanding this matter, we do so without prejudice to the Appellants to once again appeal the adjudication ofthe Appellee Township Supervisors if they believe they have been aggrieved by that adjudication but, if that occurs, the court believes by the requirements of this Order the Appellee Township Supervisors will be able to certify a proper record to this Court so that we would then be able to make an appropriate determination pursuant to 2 Pa. C.S.A 754(b).

In order that there be no cunfusion with respect to time constraints insofar as certain requirements were imposed pursuant to the Agricultural Area Security Law once the petition of the Appellants was originally filed [3 P.S. 908(a)], the Appellee Township Supervisors are directed to hold a public hearing as required by 3 P.S. 906 in this Order within 45 days of the date of this Order and a final adjudication pursuant to 2 Pa.C.S.A. 555 shall be rendered within 30 day s from the date of that public hearing.

Finally, so that there will be no confusion, it shall not be necessary for the Appellee Township Supervisors to once again comply with 3 P.S. 904 with regard to an agricultural security area advisory committee insofar as it is our understanding that one has already been created and considered the matter and apparently issued majority opinions which can be considered as part ofthe evidence included in any record made before the Appellee Township Supervisors without appointing such a committee or reconvening the existing one. Additionally, however, if the Appellee Township Supervisors wish pursuant to 3 P.S. 904 they may continue throughout this process to seek advice from that committee.

BY THE COURT,
Anthony J. Vardaro, J

May 4, 1993 Copies dist. to Cook & RCT

1992

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

1038

MELINDA S. DENNIS

vs.

ROBERT E. DENNIS

Filed October 30, 1992
@ 9:30 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 8-11-93	9.00
Pro Co pd 9/14/93	5.00

COMPLAINT IN DIVORCE
1 copy (atty)

Nov. 4, 1992 Sheriff's Return filed. SERVED Robert Dennis personally on October 30, 1992 at 10:45 AM by handing him a copy of the Complaint in Divorce in Courtroom 1,Crawford County Courthouse, Meadville, PA.
So answers,
Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Aug 11, 1993 Affidavit of Consent of Defendant, filed.

Aug 11, 1993 Affidavit of Consent of PLaintiff, filed.

Aug. 11, 1993 Upon praecipe of Plaintiff attorney to transmit record, case move to Court.

DIVORCE DECREE FILED

Aug. 24, 1993 AND NOW, Aug. 19, 1993, it is hereby ordered and decreed that MELINDA S. DENNIS, Plaintiff, and ROBERT E. DENNIS, Defendant, are divorced from the conds 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.

Sept. 14, 1993 Notice of Election To Retake Maiden Name filed. Melinda A. Dennis TO BE KNOWN AS: Melinda S. Emig

1992

Bettie J. Peterson-Muth

1039

IN THE MATTER OF PETITION FOR CHANGE OF NAME OF: DONALD ALLEN ROXBERRY, JR.

Filed October 30, 1992
@ 11:02 AM

Tax & entry paid 50.50 ✓
User's Fee paid 5.00

PETITION FOR CHANGE OF NAME
1 copy atty.

Order:

AND NOW, this 30th day of October, 1992, a hearing in the above captioned matter is scheduled for the 3rd day of Dec., 1992, in Courtroom No. 1 or 2 at 1:00 o'clock p.m. Notice of said hearing is to be given to Donald Allen Roxberry, natural father, at his last known address by certified mail, return receipt requested. Notice shall also be given by publicatio in the Crawford County Legal Journal and the Meadville Tribune.

BY THE COURT,
Gordon R. Miller, J

Nov. 5, 1992 Copy of order to Atty. Muth

Dec. 3, 1992, Consent of change of Name of donald Allen Roxberry Jr. filed.

Dec. 3, 1992, Affidavit of Service of Petition for Change of Name and Order of Court upon defendant filed.

Dec. 3, 1992, Acceptance of Service of Donald Allen Roxberry filed.

Dec. 3, 1992, Proofs of Publication filed.

Dec. 3, 1992, DECREE filed. AND NOW, this 3 day of de c. 1992 , upon hearing of the within Petition and upon motionof Bettie J. Peterson-Muth, attorney for Petitioner, and upon presentation of proof of publication of notice as required by law together with proof that there are no judgments or decrees of record or any other matter of like effect agaisnt donald Allen Roxberry, Jr., and it appearing that there is no legal objection to the granting of the prayer of the petition,

IT IS ORDERED AND DECREED that the name of DONALD ALLEN ROXBERRY, JR be and is hereby changed to donald Joseph Consla.

BY THE COURT,
Gordon R. Miller, J.

Dec. 8, 1992, copy (cert.) of order to Bette Peterson-Muth, Esq.

1992

Devine & Kuftic
Elizabeth A. Malc

1040

GARY A. STYBORSKI

vs.

PATRICIA J. STYBORSKI

Filed November 2, 1992
@ 10:59 am

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

Pro.Co.pd 8/23/93 9.00

COMPLAINT IN DIVORCE
4 copies (atty)

Feb. 19, 1993 Complaint Reinstated.

May 26, 1993 Affidavit of Service filed. I, Deputy Joyce Walters, hereby certify that I am a Deputy Sheriff, in and for Pasco County, authorized to serve legal papers and processes in Pasco County, Florida. I am over 19 years of age and I am not a party to the action in which the within summons was issued.

I further certify that I have duly served the within Divorce Complaint on the defendant,Patricia J.Alford Styborski.

Leaving a copy thereof with said defendant, personally on the 10th day of May, 1993, at 3:45 P.M. at Roaltan Charter, Inc. (Place of Employment) Curley Street, in the City of San Antonio, 33576, in the County of Pasco,State of Florida.

Lee Cannan, as Sheriff, Pasco County
By Deputy Joyce Walters, Deputy Sheriff

July 26, 1993 Plaintiff's Affidavit Under Section 3301(d) of the Divorce Code filed.

Aug. 23, 1993 Affidavit of Consent by Patricia J. Styborski, Defendant, filed.

Aug. 23, 1993 Affidavit of Consent by Gary A.Styb orski, Plaintiff, filed.

Aug. 23, 1993 Upon Praecipe of Elizabeth A. Malc, Esquire,Attorney for Plaintiff, to transmit record, case moved to Court.

Aug 30, 1993 ORDER filed. AND NOW, this 27th day of August, 1993 upon review of the record pursuant to a praecipe by plaintiff's counsel to transmit the record to the Court for the entry of a divorce decree the Court declines to enter a divorce decree and returns the record to the Prothonotary and directs the plaintiff to serve the defendant in the proper manner.

The complaint was filed on November 2. 1992. Plaintiff's counsel filed a praecipe to reissue (the correct term is reinstate) the complaint and the Prothonotary reinstated the complaint on February 19, 1993. Service was not accomplished until May 10, 1993 eighty (80) days after the complaint was reinstated. Therefore, neither the original complaint, nor the complaint as rinstated, were served within thirty (30) days, all as required by Pa. R.C.P. 401(a). While this may seem as a super technical ruling, the Court views it other wise. Proper service is a condition precedent to the acquisition of jurisdiction over the person and since service at the expiration of thirty (30) days does not effectively give the Court jurisdiction over the defendant. 2 Standard Pennsylvania Practice, Process, section 10:4, 10:79, Lauterbach v. Lauterbach, 202 Pa. Super 260, 195 A.2d 159 (1963); Fox v. Thompson, 377 Pa. Supr 39, 546 A.2d 1146 (1988).

The recrod must show service of a complaint or reinstated complaint within the time period required by the Rules. Accordingly the plaintiff shall either (a) reinstate the complaint and serve the defendant properly; or (b) place of record evidence that the complaint that as reinstated on February 19, 1993 was served within thirty (30) days thereafter.

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

Aug. 31, 1993 copy to E. Malc

DIVORCE DECREE FILED

Oct. 26, 1993 AND NOW, October 22, 1993, it is ordered and decreed that GARY A. STYBORSKI, Plaintiff, PATRICIA J. STYBORSKI, 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.

1992

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

1041

MICHELLE EBERT

vs.

MICHAEL S. EBERT

Filed November 2, 1992
@ 1:31 PM

Tax & entry paid	50.50
User's Fee paid	20.00
3 Add'l Counts paid	45.00
State paid	10.00
Pro Co pd 9-8-93	9.00

COMPLAINT IN DIVORCE, EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION, COUNSEL FEES, EXPERT FEES, COSTS AND EXPENSES, CHILD CUSTODY
2 copies (atty)

Nov. 6, 1992 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 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 November 2, 1992. The Defendant acknowledged service on NOv. 5, 1992 by accepting delivery on that date as evidenced by the attached signed return receipt.

James R.Irwin,Esquire

Sept. 8, 1993 Affidavit of Consent of Defendant, filed.

Sept. 8, 1993 Affidavit of Consent of Plaintiff, filed.

Sept. 8, 1993 Upon praecipe of Plaintiff attorney to transmit records, case moved to Court.

Oct. 21, 1993 Motion For Withdrawal of Count 2, Count 3 and Count 4 and ORDER OF COURT filed. And now, October 20, 1993, the above motion is granted.

Anthony J. Vardaro, J.

Oct. 21, 1993 Copy of Order to Atty. J. Irwin, copy mailed to dft.

DIVORCE DECREE FILED

oct. 21, 1993 AND NOW, October 20, 1993, it is hereby ordered and decreed that MICHAELLE EBERT, plaintiff, and MICHAEL S. EBERT, defendant, are divorced from the bonds of matrimony.

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

BY THE COURT:
Anthony J. Vardaro, J.

142

1992

Robert J. Felton

1042

GLORIA K. SMITH

vs.

GARY F. SMITH

Filed November 4, 1992
@ 10:36 AM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. Pd 2/12/93	9.00

COMPLAINT IN DIVORCE,
1 copy (atty)

Feb. 12, 1993 Affidavit of Service filed. I, Robert J.Felton, Esquire, Attorney at Law, 144 West Spring Street, Titusille, Pennsylvania, do hereby certify that, in my capacity as attorney for the plaintiff in the above-captioned matter, served a certifie copy of the Divorce Complaint in this matter on November 6, 1992, by sending defendant the same by certified mail no. P 066 497 393, return receipt requested. A complaint was mailed to the defendant on Thursday, NOvember 5, 1992, as reflected in the return receipt attached hereto.

Robert J.FElton, Esquire

Feb. 12, 1993 Upon praecipe of Plaintiff Attorney to transmit record, case moved to Court.

D I V O R C E D E C R E E F I L E D

Feb. 22, 1993 AND NOW, Feb. 18, 1993, it is ordered and decreed that **G L O R I A K . S M I T H** , plaintiff, and **G A R Y F . S M I T H** , 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.

1992

Ferguson & Spataro Douglas W. Ferguson	EDWIN A. COYLE	APPEAL OF DEFENDANT FROM DECISION OF DISTRICT JUSTICE GEORGE HERZBERGER
	vs.	Nov. 4, 1992 Rule entered upon plaintiff to file a complaint issued.
1043 Northwestern Legal Services Gerald Sullivan	JAMES KELTNER, and CAROLYN KELTNER d/b/a J. KELTNER EXCAVATING & Constr.	Nov. 4, 1992 Proof of Service of Notice of Appeal and Rule to File Complaint filed.
	Filed November 4, 1992 @ 1:47 PM	Nov. 17, 1992 Complaint filed. Dec. 17, 1992 Answer and New Matter filed. Jan. 8, 1993 PLAINTIFF'S REPLY TO DEFENDANTS' NEW MATTER, filed.
	Tax & entry paid 50.25 User's Fee paid 5.00	

1992

Jorden & White
William T.Jorden
~~Halliday & Halliday~~
~~Michael Halliday~~
Withdrawn

1044

Meyer, Darragh, Buckler
Bebenek & Eck
Dwayne D. Woodruff

William J. Wyrick

SHIRLEY A. SIMCHECK

vs.

ROGER HORNAMAN, MARK HORNAMAN

Filed November 4, 1992
@ 2:02 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	39.00
Sheriff's Costs	35.00
Pro Co pd 4-7-98	6.00

WRIT OF SUMMONS,
Issued Sheriff

Nov. 24, 1992 Writ of Summons filed. SERVED Mark Hornaman on November 10, 1992 at 10:47 AM by handing a copy of the Summons to Roger Hornaman, Adult in Charge at the residence, R.D. #2, Cambridge Springs, Crawford County, PA.
SERVED Roger Hornaman personally on November 10, 1992 at 10:46 AM by handing him a copy of the Summons at the residence, R.D. #2, Cambridge Springs, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Jan. 27, 1993 Complaint in Civil Action filed.

Feb. 9, 1993 SHERIFF'S RETURN, filed. SERVED Mark G. Hornaman on Feb. 3, 1993 at 10:51 AM by handing a copy of the Complaint to Roger A. Hornaman, Adult in Charge at the residence, RD 2, Cambridge Springs, Crawford County, Pa.
SERVED Roger A. Hornaman personally on Feb. 3, 1993 at 10:50 AM by handing him acopy of the complaint at his residence, RD 2, Cambridge Springs, Crawford County, Pa.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Feb. 24, 1993, Appearanc eof Meyer, Darragh, Buckler, bebenek & Eck, by Dwayne D. Woodruff, attorneys for defendants filed.

Mar 17, 1993 Amend Complaint in Civil Action, filed. 4 copies atty

Mar 22, 1993 Answer and New Matter, filed.

Apr. 6, 1993, Preliminary Objections filed on Behalf of Plaintiff, filed.

Apr. 16, 1993 STIPULATION between parties withdrawing amended complaint filed.

May 13, 1993 Certificate of Service of Plaintiff's First Set of Interrogatories, filed.

Mar. 24, 1994 Notice of Service of Answers to Interrogatories and Response to Request for Production of Documents and Things, filed.

Feb. 16, 1995 Upon Praecipe of Michael Halliday, Esquire, Attorney for Plaintiff, the above stated case is placed on the next available Argument List.

ON MARCH, 1995 ARGUMENT LIST

Apr. 6, 1995 MEMORANDUM AND ORDER, filed. AND NOW, April 5, 1995, the plaintiff's motion for more specific pleading as to paragraphs 21,23(e), 23(g), 23(h), 23(i) 26(j), 26(k) and 28 is granted and the defendants are given twenty (20) days from this date to file an amended Answer and New Matter, if they wish to do so, to plead said matters more specifically in keeping with the foregoing memorandum.
In all other respects the plaintiff's preliminary objections are denied.
BY THE COURT
Gordon R. Miller, P.J.
Apr. 6, 1995 Halliday & Woodruff

Apr. 21, 1995 Motion to Withdraw as Counsel of Michael Halliday, Esquire Attorney for Plaintiff, filed.

Apr. 25, 1995 ORDER filed. AND NOW,April21, 1995 a Rule to Show Cause is hereby entered and directed to Shirley A.Simcheck to show cause, if any she has, why counsel's motion to withdraw should not be granted. Said rule is returnable for hearing and/or argument on Wednesday, May 3, 1995 at 1:00 o'clock p.m. in Courtroom No. 1.
We will not entertain any written communications from any lawyers. If anyone wants tocommunicate withtheCourt on behalf of Ms. Simcheck in this matter, they must appear in person or else have a written stipulation filed of record signed by someone in authority on behalf of Ms. Simcheck and Mr. Halliday.
BY ORDER OF THE COURT,
Gordon R. Miller, P. J.
4-25-95 Faxed Halliday & Kahn

May 1, 1995 Amended Answer and New Matter on behalf of defendants, filed.

May 8, 1995 Order filed. AND NOW, May 3, 1995 the motion to withdraw filed by Michael Halliday is denied without prejudice to Mr. Halliday to file another motion at a later time if he believes that this appropriate. The Motion shall be filed in accordance with ocal civil motions practive.
We enter this order now for two reasons. First of all, there appears that there may be a statute of limitations about to run on May 12, 1995 and a companion first party case against an insurance carrier, and we will not let counsel withdraw at this late date. He is expected to protect her interests.
Secondly, there is some dissatisfaction by Mr. Halliday of Ms. Simcheck because she sough a second opinion and for other reasons. Ms. Simcheck may or may not have ill feelings toward Mr. Halliday becuse of this and another case involving Dr. Ziegler. We want togive Mr. Halliday and Ms. Simcheck a final opportunity to resolve their differences between themselves if that can be done.
There will still be an attorney client relationship until further order of Court. It may well be that they should meet to discuss these matters and see if there is some common ground. If not, Mr. Halliday may file another motion for leave to withdraw and Ms. Simcheck will have to react to it if he does.
BY ORDER OF THE COURT,
Gordon R. Miller, J

May 8, 1995 copies dist. toHalliay, Woodruff and Pltf.

Continued to Page 345

1992

Barbara J. Walton,

1045

BRENDA S. PARDEE

vs.

TONY LANE EARNHARDT

Filed November 4, 1992
@ 3:11 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 2-8-93	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy atty.

Feb. 8, 1993 AFFIDAVIT OF PERSONAL SERVICE, filed. And Now, this 8th day of February, 1993, comes Barbara J. Walton, Esq., Attorney for Plaintiff, being duly sworn according to law, deposes and sets forthe as follows:

1. That on Nov. 4, 1992, a copy of the Complaint for Divorce was served upon Defendant at 4:30 p.m. at my office, located at 1111 1/2 Park Ave, Meadville, Pa 16335.

Feb. 8, 1993 Affidavit of Consent of Plaintiff, filed.

Feb. 8, 1993 Affidavit of Consent of Defendant, filed.

Feb. 8, 1993 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

February 16, 1993 AND NOW, this 16th day of February, 1993, the grounds for the above case having been approved and the Affidavits of Consent having been filed by both parties, the Court, by virtue of the authority vested in it by law, decrees that **BRENDA PARDEE and TONY LANE EARNHARDT** are hereby divorced from the bonds of matrimony, and all the duty, rights, and claims accorded to either of the said parteis at any time heretofore and pursuance of said marriage shall hence-forth cease and determine, and the said parties shall severally be at liberty to marry again as if they had never been married.

It is further ORDERED, ADJUDGED and DECREED pursuant to Pa. R.C.P. 1920.1, et seq. and Act 26-1980, 23 P.S. Section 1 et seq., "the Divorce Code" that the terms, provisions and conditions of a certain property settlement agreement between the parties dated November 4, 1992, and attached to this Decree and Order as Exhibit "A" is hereby incorporated herein at length. Said Agreement shall not merge with but shall survive this Decree and Order.

By the Court:
Gordon R. Miller, J.

1992

MacDonald, Illig,
Jones & Britton
Richard J. Parks

1046

INTEGRA NATIONAL BANK/NORTH
successor by merger to
Pennbank

vs.

DONALD E. JENSEN and
JACQUELINE I. JENSEN,
individually and d/b/a JENSEN
CONSTRUCTION

Filed November 5, 1992
@ 11:58 am

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	42.00
Pro Co Pd 12/15/92	9.00
Pro Co pd 8-3-94	5.00

COMPLAINT IN CIVIL ACTION
2 copies (Sheriff)

Nov. 13, 1992 SHERIFF'S RETURN, filed. SERVED Donald E. Jensen on Nov. 10, 1992, at 11:36 am by handing a copy of the Complaint to Jacqueline I. Jensen, his wife, at their residence, Box 101, RD 2, Spartansburg, Crawford County, Pa.

SERVED Jacqueline I. Jensen personally on Nov. 10, 1992 at 11:35 am by handing a copy of the Complaint to her at the residence, Box 101, RD 2, Spartansburg, Crawford County, Pa.

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

And Now, Dec. 15, 1992, at 12:01 p.m., upon praecipe of plaintiff attorney, with default notices and affidavit of non military service attached, Judgment is hereby entered in favor ofth plaintiff and against the defendants for failure to answer, Judgment is entered in the sum of Two Thousand Three Hundred Fifty One and 57/100 Dollars, plus costs, with int. thereon on unpaid prin. bal. at rate of 11.50% per annum from Aug. 24, 1992.
Judgment entered - 12/15/92
J - 43, 93, 183

Debt -----$2,351.57
Int. from 8/24/92

JUDGMENT
Barbara H. King,
Prothonotary

Dec. 17, 1992, notice of entry of judgment mailed to dfts.

July 28, 1994 Upon praecipe of plaintiff attorney the above captioned matter is marked satisfied of record.

1992

Bruce L. Smith

1047

Tamera Ochs Rothschild

RENEE P. SHERMAN

vs.

JON T. SHERMAN

Filed Nov. 5, 1992
@ 12:02 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co Pd 2-11-93	9.00
Pro Co pd 1-27-94	5.00

COMPLAINT IN DIVORCE
1 copy atty

Nov. 12, 1992 Acceptance of Service and Entry of Appearance and Entry of Appearance filed. AND NOW, this 9th day of November, 1992, I hereby accept service of a copy of the Complaint in Divorce filed in the above-captioned matter on behalf of the Defendant, as proper service thereof; and, I further state that I am authorized to do so.

I, Tamera Ochs Rothschild, enter my appearance on behalf of the Defendant, Jon T. Sherman, in the above-captioned matter.

Tamera Ochs Rothschild

Feb. 1, 1993 Affidavit of Consent of Defendant filed.

Feb 11, 1993 Affidavit of Consent of Plaintiff, filed.

Feb. 11, 1993 Affidavit of Consent of Defendant, filed.

Feb. 11, 1993 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Feb. 22, 1993 AND NOW, Feb. 18, 1993, it is ordered and decreed that **RENEE P. SHERMAN**, plaintiff, and **JON T. SHERMAN**, 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.

Jan. 27, 1994 Notice of Intention to Resume Prior Name, filed. RENEE P. SHERMAN to be known as RENEE E. PIKE.

1992

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

1048

MELISSA SUE BRUNICK

vs.

LINDA S. DAYE

Filed November 5, 1992
@ 2:24 PM

Tax & entry paid 50.50
User's Fee paid 5.00
Sheriff'sCosts 58.66

WRIT OF SUMMONS
Issued Sheriff

Dec. 10, 1992 Writ Reissued filed.

Mar. 4, 1993 Sheriff's Return filed. SERVED the wtihin Summons onDecember 15, 1992, at 2:20 PM, upon Linda S. Daye at Methodiest Church, Sandy Lake, PA by handing to Linda S. Daye, personally a true and correct copy thereof and made known to her the contents therein.
So answers Daniel J. DeVenney, Deputy
William H. Rimino, Jr. Sheriff

I hereby deputize the Sheriff of Mercer County, Pennsylvania to serve the within Summons according to law.
So answers Robert M. Stevens, Sheriff

1992

1049

IN THE MATTER OF

GEORGE DUELL

Filed November 5, 1992
@ 3:59 PM

No Filing Fee

PETITION FOR INVOLUNTARY INTERVENTION BY EMERGENCY COURT ORDER

ORDER:

AND NOW, November 5, 1992, upon consideration of the foregoing petition, it is hereby order that Active Aging, Inc., shall provide the following protection services to him and that such services shall be provided without his/her consent: the Meadville Medical Center and stall physicians may perform such test and under such treatment that they believe are reasonably appropriate. The terms of this order shall expire at 4:00 p.m. November 13, 1992. The court hereby sets 4:00 p.m. on November 13, 1992 as the time and place for a review hearing in the event of need for an additional emergency court order or continued court and protective services involvement or both. The court hereby appoints William L. Walker, Esq., to represent the aforesaid older adult in any further proceedings with regard to this matter.

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

Nov. 6, 1992 Copies of order to Atty's Hall and Walker

Nov.18, 1992 Order Filed. And now, November 13, 1992, at the request of counsel, hearing in the above matter set for this date has been continued to November 20, 1992, at 9:30 A.M. , in Courtroom 1 or 2.

FOR THE COURT,
Gordon R. Miller

Nov. 19, 1992 Copy of the Order to Attys. Hall and Walker.

In Error

Nov. 18, 1992 ORDER field. And Now, Nov. 13, 1992, at the request of counsel, hearing in the above matter set for this date has been continued to Nov. 20, 1992, at 9:30 a.m., in Courtroom 1 or 2.

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

William E. Barney — 1050	TRINA R. ST. JOHN vs. ROY S. TRYOER and HELEN M. TROYER, Husband and Wife, and their respective heirs, executors, administrators, personal representatives and assigns, and all persons claiming title or an interest by, through or under them or either of them. filed November 6, 1992 @ 9:06 AM Tax & entry paid 50.50 User's Fee paid 5.00 Pro.Co. pd 2/25/93 9.00	COMPLAINT IN ACTION TO QUIET TITLE Nov. 6, 1992 Affidavit filed. Trina R. St. John, being duly sworn according to law, deposes and says that she does not know whether Roy S. Troyer and Helen M. Troyer are living; where they may reside, or who their heirs, executors, administrators personal representatives, or assigns may be. Trina R. St. John Nov. 6, 1992 Motion for Publication and Order filed. AND NOW, to-wit: this 6 day of November, 1992, upon consideration of the foregoing Motion, the Plaintiff is granted leave to make service of the Complaint on all defendants, their respective heirs, executors, administrator, personal representatives, and assigns, and any all persons claiming title by, through, or under them or either of them, by publication time(s) inthe Titusville Herald and 1 time in the Crawford County Legal Journal. Anthony J. Vardaro, Nov. 6, 1992 Copy of order to William Barney Jan. 20, 1993 Affidavit of Service filed. The undersigned, being duly sworn according to law, deposes and says that the Complaint in the above captioned Civil Action: Quiet Title was served onthe Defendants by publication as show by the attached proofs of publication William E. Barney Jan. 20, 1993 MOTION FOR JUDGMENT and FINAL ORDER, filed. AND NOW, this 20th day of January, 1993, upon consideration of the Complaint, proof of service by publication having been filed, and a Motion for Judgment against Roy S. Troyer and Helen M. Troyer, husband and wife, and their respective heirs, executors, administrators, personal representatives and assigns, and all persons claiming title or an interest by, throught or under them or either of them, Defendants, having been filed in the Prothonotary's Office for failure to file an appearance or answer to the Complaint within 20 days from the date of final advertising. IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, as follows: That the Recorder of Deeds of Crawford County, Pennsylvania, execute and deliver to Plaintiff or her agent, on behalf of Roy S. Troyer and Helen M. Troyer, a satisfaction piece for mortgage given by Horace B. Simmons and Harry H. Packer to Roy S. Troyer and Helen M. Troyer, dated July 21, 1962, and recorded in Crawford County Mortage Book 290, at page 24 on Aug. 1, 1962, all unless the Defendants or any of them bring a civil action to collect the debt, or of ejectment, or of mortgage foreclosure within 30 days of this Order. If such action is not taken by the Defendants or any of them within 30 days of this Order, then the Prothonotary, on praecipe of the Plaintiff, shall enter final judgment that a satisfaction piece be executed and delivered as set fortheabove. Anthony J. Vardaro, J. T - 84, 144 Jan. 20, 1993 copy mailed to W. Barney And Now, Feb. 25, 1993 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 and the Recorder of Deeds of Crawford County, Pensylvania, execute and deliver to Plaintiff, or her agent, on behalf of Roy S. Troyer and Helen M. Troyer, a satisfaction piece for mortgage dated July 21, 1962 and recorded in Crawford County Mortgage Book 290 at Page 24 onAugust 1, 1962, Defendants not having complied with Final Order dated January 20, 1993. T-144: T-84; FINAL JUDGMENT Barbara H. King Prothonotary Mar. 5, 1993 Copy of Praecipe for Final Judgment given to Recorder of Deeds.

1992

Agresti & Agresti
Thomas P. Agresti

1051

LORD CORPORATION d/b/a
LORD MANUFACTURING, CO.

vs.

CRAWFORD COUNTY BOARD
OF ASSESSMENT APPEALS

Filed November 6, 1992
@ 10:51 AM

Tax & entry paid 50.50
User's Fee paid 5.00

ASSESSMENT APPEAL PETITION
1 copy atty

Nov. 12, 1992 Answer To Assessment Appeal Petition filed.

May 19, 1994 Stipulation and Consent Order filed AND NOW, this 17th day of May, 1994,upon consideration of the within Stipulation, the same is hereby entered as an Order of this Court. The Chief Assessor,Joseph J.Galbo, III, is directed to make the appropriate adjustments to the assessment records and take whatever further action is required in order to effectuate this Order. All taxing bodies are directed to make any refunds to the taxpaper that this valuation may necessitate.

BY THE COURT:
Gordon R. Miller, J.

5-19-94 Copy faxed to Atty. Johnson, copy mailed to Atty. Agresti, copy to Mr. Galbo, III.

152

1992

Agresti & Agresti
Thomas P. Agresti

1052

LORD CORPORATION d/b/a
LORD MANUFACTURING, CO.

vs.

CRAWFORD COUNTY BOARD
OF ASSESSMENT APPEALS

Filed November 6, 1992
@ 10:51 am

Tax & entry paid 50.50
User's Fee paid 5.00

ASSESSMENT APPEAL PETITION
1 copy (atty)

Nov. 12, 1992 Answer To Assessment Appeal Petition filed.

Jun. 6, 1994 Stipulationand Consent Order filed. ORDER. AND NOW, this 6 day of June, 1994, upon consideration of the within Stipulation, the same is hereby entered as an Order of this Court. The Chief Assessor, Joseph J. Galbo, III, is directed to make the appropriate adjustments to the assessment records and take whatever further action is required in order to effectuate this Order. All taxing bodies are directed to make any refunds to the taxpayer that this valuation may necessitate. BY THE COURT:
Anthony J. Vardaro, J.
6-6-94 Faxed copy to Atty.Agresti & given to Johnson& Galbo

1992

Agresti & Agresti
Thomas P. Agresti

1053

WARREN COUNTY GUIDE, INC.

vs.

CRAWFORD COUNTY BOARD
OF ASSESSMENT APPEALS

Filed November 6, 1992
@ 10:51 am

Tax & entry paid 50.50
User's Fee paid 5.00

ASSESSMENT APPEAL PETITION
1 copy atty

Nov. 12, 1992 Answer To Assessment Appeal Petition filed.

Jun. 21, 1994 Stipulation and Consent Order and ORDER filed. AND NOW, this 21 dayof June, 1994, upon consideration of the within Stipulation, the same is hereby entered as an Order of this Court. The Chief Assessor, Joseph J. Galbo, III, is directed to make the appropriate adjustments to the assessment records and take whatever further action is required in order to effectuate this Order. All taxing bodies are directed to make any refunds to the taxpayer that this valuation may necessitate.

BY THE COURT:
Anthony J. Vardaro,J.

6-22-94 Faxed to Attys. Agresti, Given to Atty. Joseph & given to J. Galbo, III.

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

1054

MARINE BANK-- Assign to
Lyle A. and Carolyn M. Watson

vs.

DONALD H. STORM and UNITED
STATES OF AMERICA, DISTRICT
DIRECTOR OF INTERNAL REVENUE

Filed November 6, 1992
@ 11:39 am

Tax & entry paid 50.50
User's Fee paid 5.00

Sheriff's Costs 74.00
Pro Co Pd 2/9/93 9.00
Pro Co pd 8-4-93 5.00

COMPLAINT IN MORTGAGE FORECLOSURE
4 copies Sheriff

Dec. 2, 1992 Sheriff's Return filed. SERVED Donald H.Storms personally on November 10, 1992 at 2:57 PM by handing a copy of the Complaint in Mortgage Foreclosure to him at his residence, 1 Cherry Lane, Townville, Crawford County, PA.

SERVED the United States of America, District Director of Internal Revenue by deputizing the Sheriff of Allegheny County, PA, as per his Affidavit of Service attached. Served on November 16, 1992.

SERVED Ralph Steele, the tenant of the morgaged property at 310 Randolph Street, Meadville, Crawford County, PA, on November 10, 1992 at 2:29 PM.

The mortgaged property at 312 and 314 Randolph Street, Meadville, Crawford County, PA, is vacant.

So answers,

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

Jan. 12, 1993 CONSENT JUDGMENT FILED. AND NOW, to wit, this 8th day of January, 1992, 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 morgage of plaintiff in the within cause and for sale of the morgaged property of defendant(s) Donald H.Storms.

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 real property of the aforesaid defendant (s); that the United States of America shall be entitled to payment from the proceeds of the sheriff's sale to the extent its proper priority would entitle it to the same; and that the United States of America shall be entitled to redeem the aforesaid property within 120 days from the date of sale, as provided by 28 U.S.C. § 2410.

Nothing contained in the within Order shall, in any way, be construed as entry of a monetary judgment against the United States of America, but rather said judgment is limited to the foreclosure and sale of the real estate of the aforesaid defendant (s) in the within proceeding.

BY THE COURT,
Gordon R. Miller, J.

Jan.15, 1993 Copy of Consent Judgment to Atty. Spadafore.

And Now, Feb. 9, 1993 at 1:19 p.m. upon praecipe of plaintiff attorney, Judgment is hereby entered in favor of p laintiff and against the defendant, Donald H. Storms, in the amount of Twenty Seven Thousand Five Hundred Ninety Nine and 99/100 Dollars, together with int. at rate of $6.14 per say on and after Sept. 1, 1992.

Judgment entered - 2/9/93
S - 45

Debt ---$27,599.99
Int. on and after Sept. 1, 1992
JUDGMENT
Barbara H. King,
Prothonotary

Ex 1993-4

Aug 4, 1993 Non-Recourse Assignment of Judgment, filed. Know all men by these presents that Marine Bank in consideration of the sum of Fourteen Thousnad Dollars ($14,000.00), does hereby grant, bargain, transfer, assign and make over, without recourse, to Lyle A. Watson and Crolyn M. Watson, his wife, a certain judgment recovered by Marine Bank in the Court of Common Pleas of Crawford County, Pennsylvania t A.D. No. 1992-1054 agaisnt Donald H. Storms and the United States of America, the amount of Twenty-Seven Th ousand Five Hundred Ninety-Nine Dollars and Ninety-Nine Cents ($27,599.99), together with interest at the rate of Six Dollars and Fourteen Cents ($6.14) per day on and after September 1, 1992, and costs of suit.

EX1993-84

1992

C. Barton Jones

1055

LARRY J. GOULD

vs.

CHARLES FRANK, any wife, of CHARLES FRANK, unknown, their Heirs, Administrators, Representatives, Devisees, Successors and Assigns

Filed November 6, 1992
@ 11:55 am

Tax & entry paid 50.50
User's Fee paid 5.00
Pro Co pd 2/17/93 9.00

COMPLAINT TO QUIET TITLE

Nov. 6, 1992 Motion For Service by Publication filed.

Nov. 6, 1992 Order Of Court For Service By Publication filed. AND NOW, this 6th day of November, 1992, upon consideration of the foregoing Motion, requesting service by publication, the Plaintiff is hereby granted leave to obtain service ofthe Complaint filed for the above captioned action in the following manner:

1) By publication in the Meadville Tribune, a newspaper of general circulation in Crawford County, Pennsylvnia, as to all the Defendants whose addresses or whereabouts are unknown as set forth in the Plaintiffs' Affidavit regarding unlocated, deceased, and unknown Defendants and in the Crawford County Legal Journal.

2). That service by publication be made against the unknown wife and all Administrators, Heirs, Devisees, Representatives , Successors, and Assigns, known or unknown, of Defendants in the above-captioned action, as provided by Pennsylvania Rules of Civil Procedure No. 1064(b) which publication shall be in form of the attached Legal Notice.

3) Said premises being described as follows:

ALL that certain tract or piece of land situate in

ALL that certain tract or piece of land situate in South Shenango Township, Crawford County, Pennsylvania, being known as Lot No. 136, and being more particularly bounded and described as follows, to-wit:

BOUNDED On the North by South River Drive; on the South by Shenango River; on the East by Lot no. 135; andon the West by Lot No. 137, above mentioned.

Number of times of publication: once

Gordon R. Miller, J

Nov. 9, 1992 Copy of order to Atty. Jones

Nov. 6, 1992 Affidavit.Re Unlocated, Deceased, and Unknown Defendants filed. BY THESE PRESENTS, I, LARRY J. GOULD do hereby attest, affirm, and swear being first duly sworn according to law, and deposes and says:

1) That he is the Plaintiff in the above-captioned action.

2) That after diligent searches, the Affiant-Plaintiff himself and through his counsel, are unable to ascertain whether the Defendants named inthe above-captioned action, and in particular, CHARLES FRANK, exist, survive, are living, or who his wife, unknown and administrators devisees, successors, wives, assigns, heirs or representatives, are, in any, or what their addresses are at the present time.

Larry J. Gould

Jan. 13, 1993 Motion For Judgment and Order filed. AND NOW this 12th day of January, 1993 an Affidavit of Service of the Complaint with Notice of Plea attached thereto having been filed and no appearance or answer by on behalf of the Defendants in the above captioned action upon motion of C. Barton Jones Attorney for Plaintiff's this Honorable Court hereby orders and decrees:

1.) That the Defendants CHARLES FRANK and ANY WIFE, their heirs, administrators, successors, and assigns are hereafter forever barred from asserting any right lien, title or interest in or to the parcel of land owned by the Plaintiffs in this action to Quiet Title.

2.) The Plaintiff Larry J. Gould is hereby declared the rightful title holder to the whole of that land described in his complaint; and he is hereby recognized as in possession of all the undivided right, title, interest and ownership due him as sole owner of that land.

3.) The Defendants their representatives, heirs, successors, administrators, executors or assigns have 30 (thirty) days from this order to bring an action and ejectment or to take excpetion. If such action is not taken with in 30 (thirty) days from the date of this Order the Prothonotary on praecipe of the Plaintiff shall enter file judgment all, in accordance Pa.R.C.P. 1066.

BY THE COURT,
Gordon R. Miller, H

Jan. 18, 1993 Copy of order to Atty. Jones

And now, Febraury 17, 1993 @ 12:00 PM upon praecipe of plaintiff's attorney, final judgment is hereby entered in this case, in favor of the plaintiff's and against the defendant pursuant to the foregoing Order of Court.

F-34

FINAL JUDGMENT
Barbara H. King
Prothonotary

156

1992

Culbertson, Weiss,
Schetroma & Schug
David L. Hotchkiss

1056

MEADVILLE AREA REDEVELOPMENT AUTHORITY, and BOROUGH OF SPRINGBORO

vs.

JAMES E. SURRARRER

Filed November 6, 1992
@ 1:43 PM

Tax & entry paid	15.00
Orig. on Pltf.	9.50
Sheriffs costs	$35.00

WRIT OF REVIVAL

of

DSB 1987 - 677

Writ of Revival of judgment indexed in favor of plantiff and against the defendant in the sum of Seven Thousand and 00/100 dollars with interest from Nov. 6, 1987 and costs of action.

Debt ----------$7,000.00
dated---------November 6, 1992
S-94 JUDGMENT REVIVAL
Barbara H. King, Pro

Issued Sheriff

Nov. 23, 1992, sheriffs return filed. SERVED James E. Surrarrer personally on Nov. 17, 1992 at 10:20 a.m. by handing a copy of the writ of Revival to him at his residence, 117 Pearl St. Springboro, Pa., crawford County,
So answers, Dale A. Collins, Dep. Sheriff
Robert M. Stevens, Sheriff

Revived to
AD 1997-1142

1992

C. Barton Jones

1057

SUSAN R. SNYDER and
EDWARD A. SERNIK

vs.

FRANK F. WALTERS, FLORENCE R. WALTERS, Their Heirs, Administrators, Successors and Assigns

Filed November 6, 1992
@ 2:24 PM

Tax & entry paid 50.50
User's Fee paid 5.00
Pro Se Pd 3-8-94 gcr

COMPLAINT TO QUIET TITLE

Nov. 13, 1992 MOTION FOR SERVICE BY PUBLICATION, filed.

Nov. 13, 1992 ORDER filed. ORDER: AND NOW, this day of , 1992, upon consideration of the foregoing Motion, requesting service by publication, the Plaintiffs are hereby granted leave to obtain service of the Complaint filed for the above captioned action in the following manner:

1) By publicationin the Meadville Tribune, a newspaper of general circulation in Crawford County, Pennsylvania, as to all the Defendants whose addresses or whereabouts are unknown as set forth in the Plaintiffs' Affidavit regarding unlocated, deceased, and unknown Defendants, and in the Crawford County Legal Journal.

2) That service by publication be made against all Administrators, Heirs, Representatives, Successors, and Assigns, known or unknown, of Defendants int he above-captioned action, as provided by Pa. Rules of Civil Procedure No. 1064(b) which publication shall be in form of the attached Legal Notice.

3) Said premises being described as follows:

ALL that certain piece or parcel of land situate in South Shenango Twp., Cr. Co., Pa. , bounded and described as follows, to-wit:

Lots Nos. 562,563, and 564, of the Lake View Land Company's Plan of Lots known as Shenango Lakes and as shown on the plot or plan thereof as duly recorded in the records of Crawford County, Pa., in Plan Book 4, Page 25. Said lots being more particularly bounded an ddescribed as follows: On the North by Seneca Rd., a distance of 150 feet; on the East by Lot No. 561, a distance of 140 feet; on the South by Lots 545, 546, and 547, a distance of 150 feet; on the West by Lot No. 565, a distance of 140 feet.

Number of times of publication: once.

Gordon R. Miller, P.J.

Nov. 17, 1992 copy to C. Barton Jones

Jan. 12, 1993 Motion for Judgment filed.

Jan. 12, 1993 Affidavit of Service of Complaint filed. I, C. Barton Jones, Esquire, being duly sworn according to law, deposes and says as follows:

1) Your deponent is an adult citizen of the Commonwealth of Pennsylvania and resides at 1267 East Lake Road, Jamestown, Crawford County, Pennsylvania.

2) Your deponent is the attorney of record for the Plaintiffs in the above-captioned action, and makes this Affidavit on their behalf.

3) A Complaint in Actionto Quiet Title, endorsed with Notice to Plead within Twenty (20) days was served upon all Defendants named in the above-captioned action by publication in the Meadville Tribune newspaper on the 28th day of November, 1992, and in the Crawford County Legal Journal on the 2nd day of December, 1992, pursuant to Order of this Court dated the 17th day of November 1992, as will more fully appear by reference to Proof of Publications annexed hereto and made a part hereof.

4) The Defendants named in the above-captioned action did not entere their appearances, nor filed a responsivie pleading to the Complaint within Twenty (20) days, nor within Thirty (30) days, after service upon said Defendants as hereinabove set forth, to this date.

1/4/93 C. Barton, Jones, Esquire

Jan. 12, 1993 ORDER OF COURT Filed. AND NOW, this 8th day of January 1993, an Affidavit of Service of the Complaint with NOtice to Plead attached thereto having been filed, and no appearance or answer having been made by or on behalf of the Defendants in the above-captioned action, upon motion of C.BARTON JONES, Attorney for Plaintiffs, this Honorable Court hereby ORDERS AND DECREES:

1) That the Defendants, FRANK F. WALTERS and FLORENCE R. WALTERS, their Heirs, Administrators, Successors, and Assigns and hereafter forever barred from asserting any right, lien, title or interest in or to the parcel of land owned by the Plaintiffs in this Action to Quiet Title.

2) The Plaintiffs, SUSAN R.SNYDER and EDWARD A. SERNIK are hereby declared the rightful title holders to the whole of that land described in their Complaint; and they are hereby recognized as in possession of all the undivided right, title, interest and ownership due them as the sole owners of that land.

3) The Defendants their Representatives, Heirs, Successors, Administrators, Executors, or Assigns, have Thirty (30) days from this Order to bring an action in ejectment or to take exception If such action is not taken within Thirty (30) days from the date of this Order the Prothonotary,on Praecipe of the Plaintiffs, shall enter final judgment, all in accordance with Pa. R.C.P.1066.

BY THE COURT,
Gordon R. Miller, Judge

Jan. 12, 1993 Copy of Order to Atty. Jones

And Now,Feb. 12, 1993 at 4:43 P.M. upon praecipe of plaintiff's attorney, final judgment is hereby entered in this case, in favor of the plaintiffs and against the defendants,pursuant to the foregoing Order of Court.

FINAL JUDGMENT
Barbara H. King
Prothonotary

W-61: W-61;

158

1992

Papernick & Gefsky,
Robert L. Murphy

1058

PEOPLES FEDERAL SAVINGS
and LOAN ASSOCIATION

vs.

JANE A. URISH

Filed November 6, 1992
@ 3:08 PM

Tax & entry paid	9.00
Orig. on Pltf.	9.50
Pro.Co. pd 6/9/95	5.00

AGREEMENT TO REVIVE

of

DSB 1986 - 711

The undersigned hereby agrees that judgment entered on October 9, 1986 BE REVIVED AND LIEN CONTINUED: Judgment of revival indexed in favor of plaintiff and against the defendant in the sum of Ninety-one Thousand Seven Hundred twelve and 59/100 plus costs and interest from July 5, 1991.

Debt ----$91,712.59
Dated----October 31, 1992
U-94 REVIVAL OF JUDGMENT
Barbara H. King
Prothonotary

Jun. 7, 1995 Writing filed wherein Plaintiff releases from the lien of the above entitled judgment the following described property:

Lot 525 and Lot 526 on Mohawk Road, off Iroquois Road, in Conneaut Knolls Subdivision, Sadsbury Township, Crawford County, Pennsylvania and Lot 412 on Choctaw Trail, off Iroquois Road, in Conneaut Knolls Subdivision, Sadsbury Township, Crawford County,Pennsylvania.

1992

Peters, Lindsay,
Lewis & Gagliotti
John P. Gagliotti

1059

JACK MYERS

vs.

MARIA COLLINS

Filed November 6, 1992
@ 3:43 PM

Tax & entry paid 50.50
User's Fee paid 5.00

COMPLAINT FOR PARTIAL CUSTODY
3 copies (atty)

ORDER:

AND NOW, this 2nd day of November, 1992 the Court enters the following Consent Decree between the Plaintiff/father, Jack Myers, and Defendant/mother, Maria Collins, the natural parents of Tasha Lee Collins, age six, who have entered into this agreement as to legal and physical custody of the said minor child, which is as follows:

1. Father shall have legal custody of the subject minor child.

2. 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 thety may have regarding the subject minor child.

3. Mother shall have a right of visitation every Wednesday evening from 5:30 p.m. to 8:00 p.m. mother shall also have a right of visitation on the first weekend of every month from Friday at 5:30 p.m. to Sunday at 6:00 p.m.

4. Holiday visitations shall not begin until Thanskgiving, 1992 and shall be arranged as follows:

(a) Mother shall have visitation and temporary physical custody each Thanksgiving day from 1:00 p.m. until 6:00 p.m.

(b) Mother shallhave visitation and temporary custody each Christmas day from 1:00 p.m. until 6:00 p.m.

(c) The other holidays to be observed are: New Years Day, Memorial Day, Independence Day, and Labor Day. Visitation shall be between the hours of 9:00 a.m. and 6:00 p.m. Mother shall have visitation for New Years Day 1993 and the parties shall thereafter alternate the holiday periods.

(d) Starting with Mother's Day, 1993, the child shall spend Mother's Day with her mother from 9:00 a.m. until 6:00 p.m. and Father's Day with her father, during the same hours.

(e) The provisions of this paragraph shall take precedence over the other provisions of this Order relating to custodial or visitation periods.

5. All visitations with the mother shall be supervised by her parents, the maternal grandparents of said child, so that at least one of the maternal grandparents is present with mother during the visitationof the child.

6. Should it be necessary for either party to cancel or modify the visitations as set out in this Order or as previously arranged, the par ty seeking cancellation or modification. Said modification or cancellation shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

7. Father shall be responsible for the transporting of the child to the place of mother's visitation and mtoher shall be responsible for the return of the child to the father. Mother shall not however drive the child without at least one of her parents accompanying her.

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

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

10. Any persons transporting the child shall make sure that the seatbelts or other restrains are used in correspondence with the Laws of Pennsylvania.

11. Neither party shall do or say anything to blacken the character of the other in the child's estimation. Each party shall treat th eother in a polite and respectful manner. When in the child's presence each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the child's estimation.

12. Parties are free to make any additional or alternative arrangements respecting the custoidal and visitation periods. Said arrangements shall be mutual concent only in the absence of which this Order shall govern.

Jack . Myers, Plaintiff
Oct. 16, 1992

Maria S. Collins, Defendant
Oct. 16, 1992

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

July 14, 1993 Motion for MOdification of Consent Decree filed.

July 14, 1993 ORDER filed. AND NOW, July 7, 1993, upon a joint motion for modification of a consent decree filed by the parties, the consent custody decree of November 2, 1992 is modified to the extent that the Defendant shall have legal custody of the minor child with the Plaintiff to have such visitation and/or temporary custody of the minor child as was afforded to the Defendant in the NOvember 2, 1992 consent decree or such other visitation and/or temporary custody as may be agreed upon by the parties without further order of court.

BY THE COURT:
Anthony J.Vardaro, J.

July 16, 1993 Copy of the order to Pltf.&Deft.

160

1992

Peters, Lindsay,
Lewis & Gagliotti
John P. Gagliotti

1060

JOHN F. JONES, II

vs.

CATHY J. JONES

Filed November 6, 1992
@ 3:54 PM

Tax & entry paid 50.50
User's Fee paid 5.00
State paid 10.00
Pro Co pd 3-5-93 9.00
Pro Co pd 3-17-93 5.00

COMPLAINT IN DIVORCE
1 copy atty

Nov. 17, 1992 Affidavit of Service filed. I, John P.Gagliotti, Esquire, attorney for the Plaintiff in the above-captioned action, verify that I did mail a certified copy of the NOtice to Defend and Complaint in Divorce to Cathy J. Jones at 725 Washington Street, Meadville, Crawford County, Pennsylvania, 16335, on November 10, 1992, by United States First Class Mail, postage prepaid, and also by Unites States Certified Mail, #P899087480, dated November 13, 1992; I make this verification with notice that willful false statements made herin are subject to the penalties of perjury under Section 4904 of the Pennsylvania Crime code, relating to unsworn falsification to authorities.

John P. Gagliotti, Esquire

Feb. 25, 1993 Affidavit of Consent of Plainitff, filed.

Feb. 25, 1993 Affidavit of Consent of Defendant, filed.

Feb. 25, 1993 Upon praecipe of Plaintiff attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

March 11, 1993 AND NOW, March 8, 1993, it is hereby ordered and decreed that **JOHN F. JONES, II**, Plaintiff, and **CATHY J. JONES**, 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.

Mar 17, 1993 Notice of Election to Retake Maiden Name, filed. Cathy Jo JOnes TO BE KNOWN AS: Cathy Jo Carley.

1992

John F. Spataro, Solicitor 1061	IN REPORT AND RETURN OF FREDERIC A. WAGNER, DIRECTOR OF THE CRAWFORD COUNTY TAX CLAIM BUREAU, PENNSYLVANIA, OF THE PUBLIC SALE OF LANDS AND PROPERTIES ADVERTISED AND HELD THE SECOND MONDAY OF SEPTEMBER, 1992 Filed November 6, 1992 @ 4:02	CONFIRMATION NISI AND NOW, November 6, 1992, the above report and return having been filed this day in Motion Cout, the same is confirmed nisi. BY THE COURT, Anthony J. Vardaro, J

1992

R. Christopher Brode

1062

Gregory A. Keenan

DEBRA A. CONSLA

vs.

WILLIAM W. CONSLA, JR.

Filed November 9, 1992
@ 9:36 a.m.

Tax & entry Pd 11-18-92 50.50
User's Fee Pd 11-18-92 5.00

Sheriff's Costs 25.00
Prob Pd 11-18-92 9.00

11-18-92
Received Sheriff's
Costs 25.00

11-18-92
Pd Sheriff
Ck#7181 25.00

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

ORDER:

And now, this 9th day of November , 1992 , upon review of the petition of Plaintiff, the Court enterss 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. Possession of the property is awarded to plaintiff. Defendant shall move out until further court order. Defendant shall give plaintiff garage keys and Christmas gifts in trunk of corsica.
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 tis 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 November 17, 1992 , 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

Nov. 9, 1992 Amended Order filed. AND NOW, November 9, 1992, the Court hereby amends the temporary abuse order enetered this date in one minor detail only. That portion of the order obligating the defendant to give the plaintiff the garage keys is hereby vacated. In all other respects the temporary order of NOvember 9, 1992 shall remain in full force and effect without change or modification.

At the time the plaintiff filed her petition she alleged that there was no food in the house and that she wanted access to a freezer in the garage for food. The Court was reluctant to grant that relief because it is beyond the purposes of the Protection from AbuseAct.

Apparently when the Sheriff served the defendant he refused to turn over the key alleging that the plaintiff would clean out the garage and represented that there was enough food in the house to take care of the family.

This is one of the problems with the Protection from Abuse Act where (a) the Court only hears the plaintiff's version when the petition isinitially filed and temporary relief is requested and (b) when the Court ventures improperly into matters involving personal property.

The Prothonotary shall send a copy of this order by regular mail to the plaintiff and defendant at their addresses set forth on the petition.

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

Nov. 9, 1992 Copy given Co.Control, mailed to Plft & Defendant.

Nov.10, 1992 Sheriff's Return filed. SERVED William W. Consla, Jr. personally on November 9, 1992 at 2:45 PM by handing a copy of the Protection from Abuse to him at R.D.#7, Meadville, Crawford County, PA, at his parents residence. Defendant did return the garage key and itmes from the trunk of the Corsica.
So answers,

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

Nov. 20, 1992 ORDER filed. AND NOW, Nov. 17, 1992 this matter is before the Court on Plaintiff's petition for relief under the Protection from Abuse Act. Both parties appear with counsel and advise the Court that they have reached an agreement without admission of the allegations of the petition on the part of the Defendant.

Accordingly, the Court enters the following order:

1. The Defendant shall not assault, abuse, harass, or threaten the Plaintiff or any of the minor children named in the petition.
2. The Plaintiff shall have exclusive possession of the marital residence pending any further order of court. The Defendant is advised that he should not go to the marital residence at any time, evenif invited by the Plaintiff,insofar as it shall be presumed that he is in violation of this order if he is at the marital residence and if matters should change that he shoudl be permitted to go there with the permission of the Plainitff, the parties should seek a modification of this order prior to h im doing os.
3. The Plaintiff shall have the use of a 1985 pick-up truck until her 1986 Oldsmobile is out of the garage for repairs at which time she shall leave the 1985 pici-up truck at the agarage, which is owned by the Defendant's brother so that he may take possession of the same when she has possession of the 1986 Oldsmobile.
4. The Plaintiff shall deliver a 1992 Monte Carlo to Defendant's brother's garage to be fixed, and once it is repaired, she shall have that vehicle until further order of court.
5. The Defendant is currently in the possession of a 1991 Chevrolet Corsica and he shall remain in possession of that vehicle pending further order of Court.
6. There is a garage as part of the marital residence which contains various tools which may or may not be marital property. The Defendant has supplied the Plaintiff with the key

CONTINUED ON PAGE 162A

DEBRA A. CONSLA
VS.
WILLIAM W. CONSLA, JR.

CONTINUED FROM PAGE 162
of Record
A.D. 1992 - 162

****

to that garage, and she shall forthwith be responsible for maintaining that garage and keeping it under lock and key and shall not at any time sell or in any way dispose of any of the tools contained in the garage unless there shall be further order of Court. There are also two freezersin that agrage, and the Plaintiff may remove food from either of those freezers for the use of the family, so long as she keeps a running account of all food used so that the same may be appropriately dealt with as part of an equitable distribution in a separate divorce action with respect to these parties.

4. Within five days from the date that the Defendant receives back the use of the 1985 pick-up truck, he shall contact Plaintiff's mother to arrange for a time as soon as possible for him to remove certain items from the marital trailer and in doing so shall give the Plaintiff at least 24 hours notice of when those items will be removed. Those items will include the older television and VCR and one Nintendo machine. Additionally, the Defendant shall be entitled to such Nintendo tapes as shall be agreed upon between the children of the parties, which items shall also be removed when the other items above are removed by the Defendant. Additionally, at that time the Defendant may remove his clothing, other personal effects, and any hunting related items, including guns, ammunition, etc.

5. The parties are in possession of certain pomeranian AKC registered dogs, and the adult female shall be kept by the Defendant, and the adult male shall be kep by the Plaintiff. All of the puppies shall be kep by the Defendant with the exception that the Plaintiff shall receive one female puppy. The exchange of the dogs shall occur at approximately eight weeks of age for the puppies. The Plaintiff shall sign the registration forms necessary with respect to the puppies as required.

6. The Defendant shall continue with possession of a camcorder which is marital property until further order of Court, and any items not expressly addressed in this ordr shall remain in the possession of the respective parties but no party shall sell or dispose of, in any manner, any marital property in their possession pending further order of Court in this action or any other appropriate action.

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

8. A copy of this order shall be delivered to the police department in the jurisdiction where the Plaintiff resides and to County Control. [illegible]

9. The Defendant is reminded that this is an order of Court and violation of this order may be punishable by a fine of up to $1,000 and a jail sentence of up to 6 months.

10. The Defendant shall pay court costs in this matter in the amount of $89.50 forthwith.

11. This order shall remain in full force and effect through Nov. 16, 1993.

BY ORDER OF THE COURT,
Anthony J. Vardaro

Nov. 20, 1992 copies givent o Brode, Keenan, Co Ctrl. & Police.

1992

Lauer & Perkins
Jeffrey M. Thompson
~~David L. Cook~~

1063

IN RE: APPEAL OF THOMAS C. LAMBERTON and JUDY A. LAMBERTON FROM DECISION OF BOARD OF ASSESSMENT APPEALS

Filed November 9, 1992
@ 11:46 AM

Tax & entry paid 50.50
User's Fee paid 5.00

ASSESSMENT APPEAL

July 6, 1993, Certificate of REadiness filed.

ON NON JURY TRIAL LIST FOR OCTOBER 1993

Sep. 23, 1993 MotiontoStrike From October Trial List and ORDER filed. AND NOW, this 21st day of September, 1993, upon consideration of the within Motion, this case is stricken from the Civil Trial List for the October, 1993 Term of Court.

By the Court,
Gordon R. Miller, J.

Sep. 30, 1993 Copy of Order to Attys. Cook & Spataro

Dec. 8, 1993 Appearance of Lauer & Perkins byJJeffrey M. Thompson, Esquire for Thomas C. Lamberton, Appellant, filed.

Dec. 9, 1993 Proof of Service, filed.

March 23, 1994 STIPULATION AND CONSENT ORDER filed. AND NOW, this 23 day of March, 1994, upon consideration of the within Stipulation, the same is hereby entered as an Order of this Court. The Chief Assessor, Joseph J. Galbo, III, is directed to make the appropriate adjustments to the assessment records and take whatever further action is required in order to effectuate this order. All taxing bodies are directed to make any refunds to the taxpayer that this valuatio may necessitate.

BY THE COURT:
Anthony J. Vardaro, J.

March 24, 1994 Copy of Order to Attys. Jeffrey Thompson, Karen Johnson and David Cook.

1992

Lauer & Perkins
Jeffrey M.Thompson
David L. Cook

1064

IN RE: APPEAL OF PAUL J. SERRINS, et al FROM DECISION OF BOARD OF ASSESSMENT APPEALS

Filed November 9, 1992
@ 11:46 am

Tax & entry paid 50.50
User's Fee paid 5.00

ASSESSMENT APPEAL

July 6, 1993, Certificate of Readiness filed.

ON NON JURY TRIAL LIST FOR OCTOBER 1993

Sep. 23, 1993 MOtion to Strike from October Trial List and ORDER filed.AND NOW, this 21st day of September, 1993, upon consideration of the within Motion, this case is stricken from theCivilTrialList for the October, 1993 Term of Court.

By the Court,
Gordon R. Miller,J.

9-30-93 Copy of Order to Attys.Cook & Spataro

Dec. 8, 1993 Appearance of Lauer & Perkins by Jeffrey M. Thompson, Esquire for Serrins Auto Parts, Appellant, filed.

Dec. 9, 1993 Proof of Service, filed.

March 23, 1994 STIPULATION AND CONSENT ORDER filed. AND NOW, this 23 day of March, 1994, upon consideration of the within Stipulation, the same is hereby entered as an Order of this Court. The Chief Assessor, Joseph J. Galbo, III, is directed to make the appropriate adjustments to the assessment records and take whatever further action is required in order to effectuate this Order. All taxing bodies are directed to make any refunds to the taxpayer that this valuation may necessitate.

BY THE COURT:
Anthony J. Vardaro, J.

March 24, 1994 Copy of Order to Attys. Jeffrey Thompson, David Cook and Karen Johnson.

1992

Lauer & Perkins
Jeffrey M. Thompson
David L. Cook

1065

IN RE: APPEAL OF CHAUNCEY W. TARR FROM DECISION OF BOARD OF ASSESSMENT APPEALS

filed November 9, 1992
@ 11:46 am

Tax & entry paid 50.50
User's fee paid 5.00

ASSESSMENT APPEAL

July 6, 1993, Certificate of Readiness filed.

ON NON JURY TRIAL LIST FOR OCTOBER 1993

Sep. 23, 1993 Motion to Strike from October Trial List and ORDER filed. AND NOW, this 21st day of September, 1993, upon consideration of the within MOtion, this case is stricken from the Civil TrialList for the October, 1993 Term of Court.
By the Court,
Gordon R. Miller, J.
9-30-93 Copy of the Order to Attys.Cook & Spataro

Dec. 8, 1993 Appearance of Lauer & Perkins by Jeffrey M. Thompson, Esquire for Chauncey W. Tarr, Appellant, filed.

Dec. 9, 1993 Proof of Service, filed.

March 23, 1994 STIPULATION AND CONSENT ORDER filed. AND NOW, this 23 day of March, 1994, upon consideration of the within Stipulation, the same is hereby entered as an Order of this Court. The Chief Assessor, Joseph J. Galbo, III, is directed to make the appropriate adjustments to the assessment records and take whatever further action is required in order to effectuate this Order. All taxing bodies are directed to make any refunds to the taxpayer that this valuation may necessitate.

BY THE COURT:
Anthony J. Vardaro, J.
March 24, 1994 Copy of Order to Attys. Jeffrey Thompson, David Cook and Karen Johnson.

1992

Lauer & Perkins
Jeffrey M. Thompson

David L. Cook

1066

IN RE: APPEAL OF MARGARET C. MOSS FROM DECISION OF BOARD OF ASSESSMENT APPEALS

Filed November 9, 1992
@ 11:46 am

Tax & entry paid 50.50
user's Fee paid 5.00

ASSESSMENT APPEALS

July 6, 1993, Certificate of REadiness filed.

ON NON JURY TRIAL LIST FOR OCTOBER 1993

Sep. 23, 1993 Motion toStrike From October TrialList and ORDER filed. AND NOW, this 21st day of September, 1993, upon consideration of the within Motion, this case is stricken from theCivil Trial List for the October, 1993 Term of Court.

By the Court,
Gordon R. Miller, J.

9-30-93 Copy of the Order to Attys. Cook & Spataro

Dec. 8, 1993 Appearance of Lauer & Perkins by Jeffrey M. Thompson, Esquire, for Margaret Moss, Appellant, filed.

Dec. 9, 1993 Proof of Service filed.

March 23, 1994 STIPULATION AND CONSENT ORDER filed. AND NOW, this 23 day of March, 1994, upon consideration of the within Stipulation, the same is hereby entered as an Order of this Court. The Chief Assessor, Joseph J. Galbo, III, is directed to make the appropriate adjustments to the assessment records and take whatever further action is required in order to effectuate this Order. All taxing bodies are directed to make any refunds to the taxpayer that this valuation may necessitate.

BY THE COURT:
Anthony J. Vardaro, J.

May 24, 1994 Copy of Order to Attys. J. Thompson, K. Johnson and D. Cook.

1992

Lauer & Perkins, PC
Jeffrey M.Thompson

David L. Cook

1067

IN RE: APPEAL OF GAGE CO. OF DELAWARE FROM DECISION OF BOARD OF ASSESSMENT APPEALS

Filed November 9, 1992
@ 11:46 am

Tax & entry paid 50.50
User's Fee paid 5.00

ASSESSMENT APPEAL

July 6, 1993, Certificate of Readiness filed.

ON NON JURY TRIAL LIST FOR OCTOBER 1993

Sep. 23, 1993 Motion to Strike From October TrialList and ORDER filed. AND NOW, this 21st day of September, 1993,upon consideration of the within Motion, this case is stricken from theCivil Trial List for the October, 1993 Term of Court.

By the Court,
Gordon R. Miller, J.

9-30-93 Copy of the Order to Attys.Cook & Spataro

Dec. 8, 1993 Appearance of Lauer & Perkins by Jeffrey M. Thompson Esquire for The Gage Company, Appellant, filed.

Dec. 9, 1993 Proof of Service filed.

Mar. 31, 1994 Stipulation and Consent Order filed. ORDER. AND NOW, this 30th day of March, 1994, upon consideration of the within Stipulation, the same is hereby entered as an Order of this Court. The Chief Assessor, Joseph J. Galbo, III, is directed to make the appropriate adjustments to the assessment records and take whatever further action is required in order to effectuate this Order. All taxing bodies are directed to make any refunds to the taxpayer that this valuation may necessitate.

BY THE COURT:
Gordon R. Miller, J.

4-4-94 Copy of Order to Attys. Thompson, Johnson, Cook & Joseph J. Galbo, III.

1992

Lauer & Perkins
Jeffrey M. Thompson

David L. Cook

1068

IN RE: APPEAL OF SHADRALL ASSOCIATES FROM DECISION OF BOARD OF ASSESSMENT APPEALS

Filed November 9, 1992
@ 11:46 am

Tax & entry paid 50.50
User's Fee paid 5.00

ASSESSMENT APPEAL

July 6, 1993, Certificate of REadiness filed.

ON NON JURY TRIAL LIST FOR OCTOBER 1993.

Sep. 23, 1993 Motion to Strike from October Trial List and ORDER filed. AND NOW, this 21st day of September, 1993, upon consideration of the within Motion, this case is stricken from theCivil Trial List for the October, 1993 Term of Court.

By the Court,
Gordon R. Miller, J.

9-30-93 Copy of the Order to Attys. Cook & Spataro.

Dec.8, 1993 Appearance of Lauer & Perkins by Jeffrey M.Thompson, Esquire, Attorney for Appellant, Shadral Associates filed.

Dec. 9, 1993 Proof of Service filed.

Apr. 29, 1993 Stipulationand Consent Orderfiled. ORDER. AND NOW, this 28 day of April, 1994, upon consideration of the within Stipulation,the same is hereby entered as an Order of this Court. The Chief Assessor, Joseph J. Galbo, III, is directed to make the appropriate adjustments to the assessment records and take whatever further action is required in order to effectuate this Order. All taxing bodies are directed to make any refunds to the taxpayer that this valuation may necessitate.

BY THE COURT:
Anthony J. Vardaro, J.

4-29-94 Copies dist. to Johnson. 5-3-94 Copy to J. Galbo, III.

1992

Lauer & Perkins
Jeffrey M.Thompson

David L. Cook

1069

IN RE: APPEAL OF CHARLES HORN & HORN TEXTILE, INC. FROM DECISION OF BOARD OF ASSESSMENT APPEALS

Filed November 9, 1992
@ 11:46 am

Tax & entry paid 50.50
User's Fee paid 5.00

ASSESSMENT APPEAL

July 6, 1993, Certificate of Readiness filed.

ON NON JURY TRIAL LIST FOR OCTOBER 1993

Sep. 23, 1993 Motion to Strike fromOctober Trial List and ORDER Filed. AND NOW,this 21st day of September, 1993,upon consideration of the within Motion, this case is stricken from theCivil Trial List for the October, 1993 Term of Court.

By the Court,
Gordon R. Miller, J.

9-30-93 Copy of the Order to Attys.Cook & Spataro

Dec. 8, 1993 Appearance ofLauer & Perkins by Jeffrey M. Thompson, Esquire for the Appellant, HOrn Textile Company, filed.

Dec. 9, 1993 Proof of Service filed.

March 23, 1994 STIPULATION AND CONSENT ORDER filed. AND NOW, this 22nd day of March, 1994, comes the parties to this action, respectfully requesting that the Court enter the following Stipulation as an Order of Court:

1) It is hereby stipulated and agreed that the base valuation and assessed value of the properties subject to this action are hereby established in accordance with the attached Schedule A which is incorporated herein and made a part hereof.

2) All taxing bodies are directed to make any refunds to the taxpayer that this valuation may necessitate.

The parties hereto, by their respective counsel, subscribe their names to the foregoing Stipulation on the day and year aforesaid.

Jeffrey M. Thompson, Esq.
Karen S. Johnson, ESq.

March 23, 1994 ORDER filed. AND NOW, this 23 day of March, 1994, upon consideration of the within Stipulation, the same is hereby entered as an Order of this Court. The Chief Assessor, Joseph J. Galbo, III, is directed to make the appropriate adjustments to the assessment records and take whatever further action is required in order to effectuate this Order. All taxing bodies are directed to make any refunds to the taxpayer that this valuation may necessitate.

BY THE COURT:
Anthony J. Vardaro, J.

March 24, 1994 Copy of Order to Attys. J. Thompson, D. Cook and K. Johnson.

170

1992

Lauer & Perkins
Jeffrey M. Thompson

David L. Cook

1070

IN RE: APPEAL OF BURDICK, WILLIAM L. & MARILY J. FROM DECISION OF BOARD OF ASSESSMENT APPEALS

Filed November 9, 1992
@ 11:46 am

Tax & entry paid 50.50
User's Fee paid 5.00

ASSESSMENT APPEAL

July 6, 1993, Certific ate of Readiness filed.

ON NON JURY TRIAL LIST FOR OCTOBER 1993

Sep. 23, 1993 Motion to Strike from October Trial List and ORDER filed. AND NOW, this 21st day of September, 1993, upon consideration of the within Motion, this case is stricken from the Civil TrialList for the October, 1993 Term of Court.
By the Court,
Gordon R. Miller, J.
9-30-93 Copy of the Order to Attys.Cook & Spataro

Dec.8, 1993 Appearance of Lauer & Perkins by Jeffrey M. Thompson, Esquire for the Appellant, William Burdick, filed.

Dec. 9, 1993 Proof of Service filed.

March 23, 1994 STIPULATION AND CONSENT ORDER filed. AND NOW, this 23 day of March, 1994, upon consideration of the within Stipulation, the same is hereby entered as an Order of this Court. The Chief Assessor, Joseph J. Galbo, III, is directed to make the appropriate adjustments to the assessment records and take whatever further action is required in order to effectuate this Order. All taxing bodies are directed to make any refunds to the taxpayer that this valuation may necessitate.

BY THE COURT:
Anthony J. Vardaro, J.
March 24, 1994 Copy of Order to Attys. J. Thompson, D. Cook and K. Johnson.

1992

Lauer & Perkins
Jeffrey M.Thompson

David L. Cook

1071

IN RE: APPEAL OF EDWARD G. WILSON FROM DECISION OF BOARD OF ASSESSMENT APPEALS

Filed November 9, 1992
@ 11:46 am

Tax & entry paid 50.50
User's Fee paid 5.00

ASSESSMENT APPEAL

July 6, 1993, Certificate of Readiness filed.

ON NON JURY TRIAL LIST FOR OCTOBER 1993

Sept. 23, 1993 Motion to Strike From October Trial List and Order, filed. ORDER: AND NOW, this 21st day of September, 1993, upon consideration of the within Motion, this case is striken from the Civil Trial List for the October, 1993 Term of Court.

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

Oct 1, 1993 copy to J. Spataro

Dec. 8, 1993 Appearance of Lauer & Perkins by Jeffrey M.Thompson, Esquire for the appellant, Edward G. Wilson, file.

Dec. 9, 1993 Proof of Service, filed.

March 23, 1994 STIPULATION AND CONSENT ORDER filed. AND NOW, this 23 day of March, 1994, upon consideration of the within Stipulation, the same is hereby entered as an Order of this Court. The Chief Assessor, Joseph J. Galbo, III, is directed to make the appropriate adjustments to the assessment records and take whatever further action is required in order to effectuate this Order. All taxing bodies are directed to make any refunds to the taxpayer that this valuation may necessitate.

BY THE COURT:
Anthony J. Vardaro, J.

March 24, 1994 Copy fo Order to Attys. J. Thompson, D. Cook and K. Johnson.

1992

1072

DEBRA L. CARBAUGH

vs.

CARL R. CARBAUGH

Filed November 9, 1992
@ 1:32 PM

Tax & entry Pd 11-17-92 50.50
User's Fee Pd 11-17-92 5.00
Pro Co Pd 11-17-92 5.00
Sheriff's Costs 20.75

11-17-92
Received from dept Sheriff's cost 20.75

11-17-92
Paid Sheriff 20.75
Ch# 7180

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

ORDER:

And now, this 9 day of November ,1992 , upon review of the petition of Plaintiff, the Court enterss the following Temporary Order.

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

2. Special Conditions: Defendant shall not contact plaintiff in anyway. He shall not go to Plaintiff's residence or work. Temporary custody of the c hildren 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 tis 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 November 17, 1992 , at 3:30 p m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Nov. 17, 1992 Upon Praecipe of Plaintiff, Debra L. Carbaugh, the above case marked action discontinued, filed.

Nov. 19, 1992 SHERIFF'S RETURN filed. SERVED Carl R. Carbaugh by Certified Mail on Nov. 14, 1992, at his last known address of 6958 Linsley Ave., Andover OH, as per signed Return Receipt attached. So answers, Robert M. Stevens, Sheriff

1992

Apple & Apple
Marylouise Wagner

1073

SELECTIVE INSURANCE COMPANY OF AMERICA

vs.

ARTHUR W. CERVI i/t/a/d/b/a WVCC RADIO

Filed November 9, 1992
@ 2:11 PM

Tax & entry paid	50.50
user's Fee paid	5.00
sheriff costs	$30.00
Pro Co pd 5-6-94	5.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Nov. 23, 1992, Sheriffs Return filed. SERVED Arthur W. Cer vi Sr. personally on Nov. 17, 1992, at 10:45 a.m. by handing a copy of the complaint to him at his residence, Maple Rd. linesville, Crawford County, Pa.
So answers, dale A. Collins, Dep. Sheriff
Robert M. Stevens, sheriff

May 2, 1994 Upon praecipe of Plaintiff's attorney the above-captioned matter is settled and discontinued of record.

174

1992

1074

BARBARA VIRTUE

vs.

BRIAN"S AUTO

Filed November 9, 1992
@ 3:16 PM

Tax & entry paid 50.25
User's Fee paid 5.00

APPEAL OF PLAINTIFF FROM DECISIONS OF
DISTRICT JUSTICE WILLIAM CHISHOLM

Nov.13, 1992 Proof of Service of Notice of Appeal and Rule to File Complaint filed.

Mar. 18, 1993 Motion to Quash Appeal From Judgment of District Justice, filed.

Mar. 18, 1993 Memorandum and Order filed. ORDER: AND NOW, March 18, 1993, upon motion of the Defendant and after oral argument by both parties of Motion Court, we hereby quash the appeal from the judgment of a District Justice filed by the Plaintiff in this matter as being untimely filed pursuant to Pa. R.C.P.D.J. 1002.

This action is taken without prejudice to the Plaintiff to petition the Court for leave to file such appeal beyond the 30 day time limit upon good cause shown. BY THE COURT:
Anthony J. Vardaro, J

Mar. 18, 1993 copies to Virtue & Ferry by Court

1992

Kuhn Law Office
Daniel J. Kuhn

1075

RODGER D. HARGRAVES, JR.

vs.

PAMELA L. HARGRAVES

Filed November 9, 1992
@ 3:31 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co 6-28-93	9.00

COMPLAINT IN DIVORCE
1 coy (atty)

Nov. 23, 1992, Affidavit of Mailing filed. I, daniel J. Kuhn, Esq. Attorney for Plaintiff, after being duly sworn according to law, hereby state that I mailed by cert. Mail No. 824 413 816 Ret. REc. REq a true and correct copy of the complaint in this action, Not. to defend and Claim Rights and Not. of Counseling to the dft. at 11565 Mitchell Rd. Corry Pa. 16407, and the dft. did receive the same on Nov. 18, 1992 as evidenced by the signed rec. attached hereto as Ex. "A." Daniel J. Kuhn, ESq.

June 28, 1993 Affidavit of Consent of Defendant, filed.

June 28, 1993 Affidavit of Consent of Plaintiff, filed.

June 28, 1993 Waiver of Objection to Venue, filed.

June 28, 1993 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

July 7, 1993 AND NOW, July 7, 1993, it is hereby ordered and decreed that RODGER D. HARGRAVES, Plaintiff, and PAMELA L. HARGRAVES, 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.

1992

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

1076

COMMONWEALTH OF PENNSYLVANIA

vs.

HENRY E. MORELAND t/a
MORELAND MOTORS

Filed November 9, 1992
@ 3:46 pm

Tax & entry paid 50.50
User's Fee paid 5.00

APPEAL FROM SUSPENSION OF APPOINTMENT AS OFFICIAL INSPECTION STATION
2 copies (atty)

Order:

AND NOW, this 9th day of November, 1992, upon presentation and consideration of the within Petition, it is adjudged and decreed that a hearing on this Appeal shall be held on the 28 day of January, 1993 at 1:30 o'clock p.m. on Court Room No. 1 or 2 at the crawford County Court House, Meadville, Pennsylvania, or as soon thereafter as the attention ofthe Court may be had and that sixty (60) days written notice shall be given by the Petitioner to the Secretary of Transportation Commonwealth of Pennsylvania , by Certified Mail, Return Receipt Requested.

It is fruterh ordered and decreed that the Petitioner, Henry E. Moreland, trading as Moreland Motors, shall retain his Certificate of Appointment as an official safety inspection station pending disposition of this Appeal and it shall be a supersedeas.

BY THE COURT,
Gordon R. Miller,

Feb. 16, 1993 Memorandum and Order, filed. ORDER: AND NOW, Feb. 12, 1993, after hearing the appeal of Henry E. Moreland t/a Moreland Motors, we deny the appeal and sustain the two month concurrent suspensions imposed by the Department of Transportation Order dated Nov. 9, 1992. BY THE COURT:
P. Richard Thomas, S.J.

Feb. 12, 1993 copies distributed by Court.

1992

Lawrence C. Bolla 1076A	NATIONAL FUEL GAS DISTRIBUTION CORPORATION vs. MARY SCHOCH Filed November 10, 1992 @ 11:27 am Tax & entry paid 50.50 User's Fee paid 5.00 sheriffs costs $25.00 Pro.Co. pd 1/22/93 $9.00	COMPLAINT IN CIVIL ACTION 1 copy Sheriff Nov. 23, 1992, Sheriffs Return filed. SERVED Mary Schoch personally on Nov. 17,1992 at 9:45 p.m. by handing a copy of the complaint to her at her residence, 1120 Market St. A701, Meadville, Crawford County, Pa. So answers, Dale A. Collins, Dep. Sheriff Robert Stevens, Sheriff And Now, Jan. 22, 1993 at 2:10 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 failure to answer or otherwise plead and the same is liquidated at the sum of One Thousand Six hundred and Two and 77/100 Dollars, plus interest from November 11, 1993 and all costs of suit. S-116 Entered Jan.22, 1993 Abstract to Atty.Bolla Debt $1,602.77 Int. from Nov. 11,1993 Judgment Barbara H.King Prothonotary

176
B

1992

1992

Marsh, Spaeder,
Baur, Spaeder
& Schaaf
W. Patrick Delaney

1077

Shafer, Swick, Bailey,
Irwin & Stack
Paul D. Shafer, Jr.
Jeffrey K. Millin
for Dft. Floyd L. Bishop

FRANCIS ZROSTLIK, OWEN HENNING and LYLE FULLER

vs.

FLOYD L. BISHOP, CAROLYN H. BISHOP and AMERICAN INTERTECH CORPORATION

Filed November 10, 1992
@ 11:35 am

Tax & entry paid 50.50
User's Fee paid 5.00
sheriffs costs $38.00

CIVIL COMPLAINT
3 copies Sheriff

Nov. 24, 1992, sheriffs Return filed. SERVED Floyd L. Bishop personally on Nov. 18, 1992 at 1:28 p.m. by handing a copy of Complaint to him in the sheriffs' office, Third Fl'., Crawford County Courthouse, Meadville, Pa.

SERVED Carolyn H. Bishop on Nov. 18, 1992 at 1:29 p.m. by handing a copy of complaint to Floyd H. Bishop, her husband in the office of the Sheriff, Third Fl., Crawford County Courthouse, Meadville, Pa. Signed Acceptance of Service attached.

SERVED American Intertech corp. on Nov. 18, 1992 at 1:27 p.m. by handing a copy ofthe Complantto Floyd Bishop in the Sheriff's Office, Third Floor, Crawford County Pa.

So Answers, Edgar D. Householder, Ch. Dep.
Robert M. Stevens, Sheriff

Dec. 4, 1992, Motion for Preliminary Injunction and Order filed. ORDER: AND NOW, to wit this 4th dayof Dec. 1992, upon consideration of the foregoing motion, it is HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

A Hearing is scheduled on said motion and set for Dec. 15, 1992 at 1:30 p.m. in C. R. No. 1.

Gordon r. Miller, J.

Dec. 9, 1992, copy of order to Atty. Delaney.

Dec. 4, 1992, Motion for Leave to conduct Dis covery and order filed. ORDER: AND NOW, to wit this 4 day of Dec. 1992 upon consideration ofthe foregoing Motion, it is hereby ORDERED, ADJUDGED AND DECREED that the attahced petition is hereby granted and the deposition of Floyd L. Bishop and Carolyn H. bishop shall be taken on or before Dec. 11, 1992. Gordon R. Miller, J.

Dec. 9, 1992 copy to Atty. Delaney.

Dec 4, 1992 Appearance of Shafer, Swick, Bailey, Irwin & Stack by Paul D. Shafer,Jr. and Jeffrey K. Millin for Dft. Floyd L. Bishop.

Dec 17, 1992 MOTION TO AMEND COMPLAINT, filed.

Dec 17, 1992 REQUEST FOR IMMUNITY ORDER PURSUANT TO 42 Pa.C.S.A. §5947 and ORDER, filed. ORDER: AND NOW, Dec 15, 1992, pursuant to 42 Pa.C.S.A. §5947, Floyd L.Bishop is hereby directed to testify in the case of Francis Zroslik, Owen Henning, and Lyle Fuller vs. Floyd L. Bishop, Carolyn H. Bishop and American Intertech Corp., at a hearing on request for a preliminary injunction now scheduled for Dec. 15, 1992. It is the Court's intention that we are herewith granting "use and derivative immunity." No testimony or other information compelled under this Immunity Order or any information directly or indirectly derived from the witness testimony or other information may be used against the witness, Floyd L. ?bishop, in any criminal case except as hereafter specified.

The witness is cautioned that he remains subject to prosection under 18 Pa.C.S.A. §4902 (relating to perjury) and under 18 Pa.C.S.A. §4903 (relating to false swearing). The witness is further cautioned that he may be subject to prosection in a contempt proceeding for failure to comply with this Order. BY ORDER OF THE COURT,
Anthony J. Vardaro, J.

Dec. 22, 1992 copy to W.P. Delaney, P. Shafer, J. Millin

Dec 17, 1992 MEMORDANDUM AND PRELIMINARY INJUCTION ORDER, filed. ORDER: AND NOW, Dec. 16, 1992, the Defendants are preliminarily enjoined from using any of the $650,000 in funds originally deposited by the Plaintiffs in September 1991 in a bank account under the name of American Intertech Corp. with the sole signatory being Floyd Bishop with said account originally located at the First National Bank of Pa. in Meadville, Pennsylvania.

Additionally, the Defendants are enjoined from removing and the First National Bank of Pa. is enjoined from disbursing any funds in an account at that bank apparently in the name of American Intertech Corp. which account is the amount in which apparently there remains $10,000 or less of the original $650,000 in funds in question and if that account is not readily identifiasble the Defendants ahll provide the account number for that account to their attorney who shall provide it to the attorney for the Plaintiffs.

The Defendants are enjoined from destroying or otherwise disposign of any records of any nature pertinent to the transactions involved which are the subject of this litigation and no such revords may be removed from their current location unless it is to the offices of the attorneys for the Defendants.

All of the above shall be in effect until further order of this Court.

The Plaintiffs shall post a bond in the amount of $1.00 cash with the Prothonotary before the terms of this preliminary injuction shall take effect. BY THE COURT:
Anthony J. Vardaro, J.

Dec. 22, 1992 copy to W.P. Delaney, P. Shafer, J. Millin

Dec 17, 1992 ORDER filed. AND NOW, Dec. 15, 1992, upon motion of the Plainitffs, they are permitted to file an amended complaint as prayed for within 20 days of the date of this order. BY THE COURT,
Anthony J. Vardaro, J.

Dec 17, 1992 All copies circulated

Dec. 17, 1992 AMENDED CIVIL COMPLAINT filed.

Dec. 17, 1992 Verification of Francis Zrostlik, filed.

Jan. 20, 1993 Exhibits Filed.

July 7, 1993, Transc ript of Proceedings Taken At Time of Preliminary Injunction filed.

1992

Northwestern Legal Serv.
Gerald Sullivan

1078

John P. Gagliotti

DEBORAH L. WISNIEWSKI

vs.

EDWARD C. WISNIEWSKI

Filed November 10, 1992
@ 3:46 PM

Tax & entry Pd 11-12-92 50.50 ✓
User's Fee Pd 11-13-92 5.00
Sheriff's Costs 30.00
Pd Proth 1-13-93 9.00 ✓

1-13-93 Received Sheriff's cash 30.00

1-13-93 Pd Sheriff Ck# 7280 30.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Sheriff

ORDER:

And now, this 10 day of November ,929 , upon review of the petition of Plaintiff, the Court enterss the following Temporary Order.

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

2. Special Conditions: The Plaintiff shall have exclusive possession of marital home and exclusive custody of all 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 tis 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 November 19, 1992, 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

Nov. 13, 1992 SERVED Edward C.Wisniewski personally on November 10, 1992, at 9:11 PM by handing a copy of the Protection from Abuse to him at his residence, R.D.#3, Box 281B, LInesville, Crawford County, PA.
So answers,

Trooper Bauer,PA State Police
Trooper Orlashi, PA State Police
Robert M.Stevens, Sheriff

Nov. 23, 1992 Hearing on Petition Under Protection from abuse Act and Order filed. AND NOW, November 19, 1992 at the time set for hearing, the hour is late and the parties and their counsel advise the Court this is a contested abuse case and accordingly, there is inadequate time to spend the approximate one hour it will take to resolve the abuse issue. Accordingly, this case is continued to December 14, 1992 at 3;00 o'clock p.m. under the following terms and conditions:

1. The Defendant shall not assault, harass, annoy or threaten the wife nor procure others to do so on his behalf.

2. Primary custody of the four minor children is awarded to the wife and she may have exclusive use and custody of the marital home at R.D.3, Box 281B, Linesville.

3. In view of the fact there are allegations of child abuse as well as spousal abuse, and in view of the tender age of the children, no visitation rights are accorded to the father at this time.

4. the Defendant advises the court he is terminating his present temporary residence and will be seeking an apartment of his own. Accordingly, he is directed to keep his attorney advised of his residence and telephone number and any notices continuing the scheduled hearing will be sent to the Defendant's attorney.

5. It shall be a special condition of this order at special request by the Plaintiff that the Defendnt not call her by telephone and not make any threats of any kind. The Defendant will notify his wife in writing of his address and telephone number when he moves and the wife is directed that any accidents involving serious injury to the children or any illness requiring hospitalization or specific medical attention shall be reported to the father by telephone within 24 hours and if the Defendnt/father has no telephone, shall be reported in writing and posted within 24 hours of the event.

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

Nov. 23, 1992 Copy of the order to Attys. Sullivan and Gagliotti, Mailed to Linesville P.D. & given to Co. Control.

Dec 17, 1992 MOTION TO CONTINUE and ORDER, FILED. ORDER: AND NOW, this 17th day of December, 1992, the within Motion is granted and the Protection From Abuse Hearing originally set for Monday, December 14, 1992, is hereby rescheduled for the 22nd day of December, 1992, at 1:30 p.m.

FOR THE COURT,
Imogene Yetman, Ct. Adm

12-17-92 Ct. Adm. called J. Gagliotti of new date and time.

Jan 6, 1992 Motion to Continue and Order filed. ORDER: AND NOW, this 29th day of December 1992, the within Motion is granted and the Protection from Abuse hearing scheduled for Dec. 22, 1992 at 1:30 p.m. is hereby rescheduled for Jan. 12, 1993 at 3:30 p.m.

Pending the hearing scheduled above the provisions of the NOv. 19, 1992 Order shall remain in full force and effect.

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

Jan 6, 1993 gave copies to Sullivan Jan 8, 1993 gave copy to Gagliotti

Continued to Page 178 A

1992

Deborah L. Wisniewski
vs
Edward C. Wisniewski

Continued from Page 178
of record
A.D. 1992 - 1078

****

Jan. 15, 1993 Hearing Under Protecton From Abuse Act. ORDER filed. AND NOW, January 12,1993, this matter is before the Court on a Petition for Relief Under the Protection From Abuse Act filed by the plaintiff.

The plaintiff appears with counsel and the defendant appears without counsel and determined that counsel would not be needed.

The defendant admits the allegations of the petition and the parties have agreed to an Order with respect to this matter.

ACCORDINGLY, we enter the following Order:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff or any minor children name in the petition nor shall he procure anyone else to do so at any time.

2. The defendant shall not go to the residence or place of employment of the plaintiff at any time.

3. The plaintiff shall have temporary physical custody of the minor children without prejudice to either party to file an appropriate custody action at any time.

4. The plaintiff shall have possession of the marital residence and the defendant shall not go to that residence during the term of this Order. The defendant is cautioned that if he does go to the residence upon visitation of the plaintiff, that he shall be deemed in violation of this Order, even though he has been invited to the marital residence and he shall not go to the marital residence without seeking a modificationof this Order allowing him to do so.

5. 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.

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 defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine of up to$1,000.00 and a jail sentence of up to six (6) months.

8. This Order shall remain in full force and effect through January 11, 1994.

9. The defendant shall pay costs in this matter in the amount of $94.50, or or before the close of business at the Prothonotary's Office on the first floor of the Courthouse no later than 4:30 p.m. on January 13, 1993.

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

Jan. 15, 1993 Copies given to Attys. Gagliotti, Sullivan and to Co.Control & State Police

1992

1079

PETITION FOR INVOLUNTARY TREATMENT

of

TROY M. PROPER

filed November 12, 1992
@ 11:05 am

PETITION FOR INVOLUNTARY TREATMENT
Mental Health Procedures Act of 1976
(Section 304 & 305)

Order:

And now, November 12, 1992, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report ofthe Mental Health Review Office,r it is hereby ORDERED and DIRECTED that the said Troy M. Proper be committed to Warren State Hospital for treatment for a period not to exceed 90 days.

This order shall take effect on November 12, 1992.

BY THE COURT,
Gordon R. Miller, J

Nov. 12, 1992 Coies to Const. Withers and Mental Health

Feb. 26, 1993 Petition for Involuntary Treatment, filed.

Feb. 26, 1993 Report of Mental Health Review Officer and Order, filed. ORDER: AND NOW, this 24th day of February, 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 Respondent to committed to the Warren State Hospital for Treatment for a period not to exceed 180 days from Feb. 10, 1993.

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

Mar. 5, 1993 copy to Atty Africa, MH/MR, WSH

1992

Paul E. Allen

1080

COMMUNITY NATIONAL BANK
OF NORTHWESTERN PENNSYLVANIA

vs.

HARRY J. STAFFORD and
JEAN L. STAFFORD, his
wife and UNITED STATES
OF AMERICA

Filed November 12, 1992
@ 1:07 pm

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	91.00
Pro.Co. pd 2/1/93	9.00

COMPLAINT IN ACTION OF MORTGAGE FORECLOSURE

Nov. 16, 1992 Affidavit of Service filed. Paul E. Allen, being duly sworn according to law deposes and says that he made service ofthe Notice of Sale in the above captioned Mortgage Foreclosure proceedings in accordance with Rules of Civil Procedure No. 3129.1 by ordinary mail upon the following persons:
1. Pennsylvania Housing Finance Agency, 2101 North Front Street; P. O. Box 15530; Harrisburg, PA 17105-5530
2. United States Attorney; Attn: Thomas W. Corbett, Jr., Esq.; 633 U.S. Post Office and Courthouse; Pittsburgh, PA 15219;
And further, attached hereto and made a part hereof is Form 3817, Certificate of Mailing from the U.S. Postal Service on the 12th day of November, 1992.
And further deponent saith not. Paul E. Allen

Dec. 8, 1992, Complaint reinstated.

Jan. 6, 1993 Consent Judgment filed.AND NOW, to wit, this 5th day of January, 1993, it appearing that cousnel for plaintiff and counsel for defendant, United States of America, have consented to the entry of the within Order on behalf of their respective clients, it is hereby ORDERED, ADJUDGED and DECREED that a judgment be entered in favor of the plaintiff and against the United States of America for foreclosure of the mortgage of plaintiff in the within cause and for sale of the morgaged property of defendant(s) Harry J. Stafford and Jean Stafford.
It is further ORDERED, ADJUGED and DECREED that defendnat, United States of America, shall be notified by plaintiff of the date, time and place shceduled for any sheriff's sale of the real property of the aforesaid defendant(s); that the United State of America shall be entitled to payment from the proceeds of the sheriff's sale to the extent its proper priority would entitle it to the same; and that the United States of America shall be entitled to redeem the aforesaid property within 120 days from the date of sale, as provided by 28 U.S.C. §2410
Nothing contained in the within Order shall, in any way, be construed as entry of a monetary judgment against the United States of America, but rather said judgment is limited to the foreclosure and sale of the real estate of the aforesaid defendant (s) in the within proceeding.
BY THE COURT:
Gordon R.Miller, J.
Jan. 11, 1993 Copy of Consent Judgment to: Atty. Allen and Michael C.Colville

Jan. 28, 1993 SHERIFF'S RETURN, filed. SERVED Harry J. Stafford on NOv. 17, 1992 at 11:36 AM by handing a copy of the Complaint in Mortgage Foreclosure to Jean L. Stafford, his wife, at their residence, RD 2, Box 136B, Forrest Rd, Cambridge Springs, Crawford County, Pa.
SERVED Jean L. Stafford personally on Nov. 17, 1992 at 11:35 AM by handing a copy of the Complaint in Mortgage Foreclosure to her at the residence, RD 2, Box 136B, Forrest Rd., Cambridge Springs, Crawford County, Pa.
SERVED United States of America, United States Attorney, by deputizing the Sheriff of Allegheny County, Pa., as per his Affidavit of Service attached. Served on Dec. 28, 1992.
SERVED United States of America by deputizing the Sheriff of Allegheny County, as per his Affidavit of Service attached. Served on Nov. 24, 1992.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff
I hereby deputize teh Sheriff of Allegheny County, Pa. to serve the within Complaint according to law. The defendants alleged address is c/o Internal Revenue Service, Fifth Floor, Chamber of Commerce Bldg., 411 Seventh Ave., Pgh, Pa. 15219 and 633 US Post Office & Courthouse, Pgh, Pa. 15219. Robert M. Stevens, Sheriff, Crawford Countu, Pa.
AFFIDAVIT OF SERVICE, SERVED the within Complaint on 11-24-92 at 10:50 a.m. upon U.S.A. at above by handing to Lisa Toal, clerk, a true and correct copy thereof and made known to her the contents therein, and on 12-28-92 at 1:00 p.m. upon U.S.A. at 633 U.S.P.O. and Courthouse Pgh. by handing to Kelly Landish, Recp., a true and correct copy thereof and made known to her the contents therein. Eugene L. Coon, Allegheny County

And Now, Feb. 1, 1993 upon praecipe of plaintiff's attorney, judgment is hereby entered in favor of the Plaintiff and against the defendants, Harry J.Stafford and Jean L. Stafford, his wife, for failure to file a responsive pleading to the Plaintiff's Complaint and the damages are assessed at the sum of Fifty-Six thusand Two hundred and Four and 18/100 Dollars, interest.

"S-85; S-220"

Debt	$56,204.18
Int.from 5/20/92 through 1/20/93	
245 days @ $17.75	4,348.75
Late Charges from 6/4/92 through 1/4/93	
8 months @ $15.00	120.00
Less escrow deposit	225.24

Judgment
Barbara Harking
Prothonotary

EXECUTION 1993 - 3

1992

Murphy, Taylor & Trout, P.C. Gary D. Bax 1081	EVEYLN CAMASI t/d/b/a CRAWFORD COUNTY RENTAL SERVICE vs. PARADISE CANDLES Filed November 12, 1992 @ 1:20 PM Tax & entry paid 50.50 User's Fee paid 5.00 Sheriff's Costs 40.90 Pro Pd. 5/27/93 6.00	COMPLAINT IN CIVIL ACTION 1 copy Sheriff Dec. 7, 1992 Sheriff's Return filed. SERVED Paradise Candles by deputizing the Sheriff of Lancaster County, PA, as per his Affidavit of Service attached. Served on November 24, 1992. So answers, Robert M.Stevens, Sheriff May 27, 1993, UPon praecipe of plaintiff attorneys, the above captioned matter is hereby discontinued of record.

1992

C. Barton Jones

1082

Peterson & Gula
Richard A. Peterson

MICHAEL DEAN UNGER

vs.

JUDY LYNNE UNGER

Filed November 12, 1992
@ 1:31 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 2-17-93 9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, CUSTODY, VISITATION,

Dec. 1, 1992, Appearance of Judy Lynne Unger and acceptance filed. I hereby accept service ofand acknowledge receipt of a true and correct copy of the original complaint in Divorce filed in this action. Judy Lynne Unger.

Dec. 7, 1992 Appearance of Peterson & Gula by Richard A. Peterson, Esquire for Judy Lynne Unger, Defendant, filed.

feb. 17, 1993 Affidavit of Service, filed. I. C. Barton Jones, Esq., being duly sworn according to law, deposes and says that he is the attorney for Plaintiff MICHAEL DEAN UNGER, and that he did mail a true and correct copy of the Complaint in Divorce filed in the above matter, by Certificate of Mailing, to the Defendant's attorney, RICHARD A. PETERSON, on Nov. 10, 1992. The receipt is attached as Exhibit "A".

Feb. 17, 1993 Affidavit of Consent of Plaintiff, filed.

Feb. 17, 1993 Affidavit of Consent of Defendant, filed.

Feb. 17, 1993 Upon praecipe of Plaintiff attorney to transmit record, case moved. to Court.

March 9, 1993 MEMORANDUM filed. This matter is before the Court on Plaintiff's praecipe to transmit record seeking a 3301(c) divorc.e

In reviewing the file, we note that this divorce action was filed on Nov. 12, 1992 and Defendant's affidavit of consent required by Section 3301(c) is dated Feb. 5, 1993 and filed on Feb. 17, 1993.

Pursuant to Pa. R.C.P. 1920.42(b)(1), Defendant's affidavit of consent could not be executed on Feb. 5, 1993 insofar as that was in a period of less than 90 days from the date of the filing of the divorce action.

Therefore, the Defendant will have to execute a new affidavit of consent and once it is filed it would again be proper to praecipe this matter to be transmitted to the Court for the entry of a divorce decree.

In the meantime, we are returning this file to the Prothonotary for action consistent with this Memorandum.

BY THE COURT:
Anthony J. Vardaro, J.

March 9, 1993 Copies of Order mailed to Attys. Richard Peterson and C. Barton Jones.

Mar. 24, 1993 Affidavit of Consent of Judy Lynne Unger filed.

Mar. 24, 1993 Upon praecipe of Plaintiff Attorney to transmit record, case moved to Court.

D I V O R C E D E C R E E F I L E D

March 30, 1993 AND NOW, this 29th day of March, 1993, on the grouds of irretrievably breakdown, in the above case having been duly approved, the court, by virtue of the authority vested in it by law, decrees that M I C H A E L D E A N U N G E R and J U D Y L Y N N E U N G E R are hereby divorced from the bounds of matrimony, and all the duties, rights, and claims accorded to either of the said parties at any time heretofore, in pursuance of said marriage, shall henceforth cease and determine, and the said parties shall severally be at liberty to marry again as if they never been married.

AND IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, as follows:

2) Property Distribution

a) The Husband and Wife have entered into a Marriage Settlement AGreement amicably and satisfactorily distributing their personal property among themselves. Each receives his and her own vehicles. The Husband is responsible for the indebtedness on his vehicles, and the Wife is responsible for the indebtedness on her vehicle. The Wife is responsible for the indebtedness at Norwest Financial Services.

b) The parties have amicably, in said Marriage Settlement settled all bank accoutns between them. The Wife waives any claim to any pension of the Husband's.

c) Both parties were advised by Counsel: For the Husband, C. Barton Jones, 306 Liberty St., PO Box 218, Jamestown, PA 16134; and for the Wife, Richard A. Peterson, 66 Shenango St., Greenville, PA 16125.

d) Personal rights were delineated and mutal releases were given.

e) Alimony was waived by both parties, and each assumed their attorney's fees. The usual boilerplate language, including that PA. law shall govern, was included. The Agreement was properly executed and notarized. Husband agrees to pay for the drafting of the Marriage Settlement Agreement.

3) Partial Custody and Visitation

The parties have agreed that the Wife is to have primary custody of the parties' child, Michelle Unger, and the Husband to have partial custody and visitation. Under the contract the Husband's support obligation for Michelle Unger to the Wife is $50.00 per week.

BY THE COURT:
Anthony J. Vardaro, Judge

1992

Kathleen R. Nelson

1083

ALBERT DUBENKO

vs.

NORMA JEAN DUBENKO

Filed November 12, 1992
@ 1:34 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 2/23/93	9.00

COMPLAINT IN DIVORCE
1 copy (atty)

Nov. 25, 1992 Affidavit of Service file. 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, Norma Jean Dubenko, on November 19, 1992.
3. The certified mail was sent to Gage Apartments, 1813 Holland Street, Erie, PA 16503. The sender's receipt is attached hereto.
4. That the Defendant received said certified mail on November 21, 1992. Said Return Receipt Card P. 360 670 074 is attached hereto, signed by Norma Jean Dobenko and made a part hereof

Kathleen R. Nelson

Feb. 22, 1993 Affidavit of Consent of Defendant, filed.

Feb. 22, 1993 Affidavit of Consent of Plaintiff, filed.

Feb. 23, 1993 Upon Praecipe of Plaintiff Attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

March 5, 1993 AND NOW, March 3, 1993, it is ordered and decreed that **ALBERT DUBENKO**, PLAINTIFF, AND **NORMA JEAN DUBENKO**, 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.

1992

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

1084

MICHELLE L. POWELL

vs.

JONATHON R. POWELL

Filed November 12, 1992
@ 3:21 pm

Tax & entry paid 50.50
User's Fee paid 5.00
User's Fee paid 10.00
Pro Co pd 8-12-93 9.00
Pro.Co. pd 8-10-93 5.00

COMPLAINT IN DIVORCE
2 copies atty.

Nov. 1 7, 1992 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 County, Pennsylvania on the above named Defendant by certified mail, addressee only, return receipt requested, dated Nov. 13, 1992. The Defendant acknowledged service on Nov. 16, 1992 by accepting delivery on that date as evidenced by the attached signed return receipt.

Dec. 2, 1992 ANSWER TO COMPLAINT IN DIVORCE, filed. 1 copy plf.

Apr. 12, 1993 Affidavit of Consent of Defendant, filed.

Apr. 12, 1993 Affidavit of Consent of Plaintiff, filed.

Apr. 12, 1993 Upon praecipe of Plaintiff attorney to transmit records, case moved to Court.

May 17, 1993 Withdrawal of Request for Equitable Property Division filed.

DIVORCE DECREE FILED

May 24, 1993 AND NOW, May 20, 1993, it is hereby ordered and decreed that MICHELLE L. POWELL, Plaintiff, and JONATHON R. 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.

Aug. 10, 1993 Notice of Election to Retake Maiden Name of of Michelle L.Powell to be known as MICHELLE L. MATTI, filed.

1992

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

1085

John F. Spataro
Solicitor

IN RE: APPEAL OF FOREST GREEN ESTATES ASSOCIATES, a/k/a FOREST GREEN APARTMENTS, Parcel I.D. No. 3320-063-70011-3A

vs.

BOARD OF ASSESSMENT APPEAL OF CRAWFORD COUNTY, PENNSYLVANIA

Interested Parties: Crawford Central School District and West Mead Township

Filed November 12, 1992
@ 3:38 p.m.

Tax & entry paid 50.50
User's Fee paid 5.00

NON - JURY TRIAL

APPEAL FROM ACTION OF THE BOARD OF ASSESSMENT APPEALS

Dec. 30, 1992 Answer To Assessment Appeal Petition filed.

Apr. 28, 1993 Notice of Intent To Complete Discovery filed.

Nov.4, 1994 Notice of Intent to Complete Discovery, filed.

Dec. 19, 1994 Upon Praecipe of Louis J.Stack, Esquire, Attorney for Appellant, the pleadings are closed,discovery has been completed, alll pretrial matters have been concluded, and this matter be placed upon the February, 1995 non-jury trial list.

ON FEBRUARY, 1995 TRIAL LIST

Feb. 13, 1995 Forest Green's Motion in Limine filed.

Feb. 22, 1995 Pre-Trial Order filed. AND NOW, February 10, 1995, after a pre-trial conference withall counsel present the Court enters the following order:

1. All discovery is completed, except as hereinafter provided, and all parties are ready for trial. The trial shall take place onApril 21, 1995 at 9:15 o'clock a.m. in Courtroom No. 1 of the Crawford County Courthouse. The case shall take one day to try.

2. This is a tax assessment appeal case. The taxpayer owns a large apartment complex in West Mead Township. The taxpayer filed an appeal from the tax assessment in the amount of $1,892.00 on a timely basis in 1992. The Board of Assessment Appeals of Crawford County determined that the fair market value of the property was $2,522,666.60 and applied a pre-determined ratio of .75 toarrive at an assessed value of $1,892,000. The taxpayer has filed an appeal to this Court and the matter willbe heard denovo.

The Board of Assessment Appeal of Crawford County (Board) has the burden of going forward and then the burden of proof shifts to the taxpayer to show the fair market value of the property.

3. Factual issues.

There do not appear to be factual issues as the parties apparently agree on most of the facts.

4. Legal Issues.

There were a number of legal issues prior to the pre-trial conference but some of those issues have been resolved. For instance, the parties agree that the common level ratio, rather than the pre-determined ratio should most likely be used in this case. Furthermore, the parties seem to agree that anydecision made by this Court will apply to all years from 1993 and applicable subsequent years thereafter.

The remaining legal issues are as follows:

a. Whether or not any expert or the Court may take into account the fact that the taxpayer has a Section 8 Housing Contract in determining value.
b. Whether or not the use of the property can be considered in determining value.

5. Disposition of pre-trial motions.

The taxpayer filed a motion in limine basically claiming that the Board has not furnished the names and addreses of any of its expert witnesses nor furnished a copy of their reports or opinions contrary to the local rules. That is true. The Board must follow the rules. Noetheless we will deny the taxpayer's motion in limine and order and direct the Board to notify the taxpayer inwriting of the name and address of any expert it intends to use at trial and give a copy of the expert's report no later than February 27, 1995. The taxpayer shall have four weeks after that to react to that report and that is the reason why the trial is not scheduled until about eight weeks after this date.

6. The Board's case in chief:

The Board intends to call Joseph Galbo as a witness to testify about the current County records then rest. It may call Harry Mueller and/or Ray Sammartino in rebuttal.

The Board intends to use a number of exhibits. It intends to use the Board of Assessment Appeal Notice, assessment cards and the qualifications of its expert witnesses.

7. The taxpayer's case in chief:

The taxpayer intends to call Mark D.Ackerman and John Caspero as witnesses. It intends to use the appeal notice, assessment records, assessment map and other maps, various photos (which are attached to the expert's report) and the expert's report as exhibits.

8. This will be a nonjury trial.

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 seven (7) days prior to trial.

9. Stipulation and/or judicial notice.

Counsel for the Board desires to have the Court take judicial notice of various documents, primarily deeds. The matters on which it is proposed that the Court take judicial notice shall be identified and given to the taxpayer's attorney no later than February 27, 1995.

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

2-22-95 Copies dist. to Johnson, Spataro & Stack

Mar. 8, 1995 ORDER filed. AND NOW, this 6thday of March, 1995, non-jury trials are hereby scheduled in the following cases on the dates and at the times set forth below:

# on February,1995 Civil Trial List	(Abbrvd.) & Docket Number	Non-Jury Trial Date and Time; Courtroom
#33	In Re: Appeal of Forest Green Estates Associates, a/k/a Forest Green Apartments, pacel I.D. No. 3320-063-70011-3A vs. Board of Assessment Appeal of Crawford County,Pennsylvania A.D. 1992 - 1085	April 21, 1995 9:15 A.M. #1 (1 Day)

FOR THE COURT,
Ann A. Walker, Ct. Administrator

3/7/95 Copies dist. by Ct. Adm.

Continued on page 375

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

1086

IN RE: APPEAL OF MEADVILLE FORGING COMPANY, PARCEL I.D. NOS. 3206-038-70001, 3206-039-70001, 3206-043-70001, 3201-003-70001 and 3201-005-70001, and APPEAL OF CRAWFORD COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY by and through MEADVILLE FORGING COMPANY, PARCEL I.D. Nos. 3206-37-70001 and 3201-002-70001

vs.

BOARD OF ASSESSMENT APPEAL OF CRAWFORD COUNTY, PENNSYLVANIA

interested Parties: Crawford Central School District and West Mead Township

Filed November 12, 1992
@ 3:44 p.m.

Tax & entry paid 50.50
User's Fee paid 5.00

NON-JURY TRIAL

APPEAL FROM ACTION OF THE BOARD OF ASSESSMENT APPEALS

Dec. 30, 1992 Answer To Assessment Appeal Petition filed.

Apr. 28, 1993 Notice Of Intent To Complete Discovery filed.

Nov.4, 1994 Notice of Intent to Complete Discovery, filed.

Dec. 19, 1994 Upon Praecipe of Louis J.Stack, Esquire, Attorney for Appellant, the pleadings are closed,discovery has been completed, all pretrial matters have been concluded placed on theFebruary, 1995 Non-Jury Trial List.

ON FEBRUARY, 1995 TRIAL LIST

Jan. 30, 1995 Request For Pretrial Conference filed.

Mar.8, 1995 Stipulation and Consent Order and ORDER filed. AND NOW, this 7 day of Marcy,1995, upon considerationof the within Stipulation, the same is hereby entered as anOrder of this court. The Chief Assessor, Joseph J. Galbo, III, is directed to make the appropriate adjustments to the assessment records and take whatever further action is required in order to effectuate this Order. All taxing bodies are directed tomake any refunds to the taxpayer that this valuation may necessitate.

BY THE COURT:
Anthony J.Vardaro, J.

3-9-95 Faxed to Atty. Stack, 3-16-95 copy to Atty.Johnson & Galbo

1992

~~Joseph F. Kulwicki~~
Withdrawn

1087

CAROL RAPPLE, Individually, and as Mother and Natural Guardian, and
BRENDA DOGGETT

vs.

CHRISTOPHER M. HARRIS

Filed November 12, 1992
@ 3:36 PM

Tax & entry paid 50.50
User's Fee paid 5.00

WRIT OF SUMMONS

Nov. 12, 1992 Upon praecipe of Plaintiff Attorney the above-captioned action is marked settled and discontinued of record.

Nov. 13, 1992 Petition To Compromise and Settle a Minor's Action Under 3323(a) and 5144(10) and 5103 sequestered deposit ofthe probate, estate and fiducaries code and Order filed. AND NOW, this 13th day of November, 1992, upon consideration ofthe within Petition and under the authority conferred by 3323(a) and 5144(10) ofthe Probates, Estates & Fiduciaries Code, Compromise of Controversies and upon motion of Joseph F. Kulwicki, Esquire, attorney for Carol Rapple, mother and natural guardian of Brenda Doggett, and with the consent ofthe minor planitiff, BRENDA, this Court grants the prayer ofthe Guardian's Petition Compromise and Settle a Minor's Action, and Orders distribution ofthe sum of Four Thousand Five Hundred ($4,500.00) Dollars in settlement proceeds as follows:

A. Attorney Fees: Joseph F. Kulwicki, III, Esq. (1/3) $1,500.00
B. Advanced Costs 142.50
C. Cost ofLitigation (per agreement) 140.45
D. Guardian's Costs to Carol Rapple 200.00
E. Net Proceeds to Carol Rapple, Natural guardian of Brenda Doggett $2,517.05

1) to be immediately palced in an interest-bearing account; and
2) said account is to be in the name of the minor, Brenda Doggett; and
3) said account is to be established so that no funds may be withidrawn fromthat account
4) such future Court application for withdrawal of the minor's funds must have a true and correct copy of this Order attached to it as an Exhibit; and
5) it is further Ordered that a true and correct copy of this Order be kept in the official files of any financial institution having possession or contril over any funds distributed to Brenda Doggett pursuant to this Order.

BY THE COURT,
Gordon R. Miller, J

Nov. 16, 1992 Copy of order to Atty. Kulwicki

Nov.16, 1992 Order filed. AND NOW, this 13th day of November, 1992, upon consideration of the within Petition and under the authority conferred by §3323 (a) and §5144 (10) of the Probates, Estates and Fiduciaries Code, Compromise of Controversies and upon motion of Joseph F. Kulwicki, Esquire, attorney for Carol Rapple, mother and natural guardian of Brenda Doggett, and with the consent of the minor plaintiff, BRENDA, this Court grants the prayer of the Guardian's Petition Compromise and Settle a Minor's Action, and Orders distribution of the sum of Four Thousand Five Hundred (4,500.00) Dollars in settlement proceeds as follows:

A. Attorney Fees: Joseph F.Kulwicki, III (1/3) ---------- $1,500.00
B. Advanced Costs ---------- 142.50
C. Cost of LITIGATION (per agreement) ---------- 140.45
D. GUARDIAN'S COSTS to Carol Rapple ---------- 200.00
E. NET PROCEEDS to Carol Rapple, ---------- $2,517.05
Natural guardian of Brenda Doggett

1) to be immediately placed inan interest-bearing account; and
2) said account is to be in the name of the minor, Brenda Doggett; and
3) said account is to be established so that no funds may be withdrawn from that account without further application to the Order of a Court of Competent Jurisdiction; and
4) such future Court application for withdrawal of the minor's funds must have a true and correct copy of this Order attached to it as an Exhibit; and
5) it is further Ordered that a true and correct copy of this Order be kept in the official files of any financial institution having possession or control over any funds distributed to Brenda Doggett pursuant to this Order.

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

Nov. 19, 1992 Copy of the Order to Atty. Kulwicki.

Dec. 23, 1992 Petition Under §5164 of Probate, Estates and Fiduciaries Code for Approval of Expenditures of Funds and Order Filed. AND NOW, this 23 day of December, 1992, upon presentation and consideration of the foregoing Petition and on motion of counsel for the Guardian, it is ORDERED and DECREED that CAROL RAPPLE, as Guardian, is hereby authorized the following expenditures to be paid from the above minor's account,held on deposit at the Northwest Savings Bank, Meadville, PA:

1. Clothing, kfamily Christmas gifts $350.00
2. Joseph F. Kulwicki, Esq. office & Secetarial fees 50.00
Total Expenditures $400.00

Plus filing fees on this petition.

BY THE COURT,
Robert L. Walker, J.

Dec. 30, 1992 Copy of Order to Atty. Kulwicki.

Aug. 31, 1993 Petition to Get Funds from Account for School Clothing and ORDER OF COURT filed. And now, Aug. 31, 1993 Northwest Savings authorized to release $300.00 to mother Carol A. Rapple. Mother will file receipt for approximately $200 for clothing within 10 days with records in this case at no cost for filing fee. Mother shall retain $100 for future clothing need & file further receipts when spent on or before 11/1/93.

P.Richard Thomas, S.J.

Aug. 31, 1993 Copy of Order to Atty. Kulwicki.Copy to Carol Rapple,Plaintiff.

Sept. 24, 1993 Motion to Withdraw Appearance and Order filed. ORDER: AND NOW, this 24th day of September, 1993, Motion granted. BY THECOURT
Oct. 1, 1993 copy to Kulwicki Gordon R. Miller, P.J.

1992

Jorden & White
Harry F. White II

1088

LINDA L. DAVISON

vs.

DOUGLAS M. DAVISON

Filed November 12, 1992
@ 3:59 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro.Co. pd 2/26/93	9.00

COMPLAINT IN DIVORCE
1 copy atty.

Feb. 26, 1993 Acceptance of Service filed. AND NOW, this 18th day of February, 1993,comes the Defendant, Douglas M.Davison, and swears that he accepted service of a Divorce Complaint under Section 3301(c) of the Divorce Code and a Notice to Plead under Section 3301 (c), on or about December 18, 1992, in the above captioned matter, with the full force and effect of service under the Divorce Code of Pennsylvania.

Douglas M.Davison

Feb. 26, 1993 Affidavit of Consent by Linda L. Davison, Plaintiff, filed.

Feb. 26, 1993 Affidavit of Consent by Doulgas M.Davison, Defendant, filed.

Feb. 26, 1993 Upon Praecipe of Plaintiff Attorney, Harry Faber White, II, Esquire to transmit record, case moved to Court.

Mar. 12, 1993 Memorandum filed. This matter is before the Court upon Plaintiff's praecipe to transmit record with regard to a Section 3301(c) divorce.

Everything appears to be in order except that the Complaint was filed on November 12, 1993 and the acceptance of service dated February 18, 1993 and filed February 26, 1993 indicates that the Defendant received a copy of the divorce complaint on December 18, 1992 which is therefore not within the time allowable for the service of irignal procees pursuant to Pa.R.C.P. 401(a).

Therefore, the complaint when served was no longer valid insofar as it had not been reinstated pursuant to Pa.R.C.P. 401(b)(1).

Accordingly, this file is returned to the Prothonotary so that the Plaintiff may take action consistent to correct this problem and once that is done she may again praecipe to bring this matter to the Court.

BY THE COURT:
Anthony J. Vardaro, J

3-12-93 Copy to Atty. White

Apr. 6, 1993, Complaint Reinstated.

Apr. 15, 1993 Acceptance of Service filed. AND NOW, this 8th day of April, 1993, comes the Defendant, Douglas M. Davison, and swears that he accepted service of a Divorce Complaint under Section 3301(c) of the Divorce Code and a Notice to Defend and Claim Rights on the 8th day of April, 1993, with the full force and effect of service under the Divorce Code of Pennsylvania.

Douglas M. Davison

Apr. 22, 1993, Upon praecipe of plaintiff attorney, to Transmit Record Section 3301(c) of the Divorce Code, this case moved tocourt.

DIVORCE DECREE FILED

May 4, 1993 AND NOW, May 3, 1993, it is hereby ordered and decreed that Linda L. Davison, plaintiff, and DOUGLAS M. DAVISON, 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.

1992

Mary Ann Kirkpatrick

1089

$150.00 mediation fee deposited by plantiff on 11/13/92

JOSEPH EDWARD YORK

vs.

TERRIE DECKER MOORE

Filed November 13, 1992
@ 9:47 am

Tax & entry paid 50.50
User's Fee paid 5.00

William Pineo, Mediator

COMPLAINT IN CUSTODY
1 copy (atty), 1 copy (med)

ORDER:

You, Terrie Decker Moore , Defendant have been sued in Court to obtain custody of the child, David John York.

You are ordered to appear in person before Custody Mediator William Pineo , at such time and place as the Mediator may specify.

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

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAYWER 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, Pennsylvania

Telephone 814-336-1151,
ext. 298

By the Court,
Gordon R. Miller, J

1633

Date: 10/30/91

Nov. 18, 1992 Affidavit of Service filed. And Now, November 18, 1992, 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 Joseph Edward York, 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 899 085 785; postmarked November 13, 1992, to the last known address of the Defendant, Terri Decker Moore, 504 North St., Meadville, PA 16335.
3. That the Defendant, Terrie Decker Moore, on November 14, 1992, personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto.
4. Service ofthe Complaint against Defendant is therefore effected in accordance with Pennsylvani Rules of Civil Procedure.

Constance L. Deitman

Dec. 11, 1992 Motion to Continue and Mediator's Recommendation filed. AND Now, December 9, 1992, the mediation conference scheduled for December 10, 1992, shall be continued generally and Plaintiff;s $150.00 deposit for payment pursuant to Local Rule 1915.3c shall be returned to Plaintiff upon discontinuance of this case.

William Pineo, Custody Mediator

Dec. 16, 1992 Copy of Motion to Attys. Kirkpatrick and Pineo.

1992

1090

PETITION FOR EXTENDED
INVOLUNTARY TREATMENT
OF

LAWRENCE L. PROPER

Filed November 13, 1992
@ 9:47 am

PETITION FOR EXTENDED INVOLUNTARY TREATMENT
Mental Health Procedures Act Of 1976
(Section 303)

Certification by the Court for Extended Involuntary Emergency Greatment, filed.

Dec 8, 1992 PETITION FOR INVOLUNTARY TREATMENT, filed.

Dec. 16,1992 Report of Mental Health Review Officer, Recommendation and Order filed. AND now, December 15, 1992, upon consideration of the petition filed at the above number and term, and other relevant matter, and after a review of the report of the Mental Health Review Officer, it is hereby ORDERED and DIRECTED that the said Lawrence L. Proper be committed to Warren State Hospital for treatment for a period not to exceed 90 days.

This order shall take effect on December 17, 1992.

BY THE COURT,
Gordon R. Miller, J.

Dec. 16, 1992 Copy of Order to Hospital, MH/MR and Atty. Peterson

Apr. 8, 1993 Petition for involuntary Treatment, filed.

Apr. 8, 1993 Report of Mental Health Review Officer and Order, filed. ORDER: AND NOW, this 6th day of April, 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 DECREED that the said LAWRENCE PROPER be committed to the Warren State Hospital in Warren, Pennsylvania, for treatment for a period not to exceed 180 days from February 8, 1993.

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

Apr. 14, 1993 copy to T. Africa, MH/MR, WSH

1992

1091

Bruce Barrett

PETITION FOR EXTENDED
INVOLUNTARY TREATMENT
OF

JEFFREY B. BULGER

Filed November 13, 1992
@ 9:47 am

PETITION FOR EXTENDED INVOLUNTARY TREATMENT
Mental Health Procedures Act of 1976
(Section 303)

Certification by the Court for Extended Involuntary Emergency Treatment, filed.

Dec 8, 1992 PETITION FOR INVOLUNTARY TREATMENT, filed.

Dec. 16, 1992 Report of Mental Health Review Officer, Recommendation and Order filed. And Now, December 15, 1992, upon consideration of the peition 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 Jeffrey B. Bulger be committed to Warren State Hospital for treatment for a period not to exeed 90 days.

This order shall take effect on December 17, 1992.

BY THE COURT,
Gordon R. Miller, J.

Dec. 16, 1992 Copy of Order to Hospital, MH/MR,

Mar. 31, 1993 Report of Mental Health REview Officer, Findings of Facts, Recommendation and Order filed. AND NOW, this 1st day of April, 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 DECREED that the said Jeffrey B. Bulger be committed to the Warren State Hospital in Warren, Pennsylvania, for treatment for a period not to exceed 180 days from March 16, 1993.

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

Apr. 5, 1993 Copy of Order to Atty.Africa, WSH, MH/MR.

Mar. 31, 1993 Petition for Involuntary Treatment filed.

Oct. 13, 1993 Petition For Review Hearing, filed.
Oct. 13, 1993 Petition For Involuntary Treatment, filed.

Oct. 13, 1993 Report of Mental Health Review Officer and Order, filed. ORDER: AND NOW, this 12th day of October, 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 Jeffrey B. Bulger be committed to the Warren State Hospital for treatment for a period not to exceed 180 days from September 28, 1993.

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

Oct. 20, 1993 copy to T. Africe, WSH, MH/MR

Oct 20, 1993 ORDER filed. AND NOW, this 18th day of October, 1993 a hearing on the petition for review is hereby set for the 22nd day of October, 1993 at 9:00 o'clock a.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse.

Counsel for the petitioner shall serve a true and correct copy of the petition for review and this Order upon the petitioner, Susan D. Wehrle, and the Inpatient Mental Health Unit of the Meadville Medical Center by personal service forthwith. An appropriate retrun of service shall be filed at the time of the hearing.

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

Oct. 20, 1993 copy to Barrett by Court.

Oct. 26, 1993 Motion to Continue and ORDER OF THE COURT filed. AND NOW, October 26, 1993, upon consideration of the foregoing motion, the REview Hearing scheduled for October 22, 1993, at 9 o'clock a.m. is hereby continued. The Review Hearing is set for the 4th of NOv., 1993, at 2 o'clock p.m.

Anthony J. Vardaro, J.

10-29-93 Copy of Order to Atty. Barrett,T. Africe,WSH. MH/MR

Nov. 5, 1993 ORDER filed. AND NOW, November 4, 1993 after hearing, the Court is satisfied that the patient's needs can be satisfactorily met at thelocal level and accordingly, we terminate his commitment to Warren State Hospital and in accord with Section 306 of the Mental Health Act, direct his transfer from supervision at warren State Hospital to supervision by the Crawford County Mental Health/Mental Retardation Agency, with said supervision to be for a period of 180 days from September 28, 1993. This transfer is conditioned on the patient faithfully adhering to all instructions, treatment modalities, and supervision offered by the Crawford County program and subject also tohis remaining in residence at the home of his mother at 379 Walnut Street.

The patient need not return to Warren State Hospital for dismissal processing by agreement of counsel in this case and counsel for the hospital will make the necessary arrangements for the patient's medications to be transferred to a family member during the evening of November 4, 1993 so medications can be continued at the local level. Likewise, the Court requests the cooperation of Warren State Hospital in gathering together the patient's personal effects, clothing, and belongings to transfer to a family member arriving at Warren State Hospital this date.

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

NOv. 9, 1993 gave copy to MMC. copy to B. Barrett, E. Carey

FOR FUTURE ENTRIES AS OF MAY 1, 2000 SEE COMPUTER.

1992

~~Barbara J. Walton~~ withdrawn
James R. Irwin

Bukac & Toomey
Terry Toomey

1092

Kathleen R. Nelson

$150.00 mediation fee deposited by plaintiff on 11/13/92

12-17-92 Pd Plff Refund Bal med dep Ch#7227 65.00

Pd Comm. med fee Ch#7251 76.00 12-31-92

6-17-93 Recieved from Deft. Med Fee 76.00

6-28-93 Pd CC Com. Ch#7634 Med Fee 76.00

4-18-94 Rec from deft Med. deposit 150.00

6-15-94 Pd deft Bal Maddeys Ch#8379 52.50

9-12-94 Pd CC Ch#8544 88.67

3-25-97 Ref from Plff med fee 88.50

88.50

KEVIN M. SMITH

vs.

B. ELIZABETH FAUST

Filed November 13, 1992
@ 11:09 am

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co Pd 1-5-92 Ch# 7252	9.00
Pro Co. Pd 9-94	9.00

COMPLAINT FOR SHARED CUSTODY AND VISITATION RIGHTS
1 copy (atty); 1 copy (med.)

You, B. Elizabeth Faust , Defendant have been sued in Court to obtain custody ofthe children:

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

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

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

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

Date: 11/9/92

BY THE COURT,
Gordon R. Miller, J

Nov. 25, 1992 Appearance of Kathleen R. Nelson for Defendant filed.

Dec. 17, 1992 TEMPORARY ORDER filed. AND NOW, this 17 day of December, 1992, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor child, Erin Elizabeth Faust.

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

3a. The mother shall have primary physical custody of the subject minor child. The father shall have temporary physical custody each Saturday from 10:00 a.m. to 4:00 p.m. and one weekday evening each week from 4:00 p.m. to 8:00 p.m. The father shall notify the mother 48 hours in advance of the weekday evening he wishes to select. Starting with Jan., 1993, the visitations schedule shall change and the father shall have visitation and temporary physical custody on the first and third full weekends of each month from Friday at 4:00 p.m. through Saturday at 4:00 p.m. In addition, he shall have visitation on the second weekend of each month from Saturday at 10:00 a.m. to Saturday at 8:00 p.m. The weekly weekday visitation shall continue.

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

4. Holiday visitation shall be arranged as follows:

a. Christmas: The father shall have visitation with his daughter each Christmas from 4:00 p.m. to 9:00 p.m. and the mother shall have visitation and temporary physical custody each Christmas from Christmas Eve at noon through Christmas Day at 4:00 p.m.

b. Thanksgiving: The mother will have temporary physical custody and visitation with Erin each Thansgiving from 4:00 p.m. of the Wednesday preceding Thanksgiving through 4:00 p.m. of Thanksgiving Day and the father shall have visitation and temporary physical custody from 4:00 p.m. to 9:00 p.m. of Thanksgiving Day.

c. Easter: The mother shall have visitation and temporary physical custody each Easter from 8:00 p.m. Holy Saturday through 4:00 p.m. of Easter Sunday and the father shall have visitation and temporary physical custody from 4:00 p.m. through 9:00 p.m. of Easter Sunday.

d. The father shall have visitation each Independence Day from 10:00 a.m. to 11:00 p.m. so that he and his daughter may watch the fireworks. The mother shall have visitation and temporary physical custody each Memorial Day and Labor Day from 9:00 a.m. to 8:00 p.m.

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

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

5. Should it be necessary for either party to cancel or modify the visitations as set out in this Order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

6. The parties shall split responsiblity for transportation with the party receiving the child in the exercise of his or her rights picking up the child at the home of the other. The mediator notes for the court that the father is presently under license suspension. Until the father's license shall have been restored, he shall arrange for the child to be transported either by his mother or sisters, provided that they are properly licensed to drive. The automobile shall at all times be insured and properly registered. The mother shall have the right to reasonably demand proof of insurance, registration, and proper licensing of the driver.

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

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

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

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

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

RECORD CONTINUED ON PAGE 192(a)

KEVIN M. SMITH

VS.

B. ELIZABETH FAUST

RECORD CONTINUED FROM PAGE 192

OF

AD 1992 - 1092

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13. The deposit required for the appointment of the custody mediator was made by the father. The deposit shall be first applied against the father's share of costs and fees and the remainder shall be remitted to him.

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,
Anthony J. Vardaro, J.

Dec. 18, 1992 Copy of Order to Attys. Wm. Pineo, Terry Toomey, Kathleen Nelson; copies mailed to plf. and dft.

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

April 18, 1994 Petition for Review of Custody Order by Mediator and ORDER filed. AND NOW, this 15 day of April, 1994, upon consideration of the herin Petition, this matter is again referred to William Pineo, Custody Mediator, for the purpose of reviewing the Order heretofore entered and addressing the requests of the Petitioner set forth herein.

BY THE COURT:
Anthony J. Vardaro, J.

April 18, 1994 Copy of Order to Attys. Wm. Pineo, Kathleen Nelson, Terry Toomey, James Irwin.

April 26, 1994 Appearance of Barbara J. Walton, Esquire on behalf of plaintiff filed.

May 23, 1994 Petition to Modify Custody and Order filed. AND NOW, this 20 day of May, 1994, upon presentation of the Petition to Modify Custody, it is Ordered that this matter shall be heard in conjunction with with the Custody Mediation which is scheduled for May 23, 1994 at 10:00 a.m. before Attroney William Pineo, Esquire, Child Custody Mediator.

BY the Court:
Gordon R. Miller, J

May 23, 1994 Faxed Nelson, given 2 copies atty/mediator

********** SEE BELOW:**********

Jun. 10, 1994 Petition for Contempt, filed.

Jun. 10, 1994 ORDER filed. AND NOW, June 8, 1994, the Plaintiff appears in Motion Court pro se with a handwritten document that appears, and particularly after our discussions with the Plaintiff, to be a petition to hold the Defendant in contempt of court for violation of the temrs of a custody order.

The document is unverified but Plaintiff does indicate that he gave notice to the Defendant by hand delivery on June 6, 1994 and has attached t he appropriate certification.

We will schedule this matter for hearing with respect to the alleged contempt for July 7, 1994, at 9:00 A.M. in Courtroom No. 2, Crawford County Courthouse, before the undersigned.

The Prothonotary is directed to provide a certified copy of this order to the Plaintiff at Box 121, Saegertown,PA 16433 and, at least ten days prior to the scheduled hearing, Plaintiff shall serve the certified copy of this order upon the Defendant by certified mail, return receipt requested, addressee only or by personal service.

The Plaintiff shall not be required to service a copy of his filing filed in Motion Court this day insofar as he maintains that he has already served that on the Defendant on June 6, 1994.

BY THE COURT:
Anthony J.Vardaro, J.

6-10-94 Faxed to Attys. Walton, Toomey, Irwin & Nelson. Given to Pineo and Mailed Deft. w/cert. copy for deft.

********June 2, 1994 TEMPORARY ORDER filed. AND NOW, this 1 day of June, 1994, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor chidlren, Erin Elizabeth and Zachary Taylor Faust.

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 mother shall have primary physical custody of the subject minor children. The father shall have temporary physical custody and visitation with Erin on the first and third full weekends of each month from Saturday at 9:00 a.m. through Sunday at 4:00 p.m. In addition, the father shall also have visitation and temporary physical custody on Saturday of the second full weekend of each month from 9:00 a.m. to 7:00 p.m. and one afternoon each week from 4:30 p.m. to 7:30 p.m. With respect to the evening visitation, the father shall give the mother 48 hours notice of which evening he wishes to select. The father shall also have visitation and temporary physical custody with Erin each Monday from noon to 7:30 p.m. during the mother's summer vacation and from 4:30 p.m. to 7:30 p.m. during the rest of the year.

b. The father shall have temporary physical custody and visitation with Zachary each Monday from noon to 4:00 p.m. during the mother's summer vacation and from 4:30 p.m.t o 7:30 p.m. during the remainder of the year. After Zachary shall have reached the age of two years, the father shall have visitation and temporary physical custody with him during the same hours as he has with Erin.

c. The parent not having physical custody shall have the right to telephone the subject minor children at reasonabl 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: The father shall ahve visitation with his children each Christmas from 4:00 p.m. to 9:00 p.m. and the mother shall have visitation and temporary physical custody each Christmas from Christmas Eve at noon through Christmas Day at 4:00 p.m.

b. Thanksgiving: The mother shall have temporary physical custody and visitation with her children each Thanksgiving from 4:00 p.m. of the Wednesday preceding Thanksgiving through 4:00 p.m. of Thanksgiving Day, and the father shall have visitation and temporary physical custody of the children from 4:00 p.m. to 9:00 p.m. of Thanksgiving Day.

c. Easter: The mother shall have visitation and temporary physical custody of the children each Easter from 8:00 p.m. Holy Saturday through 4:00 p.m. of Easter Sunday, and the father shall have visitation and temporary physical custody from 4:00 p.m. to 9:00 p.m. of Easter Sunday.

d. The father shall have visitation and temporary physical custody of Erin each Independence Day from 10:00 a.m. to 11:00 p.m., so that he and his daughter may watch the fireworks. Starting with Independence Day, 1994, the father shall also have visitation and temporary physical custody of Zachary during the same hours. The mother shall have visitation and temporary physical custody each Memorial Day and Labor Day from 9:00 a.m. to 8:00 p.m.

RECORD CONTINUED ON PAGE 192 (b).....

192 (b)

e. Erin shall spend Father's Day with her father from 9:00 a.m. to 7:00 p.m., and Mother's Day with her mother during the same hours. Starting in 1995, Zazhary shall have the same visitation during the same hours.

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

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

6. Should it be necessary for either party to cancel or modify the visitations as set out in this order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of teh necessity which impels teh cancellation or modification. Said modifications or cancellations shall nto be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements. Negotiations between the parties shall be carried out by them and the parties shall not use the children as message carriers or negotiators.

7. The parties shall split responsibility for transportation with the party receiving the children in the exercise of his or her rights picking up the children at the home of the other. The mediator notes for the court that the father is presently under license suspension. Until the father's license shall have been restored, he shall arrange for the children to be transported either by his mother, sisters or his girlfriend, Joanna Blair, or by any driver in the company of the father,provided that any driver shall be properly licensed to drive. The automobile shall at all times be insured and properly registered. The mother shall have the right to reasonably demand proof of insurance, registration, and proper licensing of the driver. Any person transporting the children shall make sure that the seat belts or other restraints are used in accordance with the laws of PA.

8. Should the father be more than one-half hour late in picking up the children, without first having called or otherwise have notified the mother that he is to be late, the mother may consider the visitation cancelled and no alternative visitation need be arranged.

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

10. Neither party shall use illegal drugs or alcohol at any time when said party has the care and custody of the subject minor children. The parties are cautioned that medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in the same room as the children, in a closed automobile in which teh children are being transproted, or in the 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 children's presence and each party shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the children's estimation.

12. Costs and fees of this Mediation, which are fixed at $177.00, are divided equally between the parties with a share of each being assessed to him or her as costs in this case.

13. The deposit required for the appointment of the Custody Mediator was made by the father. The deposit shall fir 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 Co. within thirty (30) days of the date of this Order.

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

By the Court,
Anthony J. Vardaro, J.

June 21, 1994 Copy of Order to Attys. Wm. Pineo, Walton, Nelson; copy mailed to plf. and dft.

June 15, 1994 Motion To Amend Temporary Order and ORDER ON MOTION TO AMEND TEMPORARY ORDER filed. AND NOW, this 15 day of June, 1994, upon consideration of the foregoing motion, the same is hereby granted and Paragraph 13 of the temporary order is amended to read as follows:

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

In all other respects, the temporary order is affirmed.

Parties shall have ten (10) days from this date in which to apply for a hearing de novo from the temporary order as amended.

By the Court,
Anthony J. Vardaro, J.

June 22, 1994 Copy of Order to Attys. Pineo, Walton, Nelson; copy mailed to Plf. and Dft.

June 17, 1994 Motion For Hearing De Novo and Order, filed. AND NOW, this 16 day of June, 1994, the herein Motion for Hearing De Novo in the above custody action is hereby granted and scheduled for the 26th day of July, 1994, at 9:00 A.M., in Courtroom 2 of the Crawford County Courthouse, Meadville, Pennsylvania 16335. Anthony J. Vardaro, J.
June 17, 1994 Faxed Walton & Nelson. June 24, 1994 Faxed Irwin & Toomey

Jun. 17, 1994 Motion for Leave to Withdraw Appearance and ORDER filed. And Now, June 16, 1994, the motion for withdrawal of appearance is granted.

By the Court:
Anthony J. Vardaro, J.

Jun. 17, 1994 Dist. to Walton & Nelson

Jul. 18, 1994 ORDER filed. AND NOW,July 7, 1994 this matter is before the Court ona pro se petition for contempt filed in Motions Court on June 8, 1994 by the Plaintiff. The Plaintiff appears and the Defendant appears represented by counsel.

Prior to June 1, 1994 the parties were under an order with respect to the minor child Erin Elizabeth Faust dated December 17, 1992 as a result of a mediation conference. The temporary order of June 1, 1994 now includes Erin Elizabeth and Zachary Taylor Faust, and said order will be the subject of a de novo hearing scheduled on July 26, 1994.

The Plaintiff's petition for contempt addresses not only the December 17th, 1992 order and alleged violation of that order, but also alleged violation of the June 1, 1994 order.

After informal hearing, it appears that there have been some miscommunications between the parties and perhaps the order of June 1, 1994 is not as clear as it should be, but we decline to hold the Defendant in contempt at this time.

However, in declining to do so, we will require that both parties follow the order of June 1, 1994 until such time as the de novo hearing takes place and this Court enters any other appropriate order.

Additionally, we will require that in light of the fact that the Plaintiff has lost certain periods of temporary custody, that the following schedule with respect to temporary custody take place:

1. The Plaintiff shall have temporary custody of Erin Elizabeth beginning on July 16, 1994 at noon and continuing through July 18, 1994 at 4:00 p.m. The Plaintiff shall, in addition to his normal period of visitation with Zachary on July 18, 1994 from noon until 4:00 p.m., also have a period of temporary physical custody with respect to Zachary on July 16, 1994 from noon until 4:00 p.m.

2. The Plaintiff shall have a period of temporary physical custody with Erin beginning July 30th, 1994 at noon and continuing through August 1, 1994 at 7:30 p.m. Additionally, the Plaintiff will have not only his normal period of temporary physical custody with Zachary of August 1, 1994 from noon until 4:00 p.m. but will also have a noon to 4:00 p.m. period of temporary physical custody with Zachary on July 30, 1994.

Continued to Page 192 C

In all respects in which this order is not inconsistent with the order of July 1, 1994 the parties shall continue to follow that order. Insofar as this order is only intended to supplement that order to make up for periods of lost visitation incurred by the Plaintiff.

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

7-19-94 Copies dist. to Pltf., Walton, Nelson & Pineo

July 28, 1994 ORDER filed. AND NOW, July 26, 1994 this matter is before the Court dor a de novo custody hearing pursuant to the request of the Defendant. The Plaintiff appears unrepresented by counsel.

We have informal but extensive discussions with the parties and arrive at the followisng order. In doing so, we will at this time affirm the order of Juen 1, 1994 to the extent that it is not inconsistent with this order and we will affirm our order of July 7, 1994 to the extent it is not inconsistent with this order. Essentially, the changes that we will make will in their entirety be in effect through August 6, 1994 and thereafter to a large extent the changes will also remain in effect except to the extent that they are inconsistent with the new visitation and temporary custody schedule that will commence on the weekend of August 6, 1994.

Therefore, the following changes will be made with respect to our order of June 1, 1994.

1. During any period of time that either child is in father's custody on a Sunday morning, father shall consistently require such child to attend a Methodist Church and shall provide proof of attendance at Sunday School for each Sunday in writing from the Sunday School to mother. Mother shall, on the other hand, during any period of time a child is with her on a Sunday morning, require consistent attendance at sunday School and church and shall provide to father proof of attendance at Sunday School with said proof to come from the Sunday School.

2. With respect to paragraph 3(a) of the temporary order of June 1, 1994 the language which indicates that father shall have one afternoon each week from 4:30 p.m. to 7:30 p.m. shall be deleted in light of the fact that there is a fixed Monday schedule for such afternoon visitation.

3. With respect to the language in paragaraph 3(b) of the order of June 1, 1994 on any occasion when the children are brought to father for a noon-beginning visit, he may assume that the children have not eaten and he shall be resplonsible for providing a meal to the children or child, whichever the case may be at that time.

4. Wsith respect to paragaraph 6 of the order of June 1, 1994 both parties are reminded and cautioned that they should not use the children as message carriers or negotiators and both parties are again encouraged to communicate with the other in providing the necessary information that should be provided between the parents with respect to the well-being of each child.

5. With respect to paragraph 7 of the order of June 1, 1994 at any time father uses any person to drive him for the purpose of transporting the children, said person shall not be under the influence of alcohol or non-prescription drugs nor shall such person smoke cigarettes in the presence of the child or children.

6. The language in the order of Juen 1, 1994 with respect to Paragraph 7 concerning mother's ability to determine that a driver is properly licensed shall be limited to the extent that she may 'ask any driver who appears for the first time to provide a driver's license only. She shall not be permitted to ask any person whether their vehicle is insured and properly registered, nor shall she be permitted to ask for even a driver's license from teh Plaintiff's mother, sisters or his current girlfriend, Joanna Blair. When father begins to drive again himself, mother may ask to see his driver's license on one occasion when he first appears driving a vehicle to be sure that he is now properly licensed.

7. With respect to the order of June 1, 1994 par4agraph 8 is amended to be 15 minutes late rather than one-half hour late.

8. If there is a missed visit at any time, the party shall discuss and arrive at a new date and time to make up a visit for a comparable period of time with such date to be arrived at within 24 hours of themissed visit. To be clear, the Court does not mean that the make up will have to occur within 24 hours but only that the parties will have arrived at a new date and time for a comparable period of time within that 24 hours.

9. With respect to the exchange of the children for any visitation or period of temporary custody, it shall be presumed that with respect to the Defendant mother, that shall occur at her residence and with respect to the Plaintiff father, that shall occur at his parents residence, which is also his residence,unless the other party shall notify the party who will be coming to bring the children or pick up the children of a different locatiion at least 6 hours before the scheduled exchange.

10. Father is currently involved in a relationship with a girlfriend that has been ongoing for approximately 6 months. It appears that it may be a permanent relationship but these parties have not yet filed a divorce action. Accordingly, neither child shall be permitted to spend an overnight visit at the Plaintiff's girlfriend's house until January 15, 1995 if in fact the Plaintiff is still involved in a relationship with the same girlfriend. Therefore, pending any further order of Court, either child may be permitted to spend overnight times at the girlfriend's house.

11. Effective the weekend of August 6, 1994 the periods of temporary custody with father shall chang eso that father has Erin from noon on that Saturday, August 6, 1994 until 5:00 p.m. on Sunday, August 7, 1994 and that same schedule shall occur thereafter every other weekend. Additionally, on the first Monday of the month after the first weekend Erin is not in father's temporary physical custody, father shall have Erin from noon until 7:30 p.m. during mother's summer vacation and from 4:30 p.m. to 7:30 p.m. during the rest of the year. With respect to Zachary, effective August 6, 1994 in addition to the normal Monday visitation, which is set forth in the temporary order of June 1, 1994 and which shall now become a Monday visitation on the Monday consistent with the one we have set forth above for Erin, father shall also have visitation with Zachary from noon to 4:00 p.m. on Saturday and 1:00 p.m. to 5:00 p.m. on Sunday of every other weekend commencing with the weekend of August 6, 1994 and it shall be mother's responsibility to provide any extra transportation with resplect to 4:00 p.m. Saturday and 1:00 p.m. on Sunday, to allow those visitations to occur.

12. Effective the first scheduled weekend of temporary physical custody with respect to Erin, following the second birthday of Zachary, which is in April of 1995, the amended visitation schedule and temporary custody schedule in effect for Zachary shall cease and he shall be scheduled for temparary physical custody periods with father the same as Erin.

13. With respect to holiday periods of temporary physical custody, the parties shall abide by the terms and conditions of the June 1, 1994 order, except that Independence Day shall be modified so that the period of temporary physical custody with father each year shall commence on July 4th at noon and endon July 5th at noon.

As we have indicated, in all respects that this order is not inconsistent with the order of June 1, 1994 and July 6, 1994 they are affirmed.

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

July 28, 1994 copies dist to Pineo, Plf. & Nelson
Aug. 3, 1994 Faxed to Irwin & Toomey

Aug. 10, 1994 Motion to Withdraw Appearance and ORDER filed. AND NOW, this 9 day of August, 1994, upon presentation and consideration of the within Motion, said Motion deemed as not complying with Crawford County Local Rule L 1012B.

Anthony J. Vardaro, J.

8-10-94 Faxed toAttys. Irwin, Toomey & Nelson

1992

Terry Toomey

1093

Pro Se

ADA LOUISE COLLUM

vs.

ALVIN A. COLLUM

Filed November 13, 1992
@ 11:12 am

Tax & entry paid 50.50
User's Fee paid 5.00
State paid 10.00
Pro pad 12/4/92 9.00

COMPLAINT IN DIVORCE
1 copy (atty)

Nov. 30, 1992 Notice of Intention to Request of Divorce Decree filed.

Nov. 30, 1992 Acceptance of Service of Notice of Intention to Request Entry of Divorce Decree and Praecipe to Trasmit the Record filed.

Nov. 30, 1992 Acceptance of Service and Entry of Appearance Pro Se filed. I, ALVIN A. COLLUM, the Defendant named in the above-captioned Divorce Action do hereby acknowledge my receipt of the Complaint in Divorce as of the date evidenced below. FURTHER, I do hereby by appearance Pro Se.
11/13/92 Alvin A. Collum, Defendant

Nov. 30, 1992 Defendant's Conter-Affidavit Under §3301 (d) of the Divorce Code filed.

Dec. 4, 1992, Upon praecipe of plaintiff attonrey, for review, this case moved to court.

D I V O R C E D E C R E E F I L E D

December 10, 1992 AND NOW, December 9, 1992, it is hereby ordered and decreed that **A D A L O U I S E C O L L U M ,** Plaintiff, and **A L V I N A . C O L L U M ,** 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.

Gifford, Lay & Johnson
Thomas D. Heberle

1094

COMMONWEALTH OF PENNSYLVANIA

vs.

LUCIANO JAMES VARASSO

Filed November 13, 1992
@ 11:20 am

Tax & entry paid 50.50
User's Fee paid 5.00

PETITION FOR APPEAL FROM LICENSE SUSPENSION AND SUPERSEDEAS
2 copies Atty.

Order:

AND NOW, to-wit, this 12 day of November, 1992, pursaunt to the foregoing Petition, a hearing is scheduled on February 25, 1993 at 1:30 P.M., and th esuspension of the Appellant's operating privileges is stayed or a supersedeas is issued meanwhile.

It is further Ordered that a true and correct copy of the foregoing Petition and accompanying Order be served upon the Department of Transportation, Bureau of Traffic Safety Operations, by United States Certified Mail within ten (10) days of the date of this Order. A true and attested coy shall be served upon the Department of Highways Commonwealth of Pennsylvania

Gordon R. Miller, J

Nov. 18, 1992 Order Resetting Hearing Date filed. And now, N November 18, 1992, hearing in the above captioned matter heretofore scheduled for Thursday, February 25, 1993, is hereby reset for Wednesday, February 24, 1993 at 10:00 a.m. in Courtroom 1 or 2 of the Crawford County Courthouse.

For the Court,
Imogene Yetman, CA

Nov. 18, 1992 copies mailed to Atty's Heberle and Kuhar

Dec. 2, 1992, Motion for Transfer and Order of Court filed. ORDER OF COURT: AND NOW, to-wit, this 1 day of Dec. 1992, upon consideration of the foregoing motion and agreement ofthe parties, the above mentioned matter is transferred to the Court ofCommon Pleas of Erie County, Pennsylvania.

BY THE COURT,
Anthony J. Vardaro,
Judge

Dec. 3, 1992 copies of order to Attys. Heberle and Kuhar.

Dec. 3, 1992, Affidavit of Service of Petition for Appeal From License Suspension and Supersedeas filed. I, Thomas D. Heberle, atty. for the appellant, Luciano James Varasso, hereby certify that a true and correct and attested copy of the petition for Appeal from License Suspension and Supersedeas in the above action, was served upon the Dept. of Highway and Dept. of Trans. by cert. mail, ret. rec. req. on Nov. 20, 1992. The ret. receipts are attached hereto and marked as " Exhibit A".

Thomas D. Heberle, Esq.

(PAPERS IN ABOVE ACTION MAILED TO PROTHONOTARY OF ERIE COUNTY, PA.)

1992

Barbara J. Walton

1095

DIANA L. REYNOLDS

vs.

CONNIE POFFERBERGER and
MARK POFFENBERGER

Filed November 13, 1992
@ 12:19 p.m.

Tax & entry paid 50.50
User's Fee paid 5.00

COMPLAINT FOR CUSTODY
2 copies (atty)

Nov. 24, 1992 Stipulation and Consent Custody Order filed. AND Now, this 23rd day of November, 1992, upon presentation of the Stipulation and Consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED and DECREED that:

1. Primary physical custody of the minor child, MARGO ANN CROSS, born July 28, 1979 shall be with the maternal aunt, Diana Reynolds at her hom, located in Meadville, Pennsylvania.

2. The Plaintiff shall have legal and physical custody the minor child.

3. All visitation between the natural parents, CONNIE POFFENBERGER and MARK POFFENBERGER and the minor child, MARGO ANN CROSS shall be by mutual agreement of the parties.

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

5. The parties to this action agree that this Honorable Court retain jurisdication of this matter.

By the Court:
Gordon R. Miller, J.

Nov. 24, 1992Copy of Order to Atty. Walton.

196

1992

Fuller, Kinnunen,
Petruso, Gamble,
Fabian & Hall
Gary A. Fabian

1096

RITA R. REINKE

vs.

KARL G. DENNIS and RENEE
J. DENNIS, his wife

Filed November 13, 1992
@ 1:47 pm

Tax & entry paid	50.50
User's Fee paid	5.00
sheriffs costs	$40.00
Pro.Co. pd 12/24/92	9.00
Pro Co Pd. 2/18/93	6.00

EX1993-1

COMPLAINT IN ACTION OF MORTGAGE FORECLOSURE
2 copies atty.

Nov. 25, 1992, Sheriffs Return filed. SERVED Karl g. Dennis on Nov. 24, 1992 at 11:01 a.m. by handing a copy fothe complaint to Renee J. Dennis, his wife, at their residence, R. D. #1, Box 221 DD Guys Mills, Crawford County, Pa.

SERVED Renee J. Dennis personally on Nov. 24, 1992 at 11:00 a.m. by handing a copy fothe complaint to her at the residence R. D. #1, Box 221DD Guys Mills, Crawford County Pa.

So answers, Dale A. Collins, Dep. Sheriff
Robert M. Stevens, Sheriff

And Now, Dec. 24, 1992 upon praecipe of plaintiff's attorney, with Notice of Intention to file Default Judgment attached, judgment is hereby entered in favor of the Plaintiff and against the defendants for want of an answer and damages are assessed at the sum of Two thousand t hree hundred sixty-five and 70/100 dollars, plus interest and cost of suit.

D-103; D-143

Debt	$2,365.70
Int. to 11/12/92	84.75
Judgment	
Barbara H. King	
Prothonotary	

Entered Dec. 30, 1992
Gary A. Fabian, Esq.

Feb. 12, 1993, Upon praecipe of plaintiff attorney, the above captioned case is hereby settled and discontinued of record.

1992

Marsh, Spaeder, Baur, Spaeder & Schaaf
Ritchie T. Marsh

1097

RACHEL M. DeCOURCEY

vs.

ROBERT W. BAUMGARTNER
and KIMBERLY A. BAUMGARTNER
his wife

Filed November 13, 1992
@ 2:12 PM

Tax & entry paid 50.50 ✓
User's fee paid 5.00
Sheriff's Costs 43.00
Pro.Co. pd 1/29/93 5.00 ✓

COMPLAINT IN MORTGAGE FORECLOSURE
3 copies Sheriff; 1 copy atty.

Dec 1, 1992 SHERIFF'S RETURN filed. SERVED Robert W. Baumgartner on Nov. 25, 1992 at 9:47 am by handing a copy of the Complaint in Mortgage Foreclosure to Kimberly Baumgartner, his wife, at their residence, Short St, Cambridge Springs, Crawford County, Pa.

SERVED Kimberly A. Baumgartner personally on Nov. 25, 1992, by handing her a copy of the Complaint in Mortgage Foreclosure at her residence, Short St, Cambridge Springs, Cr. Co., Pa.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Dec. 11, 1992 Preliminary Objection filed.

Jan. 29, 1993 Upon Praecipe of Plaintiff Attorney the above case marked settle and discontinue of record.

198

1992

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

1098

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

PATRICIA M. VROMAN

vs.

BRUCE R. VROMAN

Filed November 13, 1992
@ 2:24 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 8-2-94	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, ALIMONY, ALIMONY PENDENTE LITE, COUNSEL FEES, COSTS AND EXPENSES
1 copy (atty)

Dec. 1, 1992 Appearace of Shafer, Swick, Bailey, Irwin & Stack by James R. Irwin for Defendant Bruce R. Vroman.

Dec 2, 1992 AFFIDAVIT OF MAILING field. Ann Hansen Gamble, being duly sworn according to law, deposes and says that she is an Attorney at Law, duly authorized to practice law in the Commonwealth of Pa. and that on Nov. 19, 1992, she sent a certified copy of the Complaint in Divorce to the Defendant by certified mail, restricted delivery, postage prepaid, receipt requested, to Bruce R. Vroman, RD 1 Box 242, Titusville, Pa. 16354, the Defendant's last known address. The said receipt being attached hereto.

Jun. 10, 1994 Affidavit of Consent by Patricia M. Vroman, Plaintiff, filed.

July 12, 1994, affidavit of Consent of defendant filed.

July 25, 1994 Upon praecipe of plaintiff attorney to transmit recoeds, case moved to Court.

DIVORCE DECREE FILED

August 4, 1994 AND NOW, August 2, 1994, it is hereby ordered and decreed that PATRICIA M. BROMAN, Plaintiff, and BRUCE R. VROMAN, 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.

Aug. 4, 1994 Motion For Entry of Agreement As Of Order of Court and ORDER filed. AND NOW, this 2nd day of August, 1994, the agreement attached hereto is hereby entered as an order of court the same as if it had been entered following a full hearing on the merits of the matter.

Gordon R. Miller, J.

Aug. 4, 1994 Copy of Order to Atty. Gamble, Plf. and Dft.

1992

Donald E. Lewis

1099

JEFFREY S. STEVENS

vs.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION

Filed November 13, 1992
@ 3:38 PM

Tax & entry paid 50.50
User's Fee paid 5.00

NOTICE OF APPEAL
2 copies atty.

Nov.18, 1992 Motion and Order filed. AND NOW, November 17, 1992, upon Motion by the Appellant, a hearing is set on said Appeal for Feb. 24th, 1993, at 9:00 o'clock A.M., inCourtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsyvania.

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 Certified U. S. Mail, postage prepaid.

Finally, said Appeal shall act as a supersedeas to Appellee's suspension ofAppellant's operating privileges.

BY THE COURT:
Gordon R. Miller, J.

Nov. 23, 1992 Copy of Order to Atty.Lewis.

Feb. 24, 1993 Motion to Continue Hearing and Order, filed. ORDER: AND NOW, Feb. 23, 1993, upon presentation and consideration of the foregoing Motion to Continue is granted and hearing s shall be heard on: June 9th, 1993 at 10:15 A.M. in Courtroom No. 1 or 2 or the Crawford County Courthouse, Meadville, Pa.

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

Mar. 3, 1993 copy to D. Lewis & Commonwealth

June 16, 1993 Memorandum and Order, filed. ORDER: AND NOW, June 15, 1993, the Court finds that the suspension of the appellant's operating privileges by the Department of Transportation was proper and therefore the appeal is dismissed and the suspension and action of the Department sustained.

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

June 16, 1993 copies dist. to Kuhar & Lewis

Jun.23, 1993 Exhibits filed.

Mary Ann Kirkpatrick

1100

John Gagliotti

NANCY L. STEPCHUCK

vs.

DARRYL M. STEPCHUCK

Filed November 13, 1992
@ 4:11 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 13th day of November , 1992 , upon review of the petition of Plaintiff, the Court enterss 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: shall not damage any property of parties or of 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 tis 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 November 20, 1992 , 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,
Robert L. Walker, J

Nov. 19,1992 SHERIFF'S RETURN filed. SERVED Darryl M. Stepchuck personally on Nov. 13, 1992 at 5:10 PM by handing a copy of the Protection from Abuse tohim at his place of employment, Saegertown Manufacturing, Inc., Saegertown, Crawford County Pa.
So answers, Shawn Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

Nov. 23, 1992, Motion to Continue and Order filed. ORDER: AND NOW, this 23 day of Nov. 1992, the within Motion is granted and the Protection From abuse Hearing orig. set for Friday, Nov. 20, 1992, is hereby rescheduled for the 30th day of Nov. 1992, at 9:00 a.m.

FOR THE COURT,
Imogene Yetman, Ct. Adm.

Nov. 23, 1992, Court Adm. office called and advised Attorneys secretaries of date.

Dec. 3, 1992, ORDER filed. AND NOW, Nov. 30, 1992, at the time this Protection from Abuse order is scheduled for hearing, the curt is advised that by agreement of the parties, the matter has been generally continued. The court is also advised fo the possibility of the filing of a written agreement relating to this case and possibly other collateral matters.

Costs in this case will be covered inthe agreement of the parties and will be paid by one or both of the parties on or before Dec. 18, 1992.

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

Dec. 4, 1992, copies to the attornesy, county control, and MCP.

Dec 8, 1992 Motion to Continue and Order, filed. ORDER: AND NOW, Dec. 7, 1992, the above Motion is granted.

FOR THE COURT,
Imogene Yetman, Crt. Adm.

Dec 11, 1992 copy to Kirkpatrick & Gagliotti

1992

John M. Dawson
District Attorney

1101

COMMONWEALTH OF PENNSYLVANIA

vs.

1986 CHEVROLET COUPE
Vin: 1G1GZ37G1GR186588

Filed November 16, 1992
@ 8:48 am

Tax & entry 11-20-92 pd 50.50
User's Fee 11-20-92 pd 5.00

PETITION FOR FORFEITURE AND CONDEMNATION
1 copy (DA)

Order:

AND NOW, this 9 day of November, 1992, upon consideration of the wihtin Petition, Hearing/Argument thereon is hereby scheduled for December 23, 1992 at 2:00 o'clock p.m. in Court Room No. 1 or 2.

For the Court,
Imogene Yetman

Nov. 16, 1992 Personal Service Certification filed. The undersigned certified that he personally served the within named claimant/owner with a true and correct copy of the above captioned Petition for Forfeiture and Condemnation with Notice to Answer the Petition on the 16 da of Nov., 1992 at or about 10:45 AM at Crawford County Jail

Jack Loutzenhiser

Dec. 23, 1992 Order filed. AND NOW, THIS @#RD DAY OF Dec. 1992, upon consideration of the fore going petition and after hearing, it is ORDERED and DECREED as follows:

The prayer of the Petition is granted.

All claims of right, title or interest of Michael A. St. Onge, or any other claimant in the defendant/property are hereby declared to be terminated, revoked and rendered null and void. The 1986 Chevrolet Coupe, VIN: 1G1GZ37G1Gr1866588 is hereby condemned and forfeited to the Meadville City POlice Department through the District Attorney of Crawford County, Pennsylvania pursuant to the Judicial Code, Chapter 68, Controlled Substances Forfietures, Section 6801-6802, 42 Pa. C.S.A §6801 et seq., for use, sale or disposition in accordance with law.

The registreation heretofore issued by the Commonwealth of Massachusetts, registration no. 684EFX, for said vehicle is her eby declared to be terminated and revoked and the Pennsylvania Department of Transportation is directed to issue a title in the name of the Meadville City Police Department for official use, sale or disposition by the Meadville City Police Department.

BY THE COURT,
Robert L. Walker, J

Dec. 30, 1992 Copy of order given to Atty'. Dawson, (D.A.)

202

1992

1102	IN RE: MARK A. McSWEENEY Filed November 16, 1992 @ 9:36 am Indigent filing	MEMORANDUM AND ORDER Order; AND NOW, November 9, 1992, the Court appoints Kathleen Nelson, Esquire, to aid the above captioned individual in his efforts to file a custody action wihtin this Court. Initially, counsel shall prepare for signature by the above captioned individual an affidavit verifying that he is unable to read and write the English language and additionally he shall file a motion to proceed in forma pauperios if he is unable to afford Court costs. Upon completion of her services in this matter, consel for the above captioned individual may submit a bill to the Court and the same shall be paid from an appropriate Court line item. The Prothonotary shall odge this order at an appropriate number and term and shall transfer the same to any file started with respect to the custody action if in fact the sane is filed. BY THE COURT: Anthony J. Vardaro, J Nov. 9, 1992 Court gave coy to Ct. Ad. 11-10-i2 copy to Atty. Nelson SEE CUSTODY ACTION FILED AT AD 1992 - 1178

1992

Gerald Sullivan

1103

CINDY MYERS

vs.

RODNEY MYERS, SR.

Filed November 16, 1992
@ 2:06 PM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	46.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy plaintiff

Order:

And now, this 16th day of November , 1992 , 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 Plantiff ~~or any of the minor children named in the Petition.~~
2. Special Conditions: Defendant shall not go to plaintiff's residence.
3. This Order may be enforced without a warrant of arresdt 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 here by set for November 2, 1992 , 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,
Gordon R. Miller, J

Nov.24, 1992 Sheriff's Return filed. NOT FOUND as to Defendant Rodney Myers, Sr. as per a Return of Service received from Venango County Sheriff's Department. Unable to located defendant at address given. Return of Service attached.
So answers, Robert M. Stevens, Sheriff

Dec. 2, 1992 ORDER filed. AND NOW, Nov. 25, 1992 in accordance with the foregoing recital of facts, this case is continued to Dec. 17, 1992 at 3:00 p.m. in Courtroom 2 of the Crawford County Courthouse, Meadville, Pa. Pending further hearing, the temporary order of Novem. 16, 1992 is continued in full force and effect and any violation thereof will be met with appropriate sanctions against the Defendant.

A copy of this order, together with a copy of the original petition and temporary order order shall be delivered to the Sheriff to attempt to effectuate service through the Sheriff of Venango County. Copies of this order shall also be delivered to all individuals who may have had copies of the original temporary order and to the Plaintiff and her counsel.

The Plaintiff is now represented by Gerald Sullivan of Northwest Legal Services and he has agreed to contact the Sheriff of Venango County directly if he is able to obtain any further information that might assist in the service of the petition and order.

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

Dec. 8, 1992 copy to G. Sullivan, County Control

Dec. 21, 1992 ORDER filed. AND NOW, Dec. 17, 1992 this matter is once again before the Court for a rescheduled hearing. The Plaintiff appears with counsel and indicates that there has still been a continuing effort to serve the Defendant, but it has been unsuccessful. They believe he is now in the State of Ohio at some location.

Accordingly, this hearing is generally continued with the temporary order of Nov. 16, 1992 continued in full force and effect and any violation of that order will be met with appropriate sanctions against the Defendant.

Once the Defendant is located and properly served,a hearing may be scheduled upon motion of either party. Otherwise, the temporary order shall remain in effect for a period of one year from this date.

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

Dec. 21, 1992 copies mailed to CPD & Dft. & given to Co Control & Atty Sullivan

Mar. 15, 1993 Affidavit of Service filed.

1992

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

1104

GELVIN, JACKSON & STARR, INC.

vs.

PAUL W. FUNERA and LINDA D. FUNERA, individually and formerly d/b/a FOUR STARR PIZZA

Filed November 16, 1992
@ 2:39 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	50.00
Pro.Co. pd 8/9/93	5.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Dec 1, 1992 SHERIFF'S RETURN filed. I hereby deputize the Sheriff of Lawrence County, Pennsylvania to serve the within Complaint according to law. The defendants alleged address is 910 W. Clayton St, New Castle, Pa. Robert M. Stevens,
Sheriff of Crawford Co, Pa.

SERVED the within Complaint on Nov. 24, 1992 at 11:20 a.m. upon Linda D. Funera formerly d/b/a Four Star Pizza and 11:21 a.m. upon Paul W. Funera, formerly d/b/a Four Starr Pizza, sy 910 E. Clayton St., New Castle Pa. by handing to Linda D. Funera, personally a true and correct copy thereof and made know to her the contents therein. Donald T.Buk,
Dep. Sheriff, Lawrence County, Pa.

Aug. 9, 1993 Upon Praecipe of Robert S. Bailey,Esquire, Attorney for Plaintiff, above captioned matter settled and discontinued on record.

1992

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

1105

BANK ONE, YOUNGSTOWN, N.A.

vs.

DAVID BRADICK

Filed November 16, 1992
@ 3:38 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	28.00
Pro Co. pd 1-13-93	9.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Nov. 25, 1992 Sheriff's Return filed. SERVED David Bradick on November 24, 1992 at 11:20 AM by handing a copy of the Complaint to Theresa Bradick, Adult in Charge at the residence, R.D.#1, Box 219 B, Guys Mills, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Jan. 13, 1993, 3:34 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 agaisnt Defendant for failure to file an Answer and damages are assesed as follows: Principal blance due in the sum of Four thousand three hundred fifteen and 47/100 Dollars plus interest at the rate of 11.57% from Jan. 12, 1992.

Debt $4,315.47
B-44 Judgment
Judgement entered 1/13/93 Barbara H. King, Pro.
1-18-93 Notice of judgment mailed defendant.

1992

Shafer Swick, Bailey
Irwin & Stack
Louis J. Stack

1106

BANK ONE, YOUNGSTOWN, N.A.

vs.

GEORGE WHITE and TONYAI WHITE, husband and wife

Filed November 16, 1992
@ 3:38 PM

Tax & entry paid 50.50
User's Fee paid 5.00
Sheriff's Costs 33.00
Pro Co Pd 5-3-93 9.00
Pro.Co. pd 12/18/95 5.00

COMPLANIT IN CIVIL ACTION
2 copies Sheriff

Nov. 25, 1992 Sheriff's Return filed. SERVED George White on November 24, 1992 at 9:40 AM by handing a copy of the Complaint to Betty White,his Wife, at their residence, R.D.#2, Box 640, Conneaut Lake, Crawford County, PA.

SERVED Tonyai White personally on November 24, 1992 at 9:41 AM by handing her a copy of the Complaint at her residence, R.D.#2 Box 640, Conneaut Lake, Crawford County, PA. She is the daughter of George White.

So answers,

Dale A. Collins, Deputy Sheriff
Robert M. STevens, Sheriff

And Now, May 3, 1993 at 4:13 p.m., upon praeceipe 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 liequidated at the sum of Seventeen thousand Three hundreed eighteen dollars and thirty-seven cents, plus interest and costs of suit.

Entered May 3, 1993
W - 217, 310

Debt: $17, 318.37 plus int. & costs
JUDGMENT
Barbara H. King, Pro.

Dec. 18, 1995 Upon Praecipe of Louis J,.Stack, Esquire, Attorney for Plaintiff, the above captioned judgment is marked satisfied of record.

1992

Ferguson & Spataro
John F. Spataro

1107

JOHANNA R. SCHNEIDER
and FREDERICK W. SCHNEIDER, JR.

vs.

DEBORAH R. MUIR and RICHARD MUIR

Filed November 16, 1992
@ 3:49 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	41.00

WRIT OF SUMMONS
Issued Sheriff

Nov. 25, 1992 Sheriff's Return filed. SERVED Deborah R.Muir on November 24, 1992 at 10:19 AM by handing a copy of the Summons to Richard Muir, her husband, at their residence, R.D.#1, Box 164A, Atlantic, Crawford County, PA.

SERVED Richard Muir personally on November 24, 1992 at 10:18 AM by handing a copy of the Summons to him at the residence, R.D.#1, Box 164A, Atlantic,Crawford County, PA.

So answers, Dale A. Collins, Deputy Sheriff
Robert M.STevens, Sheriff

1992

James R. Irwin

1108

Joan D. Mason

PHYLLIS FEIL

vs.

JACK FEIL

Filed November 17, 1992
@ 10:27 am

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	25.00
Pro.Co.	9.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 17 day of November , 1992 , upon review of the petition of Plaintiff, the Court enterss 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 tis 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 November 25, 1992 , 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

Nov.19, 1992 SHERIFF'S RETURN filed. SERVED Jack Feil personlly on Nov. 17, 1992 at 1:20 PM by handing a copy of the Protection from Abuse to him at his place of employment, Weber Harris Ford, Bladwin St, Meadville, Crawford County, Pa.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Nov. 25, 1992 Stipulation and Consent Order filed.AND NOW, this _____ day of _____, 1992, upon agreement of the parties, and after each has consulted with his or her attorney, Phyllis Feil with James R. Irwin,Esquire, and Jack Feil with Joan D.Mason, Esquire, the following order is entered by agreement:

1. The Defendant, Jack Feil, neither admits nor denies the allegations contained in the Petition filed November 14, 1992.
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 thiry days.
5. The Plaintiff will return to the Defendant, or make arrangements with him, for the delivery of the following items which belong to him, but are presently located at her residence: antique radio collection; old 78 record collecton; tintype W-2 submarine. For the limted purpose of arranging for the exchange of these items, the Plaintiff shall contact the Defendant, or may deliver these items to the office of Defendant's attorney, Joan D. Mason, for him to retrieve.
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 ths time, as both parties have stipulated to the entry of this Order without their further presence in court.
8. No further remedies under the Protection From Abuse Act are being sought at this time.
9. Defendant will return Plaintiff's garage key to her, through his attorney.
10. Telephone contact between the parties is not prohibited by this Order.

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

Dec. 1, 1992 Copy of the Order to Attys. Irwin& Mason,Meadville City Police and County Control.

1992

Kathleen R. Nelson

1109

SHERRI L. ADKINS

vs.

MILLINGTON ADKINS, III

Filed November 17, 1992
@ 1:05 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Count pd	30.00
State paid	10.00
Pro Co Pd 7/9/93	9.00

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

Nov. 30, 1992, 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 best of her knowledge, information and belief.

1. That the affiant is the atty. for the plff. in above action.

2. that a true and correct copy of complaint in divorce and notice to defend ... were sent by cert. mial to dft. on Nov. 23, 1992.

3. The cert. mail was sent to R. d. #3 , Linesville, Pa. 16424. The sender's receipt is attached hereto.

4. That the dft. received said cert. mail on Nov. 24, 1992. Said ret. rec. card P 360 670 077 is attached hereto, and made a part hereof. Kathleen R. Nelson, Esq.

July 7, 1993, Affidavit of Consent of pl aintiff filed.

July 7, 1993, Affidavit of Consent of defendant filed.

July 9, 1993, UPon praecipe of plaintiff attorney, for Review, this case moved to court.

DIVORCE DECREE FILED

July 23, 1993 STIPULATION and DECREE. AND NOW, this 15th day of July, 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 aboe named parties upon the grounds that the marriage is irretrievably broken and ninety days have elapsed from the date of filing of the Complaint, and an Affidavit has been filed by each of the parties evidencing that each consents to the divorce pursuant to Sec. 33019c) of the Pa. Divorce Code.

2. 2. Real Estate: The Defendant is a joint owner of real property situate in Conneaut Township, Crawford CO., Pa., consisting of approximately 8.3 acres of land with a 40' by 60' pole building situate thereon. The name of the other joint owner of the real property is one, Paul Richard Banks. Defendant 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 no limited to, all mortgage payments (interest and principal) all real estate taxes, utilities, insurance, major and minor repairs, and routine maintenance. Defendant shall hold Plaintiff harmless in regard to said liabilities and shall have the right to exclusive use to the property. Plaintiff shall deliver to the Defendant, a Quit-claim deed conveying to the Defendant all of her right, title, claim,and interest in the premises, acquired by virtue of her marriage to the Defendant, which deed shall be in recordable form.

3. Personal Property:

a) Mobile Home - Plaintiff shall retain as her separate property and Defendant shall transfer to Plaintiff all of his right, title and interest in the 1977 Flamingo Mobile Home, which has been the marital residence of the parties, along with the remaining contents, consisting of house-hold goods and furnishings therein.

b) Vehicles - Plaintiff shall transfer to Defendant all of her right, title, and interest in and to the 1987 GMAC truck. At the same time, Defendant shall transfer and assign to Plaintiff all of his right, title, and interest in and to the 1985 Chevrolet truck.

c) Other marital property - Plaintiff shall set over, transfer, and assign to Defendant all of her right, title and interest in and to the John Deere tractor, welding equipment, machinery tools, guns and a stereo, which items are currently situate in the pole building and utilized by the Defendant.

Each party shall execute any Certificates of Title, Assignments of Title, or other documents reasonably required to transfer title to any of the assets listed above.

4. Debts:

Defendant 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 tractor loan with John Deere, and the two personal loans with the First National Bank of PA., Conneautville branch.

5. Consideration: In consideration therefore, and in full settlement of the claims and liabilities of each party hereto, Defendant shall pay to Plaintiff, the sum of Three ($3,000.00) Dollars, receipt of which is hereby acknowledged by the Plaintiff.

6. Custody: Legal custody of the minor child, Millington Adkins, IV, shall be with the Plaintiff, with the Defendant to enjoy broad and liberal visitation with the minor child t all such times as shall be mutually agreeable between the parties.

Mother agrees that she will not move more than eighty miles from the Linesville, PA., area, unless the move would serve the best interest of the minor child.

7. Alimony, and Alimony Pendente Lite: The parties acknowledge that each has property which is sufficient to meet the reasonable needs of each; therefore, each waives any claim for alimony, and/or alimony pendente lite pursuant to the Pa. Divorce Code.

BY THE COURT,
Gordon R. Miller, J.

Thomas, Truax,
Spadafore & Walker
Gregory A. Keenan

1110

Barbara j. Walton

WILLIAM R. CONSLA, JR.

vs.

DEBRA A. CONSLA

Filed November 17, 1992
@ 3:15 PM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count pd	15.00
State paid	10.00
Pro pd 12/5/97	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
2 copies Atty.

Nov. 19,1992 Affidavit of Service filed. Gregory A.Keenan,Esq. attorney for Plaintiff in the above-captioned matter,hereby certifies that a true and correct copy of the Complaint in Divorce endorsed with a Notice To Defend was served on the Defendant, Debra A.Consla, via hand delivery on NOvember 17, 1992.
Nov. 18, 1992 By:Gregory A. Keenan, Esquire

Dec. 1, 1992, Answer to Complaint in Divorce filed.

July 14, 1993 Inventory and Appraisement of Debra A. Consla, filed.

Sep. 16, 1993 Petition for Special Relief Pursuant to Pa.R.C.P. 1920.43 and RULE filed. AND NOW, this 15th day of September, 1993, upon presentation of the within Petition for Special Relief and upon oral Motion of counsel for the Petitioner, Gregory A. Keenan, Esquire, a Rule is hereby granted upon the Respondent to show cause, if any she has, why the prayers of the Petitioner should not be granted.

Rule returnable the 4th day of October, 1993, at 1:30 P.m. at Courtroom 1 or 2 at the Crawford County Courthouse, Meadville, Pennsylvania.

By the Court:
Gordon R. Miller, J.

9-23-93 Copy of Order to Attys. Keenan & Walton.

Oct. 7, 1993 Order filed. AND NOW, October 4, 1993, fourt matter were brought to the Court's attention, to-wit: Defendant's nonpayment of the mortgage payments as required by a support Order of January 11, 1993; Plaintiff's failure to file an Inventory in the divorce action; Defendant's failure to account for all food used from the freezer in the abuse action; andthe Plaintiff's inability to get the personal effects he was permitted to get in the abuse action. Since the Plaintiff is seeking special relief in this action, we will to some extent affect the other actions. Accordingly, it is ORDERED as follows:

1. The Defendant shall make an account of all the items she has taken out of the freezer and continue to keep a running account of all food. She shall deliver to the Plaintiff or his coucnsel an account through September 30, 1993 no later than Friday, October 15, 1993, which said account shall set forth the date items were taken and an identification of the item taken and used.
2. Counsel shall arrange a time when the Defendant may remove his clothing, other personal effects and any other hunting related items including guns and ammunition. That shall take place within the next fifteen (15) days at a time to be mutually agreed upon. This item is referred to in Paragraph 4 of the abuse Order.
3. The Plaintiff shall file an inventory and otherwise comply with Pa. R.C.P. 1920.33 within twnety (20) days from this date.
4. The Plaintiff's petition for special relief with respect to the residence real estate is hereby denied.
5. We do, however, give the Plaintiff an option. The Defendant is obligated to make the mortgage payment and keep the mortgage payment in such status so that no foreclosure takes place. If she does that and there are additional charges because of her late payment, that shall be taken care of at the time the Master's hearing or disposition of equitable distribution and marital property. If the Plaintiff believes that the mortgage must be made current in order to forestall any mortgage foreclosure, he shall have the right to make up any delinquencies on the mortgage by making payment directly to the mortgage holder and thereafter may get a credit on such payments on the mortgage at the rate of $65.00 per week which is the amount of the spousal support award until all credits are used up. While he is able to obtain a credit under this Order, he shall not be making current spousal support payments to the Domestic Relations Section. The first credit that he shall receive for any mortgage payment shall first be applied to any arrearages he owes on spousal support. In order that all parties including the Domestic Relations Section has a full and complete understanding of the dollar amounts involved, the Plaintiff sahll deliver to the Defendant and to the Domestic Relations Sectiona full and complete itemization of all delinquent payments he makes toward the mortgage, which itemizations shall set forth principal amounts paid, interest paid, late charges and any other charges paid by him. At that point the Defendant and the Domestic Relations Section will notice a full amount he claims he has paid and, therefore, entitled to credit for againsth is spousal support Order.
6. The Plaintiff shall not be able to make up delinquent payment unless the mortgage company states in clearest of terms that the mortgage must be completely current or else they will exercise their rights of foreclosure.

In other words, if the Defendant would make each monthly mortgage payment and not bring up any of the delinquencies adn the mortgage company would still not foreclose, thenthe Plaintiff shall not exercise his right to make back payments.

The provision as to making up the delinquent payments by the Plaintiff is only to be exercised unless one hundred percent (100%) of the delinquencies are paid up.

BY ORDER OF THE COURT,
Gordon R. Miller,

Oct. 8, 1993 Copies dist. to Walton and Keenan

Oct. 28, 1993 Inventory of William W. Consla,Jr., filed.

Dec. 2, 1997 Affidavit of Consent of dft. filed.

Dec. 2, 1997 Affidavit of Consent of plff. filed.

Dec. 3, 1997 Waiver of Notice of Intention of plaintiff filed.

Dec. 3, 1997 Waiver of notice of intention of dft. filed.

Dec. 5, 1997 Upon praecipe of plaintiff atty, to transmit the record, this case moved to court.

DIVORCE DECREE FILED

Dec. 12, 1997 AND NOW, this 11 day of December,1997, it is ordered and decreed that WILLIAM W. CONSLA, JR., Plaintiff, and DEBRA A. CONSLA, Defendant, are divorced from the bonds of matrimony. A certain Separation and Property Settlement Agreement executed by the parties on Nov. 26, 1997, which was filed by the Court on December 5, 1997, is hereby incorporated into this Divorce Decree for enforcement purposes only, but shall not be merged into the Divorce Decree.

By the Court:
Anthony J. Vardaro,
Judge

Jan 7 2000 FOR FURTHER DOCKET ENTRIES SEE COMPUTOR 1992 31110

1992

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

1111

Mary Ann Kirkpatrick

ROSELYN R. SALLAWAY

vs.

JOHN W. SALLAWAY

Filed November 17, 1992
@ 4:12 PM

Tax & entry paid	50.50
User's Fee paid	25.00
4 Add'l Counts pd	60.00
State paid	10.00
Pro Co pd 11/18/98	9.00

COMPLAINT IN DIVORCE, EQUITABLE PROPERY DETERMINATION AND DISTRIBUTION, COUNSEL FEES, EXPERT FEES, COSTS AND EXPENSES, CHILD CUSTODY, ALIMONY, ALIMONY PENDENTE LITE
2 copies atty

Nov. 23, 1992, 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 su ch say that I served a true and correct copy of the complaint in divorce certified by prothonotary on the above dft. by cert. mail, addressee only, ret. rec. req. dated Nov. 29, 1992 by accepting deli very on that date as evidenced by the attached signed ret. rec. James r. Irwin, Atty.

Apr. 24, 1997 Affidavit of Consent of plaintiff filed.

Apr. 24, 1997, Waiver of notice ofintention to request entry of a divorce decree (plff) filed.

June 24, 1997 Plaintiff's Income & Expense Statement filed.

July 9, 1997 Request for Hearing and Order filed. AND NOW, this 8th day of July, 1997, 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 1st day of October, 1997 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
7-9-97 Faxed Irwin & Kirkpatrick

July 9, 1997 Affidavit of Consent To Divorce 3301(c) of Defendant filed.

July 9, 1997 Income and Expense Statement of John W. Sallaway filed.

Oct 8, 1997 Memorandum and Order: AND NOW, Oct 7, 1997 it is ordered as follows:
1. The plaintiff's request for counsel fees is denied without prejudice.
@. The defendant shall pay $600 per month as alimony pendente lite to the plaintiff for four months, to-wit: October, November and December of 1997; and January of 1998. Said sum shall be paid monthly on or before the last day of each month with the first payment to be made on or before October 31, 1997. The amount of alimony pendente lite has been calculated based upon the Pennsylvania Support Guidelines for the support of two children and a spouse and based upon the net incomes attaributed to the parties in the manner set forth in the foregoing memorandum.
3. This order with respect to counsel fees and alimony pendente lite shall not affect the ability of the Master or the Court to award additional sums or enter any future orders under the facts and the law of the case. Gordon R. Miller, P.J.
Oct 8, 1997 Dist Irwin & Dft.

Jan. 28, 1998 Notice of Production of Documents filed.

Feb. 25, 1998 Request For Hearing and ORDER filed. AND NOW, this 24th day of February, 1998 upon presentation and consideration of the foregoing Request for Hearing a hearing is scheduled with the Court of Common Pleas of Crawford Co., PA., on the 6th day of May, 1998 at 9:00 o'clock A.M. in Courtroom No. 1 or 2 of the Crawford Co. Courthouse, Meadville, PA.
FOR THE COURT:
Ann A. Walker, Court Adm.
FEb. 26, 1998 FAXED Attys. Irwin and Kirkpatrick.

Feb. 25, 1998 Motion For Sanctions Pursuant to PA. R.C.P. 4019

Feb. 25, 1998 Request For Hearing and ORDER filed. AND NOW, this 24th day of February, 1998 upon presentation and consideration of the foregoing Request for Hearing a hearing is scheduled with the Court of Common Pleas of Crawford Co., PA., on the 6th day of May, 1998 at 9:00 o'clock A.M. in Courtroom No. 1 or 2 of the Crawford Co. Courthouse, Meadville, Pa.
FOR THE COURT:
Ann A. Walker, Ct. Administrator
Feb. 26, 1998 FAXED Attys. Irwin and Kirkpatrick.

March 16, 1998 Motion toWithdraw Request for a Hearing and ORDER filed. AND NOW, this 13th day of March, 1998, upon presentation and consideration of the within Motion to Withdraw Request for a hearing, Plaintiff's counsel, James R. Irwin, Esq, is hereby authorized to withdraw his Motion for Sanctions on behalf of the Plaintiff in the abovecaptioned case and cancel the hearing now set for May 6, 1998.
Gordon R. Miller, J.
March 17, 1998 Order FAXED Attys. Irwin & Kirkpatrick.

Mar. 9, 1998 Motion (praecipe) to Withdraw Motion for Sanctions and order filed.
ORDER: AND NOW, this 9 day of Mar. 1998, Plff's counsel James R. Irwin Esq. is hereby authorized to withdraw his Motion for Sanctions on behalf of plff. in above case and cancel the hearing in this matter now set for May 6, 1998.
Gordon R. Miller J
3/9/98 faxed to Shafer firm and Kirkpatrick

Oct. 21, 1998 Separation and Property Settlement Agreement filed.

Oct. 21, 1998 Upon praecipe of Plaintiff Attorney To Transmit Record, this case moved to court

Nov. 25, 1998 Order filed. This divorce matter has been referred to the Court for review and decree. The Court has reviewed the record and is returning the record to the Prothonotary. A final decree will not be entered at this time because.
As to 3301(d) divorce: There is no showing that the proper notice required by 1920.42(c)(1) in the form provided by a920.73 to a party who is unrepresented or to counsel of a represented party was properly mailed or delivered; and/or a copy of said notice is not attached to the praecipe to refer or submit.
Continued on page 349

212

1992

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

1112

PHYLLIS FEIL

vs.

JACK FEIL

filed November 17, 1992
@ 4:12 pm

Tax & entry paid	50.50
User's Fee paid	5.00
STate paid	10.00
Pro.Co. pd 1/5/93	5.00

COMPLAINT IN DIVORCE
2 copies atty

Nov. 23, 1992 Affidavit of Service. 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 November 18, 1992. The Defendant acknowledged service on November 20, 1992 by accepting delivery on tht date as evidenced by the attached signed return receipt.

James R.Irwin. Esquire

Jan. 5, 1993 Upon Praecipe of Plaintiff Attorney, the above captioned case marked discontinued of record.

1992

Barbara J. Walton

1113

PETITION FOR CHANGE OF NAME OF

NANCY GOLDEN

Filed November 18, 1992
@ 9:41 am

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co.	5.00

PETITION FOR CHANGE OF NAME
2 copies Atty

Nov. 18, 1992 Memorandum and Order filed. AND NOW, November 17, 1992, upon motion of the Petitioner it is ordered that a hearing on the petition for change of name is fixed for January 28, 1993 at 9:30 am in Courtroom No. 1 or 2, Crawford County Courthouse.

The Petitioner is ordered to give notice of the filing of the petition and of the date of the hearing by publication once in the Crawford County Legal Journal and once in the Meadville Tribune.

The Petitioner shall also notify by certified mail, return receipt requested, addressee only, the father of the five year old child, Matthew.

BY THE COURT,
Anthony J. Vardaro,

Nov. 18, 1992 Copies to Atty. Walton

Feb 12, 1993 Motion to Dismiss Petition for Name Change and Order filed. ORDER: And Now, this 8th day of February, 1993, Motion allowed. Petitioner's Petition for Name change is dismissed. Hearing on this matter is removed from the Court's calendar.

By the Court:
Anthony J. Vardaro, J.

Feb. 17, 1993 copy to B. Walton

214

1992

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

1114

MARINE BANK

vs.

RANDALL H. WESCOAT

Filed November 18, 1992
@ 11:08 am

Tax & entry paid 50.50
User's Fee paid 5.00
Sheriff's Costs 50.00
Pro.Co. pd 1/26/93 9.00

EX1994-62

Revised # AD1996-1213

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Dec. 11, 1992 Sheriff's Return filed. SERVED Randall H. Wescoat personally on December 9, 1992 at 3:05 PM by handing him a copy of the Complaint at East Spruce Street and North Drake Street, in front ofthe Titusville High School, Titusville, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, Jan. 26, 1993 at 1:36 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 failure to answer or otherwise plead and the same is liquidated at the sum of Two thousand two hundred thirty four and 86/100 dollars, plus interest from November 14, 1992 and all costs of suit.

W-145
Entered Jan. 26, 1993
Abstract to Atty.Bolla

Debt $2,234.86
Interest from Nov. 14, 1992
Judgment
Barbara H. King
Prothonotary

1992

Barbara J. Walton

1115

John Kookogey

SHARON FUCHS

vs.

RANDY W. FUCHS

filed November 18, 1992
@ 2:57 pm

Pro Co pd 6-4-93	9.00
Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts pd	30.00
State paid	10.00
John Fuller, Mediator	200.00
Pro Co	9.00
Pro Co pd 7/30/93	5.00

12-4-92 $150.00 Mediation deposit Made by Pltf.

COMPLAINT IN DIVORCE, CUSTODY and EQUITABLE DISTRIBUTION
1 copy atty.

Dec. 3, 1992, Affidavit of Service filed. And now, Dec. 2, 1992, comes Lisa M. sherretts, Sec. to Atty. B. walton, Esq. and avers as follows:

1. A true and correct copy of Complaint in divorce was mailed to dft. via cert. mail, ret. rec. on Nov. 18, 1992.,

2. that the dft. signed the return card on Nov. 20, 1992 and in accordance with Pa. R.C.P. 412 service of compalint was made as evidenced by the U.S. Postal SEr. Ret. Rec. No. P 899097834 attached hereto as exhibit A.

I verify that the statements made in this affidavit are true and correct. Lisa M. Sheretts, Sec.

Dec. 4, 1992 Motion to Appoint Child Custody Mediator and Order to Appear filed. You, Randy W. Fuchs, have been sued in Court to obtain custody of Matthew Allan Fuchs and Samantha Lynn Fuchs.

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.

In order to maintain the status quo, Plaintiff is granted temporary custody of the minor children pending mediation with reasonable visitation to the Defendant. No party shall remove the children from the Commonwealth of Pennsylvania pending mediation.

BY THE COURT:
Anthony J. Vardaro, J.

Dec. 9, 1992 Copy of Order to Attys. Walton & Fuller.

Jan. 13, 1993 ORDER filed. AND NOW, January 12, 1993 after mediation conference before John Fuller, Esq., IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Samantha Fuchs and Matthew Fuchs 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 Samantha Fuchs and Matthew Fuchs 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 Jan. 9, 1993 and January 23, 1993 from 1:00 p.m. on Saturday to 5:00 p.m. on Saturday. The mother shall deliver the children to the Fuchs' home at the beginning of the visit and pick them up at the conclusion of the visit.

B. Beginning Feb. 6, 1993, the father shall be entitled to visit and take the children into his custody, every other Saturday in February and March of 1993 from 10:00 a.m. to 6:00 p.m. The mother shall deliver the children to the father at teh Burger King Restaurant at the Meadville Mall at the beginning of the visit and the father shall deliver the children to the mother at the same place at the end of the visit.

C. The father shall be entitled to visit and take the children into his custody from 2:00 p.m. on Saturday until 2:00 p.m. on Sunday, every other weekend, beginning April 3, 1993. The father will pick up and return the children at the Burger King Restaurant, Meadville Mall.

D. Holidays shall be defined as Christmas, Easter and Thanksgiving. Custody of the children shall be shared on the aforesaid holidays and in the absence of an agreement to the contrary, the children shall be in the custody fo 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 until 6:00 p.m.

E. Transportation of the children on weekends and holidays shall be provided as follows: Pick up and delivery of the children shall be at the Burger King Restaurant as herinbefore provided

F. Neither mother nor father shall say or do anything in an attempt to turn the children against the other parent, but on the other hand shall do everything 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. Neither parent shall become intoxicated or use illegal drugs when the children are in their custody.

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

I. Visits as hereinabove provided shall be supervised by the father's brother or the father's brother's paramour, unless the parties agree otherwise.

J. When the mother takes the children to Burger King, she may consider the visit cancelled if the father is more than one-half hour late.

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

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

Gordon R. Miller, P.J.

Jan. 18, 1993 copy to B. Walton, J. Kookogey, J. Fuller

Jan. 20, 1993 Motion For Refund Of Mediation Deposit and Order filed. AND NOW, January 18, 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. less any court costs not amounting to mediator's fees By the Court,

Gordon R. Miller, J

Jan. 20, 1993 Copies of order to Atty's Walton, Kookogey and Fuller

Mar. 25, 1993 Petition for Exclusive Possession, filed.

Mar. 25, 1993 Order filed. And NOw, this 25th day of March, 1993, Motion allowed. Hearing on Plaintiff's Petition for exclusive Possession is scheduled for April 8, 1993, at 11:00 a.m. in courtroom No. 1 or 2 of the Crawford County Courthouse located in Meadville, Pa. 16335.

For the Court:
Ann A Walker, Crt. Adm.

Mar. 29, 1993 copy to B. Walton, J. Fuller, J. Kookogey

Continued on Page 330

1992

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

1116

Anstandig, Levicoff & McDyer, P.C.
Timothy J. Burdette

Bryan J.Smith

PATRICIA L. WAGNER

vs.

AETNA CASUALTY and SURETY COMPANY

Filed November 19, 1992
@ 1:53 PM

Tax & entry paid 50.50
User's Fee paid 5.00
Sheriff's Costs 43.00
Pro Co pd. 8/17/94 6.00

JURY TRIAL

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Jan. 8, 1993 Appearance of Anstandig, Levicoff & McDyer, PC by Timothy J. Burdette for Defendant filed.

Jan. 8, 1993 Preliminary Objections filed.

Jan. 15, 1993 Upon praecipe of Plaintiff Attorney the above matter is placed on the next available Argument List.

1993 FEBRUARY ARGUMENT LIST

Jan. 19, 1993 Sheriff's Return filed. SERVED the within Complaint on 12-14, 1992, at 10:30 AM, upon Aetna Casualty & Surety at Suite 1700, Two Chatham Center, Pgh. by handing to Jerome Bullack, manager a true and correct copy thereof and made known to him the contents therein.
So answers, Michele Jenkins, Deputy Sheriff
Eugene L. Coon, Sheriff
I hereby deputize the Sheriff of Allegheny County, Pennsylvania to serve the within Complaint according to law.
So answers, Robert M. Stevens, Sheriff

Feb. 4, 1993 Answer filed.

Apr. 21, 1993 Reply To New Matter filed.

Apr. 26, 1993 VertificationTo Reply To New Matter filed.

Apr. 5, 1994 Certificate of Readiness filed.

ON JUNE, 1994 TRIAL LIST

Apr. 8, 1994 Defendants Motion for Judgment on the Pleadings, filed.

Apr. 8, 1994 UponPraecipe of Bryan J. Smith, Esquire, Attorney for Defendant, the above captioned matter Motion for Judgment on the Pleadings is placed on the next available Argument List.

ON MAY, 1994 ARGUMENT LIST

April 19, 1994 Motion To Strike Defendant's Motion For Judgment on The Pleadings on behalf of Plaintiff, filed.

April 19, 1994 Plaintiff's Response To Defendant's Motion For Judgment on the Pleadings on behalf of plaintiff, filed.

April 19, 1994 Upon praecipe of Plaintiff Attorney, the above matter is placed on next available Argument List.

ON MAY 1994 ARGUMENT LIST

May 9, 1994 Defendant's Response to Plaintiff's Motion to Strike Defendant's Motion for Judgment on the Pleading, filed.

May 16, 1994 Motion For Continuance From The June Trial List and ORDER OF COURT filed. AND NOW, this 16 day of May, 1994, it is hereby ORDERED, ADJUDGED and DECREED that defendant, Aetna Casualty & Surety Company's Motion for Continuance from the June trial list is denied without prejudice to the Defendant to renew this request if the issues argued on May 30, 1994 have not been disposed of.

Anthony J. Vardaro, J.

May 16, 1994 Copies Faxed to Attys. J. Millin and Bryan Smith.

June 2, 1994 Memorandum and Order filed. AND NOW, June 2, 1994, Plaintiff's mtoion to strike the Defendant's motion for judgment on the pleadings is denied; Defendant's motion for judgment on the pleadings is denied and this matter is continued to be listed on October 1994 civil trial list.

BY THE COURT,
Anthony J. Vardaro, J

June 3, 1994 Copies dist. by Court.

Aug. 12, 1994 Petition for Settlement Pursuant to the Pennsylvania No-Fault Insurance Act and ORDER OF COURT filed. AND NOW, this 12 day of August, 1994, it is hereby ORDERED, ADJUDGED and DECREED that the foregoing Petition is granted. The court finds as follows:
1. That settlement is in the plaintiff's best interest;
2. That plaintiff fully understands and consents to the settlement;
3. That the terms of the executed Release are incorporated into this Order and govern the settlement;
4. That said settlement constitutes a release of any and all past, present and future claims that plaintiff has or ever had or may have against Petitioner under insurance policy no. 3SX13408426PCH, issued to David T. Wagner;
5. That said settlement is not an admission of liability of Petitioner and the Petitioner does not waive any defense it asserted in the lawsuit filed at No.A.D. 1992-1162 in the Court of Common Pleas of Crawford County.

BY THE COURT:
Anthony J. Vardaro

8-12-94 FAxed to Attys. Millin & Burdette

Aug. 12, 1994, Upon praecipe of p laintiff attorney, the above captioned case is h ereb y settled and discontinued of record.

1992

Thomas, Truax,
Spadafore & Walker
Gregory A, Keenan

1117

BONITA J. WHITE

vs.

ARCHIE R. WHITE

Filed November 19, 1992
@ 2:17 PM

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

COMPLAINT IN DIVORCE
1 copy (atty)

Jan. 15, 1993 Affidavit of Service Of Complaint In Divorce filed. Gregory A. Keenan, Esquire, being duly sworn according to law, deposes and says that on November 23, 1992, 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, Archie R. White, at Defendant's last known address of P.O. Box 337, Conneautville, PA 16406, by Certified Mail No. P 899 093 308, postage prepaid, return receipt requested, and that attached hereto is a duly executed return receipt card showing date of delivery as November 25, 1992.
Gregory A. Keenan

May 13, 1993 Complaint Withdrawn

218

1992

Paul J. Carney,

1118

DAVID L. HANCOCK
Union City PA

DALE E. McDONALD, Sr.

vs.

PAUL MESSENGER, individually and trading as PAUL MESSENGER TRUCKING

Filed November 19, 1992
@ 2:21 PM

Tax & entry paid 50.50
User's Fee paid 5.00

Pro.Co. pd 10/4/93 15.00
Pro Co. pd 3/21/94 9.00
Pro Co pd 5-17-94 10.00

COMPLAINT IN CIVIL ACTION
2 copies (atty)

Jan. 7, 1993 Preliminary Objections filed.

Jan. 7, 1993 Certificate of Service filed.

Feb. 16, 1993 Amended Civil Action filed.

Mar. 22, 1993 Answer, New Matter and Counterclaim, filed.

May 17, 1993 Reply to New Matter and Answer to Counterclaim filed.

Jun. 25, 1993 Notice of Service of Interrogatories Directed to Defendant and Motion for Production ofDocuments filed.

Oct. 4, 1993 Upon Praecipe of Plaintiff Attorney for Appointment of Arbitrators, the following Arbitrators are appointed.
Douglas Ferguson, Chairman

Joseph Kulwicki

John Petruso

Oct. 12, 1993 Arbitrators take Qualifying Oath filed.

Oct. 22, 1993, Notice of ARbitrator's Hearing filed.

Feb. 3, 1994, DECISION OF THE ARBITRATORS filed inwhich they find in favor of the plaintiff and against the defendant in the sum of $1,000.00 with no interest to date of verdict. ON defendants' counterclaim, in favor of the plaintiff and against the defendant.
(Dissent of John Petruso, Esq.)

Feb. 2, 1994, copies dist. to Atty. Carney and David L. Hancock.

Decision entered - 2/3/94

DECISION OF ARBITRATORS,
Barbara H. King,
Prothonotary

March 21, 1994 AND NOW, upon praecipe of plaintiff attorney, judgment is hereby entered in favor of the plaintiff and against the defendant, in the amount of $1,000.00 with no interest to date of verdict per Arbitrators Award on 2/3/94, as no appeal has been filed.

Debt $1,000.00
JUDGMENT
M-133,183 Barbara H. King, Pro.

1992

Bernadette M. DeVore
Ted Isoldi

Barbara J. Walton

1119
Brian Lindsay
James R. Irwin

Thomas, Truax, Spadafore, Walker and Keenan
R. Charles Thomas, Esq.
on behalf of Laura Kuhn

See AD 1990-673 for deposit

3-11-97 Ref from Laura Kuhn Arnover med fee 150.00

5-6-97 pd mother Refund #10 978 85.50
5-21-97 Ref from dept 85.50
med fee (85.50
(85.50

9-7-99 Ref from Pltf 200.00 med fee also at AD 1990-673

12-3-99 Ref from Rawel med fee 128.24
12-16-99 pd Co 128.24
12-16-99 pd pltf 200.00 refund

LAURA KUHN

vs.

DAVID KUHN

Filed November 19, 1992
@ 2:44 PM

Indigent Filing
Sheriff's Costs 30.00

John Fuller, Mediator 202.00
Pro Co. pd 9/1/94 9.00
John Fuller, Mediator 180.00
Pro Co. -9.00

COMPLAINT FOR CUSTODY
1 copy (atty)

ORDER:

You, David Kuhn , Defendant have been sued in
Court to obtain custody of the child, Hailey Kuhn

You are ordered to appear in person before Custody Mediator John Fuller , at such time and place as the Mediator may
specify.

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

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT
HAVE A LAYWER 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, Pennsylvania

1633

Telephone 814-336-1151,
ext. 298

Date: 11/18/92

By the Court,
Anthony J. Vardaro, J.

* Pending mediation the child is to remain in the temporary custody of the Plaintiff with reasonable visitation to the defendant until further order of Court.

Nov. 19, 1992 Petition To Proceed In Forma Pauperis and Order filed. AND NOW, November, 1992, upon consideration of the petition filed by the Plaintiff in this action, and supported by an affidavit attached thereto, all being pursuant to Pa. R.C.P. 240, the Plantiff is granted leave to proceed in forma pauperis at this time.

The Plaintiff is directed to inform the Prothontay's Office or the Court of any improvement in his/her financial circumstance that would permit him/her to pay the costs incurred in this actionand shall be responsible for doing so upon an improvement of financial condition.

BY THE COURT
Anthony J. Vardaro, J

Nov. 20, 1992 Copy of order to Atty. Walton

Nov. 25, 1992 Memorandum and Order filed. AND NOW, November 24, 1992, it is brought to the Court's attention that apparently the Plaintiff using the order appointing a mediator entered by the Court on November 18, 1992 attempted to regain custody of the child in question through the use of the Sheriff's Department of Crawford County.

That order entered by the Court appointing the mediator included a paragraph that "Pending mediation the child is to remain in the temporary custody of the Planitiff until further order of Court with reasonable visitation to the Defendant".

That was based on the verified averments of the petition that the child was presently in the custody of the mother and it was the Court's intention to maintain the status quo pending mediation.

It was not the purpose of this order to allow the Planitiff to attempt to change custody of the child from Defendant to her. Before such an ex parte order could be considered by this Court, there would have to ve averments within the Petition indicating that the child was somehow in danger in its current situation and that was not the case.

Accordingly, since it now appears that at the time of the filing of the complaint the Defendant had custody of the child, the Court's order of November 18, 1992 is modified such that custody of the child shall remain temporarily with Defendant with reasonable visitation to Plaintiff pending mediation or further order of this Court.

No party shall remove the child from the Commonwealth of Pennsylvania pending further order of Court.

BY THE COURT:
Anthony J. Vardaro, J

Nov. 25, 1992 Copy to Atty. Walton and Copies mailed to plantiff and defendant.

Dec. 3, 1992, Appearance of James r. Irwin, attorney for defendant, filed.

Dec 8, 1992 PETITION FOR CONTEMPT UNDER PA RULE OF CIVIL PROCEDURE 1915.12 and ORDER, filed. ORDER: AND NOW, this 7th day of December 1992, it is hereby ORDERED ADUUDGED and DECREED that a Rule to Show Cause is hereby entered upon Respondent, Laura Kuhn, to show cause why she should not be held in contempt of Court.

Said Rule is returnable on the 21st day of December, 1992, in Courtroom No 1 or 2 of the Crawford County Courthouse, Meadville, Pa. at 9:30 a.m.

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

Dec. 11, 1992 copy to B. Walton & J. Irwin

Dec. 21, 1992, MEMORANDUM AND ORDER filed. Order; AND NOW, Dec. 21, 1992, Laura E. Kuhn is adjudicated in wilful contempt for violation of the Order of July 15, 1992 and is strongly cautioned to comply with all existing orders in the future.

Both children shall continue to be in the custody of the mother with visitations to continue to be in the custody of the mother with visitations to continue as to both children as ia ordered on behalf of Megan in the case at A.D. 1990 - 673.

Notwithstanding any provision to the ocntrary in any Temporary Order prepared by the Custody mediator, the father shall have custody of both children on Fri., Dec. 25, 1992 from 1:00 p.m. until the following Monday at 8:00 p.m. and shall continue to have visitations from Fr i. until Mon. evening as provided int he orig. order for Megan, which will be applicable to both children.

All other provisions not inconsistent herewith are continued in full force and effect.

BY ORDER OF THE COURT, Robert 1. Walker, Judge, S.J.

(copies given to counsel of record)

Continued on Page 500

220

1992

Kathleen R. Nelson

1120

ROBERTA FRANKLIN

vs.

JOSEPH R. FRANKLIN

Filed November 20, 1992
@ 10:20 am

Tax & entry paid 50.50
User's Fee paid 5.00

PETITION FOR CUSTODY
1 copy atty

Dec. 4, 1992 Affidavit of Service of Kathleen R. Nelson,Esq. for Plaintiff, filed.

Sept 22, 1998 ORDER: Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 12/4/1992. We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonable delay". Your case appears to be inactive. Therefore, unless we hear from you in writing on or before Oct 23, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

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

If you object to the case being dismissed, you must put your objections in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objectioins must be filed in the Prothonotary's office on or before Oct 23, 1998. You must also give or send a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.

Date: Sept 22, 1998 Anthony J. Vardaro, J.

Nov. 5, 1998 ORDER filed. AND NOW, this 30th day of Oct., 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given by publication of a "Notice of Intent To Terminate Cases" printed in the Crawford County Legal Journal on Oct. 14, 1998, and no objection thereto having been received by the Court from either party in the cases listed below, all and each of the 84 cases listed below are hereby terminated and dismissed with prejudice. A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 19011.

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

1992

Frank J. Micale

1121

Meyer,Darragh,Buckler, Bebenek & Eck
Scott A.Millhouse

Murphy,Taylor & Trout
Gary D. Bax for Russo Heating & Air Conditioning

Elderkin, Martin, Kelly & Messina
Ronald L. Slater
for SnyderGeneral

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

John D.Newberg

Swensen,Pere,Johnson & McCandless withdrawn
~~David A. Schroeder~~
for Allegheny Engineering Co.

Marsh, Spaeder, Baur, Spaeder and Schaaf
Eugene C. Sundberg, Jr.
for Allegheny Eng. Co.

MARILYN L. PUTNAM and RICHARD E. PUTNAM, her husband

vs.

WILLIAM G. SESLER and GREGORY P. SESLER t/d/b/a COMMONWEALTH REALTY, ~~I~~, II, ~~III~~ and RUSSO HEATING & AIR CONDITIONING

Comfort Supply & Keystone Auto Parts, add'l dfts.
vs.

CLEMSON ROOFING, Additional Def.

Filed November 20, 1992
@ 11:33 am

Allegheny Engineering Co. and Snyder Genral Corporation, Additional Defendants

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	41.00
Sheriff's Costs	23.00
Pro.Co. pd 8/10/94	5.00
Pro Co Pd 5/5/97	6.00

JURY TRIAL DEMANED

WRIT OF SUMMONS
Issued Sheriff

Dec. 21, 1992 Sheriff's Return and Affidavit of Service filed. SERVED the within Summons on December 7, 1992, at 1148 hrs upon William G. Sisler, t/d/b/a Commonwealth Realty, I,II,III at 109 East 10th Street, Erie, Pennsylvania by handing to William G. Sisler a true and correct copy thereof and made known to him the contents therein.
Robert N.Michel, Sheriff Erie County
Paul McStraw, Deputy
See Affidavit of Service endorsed hereon by Sheriff of Erie County, Pennsylvania, which is part of this return.
So answers; Robert M. Stevens, Sheriff Crawford County, PA

Dec. 21, 1992 Sheriff's Return and Affidavit of Service filed. SERVED the within Summons on December 7, 1992 at 1148 hrs, upon Gregory P. Sesler tdba Commonwealth Realty, I,II,III at 109 East 10th Street, Erie County, Erie, Pennsylvania by handing to Gregory P. Sesler a true and correct copy thereof and made known to him the contents therein. Robert N. Michel, Sheriff Erie County
Paul McStraw, Deputy

See Affidavit of Service endorsed hereon by Sheriff of Erie County, Pennsylvania, which is part of this return.
So answers; Robert M.Stevens, Sheriff, Crawford County, PA

Dec. 21, 1992 Sheriff's Return and Affidavit of Service filed. SERVED the within Summons onDecember 8, 1992, at 1400 hrs, upon Russo Heating and Air Conditioning at 321 East 18th Street, ERie County, Erie, Pennsylvania 16508 by handing to Connie Bach, Office Manager a true and correct copy therof and made known to her the contents therein. Robert N. Michel, Sheriff ERie County
Steven Thomas, 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.

Feb. 16, 1993 Appearance of Meyer, Darrah, Buckler, Bebenek & Eck by Scott A. Millhouse,Esq. for William G. Sesler and Gregory P. Sesler, t/d/b/a Commonwealth Realty, filed.

Feb. 16, 1993 Praecipe for Rule to File a Complaint filed.
Feb. 16, 1993 Issued attorney.

Feb. 22, 1993, Complaint in Civil Action filed.

March 4, 1993 Appearance of Murphy, Taylor & Trout by Gary D. Bax, Esquire, attorneys for Defendant, Russo Heating & Air Conditioning filed.

Mar. 16, 1993 Praecipe for Argument List, filed.

ON APRIL 1993 ARGUMENT LIST

Mar 16, 1993 Preliminary Objections of Defendant Russo Heating & Air Conditioning, filed.

Mar. 31, 1993 Notice of Service of Defendant's First Set of Interrogatories and Request for Production to Sesler Defendants, filed.

Mar. 31, 1993 Notice of Service of Defendant's First Set of Interrogatories and Request for Production to Plaintiff's, filed.

Apr. 14, 1993 Complaint to Join Additional Defendant, filed.

Apr. 15, 1993 Plaintiffs' Answer to Preliminary Objections of Defendant, Russo Heating & Air Conditioning, filed.

April 26, 1993, Upon praecipe of defendant Russo Heating & Air Conditioning, writ of Summons joiningadditional defendants Comfort Supply, and Keystone Auto Parts issued. (sheriff)

May 3, 1993 Notice Of Service Of Plaintiff's Request For Production of Documents Directed To Defendants filed.

May 14, 1993 Defendant Russo Heating & Air Conditioning's Complaint Against Additional Defendants filed.
May 14, 1993 Certificate of Notice and Sevice filed. I hereby certify that I gave notice on May 10, 1993, to Frank J. Micale, Esq., 436 Boulevard of theAllies - Fifth Floor, Pittsburgh, Pennsylvania 15219 and Scott A.Millhouse, Esq., 2000 Frick Building, Pittsburgh, Pennsylvania 15219 of my intention to present to Motion Court on Friday,May 14, 1993 at 8:45 a.m., Defendant Russo Heating & Air Conditioning's Petition for Leave to Discontinue Action as to Additional Defendants, Keystone Auto Parts and Comfort Supply, Only; and Petition of Defendant Russo Heating & Air Conditioning for Leave to Join Additional Defendants, with attached proposed Complaint Against Additional Defendnts. By: Gary D. Bax, Esq.

May 14, 1993 Petition of Defendant Russo Heating & Air Conditioning for Leave to Join Additional Defendant and ORDER FILED. NOW, this 14th day of May, 1993, upon consideration of the Petiton of Defendant Russo Heating & Air Conditioning for Leave to Join Additional Defendant, it is hereby ORDERED that said Petition is granted and that Defendant Russo Heating & Air Conditioning shall have thirty (30) days from the entry of this Order within which to file a Complaint to Join Allegheny Engineering Co. and Snyder Genral Corporation as Additional Defendants. This Order is without prjudice to the rights of Allegheny Engineering Co. andSnyder General Corporation to timely object to this joinder.
Gordon R. Miller,J.
May 18,1993 Copy of Order to Attys. Micale,Millhouse & Bax.

Continued to Page 331

1992

1122

JOYCE M. GENOVESI

vs.

MIKE J. P. GENOVESI

Filed November 20, 1992
@ 1:34 PM

Tax & entry	50.50
User's Fee	5.00
sheriffs costs	25.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 20th day of November , 1992 , upon review of the petition of Plaintiff, the Court enterss the following Temporary Order.

1. The defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: Defendant shall not contact plaintiff or the children in any way. Defendant shall not go to Planitiff residence.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the Defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment or fees and costs will be determined by final court order.
7. The defendant is reminded that this is an Order of Court and violation of tis 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 November 30, 1992, at 9:00 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

Nov. 23, 1992, Sheriffs Return filed. SERVED Mike J. P. Genovesi personally on Nov. 20, 1992 at 2:05 p.m. by handing a copy of the Protection from Abuse to him at his residence, 990 Park Avenue, Meadville, Crawford County, Pa.
So answers Dale A. Collins, dep. Sheriff
Robert M. Stevens, Sheriff

Dec. 3, 1992, ORDER filed. AND NOW, Nov. 30, 1992 this matter is before thecourt on an abuse petition. It appears the crux ofthe matter is a 12 year old step child of the defendant's that is already under supervision ofthe Juvenile Probation Dept. and Children's and Youth Services as well as Counseling for Families in Change. The incident involved an outburst by the child and an attempt by the father to restrain the child, which the mother mistook for above.

This court does not believe that an abuse order is appropriate in this case in view of the nature ofthe offense and apparently isbrought by the mother in an attempt to force her husband into additional counseling in order to correct any possibility that he might in the future per petrate abuse upon the plaintiff or one of her children.

This case is continued for a pe riod of six monthis on the condition that the defendant when he is inthe presence of the plaintiff and her children, not create any disturbances, assault, the mother or assault any children. If no incidents occur within the next six months, this case will be discontinued without further order of court, and the county is directed to pay the costs.

Dec. 3, 1992, all copies distributed.

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

1992

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

1123

COLLEEN R. NEWCOMBE

vs.

THOMAS I. NEWCOMBE

Filed November 20, 1992
@ 2:19 PM

Tax & entry paid	50.50
User's Fee paid	15.00
2 Add'l Counts pd	30.00
1 Add'l Count pd	15.00
User's Fee paid	5.00
Pro.Co. pd 6/8/93	9.00

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

Dec. 4, 1992, Affidavit of Mailing filed. Ann Hansen Gamble, being duly sworn according to law, deposes and says that she is an atty. duly aughorized to practic e in Com. of Pa. and that on Dec. 1, 1992, she sent a cert. copy of Complaint in Divorce to dft. by cert. mail, restricted del., postage prepaid, rec. req. to Thomas I. Newcombe, 507½ Bank St. Titusville, Pa. 16354 the dft's last known address. The said receipt being attached hereto. Ann Hansen Gamble, Esq.

Apr. 7, 1993, Affidavit of Consent of plaintiff filed.

May 26, 1993, Affidavit of Consent of defendant filed.

June 8, 1993 Upon praecipe of Ann Hansen Gamble, Esquire, Plaintiff Attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

June 17, 1993 AND NOW, June 17, 1993, it is hereby ordered and decreed that COLLEEN R. NEWCOMBE, Plaintiff, and THOMAS I. NEWCOMBE, 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.

1992

Phillips & Galanter
Stephanie A. McElwain

1124

DONALD DUNBAUGH

vs.

DAVID JAMES WOOD

Filed November 20, 1992
@ 2:36 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	35.00
Pro Co pd 1/28/93	9.00 ✓

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Dec. 8, 1992 Sheriff's REturn filed. SERVED David James Wood personally on December 3, 1992 at 1:13 PM by handing a copy of the Complaint to him at 633½ Church Street, Apartment #2, Meadville, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, Jan. 28, 1993 at 11:43 am upon praecipe of plaintiff's attorney, with Notice of Intention to File Default Judgment attached, judgment is hereby entered in favor of the Plaintiff and against the defendant for failure to file a complaint and the damages are assessed at the sum of Seven Hundred Fifty-two and 61/100 plus cost of suit.

W-46
judgment entered 1/28/93
notice of entry of judgment
mailed 1/29/93

Debt $752.61
Judgment
Barbara H. King
Prothonotary

1992

1125	DARCY L. ANTHONY vs. LESLIE TAR Filed November 20, 1992 @ 3:27 PM Tax & entry paid 50.25 User's Fee paid 5.00	APPEAL OF DEFENDANT FROM DECISION OF DISTRICT JUSTICE WILLIAM D. CHISHOLM Nov. 20, 1992 Rule entered upon plaintiff to file a complaint issued. Dec 1, 1992 PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT, filed.

1992

1126

LESLIE TAR

vs.

MARY STRECZYWILK

Filed November 20, 1992
@ 3:27 PM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro.Co. pd 1/7/93	9.00

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

Dec 1, 1992 PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT, filed.

Dec 1, 1992 Complaint filed. 1 copy plf.

And Now, Jan. 7, 1993 at 2:39 PM upon praecipe of Plaintiff, 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 hundred Thirty-Two and 96/100,; the sum $44.21 (being the amount demanded in the complaint), $14.50 (for filing at the Magistrate level), $55.25 (for appeal initiation to the Prothonotary), $0.50 (being the cost of the requisite appeal form), $2.00 (for appeal form notarization), $2.50 (for service of process of appeal), $2.50 (for service of process of the plea), $2.50 (for service of process of the default notice), and $9.00 (for entry of default judgment)

Debt	$132.96
Int. --	
Judgment	
Barbara H. King	
Prothnotary	

S-115
Entered on 1/7/93
Abstract to Plft.

1992

1127

LESLIE TAR

vs.

EVA KELLER

Filed November 20, 1992
@ 3:28 PM

Tax & entry paid	50.25
User's Fee paid	5.00
Pro.Co. pd 1/7/93	9.00

K-51
Entered on 1/7/93
Abstract to Plft.

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

Dec 1, 1992 PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT, filed.

Dec 1, 1992 Complaint filed & 1 cc copy plf.

Dec. 31, 1992 Letter From Defendant Concerning Attempt to Pay filed.

And Now, Jan.7, 1993 at 2:39 PM upon praecipe of plaintiff, 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 the damages are assessed at the sum of One hundred Fifty-Seven and 97/100,; the sum $69.22 (being the amount demanded inthe complaint), $14.50 (for filing at the Magistrate level), $55.25 (for appeal initiated to the Prothonotary), $0.50 (being the cost of the requisite appeal form), $2.00 (for appeal form notarization), $2.50 (for service of process of appeal), $2.50 (for service of process of the plea), $2.50 (for service of process of the default notice), and $9.00 (for entry of default judgment).

	Debt	$157.97
	Int. --	
	Judgment	

Barbara H. King
Prothonotary

228

1992

Thomas, Truax,
Spadafore & Walker
Emil M. Spadafore

1128

Knox,McLaughlin,
Gornall & Sennett
Mark E. Mioduszewski

VIDA VINCENT and FRED A. VINCENT,her husband

vs.

K-MART CORPORATION

Filed November 20, 1992
@ 4:22 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff;'s Costs	25.00
Pro paid 12/12/95	6.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Dec. 2, 1992 Sheriff's Return filed. SERVED K-Mart Corporation on December 1, 1992 at 1:40 PM by handing a copy of the Complaint to Tim Grube, Merchandising Assistant at the place of business, Conneaut Lake Road, Meadville, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Dec. 29, 1992 Appearance of Knox McLaughlin Gornall & Sennett, P.C. by Mark E.Mioduszewski, Esquire for K-Mart Corporation, defendant, filed.

Mar 17, 1993 Preliminary Objections, filed.

May 19, 1993 Upon praecipe of Mark E. Mioduszewski, Esquire, the above captioned matter is placed on the next available Argument List.

ON JUNE, 1993 ARGUMENT LIST

May 20, 1993 Upon praecipe of Mark E. Mioduszewski, Esquire the above captioned matter is placed on the next available Argument List.

ON JUNE, 1993, ARGUMENT LIST

May 20, 1993 Motion to Compel Discovery filed.

May 21, 1993 Certificate of Service filed. I hereby certify that on the 19th day of May, 1993 Answers to Interrogotories have been served on counsel for the Defendant by first class mail to the following address: MARK E. MIODUSZEWSKI, ESQ.
120 West Tenth Street
Erie, PA 16501-1461
Emil M.Spadafore, Jr., Esq. for the Plaintiff

June 4, 1993 Praecipe to Withdraw Motion From Argument List, filed.

June 29, 1993 Order filed. AND NOW, June 29, 1993, after argument we learn that partial discovery has been held involving an eyewitness to the Plaintiff's fall and the condition of the floor allegedly causing the fall.
We cannot conclude that the striking of the broad allegations in Plaintiff's complaint, Paragraph 6, Subsection (d) and (g) would prejudice the Plaintiff in fashion.
Accordingly, the Defendant's preliminary objections are sustained and Paragraphs 6(d), (g) are stricken.
BY THE COURT:
P. Richard Thomas

June 29, 1993 Copies dist. to Mioduzewski & Spadafore

July 13, 1993 Answer to New Matter, filed.

Aug. 9, 1993, Reply to New Matter filed.

May 19, 1994 Certificate of Service, filed. I certify that a true and correct copy of the Interrogatories was served upon counsel for the Defendant, Mark E.Mioduszewski, Esquire, by delivery to him at his address of Knox, McLaughlin, Gornall & Sennett,P.C., 120 West Tenth Street, Erie,Pennsylvania 16501, by United States first-class mail, postage prepaid.
Date: May 19, 94
Emil M. Spadafore,Jr., Esquire

Dec. 6, 1995, Upon praecipe of plaintiff attorneys, 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.

1992

1129

COURT OF COMMON PLEAS
CRAWFORD COUNTY
ORDER TO SLECT JURORS

filed November 23, 1992
@ 11:03 am

ORDER FOR EIGHTY PERSONS TO COME AND SERVE
AS JURORS FOR TRIALS COMMENCING FEBRUARY 8, 1992

TO THE SHERIFF AND JURY COMMISSIONERS OF CRAWFORD COUNTY:
We commend you, in your official capacity to draw from the jury wheel in accordance with the law, the name of 80 persons to serve as Jurors in the Court of Common Pleas, to be held at the Court House in Meadville, PA. commencing Feb. 8, 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 23rd day of November, 1992.

Barbara H. King, Prothonotary

Feb. 22, 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., commending on Feb. 8, 1993.
So answers,

Robert M. Stevens, Sheriff.

230

1992

1130

JUDITH LYNN HANSHEW

vs.

CHARLES EDWARD HANSHEW

Filed November 23, 1992
@ 11:10 am

Tax & entry Pd 12-21-92 50.50
User's Fee Pd 12-21-92 5.00
sheriff costs $25.00
Pro Co Pd 12-21-92 9.00

12-21-92
Received from Dft Sheriffs Costs 25.00

12-21-92
pd Sheriff
Ck # 7233 25.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 23 day of November , 1992 , upon review of the petition of Plaintiff, the Court enterss the following Temporary Order.

1. The defendant shall not assault, abuse, harass or threaten the Plaintiff or any of the minor children named in the Petition.
2. Special Conditions: The Plaintiff shall have exclusive possession of the marital residence 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 tis 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 November 30, 1992 , 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 THE COURT,
Anthony J. Vardaro, J

Nov. 24, 1992, Sheriffs Return filed. SERVED Charles Edward Hanshew personally on Nov. 23 1992, at 11:20 a.m. by handing a copy fothe Protection from ABuse to him at his tmeporary place of custody, Crawford County Jail, 360 Center St. Meadville, Crawford County, pa.
So answers, Robert M. Stevens, sheriff

Dec 3, 1992 ORDER filed. AND NOW, Nov. 30, 1992 this abuse petition is before the Court. It appears the parties are now temporarily separated and it is the contention of the Plaintiff that ukntil the Defendant changes his lifestyle regarding substance abuse, she is not interested in reconciliation. Plaintiff likewise advises that she does not wish an on-going protection order in this case.

Accordingly, at the Plaintiff's request, no order is entered, but the Defendant is cautioned that arepeat performance of damage to the Plaintiff's property will likely result in a new abuse petition or the filing ofappropriate criminal charges.

The Defendant agrees to pay total costs in this case in the amount of $89.50, with one half of said amount to be paid direct to the Prothonotary's Office on or before Dec. 4, 1992 and the balance to be paid on or before Dec. 11, 1992 at 4:30 p.m. BY ORDER OG THE COURT,
P. Richard Thomas S.J.

Dec. 9, 1992 copy to Cty. Ctrl., Plf & Dft.

1992

Gerald Sullivan SANDRA K. MOTTER

1131

vs.

WILLIS S. VAUGHN

Filed November 23, 1992
@ 11:25 AM

Tax & entry	50.50
User's Fee	5.00
Sheriff's Costs	25.00
Pro Co	9.00

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

Order:

And now, this 23 day of November , 19 92, upon review of the petition of Plaintiff, the Court enters the followin Temporary Order.

1. The Defendant shall not assault, abuse, harass or threaten the Plantiff or any of the minor children named in the Petition.
2. Special Conditions: The Defendant shall not go to Plaintiff's residence.
3. This Order may be enforced without a warrant of arresdt 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 departme 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 here by set for November 30, 1992 , 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,
Anthony J. Vardaro, J

Nov. 25, 1992 Sheriff's Return filed. SERVED Willis S. Vaughn personally on November 24, 1992 at 2:12 PM by handing him a copy of the Protection from Abuse to him in the Adult Probation Office, Crawford county Courthouse, Meadville, PA.
So answers, Nick Loiacona, Adult Prob. Officer
Robert M. Stevens, Sheriff

Dec. 3, 1992, ORDER filed. AND NOW, Nov. 30, 1992 at the time set for hearing on an abuse petition, the defendant appears advising that he was served with a copy of the papers by his Adult Probation Officer. The plaintiff fails to appear.

The defendant advises the court he has no knowledge of why the plaintiff failed to appear but relates to the court a lengthy litany of the inadequacies of the plaintiff as a mother for her four children and advises that she has a severe alcohol problem and constantly plagues the Linesville Police dept. with telephone calls about real or imagined abuse and problems inflicted upon her.

In view ofthe fact that the plaintiff failed to appear to pursue this action, the court dismisses the abuse petition without hearing and directs that the mother pay court costs in this case amounting to $89.50 nd directs the Prothonotary to mail her a bill for said costs at 228 South Pymatuning St. Linesville, Pa. within the next 5 days.

SUPPLEMENTAL ORDER:

After dictating tyhe above order and leaving the cuortroom, this court was advised that plaintiff's counsel called Pres. Judge Miller asking for a continuance for valid reasons.

Accordingly, the above order is rescinded and the case rescheduled for hearing Dec. 10, 1992 at 10:30 a.m.

BY ORDER OFTHE CURT,
P. Richard Thomas, S. J.

Dec. 9, 1992, copies of order to G. Sullivan, dft. county control. plff.

Dec 10, 1992 SUPPLEMENTAL ORDER filed. This abuse case was scheduled for hearing Nov. 30, 1992 before the undersigned and the plaintiff failed to appear. Consequently, we dismissed the petition but uponleaving the bench the Court was advised by President Judge Miller that the Plaintiff or her attorney had called his office relating it was impossible for the Plaintiff to appear at the hearing. Judge Miller apparently advised the Plaintiff that the hearing would be continued. ACCORDINGLY, we entered a supplemental order after learning of Judge Miller's continuance and rescheduled a hearing for Dec. 10, 1992 at 10:30 a.m. On the dat eof the hearing we were advised that the Prothonotary's Office had only recently processed our Nov. 30, 1992 Order and Supplemental Order and accordingly that neither of the parties knew of the rescheduled hearing. Adding further confusion to this situation we note the Court Administrator was apparently advised by Attorney Gerald Sullivan that he had no knowledge of the case.

To clarify the status of this case we now direct the Court Administrator to list this case for hearing before one of the Judges of Crawford County on Dec. 18, 1992, at 3:00 P.M., in Courtroom 1 or 2, Crawford County Courthouse, Meadville, Pa. The Court Administrator is directed to forward notice of this rescheduled hearing to both the parties with a courtesy copy to Attorney Gerald Sullivan. Th eCourt Administrator is also directed to lodge a copy of the Temporary Order issued by Judge Vardzro Nov. 23, 1992 with County Control and the Court by entering this Order directs that the Temporary Order shall remain in effect until a final order is entered after hearing on the above date.

BY ORDER OF THE COURT,
Dated: December 10, 1992 P. Richard Thomas, S.J.
Dec. 11, 1992 copy to G. Sullivan, Co. Ctrl., Plf. & Dft.

Continued on page 323

232

1992

1132

RUTH A. KNEUBEHL

vs.

JAMES KNEUBEHL

Filed November 23, 1992
@ 1:25 Pm

Tax & entry Pd. 7/27/95 50.50
User's Fee Pd. 5.00
Pro. Pd. 7/27/95 $9.00

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 23 day of November , 1992 , upon review of the petition of Plaintiff, the Court enterss 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 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 tis 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 November 30, 1992 , 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 THE COURT,
Anthony J. Vardaro, J

Dec. 3, 1992, ORDER filed. AND NOW, Nov. 30, 1992, at the time set for hearing on this abuse matter, neither plaintiff nor defendant appeared. The court is advised by the constable in attendance that a check with the sheriff's office this date indicates that the plaintiff took the abuse petition to the sheriff's office for service and then advised them not to serve it as she intended to withdraw theaction.

As noted aforesaid, no one appeared for this hearing and the court proceeds ont he assumption that the plaintiff wishes to withdraw the petition. Accordingly, this action is discontinued and the plaintiff is directed to pay costs in an approximate amount of $64.50 to the Prothonotarys Office on or before dec. 18, 1992. The plaintiff's address listed in abuse petition is 412 Mulberry St., Conneautville, Pa. 16406

BY ORDER OFTHE COURT,
P. richard Thomas, S. J.

Dec. 9, 1992, copies of order to County control, plff., dft.

1992

Ferguson & Spataro
Dogulas W. Ferguson

1133

Ann Gamble

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

$150.00 mediation deposit paid by Plaintiff

Pd Pltf Bal med fee dep 2-16-93 Ch# 7343 65.00

3-11-93 Recieved from deft Med. Fee 76.00

2-16-93 Pd Def Com Med. Fee Ch 7385 152.00

DAVID N. DUNKLE

vs.

MARY ANN DUNKLE

filed November 23, 1992
@ 3:42 PM

Tax & entry paid	50.50
User's Fee paid	5.00
William Pineo, Med.	152.00
Pro Co 3-16-93 Ch#7386	9.00

COMPLAINT FOR CUSTODY
1 copy mediator, 2 copies atty.

ORDER:

You, Mary Ann Dunkle , Defendant have been sued in Court to obtain custody of the child, Guy David Dunkle and Reed Doyle Dunkle

You are ordered to appear in person before Custody Mediator John Fuller , at such time and place as the Mediator may specify.

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

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAYWER 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, Pennsylvania
1633

Telephone 814-336-1151,
ext. 298

Date: 11-20-92

By the Court,
Gordon R. Miller, J

Order; AND NOW, this 20th day of November, 1992, upon petition of David N. Dunkle, through his attorneys, Ferguson & Spataro.

John Fuller, Esq., is hereby appointed Child Custody Mediator in this matter. The parties and their counsel shall attend the mediationconference scheduled by the Child Custody Mediator and shall comply with all requests of the Child Custody Mediator.

Pending the mediation conference, the child shall continue to reside with Defendant.

BY THE COURT:
Gordon R. Miller, J

Dec. 11, 1992 Motion To Vacate Appointment of Custody Mediator and ORDER filed.AND NOW, December 11, 1992, after consideration of the within Motion, IT IS HEREBY ORDERED AND DECREED that the appointment of John Fuller, Esquire as Custody Mediator in the above-referenced action is vacated and William Pineo, Esq. is hereby appointed as Custody Mediator in his place.

Anthony J. Vardaro, J.

Dec. 16, 1992 Copy of Order to Attys. Doug Ferguson and William Pineo.

Feb 11, 1993 TEMPORARY ORDER filed. AND NOW, this 10th day of February, 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, Guy and Reed Dunkle.

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 poviders are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor children

3. Physical custody of th children shall be arranged as follows:

a. The children shall reside with their father from 6:00 p.m. of the second Sunday before the opening of the children's school session in the fall until 6:00 p.m. of the second Sunday following the close of the school session for the summer vacation. Because the children presently live with their mother, the parties shall have two weeks from the date of this order to arrange for the return of the children to their father's household.

b. The children shall reside with their mother from 6:00 p.m. of the second Sunday following the close of the children's school session for the summer until 6:00 p.m. of the second Sunday preceding the reopening of the school in the fall.

c. The mother shall have temporary physical custody and visitation each year from 6:00 p.m. of December 26 through 6:00 p.m. of December 31. In addition, for the children's spring vacation from school, she shall have visitation and temporary physical custody from 6:00 p.m. of the day that the vacation begins until 6:00 p.m. of the day preceding its end. The father shall find out from the shcool authoorities when the spring vacation is to be and shall notify the mother one month in advance.

d. The parent not having physical custody shallhave the right of visitation and temporary physical custody one weekend per month. If the weekend includes a Monday holiday from school, said weekend shall include all three days. Weekend visitation shall begin at 6:00 p.m. Friday and end at 6:00 p.m. of the last dayof the weekend so defined. The parent wishing weekend visitation shall notify the other one month in advance of his or her intention to exercise this provision

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

4. Holiday visitation shall be arranged as follows:

a. Christmas: The Christmas holiday visitation period shall begin at 6:00 p.m. the day that the children's school closes for vacation and end at 6:00 p.m of December 26. For Christmas, 1993, and in alternate years thereafter, the mother shall have visitation and temporary physical custody during the Cfhristmas holiday visitation period.

b. Thanksgiving: The Thanksgiving holiday period shall begin at 6:00 p.m. of the Wednesday preceding Thanksgiving and end at 6:00 p.m. of the day preceding the reopening of school. For Thanksgiving 1993. the children will spend the Thanksgiving holiday so defined with their father and for 1994, with their mother, and the parties shall thereafter alternate.

~~order relating to the custodial privilege periods precedence over the other provisions of this~~s

Continued on page 326

234

1992

Peters, Lindsay,
Lewis & Gagliotti
Brian J. Lindsay

1134

CLARENCE E. MARTIN, JR.

vs.

KAREN J. MARTIN

Filed November 23, 1992
@ 3:53 PM

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co Pd 3-17-93	9.00

COMPLAINT IN DIVORCE
3 copies (atty)

Dec. 3, 1992, Affidavit of Service filed. I, Brian J. Lindsay Esq. after being duly sworn according to law, do certify that I am the atty. of record for above named plff and that as suc h I am authorized to make this verification; that I did on the 25 day of Nov. 1992, send to the above named dft. by cert. mail, ret. rec. req. a true and correct copy of Divorce compalint filed at above number and that I did on the 2 day of dec. 1992 recieve a duly executed ret. receipt dated Dec. 1, 1992. Brian J. Lindsay, Esq.

March 9, 1993 Affidavit of Consent of Plaintiff filed.

Mar. 16, 1993 Affidavit of Consent of Defendant, filed.

Mar 17, 1993 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

Mar. 29, 1993, FINAL DIVORCE DECREE filed.

AND NOW, March 22, 1993, it is hereby ordered and decreed that Clarence E. Martin, Jr. Plaintiff, and Karen J. Martin, 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 yetbeen entered.

BY THE COURT,
Anthony J. Vardaro, J.

1992

Douglas W. Ferguson
Ferguson & Spataro

1135.

James Irwin

11/24/92
$ 150.00 Mediation
deposit paid by plff.

1-13-93 Pd Plff
Bal Med Dep Ck# 7281
65.00

2-8-93
Recieved from deft
76.00 med. fee

3-16-93 Pd Def Com
med. fee Ck# 7885
76.00

3-16-93 Pd def com
med fee Ck# 7885

GEORGE D. GREIG

vs.

BETTY A. GREIG

Filed Nov. 24, 1992
@ 11:38 a.m.

Tax & entry paid	$50.50
state paid	5.00
William Pineo, Mediator	152.00
Pro Co 3-16-93 #7886	9.00

COMPLAINT FOR CUSTODY

1 copy (atty)
1 copy (mediator)

ORDER:

You, Betty A. Greig , Defendant have been sued in Court to obtain custody of the child, Christa M. Greig and David A. Greig

You are ordered to appear in person before Custody Mediator Wm. Pineo, at such time and place as the Mediator may specify.

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

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAYWER 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, Pennsylvania

1633

Telephone 814-336-1151,
ext. 298

Date: 11-20-92

By the Court,
Gordon R. Miller, J

Order; AND NOW, this 23rd day of November, 1992, upon petition of George D. Greig, through his attorneys , Ferguson & Spataro, Wm. Pineo, Esq., is hereby appointed Child Cusody Mediator in this matter. The parties and their counsel shall attend the mediation conference scheduled by the Child Custody Mediator and shall comply with all requests of the Child Custody Mediator.

BY THE COURT:
Gordon R. Miller, J

Jan. 13, 1993 TEMPORARY ORDER filed. AND NOW, this 12th day of January, 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, Christa and David Greig.

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 mother shall have sprimary physical custody from 5:00 p.m. of August 15 of each year through 5:00 p.m. of July 1 of the following year. The father shall have primary physical custody from 5:00 p.m. of July 1 each year through 5:00 p.m. of the following August 15. Party not having physical custody shall have the right to visitation and temporary physical custody each weekend, except for the first full weekend of each month, from Friday at 5:00 p.m. through Sunday at 7:00 p.m. A full weekend is defined as a weekend in which both Saturday and Sunday occur within the same month. Each party shall have the right to designate a two-week period to occur during that portion of the summer in which said party has physical custody during which the other party shall not have visitation. Said designations shall be made by May 15 of each year to apply to the following summer.

b. The parent not having physical custody shall have the right to telephone the subject minor children 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 shall begin Christmas Eve at 6:00 p.m. and end Christmas Day at noon and the second period shall begin Christmas Day at noon and end Christmas Day at 8:00 p.m. For Christmas, 1993, the mother shall have the first period, and the father, the second, and the parties shall thereafter alternate the periods. In addition, the father shall have visitation and temporary physical custody each year from Christmas Day at 8:00 p.m. to December 30 at 8:00 p.m.

b. Thanksgiving: There shall be two Thanksgiving holiday visitation periods. The first will begin on the Wednesday preceding Thanksgiving at the close of school and end Thanksgiving Day at 2:00 p.m. and the second shall begin Thanksgiving Day at 2:00 p.m. and end Thanksgiving Day at 8:00 p.m. For Thanksgiving, 1993, the father shall have the first period, and the mother, the second, and the parties shall thereafter alternate.

c. Easter: There shall be two Easter visitation periods. The first will begin on Good Friday at 9:00 a.m. and end Holy Saturday at 7:00 p.m. and the second shall begin Holy Saturday at 7:00 p.m. and end Easter Sunday at 8:00 p.m. The father shall have visitation and temporary physical custody diring the first period each year and the mother, the second. The father shall also have the right of visitation and temporary physical custody for three full days during the children's Easter or Spring vacation from school. He shall give the mother one month's notice of the three day period he wishes to select.

d. The other holidays to be observed are Memorial Day, Independence Day, and Labor Day. Holiday visitation shall be between the hours of 9:00 a.m. and 8:00 p.m., except for Independence Day, when the holiday visitation shall be extended to 11:00 p.m. so that the children may watch the fireworks. The father shall have visitation and temporary physical custody for Memorial Day, 1993, and the parties shall thereafter alternate the holiday periods.

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

CONTINUED ON PAGE 324

Dennis V. Williams

1136.

Robert G. Cook

JOYCE M. PURDY

vs.

MICHAEL C. SZKLENSKI

Filed Nov. 24, 1992
@ 2:50 p.m.

Tax and entry paid $10.50
state paid 5.00

ORDER FROM PETITION FOR PROTECTION FROM ABUSE
FROM ERIE COUNTY, PENNSYLVANIA - No. 12444 - 1992

ORDER:

AND NOW, this 12 day of November 1992, upon consideration of the petition for protection from abuse, and a final hearing upon said petition having been heard on this 13 day of Nov. 1992 at 9:30 a.m. in C. R. No. 3, it is hereby ordered, adjudged and decreed that:

1. Temporary custody is granted to the petitioner of the parties children for a period of one year from the date of this order. Note: Prior to the expiration of the one year period, it is recommended that either party file a se parate action requesting a hearing before the custody counselor to obtain custodial rights of a more permanent nature.

2. Possession of the petitioner's present residence and any other residence that he/she may reside, is granted to the petitioner for the exclusive occupancy by her/him and his/her children for a period of one year from the date of this order. Defendant Michael Szklenski is completely excluded from said residence for the same one year period and shall have no license to be present on the premises.

3. Respondent is p rohibited from striking, hitting, threatening abusing or harassing petitioner and the minor children at any location including but not limited to Petitioner's residence, his/her place of employment and the children's s chool.

4. There shall be no personal contact between the parties, except that telephone contact will be permitted for the limited purpose of commun ication with the minor children or for arranging visitation with the minor children. The respondent shall stay at least one hundred (100) yards away from the petitioner.

5. That the sheriff's department, or any other police agency within the area fo the residence of the Petitioner, including the State Police, are instructed to enforce this order.

6. Should the respondent violate this order, he is to be arrested and then cited for indirect criminal contempt before a district justice. An arrest for violation of this order without a warrant, based solely upon probable cuase, whether or not the violation is committed in the presence of a police officer.

7. Plaintiff is ordered not to invite, entice or encourage the respondent to violate this order in any fashion, he or she may be subject to sanctions of this court which can include incarceration up to six months.

8. Consent to entry of this order is not an admission to the allegations.

9. Defendant waS SERVED.

10. This order shall be a warrant for arrest of the respondent upon probable cause of a violation.

11. This order shall expire on 12 November 1993 unless extended by the court. Otherwise this case will be closed.

John A. ----- (Judge, Erie County)

I consent to this entry as an order: Mike Szklenski

1992

Stephen G. Delpero

1137.

FORREST LEE MUNDIS

vs.

DONALD A. COOPER AND
MADELEINE BORTZ AND
CLIFFORD BORTZ d/b/a
THE WOODEN KEG

Filed Nov. 24, 1992
@ 3:56 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	43.00

SUMMONS IN A CIVIL ACTION

issued (sheriff)

Dec. 8, 1992 Sheriff's Return filed. SERVED Donald A. Cooper personally on December 3, 1992 at 3:04 PM by handing him a copy of the Summons in the Fisher Big Wheel parking lot, Water Street, Meadville, Crawford County, PA.
SERVED Madeleine Bortz on December 3, 1992 at 3:05 PM by handing a copy of the Summons to Donald Cooper, her Authorized Agent, in the Fisher Big Wheel parking lot, Water Street, Meadville, Crawford County, PA. Signed Acceptance of Service attached.
SERVED Clifford Bortz on December 3, 1992 at 3:06 PM by handing a copy of the Summons to Donald Cooper, her Authorized Agent, in the Fisher Big Wheel parking lot, Water Street, Meadville, Crawford County, PA. Signed Acceptance of Service attached.
So answers, Dale A Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

1992

Buchanan Ingersoll
Professional Corp.
Stewart B. Barmen
Kathleen R. Nelson

1138.

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

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

RANDY S. ZELEN

vs.

MARIXIE O. ZELEN

Filed Nov. 25, 1992
@ 9:25 a.m.

Tax & entry paid $50.50
state paid 5.00
Bruce Smith, Mediator 348.12
Pro Co Pd 3-26-93 9.00

COMPLAINT FOR CUSTODY

Nov. 25, 1992, Motion for Special RElief in Re Custody, and Order filed.

ORDER OF COURT:

AND NOW, this 25th day of Nov. 1992 upon presentation of the within motion, it is hereby ordered, adjudged and decreed as follows:

1. Defendant/Mother and Plaintiff/Father are prohibited from remo ving the parties' three children from the jurisdiction of this court pending a custody mediation or further order of this court;

2. the parties shall relinquish to the court their passp orts as well as the children's passports immediately.

3. A true and correct copy of this Motion and order shall be served on defendant forthwith. All parties shall comply with this order. Since it was entered without notice to defendant she shall have a right to file a motion for reconsideration.

BY THE COURT,
Gordon R. Miller, J.

Nov. 25, 1992, Appearance of Kathleen R. Nelson Esq. attorney for plaintiff, filed.

Nov. 25, 1992 paid PLTF. $150.00 mediator deposit

3-9-93 Recieved from dft med. fees $87.03

3-26-93 Recieved from plef 111.09 med fee

Pd Co Com Ck#7482 Med fees 348.12

6-28-93 Returned Passport to Rina Zelen Per Order 6-25-93

Nov. 25, 1992 COMPLAINT FOR CUSTODY AND ORDER, filed. ORDER: You, Marixie O. Zelen, Defendant, have been sue din court to obtain custody of the children, Rina, Justin, and Jamie.

You are ORDERED to appear inperson 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.

Date: 1-30-92 Gordon R. Miller, P.J.

Nov. 25, 1992 ol copy Katty; 1 cn copy med; 1 copy Nelson

Dec. 14, 1992 Answer to Complaint for Custodyfiled.

Dec. 16, 1992 Petition for Psychiatric Examination and Order filed. AND NOW, this 16 day of December, 1992, upon presentation and consideration of the within Petition, A Rule is granted upon the Plaintiff to show cause, if any he has, why the relief requested inthis Petition should not be granted.

Returnable and for hearing on the 30 day of December 1992 at 3:30 o'clock p.m. in Court Room No. 1 or 2 of the Crawford County Court House, Meadville, Pennsylvania .

BY THE COURT,
Anthony J.Vardaro, J.

Dec. 16, 1992 Copy of Order toAttys. Barmen, Nelson, Thomas & Smith.

Dec 15, 1992 Answer to Motion for Special Relief, filed. 1 copy (atty)

Dec 17, 1992 MOTION FOR SPECIAL RELIEF IN RE CUSTODY, filed.

Dec 17, 1992 ORDER filed. AND NOW, Dec 16, 1992, this matter is before the Court on a Motion for Special Relief and Custody filed on behalf of the plaintiff in Motion Court this day.

The Court conducts an informal hearing and it appears that this matter is scheduled for mediation before Bruce Smith, Esquire, on Jan. 28, 1993.

Pending that mediation, the Court will attempt to enter an Order to deal with some of the issues that have arisen in an effort to get the parties through to the date of mediation.

ACCORDINGLY, we enter the following Order:

1. With respect to the ex parte Order entered by the Honorable Gordon R. Miller concerning the travel of the parties, which Order was entered Nov. 25, 1992, the same is affirmed in all respects except that the parties shall not leave the Commonwealth of Pennsylvania rather than just Crawford County. It appears that the conditions keeping them within the jurisdiction of Crawford County are not convenient for either party.

2. The plaintiff's request that he have partial custody of the two younger children Justin and Jamie from Dec. 18, 1992 at 4:00 p.m. until Dec. 21, 1992 at 8:00 p.m. is granted, as well as his request that he have custody from Dec. 31, 1992 at 4:00 p.m. until Jan. 3, 1993 at 4:00 p.m. until Jan. 17, 1993 at 6:00 p.m.

3. For the visit of Dec. 18, 1992 through Dec. 21, 1992, the plaintiff may take the children to Long Island, New York to visit with his parents but to no other location without further Order of Court other than the immediate Long Island, New York area.

4. Pending mediation, the parties shall reasonably agree to such other visitation as may be appropriate with repect to father visiting with Justin and Jamie and mother visiting with Rena, it being the Court's intention that the parents should get to visit with each child, and additionally, that the children should have an opportunity to have time together as a group with each parent.

5. Pending further mediation with respect to this matter, each party shall allow the children to telephone the other party in a reasonable manner so that each child has contact with each parent.

6. No party shall say anything negative about the other parent nor blacken the character of the other parent in front of the children and shall, in fact, encourage the children to love and honor each parent and likewise, no party shall allow any relative to say negative things about the other parent and shall always encourage the relatives to say positive things to the children about their parents.

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

Dec 12, 1992 copies mailed to Atty Ford & B. Smith & given to Atty Thomas & Nelson

Dec. 31, 1992 Appearance of Shafer, Swick, Bailey, Irwin& Stack by James R. Irwin for Defendant filed.

Dec. 16, 1992 Counter Motion for Psychological Evaluations and Order Filed. AND NOW, December 16, 1992 Rule Entered and Returnable on December 30, 1992 at 3:30 P.M. Court Room 1 or 2.

BY THE COURT:
Anthony J. Vardaro, J.

Jan. 4, 1993 Copy of Order to Attys.Barmen, Thomas,& Nelson.

Continued of Record to Page 238 A

Randy S.Zelen
vs.
Marixie O.Zelen

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of Record

AD 1992 - 1138

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Dec. 31, 1992 Motion for Continuance of Hearing and Order Filed. AND NOW, this 31 day of December, 1992, upon presentation and consideration of the herein motion, the hearing scheduled for December 30, 1992, at 3:30 p.m. before Judge Anthony J.Vardaro is hereby continued to be reset upon motion of either party.

Anthony J.Vardaro, J.

Jan. 4, 1993 Copy of Order to Attys. Nelson, Barmen, Thomas & Irwin.

Jan.13, 1993 Motion for Psychological Custody Evaluations and Psychiatric Evaluations filed.

Jan.13, 1993 Order Filed. Re: Motion for Psychological Custody Evaluations and Psychiatric Evaluations. The above motion was presented to the undersigned at Motion Court on January 11,1993. This contested divorce, custody and collateral issue matter is complex in nature and has preliminarily been handled by one or more other Judges of this county. The Court was advised that the custody aspect of this case has been referred to custody mediator BruceSmith and a mediation conference is reported to have been scheduled for January 29, 1993. Attorney James Irwin appeared at Motion Court representing mother of the children. Attorney Irwin objected to the motion for appointment contending that since the father is a practicing physician in this area that the psychiatric and psychological staff at the Meadville Medical Center might not be an appropriate referral in this case and suggesting that to appoint out-of-county psychiatric or psychological evaluators

We decline to grant the motion at this time believing that this stressful family situation should first be examined kby custody mediator Smith in the informal atmosphere of a mediation conference. Crawford County is blessed with conscientious custody mediators and accordingly, the Court defers any action on the motion for psychological custody evaluations and psychiatric evaluations of parents or children pending the outcome of the mediation conference. The Court requests that custody mediator Smith in addition to a recommended custody decree explore the possibility of consentual evaluations agreed upon by the parties and absent such an agreement make a recommendation to the Court for such evaluations as he believes will serve the best interest of all parties concerned and recommend the allocation of the expenses for said evalutions.

Accordingly, we deny the motion at this time without prejudice to the right of the father to represent said motion to the Court after receipt by the Court of the mediator's report and recommendations.

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

Jan. 13, 1993 Copies given to Attys. Irwin, Smith & Nelson

Feb. 3, 1993 Motion to Withdraw Appearance of R. Charles Thomas, Esq. and Order filed. AND NOW, this 3rd day of February, 1993, upon presentation and consideration of the within Motion and after notice to counsel of record, R. Charles Thomas, Esq., is granted leave to withdraw his appearance on behalf of the said Marixie O.Zelen in the aforesaid cases.

BY THE COURT,
Gordon R. Miller, J.

Feb. 4, 1993 Copy of Order to Attys. Irwin, Smith & Nelson, Thomas.

Feb. 19, 1993 TEMPORARY ORDER OF COURT, filed. AND NOW this 16th day of February, 1993, after Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The natural parents of Rina Zelen, age fifteen, Justin Zelen, age seven, and Jamie Zelen, age three, the parties to this action, shall share legal custody of the said minor children. Said joint legal custody being shared shall entitle both of the parents to equal access to any records relating to the children held by a third party, including, but not limited to, school and medical records, and shall also entitle both parents to equal input with regard to the educational and religious upbringing of the children, as well as to any elective surgery.

2. Primary physical custody of the child, Rina Zelen, shall remain with the plaintiff father, Randy S. Zelen. Regular visitation and temporary custody of the child shall be granted to the defendant mother, Marixie O. Zelen. Primary physical custody of the children, Justin Zelen and Jamie Zelen, shall remain with the natural mother, Marixie O. Zelen. Regular visitation and temporary custody of these children shall be granted to the plaintiff father, Randy S. Zelen. Physical custody of the children shall be as follows:

a. On Wednesday of each week, all three children shall be together during the dinner hour from 4:30 p.m., prevailing time, through 7:00 p.m., prevailing time. On the first, third, and fifth Wednesday of each month, the children shall be with the mother. On the second and fourth Wednesday of each month, the children shall be with the father.

b. The father shall permit the child, Rina Zelen, to spend at least two weekends per month in her mother's home with her two younger siblings. Absent a contrary agreement, those weekends shall be the second and fourth weekend of each month. Those weekends shall begin at 5:00 p.m, prevailing time, on Friday and shall end at 8:00 p.m., prevailing time, on Sunday. On all other weekends each month all three children shall be in the home of the plaintiff father during the same time periods.

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. All other holidays shall be shared by the parents. Those shared holidays shall include Easter Day, Memorial Day, 4th of July, Labor Day, Thanksgiving Day, Yom Kippur, Rash Hashanah, Hanukkah, and Christmas each year. On those holidays, the children shall be with the mother until 2:00 p.m., prevailing time, and shall then be with the father from 2:00 p.m, prevailing tiem, until 9:00 p.m., prevailing time.

d. The father shall pick up and return the children to the mother's residence, unless the oldest child, Rina, takes on that responsibility.

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

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

5. The parents are encouraged to discuss arrangements for physical custody of the children; and, if the parties mutually 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 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 children.

7. This Order shall not prejudice the right of either party to request further Mediation if there are changed circumstances in the lives of the parties or the children or in the event that the best interest of the children would be served by further Mediation. The parties have agreed to undergo psychological evaluation, and have agreed that the psychologist shall be David Sullivan, Ph. D. The parties and the the children, with the aid of counsel, shall see to the evaluations being completed as soon as possible and that the evaluations are delivered to the secretary to the Judge signing this Order. In the event that David Sullivan is unable to do the psychological workup, Anthony F. Cilluffo, Ph.D., will do the evaluations. The plaintiff father will be responsible for the expense of all psychological evaluations covered under th is paragraph.

Continued on Page 238B

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-6-

1992

RANDY S. ZELEN
VS.
MARIXIE O. ZELEN

CONTINUED FROM PAGE 238A
of Record
A. D. 1992 - 1138

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8. The Court of Common Pleas of Crawford County, Pennsylvania, shall retain jurisdiction of this matter so long as either of the parents or any of the children resides in the Courts jurisdiction and for at least six months from the date of this Temporary Order.

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

10. This Order shall be a Temparary Order, but shall become a permanent Order exceptions are filed by either party within thirty days from the date of this Temporary Order, exceptiong only tht the psychological evaluations are not filed with the Court until more than thirty days from the date of this Temporary Order. Either party will be permitted to file exceptions and request a hearing based on the psychological evaluations when they are filed.

BY THE COURT:
Anthony J. Vardaro, J.

Mar 2, 1993 copy to D. Ford, S. Barmen, K. Nelson, J. Irwin, B. Smith, Plf. & Dft.

Feb. 24, 1993 Motion For Hearing De Novo in Re Custody and Order, filed. ORDER: AND NOW, this 24th day of February, 1993, upon presentation of the within Motion, it is hereby ORDERED, ADJUDGED and DECREED that a hearing de novo in regard to the custody of the three children of the parties in the above-captioned proceedign is hereby scheduled for the 8th day of April, 1993 at 9:15 a.m. before Judge Miller. Said hearing shall be a one day hearing.

BY THE COURT:
Anthony J. Vardaro,J.

Mar. 4, 1993 copy to D. Ford, S. Barmen, K. Nelson, J. Irwin, B. Smith

Mar. 3, 1993 Order filed. AND NOW, March 2, 1993, the motion ofRandy S. Zelen to consolidate these actions is granted. The custody action brought at 1992-1138 is hereby consolidated with the divorce ac tion brought at 1992-1193.

From this point on all further matters shall be filed in the case of Marixie O.Zelen b. Randy S.Zelen at 1992-1193. The respective pleadings in these actions hereby consolidated shall remain as the pleadings in the consolidated action. All matters filed from this point on shall be filed in the consolidated action. The findings, verdicts and judgments in the consolidated action shall be entered as though the said action had been originally commenced as a single action.

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

March 8, 1993 Copy of Order to Attys. Nelson, Irwin Ford, Barmen, Smith.

June 28, 1993 Motion For Temporary Release of Passport of Rina Zelen and Order filed. AND NOW, this 25 day of June, 1993, it is hereby ORDERED, ADJUDGED AND DECREED as follows:

1. The Prothonotary of the Court of Common Pleas of Crawford County shall release the passport of Rina Zelen to Rina Zelen andher father, Randy S. Zelen, for the purpose of Rina obtaining her driver's license permit;

2. Once Rina has used the passport for the purpose of her driver's license permit, said passport shall immediately be returned to the Prothontoary's Office of the Court of Common Pleas of Crawford County.

Gordon R. Miller, J

June 28, 1993 Copies of order to Atty's Ford, Nelson and Irwin

This case is consolidated with

AD-1992-1193

Everything is to be filed at that number.

1992

Jones-McConnell
Mary Ann McConnell

1139.

FIRST NATIONAL BANK OF STONEBORO

vs.

HARRY HUDSON a/k/a HARRY W. HUDSON, HARRY R. HUDSON
d/b/a
MEADVILLE ALUMINUM BUILDERS OF COCHRANTON

Filed Nov. 25, 1992
at 1:22 p.m.

P ro King: paid	$15.00
plff on orig.	131.17
Sheriff's Costs	50.00

WRIT OF REVIVAL

of

AD 1988 - 571

Writ of revival indexed against defendants in the amount of $47,798.68 with int. from Feb. 4, 1976.

Debt -------$47,798.68
Int. from Feb. 4, 1992
H - 218, 218, 218
M ----111

Issued (sheriff)

Dec 10, 1992 SHERIFF'S RETURN filed. SERVED Harry W. Hudson personally on Dec. 7, 1992 at 11:06 am by handing a copy of the Writ of Revival to him in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Pa.

SERVED Harry Russell Hudson d/b/a Meadville Aluminum Builders of Cochranton on Dec. 3, 1992 at 9:21 am by handing a copy of the Writ of Revival to Robert Hudson, his wife, at their residence, RD 3, Franklin Pike, Meadville, Crawford County, Pa.

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

1992

Tamora L. Reese

1140.

CONSTANCE K. REESE

vs.

RICHARD P. REESE

Filed Nov. 25, 1992
@ 1:57 p.m.

Tax & entry paid	$50.50
state paid	5.00
state paid	10.00
Pro Co pd 2-24-93	9.00

COMPLAINT IN DIVORCE

2 copies (atty)

Feb. 24, 1993 Affidavit of Service filed. Before me, the subscriber, a Notary Public, in and for the County and Commonwealth aforesaid, personally appeared Tamora L. Reese, Esq., being duly sworn, according to law, doth depose and say that a copy of the Complaint in Divorce in the above-referenced action was mailed to the Defendant, Richard P. Reese, by Certified Mail, Return Receipt Requested, on the 25th day of November, 1992.

Tamora L. Reese

Feb. 24, 1993 Affidavit of Consent of Plaintiff filed.

Feb. 24, 1993 Affidavit of Consent of Defendant filed.

Feb. 24, 1993 Upon Praecipe of Attorney for Reveiw under Section 3301 (c) of Divorce Code, this case moved to Court.

Mar. 15, 1993 Waiver filed.

Mar. 15, 1993 Amended Complaint Under Section 3301 (c) of the Divorce Code filed.

Mar. 25, 1993, Property Settlement Agreement filed.

March 25, 1993 - FINAL DIVORCE DECREE filed.

AND NOW, March 24, 1993, it is hereby ordered and decreed that Constance K. Reese, Plaintiff, and Richard P. Reese, Defendant, are divorced from the bonds of matrimony .

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

BY THE COURT,
Anthony J. Vardaro,
Judge

1992

pro se

1141.

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

WILLIAM COULTER

vs.

RHONDA WAGNER

Filed Nov. 25, 1992
@ 2;22 p.m.

Tax & entry paid $50.25
state paid 5.00

Pro.Co.pd 1/18/93 5.00

APPEAL OF PLAINTIFF FROM JUDGMENT OF D.J. 30-3-01

Nov. 30, 1992 PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT, filed.

Jan.18, 1993 Upon Praecipe of Defendant's Attorney, Appeal is hereby stricken.

242

1992

pro se 1142. Fuller, Kinnunen, Petruso, Gamble, Fabian & Hall Stephen E.Hall	WILLIAM COULTER vs. SHIRLEY McNEELY, ET AL Filed Nov. 25, 1992 @ 2:22 p.m. Tax & entry paid $50.25 ✓ state paid 5.00 Pro.Co. pd 1/18/93 5.00 ✓	APPEAL OF PLAINTIFF FROM JUDGMENT OF D. J. 30-3-01 Nov. 30, 1992 PROOF OF SERVICE OF NOTICE OF APPEAL AND RULE TO FILE COMPLAINT, filed. Jan. 18, 1993 Upon Praecipe of Defendants Attorney, Stephen E. Hall, Esquire appeal is Hereby Stricken.

1992

Fuller, Kinnunen,
Petruso, Gamble, Fabian
& Hall
Gary A. Fabian

1143.

SHANNON LIPPERT

vs.

JOHN J. LIPPERT

Filed Nov. 30, 1992
@ 9:39 a.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro.Co. pd 3/2/93	9.00

COMPLAINT UNDER SECTION 3301(c) OR 3301(d)
OF THE DIVORCE CODE

1 copy (atty)

Dec 7, 1992 GARY A. FABIAN, being duly sworn according to law, deposes and says that:

1. He is an attorney authorized to practice law within the Commonwealth of Pennsylvania.

2. He is the attorney for the plaintiff in the above-captioned matter.

3. On Dec. 1, 1992, he had deposited in the United States Mail by certified mail, return receipt requested, Certified Mail No. P 899 098 434 attached hereto and made a part hereof, a true and correct copy of a Complaint in Divorce addressed to John J. Lippert said Complaint in Divorce naming John J. Lippert as the defendant in the above-captioned matter.

4. Service was obtained upon the defendant, John J. Lippert on Dec. 2, 1992, as evidenced by Return Receipt for Certified Mail No. P 899 098 434 attached hereto and made a part hereof, said receipt being signed by John J. Lippert.

Mar. 1, 1993 Affidavit of Consent of Defendant filed.

Mar. 1, 1993 Affidavit of consent of Plaintiff filed.

Mar. 2, 1993 Upon Praecipe of Plaintiff Attorney to transmit record, case moved to Court.

D I V O R C E D E C R E E F I L E D

March 12, 1993, AND NOW, March 10, 1993, it is ordered and decreed that **S H A N N O N L I P P E R T**, plaintiff, and **J O H N J . L I P P E R T**, 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.

244

1992

Ferguson & Spataro
Douglas w. Ferguson

1144.

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

ROBERT D. BENNETT, A MINOR, BY YVONNE BENNETT, HIS GUARDIAN

vs.

DAVID ANDREW LONGO, JR. A MINOR, AND DAVID A. LONGO AND DORIS F. LONGO, HIS WIFE

Filed Nov. 30, 1992
@ 9:52 a.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	42.00

CIVIL COMPLAINT

3 copies (sheriff)
1 copy (atty)

Dec. 8, 1992 Sheriff's Return filed. SERVED David A. Longo, Jr. on December 3, 1992 at 2:20 PM by handing a copy of the Complaint to Doris F. Longo, Adult in Charge at the residence, Wing Road, Conneautville, Crawford County, PA.
SERVED David A. Longo, Sr. on December 3, 1992 at 2:19 PM by handing a copy of the Complaint to Doris F. Longo, Adult in Charge at the residence, Wing Road, Conneautville, Crawford County, PA.
Served Doris F. Longo, personallyon December 3, 1992 at 2:18 PM by handing a copy of the Complaint to her at the residence, Wing Road, Conneautville, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Dec. 31, 1992 Appearance of Fuller, Kinnunen, Petruso, Gamble, Fabian& Hall by John D. Petruso for Defendant filed.

Mar 3, 1993 Answer of Defendant to Complaint and New Matter, filed.

Mar. 3, 1993 Certificate of Mailing of Answersand New Matter upon Douglas W. Ferguson, filed.

May 3, 1993 Plaintiffs' Reply To Defendants' New Matter filed.

May 3, 1993 Certificate of Mailing of Plaintiff's Reply to Defendants' New Matter filed.

1992

1145.

CAROL L. MATTIS

vs.

WILLIAM C. HAJDER

Filed Nov. 30, 1992
@ 12:00 p.m.

Tax & entry pd 12-16-92 $10.00
state pd 12-16-92 5.00

PETITION FOR PROTECTION FROM ABUSE- CERTIFIED COPY FROM THE COURT OF COMMON PLEAS OF ERIE COUNTY, PA.
(No. 7604-92)

(see paper filed for Affidavit, Temporary Order of July 1, 1992, Information Sheet, Important Notice Regarding Final Hearing, and Order of Judge Jessamine S. Juilante of July 14, 1992)

ORDER:

AND NOW, to-wit, this 14 day of July 1992, William C. Hajder is hereby ordered to pay costs intthe above action as follows:
A. $40.50 To the Prothonotary of Erie County, 1st Fl. Courthouse, Certified Check, cash or money order, only.
B. $22.50 To the Sheriff of Erie County, 1st Fl. Erie County Courthouse, Money order or cash only.

It is further ordered that said costs shall be paid by the 14 day ofDec. 1992. Failure to pay by the said date will result in the issuance of a bench warrant and your immediate arrest and incarceration.

BY THE COURT:
Jessamine S. Juilante, Judge

1992

1146.	DANIEL L. CHISHOLM vs. SCOTT GIBSON Filed Nov. 30, 1992 at 12:01 p.m. Tax & entry paid $50.25 state paid 5.00	APPEAL OF DEFENDANT FROM JUDGMENT OF DISTRICT MAGISTRATE, NO. 30-3-04 Nov. 30, 1992, Rule entered upon plaintiff to file complaint issued. Dec.2, 1992 Proof of Service of Notice of Appeal and Rule to File Complaint filed.

1992

1147.

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

S. TODD WOODS

vs.

DAVID LONGO d/b/a
D & R EXCAVATING & CONSTRUCTION, INC.

Filed Nov. 30, 1992
@ 1:21 p.m.

Tax & entry paid $50.25
state paid 5.00

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

Nov. 30, 1992, Rule entered upon the plaintiff to file complaint issued.

Dec. 2, 1992 Proof of Service of Notice of Appeal and Rule to File Complaint filed.

Dec. 17, 1992 Complaint in Civil Action filed.

Jan. 13, 1993 Answer and New Matter filed.

Jan. 14, 1993 Affidavit of Service filed.

Mar. 31, 1995 Motion For Leave To Withdrawn Appearance and Order filed. AND NOW, this 31 day of March, 1995, upon consideration of the Motion for Leave to Withdraw Appearance, said Motion is granted and thelaw firm of Shafer, Swick, Bailey, Irwin, Stack & Millin shall be permitted to withdraw their appearance in this matter. A copy of this Order shall be served upon the defendant by regular mail at its last known address.

By the Court:
Anthony J. Vardaro, J

Mar. 31, 1995 Faxed Stack& White

248

1992

William J. Gregg

1148.

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

BILL SMITH

vs.

DAVID LONGO d/b/a D & R EXCAVATING & CONSTRUCTION, INC.

Filed Nov. 30, 1992 @ 1:21 p.m.

Tax & entry paid $50.25
state paid 5.00

APPEAL OF DEFENDANT FROM JUDGMENT OF HUBERT E. VOGAN, DISTRICT JUSTICE

Nov. 30, 1992, Rule entered upon plaintiff to file complaint issued.

Dec. 2, 1992 Proof of Service of Notice of Appeal and Rule to File Complaint filed.

Dec. 17, 1992 Complaint filed.

Jan. 5, 1993 Notice of Service filed.

Jan. 13, 1993 Answer and New Matter filed.

Feb. 22, 1993, Amended Complaint filed. 2 copies (atty) (Certificate of Service attached)

Feb. 26, 1993 Preliminary Objections To Amended Complaint filed.

Mar. 31, 1995 Motion For Leave To Withdraw Appearance and Order filed. AND NOW, this 31 day of March, 1995, upon consideration of the Motion for Leave to Withdraw Appearance, said Motion is granted and thelaw firm of Shafer, Swick, Bailey, Irwin, Stack & Millin shall be permitted to withdraw their appearance in this matter. A copy of this Order shall be served upon the Defendant by regular mail at its last known address.

BY THE COURT,
Anthony J. Vardaro, J

Mar. 31, 1995 Faxed Stack & Gregg

1992

Reale, Fossee &
Appelbe, P.C.
Frances J. Scott

1149.

JEFFREY L. HUBERT

vs.

ANNA MACK

Filed Nov. 30, 1992
@ 1:29 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	30.00
Pro Co pd 9-3-93	9.00
Pro.Co. Pd 9/13/93	5.00

COMPLAINT

1 copy (atty)

Dec 10, 1992 SHERIFF'S RETURN filed. SERVED Anna Mack personally on Dec. 8, 1992 at 2:13 pm by handing a copy of the Complaint to her at her residence, 637 Cullum St, Meadville, Cr. Co. Pa.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, September 3, 1993, upon praecipe 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 One Thousand Four Hundred Twenty-Three Dollars and 79/100 plus costs.
Entered 9-3-93 Debt: $1,423.79 plus costs
M - 16 JUDGMENT
Barbara H. King, Pro.

Sep. 13, 1993 Upon Praecipe of Attorney for Plaintiff, Andrew W. Blenko, Esquire,. the above case marked settled and discontinued of record.

250

1992

Gent, Gent, & Snyder
Michael D. Snyder

1150.

MARINE BANK, SUCCESSOR BY MERGER AND ACQUISITION TO THE FIRST NATIONAL BANK OF PENNSYLVANIA

vs.

JAMES R. BOOKER AND VICKI D. BOOKER

Filed Nov. 30, 1992
@ 1:46 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	$61.73
Pro.Co. pd 3/3/93	9.00

COMPLAINT IN MORTGAGE FORECLOSURE

2 copies (sheriff)

Dec.29, 1992 Sheriff's Return filed. SERVED James R. Booker personally on December 22, 1992 at 6:54 PM by handing a copy of the complaint in Mortgage Foreclosure to him at his residence, R.D.#3, Box 655, Conneaut Lake,Crawford County, PA.

SERVED Vicki D.Booker on December 22, 1992 at 6:53 PM by handing a copy of theComplaint in Mortgage Foreclosure to James R.Booker, her husband, at their residence, R.D.#3,Box 655, Conneaut Lake, Crawford County, PA.

So answers,

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

And Now, Mar. 3, 1993 at 3:15 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 damages are assessed at Two hundred Sixty-Nine thousand forty-two and 34/100 Dollars, plus interest.

B-94;B-164:
Entered 3/9/93
Atty. Snyder

Debt $269,042.34
Interest from July 23, 1992
at the rate of $61.17 per day
Judgment
Barbara H. King
Prothonotary

EXECUTION 1993 - 10

1151.

TAMMY S. DONOVAN

vs.

JAMES E. DONOVAN, JR.

Filed Nov. 30, 1992
@ 1:54 p.m.

Tax & entry Pd 4/2/93 - $50.50
state Pd 4/2/53 5.00
Sheriff's Costs 44.00

4/2/93 - Sheriff costs & #44.00 Pd by dft.

4-2-93 paid Sheriff Cost $44.00 to Robert M. Stevens Sheriff. Check 7459

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

ORDER:

And now, this 30 day of November, 19 92, upon review of the petition of Plaintiff, the Court entered 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: Upon serving the defendant the Sheriff or his deputies shall tranfer physical custody of the minor children to the Plaintiff who shall have temporary custody 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 of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for December 7, 1992, at 3:30 PMM., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Anthony J. Vardaro, J

Dec. 2, 1992 Sheriff's Return Filed. SERVED James E.Donovan personally on December 1, 1992 at 10:15 AM by handing him a copy of the Protection From Abuse to him at R.D.#4, Box 261,Centerville, Crawford County, PA.
So answers,

Dale A. Collins, Deputy Sheriff
Edgar D.Householder, Chief Deputy
Robert M.Stevens, Sheriff

Dec. 11, 1992 Order filed. AND NOW, December 7, 1992, this matter is before the Court on Plaintiff's Petition for Relief Under the Protection From Abuse Act.

Both parties appear represented by consel and they have agreed to an Order without admission of the allegations ofthe petition on the part of the Defendant.

Therefore, it is ORDERED as follows:

1. The Defendant shall not assault, abuse, harass or threaten the Plaintiff at any time or any place and in any manner.
2. The Defendant shall not go to the residence of the Plaintiff at any time other than for the purpose of picking up the chilren for visitation or return from visitation. If he is invited by the Plaintiff at any other time he shall not go to the Plaintiff's residence at any time without any amendment of this Order inasmuch as any police agency shall presume that he may not be on the premises even if he has been invited there.
3. The Plaintiff shall have temporary custody of the minor children pending further Order of Court with visitation to the Defendant on alternate weekends from 5:00 p.m. on Friday until 6:00 p.m. on Sunday beginning with the weekend commencing on December 11, 1992.

The Defendant shall also have visitation from 2:00 p.m. until 7:00 p.m. on each Wednesday preceding any weekend in which the Defendant does not have weekend visitation with the children.

The transportation for such visits shall be furnished by the Defendant and he shall be accompanied by another adult individual at each time he either picks up or returns the children with respect to such visits.

Neither party shall smoke, consume alcoholic beverages, use profanity or disparage the character of the other party in front of the children.

The noncustodial parent is encouraged to contact the children by telephone and the parent in custody shall encourage such contact at all times.

4. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
5. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control and to the Corry Barracks of the Pennsylvania State Police.
6. The Defendant shall pay costs in this matter in the amount of $99.50 to the Prothonotary of Crawford County within ninety (90) days from the date of this Order.
7. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000.00 and a jail sentence of up to six (6) months.
8. This Order shall remain in full force and effect through December 6, 1993.

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

Dec. 11, 1992 Copies mailed to Pltf., Dft, Corry St. Police, Titusville Police and cpies to Atty's Sullivan, Dratler and County Control.

Continued on Page 328

1992

Ruthanne Beighley

1152.

James M. Laur

CATHY J.LAUR

vs.

JAMES M. LAUR

Filed Nov. 30, 1992
@ 3:09 p.m.

Tax & entry paid	$50.50
1 count paid	15.00
state paid	10.00
state paid	10.00
ProCo 5-5-93	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

1 copy (atty)

Apr. 30, 1993 Complaint reinstated.

May 3, 1993 Enter my General Appearance in the above-entitled divorce action. I hereby accept service of an acknowledge receipt of a copy of the original Complaint in Divorce filed in the above action. James M. Laur

May 5, 1993 Affidavit of Consent of Defendant, filed.

May 5, 1993 Affidavit of Consent of Plaintiff, filed.

May 5, 1993 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

May 14, 1993 - DECREE

1. DIVORCE: Upon consideration of the pleadings and affidavits filed in the above-captioned case, this Court hereby grants an absolute divorce from the bonds of matrimony to the above-named parties, on the grounds that the marriage is irretrievably broken and ninety (90) days have elapsed from the date of filing of the Company, and an Affidavit has been filed by reach of the parteis, evidencing that each of the paraties consents to the divorce pursuant to Section 3301(c) of the Pennsylvania Divorce Code.

2. EQUITABLE PROPERTY DETERMINATION AND DISTRIBUTION: DIVISION OF DEBTS: The marital property and debts of the parties shall be divided and distributed as follows:

a. TANGIBLE PERSONAL PROPERTY: Of the tangible personal property acquired during the marriage, each party shall retain those items he or she now has in his or her possession.

b. REAL ESTATE: The Plaintiff/wife shall transfer all of her right, title and interest in and to jointly held real estate located in South Shenango Township, Crawford Co., PA. and in Walton County, Florida; however, the former shall not be transferred on the record until the home equity line of credit at Integra Bank is retired in equal shared by the paraties and the latter may be put on the record in Florida upon the entry of a Decree in Divorce.

The real estate located in South Shenango, Crawford Co., PA., will become owned by the parties as tenants in common with issuance of a Divorce Decree. In the event of the husband's demise before the home equity loan is completely paid off, wife shall convey her interest to the husband's estate if and when the loan is fully satisfied by his estate. Further, should the wife's demise occur before the loan is fully retired wife shall devise her undivided one-half interest in said real estate to the husband who shall be solely and exclusively responsible for retiring the outstanding balance at Integra.

In the event of the husband's disability or any other event resulting in the sale of said residence, wife shall join in any deed requested of her contingent only upon the Integra loan being satisfied. In the event of wife's disability, the deed executed by her and held in escrow by the escrow agent shall be recorded in favor of the husband who shall thereafter be solely and exclusively responsible for retirement of the Integra loan.

In the event of fire or other destruction of the residence resulting in payment of insurance proceeds to one or both parties, wife shall join in any endorsement in order for the husband to have said proceeds after deduction only for the Integra loan balance.

Wife shall suffer no lien or judgment nor attempt to obtain any mortgage on this residential real estate and shall indemnify and hold harmless the husband against any and all claims or demands which may be made against him by any creditor of hers. Further, wife shall do nothing to impede or impair the saleability or transferability of this property.

3. CONSENT BY PARTIES: Cathy J. Laur and James M. Laur, by their attorney, Ruthanne Beighley, do hereby consent to the terms and conditions of this Divorce Decree:

Cathy J. Laur James M. Laur

Ruthanne Beighley, Attorney

This Order shall be effective as of this 12 day of May, 1993.

BY THE COURT:
Anthony J. Vardaro, J.

1992

Jorden and WHite
William T. Jorden

1153.

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

DAVID GREATHOUSE, KEVIN GREATHOUSE, INDIVIDUALLY, AND AS ADMINISTRATORS OF THE ESTATE OF GARRY GREATHOUSE, AND TRAVIS GREATHOUSE, A MINOR

vs.

STEVEN MYERS

Filed Dec. 1, 1992
@ 9:27 a.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	75.00
Pro Co. pd 8-26-94	6.00
cert paid 9-19-94	1.00

SUMMONS IN CIVIL ACTION

Issued (sheriff)

Dec. 29, 1992 Sheriff's Return and Affidavit of Service filed. SERVED the within Summons, Interrogatories and Request on December 15, 1992, at 1400 hr, upon Steven Myers at 10705 Barton Road, Erie County, Waterford, Pennsyvania by handing to Steven Myers 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, which is part of this return.
So answers: Robert M.Stevens, Sheriff, Crawford County, PA

Dec. 30, 1992 Notice of Service of Interrogatories and Request for Production filed.

Feb. 19, 1993 Appearance of Thomas, Truax, spadafore & Walker by Emil M. Spadafore, Jr. for Defendant filed.

Feb. 19, 1993 Praecipe for Rule to File a Complaint, filed. issued Atty.

May 28, 1993 Certificate of Service of Interrogatoaries filed.

May 28, 1993 Certificate of Service of Interrogatories filed.

May 28, 1993 Certificate of Service of Interrogatories filed.

Jun. 30, 1993 Certificate of Service of Answers to Interrogatories filed.

Aug. 24, 1994 Upon praecipe of Plaintiff's attorney the above-captioned action marked discontinued of record.

1992

1154.

BOROUGH OF SPRINGBORO

vs.

WALLACE HYDE, JR.
DORIS A. HYDE

Filed Dec. 1, 1992
@ 1:11 p.m.

Pro King paid	$9.00
plff. on orig	14.50
Pro.Co. pd 7/16/93	5.00

AGREEMENT TO REVIVE

of

DSB 1987 - 730

The undersigned hereby agrees that judgment be revived; indexed by Prothonotary in favor of plaintiff and against the defendant in the sum of Thirty Five Thousand and no/000 00/100 Dollars plus costs.

Debt ----$35,000.00
Dated----Dec. 11, 1992
H - 1203 REVIVAL OF JUDGMENT
H - 46 Barbara H. King,
Prothonotary

July 16, 1993 at 10:29 A.M. writing filed wherein Plaintiff releases from the lien of the above entitled judgment the following described property: to wit: ALL That certain piece or parcel of land situate inthe Borough of Springboro, County of Crawford, Commonwealth of Pennsylvania, bounded and described as follows: (For more complete description, See Release of Lien filed).

Revived to: AD1997-1210
May 5, 2003 - See Computer for further entries

1992

1155.

BOROUGH OF SPRINGBORO

vs.

WILLIAM GARLICK

Filed Dec. 1, 1992
@ 1:20 p.m.

Pro King paid	$9.00
plff on orig.	14.50

AGREEMENT TO REVIVE

of

DSB 1987 - 761

The udnersigned hereby agrees that the judgment be revived; indexed by Prothonotary in favor of plaintiff and against the defendant in the sum of Five Thousand Nine Hundred Ten and 38/100 Dollars plus costs.

Dated ------Nov. 16, 1992
Debt ------$5,910.38
G - 174 ----REVIVAL OF JUDGMENT

Barbara H. King,
Prothonotary

Revived to: AD1997-1211

Mark D. Prather

Prather, Prather, & Pineo

1156.

GEORGE E. SMITH AND SHIRLEY M. SMITH

vs.

MARY M. HOTCHKISS' HEIRS, C. W. BURGWINS, AND JOHNAA. NEYLAND AND MARY L. NEYLAND, THIER HEIRS, SUCCESSORS AND ASSIGNS

Filed Dec. 1, 1992
@ 2:50 p.m.

Tax & entry paid	$50.50
state paid	5.00
Pro Pd. 2/8/93	9.00

COMPLAINT - ACTION OF QUIET TITLE

Dec. 2, 1992, Motion for Service by Publication, Affidavit Concerning Whereabouts of Defendants, and Order filed.
ORDER:
NOW, this 2 day of Dec. 1992, upon consideration of the foregoing motion and affidavit, it appearing that the identity and whereabouts of defendatns, their heirs, successors and aggigns, is unknown to plaintiffs, following diligent search and inquiry, it is hereby ordered, adjudged and decreed that service may be made upon defendants by publication in the Meadville Tribune and Crawford County Legal Journal, one time only, to include a notice requiring the defendants to file an answer to said complaint within twenty (20) days following publication thereof.

Per Curiam,
Anthony Vardaro, Judge

Dec. 3, 1992, copy of order to Mark Prather.

Jan. 6, 1993 Motion for Judgment and Order filed.now, this 6th day of January, 1993, an affidavit of service having been filed, defendants having filed no answer thereto, the court, upon motion of PRATHER, PRATHER & PINEO, attorneys for plaintiffs, hereby orders and decrees that the defendant above named,their heirs, successors and assigns, be and they are forever barred from asserting any right, lien, title, interest or claims, in and to the premises situate in Randolph Township, Crawford County, Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a point on the easterly line of State Route 2013, said point being the southwest corner of the land herein conveyed; thence north 26°15'25" east a distance of 308.42 feet along the easterly line of State Route 2013 to an ironpin; thence south 73°44' east a distance of 179.10 feet along land of Edward L.Zuck and Lois M.Zuck to an iron pin; thence north 21°12' east a distance of 82.14 feet along land of Edward L.Zuck and Lois M.Zuck to an iron pin; thence south 83°31'40" east a distance of 49.50 feet along land of Christy D. and Ruth Mast to an iron pin; thence south 22°36'27" west a distance of 127.59 feet along land of Edwin Lilly to an iron pin; thence north 88° 58'45" west a distance of 305.09 feet along land of Donald C. and Helen Gross to an iron pin onthe easterly line of State Route 2013, said point being the point and place of beginning. Having erected thereon a two-story from house and garage, the same having been acquired by deed dated October 20, 1992, recoreded October 20, 1992, in Crawford County Record Book 170, page 505.

It is ordered, adjudged and decreed that defendants,their heirs, successors and assigns be and they are hereby forever barred from asserting any right, title, lien, interest or claim, in the above described premises, inconsistent with the interest or claim of plaintiff, as set forth herein, or from impeaching, denying, or in any way attaching the plaintiff's title to said property; from issuing or maintaining any actions attaching the same, or any part thereof, unless defendants shall enter their appearance and contest this action within thirty (30) days following entry of this order, upon the expiration of which this order shall become final and absolute.

Per Curiam,
Gordon R. Miller, Judge

Jan. 6, 1993 Copy of Order to Atty. Prather.

Final Judgment

And Now Feb. 3, 1993, at 12.56 p.m. UPon praecipe of plaintiff attorney, Judgment is hereby entered in favor of the plaintiff and against the defendants herein.

FINAL JUDGMENT
Barbara H. King,
Prothonotary

Judgment entered
2/8/93
H - 115
B - 34
N - 91, 111

1992

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

1157.

JAMES R. WARDEN

vs.

SUZANN WARDEN

Filed Dec. 2, 1992
@ 1:28 p.m.

Tax & entry paid	$50.50
1 count paid	15.00
state paid	10.00
state paid	10.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION

1 copy (atty)

Dec. 8, 1992, Affidavit of Mailing filed. Ann Hansen Gamble, being duly sworn according to law, deposes and says that she is atty. at law, duly authorized to practice in Com. of Pa. and that on Dec. 3, 1992, she sent a cert. copy of Complaint in divorce to to the dft. by cert. mail, restricted del, postage prepaid, receipt req. to Suzann Warden Box 637, Meadville, Pa. 16335, the dft's last known address. The said receipt being attached hereto.

Ann Hansen Gamble, Esq.

Mar. 12, 1998 Important Notice and Court Order filed. Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 12/8/92 . 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)

1992

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

1158.

William J. Gregg

TRACY FIELD

vs.

FRED FIELD, II

Filed Dec. 2, 1992
@ 1:33 p.m.

Tax & entry paid $50.50
state paid 5.00
Pro Co Pd 6-23-94 90 ✓

William Pineo, Mediator 182.00
Pro Co Pd 5-15-96 9.00 ✓
90

4.5.94 $150.00 deposited by dft.

6-2-94 Pd dft Balmed fee Ck#8342 40.00

6-23-94 Pd Co Ck#8399 10.00

2-15-96 - Refund from dft. med $150.00

4-29-96 Pd dft Refund #9963 50.00

5-15-96 Pd Co #10019 91.00

6-1-96 Ref med Fee pltf 91.00

Pd 9-19-96 #10344 91.00

6-2-97 Ref from dft med dep 200.00

10-10-97 Pd dft med Refund #11334 39.00

152.00

PETITION FOR CUSTODY

2 copies (atty)

Dec. 8, 1992 Affidavit of Service filed. I, James R. Irwin, Esquire, being duly sworn according to law, depose and say that I am the attorney of record, and as such say that I served a true and correct copy ofthe Petition for Custody, certified by the Prothonotary of Crawford County, Pennsylvania on the above named Defendant by certified mail, addressee only, return rceipt requested, dated December 2, 1992. The Defendant acknowledged service on December 4, 1992 by accpeting delivery on that date as evidenced by the attached signed return receipt.

James R. Irwin

Dec 11, 1992 Stipulation and Consent to Entry of Custody Order and Order filed. ORDER: AND NOW, this 11th day of December, 1992, upon presentation of the Stipulation and Consent of the parties, attached hereto, and after consideration of same, it is hereby ORDERED, DIRECTED and DECREED that:

1. Legal and physical custody of the parties' two (2) minor children shall be shared between the mother, Tracy Field and the father, Fred Field.
2. The natural mother shall have primary physical custody of the aforementioned minor children.
3. The natural father shall have liberal visitation with the children at times to be agreed upon between the parties.
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. 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 law of Pennsylvania.
7. Neither party shall do or say anything to blacken the character of the other in the children's estimation. Each party shall treat the other in apolite and respectful manner when in the children's presence and each party shall instruct his or her relative sand friends to do likewise and also not to disparage the other party in the children's estimation.

BY THE COURT:
Anthony J. Vardaro, J.

Dec 11, 1992 2 copies atty.

Apr. 5, 1994 Petition for Review of CustodyOrder by Mediator and ORDER filed. AND NOW, this 4 day of April, 1994, upon Petition of the Defendant, Child Custody Mediator, Wm. Pineo, Esq. is hereby appointed to hear the issues raised within Defendant's Petition. The Mediator shall schedule a Mediation conference at his convenience.

BY THE COURT:
Anthony J. Vardaro, J.

4-7-94 Copy of Order to Attys. Irwin, Gregg & Pineo.

Apr. 13, 1994 Affidavit of Service filed. AND NOW, this 12th day of April, 1994, William J. Gregg, Esquire, being duly sworn according to law, deposes and says that the following facts in support of His Affidavit of Service are true and correct to the best of his knowledge, information and belief:

1. That the Affiant is the Attorney for the Defendant in the above-captioned action.
2. That a true and correct copy of the Petition for Review of Custody Order by Mediator and the signed Order by Judge Anthony Vardaro, appointing William Pineo, Esquire as Custody Mediator, were sent by certified mail to the Plaintiff, Tracy Field, on April 6, 1994.
3. That the Plaintiff received said certified mail on April 8, 1994. Said Return Receipt Card P 238 202 450 is attached hereto, signed by Tracy Field and made a part hereof.

April 12, 1994 William J. Gregg, Esquire

Jun. 2, 1994 TEMPORARY ORDER filed. AND NOW, this 1 day of June, 1994, after Mediation in the above referenced matter and upon the recomendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legaland physical custody of the subject minor children, Fred Field, III, and Ashley Field.
2. The parties shall share with each other any and all information which each may have regarding the health, education, and major events in t he life of t he subject minor children. Health care, school personnel, and other care providers are hereby authorized to release to either party any and all confidential infromation which they may have regarding the subject minor children.

3a. The mother shall have primary physical custody from 5:00 p.m. of August 15 of each year through 5:00 p.m.of July 1 of the following year. The father shall have primary physical custody from 5:00 p.m. of July 1 of each year to 5:00 p.m. of the following August 15. During the mother's period of primary physical custody,the father shall have visitation and temporary physical custody each weekend, except for the first full weekend of each month, from Friday at 5:00 p.m. through Sunday at 7:00 p.m. A full weekend is defined as one in which Friday and Saturday occur within the same month. During the father's period of primary physical custody, the mother shall have visitation and temporary physical custody on alternate weekends, beginning with the second full weekend after the father shall have received physical custody of the subject minor children, from Friday at 5:00 p.m. through Sunday at 7:00 p.m.

b. The subject minor children shall have the right to telephone the parent not having physical custody at reasonable times and for reasonable lengths of time and such conversations 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 1:00 p.m., and the second beginning on Christmas Day at 1:00 p.m. and ending on December 26 at 5:00 p.m. For Christmas, 1994, the father shall have the first period and the mother, the second, and the parties shall thereafter alternate.

Continued to Page 258 A

Tracy Field
vs
Fred Field, II

Continued from Page 258
of record
AD 1992 - 1158

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b. Thanksgiving: There shall be two Thaksgiving visitation periods, the first beginning on the Wednesday preceding Thanksgiving at 5:00 p.m. and ending Thanksgiving Day at 2:00 p.m. and ending on the Friday after Thanksgiving at 5:00 p.m. For Thanksgiving, 1994, the mother shall have the first period, and the father, the second, and the parties shall thereaf ter alternate.

c. Easter: There shall be two Easter visitationperiods, the first beginning on Holy Saturday at noon and ending Easter Sunday at 1;)0 p.m. and the second beginning on Easter Sunday at 1:00 p.m. and ending onEaster Sunday at 6:00 p.m. For Easter, 1994, the father shall have the first period, and the mother, the second, and the parties shall thereafter alternate.

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

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

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

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

6. Should it be necessary for either party to cancel or modify the visitations as set out in this order or as previously arranged, the party seeking cancellation or modification shall notify t he 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 home of the other. Any person transporting the children shall make sure that the seat belts or other restraints are used in accordance with the laws of Pennsylvania.

8. Each party shall teach said children 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 partie 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 other to do so in the same room as the children, in a closed automobile in which the children are being transported, or in the bedrooms of the children.

10. Neither party shall do or say anything to blacken the character of the other in the children's estimation. Each party shall treat the other 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.

11. Costs and fees of this Mediation,which are fixed at $202.00, are divided equally between the parties with a share of each being assessed to him or her as costs in this case.

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

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

By the Court,
Anthony J.Vardaro, J.

6-8-94 Faxed copy to Attys. Irwin,& Gregg, given to Atty. Pineo.

Feb. 15, 1996 Petition to ModifyCustody Order, NOTICE AND ORDER TO APPEAR filed. You, Tracy Field,have been sued in Court to modify visitation of the children: Freddie Field and Ashley Field.

You are ORDERED to appear in personat 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.

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

BY THE COURT
Anthony J.Vardaro,J.

Date: 2/16/96

2-20-96 Faxed Irwin, given Gregg & Pineo

Separating Parents ORDER AND NOTICE, Dated this 15th day of February, 1996, filed.

BY THE COURT:
Anthony J.Vardaro,J.

2-20-96 Faxed Irwin, given Gregg & Pineo

Mar. 4, 1996 Affidavit of Service filed. AND NOW, this 4th day of March, 1996, comes William J.Gregg,Esquire,being duly sworn according to law, deposes and says that the following facts in support of this 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 Defendant in the above-captioned acton.

2. The Plaintiff was served a true and correct copy of the Petition to Modify Custody Order,and the Order and Notice directing attendance of the Seminar,also a brochure and a copy of the application for registration.

3. Plaintiff received said certified mail on February 28, 1996. Said returnreceipt card is attached hereto,signed by Tracy Field and made a part hereof.

March 4, 1996

William J.Gregg, Esquire

Cont'd on Page 258B

Tracy Field
vs.
Fred Field, II

CONTINUED FROM PAGE 258A
of Record
A.D. 1992 - 1158

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Apr 26, 1996 TEMPORARY ORDER: AND NOW, this 26th day of April, 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 Order of June 1, 1994, shall remain in full force and effect with no changes.
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 cse.
3. 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 shareof 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.
4. Either party may move the Court for a hearing de novo within ten days from the date hereof. If neither party so mvoes, this Order shall be considered permanent.

Gordon R. Miller, P.J.

Apr 29, 1996 Faxed Irwin, Gregg & Pineo
May 3, 1996 sent Plf. & Dft.

June 2, 1997 Petition to Modify Custody and Order filed. AND NOW, this 9 day of June, 197, upon consideration of the within Petition, William Pineo, Esquire, the Custody Mediator heretofore appointed in this case, is ordered and directed to schedule further mediation in this case for the purpose of reviewing the Order entered on June 1, 1994, and further to address the request of the Defendant set forth in this Petition.

BY THE COURT:
Anthony J. Vardaro, J.

ORDER AND NOTICE: AND NOW, this 30th day of May, 1997, it is ordered and decreed that the parents in this matter shall satisfactorily complete the Seminar for Separating Parents in accordance with Crawford County Civil rule L1930. Applications for the Seminar may be obtained at the Center for Family Services, Inc. at 996 South Main Street, Meadville, Pennsylvania, 16335; the Prothonotary at the Crawford County Courthouse; or the Court Administrator at the Crawford County Courthouse.

BY THE COURT:
Anthony J. Vardaro, J.

6-26-97 FAXED Gregg, Irwin

Aug 12, 1997 Certificate of completion of the Seminar for Separating Parents for Fred Field, filed.

Oct. 8, 1997 TEMPORARY ORDER filed. AND NOW, this 7 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 presently effective Custody Orders will continue in full force and effect, except that the Court notes that Fred Field, III is now above the age of 18 years and is therefore not subject to Custody Orders.
2. Costs and fees of this Mediation which are fixed at $152.00 are divided equally between the parties with a share of each being assessed to him or her as costs in this case.
3. The deposit required for the appointment of the Custody Mediator was made by the father. The deposit shall first be applied against the accumulated costs in this case and the remainder, if any, shall be remitted to the father. The parties shall settle up with each other and with the Prothonotary of Crawford Co. such that both shall have borne the costs of this case, within thirty (30) days of the date of this Order.
4. Either party may move the Court for a hearing de novo within ten days from the date hereof. If neither party so moves, this Order shall be considered permanent.

By the Corut,
Anthony J. Vardaro, J.

Oct. 10, 1997 Order FAXED Attys. Mason, Pineo, Gregg.

Dec. 2, 1997 Motion for DeNovo Hearing (on behalf of plff.) and order filed. ORDER: AND NOW, Dec. 1, 1997 hearing is set for Tues. Feb. 24, 1998 at 1:00 p.m. C. R. No. 2, which is the first available half day session of court.

Ann Walker, Ct. Adm.

12/2/97 faxed to Gregg and Mason.

January 13, 1998 ORDER FESETTING HEARING FILED. AND NOW, january 13, 1998, due to unavailability of the court, hearing in the above set for Wednesday, Feb. 25, 1998, at 1:30 PM, CR #2 Crawford County Courthouse.

FOR THE COURT
ANN A. WALKER, CT. ADMIN.

1/13/98 FAXED MASON & GREGG

1992

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

1159.

MARINE BANK

vs.

JANICE M. KOSEFF AND DEAN L. KOSEFF

Filed Dec. 2, 1992,
@ 2:09 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	41.73
Pro.Co. pd 1/27/93	9.00

EX 1994 - 25

COMPLAINT IN CIVIL ACTION

1 copy (atty)

Dec. 16, 1992 Sheriff's Return filed. SERVED Janice M. Koseff personally on December 12, 1992 at 8:08 PM by handing a copy of the Complaint to her at the residence, 423 Mill Street, Saegertown, Crawford County, PA.
SERVED Dean L. Koseff personally on December 12, 1992 at 8:05 PM by handing him a copy of the Complaint at the residence, 423 Mil Street, Saegertown, Crawford County, PA.
So answers, Shawn E. Ashbaugh, Deputy Sheriff
Robert M. Stevens, Sheriff

And Now, Jan. 27, 1993 upon Praecipe of Plaintiff's Attorney, with Notice of Intention to File Default Judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendants for failure to answer or otherwise plead and the same is liquidated at the sum of Four Thousand Five hundred TWenty-Three and 88/100 Dollars, plus interest, and costs of suit, plus fees of $904.78.

	Debt $4,523.88
K-96, K-46	Int. from Dec.3, 1993
Entered on 1/27/93	Judgment
Abstract to Atty.Bolla	Barbara H. King
	Prothonotary

1992

Bruce L. Smith

1160.

AMANDA R. HEBETS

vs.

MELVIN O. HEBETS

FILED Dec. 2, 1992
@ 2;39 p.m.

Tax & entry paid	$50.50
state paid	5.00
state paid	10.00
Sheriff's Costs	$42.00
Pro.Co. pd 4/26/93	9.00
Pro. Co. pd 5-17-93	5.00

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

1 copy (atty)

Dec 23, 1992 Complaint Reinstated. Issued Sheriff

Jan. 20, 1993 Sheriff's Return filed. SERVED Melvin O. Hebets personally on January 13, 1993 at 11:30 AM at his residence, 23 Washington Way, Titusville, Crawford County, PA 16354.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Apr. 26, 1993 Affidavit of Consent by Amanda R.Hebets, Plaintiff, filed.

Apr. 26, 1993 Affidavit of Consent by Melvin O. Hebets, Defendant, filed.

Apr. 26, 1993 Upon Praecipe of Amanda R. Hebets, Plaintiff, to transmit record, case moved to Court.

DIVORCE DECREE FILED

May 4, 1993 AND NOW, May 3, 1993, it is hereby ordered and decreed that AMANDA R. HEBETS, plaintiff, and MELVIN O. HEBETS, 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 17, 1993 Notice of Election to Retake Maiden Name: AMANDA R. HEBETS to be known as AMANDA R. EMICK.

1992

1161.

MELLON BANK N.A.

vs.

WILLIAM KRISTOFF

Filed Dec. 2, 1992
@ 2:53 p.m.

Pro King paid	$9.00
plff on orig	15.50
Sat. pd 6/22/93	5.00

AGREEMENT TO REVIVE

of

AD 1984 - 877 (

The undersigned hereby agrees that the judgment entered to AD 1984 - 877 be revived; indexed by Prothonotary in favor of plaintiff and against the defendant in the sum of Four Thousand One Hundred Forty Four and 95/100 Dollars plus costs.

Debt -------$4,144.95
Dated------ Nov. 30, 1992
K - 174
114 REVIVAL OF JUDGMENT
Barbara H. King,
Prothonotary

June 22, 1993 This Judgment Satisfied. (See paper filed.)

Edgar M. snyder &
Associates, P.A.
Todd Berkey

1162.

GERALD TINGLEY AND THERESA TINGLEY

vs.

RICHARD F. THOMAS

Filed Dec. 3, 1992
@ 11:26 a.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	28.00
Sheriff's Costs	$29.00
Pro Co pd 1-29-93	6.00

JURY TRIAL DEMANDED

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Dec 10, 1992 SHERIFF'S RETURN filed. SERVED Richard F. Thomas personally on Dec 7, 1992 at 11:35 a.m. by handing him a copy of the Summons in the Sheriff's Office, Third Floor, Crawford County Courthouse, Meadville, Pa.
So answers, Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

Jan. 7, 1993 Complaint ina Civil Action Filed.

Jan.14, 1993 Sheriff's Return filed. SERVED Richard F. Thomas on January 12, 1993 at 1:45 PM by handing a copy of the Complaint to Dorothy Thomas, his Wife, at their residence, R.D.#1, Atlantic, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Jan. 28, 1993 Upon praecipe of Plaintiff attorney the above-captioned matter is settled and discontinued of record.

1992

Joseph E. Altomare

1163.

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

12-30-93 Received from
Dept appeal from Det of
Arbitration 220 cr
12-30-93 Pd Commissioners
Ck # 7967 220 00

JOSEPH E. ALTOMARE, t/a
NORTHERN ALLEGHENY REALTY

vs.

RAYMOND ADAMS, t/a
ADAMS AGENCY

Filed Dec. 3, 1992
@ 11:34 a.m.

Tax & entry paid	$50.50
state paid	5.00
Pro Co pd 6-29-93	15.00

COMPLAINT

Dec. 29, 1992 Preliminary Objections to Complaint filed.

Jan. 5, 1993 Upon Praecipe of Attorney Joseph E. Altomare, the above captioned matter is place on the next available Argument list

ON FEBRUARY, 1993 ARGUMENT LIST

Feb. 18, 1993 RE: Defendant's Prelimlinary Objections Assigment Of Argument Date filed. Febraury 17, 1993, argument in the above matter is hereby set for April 21, 1993, at 9:30 a.m., inCourtroom 1 or 2, before aJudge assigned by the Supreme Court.

FOR THE COURT,
Ann A. Walker, J

Feb. 18, 1993 Copies given to Altomare & Shafer

May 7, 1993 ORDER filed. AND NOW, May 4, 1993, defendant's preliminary objection is refused.

BY THE COURT:
John Q. Stranahan S.J.

May 7, 1993 copies sent by Crt. Adm to J. Altomare, P. Shafer and J. Millin

June 15, 1993 Answer, New Matter and Counterclaim filed.

June 29, 1993 Upon praecipe of plaintiffs attorney to appoint Arbitrators, the following Arbitrators are appointed.

Brian Lindsay ~~Ann Gamble,~~ Chairman ~~Joseph W. Finko~~
~~George Gray~~ M. Kathryn Karn
Terry Toomey

Aug. 10, 1993 Arbitrators Take Qualifying Oath.

Oct. 15, 1993 Notice of Hearing Before Board of Arbitrators, filed.

Nov. 24, 1993 Decision of Arbitrators filed. And now, the _____ day of _____,1993, we the undersigned Arbitrators chosen in this case, after having been duly sworn and having heard the evidence and allegations of the parties find For the Plaintiff in the amount of $1,350.00 plus interest from Aug. 7, 1992 plus costs on plaintiff's action. For the Plaintiff on Defendant's counterclaim.

Date:_____
A-142,182

DECISION OF ARBITRATORS
Barbara H. King, Pro.

Dec. 20, 1993, Notice of Appeal of defendant from Award of Board of Arbitrators filed.

1992

David & Davis
Maria Spina Altobelli

1164.

GREEN TREE CONSUMER DISCOUNT COMPANY

vs.

ORVILLE F. HUBER, JR.

Filed Dec. 3, 1992
@ 3:32 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	28.00
Sheriff's Costs	25.00

COMPLAINT - ACTION IN REPLEVIN

1 copy (sheriff)
1 copy (atty)

Dec. 3, 1992, Notice of Hearing for Seizure of Property filed. (Personal Property: 1988 Astro, VIN No. 1P8189.)
1 copy (sheriff) 1 copy (atty)

Dec. 3, 1992, Motion for Writ of Seizure and Order filed. ORDER: AND NOW, this 3rd day ofDec. 1992, it is hereby ORDERED that a hearing will be held on the 15 day of dec. 1992, at 10:00 a.m. in C. R. No. 1 or 2 of the Crawford County Courthouse, to determine the merits of the within Motion for Issuance of a Writ of Seizure.

BY THE COURT,
Anthony J. Vardaro, Judge

1 copy (atty) 1 copy (sheriff)

Dec. 17, 1992 Motion for Hearing and Order filed. AND NOW, this 16 day of December, 1992, it is hereby ORDERED that a hearing will be held on the 15 day of January, 1993, at 1:30 o'clock p.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse to determine the merits of the within Motion for Issuance of a Writ of Seizure.

BY THE COURT:
Anthony J.Vardaro, J.

Dec. 18, 1992 Copy of Order to Atty. Altobelli and Defendant.

Dec 22, 1992 SHERIFF'S RETURN filed. SERVED Orville F. Huber, Jr. personally on Dec. 21, 1992 at 10:55 AM by handing him the Motion, Notice for Hearing, Replevin Complaint, and Motion for Writ of Seizure at the Sheriff's Office, Crawford County Courthouse, Meadville, Crawford County, Pa. So answers,

Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

Jan. 11, 1993 Notice To Attend to Defendant filed.

Jan. 11, 1993 SHERIFF'S RETURN filed. SERVED Orville F. Huber, Jr., personally on Jan. 5, 1993 at 2:20 PM by handing him a copy of the Notice of Hearing and Order at the Sheriff's Office, Third Floor, Cr. Co. Courthouse, Meadville, Pa.
So answers,

Carole Stefanucci, Deputy Sheriff
Robert M. Stevens, Sheriff

Jan. 15, 1993 Default Notice filed.

Jan. 15, 1993 Order filed. AND NOW, January 15, 1993, this replevin action is before the Court andthe Court notes the pleadings have been properly served upon the Defendant and no responsive pleadings have been filed. Plaintiff contends they have a sufficient security interest in this personal property to secure the possession thereof in fortherance of their efforts to remedy the breach of the financing agreement by non-payment on behalf of the Defendant purchaswer. Accordingly, the Court directs that a writ of seizure be issued directing the Sheriff of Crawford County to seize said property and initially impound the same under his authority, either at its present location or such other location as the Plaintiff directs.

In accord with Replevin Rule 1076, the Defendant is advised that a counter bond may be file dby the Defendant wihtin 72 hours of the posting of the bond by the Plaintiff in the amount hereafter set forth.

The Prothonotary is directed to forward a copy of this order to the Defendant by first class mail.

After seizure and imipoundment by the Sheriff of the property and if no counter bond is filed by the Defendant which bond shallb e in the same amount as hereinafter ordered posted by the Plaintiff, the Sheriff,in accord with Replevin Rule 1077, shall deliver the property to the Plaintiff or his duly authorized designated agent.

The Plaintiff's bond in this case shall be in the amount of $20,000, with surety on the bond to be approved by the Prothonotary.

BY ORDER OF THE COURT,
P. Richard Thomas,

Jan. 15, 1993 Copies of order mailed to Deft. & Atty. Altobelli

1992

Joseph F. Kulwicki

1165.

ROBERTA L. CONNER

vs.

BRUCE A. CONNER

Filed Dec. 3, 1992

Tax & entry paid	$50.50
state paid	5.00
state paid	10.00
Pro Co pd 3-8-93	9.00
Pro Co pd 3-19-93	5.00

COMPLAINT UNDER SECTION 3301(c) OF DIVORCE CODE

DEc. 9, 1992, Affidavit of Service filed.
Kelly Munshower, being duly sworn according to law, deposes and says that she is emplyed by Jos. F. Kulwicki, Esq. atty. for plff. and as such on Dec. 4, 1992 she hand delivered a cert. copy of the above Complaint to defendant.
Kelly Munshower.

Mar. 5, 1993 Affidavit of Consent of Defendant, filed.

Mar. 5, 1993 Affidavit of Consent of Plaintiff, filed.

Mar. 8, 1993 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

D I V O R C E D E C R E E F I L E D

March 15, 1993 AND NOW, March 12, 1993, it is ordered and decreed that **R O B E R T A L . C O N N E R** , plaintiff, and **B R U C E A . C O N N E R** , 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.

Mar. 19, 1993 Notice of Intention to Resume Maiden Name: ROBERTA L. CONNER TO BE KNOWN AS ROBERTA L. LEWIS.

1992

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

1166.

Gerald Sullivan

12/4/92
$150.00 deposit by
plff

1-11-93
Pd Plf Ck# 7276
Refunded Bal Med
deposit 102.50

3-16-93 CC Comm
Ck 7385 med fee
38.50

CAROL SULLIVAN

vs.

JUDITH BUCHANAN

Filed Dec. 4, 1992
@ 1:27 p.m.

Tax & entry paid	$50.50
state paid	5.00
William Pineo, mediator	77.00
Pro Co Pd 3-16-93 Ck# 7386	9.00

COMPLAINT FOR VISITATION

1 copy (atty)
1 copy (mediator)

COURT ORDER:

YOU, JUDITH BUCHANAN, have been sued in court to obtain partial custody and or visitation ofthe child, Brian Blaze Armour.

You are ordered to appear at such time and place as may be ordered by WILLIAM PINEO, ESQ. who has been appointed custody mediator.

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

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

Court Adm. Crawford County courthouse, Meadville, Pa. 16335
814 336-1151 - Ext. 298.

Date: dec. 4, 1992 BY THE COURT,
Gordon R. Miller, J.

Jan. 8, 1993 TEMPORARY ORDER, filed. AND NOW, this 6th day of January, 1992, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator.

IT IS HEREBY ORDERED AND DECREED THAT:

1. This is an action by the plaintiff for visitation only pursuant to 23Pa.CSA Section 5311. Legal and physical custody shall therefore continue in the defendant mother.

2. The plaintiff grandmother shall have visitation and temporary physical custody on Jan. 1, 1993, from 10:00 a.m. to 8:00 p.m. The plaintiff grandmother shall have visitation and temporary physical custody of the subject minor child on the second full weekend of each month from Friday at 5:00 p.m. through Sunday at 5:00 p.m.

3. Holiday visitation shall be arranged as follows:

a. The plaintiff grandmother shall have visitation and temporary physical custody each December 26 from 10:00 a.m. to 8:00 p.m.

b. The plaintiff grandmother shall have visitation and temporary physical custody on the Friday following Thanksgiving from 10:00 a.m. to 8:00 p.m.

c. The plaintiff grandmother shall have visitation and temporary physical custody each Easter from 10:00 a.m. to 1:00 p.m.

d. The other holidays to be observed are Memorial Day, Independence Day, and Labor Day. Holiday visitation shall be between the hours of 10:00 a.m. and 8:00 p.m., except for Independence Day, when the holiday visitation shall be extended to 11:00 p.m. so that the children may watch the fireworks. The plaintiff shall have visitation and temporary physical custody for Memorial Day, 1993, and the parties shall thereafter alternate these holiday periods.

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

5. Should it be necessary for either party to cancel or modify the visitations as set out in this Order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

6. The plaintiff shall assume responsibility for transportation necessitated by the exercise of her visitation rights under this order.

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

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

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

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

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

12. Costs and fees of this Mediation, which are fixed at $77.00 are divided equally between the parties. The mediator notes for the court that the mother qualifies for representation by Northwestern Legal Services and her share shall therefore be paid by Crawford County.

13. The deposit required for the appointment of the custody mediator was made by the plaintiff. The deposit shall first be applied against the plaintiff's share of costs and the remainder shall be disbursed to her.

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

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

Jan. 15, 1993 copy to W. Pineo, R.C. Thomas, G. Sullivan, Plf. & Dft.

1992

Bettie J. Peterson-Muth

1167.

KAY L. ARTMAN

vs.

HOWARD W. ARTMAN

Filed Dec. 4, 1992
@ 3:07 p.m.

Tax & entry paid	$50.50
2 counts paid	30.00
state paid	10.00
state paid	15.00
Pro Co pd 6-17-93	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, CUSTODY

2 copies (atty)

Jan. 6, 1993 Complaint reinstated.

June 17, 1993 Affidavit of Service By Mail, filed. Bettie J. Peterson-Muth, Esquire, being duly sworn according to law, deposes and says that she is the attorney for the plaintiff, Kay L. Artman, and that she did mail a true and correct copy of the Complaint in Divorce filed in the above matter, by certified mail, return receipt requested, deliver to addressee only, to the defendant, Howard W. Artman, on Jan. 6, 1993, at his last known address.

June 17, 1993 Affidavit of Consent of Defendant, filed.

June 17, 1993 Affidavit of Consent of Plaintiff, filed.

June 17, 1993 Upon praecipe of plaintiff attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

June 30, 1993,-Decree filed.

1. Divorce:

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

2. Equitable Property Determination and Distribution:

This decree provides that the marital property of the above-named parties shall be divided in accordance with a Marital Settlement Agreement executed by the parties, the effective date of said agreement being June 1, 1993, and said agreement being filed in the Court of Common Pleas of Crawford Co., PA., at the above-captioned number.

3. Custody:

This decree provides that the custody of the children of the above-named parties shall be in accordance with a Marital Settlement Agreement executed by the parties, the effective date of said agreement being June 1, 1993, and said agreement being filed in the Court of Common Pleas of Crawford Co., PA., at the above-captioned number.

4. A copy of the Marital Settlement Agreement of the parties, which said Agreement was effective June 1, 1993, which sets out in further detail the agreement of the parties concerning the matters herein, shall be filed with this decree in the Prothonotary's Office at the above-numbe

This order shall be effective as of the 24 day of June, 1993.

BY THE COURT
Anthony J. Vardaro, J.

Kathleen Nelson

1168.

TRACIE L. TOTH

vs.

GERALD E. TOTH

Filed Dec. 7, 1992
@ 10:47 a.m.

Tax and entry Pd $50.50
state paid 5.00

Sheriff's Cots 25.00
Bro Co Pd 12-18-92 900

12-18-92
Recieved from
Plff - Sheriff's Costs
25.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

1 copy (atty)
3 copies (sheriff))

ORDER:

And now, this 7th day of December, 1992, upon review of the petition of Plaintiff, the Court entered 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 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 of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for **Dec. 17, , 1992** at **3:00 a.M.**, in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,

Gordon R. Miller, J.

Dec. 8, 1992 Sheriff's Return filed. SERVED GERALD E. TOTH personally on December 7, 1992 at 1:08 PM by handing a copy of the Protection from Abuse to him at his place of employment at Channellock, Inc. Kerrtown, Meadville, Crawford County, PA.
So answers,

Dale A. Collins, deputy Sheriff
Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

Dec. 21, 1992 Heariang on Petition Under ProtectionFrom Abuse Act and Order filed. AND NOW, December 17, 1992 this matter is before the Court on a petition by the Plaintiff for protection under the Protection from ABuse Act.

The Plaintiff appears with counsel and the Defendant appears without counsel. He is advised of his right to counsel and wishes to proceed without counsel,admitting the allegations of the petition filed by the Plaitiff.

Accordingly, by agreement of the parties, the following order is entered:

1. The Defendant shall not assault, abuse, harass, or threaten the Plaintiff at any time or place.
2. The Plaintiff shall have exclusive possession of the marital residence and the Defendant shall not go to the marital residence for any purpose other than to pick up or drop of the minor child with regard to visitations.
3. The Defendant is warned that even if he is invited to the marital residence for any other purpose, he should not go to the marital residence insofar as it would be aviolation of this order. If the parties wish for him to go to the marital residence at any time other than for purposes stated above, they should seek an amendment of this order.
4. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
5. A copy of this order shall be delivered to the Police Department inthe jurisdiction where the Plaintiff resides, and to County Control.
6. The Defendant is reminded that this is an order of Court, and violation of this order may be punishable by a fine of up to $1,000 and a jail sentence of up to six months.
7. Not withstanding the above language, the Defendant may go to the marital residence on January 17, 1993 at an agreed upon time so that he may pick up the remainder of his personal belongings so long as during such visit, he shall not assault, abuse, harass, or threaten the Plaintiff.
8. This order shall remain in full force and effect for a period of six months for this date.
9. By agreement of the parties, the Plaintiff shall pay all court costs in this matter by December 18, 1992.

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

Dec. 22, 1992 Copies given to Co. Control, Atty. Nelson & Copies mailed to Deft. & St.Police.

1992

Halliday & Halliday PC
MIchael Halliday

1169.

12/7/92
$150.00 paid by
plff-mediation deposit

DUANE E. BLYSTONE

vs.

LORRI M. BLYSTONE

Filed Dec. 7, 1992
@ 1:50 p.m.

Tax & entry paid $50.50
state paid 5.00

Joh n Fuller, mediator

COMPLAINT TO CONFIRM CUSTODY

1 copy (atty)
1 copy (mediator)
NOTICE AND ORDER TO APPEAR:

ORDER:

You, Lorri Blystone, , have been sued in Court to obtain custody of David E. Blystone
You are Ordered to appear for a hearing before JOHN FULLER mediator, for a mediation conference.

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

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

Ct. adm. courthouse, Meadville, Pa. 16335 814 336-1151 ext. 298.

Date: 12/4/92 Anthony J. vardaro, Judge

Dec. 8, 1992, copies of order to M. Halliday & John Fuller.

Sept 22, 1998 ORDER: Our court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 12/7/1992. We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonable delay". Your case appears to be inactive. Therefore, unless we hear from you in writing on or before Oct 23, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney.

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

If you object to the case being dismissed, you must put your objections in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objectioins must be filed in the Prothonotary's office on or before Oct 23, 1998. You must also give or send a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.

Date: Sept 22, 1998 Anthony J. Vardaro, J.

Nov. 5, 1998 ORDER filed. AND NOW, this 30th day of Oct., 1998, written notice of the Court's intent to terminate the cases listed below having been given to the parties or their counsel of record, and further notice having been given by publication of a "Notice of Intent To Terminate Cases" printed in the Crawford County Legal Journal on Oct. 14, 1998, and no objection thereto having been received by the Court from either party in the cases listed below, all and each of the 84 cases listed below are hereby terminated and dismissed with prejudice. A copy of this order shall be filed at each of the docket numbers listed below, but copies need not be given to or served upon the parties or their attorneys. Cases may be reinstated only in accordance with Crawford County Rule LJA 19011.

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

Stephen Hall

1170.

William Walker

IN THE MATTER

Of

MARIE GEKLINSKY

Filed Dec. 7, 1992
@ 3:50 p.m.

PETITION FOR INVOLUNTARY INTERVENTION BY EMERGENCY
COURT ORDER

AND NOW, Dec. 7, 1992, upon consideration of the foregoing petition, it is hereby ordered that Active Aging, Inc. sahll provide the following protective servcies to Marie Geklinsky and that su ch services shall be provided without her consent.

Transport to Meadville Medical Center, medical evaluation and appropriate medical services as are reasonably necessary until further hearing.

The state or local police, accompanied by a resprsentative of Active Aging, Inc. are hereby authorized to forcibly enter the premises of the aforesaid order adult toenforce the terms of this order.

The Terms of this order shall expire at 3:00 p.m. Dec. 10, 1992, at 3:00 p.m. as the time and place for a review hearing in the event of need for an additional emergency court order or continued court and protective services involvement or both.

The court hereby appoints William Walker, esq. to represent the aforesaid older adult in any further proceedings with regard to this matter.

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

Dec. 8, 1992, copy of order to Attys. Hall and W. Walker.

Dec. 14, 1992 Motion To Continue and Order filed. AND NOW, upon consideration of the foregoing Motion, the hearing scheduled for 3:00 p.m., December 10, 1992, shall be continued generally with hearing to be scheduled upon motion of either petitioner or respondent, Marie Geklinsky. The terms of the Order of December 7, 1992, relating to Protective Services being provided to Marie Geklinsky, without her consent, shall continue until further hearing or until her discharge from Meadville Medical Center.

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

Dec. 16, 1992 Copies of order to Atty's Hall and Walker

1992

Jorden & White
William T. Jorden

1171.

Culbertson, Weiss,
Schetroma & Schug
E. Max Weiss

RICHARD F. THOMAS, AND
DOROTHY THOMAS, HIS WIFE

vs.

GERALD LYNN TINGLEY

Filed Dec. 7, 1992
@ 3:56 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	27.00
Pro.Co. pd 3/8/94	6.00

COMPLAINT

1 copy (sheriff)

Dec. 11, 1992 Sheriff's Return filed. SERVED GERALD Lynn Tingley on December 9, 1992 at 10:45 AM by handing a copy of the Complaint to Theresa Tingley, his Wife, at their residence, R.D. #3, Box 20, Conneaut Lake, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Dec. 21, 1992 Notice of Service of Interrogatories and Request for Production filed.

Dec. 22, 1992, Appearance of Culbertson, Weiss, Schetroma and Schug, PC, by E. Max Weiss, attorneys for defendant filed.

Jan. 12, 1993 Answer and New Matter filed.

Jan. 12, 1993 Certificate of Service Filed.

Feb. 2, 1993 Plaintiffs Answer to Defendant's New Matter filed.

Mar. 8, 1994 Upon Praecipe of William T. Jorden, Esquire, Attorney for Plaintiffs, the above case marked settled and discontinued of record.

1992

1172.

NANCY L. JOLIET

vs.

DANIEL PHILLIPS

Filed Dec. 7, 1992
@ 4:24 p.m.

Tax & entry	$50.50
state	5.00
Sheriff's Costs	20.00
Pro.Co.	9.00

PETITION FOR EMERGENCY RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies (sheriff)
1 copy (plff)

ORDER:

And now, this 7th day of December, 19 92, upon review of the petition of Plaintiff, the Court entered 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 890½ Porter Street is awarded to plaintiff.. Defendant shall not go to plaintiffs residence nor contact her until the hearing.
3. This Order may be enforced without a warrant of arrest by any law enforcement officer having reasonable ground to believe it has been violated.
4. A copy of this Order shall be delivered to the police departments in the jurisdiction where the Plaintiff resides and to County Control.
5. Service of a copy of the Petition and this Order shall be made upon the defendant by a sheriff, constable, police officer or competent adult.
6. This temporary order shall remain in full force and effect until modified or terminated by further order of this Court. Liability for payment of fees and costs will be determined by final court order.
7. The Defendant is reminded that this is an ORDER OF COURT and violation of this Order may be punishable by a fine up to $1,000.00 and a jail sentence of up to six months.
8. The court reserves ruling on allocations of fees and costs.

Hearing is here by set for **December 17,** , 1992 at 3:00 p.M., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain an lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, Judge

Dec. 8, 1992 Sheriff's Return filed. SERVED Daniel Phillips personally on December 7, 1992 at 5:30 PM by handing him a copy of the Protection from Abuse at 890p Portger Street, Meadville, Crawford County, PA.
So answers,

Donald Erdley, Meadville City PD
Dan Roberts, Meadville City PD
Robert M. Stevens, Sheriff

Dec. 21, 1992 Order Filed. AND NOW, December 17, 1992 this matter is before the Court on a petition by the Plaintiff seeking relief under the Protection from Abuse Act.

Both parties appear without counsel and the hearing proceeds informally with the parties reaching an agreement without admission of the allegations of the petition on the part of the Defendant.

It is therefore ORDERED as follows:

1. Neither party shall assault, abuse, harass, or threaten the other party.
2. The Plaintiff shall continue to have sole possession of the residence at 890½ Porter Street, except that the Defendant may go to that residence for the purpose of removing hs work bench and some personal belongings sometime on or prior to December 21, 1992 so long as he has either a police excort or some neutral adult with him and in doing so, he shall not assault, abuse, harass, or threaten the Plaintiff.
3. The Defendant is cautioned that he should not otherwise go to the residence at 890½ Porter at any time even if invited by the Plaintiff, insofar as that would be a violation of this order. If he needs to go to the residence and the Plaintiff wishes to invite him to the residence at some time in the future other than the time to pick up his belongings, they should seek a modification of this order.
4. This order may be enforced without a warrant of arrest by any law enforcement officer having reasonable grounds to believe it has been violated.
5. A copy of this order shall be delivered to the Meadville City Police Department and to County Control, as well as the Pennsylvania State Police and by regular mail to each party at their last known address.
6. The parties are reminded that this is an order of Court, and violation of this order may be punishable by a fine of up to $1,000 and a jail sentence of up to six months.
7. The Defendant will pay court costs in this matter in the amount of $84.50 within 90 days of this date and if he is out of the jurisdiction, he may mail that payment or those payments to the Prothonotary at the Crawford County Courthouse in Meadville, Pennsylvania.
8. This order shall remain in full force and effect through December 16, 1993.

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

Dec. 21, 1992 Copies given to Co. Control, Meadville City Police. Dec. 29, 1992 Copies mailed to Penna. State Police, Plft.& Deft.

1992

1173.

THE FIRST NATIONAL BANK OF PENNSYLVANIA, NOW BY MERGER MARINE BANK

vs.

J. ROBERT KATULICH

Filed Dec. 8, 1992
@ 1:49 p.m.

Pro, King paid	$9.00
plff on orig	19.50
Pro. Co. pd 8/1/95	5.00
Pro Co pd 10-9-97	5.00

AGREEMENT TO REVIVE

of

AD 1987 - 7533

The undersigned hereby agrees that the judgment entered on Dec. 11, 1987 be revived; indexed by Prothonotary in favor of plaintiff and against the defendant in the sum of Four hundred Seventy Three Thousand Five Hundred Fifty and 00/100 Dollars.

Debt ----$473,550.00
dated --- Dec. 8, 1992
K = 95 JUDGMENT
Barbara H. King,
Prothonotary

Dec. 11, 1992, notice of entry of revival of judgment mailed to dft.

Jul. 28, 1995 Writing filed wherein Plaintiff subordinates the lien of the above stated judgment in favor of a certain mortgage given by the J. Robert Katulich and Susan E. Katulich, His wife, to Marquette Savings/Associations, dated July 28, 1995 in the sum of $160,000.00. This Subordination to affect the lien and collection of said judgment out of the following described property as recorded amoung Crawford County Records in Record Book 274 at Page 1118. (See Subordination filed.)

Oct 9, 1997 This Judgment satisfied (See Paper filed).

1992

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

1174.

BETTY JO SAULSBERRY, A PARENT AND NATURAL GUARDIAN OF CINDY LOU SAULSBERRY

vs.

KENNETH BURLINGAME, PARENT AND NATURAL GUARDIAN OF MARY BURLINGAME

Filed Dec. 9, 1992
@ 10:28 a.m.

Tax & entry paid $50.50
state paid 5.00

SUMMONS IN A CIVIL ACTION

(not issued-settled)

Dec. 9, 1992, Petition for Authority to Settle And Compromise the claim of a minor and order filed.
FINAL ORDER: AND NOW, this 9 day of Dec. 1992, upon consideration oft he foregoing Petition, it is oeswews as follows:

1. The proposed payments described in the foregoing Petition are hereby approved. Proof of deposit of the $1800 shall be filed within 5 days.

2. That the parent Betty Jo Saulsberry, is hereby authorized to executeda Release in favor of Allstate Insurance Company releasing allstate Insurance company and its insured, Kenneth Burlingame and Mary burlingame from any and all liability arising out of an automobile accident that occurred on April 24, 1992 on Chestnut st. in the city of Meadville at or about 10:00 p.m.

Date: 12/9/92 BY THE COURT,
ANTHONY J. Vardaro, J.

Dec. 11, 1992, copy of order to E. Shadafore, Jr. Esq

Jan. 5, 1993 Affidavit of Emil M. Spadafore, Jr., Esquire filed.

1992

Robert J. Felton

1175.

JOSEPH LEE CROWTHER

vs.

RHONDA K. CROWTHER

Filed Dec. 9, 1992
@ 12:01 p.m.

Tax & entry paid	$50.50
state paid	10.00
state paid	5.00
Pro Co Pd 4/15/93	9.00

COMPLAINT UNDER SECTION 3301(c) OF DIVORCE CODE

1 copy (atty)

Apr. 15, 1993, Affidavit of Service filed. I, Robert J. FElton, Esq. atty. at Law, 144 West Spring St. Titusville, Pa. do hereby certify that, in may capacity as atty. for the plff in above matter, served a cert. copy of the Divorce Compalint in this matter on Jan. 6, 1993 by sending dft. the same by cert. mail No. P 066 497 389 ret. rec. req. A complaint was mailed to the dft. on Mon. Jan. 4, 1993 as reflected in the receipt for mailing and the ret. rec. attached hereto.
Robert J. Felton, Esq.

Apr. 15, 1993, Affidavit of Consent of plaintiff filed.

Apr. 15, 1993, Affidavit of Consent of defendant filed.

Apr. 15, 1993, Upon praecipe of plaintiff attorney, to Transmit the Record, this case moved to court.

DIVORCE DECREE FILED

April 23, 1993 AND NOW, April 22, 1993, it is hereby ordered and decreed that JOSEPH LEE CROWTHER, Plaintiff and RHONDA K. CROWTHER, 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.

1992

M. KATHRYN KARN

1176.

HEATHER J. CASTO

vs.

GEORGE R. CASTO

Filed Dec. 9, 1992
@ 12:04 p.m.

Tax & entry paid	$50.50
2 counts paid	30.00
state paid	10.00
state paid	15.00
Pro Co pd 7-22-93	9.00

COMPLAINT IN DIVORCE, CUSTODY, EQUITABLE DISTRIBUTION

3 copies (atty)

July 22, 1993 ACCEPTANCE OF SERVICE, filed. I, George R. Cast, Defendant herein, do state that I personally received a true and attest copy of the Complaint in Divorce, Notice to Defend and Claim Rights, and Notice of Availability of Counseling in the above -captioned action.

July 22, 1993 Affidavit of Consent of Plaintiff, filed.

July 22, 1993 Affidavit of Consent of Defendant, field.

July 22, 1993 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

Aug. 12, 1993 Motion to Withdraw Equitable Distribution Count from Divorce Complaint and ORDER filed. AND NOW, this 10 day of August, 1993, the Court hereby grants Plaintiff's Motion To Withdraw Equitable Distribution Count From Divorce Complaint and ORDERS that Count Three of the parties' divorce complaint, filed as above captioned, requesting equitable distribution be withdrawn.

BY THE COURT,
Anthony J. Vardaro,

Aug. 16, 1993 Copy of Order to Atty. M. Kathryn Karn.

Aug. 12, 1993 STIPULATION FOR AN AGREED ORDER OF SHARED CUSTODY filed. ANDNOW, this 12th day of July, 1993, the following agreement is entered into upon stipulation of the parties:

1. This Agreement and ensuing Order of Court shall govern the custodial situation of the following children: katelyn Dawn Casto, born June 1, 1990 and Tyler Blake Casto, born May 2, 1992.

2. In accordance with the statutory laws of this Commonwealth, each party shall be provided all access to the medical, dental, religious and school records of the children involved. Absent an emergency situation, each party shall be informed in regard to the medical and dental needs of the children involved.

3. Jurisdiction of the children and this matter shall remain with the Court of Common Pleas of Crawford Co., PA., unless or until jurisdiction would change under the Uniform Child Custody Jurisdiction Act. The police department of the City of Meadville or any other police agency within the boundary of the Crawford Co., including the PA. State Police and the Office of the Sheriff of Crawford Co., are hereby instructed and required to enforce this Agreemetn and adopting Order of Court.

4. The welfare of the children shall be the primary consideration of the parties in any application of the terms of this Agreement. The parties will exert every reasonable effort to foster a feeling of affection beteen the children and the other party. Neither party shall do anything to estrange the children from the other party, to injure the opinion of the children as to the other party or to hamper the free and natural development of the children's love and respect to the other party.

5. Primary residential custody of the children shall be with the plaintiff/mother, Heather J. Casto.

6. The defendant/father, George R. Casto, shall have shared physical custody rights as to the minor child, Katelyn Dawn Casto, one week per month during a week mutually agreed upon the parties. Visitation as to the minor child, Tyler Blake Casto, shall occur at the residence of the plaintiff/mother when defendant/father transports the minor child, Katelyn, for visitation. Such visitation of Tyler is in light of his young age, and such visitation shall be modified by the parties as Tyler becomes older and accustomed to being with the defendant/father. All holidays and birthdays shall be shred by the parties as mutually agreed upon.

7. All periods of shared custody by either paraty shall be by mutual agreement of both parties after reasonable request, and such agreement shall not be unreasonably withheld.

8. The defendant/father shall be responsible for transportation of the minor child/children to and from the residence of the plaintiff/mother unless otherwise agreed upon by the parties.

9. Neither party shall expose the children to any person or situtation which may be harmful to the children's health or well being.

10. Each party agrees to inform the other immediately of any illness or injury regarding any of the children.

11. Each party agrees to keep the other advised of his or her current residental address and telephone number. Each party shall be entitled to speak to the children by telephone at reasonable times and intervals when the children are in the custody of the other party.

12. Each party agrees to give the other a general itinerary of all vacations he or she plans to take with the children.

13. Each party shall endeavor to give at least twenty-four (24) hours prior notice to the other in the event that it will nto be possible to exercise any of the rights herein identified.

14. It is the intention of the parties that this Agreement be entered as an Order of Court.

15. The plaintiff, Heather J. Casto, was represented in this matter by m. Kathryn Karn, Esq., and the defendant, George R. Casto, declined to obtain representation in this matter.

The parties hereto sign this Agreement on the day and year first written above.

Dated: 7-12-93 Heather J. Casto, Plaintiff
Dated: 7-12-93 George R. Casto, Defendant
Dated: 7-12-93 M. Kathryn Karn, Esq. Atty. for Plf.

BY THE COURT,
Date: 7/26/93 Anthony J. Vardaro, J.

DIVORCE DECREE FILED

Aug. 12, 1993 AND NOW, this 10 day of August, 1993, it is hereby ORDERED, ADJUDGED AND DECREED that the plaintiff, HEATHER J. CASTO, and the defendant, GEORGE R. CASTO, are divorced from the bonds of matrimony.

The Court retains jurisdiction over 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.

1992

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

1177.

THE FIRST NATIONAL BANK OF PENNSYLVANIA, NOW BY MERGER, MARINE BANK

vs.

J. ROBERT KATULICH AND SUSAN E. KATULICH, NOW BY REMARRIAGE SUSAN E. JOHNSON

Filed Dec. 9, 1992
@ 2:46 p.m.

Pro King paid	$15.00
plff on orig	19.50
Pro. Co. pd 2/25/93	9.00
Pro Co pd 10-9-97	5.00

WRIT OF REVIVAL

of

DSB 1987 - 753

Upon praecipe of plaintiff attorney, Writ of Revival indexed by Prothonotary in favor of the plaintiff and against the defendant Susan E. Katulich, now by re-marriage Susan E. Johnson, in the amount of Four Hundred Seventy Three Thousand Five Hundred Fifty and 00/00 Dollars plus costs.

Debt - $473,550.00
INdexed against two of defendant names only
K - 155
J - 222 REVIVAL OF JUDGMENT
Barbara H.King, Pro.

Issued (attorney)

Jan. 21, 1993 Affidavit of Service filed. I, Gary D.Graziadei, Being first duly sworn according to law depose and say that I am over the age of 18 years, and not a party to this action. I am a resident of City of Buffalo, County of Erie, State of New York. That on January 16th, 1993, at approximately 11:56 AM at 181 E. Fairmont Ave., Lakewood, NY 14750. I personally served the within Writ of Revival upon the defendant Susan E. Johnson, and that the defendant did so admitt to me that she is Susan E. Johnson, the person so said to be in the Writ of Revival.

Susan E. Johnson is a white female, long dk/brown hair brown eyes, age 36, 140 lbs. at which this time she is pregnant and is 5'6" tall.

Gary D. Graziadei

And Now, Feb. 25, 1993 Upon praecipe of plaintiff's attorney, with notice of Intention to File Default Judgment attached, judgment of revival is hereby entered in favor of the plaintiff and against the defendant Susan E. Katulich,now by remarriage Susan E. Johnson for want of an answer at the sum of Four hundred Seventy-Three thousand Five hundred Fifty and no/100 dodllars plus interest and cost of suit.

K-155; J-222
Entered on Feb.25, 1993
Atty.Swick

Debt $473,550.00
Revival of Judgment
Barbara H. King
Prothonotary

Oct 9, 1997 ThisJudgment satisfied (see paper filed).

Kathleen Nelson
William J. Gregg

1178.

Gregory Keenan

MARK A. McSWEENEY

vs.

LOUISA SMOUSE

Filed Dec. 10, 1992
@ 10:43 a.m.

Tax & entry paid	$50.50
state paid	5.00
John Fuller Mediator	150.00
Pro Co 8-17-93 Pd Ck# 7730	9.00

12-31-92 Recieved from Pltf. Med Fees dispact $150.00
8-6-93 Pd pltf Bal med dep 141.00 Ck# 7716

PETITION FOR CUSTODY

1 copy (atty)

Dec. 10, 1992 Affidavit of Plaintiff filed.

(See also MEMORANDUM AND ORDER filed at AD 1992-1102)

Dec. 23, 1992, Affidavit of Servcie filed. Kathleen Nelson, Esq. being duly sworn accordng to law, deposes and says;

1. That the affiant is the atty. for the plaintiff in the above ac tion.

2. That a true and correct copy of the Petition for Custody and notice were sent by cert. mail to the dft. Louisa Smouse on Dec. 18, 1992.

3. The cert. mail was sent to 179 Walker Drive, Meadville, Pa. 16335. The sender's receipt is attached hereto.

4. That the dft. received said cert. mail on Dec. 18, 1992. Said Ret. rec. Card P 360 670 084 is attached hereto., signed by Louisa Smouse and made a part hereof. Kathleen Nelson, Esq.

Dec 31, 1992 MOTION FOR APPOINTMENT OF CUSTODY MEDIATOR and ORDER, filed. ORDER: AND NOW, Dec. 29, 1992, JOhn Fuller is hereby appointed Child Cusoty Mediator in the above-captioned matter. Anthony J. Vardaro, J.
Jan. 4, 1993 copy to K. Nelson & J. Fuller

Feb. 4, 1993 Stipulation and Cosnent custody Order filed. AND NOW, this 29th day of January, 1993, upon stipulation of the parties to this action, the following order is hereby entered:

1. The paraties shall share legal and physical custody of the subject minor child, Mark J. McSweeney with each parent entitled to full access to medical records, educational records, and other important decisions affecting the child including those decisions invovling the child's education, medical treatment, and religious instruction.

2. Physical custody of Mark J. McSweeney shall be with his mother, with visitation by the Father as follows:

a) During the weekend of January 29, 30, and 31, 1993, the Father shall have custody of the child from 9:00 a.m. through 8:00 p.m. each day. For this initial visitation period, the mother shall provide transportation of the child to the home of the Father at 9:00 a.m. each day and shall pick the child up at the home of the Father at 8:00 p.m. each day. Thereafter, the father shall have vistiation with the child on an every other weekend basis whcih visitation periods shall include overnight stays at the Father's home and which shall begin at 3:00 p.m. on Friday and end at 3:00 p.m. on Sunday. The first such overnight weekend visitation period shall take place on February 12, 1993.

b) Father shall be entitled to have the child in his custody for a period of three days each week, with said weekday visitations take place during those weeks that the Father does not have weekend visitation with his child. The first weekday visitation period shall take place on February 2, 3, and 4, 1993, with the Father having visitation with the minor child from 9:00 a.m. through 8:00 p.m. each day. Father shall provide transportation for the child by picking him up at 9:00 a.m. and returning him at 8:00 p.m. each day. Thereafter, the Father shall be entitled to visit with his child during the days of Tuesday, Wednesday and Thursday on an every other week basis, which visitation shall include overnight visits. Beginning with the week of February 16, 17 and 18, the Father shall have visitation with his child from Tuesday at 3:00 p.m. through Thursday at 3:00 p.m.

c) As set forthin paragraphs a and b above, the parties will share the responsibility of transportation during the vistiation of January 29, 30. 31, and February 2, 3 and 4. Thereafter the Father shall be responsible with the minor child. If, however, the Mother is willing and able to provide transportation in regard to Father's visitation with the minor child, the parties may agree that she be allowed to do so.

3. Holiday visitation shall be arranged as follows:

a) Christmas visitation - There shall be two Christmas holiday visitation periods, the first beginning Christmas Eve at 9:00 a.m. and ending Christmas Day at 3:00 p.m. and the second beginning Christmas day at 3:00 p.m. and ending December 26 at 8:00 p.m. For 1993, the Father shallhave the first visitation period and the Mother, the second. The parties shall thereafter alternate these visitation periods.

b) Thanksgiving Visitation - Thanksgiving Day shall be divided into two Thanskgiving holiay period, with the first beginning at 9:00 a.m. and lasting through 3:00 p.m., and the second beginning at 3:00 p.m. and ending at 9:00 p.m. For 1993, the Mother shallhave the first visitation period, the Father the second and the parties shall alternate thereafter.

c) Easter Visitation - Easter Day shall be divided into two holiday periods, with the first beginning at 9:00 a.m. and lasting through 3:00 p.m., and the second beginning at 3:00 p.m. and ending at 9:00 p.m. For 1993, the Father shallhave the first visitation period, the Mother the second and the parties shall alternate thereafter.

e) The provisions of this paragraph shall take precedence over the other provisions of this Order relating to the custodial or visitation periods.

4. should it be necessary for either party to cancel or modify the visitations as set out in this Order, or as proviously arranged, the parties 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. Each party shall teach the minor children to give to the other party that love and respect which is due a parent from his or her children. Further more, either party shall not do or say anything to blacken the character of the other in the children's estimation. Each party shall treat the other in a polite and respectful manner when in the children's presence and each party shall instruct his or her relatives and friends to do likewise and not to disparage the other par ty in the children's estimation.

7. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor child. Neither party shall smoke tobacco or permit others to do so in a closed automobile in which the child is being transported or in the bedroon 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. The parties are free to make additional or alternative arrangements respecting the custodial and visitation periods and are strongly encouraged to do if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

By the Court,
Anthony J. Vardaro, J

Feb. 5, 1993 Copy of order to Atty. Nelson

Continued on Pg. 278A

MARK A. McSWEENEY
VS.
LOUISA SMOUSE

CONTINUED FROM PAGE 278
of Record
A. D. 1992 - 1178

June 15, 1993 ORDER filed. AND NOW, June 15, 1993 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

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

II. Physical custody of Mark J. McSweeney shall be with his mother, subject to the following conditions:

A. The father shall be entitled to visit and take the child into his custody every other weekend from 3:00 p.m. on Friday to 3:00 p.m. on Sunday, beginning June 18, 1993.

B. Holiday visitation shall be arranged as follows:

1. Christmas Vistation - There shall be two (2) Christmas holiday visitation periods, the first beginning Christmas Eve at 9:00 a.m. and ending Christmas Day at 3:00 p.m. and the second beginning Christmas Day at 3:00 p.m. and ending December 26 at 8:00 p.m. For 1993, the father shall have the first visitation period and the mother, the second. The parties shall thereafter alternate these visitation periods.

2. Thanksgiving Visitation - Thanksgiving Day shall be divided into two (2) Thanksgiving holiday periods, with the first beginning at 9:00 a.m. and lasting through 3:00 p.m., and the second beginning at 3:00 p.m. and ending at 9:00 p.m. For 1993, the mother shall have the first visitation period, the father the second and the parties shall alternate thereafter.

3. Easter Visitation - Easter Day shall be divided into two (2) holiday periods, with the first beginning at 9:00 a.m. and lasting through 3:00 p.m., and the second beginning at 3:00 p.m. and ending at 9:00 p.m. For 1993, the father shall have the first visitation period, the mother the second and the parties shall alternate thereafter.

4. Birthday Visitation - There shall be two (2) birthday visitation periods, with the first beginning at 9:00 a.m. and lasting through 3:00 p.m., and the second beginnign at 3:00 p.m. and ending at 9:00 p.m. For 1993, the mother shall have the first visitation period, the father the second and the parties shall alternate thereafter.

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

C. Each party shall teach the minor child to give to the party that love and respect which is due a parent from his or her child. Furthermore, either party shall not 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 not to disparage the other party in the child's estimation.

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

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

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

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

H. Transportation of the child on weekends and holiday visits shall be equally divided between the parties with the parent receiving custody providing transportation.

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

IV. Cost of the mediation conference shall be paid by Crawford County. Anthony J. Vardaro, J.

June 22, 1993 copy to G. Keenan, K. Nelson, J. Fuller, Plf. & Dft.

June 21, 1993 ORDER filed. AND NOW, June 18, 1993, Paragraph II, Item A of the Order of June 15, 1993, is amended to provide as follows:

II. A. The father shall be entitled to visit and take the child into his custody every other weekend from 3:00 p.m. on Friday to 3:00 p.m. on Sunday, beginning June 18, 1993. Such visits are to be supervised by father's mother. Anthony J. Vardaro, J.

June 22, 1993 copy to G. Keenan, K. Nelson J. Fuller, Plf. & Dft.

Aug. 4, 1993 Praecipe for Return of Custody Mediation Deposit and ORDER filed. AND NOW, t his 6 day of August 1993, the Prothonotary of Crawford County is ordered to refund to Mark A.McSweeney, Plaintiff in the above captioned custody action,the sum of $150.00 for unused mediation fees, less $9 for court order cost.

BY THE COURT:
Anthony J. Vardaro, J.

Aug. 11, 1993 Copy of Order to Attys. Keenan,Nelson, J.Fuller, Pltf. & Dft.

Aug. 12, 1993, Petition for payment of Attorney Fees and Order filed. ORDER: AND NOW, this 11 day of August 1993, upon Petition of Kathleen R. Nelson, Esq., Court Appointed counsel for the plaintiff, in the above case, the sum of $300.00 shall be paid for services rendered. The Ct. Adm. shall pay the same from acct. designated for such purposes. Anthony J. Vardaro, J.

Aug. 20, 1993, copies of order to G. Keenan, K. Nelson, and JOhn Fuller.

278
-6.

1992

1992

pro se 1179.	LESLIE TAR vs. BONNIE EGLI Filed Dec. 10, 1992 @ 12:50 p.m. Tax & entry paid $50.~~50~~ 25 state paid 5.00	APPEAL OF PLAINTIFF FROM JUDGMENT OF WILLIAM D. CHISHOLM DISTRICT JUSTICE Dec. 16, 1992, Proof of Service filed. Dec. 16, 1992, Complaint filed. 1 copy (plff) Jan. 4, 1993 Defendant's Answer and New Matter filed. Jan. 15, 1993 Plaintiff's Answers To New Matters Brought Forth By Defendant filed.

1992

Barbara J. Walton

1180.

ANNA ROSSEY

vs.

REBECCA ROSSEY
NORMAN BURROWS

Filed Dec. 10, 1992
@ 1:19 p.m.

Tax & entry paid $50.50
state paid 5.00

COMPLAINT FOR CUSTODY

3 copies (atty)

Dec 15, 1992 Acceptance of Service, filed. I accept service of the Complaint for Custody. Norman F. Burrows Sr.

Dec 15, 1992 Acceptance of Service, filed. I accept service of the Complaint for Custody. Rebecca Rossey

Jan. 20, 1993 Stipulation and Consent Custody Order filed.

And Now, this 15th day of January, 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 child, GEORGE WILLIAM BURROWS, shall be with the Maternal Grandmother, ANNA ROSSEY at her home, 1097½ Market St., PO Box 639, Meadville, PA. 16335.

2. Secondary custody is to be with the Mother, REBECCA ROSSEY and the Father, NORMAN BURROWS.

3. The Mother and Father shall have the right of visitation and temporary physical custody with GEORGE WILLIAM BURROWS. Said visitation between the Mother, REBECCA ROSSEY and the child GEORGE WILLIAM BURROWS shall be supervised by the Plaintiff, ANNA ROSSEY.

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 the child shall make sure that the seat belts or other restraints 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 aditional 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. The parties to this action agree that this Honorable Court retain jurisdiction of this matter.

BY THE COURT:
Gorodn R. Miller, J.

Jan. 20, 1993 Copy of Order to Atty. Walton, copy mailed to Dfts.

1992

Barbara J. Walton

1181.

REBECCA FULLER

vs.

VICTOR N. FULLER, SR.

Filed Dec. 10, 1992
@ 1:19 p.m.

Tax & entry paid	$50.50
3 counts paid	45.00
state paid	10.00
state paid	20.00

COMPLAINT FOR DIVORCE, EQUITABLE DISTRIBUTION, ALIMONY PENDENTE LITE, COUNSEL FEES, APPRAISERS FEES AND COSTS, PERMANENT ALIMONY

2 copies (atty)

Dec. 29, 1992 Affidavit of Service filed. And Now,December 29, 1992, comes Lisa M.Sherretts, secretary to Barbara J.Walton,Esq. 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 4, 1992.

2. That the Defendant signed the return card on December 23,1992 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 899097884) 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.

Lisa M.Sherretts
Secretary to Barbara Walton

Jul. 6, 1995 Affidavit of Consent by Rebecca Fuller, Plaintiff, filed.

Mar. 12, 1998 Important Notice and Court Order filed. Out court records show that you are a party in the case listed above, but that nothing has been filed with the court in this case since 7/6/95 . We are required by the Pennsylvania Supreme Court to dismiss cases in which there has been "unreasonable delay". Your case appears to be inactive. Therefore, unless we hear form you in writing on or before April 24, 1998, we will automatically terminate and dismiss your case without further notice to you or your attorney. If you do not object to this case being dismissed, you do not have to do anything. The case will be marked "dismissed with prejudice" in our records, and will be over forever. I If you object to the case being dismissed, you must put your objections in writing and follow Crawford County Civil Local Rule L206, LJA 1901E and LJA1901F, explaining why there has been a delay in your case and why it is not unreasonable. These written objections must be filed in the Prothonotary's Office on or before April 24, 1998. You must also give or send a copy of any objections you file to the other party or his or her attorney, and certify that you have done so when you file your objections with the Prothonotary.

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

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

By the Court,
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)

1992

BArbara J. Walton

1182.

Peters, Lindsay,Lewis & Gagliotti
Brian J. Lindsay

JAMES KAHLER

vs.

DEANNA HALL

vs.

PATRICIA A. KEDZIERSKI
ADD'L DEFT.

Filed Dec. 10, 1992
@ 1:20 p.m.

Tax & entry paid	$50.50
state paid	5.00
Pro Rolf 9-17-99	13.50

John Fuller, Mediator

7-30-99 Rec'd complt & mch fee 200.00
9-17-99 Pd Co 165.00
9-17-99 Pd Plff/refund 21.50

COMPLAINT FOR CUSTODY

1 copy (atty)

July 12, 1993 Petition to Proceed In Forma Pauperis filed.

July 12, 1993 ORDER filed. AND NOW,jUne 28, 1993, the plaintiff's petition to proceed informa pauperis is denied without prejudice. The affidavit is not completed in proper form. In fact most of the form is blank. If the plaintiff still desires to proceed informa pauperis he shall file another affidavit with all entries completed accurately. He need not file another petition. Once a proper affidavit is filed the petition shall be returned to the Court for review, consideration and disposition.

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

7-14-93 Copy of Order to Atty.Walton.

July 12, 1993 Petition to Proceed In Forma Pauperis and ORDER filed. ORDER: 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 pursuant to Pa. R.C.P.240, the Plaintiff is granted leave to proceed in forma pauperis at this time.

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

BY THE COURT:
Gordon R. Miller, J.

7-12-93 Copy of Order to Atty.Walton.

July 21, 1993 Motion to Appoint Child Custody Mediator filed. NOTICE AND ORDER TO APPEAR filed. You, Deanna Hall,have been sued in Court to obtain custody of Jennifer Nicole Kahler.

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.

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.

July 16, 1993 Gordon R. Miller, J.

7-26-93 Copy of Order toAttys.Walton & Fuller. Copy to Deft.

May 9, 1994 Motion for Joinder and ORDER filed. AND NOW, this 9 day of May, 1994, Defendant's Motion for Joinder is granted and the Defendant is directed to serve the attached Order and Notice of Joinder upon Patricia A. Kedzierski by personal service of Rist Class United States Mail subject to the right of the court to decide that joinder was not appropriate.

BY THE COURT:
Gordon R. Miller, J.

5-9-94 Faxed copies to Atty. Walton & Lindsay, Cert. copy to Lindsay. 5-12-94 Faxed copy to Atty.Fuller

May 20, 1994 Petition for Leave to Intervene and ORDER filed. AND NOW, this 20th day of May, 1994 upon consideration of the Petition to Intervene this Court hereby orders and directs that the Prothonotary of Crawford County shall list Patricia A. Kedzierski as an additional Defendant in the above captioned action, subject to a determination that she has the right or ability to participate in this case.

BY THE COURT:
Gordon R. Miller, J.

5-20-94 Copies dist. to Walton & Lindsay by fax.

Jun. 1, 1994 Consent Custody Order filed. AND NOW, this 26th day of May, 1994, the Court, in considerationof 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 26t h day of May, 1994 the parties, Deanna Hall, Defendant, (hereinafter called"Mother"), and James E.Kahler, Plaintiff, (hereinafter called "Father"), agree as follows:

1. The parties shall share physical custody of Jennifer on an alternating weekly basis.Physical custody is with the mother as of today's dat e and there shall be a transfer of custody every Sunday night beginning at 7:00 P.M.

2. The parties shall share legal custody of the subject minor child,Jennifer Kahler. That is, each parent is entitled to take part in all major decision making regarding the child. Further, each parent shall have access to all records and all persons's involved in the lives of their children, including but not limited to medical, dental, educational and religious and psychological or psychiatric personnel.

3. The parties shall share with each other any and all information which each may have regarding the health, education and the major events inthe life of the subject minor child.

a. The physical custody accorded to mother is contingent upon mother not residing with Maureen Desko. In the event that mother resides with Maureen Desko, then mother's custody rights shall be exercised on the same alternating weekly basis at the home of the maternal grandmother, Patricia Kedzierski,until such time as Deanna is no longer residing with Maureen Desko.

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

4. Holidays shall be arranged by mutual agreement between the parties.

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

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

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

8. Any persons 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 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 child's estimation.

Continued to Page 282 A

James Kahler
vs
Deanna Hall
vs
Patricia A. Kedzierski,
Add'l Deft.

Continued from Page 282
of record
AD 1992 - 1182

****

10. The parties shall be free to make additional or alternative arrangements respecting the custodian and visitation periods.

11. The parties hereto request the Court to enter the above as a Consent Order.

BY THE COURT:
Gordon R. Miller, J.

6-1-94 Faxed copy to Atty. Walton & 2 copies to Atty. Lindsay.

July 30, 1999 Petition for Modification of a Custody Order adn Order and Notice and Notice and Order to Appear filed. And Now, this 29 day of July 1999 it is ordered and decreed that the paretns in this matter shall satisfactorily complete the Seminar for Separating Parents in accordance with Crawford county Civil Rule L1930. Applicatons for the seminar may be obtained at the Center fro Family Services, Inc. at 213 Center St, Meadville, PA 16335; the Prothonotary at the Crawford County Courthouse or the court Administrator at the Crawford County Courthouse.

Application for attendance at the seminar must be made by the plaintiff or petitioner within fifteen days after the pleading or petition is filed; and by the Defendant or respondent within fifteen days after he or she is served with the pleading or petition.

The Seminar must be completed within 45 days after application. Failure to Attend the Seminar may result in sanctions, including contempt of court a dismissal of the action or a delay in the proceedings unless attendance is waived by Order of Court.

If either party has any questions about this seminar, he/she should consult an attorney or refer to the Crawford County Civil Rule of Court that are available in the Prothonotary's Office and in the Crawford County Law Library or contact the Center for Family Services, Inc.

By the Court
Gordon R. Miller, J.

You, Deanna Hall and Patricia Kedzierski have been sued in Court to obtain custody, partial custody or visitation of the child: Jennifer Kahler.

You are Ordered to appear in person at such time and place as will be determined by the Mediator John Spataro, 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, and Order fro 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

Amerians with Disabilities Act of 1990 The Court o Common Pleas of Crawford County is required by law to comply with the Americans with Disabilites Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the Court, please contact the Court Administrators office. All arrangements must be made at least 72 hours prior to any hearing or business before the Court. You must attend the scheduled conference of heraing.

Date July 29, 1999 By the court Gordon R. Miller, J.

7/30/99 Faxed Lindsay Keenan & Spataro

Aug. 27, 1999 Certificate of Seminar for Separating Parents of Plaintiff, filed.

Aug 27, 1999 Certificate of Seminar for Separating Parents of Defendant, filed.

Sept. 13, 1999 Order filed. AND NOW, this 9 day of September, 1999, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator, IT IS HEREBY ORDERED AND DECREED THAT:

1) The father, james E. Kahler, shallhave exclusive legal and physical custody of the subject minor child, Jennifer Kahler, born on May 27, 1991.

2) The father and maternal grandmother, Patricia Kedzierski shall work together with regard to providing adequate visitation periods for the maternal grandmother at times which are mutually convenient to the parties as has been their past practice.

3) Father may allow mother reasonable visitation in his discretion, setting the terms and conditions under which he believes such visitationcan be safely provided, recognizing that motehr may, upon a change in circumstances, request further meidation in the event motehr is not satisfied with the visitation arrangements established by the father.

4) Father has completed the Seminar for Separating Parents. The mtoehr shall complete the seminar or a similar seminar in her locale within 45 days of the date of thisOrdre as required by Crawford County Civil Rule L1930 or be subject to the sanctions permitted by rule and law including contempt, fines and possible incraceration.

5) Costs and fees of this Mediation, which are fixed at $165.00 ($60.00/hr. x 2.75 hrs.) and the $13.50 Court Order filing fee are to be paid by the father. The Father has paid the $200.00 necessary for theappointment of a child custody mediator. The entirety of said sum shall be applied to the costs and fees of this case. The Prothonotary is directed to refund to the father the sum of $21.50 forthwith.

6) This Order supercedes all previous custody orders.

7) Either party may move the Court for a hearing de novo iwthin twenty (20) days formthe date hereof. If neither party so moves, this Order shall be considered permanent.

BY THE COURT,
Gordon R. Miller, J

9/16/99 distributed Spataro, 9/21/99 maield Kahler, Hall & Kedzierski

1992

1183.

R. Christopher Brode
Legal Servcies

WILLIAM COULTER

vs.

DONALD SHIELDS, ET AL

Filed Dec. 10, 1992
@ 3:35 p.m.

Indigent filing
Forma Pauperis

APPEAL OF DEFENDANT FROM JUDGMENT OF WAYNE E. HANSEN, DISTRICT JUSTICE

Dec. 10, 1992, Rule to File Complaint entered upon plaintiff issued.

Dec. 11, 1992 Proof of SErvice filed.

Dec 11, 1992 Praecipe to Proceed in Forma Pauperis, filed.

Jan. 5, 1993 And Now, Jan. 5, 1993 at 10:02 AM upon Praecipe of Defendant's Attorney judgment of Non Pros is hereby entered against the plaintiff for failure to file complaint.

C-171

Judgment of Non Pros
Barbara H. King
Prothonotary

1992

1184.

Christopher Brode,
Legal Services

WILLIAM COULTER

vs.

THOMAS NUNEMAKER, ET AL

Filed Dec. 10, 1992
@ 3:35 p.m.

Indigent filing

APPEAL OF DEFENDANT FROM JUDGMENT OF WAYNE E. HANSEN, DISTRICT JUSTICE

Dec. 10, 1992 Rule entered upon plaintiff to file Complaint issued.

Dec. 11, 1992, Proof of Ser vice filed.

Dec. 15, 1992, Praecipe to Proceed in Forma Pauperis filed.

Jan. 5, 1993 And Now, Jan. 5, 1993 at 10:02 AM upon praecipe of Defendant's Attorney judgment of Non Pros is hereby entered against the plaintiff for failure to file complaint.

Judgment of Non Pros
Barbara H. King
Prothonotary

C-171

1992

pro se

1185.

BRENDA MAE GAINES

vs.

IZIAH GAINES

Filed Dec. 10, 1992
@ 4:24 p.m.

Indigent filing

COMPLAINT IN DIVORCE

2 copies (plff)

Dec. 10, 1992, Petition to Proceed in Forma Pauperis Pursuant to Pa. R.C.P. 240 filed.

Dec. 10, 1992, Memorandum and Order filed. AND NOW, Dec. 9, 1992, the plaintiff's complaint in divorce is before the court. She initially filed the same on Oct. 7, 1992 and it was sent to the Court Admininstrator for further action on that same date.

The Court has corresponded with the plaintiff on a couple of occasions and now we have a petition to proceed in forma pauperis before us.

We now enter the following Order;

ORDER: AND NOW, Dec. 9, 1992, the plaintiff is granted leave to proceed in forma pauperis without prejudice to the court to make a later determination as to the ability of the parties to pay appropriate filing fees. The plaintiff shall have a continuing obligation to inform the cuort of improvement in her financial circumstances that might permit her to pay costs.

The Prothonotary is further directed to reinstate the complaint originally received on Oct. 7, 1992 and to forward a copy to the plaintiff along with a copy of this order addressed as follows so that she may serve the defendant with the same:

Brenda Gaines)A8543, 451 Fullerton Ave, Cambridge Springs, Pa. 16403

2 copies (plff)

BY THE COURT,
Anthony J. Vardaro, J.

Mar. 25, 1993 Affidavit of Service filed.

Sep. 15, 1993 Termination of Divorce Proceedings filed.

Ferguson & Spataro
Douglas W. Ferguson

1186

WENDY L. GOSS

vs.

WILLIAM C. GOSS

Filed December 11, 1992
@ 10:03 am

Tax & entry paid	50.50
User's Fee paid	5.00
State paid	10.00
Pro Co pd 3-19-93	9.00

COMPLAINT IN DIVORCE
1 copy (atty)

Dec. 11, 1992 Motion For Service of Complaint Pursuant to Special Order of Court and Order filed. AND NOW, this 11th day of December, 1992, upon consideration of the foregoing Motion and the accompanying Affidavit in support thereof, it is hereby Ordered and decreed that service of the original Complaint filed at the above-captioned number and term by the Plaintiff against the Defendant, William C. Goss, in divorce shall be served on the Defendant, William C. Goss, in compliance with Pennsylvania Rule of Civil Procedure 430(b)(1) in the following manner:

1. Publication by advertising said notice of the divorce action once in the Crawford County Legal Journal andonce in the Meadville Tribune.

2. Advertising said notice in a paper of general circulationin Enterprise, Alabama, with proof of publication of said ntoice to be filed with the Prothonotary of Crawford County.

By The Court:
Gordon R. Miller, J

Dec. 17, 1992 Copy of order to Atty. Ferguson

Feb. 17, 1993 Affidavit of Service, filed. ANDNOW, this 16th day of February, 1993, comes Douglas W. Ferguson, Esq., attorney for the Plaintiff, Wendy L. Goss and files the following Affidavit of Service and avers as follows:

That pursuant to the Court's Order of Dec. 11, 1992, the Divorce Complaint in the above-captioned matter was served upon the Defendant, William C. Goss by publication fo the attached Legal Notice in the Crawford County Legal Journal, The Meadville Tribuen and the Enterprise Ledger. Publication in the Crawford County Legal J ournal occurred on Jan. 20, 27 and Feb. 3, 1993, in the Meadville Tribuen on Jan. 27, 1993and in the Enterprise Ledger on Jan. 28, 1993 as will more fully appear by the attached proofs of publication from all three newspapers. And further your deponent sayeth not.

Mar 19, 1993 Plaintiff's Affidavit Under Section 201(D) of the Divorce Code, filed.

Mar. 19, 1993 Upon praecipe of Plaintiff attorney to transmit record, case moved to Court.

March 25, 1993, FINAL DIVORCE DECREE filed.

AND NOW, March 24, 1993, it is ordered and decreed that Wendy L. Goss plaintiff and William C. Goss, 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.

1992

Barrett & Dratler
Bruce A. Barrett

1187

EDWARD E. STERNBY and
CHARLOTTE J. STERNBY, his
wife

vs.

F. VINCENT NAZELROD and
MARGARET NAZELROD, his wife

Filed December 11, 1992
@ 10:19 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	31.00
Pro Co pd 1-18-93	5.00

COMPLAINT IN CIVIL ACTION
2 copies Sheriff

Dec. 14, 1992 Sheriff's Return filed. SERVED F. Vincent Nazelrod personally on December 14, 1992 at 10:55 AM by handing a copy of the Complaint to him in the Sheriff's Office, Third Floor, Crawford County Courthosue, Meadville, PA.
SERVED Margaret Nazelrod onDecember 14, 1992 at 10:56 am by handing a copy of the Complaint to F. Vincent Nazelrod, her Husband and Authorized Agent, inthe Sheriff's Office, Crawford County Courthouse, Third Floor, Meadville, PA. Signed Acceptance of Service attached.
So answers, Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

Jan. 18, 1993 Upon praecipe of Plaintiffs attorney the above captioned action is discontinued of record.

1992

Phillips and Galanter
Donald L. Phillips

1188

ASSOCIATES CAPITAL SERVICE INC., a corporation

vs.

FRED COREY i/and d/b/a COREY MAINTENANCE

Filed December 11, 1992
@ 11:55 am

Pro King paid	15.00
plff on orig.	84.50
Sheriff's Costs	28.00
Pro.Co. pd 2/24/93	9.00

WRIT OF REVIVAL

of

DSB 1988 - 121

Upon praecipe of plaintiff attorney, Writ of Revial indexed by Prothonotary in favor of the plaintiff and against the defendant Fred Corey i/ and d/b/a Corey Maintenance, in the amount of Five Thousand Four Hundred Sixty-one and 36/100 plus interest from March 7, 1988 and plus costs of this suit.

Debt - $5,461.36
Interest from March 7, 1988
C-64-184
REVIVAL OF JUDGMENT
Barbara H. King, Pro

Issued (Sheriff)

Dec. 14, 1992 Writ Return filed. SERVED Fred Corey, Individually and d/b/a Corey Maintenance by serving Fred Corey personally on December 14, 1992 at 11:31 AM by handing him a copy of the Writ of Revival at her residence 526 Arach Street, Meadville, Crawford County, PA.

So answers,

Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

And Now, Feb. 24, 1993 upon praecipe of plaintiff's attorney, with notice of intention to file default judgment attached, judgment is hereby entered in favor of the plaintiff and against the defendants for want of an answer and the same is liquidated at the sum of Seven thousand Eighty-Six and 89/100 Dollars, plus costs.

C-64; C-184;
Entered 3-4-93
Atty. Phillips

Debt	$7,096.89
Int. from 3/7/88 on $5,461.36	$1,625.53
Judgment	

Barbara H. King
Prothonotary

1992

1189

JOHN P. SUROVICC

vs.

JAMES A. EULIANO and
THOMAS JONES

Filed December 14, 1992
@ 12:03 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	31.00

PETITION FOR SPECIFIC PERFORMANCE OF A CONTRACT
2 copies Plainiff

Mar. 8, 1993 Reissue Petition for Specific Performance of a Contract filed.

Mar 12, 1993 SHERIFF'S RETURN filed. SERVED James A. Euliano on March 11, 1993 at 10:00 AM by handing a copy of the Petition for Specific Performance of a Contract to JoAnn Euliano, his wife and Authorized Agent, in the Sheriff's Office, Crawford County Courthouse, Meadville, Pa. Signed Acceptance of Service attached.
SERVED Thomas Jones on March 11, 1993 at 10:01 AM by handing a copy of the Petition for Specific Performance of a Contract to JoAnn Euliano, his Authorized 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

Oct. 15, 1993 Petition to Proceed in Forma Pauperis Pursuant to Pa. R.C.P. 240 And ORDER filed. AND NOW, October 15, 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.240, the plaintiff is granted leave to proceed in forma pauperis at this time.
The plaintiff is directed to inform the Prothonotary's office or the Court of any imporovement in his/her financial circumstance that would permit him/her to pay t he costs incurred in this action and shall be responsible for doing so upon an improvement of financial condition.
BY THE COURT:
Gordon R. Miller, J.
10-22-93 Copy of Order to Plaintiff & Defendants

Oct. 15, 1993 Affidavit to Proceed in Forma Pauperis filed.

Oct. 15, 1993 Petition for Specific Performance of a Contract filed.

Jan. 13, 1994 Sheriff's Return filed Returned to Prothonotary unserved on January 13, 1994. We were instructed to hold for a hearing date, per Court Administrator Office on October 15, 1993. Never received further instructions.
So answers, Robert M. stevens, Sheriff

Jan. 31, 1994 Petition of Defendant's Counsel for Leave to Withdraw and ORDER filed. AND NOW, this 31st day of January, 1994, upon consideration of the foregoing Petition for Leave to Withdraw Appearance, it is hereby ORDERED and DECREED that the Petition is granted and the petitioner, Peter E.Blystone,Esq. and/or the firm of Blystone and Blystone, arehereby permitted to withdraw his and/or their appearance of record for the defendant in the matter.
A copy of this Order shall be filed in the actionof John P.,Suroviec, plaintiff, versus James A. Euliano, JOann Euliano and Thomas Jones, defendants, at No. AD 1992-1189 which arises from and is based uponthe same transaction or series of transactions as this action.
BY THE COURT,
Gordon R. Miller, JUDGE
2-2-94 Copy of Order to Attys. Gregg & Blystone (Original Filed at AD 1993-147)

1992

C. Barton Jones

1190

REGIS C. ENGEL and MARY ENGEL

vs.

EDWARD J. LEONARD, his Unknown Wife, his Administrators, Representatives, Heirs, Successors and Assigns

Filed December 14, 1992
@ 2:00 p.m.

Tax & entry paid	50.50
User's Fee paid	5.00
Pro Co pd 3/17/93	9.00

COMPLAINT TO QUIET TITLE

Dec. 17, 1992 Motion for Service by Publication filed.

Dec. 17, 1992 Affidavit Re Unlocated, Deceased, and Unknown Defendants filed.

Dec. 17, 1992 Order of Court for Service by Publication filed. AND NOW, this 17 day of December, 1992, upon consideration of the foregoing Motion, requesting service by publication, the Plaintiffs are hereby granted leave to obtain service of the Complaint filed for the above captioned action in the following manner:

1) By publication in the Meadville Tribune, a newspaper of general circulation in Crawford County, Pennsylvania, as to all the Defendants whose addresses or whereabouts are unknown as set forth in the Plaintiffs' Affidavit regarding unlocated, deceased, and unknown Defendants, and in the Crawford County Legal Journal.

2) That service by publication be made against all Administrators, Heirs, Representatives,Successors, and Assigns, known or unknown,of Defendants in the above-captioned action, as provided by Pennsylvania Rules of Civil Procedure No. 1064 (b) which publication shall be in form of the attached Legal Notice.

3) Said premises being described as follows: ALL that certain lot situate in South Shenango Township, Crawford County, Pennsylvania, being Lot No. 27 of the Carrituning Fishing Club, plan of which is duly recorded in the Recorder's Office of Crawford County, Pennsylvania, bounded and described as follows, to-wit: On the North by Carrituning Avenue; on the East by Lot No. 28 of said Plan; on the South by land now or formerly of Richard Ackerman; and on the West by Lot No. 26 of said Plan fronting Forty (40) feet on said Carrituning Avenue, and extending back same with a distance of 83.4".

Number of times of publication: 1 in each publication.

Anthony J.Vardaro, Judge

Dec. 21, 1992 Copy of Order to Atty. Jones

Feb. 10, 1993 Motion for Judgment, filed.

Feb. 10, 1993 ORDER OF COURT, filed. AND NOW, this 9th day of February 1993, an Affidavit of Service of the Complaint with Notice to Plead attached thereto having been filed, and there appearign no appearance or answer by or on behalf of the Defendants in the above-captioned action, upon motion of C. BARTON JONES, Attorney for Plaintiffs, this Honorable Court hereby ORDERS AND DECREES:

1) That the Defend ants EDWARD J. LEONARD and ANY WIFE, their Heirs, Administrators, Successors, and Assigns are hereafter forever barred from asserting any right, lien title, or interest in or to the parcel of land owned by the Plaintiffs int his Action to Quiet Title.

2) The Plaintiffs REGIS C. ENGEL and MARY ENGEL are hereby declared the rightful title holders to the whole of that land described in their Complaint; and they are hereby recognized as in possession of all the undivided right, title, interest and ownership due them as the sole owners of that land.

3) The Defendants, their Representatives, Heirs, Successors, Administrators, Executors, or Assigns, have 30 days from this Order to bring an action in ejectment, or to take exception. If such action is not taken with 30 days from the date of this Order, the Prothonotary, on Praecipe of the Plaintiffs, shall enter final judgment, all in accordance with Pa.R.C.P.1066.

BY THE COURT,
Anthony J. Vardaro, J.

Feb. 16, 1993 copy to C.B. Jones & Dfts.

And now, Mar. 17, 1993 at 2:51 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.

FINAL JUDGMENT
Barbara H. King
Prothonotary

L-53

1992

Northwestern Legal Services
R. Christopher Brode

1191

Brian Lindsay

HERBERT THOMAS, JR.

vs.

TAMMY STURROCK

Filed December 14, 1992
@ 4:18 PM

Indigent Filing
William Pineo, Mediator
102.00

COMPLAINT FOR CUSTODY
1 copy atty; 1 copy med

ORDER:

You, Tammy Sturrock , Defendant have been sued in
Court to obtain custody of the child, Kayla J. Sturrock

You are ordered to appear in person before Custody Mediator Wm. Pineo , at such time and place as the Mediator may
specify.

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

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT
HAVE A LAYWER 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, Pennsylvania

1633

Telephone 814-336-1151,
ext. 298

Date: Dec. 11, 1992

By the Court,
Anthony J. Vardaro, J

Dec. 14, 1992 Praecipe of Plaintiff Attorney To Proceed In Forma Pauperis filed.

Jan. 6, 1993 Proof of Service filed. I hereby certify that a copy of the foregoing Order and Custody Petition was served upon Defendant Tammy Sturrock at 789 Frenchtown Road, Guys Mills, PA, by Certified Mail, Return Receipt Requested on December 16, 1992.
Date: 1-6-93 R.Christopher Brode,Esq.

Feb. 11, 1993 TEMPORARY ORDER filed. AND NOW, this 10th day of February, 1993, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator.

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor child, Kayla Jean Sturrock.

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

3a. The mother shall have primary physical custody of thesubject minor child.

b. The father will have temporary physical custody and visitation and alternate weekends from Friday at 6:00 p.m. through Sunday at 6:00 p.m., beginning with Friday, Feb. 5, 1993. The father will pick the child up at the home of the mother for the visitation, and when the visitation is ended, the mother will pick the child up at the home of the fatheer.

c. The father will have visitation and temporary physical custody each Wednesday, starting Feb. 10, 1993, from 5:30 p.m. to 9:00 p.m. The father will provide all transportation necessary for the exercise of this visitation rights.

d. The father will also have visitation and temporary physical custody for two two-week periods each summer, the first to be in June and the second to be in August. He may select one or the other period to be a period of exclusive visitation and physical custody in which no visitation need be accorded to the mother. For the period he does not so select, the mother shall have visitation and temporary physical custody each Wednesday evening from 5:30 p.m. to 9:00 p.m. The mother will provide all transportation for the excerise of her visitation rights.

e. When the subject minor child shall have reached the age of two, the parent not having physical custody shall have the right to telephone the subject minor child at reasonable times and for reasonaable lengths of time.

4. Holiday visitation shall be arranged as follows:

a. Christmas: There shall be two Christmas holiday visitation periods, the first shall begin at noon on Christmas Eve and end at 11:00 a.m. Christmas Day and the second shall begin at 11:00 a.m. Christmas Day and end at noon on Dec. 26. For 1993, the mother shall have the first period, and the father, the second, and the parties shall thereafter alternate the visitation periods.

b. Thanksgiving: There shall be two Thanksgiving visitation periods, the first beginning at 8:00 a.m. Thanksgiving Day and ending at 2:00 p.m. Thanksgiving Day; and the second beginning at 2:00 p.m. Thanksgiving Day and ending 8:00 p.m. of the same day. For 1993, the father shall have the first period and the mother, the second, and the parties shall thereafter alternate.

c. Easter: There shall be two Easter visitation perids, the first beginning at 8:00 a.m. Easter Sunday and ending 2:00 p.m. Easter Sunday, and the second beginnign at 2:00 p.m. Easter Sunday and ending at 8:00 p.m. the same day. For 1993, the mother shall have the first period, and the father, the second, and the parties shall thereafter alternate.

d. There shall be a visitation for Independence Day beginning at 9:00 a.m. and ending at the end of the local fireworks show. The mother shall have the child for Independence Day, 1993, and the parties shall thereafter alternate.

e. The children shall spend Father's Day with their father from 9:00 a.m. to 6:00 p.m., and Mother's Day with their mother, during the same hours.

f. The parent not having physical custody under the other terms of this order shall have the right to a three-hour period of visitation and temporary physical custody on the child's birthday. The parties will work out the three-hour time period.

~~5. The provisions of this paragraph shall take precedence over the other provisions of this Order relating to the custody/visitation periods.~~

Continued on Page 325

1992

Pro Se

Joseph C. Barnhart

1192

ROBERT W. WOLFE, JR.

vs.

MELISSA A. WOLFE

Filed December 15, 1992
@ 11:46 AM

Tax & entry paid	50.50
User's Fee paid	10.00
1 Add'l Count paid	15.00
State paid	10.00
Pro Co pd 8/6/96	9.00
Pro Co Pd 8-16-96	9.00

COMPLAINT IN DIVORCE, CUSTODY

Jan. 25, 1993 ACCEPTANCE OF SERVICE AND ENTRY OF APPEARANCE PRO SE, filed. I, Melissa W. Wolfe, do hereby acknowledge that I have this date received a true and correct copy of a Complaint in divorce as filed in the above-captioned matter.

July 19, 1995 Affidavit of Consent of defendant filed.

June 10, 1996, UPon praecipe of plaintiff, appearance pro se entered.

July 26, 1996 Affidavit of Consent To Divorce of Plaintiff filed.

July 26, 1996 Affidavit of Consent To Divorce of defendant filed.

July 30, 1996 Consent Custody Order filed. AND NOW, this 29th day of July, 1996 upon consideration of the following terms of agreement to which the parties consent hereto evidenced by their signatures affixed at the end hereof, this court hereby orders and decrees as follows:

1. That legal custody of the minor children shall be shared between the parties to the extent that each parent is entitled to full access to school records, medical records, and other important records, and that each parent shall be further entitled to take part in important decisions affecting the children's health, safety, morals and welfare.
2. That Defendant mother shall be the primary custodian of the children subject to the partial custody rights of the natural father which shall be exercised according to the mutual agreement of the parties.
3. Both parents agree to inform the other immediately of any illness or injury regarding the children, and both parties agree to furnish the other with a current telephone number.

Robert W. Wolfe, Jr., 7-20-96
Melissa A. Wolfe 7-20-96
BY THE COURT
Gordon R. Miller, J.
7-30-96 FAXED Lindsay. MAILED Deft.

Aug. 6, 1996 Praecipe to Transmit Record filed.

Aug. 6, 1996 Wiaver of Notice of Intention to Request Entry of A Divorce Decree filed.

Aug. 14, 1996, MEMORANDUM filed. The matter has now been presented to court for a final divorce decree. Since there are some outstanding costs on the custody phase of this case the divorce will not be granted until all costs are paid.

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

8/15/96 Dist. toLindsay

Sept. 4, 1996 Upon Praecipe of plaintiff attorney for Review under Section 3301(c) and (d) of the Divorce Code, this case moved to Court.

DIVORCE DECREE FILED

Sept. 13, 1996 AND NOW, Sept. 12, 1996, it is ordered and decreed that ROBERT W. WOLFE, JR., plaintiff, and MELISSA A. WOLFE, 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.

1992

Shafer, Swick, Bailey, Irwin & Stack
~~James R. Irwin~~
~~Thomas, Truax,~~
Spadafore & Walker,
~~R. Charles Thomas~~ + Attorneys

1193

Stewart B. Barmen
Denise W. Ford
Buchanan Ingersol
Professional Corp.
Kathleen R. Nelson
for Dft. Randy S.Zelen

5-17-94 Rec 150.00 med fee Pltf
7-13-94 Rec'd pltf's passport (in safe)
8-9-94 Rec'd from deft mediation fee 125.00
9-12-94 Pd Co #8549 251.77
10-11-94 Rec'd from deft master deposit 450.00
8-25-95 Rec'd from Pltf master's dep. $116.60
9-1-95 Pd Dallas Ct Rep #9476 338.20

MARIXIE O. ZELEN

vs.

RANDY S. ZELEN

Filed December 16, 1992
@ 9:13 AM

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~~
Bruce Smith, Mediator 251.77
Pro Co Pd 9-94 9.00
Pro Co Pd 8-31-95 9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION, ALIMONY PENDENTE LITE, COUNSEL FEES & COSTS, PERMANENT ALIMONY
1 copy (atty)

Jan 4, 1993 Appearance of STEWART B. BARMEN, ESQ., DENISE W. FORD, ESQ., and the law firm of BUCHANAN INGERSOLL, PROFESSIONAL CORP., and KATHLEEN R. NELSON, ESQ. as co-counsel for Randy S. Zelen, Defendant in the above -captioned proceedings.

Jan. 4, 1993 ACCEPTANCE OF SERVICE, filed. I. Stewart B. Barmen, Esq. and/or Denise W. Ford, Esq., hereby acknowledge that I have accepted service of the Complaint in Divorce filed on behalf of my client, Randy S. Zelen, the Defendant named therein.

Jan. 7,1993 Appearance of Shafer, Swick, Bailey, Irwin & Stack by James R. Irwin,Esquire for Marixie O.Zelen, Plaintiff,filed.

Jan. 11, 1993 Petition for Special Relief Exclusive Possession of Marital Residence, filed.

Jan. 11, 1993 RULE TO SHOW CAUSE filed. AND NOW, this 11th day of January, 1993 upon consideration of the within Petition for Exclusive Possession of the Marital Residence, a Rule is granted upon Defendant, Randy S. Zelen, to show cause why the relief requested in said Petition should not be granted.

RULE RETURNABLE with hearing thereon on the 21st day of January, 1993, at 1:30 p.m. in Courtroom No. 1 or 2 or the Crawford County Courthouse, Meadville, Pa. BY THE COURT:
P. Richard Thomas, S.J.

Jan. 14, 1993 copy to J. Irwin R.C. Thomas, K. Nelson

Jan. 11, 1993 REQUEST FOR HEARING and ORDER filed. ORDER: AND NOW, this 11th day of January, 1993 upon presentation and consideration of the foregoing Request for Hearing a hearing is scheduled with the Court of Common PLeas of Crawford County, Pa., on the 21st day of January, 1992 at 1:30 p.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pa.

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

Jan. 14, 1993 copy to J. Irwin, R.C. Thomas, K. Nelson

Jan. 19, 1993 Motion For Continuance and Order filed. AND NOW, this 19th day of January, 1993, upon presentation of the herein Motion, the hearing previously scheduled for January 21, 1993, at 1:30 p.m. is hereby reset for February 23, 1993 at 2:30 p.m., in Courtroom No. 2.

For the Court,
Imogene Yetman, C.A.

Jan. 20, 1993 Copies of order to Atty's Irwin and Nelson

Feb. 3, 1993 Motion to Withdraw Appearance of R. Charles Thomas, Esquire and Order filed. AND NOW, this 3rd day of February, 1993, upon presentation and consideration of the within Motion after notice to counsel of record, R. Charles Thomas, Esq., is granted leave to withdraw his appearance on behalf of the said Marixie O. Zelen in the aforesaid cases.

BY THE COURT,
Gordon R. Miller, J.

Feb. 4, 1993 Copy of Order to Attys. Irwin & Nelson, Thomas.

Feb. 22, 1993 Motion for Special Relief in Re Personal Property, filed.

Feb. 23, 1993 PROOF OF SERVICE OF NOTICE TO PRODUCE, filed.

Feb. 23, 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 County Pennsylvania on the above named Defendant by certified mail, addressee only, return receipt requested, dated Dec. 18, 1992. The Defendant acknowledged service on Dec. 22, 1992 by accepting delivery on that date as evidenced by the attached signed return receipt.

Mar. 3, 1993 Order Filed. AND NOW, March 2, 1993, based upon the agreement of the parties exclusive possession of the marital residence at 139 LInda Lane, Meadville, Crawford County, Pennsylvania, is hereby awarded to the plaintiff without prejudice to the defendant to seek a modification or termination of this order after the de novo custody hearing which will be held in this case in the near future. BY ORDER OF COURT
Gordon R. Miller, P. J.

Mar.8, 19993 Copy of Order to Attys. Nelson, Irwin. Copy of Order Mailed to Attys.Barmen & Ford

March 8, 1993 ORDER filed. AND NOW, March 5, 1993, the defendant's motion for the return of certain items of tangible personal property is denied except as hereinafter provided.

The parties have agreed that the defendant may obtain the following items at a time to be mutually agreed upon by the parties and therefore it is ordered that said items shall be delivered by the plaintiff to the defendant:

Defendant's bicycle
one television
VCR
Defendant's medical books and Britannica Encyclopedias
Defendant's exercise bicycle
Defendant's tie clip
Children's videos and other videos of the defendant and his family provided that the defendant will make copies for himself; a few serving platters as agreed upon
The defendant's clothing and Rina's clothing so long as he has custody of Rina
The computer software printer and copy machine owned by defendant/husband's corporation.

The Court will nto enter orders awarding sole possession of personal property pre-equitable distribution except in the rarest of circumstances.

RECORD CONTINUED ON PAGE 329.....

294

1992

Mary Ann Kirkpatrick

1194

ROSE ANN GABLE EELLS

vs.

STEPHEN DAVID EELS

Filed December 16, 1992
@ 2:48 PM

Tax & entry paid	50.50
User's Fee paid	20.00
3 Add'l Counts pd	45.00
State paid	10.00

COMPLAINT IN DIVORCE, ALIMONY, CHILD SUPPORT, ALIMONY PENDENTE LITE, REASONABLE COUNSEL FEES, COSTS AND EXPENSES, EQUITABLE DISTRIBUTION, CUSTODY
1 copy (atty)

Jan. 8, 1993 Affidavit of Service filed. And NOw, December 30, 1992, comes Constance L. Deitman being duly sworn according to law, depoises and sets forth as follows:

1. That she is the legal secretary of Attorney for Rose Ann Gamble Eells, 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 899 085 773; postmarked December 16, 1992, to the last known address of the Defendant, Stephen David Eells, P.O. box 185, Meadville, PA.
3. That the Defendant, Stephen David eells, on December 17, 1992 personally signed the return receipt card which was affixed to the Complaint in the above-matter and which is attached hereto.
4. Service ofthe Complaint against Defendant is therefore effected in accordance with Pennsylvania Rules of Civil Procedure.

Constance L. Deitman

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 1/8/93 . 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,
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)

295

1992

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

1195

MARK DEKA, DALE STROBEL JOSEPH PARLAK and BARBARA PARLAK, JOSEPH TUMINELLO, GENE CADY and PHILIP DRAKE

vs.

ZONING HEARING BOARD, BOROUGH OF CAMBRIDGE SPRINGS

Filed December 16, 1992
@ 4;05 PM

Tax & entry paid 50.50
User's Fee paid 5.00

NOTICE OF APPEAL FROM ZONING HEARING BOARD

Dec. 16, 1992 Writ of Certiorari To Stanley Wright on December 17, 1992. (Issued)

Jan. 12, 1993 Transcript filed.

Jan. 8, 1993 PRAECIPE FOR PLACEMENT ON ARGUMENT LIST, filed.

ON ARGUMENT LIST FOR February 1993

Jan. 28, 1993 Transcript of Cambridge Springs Borough Zoning Hearing Bard Special Exception Request Of Lea Ann Bodak filed.

Apr. 23, 1993 Memonrandum and Order filed. AND NOW, April 21, 1993, after hearing oral argument and reviwing the record, the Appellee's motion to adduce additional testimony is denied and the decision of the Zoning Hearing Board of the Borough of Cambridge Springs of November 16, 1992 granting a special exception to Lea Ann Bodak for the operation of a bed and breakfast facility in an R-2 residential zone is reversed.

BY THE COURT:
Anthony J.Vardaro, J.

Apr.23, 1993 Copies of Mem., and Order given to Atty. Millin & White.

→ Mar. 25, 1993 Motion to Adduce Additional Testimony filed.

296

1992

Bettie Peterson-Muth

1196

1-29-93
Received from Dft Sheriff Cash 25.00

1-29-93
Pd Sheriff 25.00
Chk 7312

SHANNON LEE SWECKER

vs.

DENNIS JAMES SWECKER

Filed December 17, 1992
@ 9:3;8 AM

Tax & entry	Pd 1-29-93	50.50 ✓
User's Fee	Pd 1-29-93	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 17 day of December , 1992 , upon review of the petition of Plaintiff, the Court enterss 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 tis 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 December 22, 1992 , at 1:30 p.m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

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

Dec 22, 1992 SHERIFF'S RETURN filed. SERVED Dennis James Swecker personally on Dejc. 17, 1992 at 10:55 AM by handing a copy of the Complaint to him at his residence, 561 Lord St, Meadville, Crawford County, Pa. So answers,
Shawn E. Ashbaugh, Deputy Sheriff
Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

Dec. 23, 1992 ORDER filed. AND NOW, Dec. 22, 1992 at the time set for hearing on this abuse action, the Defendant, without admitting he committed the acts alleged in the petition, agree to the following order:

1. The Defendant shall n ot threaten, harass, assault, or annoy the Plaintiff Shannon Lee Swecker, or her mother Winifred Brumbaugh. He will not procure other to do son on his behalf.
2. The Defendant shall n ot go to the Plaintiff's place of employment for any purpose without her specific invitation to do so. The mother works varying shifts at the Big Wheel store.
3. The parties mutually agree that the primary custody of the child shall remain with the mother, who is now residing with her mother at 1043 Erie St., Saegertown.
4. The parties mutually agree that the Defendant father shall have the right to have the child in h is custody every other weekend commencing with the weekend of Jan. 2, 1993, commencing Saturday at 10:00 a.m. and terminating Sunday at 5:00 p.m. The mother shall see that the father is supplied with all the requisite clothing, equipment and medications, particularly as it relates to the child's asthma problems. In addition to the aforesaid child visits every other weekend, the father shall have the right to visit the child at the home of the maternal grandmother ever Wednesday between the hours of 10:00 a.m. and 12:00 noon. During that visit, he may take the child out of the residence of the grandmother to any appropriate place for a period of not in excess of one hour.

Both parties are encouraged as time progresses to modify or adjust the visitation arrangements to meet the work schedule of both parents.

Both parties are advised that either of them may bring a separate custody and visitation action if they are unable to resolve the ongoing custody and visitation issues.

5. The Defendant agrees to a temporary support order requiring him to pay $150 per month in two equal monthly payments of $75. each, with one payment to be made before the 15th of each and every month and the other payment to be made before the last day of each and every month.

Both parties are advised that if they are not satisfied with this support arrangement, a petition may be filed with the Domestic Relations Section and a support hearing and order will be entered by processisng the same through the Domestic Relations Section.

6. The Defendant father agrees that he will provide his own transportation for all of the aforesaid temporary and weekend custody visits with the child.
7. The Defendant is directed to p ay to the Prothonotary's Office total costs in the amount of $80.50, with one-half of said amount to be paid on or Jan. 15, 1993 and the other half to be paid on or before Feb. 15, 1993.

The Defendant's current address is 561 Lord St., Meadville, Pa. and in the event the Defendant changes his address, he will notify the mother of the child and the Prothonotary's Office of said change of address.

8. A copy of this order shall be delivered to the Police Department int he jurisdiction where the Plaintiff resides, and to County Control.

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

Dec. 30, 1992 copy to B. Muth, Dft., Co. Ctrl., PSP

Continued to Page 296 A

1992

Shannon Lee Swecker
vs.
Dennis James Swecker

Continued from Page 296
of Record
A. D. 1992 - 1196

****

Jan. 20, 1993 Order Filed. AND NOW, January 18, 1993 the Court's attention is directed to the fact that it did not indicate the length of time the Order of December 22, 1992 should be in effect. The order shall be in effect until December 22, 1993.

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

Jan. 20, 1993 Copies given to Co. Control, Atty. Muth & Deft.

1992

Evans, Portnoy & Quinn
John E. Quinn

Spector Law Offices
Robert A. Sambroak, Jr

1197

~~John R. Gavin~~ Retired
Thomas, Truax, Spadafore and Walker
R. Charles Thomas

GLENN A. DAVIS

vs.

ROBIN A. BEACH

Filed December 18, 1992
@ 11:30 AM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	39.00
Pro.Co. pd 11/9/95	6.00

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Dec. 18, 1992 Notice Of Service of Planitiff's Interrogatories and Request For Production of Documents filed.

Dec. 24, 1992 Appearance of John R. Gavin, Attorney for defendant filed.

Dec 30, 1992 SHERIFF'S RETURN, filed. SERVED Robin A. Beach on Dec. 21, 1992 at 2:07 PM by handing a copy of the Complaint and Interrogatories to Dale Beach, her Husband and Authorized Agent, at the Titusville City Police Department, 323 North Franklin St., Titusville, Crawford County, Pa. Signed Acceptance of Service attached.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Jan. 14, 1993 Appearance of Thomas, Truax, Spadafore and Walker by R. Charles Thomas, Esquire for Robin A. Beach, Defendant, filed.

Mar. 10, 1993 Notice of Intent to Take Default Judgment, filed.

Mar. 12, 1993 Defendant's Answer filed.

Mar 25, 1993 Reply to New Matter, filed.

Aug. 18, 1993 Notice of Taking Depositions upon Oral Examination of Robin A. Beach filed.

Aug. 26, 1993 Notice of Taking Rescheduled Depositions Upon Oral Examination of Robin A. Beach, filed.

Sept. 29, 1993 Notice of Service of Plaintiff's Answers to Defendant's Interrogatories and Request for Production of Documents filed.

Oct. 7, 1993 Notice of Taking Rescheduled Depositions Upon Oral Examination of Robin A. Beach filed.

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

May 12, 1994 Request for Extension ofTime to Complete Discovery, filed.

Aug. 24, 1994 Notice of Service of Plaintiff's Answers to Defendants Second Set Of Interrogatories, filed.

Dec. 12, 1994 Certificate of Readiness for Trial filed.

ON FEBRUARY, 1995 TRIAL LIST

Mar. 27, 1995 Motion For Continuance and Order filed. this case is continued to the next Civil Trial term. And Now, this 27 day of March, 1995 BY THE COURT, Gordon R. Miller, J

Mar. 27, 1995 mailed Gavin, Faxed Thomas & Sambroak

Jan. 31, 1995 Motion for continuance and ORDER OF COURT filed. Upon Motion of Plaintiff and it appearing that this is the first continuance by either party and further appearing that the defendant has consented to the Motion:
IT IS HEREBY ORDERED THAT THE JURY TRIAL IN THIS MATTER BE CONTINUED UNTIL APRIL, 1995 AND THAT THE CASE BE REMOVED FROM THE FEBRUARY, 1995 CIVIL TRIAL LIST.
Dated this 27th day of January, 1995. Gordon R. Miller,J.
1-31-95 Faxed to Attys.Thomas & Sambroak

Apr. 5, 1995 Notice of Deposition of W. Keith Petrella,M. D. filed.

Apr. 5, 1995 Notice of Deposition of Mark R.Foster, M.D., PH.D., F.A.C.S., filed.

ON APRIL, 1995 TRIAL LIST

Sept. 5, 1995, Certificate of Servcie of Notice of Videotape Deposition filed.

Sept. 5, 1995, Appearance of Evans, Portnoy & Quinn, by John E. Quinn, attorneys for plaintiff, filed.

Oct. 4, 1995 AND NOW, October 4, 1995 afater a pre-trial conference with all counsel present the Court enters the following order:
1. All discovery is completed, all parties are ready for trial and the trial shall commence on Monday, Oct. 9, 1995. Jury selection shall commence at about 10:00 o'clock a.m. It is anticipated that this case will take two days to try.
2. This case arises out of a rear end automobile accident that occurred on Nov. 21, 1991 at 12:30 o'clock p.m. The plaintiff was proceeding south on Spring Street in Titusville, PA. As he approached the intersection with Walnut St. the plaintiff stopped because an automobile that was two cars ahead of him was making a left hand turn from Spring onto Walnut. At that point the defendant, who was traveling in the same direction as the plaintiff, rear ended the plaintiff.
The plaintiff initially went to the Titusville Hospital by ambulance complaining of low back and neck pain. He was given emergency treatment and subsequently discharged.
The plaintiff then went to several doctors over several months seeking a treatment and cure of his problems. His major problem was low back pain with pain radiating into his left leg.

RECORD CONTINUED ON PAGE 377.....

1992

Mary Ann Kirkpatrick

1198

JEFFREY KEITH FINCH

vs.

RUTH ANN HOFFMAN FINCH

Filed December 18, 1992
@ 2:18 PM

Tax & entry paid 50.50
User's Fee paid 5.00
John Fuller Mediator

1-20-93 Received from Plaintiff Med Deposit $150.00

3-26-93 Refund med fee dep. Ck # 7436 $150.00

COMPLAINT FOR CUSOTDY
1 copy (atty)

Jan. 5, 1993 Affidavit of Service filed. And Now, January 4, 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 Jeffrey Keith Finch, 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 899 085 772; postmarked December 18, 1992, to the last known address of the Defendant, Ruth Ann Hoffman Finch, Box 90, Clintonville, PA 16372.
3. That theDefendant, Ruth Ann Hoffman Finch, on December 31, 1992, 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.

Jan. 4, 1993 Constance L. Deitman

Jan. 20, 1993 Notice and Order to Appear, filed. You, Ruth Ann Hoffman Finch, have been sued in Court to obtain custody of Jeffrey Keith Finch, Jr. and Jesse Michael Finch.

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

I fyou 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: 1-14-93 Gordon R. Miller

Jan. 20, 1993 copy to M.A. Kirkpatrick & Dft.

Mar. 25, 1993 Motion for Withdrawal of Custody Complaint and for Return of Deposit and Order filed. ORDER: And, Now, March 25, 1993, Custody Complaint is withdrawn and the Prothonotary is directed to return to Jeffrey Keith Finch his $150.00 deposit. BY/FOR THE COURT: Gordon R. Miller, P.J.

Mar. 29, 1993 copy to M.A. Kirkpatrick

1992

Barbara J. Walton

1199

WILLIAM P. WAZELLE

vs.

ROBIN WAZELLE

Filed December 18, 1992
@ 2:30 PM

Tax & entry paid 50.50
User's Fee paid 5.00

COMPLAINT FOR CUSTODY
2 copies (atty)

Jan. 19, 1993 Affidavit of Service filed. And Now, Jan. 18, 1993, comes Lisa M. Sherretts being duly sworn according to law, deposes and sets forth as follows:

1. That she is the legal secretary of Attorney for Bill Wazelle, Plaintiff in the above-captioned matter.

2. That on information furnished her by the Plaintiff, she caused a certified copy of the Complaint for Custody to be forwarded by Certified Mial, P 899 097 887; postmarked Jan.12,1993, to the last known address of the Defendant, Robin Wazelle, RD #2, Box 279, Saegertown, PA 16433.

3. That the Defendant, ROBIN WAZELLE, on Jan. 15, 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.

I verify that the statements made in this Affidavit 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

Apr. 22, 1993 Consent Custody Agreement and Stipulation To Consent and Order filed. And Now this 19 day of April 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 child, BRENDY WAZELLE, shall be with the Mother, ROBIN WAZELLE, at her home R.D. 2, Box 279, Rt. 86 North,Saegertown, Pennsylvania 16433.

2. Secondary custody is to be with the Father, WILLIAM WAZELLE, at his home, at 845 Mulberry Street, Meadville, PA 16335.

3. The Father shall have the right to visitation and temporary physical custody with Brendy Wazelle. Said visitation shall take place every other weekend from Friday at 3:30 p.m. until Sunday at 9:00 p.m. The Father shall also have visitation each Wednesday evening from 3:30 p.m. until 9:00 p.m. This mid-week day shall be flexible according to Brendy's school and activity schedule, and arrangements other than Wednesday evening shall be made the week prior after joint discussion between the parties.

3a. The Father shall have the right of visitation and temporary physical lcusotdy of Brendy Wazelle for four (4) weeks each summer. Father will notify Mother in writing by June 1st of each year which four weeks he wants to exercise his visitation. Said four weeks are not required to be taken consecutively.

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 having physical custody.

5. The Christmas holiday times will be defined as: 1) Christmas Eve Day from 10 am till 9 pm, and 2) Christmas Eve Day from 9 p.m. till Christmas Day at 9 p.m. The father shall have the first period and the mother the second period in 1993, and the parties shall thereafter alternate the holiday periods. The Father shall also have no less than three other days (excludin his normal visitation weekend) during the Christmas holiday from school, and he shall give two weeks notice of these says to the Mother.

6. Should it be necessary for either party to cancel or modify the visitations as set outin this Order or as previously arrange,d 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 excpet 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 togive to the other party that love and respect which is due a parent form his or her child. Each party shall inform the other of any school andother activities in which the child may participate so that the other may attend. The Mother shall provide the Father with copies of all grade reports and also any disciplinary documents which might come from the school.

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

9. Neither party shall do or say anything to blacken the character ofthe ohter in the child's estimation. Each party shall treat theother in a polite and respectful manner whenin the child's presence and each party shall instruct his orher 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 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 thecustodial and visitation periods and are strongly encouraged to do so if that would be proper and convenien 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 THE COURT,
Anthony J. Vardaro, J

2 copies atty.

JUne 15, 1993, MEMORANDUM signed by Anthony J. Vardaro, Judge, filed. June 15, 1993, copies to Atty. Walton by Court.

Mason & Mason
Joan D. Mason

1200

DONNA M. HOLTER

vs.

STEVEN P. HOLTER

Filed December 18, 1992
@ 3:12 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 1/7/94	9.00

COMPLAINT IN DIVORCE, CUSTODY
4 copies (atty)

Jan. 12, 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 December 22, 1992 mail to the above Defendant, Steven P. Holter, by certified mail return receipt requested, deliver to addressee only, a Complaint in the above divorce action. Said notice was received on December 29, 1992, as indicated by the return receipt card which was returned to the office of the Plaintiff's attorney and is attached hereto.
1/12/93 Joan D. Mason,Attorney for Plaintiff

Jan. 7, 1994 Affidavit of Consent by StevenP.Holter, De fendant, filed.

Jan.7, 1994 Affidavit of Consent by Donna m. Holter, Plaintiff, filed.

Jan. 7, 1994 Upon Praecipe of John D. Mason,Esquire, Attorney for Plaintiff to transmit record, Case moved to Court.

Jan. 14, 1994 CONSENT CUSTODY ORDER filed. AND NOW, this 13 day of January, 1994, the Court orders as follows:

1. Legal custody of the two minor children, Patrick Benjamin Holter, born June 8, 1988, now age five (5) years, and Corey Anthony Holter, born Oct. 1, 1990, now age three (3) years, shall be shared by both parents.

2. Physical custody of the children, shall be primarily with their mother, with father to have temporary custody of the children as follows:

a. Every other weekend, beginning the weekend of Friday, Dec. 25 through 27, 1992, from 8:00 p.m. Friday until 3:30 p.m. Sunday, continuing every other weekend thereafater, on said schedule. In addition, father shall have the children from 5:00 p.m. to 8:00 p.m. each Tuesday evening.

b. The parties shall divide the following holidays, so that father shall have temporary custody of the children from 9:00 p.m. through 3:00 p.m. on each such day: Thanksgiving Day, Christmas Day, Easter Sunday, Memorial Day, July 4th, and Labor Day. Holidays shall take priority over weekend visits or regular custody arrangements.

3. The parties are free to modify and alter the arrangements set forth in this Order, but only as they shall mutually agree. In the event of lack of agreement, this Order shall prevail.

4. Father shall provide transportation to and from each visit, using car seats and seat belts for teh children whenever they are being transported.

5. In the event that father will be late picking the children up, or returning them to mother, he shall telephone mother at least one hour in advance.

BY THE COURT,
Anthony J. Vardaro, J.

DIVORCE DECREE FILED

Jan. 14, 1994 AND NOW, January 13, 1994, it is hereby ordered and decreed that DONNA M. HOLTER, plaintiff, and STEVEN P. HOLTER, 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.

1992

Mason & Mason
Joan D. Mason

1201

KELLY L. SCHWAB

vs.

DAVID L. SCHWAB

Filed December 18, 1992
@ 3:18 PM

Tax & entry paid	50.50
User's paid	5.00
State paid	10.00
Pro.Co. pd 3/23/94	9.00

COMPLAINT IN DIVORCE
3 copies Atty.

Feb. 26, 1993 Complaint Reinstated.

Mar. 12, 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, deposes and say that I did on March 2, 1993 mail return receipt requested, deliver to addressee only, a Complaint in the above divorce action. Said notice was received on March 8, 1993, as indicted by the return receipt card which was returned to the office of the Plaintiff's attorney and is attached hereto. Joan D. Mason

July 9 , 1993 Affidavit of Consent of Defendant, filed.

Mar. 18, 1994 Affidavit of Consent of Plaintiff, filed.

Mar. 23, 1994 Upon Praecipe of Joan D. Mason, Esquire, Attorney for Plaintiff to transmit record, case moved to Court.

DIVORCE DECREE FILED

March 24, 1994 AND NOW, March 24, 1994, it is hereby ordered and decreed that KELLY L. SCHWAB, Plaintiff, and DAVID L. SCHWAB, 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.

302

1992

Bettie J. Peterson-Muth

___ 1202

SHANNON L. SWECKER

vs.

DENNIS J. SWECKER

Filed December 21, 1992
@ 1:24 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.	9.00

COMPLAINT IN DIVORCE, CUSTODY
2 copies Atty

Feb. 28, 1994 Affidavit of Consent by Shannon L.Swecker, Plaintiff, filed.

Apr. 6, 1994 AFFIDAVIT OF SERVICE, filed. Bettie J. Peterson-Muth, Esquire, being duly sworn according to law, deposes and says that she is the attorney for the Plaintiff, Shannon L. swecker, and that she did serve a true and correct copy of the Complaint in Divorce filed in the above matter on the Defendant, Dennis J. Swecker, by presenting a true and correct copy of said complaint to him on December 22, 1992, at the Crawford County Courthouse at the time of hearing before Judge P. Richard Thomas.

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

Apr. 6, 1994 Upon Praecipe of Plaintiff's attorney to transmit record, case moved to Court.

April 14, 1994 STIPULATION FOR AN AGREED ORDER OF CUSTODY filed. AND NOW, this 12th day of April, 1994, the parties hereto having stipulated and agreed, it is hereby ordered and decreed as follows:

I. Legal custody of Anthony James Swecker 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. Primary physical custody of the child shall be with the mother, Shannon L. Swecker, plaintiff herein, with the father being entitled to periods of visitation as outlined hereafter:

A. Father shall ahve visitation with the child, Anthony James Swecker, every other weekend from 10:00 a.m. on Saturday until 7:00 p.m. on Sunday.

B. Holidays shall be alternated by the parties.

C. Transportation of the child on weekend and holiday visits shall be equally divided with the parent receiving custody of the child providing transportation.

III. 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 partt of the child towards both parents.

IV. 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.

V. Both paretns 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.

VI. The parties may make whatever other or different arrangements they may find mutually convenient.

Gordon R. Miller, J.

DIVORCE DECREE FILED

April 14, 1994 AND NOW, April 12, 1994, it is ordered and decreed that SHANNON L. SWECKER, plaintiff, and DENNIS J. SWECKER, 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.

1992

pro se

1203

LESLIE TAR

vs.

ANNABELLE CLARK

Filed December 21, 1992
@ 3:06 PM

Tax & entry paid	50.25
User's Fee paid	5.00
Sheriff's Costs	20.00
Sheriff's Costs	55.50
Pro Co. Pd 4/16/93-	9.00
Explemp. of Record pd. 5-19-93	10.00

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

Feb. 5, 1993 Sheriff's Return filed. SERVED the within Ntoice of Appeal on January 22, 1993, at 11:20 Hours, upon Annabelle clark at 13531 West Smith Street, Erie County, Erie Pennsyvlania by handing to Annabelle Clark a true and correct copy thereof and made known to her the contents therein
So answers. Robert N. Michel, Sheriff
Stephen Brandon, Deputy Sheriff
I hereby deputize the Sheriff of Erie County, Pennsyvlvania to serve the within Notice of Appeal according to law.

Robert M. Stevens, Sheriff

Feb. 5, 1993 Complaint filed.

Mar. 30, 1993 SHERIFF'S RETURNffiled. NOT FOUND as to Defendant Annabelle Clark as per an Affidavit of Not Served returned from Erie County Sheriff's Office. Several attempts were made to the address of 13531 W. Smith St., Corry, Pa., but nobody was ever at home.
So answers, Robert M. Stevens, Sheriff

And Now, April 16, 1993 at 2:39 p.m. upon praecipe of plaintiff attorney, with default notices attached, Judgment is hereby entered in favor of the plaintiff and agaisnt the defendant for want of an answer; damages assessed in the amount of Three Hundred Eighteen and 23/100 Dollars, inclusive of court costs.
Judgment entered - 4/16/93
C - 11 Debt ----$318.23

JUDGMENT
Barbara H. King,
Prothonotary

1992

Joseph C. Barnhart

1204

Culbertson, Weiss, Schetroma & Schug
David L. Hotchkiss

SHEILA HALL

vs.

BILL SHIFFLETT

Filed December 21, 1992
@ 3:12, PM

Tax & entry paid 50.25
User's Fee paid 5.00

APPEAL OF DEFENDANT FROM DECISION OF DISTRICT JUSTICE RONALD A. COLE, SR.

Dec. 21, 1992 Rule entered upon the Plaintiff to File a Complaint Issued.

Dec. 23, 1992, Proof of Service filed.

Jan. 15, 1993 Complaint filed.

Feb. 19, 1993 Answer and New Matter of Defendants to Plaintiff's Complaint filed.

June 11, 1993, Reply to Defendants' New Matter filed.

1992

1205

MARY K. GARTNER

vs.

ROBERT D. GARTNER

Filed December 21, 1992
@ 4:13 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 21st day of December , 1992 , 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 Plantiff or any of the minor children named in the Petition.
2. Special Conditions: Sole possession of 110 Hope St. is awarded to Plaintiff. Defendant shall not contact plaintiff in any way. Defendant shall not go to Plaintiff's residence & place of work. Custody of the children is awarded to plaintiff
3. This Order may be enforced without a warrant of arresdt 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 departmer 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 here by set for December 29 1992, at 1:30 P. m., in Courtroom 1 or 2 of the Crawford County Courthouse. The defendant is advised he may retain a lawyer to represent him at said hearing if he so desires but he is not required to do so.

BY ORDER OF COURT,
Gordon R. Miller, J

Dec. 29, 1992 Sheriff's Return filed. SERVED Robert D. Gartner personally on December 24, 1992 at 9:33 AM by handing him a copy of the Protection from Abuse in theSheriff's Office, Third Floor, Crawford County Courthouse, Meadville, PA.
So answers, Edgar D.Householder, Chief Deputy
Robert M.Stevens, Sheriff

Jan. 8, 1993 Order filed. AND NOW, December 29, 1992 at the time scheduled for hearing in this matter, the Plaintiff has not appeared but members of her family have appeared and have advised the Court that they have been unable to locate her andher failure to appear seems to b be surrounded by various uncertain circumstances.
We will therefore continue this hearing indefinitely and if the hearing is rescheduled, the defendant will be given at least five days notice of the time and place of the hearing.

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

Jan. 8, 1993 copies givento Co. Control. Jan. 11, 1993 Copies mailed to Planitiff, Defendant and West Mead Police

1992

Lawrence C. Bolla
Quinn Law Firm

1206.

NATIONAL FUEL GAS DISTRIBUTION CORPORATION

vs.

WILLIAM G. SNYDER, RICHARD E. SNYDER, AND ARDITH M.SNYDER, INDIVIDUALLY AND DOING BUSINESS AS SNYDER DEVELOPMENT

Filed Dec. 22, 1992
@ 11:39 a.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	45.00
Pro.Co. pd 4/30/93	9.00
Pro Pd. 8/20/96	5.00

COMPLAINT IN CIVIL ACTION

3 copies (sheriff)

Jan. 19, 1993 Sheriff's Return filed. SERVED Richard E. Snyder personally on January 14, 1993 at 7:35 PM by handing him a copy of the Complaint at the residence, R.D. #1, Box 414, Conneaut Lake, Crawford County, PA.
NOT FOUND as to Defendants William G. Snyder and Ardith M. Snyder. According to Richard Snyder, William G. Snyder is living in Cincinnati, Ohio, with the address being unknown. Ardith M. Snyder has moved and is believed to be in Florida, address unknown.
So answers,
Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Feb. 1, 1993 Motion For Leave To Serve By PUblication In Accordance with Pa. R.C.P. 430 and Order filed. AND NOW, to-wit this 1 day of Febraury, 1993, upon consideration of the foregoing Motion and Attorney's Affidavit, leave is granted to serve the Defendants, William G. Snyder and Ardith M. Snyder, individually and doing business as Snyder Development, in the within case by publication of a Notice of the facts set forth in the Complaint by publication one time in the ErieDaily Times and one time in the Erie County Legal Journal. Anthony J. Vardaro, J
Feb. 3, 1993 Copies of order to Atty. Bolla

Apr. 30, 1993 Motion for Judgment for Failure to Answer and Order filed. AND NOW, to-wit, this 29 day of April,1993, upon consideration of the foregoing Motion, and it appearing that service has been made upon the above-named Defendants, William G. Snyder and Ardith M. Snyder individually and doing business as Snyder Development,pursuant to the Rules of Civil Procedure, and it further appearing that no appearance has been entered, nor Answer made to theComplaint by or on behalf of theDefendants, aforementioned, it is hereby ordered, adjudged and decreed that the Prothonotary shall enter judgment against the Defendants, William G.Snyder and Ardith M. Snyder individually and doing business as Snyder Development, in the amount of $2,188.83,plus interest thereon until paid in full, plus the costs of this action. Anthony J.Vardaro, J.
S-173; S-13: S-183:

Debt	$2,188.83
Interest thereon until paid in full	
Judgment	

Barbara H. King, Prothonotary

Entered on Apr.30, 1993
Atty. Bolla
Notice to Defendant

May 5, 1993 Copy of Order to Atty. Bolla

Aug. 16, 1996 This Judgment Satisfied. (see paper filed)

1992

Lawrence C. Bolla
Quinn Law Firm

1207.

SAINT VINCENT HEALTH CENTER

vs.

TAMMIE F. KRINKS AND
FREDERICK KRINKS

Filed Dec. 22, 1992
@ 11:46 a.m.

Tax & etnry paid	$50.50
state paid	5.00
Sheriff's Costs	$28.00
Sheriff's Costs	24.00
Sheriff's Costs	26.00
Pro Co pd 8-2-93	9.00
Pro Co pd 8-13-96	5.00

COMPLAINT IN CIVIL ACTION

2 copies (sheriff)

Dec. 31, 1992 Sheriff's Return filed. NOT FOUND as to Defendants Tammi F. Krinks and Frederick Krinks. They have moved from Route 3, Box 322 BL, Linesville, Crawford County, PA, to 2870 Kansas Road, Camben, New Jersey, 09104.
So answers, Robert M. Stevens, Sheriff

Jan. 22, 1993 Complaint Reinstated.

Feb. 26, 1993 SHERIFF'S RETURN filed. NOT FOUND as to Defendants Tammie F. Krinks and Frederick Krinks. Certified Mail was addressed to Tammie and Frederick Krinks at their last known address of 2870 Kansas Rd., Camben, NJ 09104. Both letters were returned as "Unclaimed".
So answers, Robert M. Stevens, Sheriff

Mar. 19, 1993 Complaint reissued.

Apr. 15, 1993 Sheriff's Return filed. NOT FOUND as to Defendants Tamie F. Krinks and Frederick Krinks. Attempted service by Certified Mail at their last known address of 226 Chase Drive,Fox Ridge Apartments, Hinella, NJ 08083, returned from Post Office stating "Attempted-Not Known".
So answers, Robert M.Stevens, Sheriff

May 11, 1993 Motion for Leave to Serve by Publication in Accordance with Pa. R.C.P. 430 and ORDER FILED. AND NOW, to -wit, this 10th day of May,1993, upon consideration of the foregoing Motion and Attorney's Affidavit, leave is granted to serve the Defendants, Tammie F. Krinks and Frederick Krinks, in the within case by publication of a Notice of the facts set froth in the Complaint by publication one time in the Crawford County Legal Journal and one time in the Meadville Tribune.

Gordon R. Miller, J.

May 13, 1993 Copy of Order to Atty.Bolla.

Aug. 2, 1993 MOTION FOR JUDGMENT FOR FAILURE TO ANSWER and ORDER, filed. ORDER: AND NOW, to-wit, this 2nd day of August 1993, upon consideration of the foregoing Motion, and it appearing that service has been made upon the above-named Defendants, Tammie F. Krinks and Frederick Krinks, pursuant to the Rules of Civil Procedure, and it further appearing that no appearance has been entered, nor Answer made tot he Complaint by or on behalf of the Defendants, it is hereby ORDERED, ADJUDGED and DECREED that the Prothonotary shall enter judgment against the Defendants, Tammie F. Krinks and Frederick Krinks, in the amount of Five Thousand Three Hundred Twenty-seven Dollars and ($5,327.30) thirty cents, plus interest thereon until paid in full, plus the costs of this action. Gordon R. Miller, P.J.
Aug 4, 1993 copy to L. Bolla
Entered 8-2-93 Debt: $5,327.30 plus interest and costs
K - 64, 164 JUDGMENT
Barbara H. King, Prothonotary

Aug 9, 1996 Upon praecipe of plaitniff attorney this judgment has been satisfied, debt, interest and costs and hereby discharge the same of record. (see paper filed)

1992

Lawrence C. Bolla
~~Quinn~~ Law Firm

1208.

SAINT VINCENT HEALTH CENTER

vs.

MYRON H. RANSOM AND
MARY R. RANSOM

Filed Dec. 22, 1992
@ 11:54 a.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	$31.00
Pro Co. pd 8/20/93	5.00

COMPLAINT IN CIVIL ACTION

2 copies (sheriff)

Jan. 14, 1993 Sheriff's Return filed. SERVED Myron H. Ransom personally on January 8, 1993 at 2:34 PM by handing him a copy of the Complaint at his residence, R.D.#8, Box 406, Meadville, Crawford County, PA.

SERVED Mary R. Ransom on January 8, 1993 at 2:33 PM by handing a copy of the Complaint to Myron H.Ransom,her Husband, at their residence, R.D.#8, Box 406,Meadville, Crawford County, PA.

So answers, Edgar D.Householder, Chief Deputy
Robert M.Stevens, Sheriff

Aug. 20, 1993 Upon Praecipe of plaintiff attorney the above captioned case is marked settled and discontinued of record.

1992

Joseph C. Barnhart

1209.

CHARLES R. DELP, SR.

vs.

MARVIS A. DELP

Filed Dec. 22, 1992
@ 1:54 p.m.

Tax & entry paid	$50.50
state paid	5.00
state paid	10.00
Pro.Co. pd 11/16/93	9.00

COMPLAINT IN DIVORCE

Jan. 27, 1993 Plantiff's Affidavit Under Seciton 3301(d) of the Divorce Code, filed.

Jan. 27, 1993 Acceptance of Service and entry of Appearance Pro Se filed., I, Marvis A. Delp, do hereby acknowledge that I have this date received a true and correct copy of a Complaint in divorce as filed in the above-captioned matter together with a true and correct copy of "Plaintiff's Affidavit Under Seciton 3 3301(d) of the Divorce Code and an original "Defendant's Counter-Affidavit Under Section 3301(d) ofthe Divorce Code.
Dated: 1/11/93 Marvis A. Delp

Jan. 27, 1993 Defendant's Counter-Affidavit Under Section 3301(d) of the Divorce Code filed.

Nov. 3, 1993 Affidavit of Consent by Marvis A. Delp, Defendant, filed.

Nov. 3, 1993 Affidavit of Consent by Charles R. Delp, Sr., Plaintiff, filed.

Nov. 16, 1993 Upon Praecipe of Joseph C. Barnhart, Esquire, Attorney for Plaintiff, to trasmit record, case moved to Court.

DIVORCE DECREE FILED

Nov 22, 1993 AND NOW, this 22nd DAY of November, 1993, IT IS ORDERED AND DECREED THAT, CHARLES R. DELP, SR., and MARVIS A. DELP 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.

BY THE COURT:
Gordon R. Miller, J.

1992

Joseph f. Kulwicki

1210.

Marsh, Spaeder,Baur,
Spaeder & Schaaf
Francis J. Klemensic

RAYMOND HAMILTON

vs.

JONATHAN L. BOYD

Filed dec. 22, 1992
@ 3:50 p.m.

Tax & entry paid $50.50
state paid 5.00

JURY TRIAL DEMANDED

COMPLAINT IN CIVIL ACTION

1 copy (atty)

Jan. 6, 1993 Appearance of Marsh, Spaeder, Baur, Spaeder & Schaaf by Francis J. Klemensic, Esquire for Jonathan L.Boyd, Defendant, filed.

Jan. 6, 1993 Notice of Serving Interrogatories filed.

Jan. 12, 1993 Preliminary Objections filed.

Jan. 12, 1993 Upon Praecipe of Francis J. Klemensic, Esquire, the above captioned matter is placed on the next available Argument list.

ON FEBRUARY, 1993 ARGUMENT LIST

Jan. 25, 1993 Acceptance of Service filed. The undersigned hereby accepts service of the Complaint in Civil Action on behalf of Defendant, Jonathan L. Boyd.

By Francis J. Klemensic, Esquire

1992

Mayerson, Munsing,
Corchin, Rosato &
Ostroff
Jonathan Ostroff

1211.

YOLANDA DOWDY, A MINOR BY HER
PARENT AND NATURAL GUARDIAN
MINNIE DOWDY
401 Forest Green
Meadville, Pa. 16335

vs.

JOHN & JANE KELIHER
950 Grove St.
Meadville, Pa. 16335

Filed Dec. 23, 1992
@ 8:35 a.m.

Tax & entry paid $50.50
state paid 5.00

SUMMONS IN A CIVIL ACTION

Dec. 23, 1992, Petition to Approve Settlement of Minor's claim and Schedule of Distribution Pursuant to R.C.P. 2039 and Order filed.

ORDER FOR DISTRIBUTION:

AND NOW, this 23rd day of Dec. 1992, upon consideration of the foregoing Petition, the above matter of THirty Thousand Dollars ($30,000) is approved and distribution ordered as follows:

TO: Mayerson, Munsing, Corchin, Rosato & Ostroff Reinbursement of costs	$ 102.75
TO: Mayerson, Munsing, Corchin, Rosato & Ostroff Counsel Fees ((25%)	7,500.00
TO: Yolanda Dowdy, Minor, to be placed in a trust account, and marked not to be withdrawn until she reaches the age of eighteen (18) years (July 5, 1994)	$22,397.25
Total Value	$30,000.00

BY THE COURT,
Robert L. Walker, J.
Dec. 23, 1992, copy of order to J. Ostroff, Esq.

1992

Bernard Stuczynski
& Bonanti
Bruce W. Bernard

1212.

MELLON BANK (NORTH) NATIONAL ASSOCIATION, NOW BY MERGER MELLON BANK, N.A.

vs.

MICHAEL L. YOHE AND
JODI M. YOHE

Filed Dec. 23, 1992
@ 2:07 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	35.00
Pro Co pd 3-5-93	9.00

COMPLAINT

2 copies (sheriff)

Jan. 11, 1993 SHERIFF'S RETURN filed. SERVED Jodi M. Yohe personally on Jan. 4, 1993 at 10:58 AM by handing a copy of the Complaint to her at the residence, 204 Lake Road, Cambridge Springs, Cr. Co., Pa.

SERVED Michael L. Yohe on Jan. 4, 1993 at 10:59 AM by handing a copy of the Complaint to Jodi M. Yohe, Adult in Charge at the residence, 204 Lake Road, Cambridge Springs, Cr. Co., Pa.

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

And Now, Mar. 5, 1993 at 3:15 p.m., upon praecipe of Plaintiff attorney judgment is hereby entered in favor of the plaintiff and against the defendants for failure to plead within twenty (20) days of service of the complaint in the amount of Eight Thousand Two Hundred Twenty-seven and 90/100 ($8,227.90), with interest at the rate as specified in the promissory note of Jan. 18, 1990, being a sum of $2.37/per diem from 12-18-92, and costs of suit.

Entered Mar. 5, 1992
Y - 96, 116

Debt: 8,227.90 plus interest of $2.37/ per diem from 12-18-92

JUDGMENT
Barbara H. King, Pro.

EXT1993 - 14

1992

Christopher J. St. John

1213.

Victor J. Pugh

LINDA I. PUGH

vs.

VICTOR J. PUGH

Filed Dec. 23, 1992
@ 2:24 p.m.

Tax & entry paid	$50.50
state paid	5.00
state paid	10.00
Pro Co pd 5-17-93	9.00
Pro Co pd 7-8-93	5.00

COMPLAINT UNDER SECTION 3301(c) OF DIVORCE CODE

Mar 1, 1993 Praecipe to Reinstate Complaint, filed.

Mar. 22, 1993 General Appearance, filed. Enter my general appearance in the above-captioned divorce action. I hereby accept service of and acknowledge receipt of a certified copy of the original Complaint filed in the above action.
Victor J. P ugh, Defendant

Apr. 19, 1993 Affidavit of Consent of Plaintiff filed.

Apr. 19, 1993 Affidavit of Consent of defendant filed.

May 17, 1993 Upon Praecipe of Plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

May 26, 1993 AND NOW, May 19, 1993, it is hereby ordered and decreed that LINDA I. PUGH, Plaintiff, and VICTOR J. PUGH, Defendant, are divorced from the bonds of matrimony.

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

BY THE COURT:
Anthony J. Vardaro, J.

July 8, 1993 Notice of Election to Retake Maiden Name, filed. **LINDA I. PUGH** to be know as: **LINDA WILLIAMS ISALY.**

1992

Mason and Mason
Joan D. Mason

1214.

RUSSELL G. SHIELDS

vs.

LYNNE E. SHIELDS

Filed De c. 23, 1992
@ 3:00 p.m.

Tax & entry paid	$50.50
1 count paid	15.00
state paid	10.00
state paid	10.00

William Pineo, Mediator
Pro Co pd 5-4-95 9.00

1-20-93 Received from Pltf Mediator deposit 150.00

COMPLAINT IN DIVORCE, CUSTODY

1 copy (atty)

Jan. 12, 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 January 4, 1993 mail to the above Defendant, Lynne E. Shields, by certified mail return receipt requested, deliver to addressee only, a Complaint in the above divorce action. Said notice was received on January 7, 1993, as indicated by the return receipt card which was returned to the office of the Plaintiff's attorney and is attached hereto.
1/12/93 Joan D. Mason - Attorney for Plaintiff

Jan. 20, 1993 Motion to Appoint Custody Mediator and Order of Court filed. And now, January 12, 1993,William Pineo is appointed Custody Mediator in the above case.
Gordon R. Miller, J.
Jan.20, 1993 Copy of Order to Joan D.Mason,Esquire and William Pineo, Esquire.

Apr. 16, 1993, Affidavit of Consent of defendant filed.

Nov. 29, 1994 Answer and Counter Claim in Divorce filed.

Nov. 29, 1994 Affidavit Under Section 3301(d) of Divorce Code of Defendant filed.

Apr 28, 1995 Notice of Intention to Request Entry of Divorce Decree, filed.

Apr 28, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

May 8, 1995 AND NOW, May 5, 1995, it is ordered and decreed that RUSSELL G. SHIELDS, plaintiff, and LYNNE E. SHIELDS, 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 ad which has not been withdrawn by the party making the claim.

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

1992

MacDonald, Illig,
JOnes & Britton
Richard J. Parks

1215.

Michael C. Colville for
USA

INTEGRA NATIONAL BANK/NORTH
SUCCESSOR BY MERGER TO
PENNBANK

vs.

JOYCE L. BRADLEY AND THE
UNITED STATES OF AMERICA

Filed Dec. 23, 1992
@ 3:46 p.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	45.00
Pro co pd. 2/4/93	9.00
Pro co pd 2-5-93	9.00

COMPLAINT

3 copies (sheriff)

Jan 6, 1993 ACCEPTANCE OF SERVICE filed. I accept service of the Complaint in Civil Action filed in the above captioned action for the United States of America and certify that I am authorized to do so on behalf of the Office of the United States Attorney.
Tina Gustafson - Legal Technician

Jan. 8, 1993 Sheriff's Return filed. SERVED Joyce L.Bradley personally on January 4, 1993 at 8:50 AM by handing a copy of the Complaint to her at her residence, 576 Washington Street, Meadville, Crawford County, PA.

POSTED the property of Joyce L.Bradley on December 30, 1992 at 10:55 AM. The property being located at 576 Washington Street, Meadville, Crawford County, PA.

SERVED William Barr, Esquire, at the Department of Justice, Tenth and Constitution Avenue,N.W., Washington, D.C. 20530, by Certified Mail on January 4, 1993, as per signed Return Receipt attached.
So answers, Dale A.Collins, Deputy Sheriff
Robert M.Stevens, Sheriff

Jan.22, 1993 Answer of Defendant United States of America filed.

Feb. 4, 1993, CONSENT JUDGMENT filed. AND NOW, to-wit, this 3rd day of Feb. 1993, it appearing that counsel forplaintiff and counsel for dft, 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 ofthe plaintiff and against the U. S. of A. for foreclosure ofthe mortgage of plaintiff in the within cause and for sale ofthe mortgaged property of dfts.

It is further Ordered, adjudged and Decreed that dft. USA, shall be notified by plaintiff of the date, time and place scheduled for anysheriff's sale of the real property of the aforesaid dft; that the USA shall be entitled to payment from the proceeds ofthe sheriff's sale to the extent its proper priority would entitle it to the same; and that the USA shall be entitled to redeem the aforesaid property within 120 days fromthe date of sale, as provided by 28 U.S.C 2410.

Nothing contained in the within Order sahll, in any way, be construed as entry of a monetary judgment against the USA, but rather said judgment is limited to the foreclosure and sale of the real estate of the aforesaid dfts. in the within proceeding.

BY THE COURT,
Gordon R. Miller, J.

Judgment entered
2/4/93
U - 183 JUDGMENT
Barbara H. King,
Prothonotary

And Now, Feb. 5, 1993 at 2:11 p.m. upon praecipe of Plaintiff's attorney judgment is hereby entered in favor of the plaintiff and against the defendant Joyce L. Bradley for failure to file an answer in the above-captioned matter in the amount claimed in the Complaint of $24,917.00 with interest thereon at the rate of $4.74 per diem from Dec. 2, 1992 plus costs of suit and for foreclosure and sale of the mortgaged premises.

Judgment entered 2-5-93 Debt: $24,917.00 with interest at the rate of $4.74 per diem
B - 94 from Dec. 2, 1992
JUDGMENT
Barbara H. King, Pro.

Feb. 9, 1993 Notice of entry of Judgment sent to Dft. J. Bradley

EX 1993-11

1992

Joseph F. Kulwicki

1216.

DAVID J. PORTER

vs.

THE TRAVELERS, ALSO KNOWN AS THE TRAVELERS COMPANIES

Filed Dec. 24, 1992
@ 10:56 a.m.

Tax & entry paid	$50.50
state paid	5.00
Sheriff's Costs	23.00
Pro Co. pd. 6/1/93	6.00

SUMMONS IN A CIVIL ACTION

Issued (sheriff)

Feb. 24, 1993, Complaint Reinstated.

Mar. 12, 1993 SHERIFF'S RETURN: I hereby deputize the Sheriff of Erie County, Pa. to serve the within Summons accordfing to law. The defendants alleged address is 3939 W. Ridge Commons, Suite B-14, Eire, Pa. 16506. Robert M. Stevens, Sheriff, Crawford County, Pa.

AFFIDAVIT OF SERVICE: SERVED the within Summons on March 3, 1993, at 1455 hrs. upon The Travelers a/k/a the Travelers Co. at 3939 West Ridge Commons, suite B-14, Erie County, Erie, Pa. by handing to Mary Lynn Dunton, Claim Representative a true and correct copy thereof and made known to her the contents therein.

Robert N. Michel, Sheriff Erie Co.

May 26, 1993, UPon praecipe of plaintiff attorney, the above captioned case is hereby settled and discontinued of record; statement of costs and certificate issued.

1992

Olin, Neil &
Haltrecht
Edward J. O'Brien

1217

MONTGOMERY WARD CREDIT CORPORATION Successor in Interest to MONTGOMERY WARD & CO., INC.

vs.

MARCIE DEJESUS and ANASTACIO DEJESUS

Filed December 29, 1992
@ 2:46 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	31.00
Pro Co pd 2-19-93	9.00

COMPLAINT IN CIVIL ACTION
1 copy Sheriff

Jan. 8, 1993 Sheriff's Return filed. SERVED Anastacio DeJesus personally on January 4, 1993 at 1:16 PM by handing him a copy of the Complaint in the Sheriff's Office, Crawford County Courthouse, Meadville, Crawford County, PA.

SERVED Marcie DeJesus personally on January 4, 1993 at 1:17 PM by handing a copy of the Complaint to her in the Sheriff's Office, Crawford County Courthouse, Meadville, Crawford County, PA.

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

Feb. 19, 1993 And Now, uponpraecipe of plaintiff's attorney judgment is hereby entered by default for want of an answer in the above case in favor of the plaintiffaand against the defendant(s and thesame is liquidated at:the sum of Six thousand sixty eight dollars and forty three cents.

Entered 2-19-83 [illegible] Debt:-$6,068.43
D - 16, 116 JUDGMENT
Barbara H. King, Pro.

318

1992

Ferguson & Spataro
Douglas W. Ferguson

1218

LAWRENCE E. RILEY

vs.

MARIE L. RILEY

Filed December 29, 1992
@ 4:16 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 4/23/93	9.00

COMPLAINT IN DIVORCE, EQUITABLE DISTRIBUTION
1 copy (atty)

Jan. 27, 1993 Affidavit of Service filed. I, rthe undersigned being duly sworn according to law, depose and 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 January 5, 1993. The Defendant acknowledged service on January 9, 1993, by accepting deliveryon that date as evidenced by the attached signed return receipt.
Douglas W. Ferguson

Apr. 23, 1993, Affidavit of Consent of plaintiff filed.

Apr. 23, 1993, Affidavit of Consent of defendant filed.

Apr. 23, 1993, Motion to Withdraw Count One - Equitable Distribution from Plaintiffs Complaint in Divorce and order filed. ORDER: AND NOW, this 23 dayof April 1993, the court grants the within Motion to Withdraw County One - Equitable Distribution from the Complaint in Divorce since the parties have resolved all matters of equitablerdistribution between them. BY THE COURT,
Anthony J. Vardaro, J.

Apr. 23, 1993, Upon praecipe of plaintiff attorneys, to transmit the record, this case moved to court.

DIVORCE DECREE FILED

May 4, 1993 AND NOW, May 3, 1993, it is ordered and decreed that LAWRENCE E. RILEY, plaintiff, and MARIE L. RILEY, 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.

1992

Ferguson & Spataro
John F. Spataro

1219

Thomas, Truax, Spada-
afore & Walker

R Charles Thomas

Anthony j. Sciarrino
for add'l dft.
Johanna Schneider

JOHANNA R. SCHNEIDER and FREDERICK W. SCHNEIDER, her husband, and REGINA P. SCHNEIDER, daughter

vs.

RICHARD MUIR and DEBORAH MUIR
Johanna R. Schneider, addl. dft.

Filed December 29, 1992
@ 4:16 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	42.00
Pro. cer. pd. 8/12/94	8.00

COMPLAINT IN CIVIL ACTION
1 copy (Sheriff)

Jan. 19, 1993 Sheriff's Return filed. SERVED Richard Muir on January 12, 1993 at 2:00 p.m. by handing a copy of the Complaint to Scott Muir, Adult in Charge at the residence, R.D. #1, Box 164A, Atlantic, Crawford County, PA.
SERVED Deborah Muir on January 12, 1993 at 2:01 PM by handing a copy of the Complaint to Scott Muir, Adult in Charge at the residence, R.D. #1, Box 164A, Atlantic, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

Feb. 12, 1993, Appearance of Thomas, Truax, Spadafore & Walker, by R. Charles Thomas, attorneys for defendants filed.

June 1, 1993, Answer and New Matter filed.

June 10, 1993 Certificate of Service of Interrogatories filed.

Sept. 1, 1993 Reply to New Matter filed.

Oct. 26, 1993, Appearance of Anthony J. Sciarrino, attorney for additional defendant Johanna R. Schneider, filed.

June 14, 1994 Notice of Intent to Complete Discovery, filed.

August 8, 1994 Upon Praecipe of plaintiff attorney, the above captioned action is marked discontinued of record.

1992

Ferguson & Spataro
Douglas W. Ferguson

1220

Diefenderfer & Hoover
~~Olivia J. Lorenze~~
Withdrawn

EDWIN A. GARCZEK

vs.

UMBERTO GULLI

Filed December 30, 1992
@ 10:14 AM

Indigent Filing
Sheriff's Costs 23.00
Pro Co pd 2-16-93 9.00 ✓
Sheriff's Costs 65.50
Pro.Co. Pd 2/24/95 $9.00 ✓

JURY TRIAL

APPEAL OF DEFENDANT FROM DECISION OF DISTRICT JUSTICE

Dec. 30, 1992 Rule entered upon Plaintiff to file a Complaint Issued.

Dec. 30, 1992 Petition To Proceed In Forma Pauperis Pursuant To Pa. R.C.P. 240 and Order filed. AND Now, December 30, 1992 upon consideration of the petition filed by the plaintiff in this action, and supported by an affidavit attached thereto, all being pursuant to Pa. R.C.P. 240, the Plaintiff is granted leave to proceed in forma pauperis at this time.
The Plaintiff is directed to inform the Prothonotary's office or the Court of any imporvement in his/her financial circumstance that would permit him/her to pay the costs incurred in this action and shall be responsible for doing so upon an imporvement of financial condition.
BY THE COURT,
Anthony J. Vardaro, J

Dec. 30, 1992 Proof of Service of Notice of Appeal and Rule to File complaint filed.

Jan. 7, 1993 Sheriff's Return filed. NOT FOUND as to Defendant Edwin Garczek. He has moved from address of P.O. Obx 244, Saegertown, Crawford County, PA, to an unknown address in Florida This information obtained fromthe Postmaster at Saegertown Post Office.
So answers,
Robert M. Stevens, Sheriff

Jan.7, 1993 Complaint on behalf of Edwin A. Garczek, Plaintiff, filed.

And now, Feb. 16, 1993 upon praecipe of Plaintiff's attorney judgment is hereby entered in favor of the plaintiff and against the defendant for hi sfailure to plead to the complaint in this action within the required time. The complaint contains a notice to defend 20 days from the date of servie thereof. Defendant was served with the complaint on Jan. 7, 1993 and his answer was due to be filed on Jan. 27, 1993. Judgment is entered in the amount of $1,425.00 plus costs as set forth in the complaint.
Entered 2-16-93
G - 161
Debt: $1,425.00 plus costs
JUDGMENT
Barbara H. King, Pro.

Feb. 17, 1993 Motion for Continuance, filed.

Feb. 17, 1993 Order filed. AND NOW, Feb. 12, 1993 the defendant's motion for continuance is granted. He shall have two months from this date, that is until April 12, 1993, to file a responsive pleading or otherwise proceed in this case agaisnt him.
BY ORDER OF COURT
Gordon R. Miller, P.J.
Feb. 17, 1993 copy given to Ferguson. Feb. 25, 1993 copy mailed to Dft.

Feb. 19, 1993 Praecipe to Strike Entry of Judgment filed.

Mar. 18, 1993 Responsive Pleading - Answer ? filed.

Mar. 29, 1993 Plaintiff's Motion for Judgment on the Pleadings, filed.

Mar. 29, 1993 Praecipe to Place Case on Argument List, filed.

ON ARGUMENT LIST FOR May 1993

Apr. 20, 1993 Sheriff's Return filed. I hereby deputzie the Sheriff of Erie County, Pennsylvania to serve the within Answer according to law. The Defendants alleged address is 2005 W. 8th St. Suite 102, Erie, PA 16505
Date 3-19-93
Robert M. Stevens, Sheriff, Crawford County, PA
Affidavit of Service SERVED the within Answer on March 24, 1993 at 1509 hrs, upon Edwin A. Garczek at 2005 West 8th Street,Erie, County, ERie, Pennsylvania by handing to Tom Dubowski, Person in charge a true and correct copy thereof and made known to him the contents therein.
Robert N. Michel,Sheriff Erie County
Jeffrey S.Guild, Deputy Sheriff
SERVED Edwin Garczek by deputizing the Sheriff of Erie County,PA, as per his Affidavit of Service attached. Served on March 24, 1993 at 200t West 8th Street,Erie, PA.
SERVED Helen Garczek on March 25, 1993 at 3:45 PM by handing a copy of the Answer to Edwin A. Garczek, her Authorized Agent, in the Sheriff's Office, Crawford County Courthouse, Meadville, PA. Signed Acceptance of Service attached.
SERVED Attorney Douglas Ferguson on March 23, 1993 at 9:35 AM by handing a copy of the Answer to Barb Emig,Office Manager, at his place of business, 283 Walnut Street, Meadville, Crawford County. PA.
So answers,
Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

May 25, 1993 Motion and ORDER OF COURT FILED. And Now, May 25, 1993 The Argument in the above-captioned case is reset for June 1, 1993 at 9:30 A.M. in Courtroom 1, 2 or 3, in front of SEnior Judge Robert L.Walker.
For the Court,
Ann A.Walker, Court Administrator
May 25, 1993 Copies given to Gulli & Ferguson.

June 3, 1993 Memorandum and Order, filed. ORDER: AND NOW, June 1, 1993, the Defendant is given an opportunity until June 21, 1993 to file an appropriate pleading containing allegations of a legally cognizable defense to this suit, which relates to the nonpayment of rent or alternatively, of reaching an agreed upon settlement with the Plaintiff. If nothing is filed with this Court by that date indicating that one of those two options has occurred, the Court will enter judgment on the pleadings.
BY ORDER OF THE COURT,
Robert L. Walker, S. J.
June 3, 1993 dopies dist. to Gulli & Ferguson

Continued on Page 320A

Edwin A. Garaczek

vs.

Umberto Gulli

Record continued from page 320

of record

A.D. 1992 - 1220

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June 21, 1993 Answer To Complaint and New Matter filed.

June 23, 1993 Plaintiff's Reply To Defendant's New Matter filed.

June 28, 1993 Plaintiff's Second Mtion for Judgment on the Pleadings filed.

June 28, 1993 Upon praecipe of Plaintiff Attorney the above matter is placed on the next available Argument List.

1993 JULY ARGUMENT LIST

June 29, 1993 Appearance of Diefenderfer & Hoover by Olivia J. Lorenzo for Defendant filed.

July 12, 1993 Motin to Continue and Order, filed. ORDER: AND NOW, this 12th day of July, 1993, the within Motion is granted and a hearing is rescheduled for August 2, 1993, at 11:00 a.m. FOR THE COURT:
Ann A. Walker, Crt. Adm.

July 12, 1993 copies distributed by Crt. Adm.

Aug 5, 1993 Response in Opposition to Plaintiff's Second Motion for Judgment on the Pleading, filed.

Aug. 6, 1993, REASSIGNMENT OF HEARING DATE filed. And Now, Aug. 5, 1993, hearing inthe above matter heretofore set for Mon. Aug. 2, 1993, at 11:00 a.m. is hereby reset for Tues. Aug. 17, 1993 at 11:00 a.m. in C. R. No. 1, before Sen. Judge Robert L. Walker, FOR THE COURT,
Ann Walker, Ct. Adm.

Aug. 11, 1993, copies to D. Ferguson, and Olivia J. Lorenzo, attys.

Aug. 13, 1993, Motion to Continue and Order filed. ORDER: AND NOW, this 13 dayof Aug. 1993, the within motion is granted and a hearing is rescheduled for Sept. 3, 1993 at 9:45 a.m. before Sen. Judge Robert L. Walker.
FOR THE COURT: Ann Walker, Ct. Adm.

Aug. 20, 1993, copies of order to Attys. D. Ferguson and O. J. Lorenzo.

Feb. 7, 1994 ORDER filed. AND NOW, January 27, 1994, by virtue of the authority vested in the undersigned judge as President Judge of Crawford County, this case, which had previously been heard by, or assigned to, the Honorable Robert L. Walker, is hereby reassigned to the undersigned judge since Judge Walker is now deceased.

An argument on the outstanding motion(s) is hereby scheduled for the 28th day of February, 1994 at 11:15 o'clock a.m. in Courtroom No. 1 of the Crawford County Courthouse. BY ORDER OF COURT
Gordon R. Miller, P.J.

Feb. 7, 1994 copies dist. by Ct. Adm.

Feb.28, 1994 Motion forContinuance and ORDER OF COURT filed. AND NOW, this 28th day of February, 1994, and upon consideration of the foregoing Motion for Continuance filed by counsel for the Defendant, and the plaintiff consenting to said Motion, it is hereby:

ORDERED that the oral argument scheduled in the above-style case for February 28, 1994 at 11:15 a.m. be and hereby is continued to March 7, 1994 at 10:30 a.m. in Courtroom No. 1 of the Crawford County Courthouse.
For the Court,
Ann A.Walker, Court Administrator

2-28-94 Copies distributed by Ct. Admin.

Mar. 31, 1994 Memorandum and Order filed. AND NOW, March 30, 1994, for the reasons set forth in the attached Memorandum the plaintiff's motion for judgment on the pleadings is denied. The parties shall advance this case to trial and a final disposition.
BY ORDER OF COURT
Gordon R. Miller, P. J.

3-31-94 Copies dist. to Ferguson & Lorenzo.

Dec. 13, 1994 Certificate of Readiness filed.

Dec. 13, 1994 Certificate of Readiness for Placement on Civil Trial List filed.

ON FEBRUARY, 1995 TRIAL LIST

AND NOW, February 14, 1995 jury selected and sworn Feb.13, 1995 at 9:36 A.M. as follows:

1. Mary LaSalle
2. Anna Marie Houck
3. Walter C.Orr
4. Elaine Schmidt
5. Robert L. Genis
6. Margaret Winters
7. Alex Tokarcik
8. Clara McCurdy
9. Melvina Jackson
10. Robert Dunton
11. Susan Black
12. Keith L.Jones

twelve good and lawful persons who upon their solemn oaths which they have taken.

Feb. 14,1995 ORDER Filed. AND NOW, February 13,1995 after all testimony has been completed in this matter, upon motion of the Plaintiff, the Court directs a verdict in favor of the Plaintiff for possession of the real estate set forth in the complaint,and further directs a verdict in the amount of $3150 for rental due to the Plaintiff, and further directs a verdict in favor of the Plaintiff for $2605 in reasonable attorney's fees, together with interest at the legal rate, to commence this day. BY ORDER OF THE COURT,
Anthony J. Vardaro,J.

2-14-95 Copies dist.to Ferguson & Deft.

Feb. 14,1995 AMENDED ORDER filed. AND NOW, February 13, 1995,the Court having directed a verdict in this matter, we neglected to credit the Defendant for the $1,000 security deposit he made and, accordingly, or original order with regard to directing a verdict in this matter dated February 13,1995 is affirmed in all respects except thatit shall be amended to allow the Defendant $1,000 credit with respect to the security deposit previously made.
BY THE COURT:
Anthony J.Vardaro,J.

2-14-95 Copies dist.to Ferguson & Deft.

Continued to Page 320 B

Feb.15,1995 ORDER filed. AND NOW, February 13, 1995,this matter is ready for trial and the Defendant's counsel of record does not appear.

Prior to the close of business on Friday, February 10, 1995, she was advised that she had not withdrawn her appearance in this case and, therefore,was expected to appear on behalf of the Defendant and that the Court would not allow her to withdraw her appearance this late date as this matter was going to trial on February 13, 1995.

Previously, the attorney for the Defendant did not appear at the Call of the Trial List and she has not filed a pre-trial narrative on behalf of the Defendant.

In light of this behavior, the Court will now schedule a hearing for March 9, 199__, at 1:30 P.M. in Courtroom No. 2, Crawford County Courthouse, before the undersigned to determine whether Olivia J. Lorenzo, Esquire, shall be held in contempt and, if so, what punishment shall be imposed for that contempt.

Olivia J.Lorenzo, Esquire, shall appear at that time and place set for this hearing in this order.

The Prothonotary shall serve notice of this hearing upon Attorney Lorenzo at her business address by certified mail, return receipt requested, addressee only.

BY THE COURT:
Anthony J.Vardaro,J.

2-15-95 Dist. to Attys. Ferguson & Lorenzo

Feb. 17, 1995 Exhibits filed.

Feb. 24, 1995 Upon Praecipe of Douglas W. Ferguson, Esquire,Attorney for Plaintiff, judgment entered in favor of Edwin A.Garczek and against Defendant Umberto Gulli pursuant to Pa.R.C.P.227.4 on the verdict of the Court of Common Pleas of Crawford County dated February 13, 1995, in the total sum of Four thousand Seven hundred fifty-five and no/100 Dollars, and possession of the real estate set forth in the Plaintiff's Complaint. Defendant did not file any post trial motions for relief pursuant to Pa. R.C.P.227.1.

Debt $4,755.00
Judgment
Barbara H. King
Prothonotary

G-161;
Entered 2-24-95
Atty. Ferguson

March 14, 1995 ORDER filed. AND NOW, March 9, 1995, this matter is before the Court pursuant to our Order of Feb. 13, 1995. The purpose of the hearing is to determine whether defendant's counsel should be held in contempt for failing to appear when she was required to at the time set for the trial and for failure to file a Pretrial Narrative.

After informal hearing, we will not find Attorney Lorenzo in contempt, and this action is DISMISSED.

BY THE COURT,
Anthony J. Vardaro, Judge

March 14, 1995 Copies distributed to Attys. Ferguson and Lorenzo; copy mailed Gulli.

Mar. 22, 1995 Motion to Withdraw as Counsel and ORDER OF COURT filed. AND NOW, this 21 day of March, 1995, and upon consideration of the foregoing Motion to Withdraw As Counsel filed by counsel for the Defendant, and cause being shown why the Motion should be granted,it is hereby:

ORDERED that the Olivia J.Lorenzo be and hereby is permitted to withdraw as counsel for Defendant in the above-styled matter as of March21, 1995.

Anthony J. Vardaro, Judge

3-22-95 Faxed to Attys.Ferguson & Lorenzo

1992

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

1221

1-18-93 Received Sheriff's Costs 34.00

1-18-93 Pd Sheriffs Costs ck # 1288 34.00

GINGER ANN AMEND

vs.

JAMES RICHARD AMEND

Filed December 30, 1992
@ 1:19 PM

Tax & entry	Pd 1-18-93	50.50 ✓
User's Fee	Pd 1-18-93	5.00
Sheriff's Costs		$34.00
Pro Coo	Pd 1-18-93	9.00 ✓
Pro Co	Pd 1-18-93	5.00 ✓

PETITION FOR RELIEF UNDER PROTECTION FROM ABUSE ACT

3 copies Sheriff
1 copy Plaintiff

Order:

And now, this 30 day of December , 1992 , 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 Plantiff or any of the minor children named in the Petition.
2. Special Conditions:

3. This Order may be enforced without a warrant of arresdt 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 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 here by set for January 6, 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 COURT,
Anthony J. Vardaro, J

Dec. 31, 1992 Sheriff's Return filed. SERVED James Richard Amend Personally on December 30,1992 at 3:45 PM by handing a copy of the Protection from Abuse to him at his residence, R.D.#2,Box 150A. Centerville, Crawford County, PA.
So answers,

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

Jan. 8, 1993 Order filed. AND NOW, January 6, 1993, at the time fixed for hearing in this matter, the plaintiff appeared with counsel. The defendant appeared on his own and was advised as to the nature of the proceedings and his right to counsel. He understood these proceedings and waives his right to counsel. The parties by stipulation have agreed that an abuse Order may be entered and the defendant admits he engaged in conduct alleged inthe petition.

ACCORDINGLY, it is ORDERED as follows:

1. The defendant shall not assault, abuse, harass or threaten the plaintiff in any way.
2. The defendnt shall not contact the plaintiff in person. He shall not go to her place of work or residence nor to her parents place of work or residence. He may contact her between 8:00 o'clock a.m. and 9:00 o'clock p.m. by phone or in writing, provided he acts civilly and is not abusive, harassing or threatening. The plaintiff shall have the right, as she always does, to reject or terminate any telephone conversations or to refuse mail. This allows the defendant to attempt contact with the plaintiff in the manner outlined above, but does not obligate the plaintiff to accept those communications.
3. The plaintiff may return to the marital residence now occupied by the defendant this day at a time to be agreed upon by the parties during the afternoon or early evening hours for the purpose of picking up her personal belongings, which shall include car keys and a particular set of dishes. The plaintiff shall deliver to the defendant any personal papers of his tht she has, including cassette tapes and car keys. In the event that there is an argument as to who is entitled to which asset, the party now having that asset shall keep it in good condition, shall not dispose of it or destroy it, and the prties shall bring an appropriate replevin or other action to determine the right to ownership and possession of those assets that are contested. This is not a property settlement Order.
4. Since the plaintiff is pregnant, if the defendnt believes that he should have additional contact not permitted by this Order to protect and secure his rights as a father, he may file an appropriate motion with the Court seeking a hearing and modification 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 to the Pennsylvania State Police (Corry Barracks), and to County Control. This Order shall remain in full force and effect for one (1) year, that is, until January 5, 1994, unless modified or teminated by further Court Order. If the parties reconcile and the plaintiff invites the defendant to resume cohabitation, the defendant shall resist until the Order is changed because if he lives with the plaintiff, even at her request, he is violating this Order.
7. The defendant shall pay record costs inthe amount of $98.50 no later than February 15, 1993 to the Prothonotary on the first floor of the Courthouse.
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 may write to the plaintiff in care of her parents address that she voluntarily gives to him. The plaintiff willnot give the defendant her telephone number, and the Court, at this point, will not require her to do so.

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

Jan.8, 1993 Copies mailed to Corry St. Pol., given to Co. Control & S. Hall, Esquire.
Jan. 13, 1993 Copy mailed to Defendant.

Jan. 18, 1993 Upon praecipe of Plaintiff this action is marked discontinued becuase the undersigned doe snot want to proceed further with it.

Jan. 18, 1993 Upon praecipe of Plaintiff the above captioned action is discontinued of record.

322

1992

Thomas, Truax,
Spadafore & Walker
R. Charles Thomas

1222

JOYCE BAKER

vs.

WILLIAM PERFETT: COW SHED, INC., a corporation, d/b/a STABLE PIT AND PUB RESTAURANT

Filed December 30, 1992
@ 3:47 PM

Tax & entry paid	50.50
User's Fee paid	5.00
Sheriff's Costs	39.00

WRIT OF SUMMONS
Issued (Sheriff)

Jan. 18, 1993 Writ Return filed. SERVED William Perfett on January 12, 1993 at 1:22 PM by handing a copy of the Summons to David Perfett, Business Manager of the Cow Shed, Inc. at Stable Pit & Pub, Route 18, Conneaut Lake, Crawford County, PA.
SERVED Cow Shed, Inc. on January 12, 1993 at 1:23 PM by handing a copy of the Summons to David Perfett, Business Manager of the Cow Shed, Inc., at Stable, Pit & Pub, Route 18, Conneaut Lake, Crawford County, PA.
So answers, Dale A. Collins, Deputy Sheriff
Robert M. Stevens, Sheriff

1992

SANDRA K. MOTTOR
VS.
WILLIS S. VAUGHN

CONTINUED FROM PAGE 231
of Record
A. D. 1992 - 1131

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Jan. 6, 1993 ORDER filed. AND NOW, Dec. 18, 1992 at the time fixed for hearing in this matter the defendant appeared, but the plaintiff did not. The defendant advises the Court that the Plaintiff did, in fact, know about this hearing.

Accordingly it is ordered as follows:

1. The petition filed in this case on Nov. 23, 1992 is hereby dismissed.
2. The abuse order of Nov. 23, 1992 is hereby vacated.
3. A true and correct copy of this order shall be delivered by the Prothonotary to the Linesville Police Dept. County Control and shall be sent by regular mail tot he plaintiff at PO Box 121, Linesville Pa.
4. The plaintiff is ordered and directed to pay court costs in the amount of eighty-nine dollars and fifty cents (89.50). The Prothonotary shall mail a bill for said costs to the plaintiff at PO Box 121, Linesville Pa forthwith. If If the plaintiff does not pay said costs by Feb. 1, 1993, the Prothonotary may institute contempt of court proceedings.

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

Jan. 6, 1993 mailed copy to Linesvilel P.D. Jan. 8, 1993 copy to Co. Ctrl., G. Sullivan, Plf. & Dft.

GEORGE D. GREIG
VS.
BETTY A. GREIG

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

5. Should it be necessary for either party to cancel or modify the visitations as set out in this Order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations hsall 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 yp 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 to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the children are being transported or in the bedroom of the children.

9. 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 arragnements respecting the custodial and visitation periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

12. Costs and fees of this Mediation, which are fixed at $152.00 are dividened equally between the parties with a share of each being assessed to him or her as costs in this case. Payment shall be made to the Prothonotary of Crawford County.

13. The deposit required for the appointment of the custody mediator was made by the father. The deposit shall first be appied against the father's share of costs and the remainder shall be remitted to him.

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

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

Jan. 18, 1993 copy to W. Pineo, D. Ferguson, J. Irwin, Plf. & Dft.

1992

HERBERT THOMAS, JR.
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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 th is 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. Unless other wise specified by the applicable terms of this order, the parties shall split responsibility for transportation with the party receiving the child in the exercise of his or her rights picking up the child at the home of the other.

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

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

9. Any person transportign the child shall make sure that the seat belts or other restraints are used in accordance with the law of Pa.

10. Neither party shall do or say anything to blacken the character of the other in the child's estimation. Each party shall treat the other in a polite and respectful manner whenm in the child's presence and each party shall instruct his or her relatives and friends to do likewise and also not todisparage the othr party in the child's estimation.

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

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

13. Costs and fees of this Mediation, which are fixed at $102.00, are assessed to Crawford County. The Mediator advises the court tht the father qualifies for the services of Northwestern Legal Services, and the mother is presently unemployed.

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

By the Court,
Anthony J. Vardaro, J.

Feb. 18, 1993 copy to W. Pineo, C. Brode, B. Lindsay, Plf. & Dft.

Jan. 9, 1997 General Power of Attorney by Herbert G. Thomas, Jr. nominating and appointing Alice Thomas as his lawful Attorney-in-Fact, filed.

DAVID N.DUNKLE
VS.
MARY ANN DUNKLE

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

5. Should it be necessary for either party to cancel or modify the visitations as set out in this Order or as previously arranged, the party seekign cancellation or modification shall notify the other party as soon as he or she knows of th necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a acncellation 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 to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the children are being transported or in the bedroom or 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 Pa.

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 apolite and respectful manner when in the children's presence and each party shall instruct hi sor 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 visitatioin periods and are strongly encouraged to do so if that would be proper and convenient. Said arrangements shall be by mutual consent only, in the absence of which this Order shall govern.

12. Costs and rees of this Mediation, which are fixed at $152.00, are divided equally between the parties with a share of each being assessed to him or her as costs in this case. Payment shall be made to the Prothonotary of Crawford County.

13. The deposit required for the appointment of the custody mediator was made by the father. The deposit shall first be applied agaisnt the father's share of costs and the remainder shall be remitted to him.

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

By the Court,
Anthony J. Vardaro, J.

Feb. 17, 1993 copy sent to A. Gamble. Feb. 18, 1993 copy to W. Pineo, D. Ferguson, Plf. & Dft.

Feb. 16, 1993 MOTION FOR HEARING DE NOVO and ORDER filed. ORDER: And now, Feb. 12, 1993, hearign is set for April 8, 1993, at 9:00 a.m. in Courtroom 1 or 2.

For the Court,
Ann A. Walker, Crt. Adm.

Feb. 18, 1993 copy to A. Gamble, W. Pineo, D. Ferguson

Feb. 19, 1993 Motion to Stay filed.

Feb. 26, 1993 ORDER filed. AND NOW, Feb. 19, 1993, the Motion of the Defendant to Stay the Order of Feb. 11, 1993, (Paragraph 3(a)) is GRANTED in order to maintain the status quo pending a de novo hearing, to be held on April 6, 1993 at 1:30 P.M. The Court believes that the status quo should be maintained until that hearing so that the children do not have to change schools too often and in the event that the children continue to reside primarily with their mother.

In the meantime, the father shall have the right to take his children into his custody at 4:00 P.M. on Fridays, Feb. 26, March 12 and March 26, 1993, and have his children until the following Sunday at 2:00 P.M.

The father shall provide transportation during the pickups on Friday and the mother shall provide transportation back to Cincinnati on Sunday. The parties are therefore sharing transportation equally. If the father is not able to exercise a particular week end visitation, he shall notify the mother within eight hours of the scheduled time he is to pick up the children. If he does not arrive by 6:00 P.M. on a scheduled visitation, the mother may assume that thatn visitation is cancelled (unless she has agreed to a later pickup), and she and the children may make other arrangements for that weekend.

This Order is entered simply to maintain the status quo and shall have absolutely no effect on the ultimate decision made at the de novo hearing. The Court did not hear the merits of this case and is not determining what is in the best interests of the children.

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

Mar. 5, 1993 copy to D. Ferguson, A. Gamble, W. Pineo

Mar. 5, 1993 copy to D. Ferguson, A. Gamble, W. Pineo

Mar. 30, 1993 Appearance of Thomas, Truax, Spadafore and Walker by R. Charles Thomas for Mary Ann Dunkle, filed.

Mar. 31, 1993, Motion for Continuance and Order filed. ORDER: Now, March 31, 1993, this motion is DENIED.

Gordon R. Miller,
Judge

April 2, 1993, copies of order to R. C. Thomas A. Gamble, W. Pineo, D. Ferguson.

APR. 8, 1993 ORDER filed. AND NOW, April 6, 1993, this matter is before the Court for a de novo custody hearing. We have taken a half day of testimony and the Plaintiff has rested, and this matter is now continued for further hearing until May 14, 1993 at 9:15 a.m. in Courtroom No. 2 of the Crawford County Courthouse before the undersigned.

Pending the completion of this hearing and in light of the Order of Feb. 19, 1993 entered by President Judge Gordon R. Miller, we shall make provisions for temporary custody with the Plaintiff since pursuant to that Order the children are in the primary physical custody of the Defendant.

Accordingly, the Plaintiff/Father shall continue to have custody of the children this day through Sunday, April 11, 1993 at 9:30 a.m., at which time they shall be returned to the Mother/Defendant at the Father/Plaintiff's home so that she may transport them back to their home in the Cincinnati area.

Additionally, in compliance with Judge Miller's Order of Feb. 19, 1993, the Plaintiff/Father shall continue to have temporary custody every other weekend beginning at 4:00 p.m. on Friday, April 23, 1993 through the following Sunday at 2:00 p.m. That same temporary custody time frame shall apply for the weekend beginning on Friday, May 7, 1993.

The transportation provisions of Judge Miller's Order of Feb. 19, 1993 shall apply to those weekends of custody with the Plaintiff/Father insofar as he shall provide the transportation for pickups on Friday and Defendant/Mother shall provide the transportation back to the Cincinnati area on Sundays.

The other provisions of that Order that would still be applicable with respect to missed visitations shall still be applicable pending the completion of this de novo hearing.

Additionally, in case it is not clear with respect to the provision of the Mediator's Order and the temporary Order entered by the Court on Feb. 10, 1993, no party shall possess or use illegal drugs of substances or be under the influence ofalcohol at any time that party has the physical care and custody of the subject minor children.

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

Apr. 8, 1993 copies distributed by Judge's Office

April 14, 1993 Exhibits filed.

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DAVID N. DUNKLE
vs.
MARY ANN DUNKLE

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May 17, 1993 MEMORANDUM AND ORDER FILED. AND NOW, May 14, 1993, after a full de novo hearing, the temporary order of Feb. 10, 1993 is rescinded and it is hereby ordered and decreed that:

1. The parties shall share legal and physical custody of the subject minor children, Guy Dunkle and Reed Dunkle.

2. The parties shall share with the 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 eprsonnel and other care providers are hereby authorized to release to either party any and all confidential information which they may have regarding the subject minor children. Each parent when the children are in his or her custody shall make every effort to provide advance notice to the other parent with respect to upcoming activities and events in the life of each child.

3. Physical custody of the children shall be arranged as follows:

a. The children shall reside with their father from 6:00 p.m. of the second Sunday before the opening of the children's school session in the fall until 6:00 p.m. of the second Sunday following the close of the school session for summer vacation. Because the children are presently living with their mother and she has had custody of them since Oct. 1992, for 1993 the above schedule shall be adjusted so that the children remain with their mother until 6:00 p.m. on the second Sunday following the close of the school session for summer vacation at which time they shall come to live with their father. They shall remain in their father's custody during the summer of 1993 until Aug. 1, 1993 at 6:00 p.m. at which time they shall be returned to their mother's custody until 6:00 p.m. of the second Sunday before the opening of the children's school session for the fall of 1993.

This one time split of the summer vacation is done because the children have been with the mother since Oct. 1992 and we believe they should have some significant time with their father as soon as possible.

Once the children have been returned to theri father at 6:00 p.m. of the second Sunday before the opening of the children's school session in the fall of 1993, the normal schedule for splitting the school year and the summer which is set forth at the beginning of Paragraph 3.a. shall be followed thereafter until further order of court.

b. With the above noted exception for 1993, the children shall reside with their mother from 6:00 p.m. of the second Sunday following the close of the children's school sesson for the summer until 6:00 p.m. of the second Sunday preceding the re-opening of the school in the fall.

c. For the children's spring vacation from school, mother shall have temporary physical custody from 6:00 p.m. of the day that vacation begins until 6:00 p.m. of the day preceding its end. The father shall find out from school authorities when spring vacation is to be and shall notiy the mother at least one month in advance.

d. Until the children return to live with their father this summer as provided above, he shall have temporary physical custody of them every other weekend beginning at 4:00 p.m. on Friday through the following Sunday at 2:00 p.m. starting with the weekend of May 21, 1993.

Thereafter, the parent not having physical custody shall have the right of temporary physical custody on the third weekend of each month. If that weekend includes a Monday holiday from school, said weekend shall include all three days. Weekend visitation shall begin at 6:00 p.m. Friday and end at 6:00 p.m. on the last day of the weekend so defined above in this paragraph.

e. The parent not having physical custody of the children shall have the right to telephone 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 visitations shall be arranged as follows:

a. Christmas - The Christmas holiday visitation period shall be divided into two segments. One beginning at 6:00 p.m. the day that the children's school closes for vacation and ending at 6:00 p.m. on Dec. 26th. The other shall begin at 6:00 p.m. on Dec. 26th and end at 6:00 p.m. two days before the children must return to school after their holiday vacation. The parties shall alternate these two periods of time with mother having the first time period for Christmas 1993.

b. Thanksgiving - The Thanksgiving holiday period shall begin at 6:00 p.m. of the Wednesday preceding Thanksgiving and end at 6:00 p.m. of the day preceding the re-opening of school. For Thanksgiving 1993, the children will spend the Thanksgiving holiday so defined with their father and for 1994 with their mother and the parties shall thereafter alternate.

c. The provisions of this paragraph shall take precedence over the other provisions of this order relating to the custodial or visitation periods. Should it be necessary for either party to cancel or modify the visiations as set forth 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 but in no even except for an extreme emergency shall the notification occur less than one week prior to the scheduled visitation. Said modifications or cancellations shall always be proposed for good reasons and if a cancellation or modification is 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.

In this regard, apparently the parties are currently splitting responsibility by meeting for each exchange of the children in Mansfield, OH and as long as they both agree to do that, it is certainly satisfactory with the Court.

7. The parties may make such other arrangements as they both agree to in the best interests of the children so that the children are able to spend as much time as possible with both parents.

For scheduled weekend visitations, the parent sho will have temporary physical custody may from time to time upon agreement of both parents go to where the children are in the physical custody of the other parent to avoid as much travel as necessary on the part of the children.

Additionally, if the parent not having primary physical custody wishes to visit on an additional weekend during a month, the other parent should make every effort to accommodate the visiting parent as long as that parent is willing to come to the location where the children re in the physical custody of the other parent and remain there throughout the additional visit.

Again, it is our intention to encourage as much time with both parents as possible if that can be done with a minimal amount of traveling by the children and each parent is to be commended for cooeprating in that process.

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

9. Neither party shall use nor possession illegal drugs or be under the influence of alcohol at any time when that 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 or permit others to do so in a closed automobile in which the childrenare being transported or in the bedroom of the children.

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10. Any person transporting the children shall make sure that seatbelts or other restraints are used in accordance with the law of Pa.

11. Neither party shall do or say anything to blacken the character of the other party 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.

BY THE COURT:
Anthony J. Vardaro, J.

May 17, 1993 Copies of Memorandum and Order distributed by Court.

June 28, 1993 Exhibits filed.

July 2, 1993 Motion for Return of Exhibits and Order filed. AND NOW, this 2 day of July, 1993, the Prothonotary of Crawford County is directed to release the Plaintiff's Exhibits "B" and "C" consisting of photographs ofthe parties marital home directly to the Plaintiff, David N. Dunkle, through his attorney, Douglas W. Ferguson, Esquire.

BY THE COURT:
P R THomas, S.J.

July 8, 1993 Copies of order to Atty's Freguson and Thomas

MICHAEL D. RUCK
VS.
MELINDA A. RUCK

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Mar. 3, 1993 ORDER filed. AND NOW, Feb. 25, 1993, after de novo hearing, the Court is satisfied that the best interest of the monor child at this time is a continuation of the arrangements set forth in the Court's Order of Nov. 30, 1993, and accordingly, adopts said Order with the following modifications thereto:

1. The mother shall be entitled at her choice to make a phone call each week to the child while the child is in the father's residence, and if said call is made, the mother shall have the right to talk a resonable period of time with her child. Whether said calls are made are left entirely to theoption of the mother.

2. Because of an unfortunate incident between the parties at a pickup where the mother contended the father had consumed too much alcoholic beverage, the Court adds as a condition to the Order that the father on any time that he delivers the child for visits to the agreed Grove City Exit on Interstate 79 not have consumed any alcoholic beverages for a period of at least two (2) hours prior to the time he leaves on the journey to deliver the child.

3. During the one-month summer visit where the child is in the exclusive custody of the mother, the father shall have the opportunity to make one telephone call per week to the child at a reasonable time, and the mother will see that the child receives the telephone call.

4. This Court notes a carry-over of the friction existing between the parties shortly before their separation and divorce and urges both parents to attempt to ameliorate their feeligns toward each other and to discuss the usual things that parents should be discussing regarding the best interest of a minor child of tender years.

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

Mar 3, 1993 gave copies to Brode & Lindsay
Mar. 8, 1993 copy to D. Truax

Jan. 26, 1994 Petition for Modification of Custody Order and ORDER filed. AND NOW, this 24th day of January, 1994, upon consideration of the within Petition, it is hereby ordered that child custody mediator John Fuller, Esq. shall be appointed mediator and hold a hearing in accordance with the law and rules. The respondent is directed to make available the subject minor child at the time and place scheduled for mediation.

The petitioner shall be permitted to proceed without the payment of a deposit for mediation or filing fee in that the petitioner is indigent and qualifies for free legal assistance from Northwestern Legal Services.

A copy of this petition shall be served upon the respondent Michael D. Ruck and the attorney of record, Brian Lindsay, Esq. by regular mail.

BY THE COURT,
Gordon R. Miller, J.

1-27-94 Copy of Order to Attys. Brode, Lindsay, Fuller & Pltf.

Mar. 3, 1994 Plaintiff's Response in Opposition to Defendant's Petition to ModifyCustody Order, filed. (1 copy atty)

Apr. 7, 1994 ORDER filed. AND NOW, April 6, 1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

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

II. Physical custody of Randall Ryan Ruck shall be with his father, subject to the following conditiions:

A. The mother shall be entitled to visit and take the child into her custody every other weekend from 7:00 o'clock p.m. on Friday to 7:00 o'clock p.m. on Sunday, beginning April 15, 1994.

B. Holidays shall be defined as Christmas, Easter, Thanksgiving, Memorial Day and Labor Day. Custody of the child be alternated on the aforesaid holidays.

On even numbered years the child shall be in the custody of the mother on Christmas Day and Easter Sunday, and in the custody of the father on Thanksgiving Day.

On odd numbered years the child shall be in the custody of the mother on Thanksgiving Day, and in the custody of the father on Christmas Day and Easter Sunday.

The child shall be in father's custody every Memorial Day and in mother's custody every Labor Day.

C. Beginning with the Summer of 1994, the child shall be in the custody of the mother for a period of two (2) months each summer, from June 15 until August 15. During this two (2) month period the father shall be entitled to visit and take the child into his custody every other weekend from 7:00 o'clock p.m. on Friday to 7:00 o'clock p.m. on Sunday.

D. Transportation of the child on weekends, holidays and Summer visits shall be equally divided between the parties, either by using a half way point or by the parent who receives custody providisng transportation.

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

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

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

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within ten (10) days of the date hereof. Nevertheless, the order is entered without prejudice to the right of either parent to request a further mediation conference at any time after July 15, 1994.

IV. Cost of the mediation conference will be divided as follows: One-half (½) father; one-half (½) Crawford County. The Prothonotary of Crawford County is hereby directed to refund any deposit paid in advance by the Plaintiff, less the cost of the custody order.

Anthony J. Vardaro, J.

Apr. 13, 1994 copy to B. Lindsay, C. Brode, J. Fuller, Plf. & Dft.

Aug. 16, 1994, Petition for Modificaiton with Request to Return to Mediation and Order filed. ORDER: AND NOW, this 15 day of Aug. 1994, upon consideration fothe within Petition, it is herebyordered that Child Custody Mediator John Fuller shall be appointed Mediator and hold a hearing in accordance with the law and rules.

The petitioner shall be permitted to proceed without the paymen tof a deposit for mediation or filing fee in that the petitioner is indigent and qualifies for free legal assistance from Northwestern Leg. Ser.

A copy of this petition shall be served upon the respondent's atty. of record, Brian J. Lindsay, Esq. by regular mail.

BY THE COURT,
Anthony J. Vardaro, J.

8/16/94 copies faxed to Brode, Lindsay and Fuller.

Oct. 7, 1994 Answer and Counter-Claim in Opposition to Defendant's Motion to Modify, filed.

Nov. 1, 1994 ORDER filed. AND NOW, October 31, 1994 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Counsel for the parties shall promptly arrange for a custody evaluation of the parties and child by Meadville Medical Center, Mental Health Department, which custody evaluation shall include Mother's boyfriend and Father's fiancee.

CONTINUED ON PAGE 332F

TAMMY S. DONOVAN
VS.
JAMES E. DONOVAN, JR.

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Mar. 10, 1992 ORDER filed. AND NOW, March 9, 1993, the Plaintiff appears in Motion Court pro se with a motion to motion to amend or modify a protection from abuse order specifically concerning some visitation matters.

She makes the said motion on the form intended to be signed by both parties for a consent modification but the Defendant has not signed the same (we now note that actually we didn't realize the Plaintiff had not signed the motion either).

It appears that from her comments in Motion Court she believes that a psychologist the children have been seeing believes thatthis modification should be in order and we believe it would be best to enter a rule upon the Defendant and schedule hearing in this matter.

At the time the motion is presented, the Plaintiff is advised that she must continue to abide by the current terms of the order until such hearing or unless she and the Defendant are able to agree to this modification or a compromise modification.

Accordingly, a rule is entered upon the Defendant to show cause, if any he has, why the relief requested in Plaintiff's motion to amend or modify a protection from abuse ahould not be granted.

This matter is set for hearing and argument on the 18th day of March, 1993, at 3:30 P.M. in Courtroom No 1 or 2, Crawford County Courthouse, Meadville, Pennsylvania.

The Prothonotary shall mail a copy of hte Plaintiff's motion to amend or modify a protection from abuse order together with a copy of this order to the Defendant at P.O. Box 645, Hydetown, Pa. 16328 by certified mail, return receipt requested, and a copy of the order in this matter by regular mail to the Plaintiff at 4 Lafayette Place, Titusville, Pa. 16354.

BY THE COURT:
Anthony J. Vardaro, J.

Mar. 11, 1993 copy to Sullivan, Dratler, Plf. & Dft.

Mar 10, 1993 MOTION TO AMEND OR MODIFY A PROTECTION FROM ABUSE ORDER, filed. ORDER: AND NOW, comes the plaintiff, Tammy S. Donovan and moves the Court to amend/modify the Protection from Abuse Order entered on Dec. 3, 1992 as follows:

1. The Plaintiff lives at 4 Lafayette Place Titusville, Pa. 16354. The Defendant resides at PO Box 645, Hydetown, Pa. 16328.

2. The following paragraph(s) of the Order should be deleted: weekend visitation with children - due to their health.

3. The following paragraph(s) should be amended/modified to read as follows:

1. The defendant shall not contact Plaintiff by telephone, abuse, harass or threaten the Plaintiff in any way, place, or in any manner.

2. Neither party shall smoke, consume alcohol, use profanity or disporage character of other party. Defendant shall not have children in a home with any kind of smoke or house pets. It is detrimental to their health.

Mar. 11, 1993 copy to Plf. & Dft.

Mar. 19, 1993 Motion For Continuance, filed.

Mar. 19, 1993 ORDER filed. AND NOW, March 18, 1993, upon motion of the attorney for the Plaintiff, the hearing set in this matter for March 18, 1993 at 3:30 p.m. is continued without objection by counsel for the Defendant until March 31, 1993 at 10:15 a.m. in Courtroom No. or 2, Crawford County Courthouse.

BY THE COURT:
Anthony J. Vardaro, J.

Mar. 19, 1993 copies distributed by Court.

As to the computer it is ordered as follows:

1. The plaintiff shall do nothing to damage or destroy the computer or any of the contents or entries made therein.
2. The parties shall arrange a mutually satisfactory time when the defendant may go to marital property for the purpose of retrieving any of his patient records from the computer.
3. In the event that the plaintiff, or anyone on her behalf, enters into the computer and observed or retrieves any information concerning the defendant's patients and their records, the information thereby obtained shall be used for no other purpose than the purposes of this litigation and shall not be disclosed or divulged to anyone else as the same would constitute an infringement upon the defendant's patient's right of privacy.

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

March 8, 1993 Copies given to Attys. James Irwin and Kathleen Nelson.

Mar. 10, 1993 Memorandum and Order filed. AND NOW, march 9, 1993, the motion of Radny S. Zelen to close the record in this case is denied without prejudice to his right to renew his request at an appropriate time

BY ORDER OF COURT,
Gordon R. Miller, J

Mar. 10, 1993 Copies given to Atty's Irwin and Nelson

Mar. 17, 1993 Motion for Continuance and Order filed. order; and now, this 16th day of March 1993, upon presentation of the herein MOtion, the DeNovo Custody hearing previously scheduled for April 8, 1993 at 9:15 a.m. is hereby reset for May 24, 1993 at 9:00 a.m. in C. R. No. 1.

For the Court, Ann A. Walker, Ct. Adm.

Mar. 25, 1993, copies of order to attys. Nelson and Irwin, Barmen.

Mar. 22, 1993, Reply to Motion for Continuance filed.

****see below Order dated 3/19/93.

Mar. 22, 1993, Motion for Continuance and Order filed. And Now, this 22nd day of March 1993, upon presentation fo the within Motion, it is hereby Ordered, Adjudged and Decreed that the De Novo Custody hearing originally scheduled for Apr. 8, 1993 at 9:15 a.m. is hereby rescheduled for the 24 day of May 1993, at 9:00 a.m. before Judge Miller said hearing to be a full one day hearing. No further continuances.

BY THE COURT,
Gordon R. Miller J.

Mar. 25, 1993, copies of order to Attys. Nelson and Irwin. and Stewart Barmen.

Mar. 22, 1993, Exhibits filed. (#'s 2 to 10 in manila envelope with case)

April2, 1993 Affidavit of Consent of Defendant filed.

**** March 22, 1993 MEMORANDUM AND ORDER filed. AND NOW, March 19, 1993, Randy O. Zelen is ordered and directed to pay the sum of $1,000 per month for a total of six months to apply on Marixie O. Zelen's attorneys fees, expert witness and consulting fees, costs and expenses. The first payment of $1,000 should be made on or before March 31, 1993. Each subsequent payment shaould be made on or before the last day of each month thereafter until paid in full.

This order shall not prevent the Court or Master form awarding additional attorney fees, costs and expenses if the facts and law warrant additional awards.

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

Mar.22, 1993 Copies of memorandum and Order given to Attys. Nelson and Irwin.

Apr. 27, 1993 Memorandum and Order filed. AND NOW, April 26, 1993, we file this memorandum of record to reflect the fact that the Court received the report, findings and recommendations of David J. Sullivan, Ph.D. onApril 21, 1993 pursuant to paragraph 7 of the Custody Order of February 16, 1993. That paragraph, recommended by the custody mediator and signed by the Court, provided, inter alia, that the parties and the children would undergo a psychological evaluation by David Sullivan, Ph.D. and that the evaluation would be delivered to the Court.

Dr. Sullivan apparently did not give copies of his report to the parties but sent the court an original and two copies. We note, and file this memorandum to reflect, that we are this date sending a complete copy of Dr. Sullivan's report to the attorney representing each party. We do that for a number of reasons, the greatest of which is that we will not consider any reports, evaluations or recommendations without the parties having an apportunity to review them. The original report will be held by the undersigned in the Judges Chambers. It may ultimately be filed of record in a sealed envelope that will not be opened without further order of court.

BY ORDER OF COURT,
Gordon R. Miller, J

Apr. 27, 1993 Copies given to Irwin & Nelson by Court. Apr. 30, 1993 Copies mailed to Atty's Ford and Smith

Apr. 29, 1993 Notice of Taking of Deposition by Oral Examination of Marixie O.Zelen, Plaintiff, filed.

May 5, 1993 Certificate of Service of Defendant's First Set of Interrogatories Directed to Plaintiff, filed.

May 7, 1993 Defendant's Answer to Objection andCross Motion for Leave of Court to Depose Plaintiff filed.

May 7, 1993 Objection and Motion to Declare Notice ofTaking Deposition a Nullity filed.

May 7, 1993 Memorandum and Order filed. AND NOW, May 7, 1993, it is ordered as follows:

1. The Plaintiff's objection to the taking of her deposition on May 12, 1993 without leave of Court is granted and said deposition shall not be taken until further order of Court.
2. Plaintiff's request for attorney's fees in the amount of$200 is granted and shall be paid to counsel for the Plaintiff within 30 days from this date.
3. Both parties shall furnish to the other a full and complete list of the names and addresses of all witnesses they intend to call and use at the custody and support hearing on May 24, 1993 setting forth the names and addresses of said witnesses. Both parties are ordered and directed to furnish the other witha true and complete list of all exhibits which a party intends to introduce at the custody and support hearing on May 24, 1993 together with a true and correct copy of each exhibit pre-numbered. The list of witnesses and exhibits, along with coipies of exhibits, shall be furnished and/or exchanged no later than 5:00 P.M. on Friday, May 14, 1993.
4. The Defendant's motion for leave of Court to depose the Plaintiff is denied without prejudice to the Defendant to file a similar motion or request under Pa. R.C.P. 1920.22 after the Defendant receives the Plaintiff's answers to the interrogatories he has served, for which answers may not be due under the rules at this time.
5. The Court will consider, and most likely permit, the taking of oral depositions provided (a) the Rules of Civil Procedure are followed: (b) appropriate interrogatories have been propounded and answered; and (c) any motion or petition for leave to take an oral deposition sets forth appropriate facts and proper reasons in support of the taking of an oral deposition.
6. The parties are encouraged to cooperate with each other and exchange appropriate relevant information.

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

May 7, 1993 Copies distributed to Counsel.

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SHARON FUCHS
VS.
RANDY FUCHS

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****

Apr. 13, 1993 ORDER filed. AND NOW, April 8, 1993 at the time fixed for hearing on the Plaintiff's petition for special relief and exclusive possession of the marital residence at Polk, Pennsylvania the Plaintiff appeared with counsel but the Defendant did not appear. It appears that he knew about the hearing or at least his attorney of record knew about the hearing.

It appears that the Plaintiff, who has 5 minor children, who has paid the real estate taxes for 1991 and who apparently cannot afford to live anywhere else, desperately needs the marital residence. It also appears that the Defendant recently moved back into the marital residence and that a number of persons who are living there do not own it.

We therefore award exclusive possession of the marital residence in Polk, Pennsylvania to the Plaintiff, Sharon Fuchs, effective June 15, 1993. The Defendant shall remove himself from that residence by June 15, 1993 and turn the residence over to the Plaintiff. In the meantime, the Defendant shall do nothing nor cause any others to do anything that would destroy or damage the property or cause its condition to be any worse than it is on this date. He shall turn the property over to her in the same condition it is in as of this date -- April 8, 1993.

After possession of the marital residence is turned over to the Plaintiff, the Defendant shall not return to live or stay unless expressly invited by the Plaintiff.

Counsel for the Plaintiff shall serve a true and correct copy of this order on the Defendant and his counsel, John S. Kookogey, and file an appropriate Proof of Service among the records of this case.

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

Apr. 13, 1993 copies given to Walton & Kookogey

Apr.19, 1993 Affidavit of Service of Sharon Fuchs, Plaintiff, filed.

Apr. 26, 1993, Affidavit of Servcie of Order Regarding Exc lusive Possession of Marital Residence filed.

JUne 4, 1993 Affidavit of Consent of Defendant, filed.
June 4, 1993 Affidavit of Consent of Plaintiff, filed.

June 4, 1993 Upon praecipe of Plaintiff attorney to transmit records, case moved to Court.

DIVORCE DECREE FILED

June 23, 1993 And Now, this 21 day of June, 1993, this action having been heard by the Court, and on evidence presented, IT IS ORDERED and DECREED that:

1. The bonds of marriage between plaintiff, SHARON FUCHS, and defendant, RANDY W. FUCHS, are dissolved because the marriage is irretrievably broken.

2. The Consent Agreement and Stipulation between the parties introduced in evidence and marked Exhibit "A", was executed voluntarily after full discosure and is for the best interest of the parties and is approved and incorporated in this decree by reference and the parties are ordered to comply with it.

3. Plaintiff and Defendant have agreed to the following:
   a.) Plaintiff shall retain possession of the marital residence located at RD # 1, Box 206, Polk, PA. and Husband agrees to sign a deed within 10 days of the signing of the agreement.
   b.) plaintiff and Defendant have divided all remaining personal property.

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the terms, provisions, and conditions of a certain property agreement between the parties dated June 1, 1993, be incorporated into this Decree and Order by reference as fully as though the same were set forth herein at length. Said agreement shall not merge with but shall survive this Decree and Order.

By the Court:
Anthony J. Vardaro, J.

July 30, 1993 Notice of Election to Retake Prior Name of Sharon Fuchs, to be known as Sharon Deane, filed.

Marilyn L.Putnam and
Richard E.Putnam
vs.
William G. Sesler and
Gregory P. Sesler t/d/b/a
Commonwealth Realty, I, II,III,
and Russo Heating & Air
Conditiong,
Defendants
vs.
Clemson Roofing, Comfort Supply,
and Keystone Auto Parts,
Additional Defendnts

Allegney Engineering Co. &
Snyder General Corporation,
Additional Defendants

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of Record

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In Error, See Below

June 9, 1993 Sheriff's Return filed. SERVED the within Additional Defendant on May 19, 1993 at 1:35 P.M., upon Comfort Supply at 50 Kisow Dr., Crafton by handing to Dave Heckler, Owner a true and correct copy thereof and made known to him the contents therein.
Eugene L. Coon, Sheriff, Allegheny County
I hereby deputize the Sheriff of Allegheny Co., PA. to serve the within Writ to Join Add'l. Defendant according to law.

****

May 14, 1993 Petition for Leave to Discountinue Action as to Additional Defendants Keystone Auto Parts and Confort Supply, only and ORDER filed. NOW, this 14th day of May, 1993, upon consideration of the Defendant Russo Heating & Air Conditioning's Petition for Leave to Discontinue Action as to Additional Defendants Keystone Au to Parts, and Comfort Supply, Only, it is hereby ORDERED that Defendnt Russo Heating & Air Conditioning is granted leave to discontinue this action as to Additional Defendant KeystoneAuto Parts and Comfort Supply, only.
Gordon R. Miller, J.

May 18, 1993 Copy of Order to Attys. Micale, Millhouse & Bax

June 8, 1993 Appearance of Elderkin, Martin, Kelly & Messina by Ronald L. Slater, Esq. for additional defendant, SnyderGeneral Corporation filed.

June 9, 1993 Sheriff's Return filed. SERVED the within Additional Deft., on 5-19-93 at 1:35 PM, upon Comfort Supply at 50 Kisow Drive, Crafton, by handing to Dave Heckler, Owner, a true and correct copy thereof and made known to him the contents therein.

Louis Leon
Eugene L.Coon, Sheriff, Allegheny Co.

I hereby deputize the Sheriff of Allegheny Co., PA. to serve the within Writ to Join Add'l. Dft. according to law.

Robert M. Stevens, Sheriff

SERVED the within Writ to Join Additional Defendant on May 19th, 1993, at 1154 hrs., upon Keystone Auto Parts at 1534 Parade St., Erie Co., Erie, PA. by handing to Jim Miller, Manager a true and correct copy thereof and made known to him the contents therein.

Robert N. Michel, Sheriff, Erie Co.
Ken Staaf, Deputy Sheriff

I hereby deputize the Sheriff of Erie Co., PA. to serve the within Writ to Join Add'l. Def. according to law.
Robert M. Stevens, Sheriff

June 23, 1993 Memorandum and Order filed. AND NOW, June 23, 1993, we hereby deny the preliminary objections of Defendant Russo Hearing and Air Conditioning.
BY THE COURT:
Anthony J. Vardaro, J

June 24, 1993 Copies dist. to atty.'s Micale, Slater, Milhouse & Bax

June 28, 1993 Answer and New Matter, filed.

June 28, 1993 Notice of Service of Plaintiff's Answers to Interrogatories and Response to Request For Production of Documents, filed.

June 29, 1993 Appearance of Faderewski & Herrington by John D. Newborg for Additional Defendant Allegheny General Co. filed.

July 2, 1993 Reply to New Matter of Defendants, William G. Sesler and Gregory P. Sesler t/d/b/a Commonwealth Realty I, II, III, filed.

July 14, 1993 CERTIFICATE OF SERVICE of Defendant Russo Heating & Air Conditioning's Answer, New Matter and New Matter Pursuant to 2252(d), Reply to New Matter of Defendants William G. Selser and Gregory P. Sesler t/d/b/a Commonwealth Realty I, II, III and Answers and Objections to Plaintiffs' Request for Production of Documents to Defendants, filed.

July 14, 1993 Defendant Russo Heating & Air Conditioning's Reply to New Matter of Defendants William G. Sesler and Gregory P. Sesler t/d/b/a Commonwealth Realty, I, II, III, filed.

July 14, 1993 Defendants Russo Heating & Air Conditioning's Answer New Matter and New Matter Pursuant to 2252(d),filed.

July 15, 1993, Answer and New Matter to Complaint to Join of Russo Heating and Air Conditioning and New Matter Pursuant to Pa. Rule of Civil Procedure 2252(d) filed.

July 16, 1993 SHERIFF'S RETURN filed. I hereby deputize the Sheriff of Washington County, Pennsylvania to serve the within Complaint according to law. The defendants alleged address is 3157 Washington Road, McMurray, Pa. 15317.
Robert M. Stevens, Sheriff, Crawford County, Pa.
I hereby certify and return that on the 14th day of June, 1993, at 3:15 p.m. at 3157 Washington Rd., McMurray, Pa., Complaint was delivered to Donna Caheihane, Secretary, agent or person in charge of Defendant(s) office or usual place of business.
Sheriff of Washington County

July 20, 1993 Defendant's Reply To New Matter and New Matter Pursuant To 2252(d) of Allegheny Engineering Co. filed.

Aug. 2, 1993 Plaintiffs' Reply To New Matter Of Defendant's Russo Heating & Air Conditioning filed.

Aug. 2, 1993 Reply To New Matter of Allegheny Engineering filed.

Aug. 4, 1993 Answer and New Matter of Snydergeneral Corporation to Complaint against Additional Defendants filed.

Aug. 6, 1993, Defendant's Reply to New Matter and New Matter pursuant to 2252(d) of Snydergeneral Corp. filed.

Aug. 23, 1993, Reply to New Matter of Snyder General Corporation filed.

Continued to Page 335

July 9, 1993 Petition for Contempt of Court, Modification of Custody, and Special Relief and Order, filed. ORDER: AND NOW, this 9th day of July, 1993, upon presentation and consideration of the herein Petition, a Rule is entered upon the Respondent to show cause, if any she has, why the prayers of the Petitioners shall not be granted.

This Rule is returnable on July 19, 1993, at 9:30 a.m. in Courtroom No. 1 of the Crawford County Court House, Meadville, Pennsylvania, after the denovo custody hearing scheduled then.

Alternatively, Father, Randy S. Zelen, kshall be granted visitation with the children durign the weekend of July 9 through 11 with said visitation to commence at 5:00 on Friday, July 9 and to end on Sunday July 11 at 8:00 p.m. The Father shall be entitled to utilize the services of an appropriate law enforcement agendy to ensure Respondent's compliance with this Order.

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

July 9, 1993 (1 copy atty)

July 9, 1993 Motion For Withdrawal of Request for Counciliation Date and Order, filed. ORDER: AND NOW, this 9th day of July, 1993, upon presentation and consideration of the herein Motion it is hereby ordered as follows:

1. Petitioner/Defendant's request that the prior Motion for Counciliation Date in the above custody matter is hereby granted and no conciliation date will be scheduled by this Court.

2. The hearing currently scheduled for July 19 through 23 shall begin on July 19 at 9:30 a.m. and shall continue up to and including July 22, 1993. No hearing shall be held on July 23, 1993.

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

July 13, 1993 copy to J. Irwin & D. Ford & Nelson

July 16, 1993 Motion to Confirm Rebuttal Witnesses and Order, filed. ORDER: AND NOW, thos 16th of July, 1993, upon presentation of the within Motion, it is hereby ORDERED, ADJUDGED and DECREED that Defendant/Husband, Randy S. Zelen, shall be permitted to call as rebuttal witnesses, Dr. Dwang Choi, M.D. as a rebuttal witness t Dr. Choffer.

Motion denied as to Dr. King without prejudice to the Defendant to renew this matter after Dr. Mazzone and Dr. Upton testify and after a copy Dr. King's report or summary of his testimony and opinions are given as soon as defendant counsel have it.

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

July 16, 1993 copy to Irwin, Stack, D. Ford, K. Nelson

→ *See below.

July 19, 1993 Motion for Reconsideration of MOtion to Confirm Rebuttal Witnesses and ORDER OF COURT filed. AND NOW, this 19th day of July, 1993, upon consideration of the within Motion for Reconsideration, it is hereby ORDERED, ADJUDGED and DECREED that the July 16, 1993 Order as it directly relates to Mark King, Ph.D. is hereby vacated and Mark King, Ph.D. is hereby confirmed as a rebuttal witness of Defendant/Husband. Furthermore the defendant is ordered to furnish a copy of Dr.Kings report at this time to the plaintiff.

BY THE COURT:
Gordon R. Miller, J.

7-20-93 Copy of Order to Attys. Irwin, Ford & Nelson

July 20, 1993 ORDER filed. AND NOW, July 19, 1993, Barbara Straub, Caseworker from Crawford County Children & Youth Services, is ORDERED and DIRECTED to testify in this case, in that she and Children & Youth Services shall bear no responsibility for any of the prohibitions against testifying and presenting evidence that are set forth in theChildren's Protective Services Act.

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

7-20-93 Copy of Order Dist. to Attys. Irwin, Nelson & Ford

July 27, 1993 ORDER Filed. AND NOW, July 23, 1993, at the close of the custody hearing the Transcript of Proceedings In-Chambers Colloquy of Rina Zelen taken Monday, May 24, 1993 shall be placed in a sealed envelope by the Prothonotary and not opened without further order of Court.

The outside of the envelope shall set forth the caption of the case, the contents of the envelope and that it has been sealed pursuant to this court order and not to be opened without further order of court.

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

7-27-93 Coipies dist. to Ford & Irwin.

7-27-93"Transcript sealed and put in Safe" at this Court Order.

July 28, 1993 ORDER filed. AND NOW, JUly 23, 1993, at the request of the defendant, agreed to by the plaintiff, it is ordered and directed that the following items shall be placed in a sealed container by the Prothonotary of Crawford County and shall not be opened by anyone without further Order of Court entered only after proper notice of the presentation of of any request has been given to the parties in this case.

1. All exhibits.
2. The Court's findings of July 23, 1993.
3. Any transcript of the testimony taken at the custody hearing in this case.

Furthermore the court reporters shall not prepare any transcript or transcribe any portion of the testimony or hearings heretofore held in this case without further Order of Court upon due application of an interested person or persons and after due notice of the presentation of the same has been given to the parties in this case.

Therefore the only matters that will remain unsealed shall be the pleadings in this case, motions, petitions and orders including but not limited to the custody order of July 23, 1993. The Findings and Memorandum that preceded the custody order of July 23, 1993 shall remain sealed until further Order of Court.

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

7-28-93 Copies dist. to Attys.& Ct. Rep. by Court.

7-28-93 Exhibits and sealed papers are filed in Locked Filing Cabinet in the Prothonotary's office, at this Court Order.

July 28, 1993 Exhibits filed.

→ * July 16, 1993 Motion to Reinstate Additional Hearing date and Order of Court filed. And Now,July 16, 1993 this case may continue to be heard on Friday, July 23, 1993 unless concluded prior thereto.

Gordon R. Miller

7-30-93 Copy of Order to Attys. Irwin, Nelson & Ford.

Aug. 2, 1993 Findings and Memorandum filed.

Aug. 26, 1993 ORDER filed. AND NOW, August 24, 1993, after an informal hearing held in open court where both parties appeared with counsel in response to the Defendant's Motion for Special Relief in regard to a custody Order recently filed, the matter for the Court to decide is rather narrow, that is which parents will have visitation and custody rights between this date and September 1, 1993 when the youngest two (2) children go to school. Accordingly, it is ORDERED as follows:

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Marixie O. Zelen
vs.
Randy S. Zelen

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Aug. 2, 1993 Order filed. AND NOW, July 23, 1993, after a hearing in this matter it is ORDERED and DECREED as follows:

1. The mother and father shall share legal custody of their minor children, Rina, Justin and Jamie. Said joint legal custody shall entitle both of the parents to equal access to any records relating to the children held by any third party including but not limited to school and medical records and shall also entitle both parents to equal input with regard to important matters in the life of any child and as to the educational and religious upbringing of a child, or any surgery, hospitalization or medical treatment.

2. Primary physical custody of Rina shall remain with her father. Primary physical custody of Justin and Jamie shall remain with their mother. Regular visitations and temporary custody in the children by the noncustodial parent are hereby granted as follows:

A. On Tuesday of each week during the months of September through May, and on Wednesday of each week during the months of June through August, all three children shall be together during the dinner hour from 4:30 p.m., prevailing time, through 7:00 p.m., prevailing time. On the first, third and fifth Tuesday or Wednesday of each month, as the case may be, the children shall be with the mother. On the second and fourth Tuesday or Wednesday of each month, as the case may be, the children shall be with the father.

B. The father shall permit Rina to spend at least two weekends per month in her mother's home with her two younger siblings. Absent a contrary agreement, those weekends shall be the second and fourth weekend of each month. Those weekends shall begin at 5:00 p.m., prevailing time, on Friday and shall end at 8:00 p.m., prevailing time, on Sunday. On all other weekends each month all three children shall be in the home of the father during the same time periods. For this purpose the first weekend of a month shall be the first weekend where Saturday or Sunday fall in the same month.

C. Holiday visitation shall take priority over other scheduled visitation. The parties are encouraged to agree as to holiay visitations 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 10:00 a.m. through 8:00 p.m., prevailing time. All other holiays shall be shared by the parents. Those shared holidays shall include Easter Day, Memorial Day, 4th of July, Labor Day, Thanksgiving Day, Yom Kippur, Rosh Hashanah, and Christmas each year. In odd numbered years the children shall be with their father on Memorial Day, Labor Day, Rosh Hashanah, and Christmas and with their mother on Easter, 4th of July, Yom Kippur and Thanksgiving between the hours of 10:00 o'clock a.m. and 8:00 p.m. In even numbered years the children shall be with their mother on Memorial Day, Labor Day, Rosh Hashanah and Christmas and with their father on Easter, 4th of July, Yom Kippur and Thanksgiving between the hours of 10:00 o'clock a.m. and 8:00 o'clock p.m.

During Hanakkah and Passover the parties shall reach an amicable agreement as to when the children shall be with each parent so that each parent shall have equal meaningful religious time with the children. It is suggested that the children spend three days at each of these two periods with e ach parent subject to the father's right to take the children with him for no more than five cays if he is visiting his parents in New York. If the father is visiting his parents in New York during the Hanukkah or Passover season he shall have the right to choose the days during which he shall take the children to New York with him. he shall be restricted however to choosing this time in odd numbered years during the Passover period and in even numbered years during the Hanukkah period.

The Holiday vistiations for Yom Kippur and Rosh Hashanah are scheduled to be between 10:00 o'clock a.m. until 8:00 o'clock p.m.. However if the chidlren are in school and the parent having the right to visit the chidlren does not keep a child out of school then the visitation shall begin thirty (30) minutes after the child leaves school or any regular extra curricular activity the child is engaged in at that time.

D. Spring breaks from school shall be divided by the parties on an annual basis. The father shall have all three children in his custody during spring breaks in even numbered years starting with 1994 and the mother shall have the children in her custody during spring breaks in odd numbered years starting with 1995. For this purpose the term "Spring Break" shall be defined as a period of time, including an immediately preceding or immidiately following weekend, that includes a total of no less than five days. Spring breaks shall take precedent over weekend and holiday visitations.

E. The father shall be entitled to have his chidlren in his custody for at least three weeks during summer recess from school and up to give weeks during summer recess if he desires to spend, at least, two weeks totally out of work and out of his office on a complete vacation from his office. These specific weeks shall be selected by the father provided that (a) he give the mother advance notice by May 15 of each year and (b) that no more than three weeks may be taken together unless the mother agrees. If the father desires to take the children on an extended vacation out of town he may do so provided the children have reasonable telephone access to their mother. If the father does not take the children out of town on a vacation trip then the mother shallhave the right to have the children in her custody at her home for, at least, a forty-eight (48) hour period every fourteen days. If the parties cannot agree on the exact time of this forty-eight (48) hours period, said period shall be over a weekend commencing at 5:00 o'clock on Friday and ending at 8:00 o'clock p.m. the following Sunday.

Mother shall have the right to have Rina in her custody for two weeks during the summer provided said weeks are weeks when the mother has custody of Justin and Jamie. The mother shall have the right to take her children on two weeks vacation during the summer time if she desires. The mother shall select this two week period within ten (10) days after fther selects. Those vacations can be with or without Rina at the mother's election. Holidays and Father's Day shall take priority over these summer time visitations unless the father is utilizing that period of time to take a vacation out of Meadville with the children. Summer time visitations shall take priority over weekend visitations.

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

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

5. The parents are encouraged to discuss arrangements for physical custody of the children; and, if the parties mututally 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. If they cannot otherwise agree, however, the schedules set forth by the Court in this order shall be followed without exception.

6. Each of the parents and any adult coming into regular contact with the children shall teach the chidlren 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 children.

7. Both parties shall reside in Crawford County, Pennsylvania and not move without further Order of Court unless they mutually agree to a move in writing..

8. Transportation shall be shared equally by the parties with the parent receiving any child having the responsibility to pick the child up.

9. Neither party shall take the children beyond the limits of the continental United States, except for reasonable vactions and trips to Canada, without further order of the Court or the approval of the other party in writing.

10. The father shallhave no sexually explicit, lewd or pornographic materials in his residence at any time while any child is there. He must take any such materials to other places while any child is present in his home.

Continued on page 333B

Marixie O. Zelen
vs.
Randy S. Zelen

Record continued to from page 332A
of record
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11. Each party shall permit reasonable telephone communications between the other parent and the children. This shall not be abused, especially by the mother. The Court believes but does not direct tha tone or two ten minute telephone calls in a seven day period is not unreasonable.
12. The father will not shower or bath with Jamie. He may assist her in showering and bathing provided he is covered or has clothes on from the waist down.
13. Each party shall give the other a home phone number where each party can be reached by the other or the children. If a phone call is made while a receiving party is at home adn the receiving party shall answer the phone. A par ty receiving a telephone message on a recorded answering machine shall return said phone call to the other parent immediately upon hearing the message.
14. The mother shall undergo appropriate counseling and treatment to, inter alia, deal with the matters raised by Dr. Sullivan, to-wit: histrionic personality disorder and dependent personaliy disorder. She and her consel may select the appropriate professional to provide that therapy and counseling.
15. The parties and children shall undergo such counseling and therapy aimed toward improving the ability of the family to cooperate, communicate, resolve disputes, etc. all in the best interest and welfare of the children. The parties shall select an appropriate counselor or counselors and the conseling shall begin within thirty (30) days from this date. The cost of counseling shall be paid by the father since he is the only parent gainfully employed. The father shall have the right to refer to the cost of counseling in any support proceeding. Whether or not the Court takes the cost of counseling into account in a support proceedings remains to be seen but the father shallhave the right to address that issue then, especially as it relates to income that he will have remaining after he pays support or his unusual expenditures.
16. The parties shall make available to any such counselors and professional providers the return and information presented by Drs. Sullian, Masone and Upton in these proceedings.

BY ORDER OF COURT,
Gordon R. Miller, J

Aug. 2, 1993 Copies dist. by court.

Sep. 16, 1993 Request for Hearing for Additional Attorneys Fees and Costs and ORDER filed. AND NOW, this 13th day of September 1993 upon presentation and consideration of the foregoing Request for Hearing a hearing is scheduled with the Court of Common Pleas of Crawford County, Pennsylvania, on the 6th day of October, 1993 at 3:00 o'clock p.m. in Courtroom No. 1 of the Crawford County Courthouse, Meadville, Pennsylvania.

FOR THE COURT:
Gordon R. Miller, J.

9-23-93 Copy of Order to Attys.Irwin, Barman, Ford & Nelson.

Sep. 17, 1993 ORDER filed. AND NOW, September 15, 1993, after rehearing and reconsideration of the visitation portions of the Order of July 23, 1993 it is ordered and decreed as follows:
1. The mother and father shall share legal custody of their minor children, Rina,Justin and Jamie. Said joint legal custody shall entitle both of the parents to equal access to any records relating to the children held by any third party including but not limited to school and medical records and shall also entitle both parents to equal input with regard to important matters in the life of any child and as to the educational and religious upbringing of a child, or any surgery, hospitalization or medical treatment.
2. Preimary physical custody of Rina shall remain with her father. Primary physical custody of Justin and Jamie shall remain with their mother. Regular visitations and temporary custody in the children by the noncustodial parent are hereby granted as follows:
A. Mid week visitations.
On Tuesday of each week during the months of September through May all three children shall be together during the dinner hour from 4:00 o'clock p.m. through 7:30 p.m. On the first, third and fifth Tuesday of each month the children shall be with the father. There shall be no mid-week visitations during June, July and August.
B. Weekend visitations.
During the months of September through May the children shall be with the mother on the second and fourth weekends of each month and with the father on all other weekends each month. Weekend visitations shall be from 5:00 o'clock p.m. on Friday to 8:00 o'clock p.m. Sunday. The first weekend of a month shall be the first weekend where Saturday and Sunday fall in the same month. There shall be no weekend visitations during June, July and August.
C. Holiday visitations.
The parties are encouraged to agree to holiday visitations, however, in the event that they cannot agree the following provisions shall be strictly followed. The children shall spend Mother's Day with the mother and Father's Day with the father, with said visitations to be from 10:00 o'clock a.m. to 8:00 o'clock p.m. The parties shall share Passover, Easter Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, Yom Kippur, Rosh Hashanah, Hanukkah and Christmas as hereinafter provided. In odd numbered years the children shall be with their father on Memorial Day, Labor Day, and Rosh Hashanah, and with their mother on Easter, Fourth of July, Yom Kippur and Thanksgiving. In even numbered years the children shall be with their mother on Memorial Day, Labor Day and Rosh Hashanah and with their fat her on Easter, Fourth of July, Jom Kippur andThanksgiving.
The hours of visitation shall be as follows:
(i) The hours of visitation for Easter and Thanksgiving shall be between 10:00 o'clock a.m. and 8:00 o'clock p.m.
(ii) The hours of visitation for Yom Kippur shall be from 4:00 o'clock p.m. the day before to 8:00 o'clock p.m. the next day.
(iii)The hours of visitation for Rosh Hashanah shall be from 4:00 o'clock p.m. the day before to 8:00 o'clock p.m. the second day thereafter.
(iv) When Memorial Day and Labor Day are celebrated on a Monday,the parent having visitations on those days shall also have the children for the entire weekend immediately preceding from 5:00 o'clock p.m. on Friday through 8:00 o'clock p.m. on Memorial Day and Labor Day, as the case may be. This provision for Memorial Day and Labor Day shall preempt any other weekend visitations.
(v) When the Fourth of July, as observed, falls on a Friday or a Monday then the parent having visitation on July 4th shall also have the children for t he entire weekend from 5:00 o'clock p.m.on Thursday (if the Fourth of July is observed on Friday) or 5:00 o'clock p.m. onFriday (if the Fourt of July is observed on Monday) through 8:00 o'clock p.m. on Sunday (if the Fourt of July is observed on Friday) or 8:00 o'clock p.m. on Monday (if the Fourth of July is observed on Friday) or 8:00 o'clock p.m. on Monday (if the Fourth of July is on Monday). This provision for the Fourth of July shall preempt any other weekend visitations.
(vi) The Christmas holiday shall consist of the period of time from Christmas Eve through New Year's Day. The first period shall be from 4:00 o'clock p.m. on Christmas Eve to 4:00 o'clock p.m. on December 28. The second period shall be from 4:00 o'clock p.m. on December 28th to 8:00 p.m. on January 1st. During odd numbered years the children shall be with their father for the first Christmas period and with their mother for the second Christmas period. During even numbered years the children shall be with their mother druing the first Christmas period and with their father during the second Christmas period.
(vii) For Passover and Hanukkah the paries are encouraged to reach an amicable agreement as to when the children shall be with each parent so that each parent shall have equal meaningful religious time with the children. If the parties are unable to agree then visitations during these religious periods shall be as hereinafter provided. Since each religious period begins with the evening of the first day and lasts for seven more days for a total of eight days each religious period shall be split into two periods of four days. T he first period shall commence

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at 4:00 o'clock p.m. three days later. The second period shall begin when the first period ends and shall end at 8:00 o'clock p.m. four days later. In odd numbered years the children shall spend the first period of Passover and the first period of Hanukkah with the father and the second period of Passover and the second period of Hanukkah with the mother. In even numbered years the children shall spend the first period of Passover and the first period of Hanukkah with the mother and the second period of Passover and the second period of Hanukkah with the fat her.

D. Spring break.

Spring breaks from school, where school is in recess for continuous days, shall be divided by the parties on an annual basis. For this purpose the term "spring break" shall be defined as a period of time, including an immediate preceding and/or immediate following weekend, that includes a total of no less than five days; otherwise this paragraph shall not apply. The father shall have all three children in his custody during spring breaks in even numbered years starting with 1994 and the mother shall have the children in her custody during spring breaks in odd numbered years starting with 1993. Spring break is not the same as Easter unless the spring break falls on or includes Easter Day. Spring break shall take priority over Easter if Easter Day is included in the time covered by the spring break.

E. Summer visitations.

If the parents are not able to agree on how the summer shall be split visitations during the summer shall be as follows: This schedule is generally arranged so that the children shall be with their primary custodial parent for approximately the first and last weeks of the summer recess and that the parties alternate the remaining weeks in two week blocks with the blocks beginning and ending at 10:00 o'clock a.m. on a Saturday with the father having an additional week at his election. The summer visitations shall be as follows:

1.From the last day of school until 10:00 o'clock a.m. on the first Saturday that occurs at least four days after the last day of school Jamie & Justin shall be with their mother and Rina shall be with her father.

2.From at 10:00 o'clock a.m. on that Saturday until 10:00 o'clock a.m. on the second Saturday following the children shall be with their father.

3.From at 10:00 o'clock a.m. on the Saturday last mentioned until 10:00 o'clock a.m. on the second Saturday following the children shall be with their mother.

4.From 10:00 o'clock a.m. on the Saturday last mentioned until 10:00 o'clock a.m. two Saturdays later the children shall be with their father.

5. From 10:00 o'clock a.m. on the Saturday last mentioned until 10:00 o'clock a.m. two Saturdays later the children shall be with their mother.

6. From 10:00 o'clock a.m. on the Saturday last mentioned until 10:00 o'clock a.m. onthe seventh day before the day school starts in the fall the children shall be with their father.

7. From 10:00 o'clock a.m. on the day last mentioned until the next time the father or mother has visitation rights in accordance with other terms and provisions of ths Order Jamie and Justine shall be with their mother and Rina shall be with her father.

The summer visitation schedule is also subject to the right of the father to select an additional seven day period which shall commence on a Saturday at 10:00 o'clock a.m. and end on the following Saturday at 10:00 o'clock a.m. from the mother's summer visitation period provided:

(a) The father gives written notice to the mot her no later than May 1 of each year which said notice shall specifically state the week he intends to elect. If he fails to give this notice he shall forfeit this extra week.

(b) The fat her may not elect to exercise the extra week of summer visitation in Jamie and Justin during the periods of time immediately following school in JUne and immediately preceding school in August or September as those periods of time as set forth in subparagraphs E-1 and E-7 shall be reserved solely for the mother as to Jamie and Justin.

Because the number of days for summer recess are not always the same it may well be that the fat her's last summer period may be less than fourteen days or more than fourteen days.

During summer visitation periods the children shall be given the opportunity to call the non-custodial parent if a child or the custodial parent desires that be done.

F. Priorities.

(i) Holidays, MOt her's Day and Father's Day shall take priority over all other scheduled visitations.

(ii)Passover shall prevail over Easter.

(iii) Spring break shall prevail over all other visitations.

(iv) Memorial Day, the Fourth of July, and Labor Day visitations shall prevail over weekend visitations.

(v) Spring break shall take priority over Easter visitations if Easter Day is included in the time covered by a spring break.

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

4. Neither parent shall take any of the children into any environment which might be detrimental to their development or to the development of their character or which dangerous to their physical persons.

5. The parents are encouraged to discuss arrangements for physical custody of the children; and, if the parties mutually agree to alternative arrangements to accomodate their and/or the children's schedules, they may adjust the physical custody arrangements accordingly and are encourage to do so by mutual consent and agreement. If they cannot otherwise agree,however the schedules set forth in this order shall be followed without exception.

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

7.Both parties shall reside in Crawford County, Pennsylvania and not move without further Order of Court unless they mutually agree to a move in writing.

8.Transportation shall be shared equally by the parties with the parent receiving a child having the responsibility to pick the child up.

9. Neither party shall take the children beyond the limits of the continental United States, except for reasonable vacations and trips to Canada, without further order of the Court or the approval of the ot her party in writing.

10. The father shall have no sexually explicit, lewd or pornographic materials in his residence at any time while any child is there. He must take any such materials to other places while any child is present in his home.

11. Each party shall permit reasonable telephone communications between the other parent and the children. This shall not be abused, especially by the mother. The Court believes but does not direct that one or two ten minute telephone calls in a seven day period is not unreasonable. This shall not be required during summer visitations which occur out of town.

12. The father will not shower or bathe with Jamie. He may assist her in showering and bathing provided he is covered or has clothes on from the waist down.

13. Each party shall give the other a home phone number where each party can be reached by the ot her or the children. If a phone call is made while a receiving party is at home the receiving party shall answer the phone. A party receiving a telephone message on a recorded answering machine shall return said phone call to the other parent immediately upon hearing the message.

14. The mother shall undergo appropriate counseling and treatment to, inter alia, deal with the matters raised by Dr. Sullivan, to-wit: histrionic personality disorder and dependent personality disorder. She and her counsel may select the professional to provide that therapy and counseling.

15. The parties and children shall undergo such counseling and therapy aimed toward improving the ability of the family to cooperate, communicate, resolve disputes, etc. all in the best interest and welfare of the children. The parties shall select an appropriate counselor or counselors and the counseling shall begin within thirty (30) days from this date. The cost of counseling shall be paid by the fat her since he is the only parent gainfully employed. The father shall have the right to refere to the cost of counseling in any support proceeding. Whether or not the Court takes the cost of counseling into account in a support proceeding remains to be seen but the father shall have the right to address that issue then, expecially as it relates to income that he will have remaining after he pays support or as to his unusual expenditures.

16. The parties shall make available to any such counselors and professional providers the reports and information presented by Drs. Sullivan, Masone and Upton in these proceedings.

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

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9-20-93 Copy of Order to Attys. Ford & Irwin.

Sep. 17, 1993 ORDER filed.AND NOW, September 15, 1993 the Court having simultaneously herewith, entered an order establishing visitation rights and granting the fat her certain visitation rights in his children for Rosh Hashanah in off numbered years, including 1993, and Rosh Hashanah commencing this date, said visitation rights this date may not be entirely approporate. Therefore the father shall not exercise the Rosh Hashanah visitations in 1993 as set forth in the Order entered this date.

Instead, however, that portion of the prior Order of July 23, 1993 shall remain in effect for this one day. The children shall be with their father this day from the close of school until 8:00 o'clock p.m. At that point Jamie and Justin shall be returned to the home of their mother.

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

Sept. 20, 1993 Copies dist. to Nelson& Irwin. Sept. 23, 1993 Copy Mailed to Atty. Ford.

Sep. 29, 1993 Counter-Motion for Attorneys Fees and Costs and ORDER OF COURT fileD. AND NOW, this 29 day of September, 1993 upon presentation of the within Motion, it is hereby ORDERED,ADJUDGED and DECREED that Defendant/Husband's Counter-Motion for Attorneys Fees andCosts shall be heard on October 6, 1993 at 3:00 P.M. before Judge Miller.

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

10-1-93 Copy of Order to Attys. Nelson & Irwin and Copy mailed to Atty.Ford.

Sep. 29, 1993 Petition for Special Relief filed.

Sep. 29, 1993 RULE filed. AND NOW, this 29 day of September, 1993, upon presentation and consideration of the foregoing, a rule is entered upon theDefendant to show cause, if any he has, why the prayer of the Plaintitt should not be granted.

RULE RETURNABLE ON THE 6 day of October, 1993, at 3:00 P.M. o'clock in Courtroom No. 1 or 2 of theCrawford County Courthouse, Meadville, PA 16335.

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

10-1-93 Copy of Rule to Attys. Nelson, & Irwin andCopy Mailed to Atty.Ford

Oct. 4, 1993 Motion For Continuance and ORDER filed. AND NOW, this 4th day of October, 1993 upon presentation and consideration of the within Motion, this hearing is rescheduled for the 24th day of November, 1993 at 2:30 o'clock p.m. in Courtroom No. 1 of the Crawford County Courthouse, Meadville, PA.

BY THE COURT:
Gordon R. Miller, J.

Oct. 8, 1993 Copy of Order to Attys. K. Nelson, J. Irwin and copy mailed to Atty. Denise Ford.

Dec. 20, 1993 Memorandum and Order filed. ORDER. AND NOW,December 20, 1993, for the reasons set forth in the foregoing memorandum the defendant is ordered anddirected topay the sum of$6,000 to apply onthe plaintiff's counsel fees in the following manner to-wit:

1. The sum of $1,000 onor before January 31, 1994 and a similar amount on or before the last day of each subsequent month until paid in full.

We make no award for expenses of litigation, expert's fees, etc., even though we don't invite additional petitions or hearings, because we have received no evidence as tothe nature and cost of such expenses.

The defendant's counter motion is denied as it is totally without merit.

This Order is without prejudice tothe plaintiff to claim additional payments for fees and expenses nor shall this Order affect the right of the Master or the Court to make adjustments or award additional amounts in the future or at the time a final divorce decree is entered.

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

12-20-03 Copies dist.to Irwin & Barmen

May 17, 1994 Petition to Modify Custody and ORDER filed. AND NOW, this 13th day of May, 1994, it is ordered that all parties in the above captioned case and their counsel shall appear for a mediation conference before Mediator, William Pineo, at a time to be set by the Mediator in the Crawford County Courthouse with the Child Custody Mediator as required by Rule 31(e) of the Court of Common Pleas of Crawford County, Pennsylvania.

BY THE COURT:
Gordon R. Miller, J.

5-19-94 Copy faxed to Irwin,Pineo & Barmen

May 23, 1994 AMENDED ORDER filed. AND NOW, this 20th day of May, 1994, it is ordered that the appointment of WilliamPineo as custody mediator herein is vacated,and further that all parties in the above captioned case and their counsel shall appear for a mediation conference before Mediator BRUCE SMITH, who has previously heard this matter, at a time to be set by the Mediator as required by Rule 31 (e) of the Court of Common Pleas of Crawford County, Pennsylvania.

BY THE COURT:
Gordon R. Miller,J.

5-23-94 FAXED copy to Attys. Barmen,Irwin,Pineo & Smith

June 1, 1994 Motion For Special Relief Regarding Custody and ORDER OF COURT filed. AND NOW, this 1 day of June, 1994, upon presentation of the within Motion, it is hereby ORDERED, ADJUDGED and DECREED as follows: Motion denied.

BY THE COURT:
Gordon R. Miller, J.

June 1, 1994 Copy Faxed to Attys.Denise Ford and James Irwin.

Aug. 15, 1994, Defendant's Inventory and Appraisement filed.

Aug. 31, 1994 MOtion for Appointment of Master in Divorce and ORDER APPOINTING MASTER, filed. AND NOW, September 8, 1994, David Pickens, Esquire is appointed Master in respect to the following claims: divorce, alimony, equitable distribution, counsel fees,costs and expenses and alimony pendente lite.

Deposit required: By Plaintiff $_____, By Defendant $1450.00

If not filed already, the parties are ordered to file their Pretrial Statements within thirty (30) days from this date. This case shall proceed under the new permanent Master System that will take effect on October 3, 1994.

PER CURIAM,
Gordon R. Miller, Judge

9-9-94 Faxed to Attys. Irwin, Nelson & Barmen, given Dave Pickens.

Continued on page 332 E

MARIXIE O. ZELEN

vs.

RANDY S.-ZELEN

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of record

A.D. 1992 - 1193

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Sept. 23, 1994 Motion to Vacate Appointment of Master In Divorce filed.

Sept. 23, 1994 Order filed. AND NOW, September 22, 1994, the plaintiff's motion to vacate the appointment of Master is denied.

At the time this motion was presented the plaintiff advanced two reasons in support of her motion. First was that she had not signed a consent under 23 Pa.C.S.A. 3301(c) or (d). Normally we would not proceed with econimic matters if a divorce could not be granted at the same time but in this case the plaintiff also alleged that the defendant committed indignities to the person. Threfore the case may proceed on fault ground (23 Pa.C.S.A. 3301(a)(6)) and is ripe for disposition.

The plaintiff also indicated that she desired to engage in discovery. That is not a basis to vacate the appointment of a Master but may be a basis to continue the Master's proceeding or to give the plaintiff a reasonable period of time to engage in discovery. We were tempted to enter an order extending the period of discovery at this point. We will not do that now because (a) the defendant, by filing his motion for the appointment of a Master, has represented to the Court on the record that discovery is complete form his viewpoint; and (b) we believe that the better practive would be for the plaintiff to make a specific request to the Court, if she desires to do so to engage in specific types of discovery for specific purposes.

If the plantiff proceeds soon withthe discovery request it will, most likely, be viewed favorably.

BY THE COURT,
Gordon R. Miller, J

Sept. 23, 1994 Copies dist. to Nelson, Pickens & Irwin

Oct. 17, 1994 Notice of Scheduled Pre-Hearing Conference filed.

Nov. 18, 1994 Summary of First Pre-Trial Conference, filed.

Nov. 23, 1994 Petition for Leave to Take Discovery and ORDER filed. AND NOW, this 21st day of November,1994,upon consideration of the within Petition for Discovery, a Rule is granted upon Defendant,Randy S.Zelen, to show cause why the relief requested in said Petition should not be granted.

RULE RETURNABLE, with hearing thereon on the 13th day of December, 1994, at 9:15 a.m. in Courtroom No. 1 of the Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT:
Gordon R. Miller,J.

11-23-94 Faxed to Attys.Irwin&Barmen

Nov. 23, 1994 Petition for Additionall Counsel Fees and Expert Fees and ORDER filed. AND NOW, this 21st day of November, 1994 upon consideration of the foregoing Petition, a hearing is scheduled with the Court of Common Pleas of Crawford County, Pennsylvania, onthe 13th day of December, 1994 at 9:15 o'clock a.m. in Courtroom No.1 of the Crawford County Courthouse, Meadville, Pennsylvania.

BY THE COURT:
Gordon R.Miller,J.

11-23-94 Faxed to Attys.Irwin& Barmen

Dec. 20, 1994 MEMORANDUM AND ORDER filed. AND NOW, Dec. 20, 1994, the plaintiff's petition for additional counsel fees and expert fees as well as the plaintiff's petition for leave to take discovery are granted and it is hereby ordered as follows:

1. The defendant shall pay the sum of $6,000 to apply on plaintiff's counsel fees. He shall pay that on a monthly basis with the first payment of $1,000 being due on or before Jan. 31, 1995 and a similar amount on or before the last day of each subsequent month until paid in full.

2. Within fifteen (15) days from the date of this order the defendant shall deliver a true and correct copy of appraisals performed by John Pritchard and Bruce Nichols for review by the plaintiff and her counsel and a determination as to whether or not the plaintiff will stipulate to said appraisals and values. If the plaintiff stipulates to said values she shall do so within fifteen (15) days after she receives the appraisals. In the alternative, if the defendant does not want to disclsoe these appraisals at this time (but he will be obligated to disclose them pursuant to Pa. R.C.P. 1920.33(b) (2) he shall notify the plaintiff and the plaintiff shall obtain her own appraisal of the marital real estate and applicable and relevant personalty. If she does that and if her attorney certifies in writing to counsel for the defendant that the appraisals have been ordered and will be performed and gives counsel for the defendant the name or names of the appraisers the defendant shall, within thirty (30) days thereafter, deliver to counsel for the plaintiff a payment of $1,000 to apply on these appraisals. If this is the course that the parties take said appraisals shall be completed within sixty (60) days from this date.

3. The defendant shall file a proper current inventory and expense statement pursuatn to Pa. R.C.P. 1920.33 within thirty (30) days from this date, which said statement shall be accurate and complete as of Dec. 31, 1994.

4. The plaintiff shall be permitted to employ Roman Iwanyshyn and Associates to analyze, appraise and value the defendant's professional corporation and his interest therein. With respect to said evaluation:

a. The defendant shall pay the sum of $2,500 to counsel for the plaintiff within thirty (30) days from this date which said sum shall apply to reasonable, customary and usual fees of Mr. Iwanyshyn.

b. The defendant shall furnish or make available to counsel for the plaintiff and Mr. Iwanyshyn any and all records and documents which the defendant or his professional corporation have that would bear on a valuation of said professional corporation and/or the defendant's interest therein. Those documents shall apply to the years 1990-1994 inclusive. Said documents shall include but shall not be limited to, balance sheets, profit and loss statements, net worth statements provided for any loans, bank checks, bank statements, deposit slips, checks, periodic financial reports, audit reports, statement of changes in any balances or funds, cash flow statements, ledgers, journals, accounts receivably, accounts payable, federal and state tax rturns, corporate income and capital stock tax returns.

c. If it is necessary for Mr. Iwanyshyn, in his professional opinion, to discuss financial, valuation or tax matters with the defendant's accountants or the accountants for the defendant's professional corporation Mr. Iwanyshyn shall be permitted to do so provided that the defendant and/or his counsel may be present during such discussions.

d. The parties shall cooperate with each other in an effort to conclude Mr. Iwanyshyn's work by March 1, 1995.

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Michael David Ruck
vs
Melinda A. Ruck

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II. When the evaluation is completed a report of same shall be furnished counsel for the parties and the child custody mediator and a further order may be entered with or without a further mediation conference, or hearing.

III. Pending further order of court the parties shall abide by the prior court order dated April 6, 1994 and shall specifically abide by Paragaraph E of such order prohibiting the parties from making disparaging remarks about each other during custody exchange or otherwise.

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

V. Costs of the mediation confeence shall be paid by Crawford County. Anthony J. Vardaro, J.

Nov. 3, 1994 Faxed to Lindsay, Brode & Fuller, Mailed to Plf. & Dft.

Nov. 22, 1994 Request for Hearing De Novo, filed.

Nov. 22, 1994 Motion for Hearing De Novo and Custody Evaluation of the Parties, filed.

Nov. 22, 1994 Memorandum and Order filed. This is a custody action involving custody of RandallRyan Ruck was born on October 1, 1987.

This case began when a custody complaint was filed on October 13, 1992 and the parties have been before the Curt and/or infront of a mediator on humerous occasions since then.

Most recently, on January 26, 1994, the Defendant filed a petition for modification of custody order and on April 6, 1994, an order was entered after that mediation.

The Defendant apparently was not pleased with the result of that mediation and petitioned for a modification with request to return to mediation on August 16, 1994. We entered an order doing so and further mediation was held resulting in an order of October 31, 1994 in which the mediator required the parties to continue to abide by the court order dated April6,1994 and further ordered that:

> Counsel for the parties shall promptly arrange for a custody evaluation of the parties and child by Meadville Medical Center, MentalHealth Department,which custody evaluation shall include mother's boyfriend and father's fiancee.

As a result of that order,the Plaintiff has filed a request for a de novo hearing and the Defendant has filed a request for a de novo hearing in which she petitions the Court to order "...that the parties undergo a custody evaluation and to the extent that the Defendant's evaluation is not covered by her Pernnsylvania medical card,the Court shall pay such costs."

First of all, although it doesn't say it,we read the mediator's order as intending that once the "custody evaluations" are done the matter would go backto mediation but both parties have now already requested a de novo hearing. Secondly,we are not sure what a "custody evaluation" encompasses. Finally,it is necessary to determine how any evaluationor evaluations done will be paid for since the Court has no budget for what isproposed and it appears that the parties do not have the funds to pay for all or part of the same.

Accordingly, this matter is scheduled for a hearing in front of the undersigned on November 28, 1994, at 11:00 A.M. in Courtroom No.2,Crawford County Courthouse, for the purpose of discussing how this matter shall go forward.

The parties shall be prepared to advise the Court as to what they anticipate a "custody evaluation" will be and what funds or sources of funding their clients have available with respect to payment for such services.

BY THE COURT:
Anthony J.Vardaro,J.

11-22-94 Copies dist.by Court

Nov. 23, 1994 Motion for Rule to Show Cause and RULE TO SHOW CAUSE Filed. AND NOW, November 23, 1994, upon presentation and consideration of the foregoing Motion, a Rule is entered upon the Defendant to show cause,if any she has, why Defendant should not be required to pay one-half of the cost of a custody evaluation.

THIS RULE IS RETURNABLE ON November 28, 1994, in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania at 11 o'clock A.M.

BY THE COURT:
Anthony J. Vardaro, J.

11-23-94 Faxed to Atty. Lindsay

Nov. 28, 1994 Verification filed. I verify that the facts set forth in the foregoing are true and correct to the best of my knowledge, information, and belief; 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.

Michael D.Ruck 11/23/94

Nov. 29, 1994 Order filed. AND NOW, November 28, 1994 this matter is before the Court with regard to our memorandum and order of November 21, 1994.

After informal argument between counsel for the parties, the order entered by us on October 3, 1994 as a result of mediation before John Fuller, Esq., is rescinded except to the extent that it keeps in full force and effect pending further Order of Court.

The Court Administrator is directed to schedule this matter for de novo custody hearing before the undersigned at the convenience of the Court with at least one day schedule for this hearing.

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

Nov. 29, 1994 Copies dist. Lindsay and Brode

Dec. 15, 1994 Assignment of Hearing Date filed. AND NOW, December 13, 1994, the Court Administator having been directed by the Court to schedule a DeNovo Custody Hearing in the above case, said hearing is hereby set for January 25, 1995 at 9:15 A.M., in Courtroom No. 2, before The Honorable Anthony J. Vardaro, Crawford County courthouse, Meadville, Pennsylvania.

FOR THE COURT,
Ann A. Walker, J

Dec. 15, 1994 Copies to Lindsay & Brode

an. 25, 1995 Motion to Withdraw Appearance of Brian J. Lindsay,Esquire, Attorney for Plaintiff and ORDER filed. AND NOW, this 25 day of January,1995, upon consideration of the Motion to Withdraw,said Motion is hereby granted, but the Court notes that the Attorney for the Plaintiff was of record and did not appear at a scheduled hearing this day. A request for withdrawal should have been filed previously.

BY THE COURT:
Anthony J. Vardaro,J.

1-26-95 Faxed to Attys. Lindsay & Brode

Jan. 25, 1995 Material/Questions from Pltf & Deft's Atty. filed. (Not Exhibits)

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May 18, 1993 Defendant's List of Witnesses and Exhibits in Re Custody, filed.

May 21, 1993 Motion in Limine on Behalf of the Plaintiff filed.

May 21, 1993 Order filed. AND NOW, this 21st day of May, 1993,pursuant to the Plaintiff's Motion, evidence in the above-captioned matter shall be limited to those items specifically identified on the parties Witness and Exhibit Lists, reserving right to call rebuttal witnesses. Neither party gives up their right to object to any such rebuttal witnessess for other appropriate reasons.

BY THE COURT:
Anthony J.Vardaro, J.

May 25, 1993 Copy of Order to Attys.Irwin, Barmen, Ford & Nelson.

May 25, 1993 Exhibit List filed.

May 25, 1993 Witness List filed.

May 25, 1993 Memorandum of Law: Lay Witness Opinion Testimony filed.

May 28, 1993 ORDER filed. AND NOW, May 24, 1993, before the completion of the hearing in this case,it appears that the parties want further clarification on summer visitations.

ACCORDINGLY,it is ORDERED as follows:

1. The father shall have custody of his three (3) children and have the right to take them into his custody for two (2) weeks; that is, from 10:00 o'clock a.m. on Saturday, June 19, 1993, until 7:00 o'clock p.m. on June 27, 1993. And then from 10:00 o'clock a.m. on July 31, 1993, and return them at 7:00 o'clock p.m. onAugust 8, 1993.

2. The mother shall have the right to have all three of her children in her custody from 7:00 o'clock p.m.on Sunday, August 8, 1993, through Saturday, August 15, 1993.

3. These summer vacation periods shall supersede the regular custody provisions set forth in the Order of February 16, 1993. Except as modified on supersede this Order, the Order of February 16, 1993 continues to remain in full force and effect until further Order of Court.

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

May 28, 1993 Copies given to Attys. Nelson, Irwin & Ford.

May 28, 1993 ORDER. AND NOW, May 24, 1993, at the close of the court day, this case is continued until Monday, July 19, 1993, at 9:30 o'clock a.m., in Courtroom No. 1, The attorneys shall endeavor to be efficient and to bring this case to a close as soon as possible. Unless some unusual and unexpected event takes place, all of the testimony and all of the evidence in this case shall be received and concluded by Friday,July 23, 1993.

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

May 28, 1993 Copies given to Irwin,Nelson & Ford.

May 28, 1993 ORDER filed. AND NOW, May 24, 1993, at the close of the court day, the Court has continued this hearing until July 19, 1993. It appears that the defendant,Dr. Randy Zelen, may call George W. DeMuth, M.D. as a witness, and the paintiff, Marixie O. Zelen, intends to call Dr. Teresa Upton, and Dr.Victor Masone, as witnesses in her case in chief. All of those witnesses were properly listed on the witness lists each party submitted to each other inaccordance with a prior Order of Court. None of those witnesses, if they intend to express opinions and testify as exoert witnesses, have submitted any written reports nor has there been any disclosure of the subject matter on which each will testify.

The defendant objects to the testimony of Drs. Upton and Masone for many reasons, including but not limited to the fact that they have not seen the children or interviewed any of the parties. To the extent that Dr. DeMuth may render opinions and testify as an expert, the plaintiff objects because he has not received any report from Dr. DeMuth.

ACCORDINGLY, it is ORDERED as follows:

If Dr. DeMuth and/or Dr.Upton and/or Dr. Masone would be testifying as experts and giving opinions beyond the knowledge of the ordinary lay person, which does not include fact evidence and fact testimony, the parties plan to call said expert and elicit said expert's opinion, shall by 5:00 o'clock p.m. on July 1, 1993,submit to the other party the subject matter on which the expert is expected to testify and the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion or, in lieu thereof,submit a full, complete and separate report signed by the defendant. The Court in essence is adopting for this purpose Pa.R.C.P. 4005.3 (a) (1).

In the event that any of these witnesses are going to be fact witnesses, then obviously no such report or summary or statement need be given.

The Court reserves ruling on whether to accept the expert testimony in any event, but is simply now requiring the advance submission of the reports and opinions. By doing this, neither party has given up or waived any right to make any othe obejctions to the testimony of these witnesses.

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

May 28, 1993 Copies given to Irwin, Ford & Nelson.

Jun. 24, 1993 Motion to Compel and For Leave of Court to Depose Plaintiff filed.

Jun. 24, 1993 ORDER FILED. AND NOW, JUne 23, 1993, upon presentation of the within motion said motion is denied with respect to discovery in the support action. Said motion is also denied with respect to the custody action however after the defendant receives the plaintiff's answers to interrogatories and is able to conveince the Court that further discovery is appropriate the Court will reconsider this motion.

The plaintiff shall answer the interogatories propounded by the defendant within ten (10) days from this date or suffer sanctions for failure to do so.

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

June 24, 1993 Copies dist. to Ford & Irwin.

Jun. 24, 1993 Motion to Disclose Testimony of Rina Zelen,or inthe Alternative, the Retaking of said Testimony with the Understanding that same shall be disclosed to the parties,filed.

Jun. 24, 1993 ORDER filed. AND NOW, June 23, 1993, before ruling on this motion the Court hereby schedules a hearing for Friday, June 25, 1993 at 4:00 o'clock p.m. inCourtroom No. 1 of the Crawford County Courthouse for the purpose of exploring this matter with Rina Zelen who was told at the time the testimony was taken that her testimony would not be disclosed to her parents.

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

6-24-93 Copies dist. to Ford & Irwin.

June 28, 1993 Motion For Temporary Release of Passport of Rina Zelen and Order filed. AND NOW, this 25 day of June, 1993, it is hereby ORDERED, ADJUDGED and DECREED as follows:

1. The Prothonotary of theCourt of Common Pleas of Crawford County shall release the passport of Rina Zelen to Rina Zelen and her father, Randy S. Zelen, for the purspoe of Rina obtaining her driver's license permit;
2. Once Rina has sued the passport for the purpose of her driver's license permit, said passport shall immediately be returned to the Prothontoary's Office of the Court of Common Pleas of Crawford County.

Gordon R. Miller J

June 28,, 1993 Copies of order to Atty's Ford, Nelson and Irwin

Continued on Page 332

Marixie O. Zelen

vs.

Randy S. Zelen

Record continued from page 333

of record

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June 28, 1993 Motion for Attachment of Vertification To Motion For Psychiatric Evaluations of the Parties filed.

June 28, 1993 Motion For Psychiatric Evaluations of the Parties filed.

June 28, 1993 Order filed. AND NOW, June 25, 1993, upon receipt and consideration of the wtihin Motion for Psychiatric Evaluations of the Parties said motion is denied.

BY ORDER OF COURT,
Gordon R. Miller, J

June 28, 1993 Copies of order to Atty's. Nelson, Ford & Irwin

June 28, 1993 Motion For ConsiliationDate and Motion for Cancellation of Date filed.

June 28, 1993 Order filed. AND NOW, June 25, 1993, after receipt and review of the within motion for conciliation date and cancellation of the last date of hearing it is ordered as follows:

1. The last date scheduled for trial to-wit: July 23, 1993 is hereby cancelled. The parties are encouraged to complete this case before July 23, 1993.
2. Since this case does not involve a jury the Court will not hold a conciliation conference but is willing to hold a settlement conference if both parties agree in writing. The Court believes that the parties should resolve their differences amicabley. There is nothing to prevent them from hiring a conciliator or mediator. The Court has already afforded mediationonce through Bruce L. Smith, Esquire, cusotdy mediator. If both parties agree in writing that the Court can hold a settlement conference to hear the respective views of the parties and to give the parties the benefit of the court's analysis the parties shall submit a joint motion for conference to the court Administrator and the Court Administrator will set aside time prior to July 19, 1993 for that purpose. None of the paraties shall be present. The Court will meet with the attorney's

BY ORDER OF COURT,
Gordon R. Miller, J

July 1, 1993 Copies of order to Atty's Nelson, Ford and Irwin

June 28, 1993 Upon praecipe of Atty. Nelson the herein verification executed by the Defendant is hereby attached to Motion for Consiliation Date and Cancellation of Date.

June 28 , 1993 Motion for Psychological Evaluation and for Updated Evaluations filed.

June 28, 1993 Order filed. AND NOW, June 25, 1993, upon receipt and consideration of the within Motion for Psychological Evaluation and for Updated Evaluations said motion is denied.

BY ORDER OF COURT,
Gordon R. Miller, J

July 1, 1993 Copies of order to Atty's Nelson, Ford & Irwin

June 28, 1993 Upon praecipe the herein verification executed by the Defendant is hereby attached to Defendant's Motion for Pysichological Evaluation and updated Evaluations filed.

June 28, 1993 Praecipe For Attachment Of Verification to Motion filed.

July 16, 1993 Motion for Leave to Amend Defendant's List of Witnesses re: Custody and ORDER OF COURT filed. AND NOW, this 14 day of July, 1993, upon consideration of the within Motion, it is hereby ORDERED, ADJUDGED and DECREED that Defendant's List of Witnesses and Exhibits in Re: Custody is hereby amended to include the following witness:

Barbara Straub, Investigator
Children and Youth Services of Crawford County
898 Park Avenue
Meadville; PA 16335

BY THE COURT:
Gordon R. Miller, J.

7-16-93 Copy of Order to Attys. Nelson, Ford & Irwin.

July 16, 1993 Motion for Leave to amend Plaintiff's List of Witnesses Re: Custody filed.

July 16, 1993 ORDER filed. AND NOW, this 14 day of July, 1993, upon consideration of the witin Motion, it is hereby ORDERED, ADJUDGED and DECREED that Plaintiff's List of Witnesses and Exhibits in regard to Custody is hereby amended to include the following witnesses:

Dr. Rebecca K. Chaffee, D.O.
140 West Second Street
Erie, Pennsyvania 16507

David Venanzi
Clarion Psychiatric Center
Clarion,Pennsylvania

BY THE COURT:
Gordon R. Miller, J.

7-16-93 Copy of Order to Attys.Nelson, Ford & Irwin.

July 28, 1993 Order filed. AND NWO, July 23, 1993, after hearing the contempt petition of Randy S. Zelen, it is dismissed without further proceedings.

BY ORDER OF COURT,
Gordon R. Miller, J

July 28, 1993 Copies dist. to Irwin and Ford

Nov. 24, 1993 Proof of Service filed.

CONTINUED TO PAGE 332D

SEE PAGE 332D

May 23, 1994 Amended Order filed. AND NOW, this 20th day of May, 1994, it is ordered that the appointment of William Pineo as custody mediator herein is vacated, and further that all parties in the above captioned case and and their counsel shall appear for a mediation conference before Mediator BRUCE SMITH, who has previously heard this matter, at a time to be set by the Mediator as required by Rule 31 (e) of the Court of Common Pleas of Crawford County, Pennsylvania

BY THE COURT:
Gordon R. Miller, J.

5-23-94 Faxed copy to Attys. Barmen, Irwin,Pineo & Smith

Aug. 26, 1993 Appearance of Shafer, Swick, Bailey, Irwin & Stack by Jeffrey K. Millin, Esquire for Clemson Roofing, Additional Defendant, filed.

Sept. 2, 1993 Answer Of Clemson Roofing to Complaint To Join Additional Defendant And New Matter filed, on behalf of Clemson Roofing, Add'l. Deft. filed.

Sept. 2, 1993 Reply To New Matter Of Russo Heating & Air Conditioning on behalf of Clemson Roofing filed.

Sept. 2, 1993 Reply Of Snydergeneral Corporation To the New Matter of Defendants, Wm. G. Sesler and Gregory P. Sesler on behalf of Snyder General Corp., filed.

Sept. 2, 1993 Reply of Snydergeneral Corporation To The New Matter Of Allegheny Engineering Co. on behalf of SnyderGeneral Corporation , filed.

Sept. 2, 1993 Reply Of Snydergeneral Corporation To The New Matter of Russo Heating & Air Conditioning on behalf of SnyderGeneral Corporation, filed.

Sept. 3, 1993 Reply of Clemson Roofing to New Matter of Defendants, William G. Sesler and Gregory P. Sesler t/d/b/a Commonwealth Realty I, II, III, filed.

Sept. 3, 1993 Reply of Clemson Roofing to New Matter of Additional Defendant, Allegheny Engineering, Co., filed.

Sept. 10, 1993 Defendant's Reply to New Matter and Reply to New Matter Pursuant to 2252(D) of Clemson Roofing, filed.

Sep. 13, 1993 Reply to New Matter of Clemson Roofing, filed.

Sept. 15, 1993 Reply To New Matter Of Russo Heating and Air Conditioning filed.

Sept. 16, 1993 Verification To Reply To New Matter Of Russo Hearing & Air Conditioning filed.

Sept. 16, 1993 Verification To Reply To New Matter Of Defendants, William G. Sesler and Gregory P. Sesler, t/d/b/a Commonwealth Realty I, II, III filed.

Sept. 16, 1993 Verification To Reply To New Matter Of Additional Defendant, Allegheny Engineering Co filed.

Sept. 16, 1993 Verification To Answer Of Clemson Roofing To Complaint To Join Additional Defendant and New Matter filed.

Sep. 21, 1993 Reply of Snydergeneral Corporation to the New Matter of Clemson Roofing, filed.

Dec. 30, 1993 Notice of Deposition of Michael Till, filed.

Dec. 30, 1993 Notice of Deposition of Gregory Sesler, filed.

Jan. 7, 1994 Reply to New Matter of Clemson Roofing on behalf of Allegheny Engineering Co., filed.

Feb. 22, 1994 Notice of Rescheduling of Deposition of Gregory Sesler filed.

Feb. 22, 1994 Notice of Rescheduling of Deposition of Michael till, filed.

April 21, 1994 Upon Praecipe of Swensen, Perer, Johnson & McCandless; appearance of David A. Schroeder, Esquire, on behalf of Allegheny Engineering Company, filed.

June 8, 1994 Notice of Rescheduling of Deposition of Michael Till filed.

June 8, 1994 Notice of Rescheduling of Deposition of Gregory Sesler filed.

June 15, 1994 Notice of Rescheduling of Deposition of Michael Till,filed.

June 15, 1994 Notice of Rescheduling of Deposition of Gregory Sesler, filed.

Aug. 10, 1994 Stipulation ofDiscontinuance and Consent Order filed. STIPULATION OF DISCONTINUANCE, AND NOW, come the parties to the above-captioned matter and hereby stipulate and agree that any and all claims and causes of action filed by any party against Commonwealth Realty I and Commonwealth Realty II are hereby discontinued.

CONSENT ORDER. AND NOW, this 17 day of August, 1994 in consideration of the Stipulation of Discontinuance, all claims and causes of action filed by any party against Commonwealth Realty I and Commonwealth Realty III are hereby Discontinued. Commonwealth Realty I and Commonwealth Realty III are dismissed from the case.

It is FURTHER ORDERED that the caption of the case is hereby amended to: Marilyn L. Putnam and Richard E.Putnam, Plaintiffs, v. William G. Sesler and Gregory P. Sesler t/d/b/a Commonwealth Realty II and Russo Heating & Air Conditioning, Defendants v. Clemson Roofing, Allegheny Engineering Co., and Snyder General Corporation, Additional Defendants.

BY THE COURT:
Anthony J. Vardaro,J.

8-17-94 Faxed to Attys. Millin, Milhouse, Slater,Bax, mailed Newborg & Micale

Aug. 18, 1994 Notice of Service of Plaintiffs' Request for production of documents directed to Defendants William G. Sesler and Gregory P. Sesler t/d/b/a Commonwealth Realty I, II, III, filed.

Sept. 26, 1994, Notice of Service of Plaintiffs answers to Interrogatories and REquest for Production of Documents of Sesler t/d/b/a Commonwealth Realty, I, II, III filed.

Mar. 29, 1995 Notice of Scheduling of Deposition of Terry Stallsmith Pursuant to Rule 4001.7 of the Pennsylvania Rules of Civil Procedure, filed.

Mar. 31, 1995 Notice of Deposition of John Walkage filed.

Mar. 31, 1195 Notice of Deposition of Irene Calvin filed.

Mar. 31, 1995 Notice of Deposition of David Colwell filed.

Mar. 31, 1995 Notice of Deposition of Wilhemina Mummau filed.

July 11, 1995, Notice of Re-Scheduling of Deposition of Terry Stallsmith Pursuant to Rule 4001.7 of the Pa. Rule of Civil Procedure, filed.

Continued On Page 346

The two (2) youngest children shall continue to be with their father until 12:00 noon on Friday, August 27, 1993 when they shall go to their mother's home and there remain in her custody until school starts. This paragraph shall apply to the youngest two (2) children.

Rena Zelen shall remain with her father until 12:00 o'clock Noon on Friday, August 27, 1993 and then go with the other two (2) children to her mother's residence and there remain in her custody until 8:00 o'clock p.m. on Sunday, August 29, 1993, whereupon she shall return to her father's residence at that time, which means she shall be with er father for the last two days before school starts.

It appears that the father has the right to take his children into his custody for the first weekend in September and also has the right to Labor Day, which follows the first weekend in September. Accordingly, the father need not return the children on Sunday evening, but may keep them over until Labor Day on Monday. BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Aug. 26, 1993 copies dist to Irwin & Nelson

Aug. 26, 1993 ORDER filed. AND NOW, August 24, 1993, the parties appeared in court on a related matter and pointed out several problems with the visitation Order we entered July 23, 1993. The Defendant and his counsel pointed out some problem areas as well as suggestions for change. The Plaintiff and her counsel was not able to react to those suggestions. Accordingly, the parties are ORDERED and DIRECTED to make a good-faith effort to resolve any differences to agree to changes and to agree to ways of solving some inconsistencies and impracticalities in the Order of July 23, 1993. If they are able to do so, they shall agree in writing, signed by counsel and the parties and submit said writing as a stipulation to the Court and the Court will enter an Order thereon.

A hearing is hereby scheduled for Wednesday, September 8, 1993 at 1:30 p.m. in Courtroom No. 1, 2 or 3, where the parties will again appear with counsel and present their respective positions with respect to changes and m odifications if they have not prior thereto reached a written agreement so that the Court will hear their respective positions and determine whether or not there should be any changes or modifications to the visitation provisions of the July 23, 1993 Order.
BY ORDER OF THE COURT,
Gordon R. Miller, P.J.

Aug. 26, 1993 copies dist. to Irwin & Nelson

Nov. 3, 1993 Motion For Continuance and Order, filed. AND NOW, this 29th day of October, 1993, upon presentation of the within Motion, it is hereby ORDERED, ADJUDGED and DECREED that the hearing originally scheduled for November 24, 1993 at 2:30 P.M. is hereby continued to the 29th day of November, 1993 at 9:30 o'clock, a.m. in Courtroom No. 1 of the Crawford County Courthouse, Meadville,Pa. NO FURTHER CONTINUANCES FOR EITHER PARTY UNLESS THEY BOTH CONSENT IN WRITING.
BY THE COURT,
Gordon R. Miller, P.J.

Nov. 9, 1993 copy to Irwin & Nelson

June 29, 1994 TEMPORARY ORDER OF COURT, filed. AND NOW, this 28 day of June, 1994, after additional Mediation and upon recommendation of the Child Custody Mediator, it is hereby ordered and decreed that:

1. The Order of Court entered September 15, 1993, shall remain in full force and effect without modification as the Court Order in this Case.
2. The cost of Child Custody Mediation shall be paid 50% by the plaintiff and 50% by the defendant.
3. This Order shall be a Temporary Order, but shall become a permanent Order unless exceptions are filed by either party within ten days from the date of this Temporary Order. BY THE COURT:
Anthony J. Vardaro, J.

July 8, 1994 faxed to Irwin, Nelson & Ford. Sent Sent Plf. & Dft.

Jul. 6, 1994 Emergency Motion for Release of Passport filed.

Jul.6, 1994 ORDER filed. AND NOW, this 6 July, 1994 upon consideration of the foregoing motion, it is hereby ordered as follows:

1. The Prothonotary is directed to release Marixie O. Zelen's passport to her immediately for the purposes of attending a funeral in the Philippines.
2. Marixie O.Zelen shall not take the parties three children with her.
3. Upon her return, Marixie O.Zelen shall relinquish to the Court her passport.

BY THE COURT:
Anthony J. Vardaro, J.

7-6-94 Faxed to Attys.Stack & Ford

Aug. 31, 1994, Budget and Expense Statement of defendant filed.

Jan. 5, 1995 Defendant's Affidavit Under Section 3301(d) of the Divorce Code by Randy S.Zelen, Defendant,filed.

Jun. 14, 1995 Petition for Return of Passports and RULE TO SHOW CAUSE filed. AND NOW, this 14 day of June,1995,upon consideration of Plaintiff/Petitioner's Petition, a Rule to Show Cause why this petition should not be granted is hereby set for the 13th day of July, 1995 at 11:30 o'clock A.M. in Courtroom No. 1 of theCrawford County Courthouse, Meadville, Pennsylvania.
BY THE COURT:
Anthony J.Vardaro,J.

6-14-95 Faxed Irwin & Barmen

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MARIALICE OSMAN
VS.
WILLIAM OSMAN

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Sept. 3, 1993 Memorandum and Order, filed. This matter is now before the Court on the defendant's praecipe to transmit the record for a final divorce under 23 Pa. C.S.A. 3301(c). The parties have both signed appropriate affidavits of consent.

The original complaint raised counts in divorce, custody and equitable distribution. On praecipe (a misnomer) which this Court treated as a motion of the plaintiff the counts for custody and equitable distribution were withdrawn by Order of May 18, 1993.

However, the plaintiff, through other cunsel who had not entered his appearance on her behalf, filed a petition for custody on August 17, 1993 and a custody mediator was appointed.

The Court will not enter a final decree until there is clarification from the parties, especially the plaintiff as to (1) who represents hr in this matter; and (2) whether custody is still an issue to be preserved by the decree or whether custody is no longr an issue and will be withdrawn.

Thus the Court will not respond to the defendant's request to transmit the record for a final decree under the present state of the record.

This file is returned to the Prothonotary for the parties and counsel to take appropriate steps to deal with the petition for custody modification.

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

Sept. 9, 1993 copy to B. Walton, C. Brode, J. Tinko, W. Pineo

Sept. 16, 1993 TEMPORARY ORDER, filed. AND NOW, this 15th day of September, 1993, after Mediation in the above referenced matter and upon the recommendations of the Child Custody Mediator,

IT IS HEREBY ORDERED AND DECREED THAT:

1. The parties shall share legal and physical custody of the subject minor children, Chynna and Shannon Osman.

2. The parties shall share with each othe any and all information which each may have regarding the health, education, and the major events in the life of the subject minor children.m 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. Examples of information which the parties are expected to share and health care and school personnel to provide are the names and addresses of all physicians and other healthcare providers, information regarding any illness sor accident and treatment thereof, notices of parent-teacher conferences, and photocopies of report cards. The foregoing list is not inclusive and all other pertinent information is expected to be shared or provided.

3a. The mother shall have primary physical custody of Chynna and the father shall have primary physical custody of Shannon.

b. The mother will have temporary physical custody and visitation of Shannon on the first weekend of each month from Friday at 7:30 p.m. until Sunday at 5:00 jp.m. The father shall have temporary physical custody and visitation of Chynna on the third weekend of each month from Friday at 7:30 p.m. to Sunday at 5:00 p.m. In this way,m the children will be together two weekends each month and each parent will visit both of his or her children one weekend per month.

c. There shall be two summertime custodial and visitation periods. The first period shall begin one wek after the later of the closings of the children's schools and the second period shall end one week before the earlier of the children's schools begins its fall session. The midpoint shall be halfway between the two endpoints. The parties shall confer by May 1 to decide and calculate the midpoint. For the summer of 1994, the mother shall have physical custody and visitation with both of the subject minor children during the first period, and the father, the second, and the parties shall thereafter alternate.

d. There shall be a minimum of one telephone conference per week which shall occur on Saturday at 10:00 a.m. The mother shall initate the call and when the conference is approximately one-half completed, she shall terminate and the father shall call her back to complete the conference. In this way, the parties shall share the cost of the telephone conversation.

4. Holiday visitation shall be arranged as follows:

a. Christmas: For Christmas, 1993, the mother shall have temporary physical custody and visitation with Shannon from 7:30 p.m. of the day after school lets out for the Christmas vacation to 5:00 p.m. of the second day previous to the reopening of school. For Christmas, 1994, the father shall have temporary physical custody and visitation with Chynna durign the same period. The parties shall thereafter alternate the Christmas holiday visitation periods so that each year the children will be together and will spend alternate years at the home of each parent.

b. Thanksgiving: For Thanksgiving, 1993, the father shall have temporary physical custody and visitation with Chynna from 7:30 p.m. of the Wednesday precedign Thanksgiving to 5:00 p.m. of the Sunday following Thanksgiving. For Thanksgiving, 1994, the mother shall temporary physical custody and visitation with Shannon during the same period and the parties shall thereafter alternate the periods so that the children will spend each Thanksgiving together and alternate between the homes of their parents.

c. Easter: For Easter, 1994, the father shall have temporary physical custody and visitation with Chynna from Good Friday at 7:30 p.m. until 5:00 p.m. of the second day previous to the reopening of Chynna's school, if there is an Easter vacation; otherwise, the Easter visitation period will end at 5:00 p.m. Easter Sunday. For Easter, 1995, the mother shall have temporary physical custody and visitation with Shannon during the same period. In this way, the children will spend each Easter together and shall alternate between the homes of their parents.

d. If there is a spring vacation not continguous with Easter, then for the spring break for 1994, the mother shall have temporary physical custody and visitation with Shannon from 5:00 p.m. of the day after school shall have closed for the spring break until 7:30 p.m. of the second day previous to the reopening of school. For the spring break for 1995, the father shall have temporary physical custody and visitation with Chynna during the same period.

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

6. The parties shal split responsibility for transportation. At the times stated for the beginning and endign of the visitations, they will meet at the home of Mrs. Sowash, in Butler, Pennsylvania, and transfer the children. If either party mvoes to Butler, Pennsylvania, or its vicinity, then the party receiving the children in the exercise of his or her rights shall pick up the children at the home of the other.

7. Each party shall teach said children to give tot he 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 chidlren. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the children are being transported or in the bedroom of the children.

9. 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 relative sand friends to do likewise and also not to disparage the other party in the children's estimation.

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LL. The parties agree that jurisdiction of this matter shall remain with the Court of Common Pleas of Crawford County, Pennsylvania.

12. The parties agree tht each will give the other thirty (30) days notice of intent to move from the Commonwealth of Pennsylvania.

13. Each party will give the other 48 hours notice of any changes in telephone numbers or addresses, including whether or not the mother shall secure a telephone.

14. The mediator notes for the court that the children have received counseling which is continuing. The counseling is to continue as recommended by the counselors contingent upon the insurance coverage for the fees charged and the ability of the parties ot pay.

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

16. Either party may request a review of this Order four months from date hereof to make any adjustments.

17. Costs and fees of this Mediation, which are fixed at $102.00, are divided equally between the parties witha share of each being assessed to him or her as costs in this case. The mediator notes for the court that the mother had filed a petition to proceed in forma pauperis. Her share shall therefore be paid by Crawford County. 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.

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

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

Sept. 23, 1993 copy to W. Pineo, C. Brode, J. Tinko, Plf. & Dft.

In Error ~~Sept. 17, 1993 Default Notice filed~~

Oct. 6, 1993 Clarification and Response To Memorandum and Order filed.

Dec. 22, 1993 Certificate of Service filed. I, JOseph W. Tinko, Esquire, the undersigned, hereby certify that on the 22nd day of December, 1993, I served a true and correct copy of the Second Praecipe to Transmit Record on the following party or the following counsel of record for same by United States First Class Mail,pursuant to the Pennsylvania Rules of Civil Procedure.

Dec. 22, 1993 Upon Second Praecipe of of Joseph W. Tinko, Esquire, Defendant's Attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Jan. 5, 1994 AND NOW, to wit, this 4th day of January, 1994, the Court, having reviewed the above-captioned case, finds that the marriage between MARIALICE OSMAN and WILLIAM OSMAN is irretrievably broken, that ninety (90) days have elapsed from the date of filing the above-captioned Complaint in Divorce, and that Marialice Osman and William Osman each filed an affidavit consenting to the divorce:

THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED

that MARIALICE OSMAN, the plaintiff, and WILLIAM OSMAN, the defendant, be and hereby are divorced from the bonds of matrimony heretofore contracted between them.

THIS DECREE OF DIVORCE constitutes a FINAL ORDER as to all pending claims herein.

BY THE COURT:
Gordon R. Miller, J.

Mar 9, 1995 Petition For Custody Modification and Visitation Modification and Order to Appear, filed. You, MARIALICE OSMAN, Respondent, have been sued in Court to obtain modification of the custody and visitation Order in effect in this matter.

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

If you fail to appear as provided by this Order, an Order for modification of the custody and visitation Order may be entered agaisnt you.

Date: 3-8-95 Sent

Anthony J. Vardaro, J.

Mar. 17, 1995 Faxed to Pineo, Tinko & Brode

May 8, 1995 TEMPORARY ORDER, filed. AND NOW, this 5th day of May, 1995, after Mediation in the aboe referenced matter and upon the recommendation of the Child Custody Mediator.

IT IS HEREBY ORDERED AND DECREED THAT:

1.a. The parties shall share legal and physical custody of the subject minor children, Bhynna and Shannon Osman.

b. This Order modifies the Order of September 15, 1993. Those of the following provisions which relate to the periods of physical custody and visitation shall become effective on July 15, 1995.

2. The parties shall share with each other any and all information which each may have regarding the health, education, and major events inthe 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. Examples of information which the parties ae expected to share and health care and school personnel to provide are the names and addresses of all physicians and other health care providers, information regarding any illness or accident and treatment thereof, notices of parent-teacher conferences, and photocopies of report cards. The foregoing list is not inclusive and all other pertinent information is expected to be share or provided.

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

b. The mother shall have temporary physical custody and visitation of Shannon and Chynna one weekend per month, beginning on the second Friday thereof between 10 and 11 P.M. and ending on the followisng Sunday between 5 P.M. and 6 P.M. The one hour intervals are to allow for the variations in the times of delivery and the receiving of the children caused by bad weather or other factors of chance. If either pary anticipates being more than 45 minutes late for a visitation either as scheduled by this Order or as arranged by the parties, said party is to call Miriam Osman, the father's mother, and report the reason for being late and the expected time of arrival.

c. There shall be two summertime custodial and visitation periods. The first period shall begin one week after the later of the closings of the children's schools and the second period shall end one week before the earlier of the children's schools begins its fall session. For 1995 the midpoint shall be defined as July 15, 1995. For succeeding years the midpoint shall be half way between the two end points. The parties shall confer by May 1st to decide and calculate the midpoint. For the summer of 1995, the mother shall have the first period, and the father, the second and the parties shall thereafter alternate.

CONTINUED ON PAGE 338A

Marialice Osman
vs.
William Osman

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d. There shall be a minimum of one telephone conference per week which shall occur on Saturday at 10:00 AM. The mother shall initate the call and when the conference is approximately one-half completed, she shall terminate and teh father shall call her back to complete the conference. In this way, the parties shall share the cost of the telephone conversations.

4.a. Christmas visitation shall be arranged as follows: In odd numbered years, including 1995, the mother shall have visitation and temporary physical custody of subject minor children from a period which shall begin between 10 and 11 P.M. of the day after school lets out for the Christmas vacation and ends on the Saturday preceding the reopening of school at/between 5 and 6 P.M. In even numbered years, the mother shall have visitation and temporary physical custody from December 26th at/between 10 and 11 P.M. until the Saturday preceding the reopening of the school session at /between 5 and 6 P.M.

b. Thanksgiving: For Thanksgiving 1995, the father shall have temporary physical custody and visitation with Chynna from 7:30 P.M. of the Wednesday preceding Thanksgiving to 5:00 P.M. of the Sunday followisng Thanksgiving. For Thanksgiving, 1996, the molther shall have temporary physical custody and visittion with Shannon during the same period and the parties shall thereafter alternate the periods so that the children will spend each Thanksgiving together and alternate between the homes of their parents.

c. Easter: The mother shall visitation and temporary physical custody in odd numbered years from between 10 and 11 P.M. of the day school closes for the Easter vacation until between 5 and 6 P.M. of the day before school reopens after the Easter Vacation.

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 ormodification be necessary, the parties shall attempt at once to arrange for alternatiave visits or to make alternative arrangements.

6. The parties shalll split responsibility for transportation. At the times stated for the beginning and ending of the visitations, they will meet at an agreed upon place in Armaugh, Pennsylvania to transfer the children. If either party moves to a place within 50 miles of said parties residence, the transfer place will remain the same. If either party moves to a place more than 50 miles from said parties present residence, the parties shall mutually agree on a new transfer point or shall have the right to request further Mediation from the Court.

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. Neithe party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody of the subject minor childrn. 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 in a closed automobile in which the child is 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 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 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 agree that jurisdiction of this matter shall remain with the Court of Common Pleas of Crawford County, Pennsylvania.

12. The parties agaree that each will give the other thirty (30) days notice of intent to move from the Commonwealth of Pennsylvania.

13. Each party shall give the other 72 hours notice of any changes in telephone numbers or addresses, including whether or not the mother shall secure a telephone.

14. The Mediator notes for the Court that the children have received counseling which is continuing. The cunseling is to continue as recommended by the counselors contingent upon the insurance coverage for the fees charged and the ability of the parties to pay.

15. The parties are free to make additional or alternative arragnements 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.

16. Either party may request a review fo this Order four months from the date hereof to make any adjustments.

17. Parties shall confer on or before May 1, 1996, with respect to the provisions of this Order which relate to Chynna to see if the arrangements are working. If the parties disagree on changes, either party may move the Court for further Mediation.

18. Costs and fee of this Mediation, which are fixed at $242.00, are divided equally between the parties with a share of each being assessed to him or her as costs in this case. The Mediator notes for the Court that the mother had qualified for the seervices of Northwest Legal Services, Inc. and therefore her share should be paid for by Crawford County.

19. The deposit required for the appointment of th eCustody 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.

20. Either party may move the Court for a hearingde novo within the time limit set by the present rules of procedure. If neither party so moves, this Order shall be considered permanent.

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

May 10, 1995 Faxed Pineo & Brode, sent Tinko, Plf. & Dft.

June 21, 1995 Motion to Amend Custody Order and Order, filed. AND NOW, this 20 day of June, 1995, upon consideration of the foregoing Motion, the same is hereby granted. Paragraph 4b, of the Temporary Order entered May 5, 1995 is amended to read as follows:

4.b. Thanksgiving visitation shall be arranged as follows: In odd numbered years, including 1995, the subject minor children shall remain with the father during the entire Thanksgiving vacation. In even numbered years, commencing with 1996, the mother shall have visitation and temporary physical custody fo the subject minor children from aperiod which shall begin between 10:00 P.M. and 11:00 P.M. of the Wednesday preceding Thanksgiving to between 5:00 P.M. and 6:00 P.M. of the Sunday following Thanksgiving. The parties shall alternate by year so that the children will spend each Thanksgiving together and alternate between the homes of their parents.

It is further ordered that in all other respects the Order of May 5, 1995 is confirmed.

By the Court
Anthony J. Vardaro, J.

June 21, 1995 Faxed Brode, Tinko, Pineo
June 27, 1995 Faxed to Walton

June 6, 1997 Petition for Special Relief filed. (Order issued in Motions Court)

June 12, 1997 Order filed. AND NOW, June 6,1997, the Defendant appears through counsel in Motions Court with a petition for special relief which is essentially limited to the issues regarding telephone conversations with the minor child and the Defendant.

Notice of this petition has been provided to the Plaintiff's counsel, and no one appears for the Plaintiff, nor does the Plaintiff appear.

Based on our discussions in Motions Court, the Plaintiff is directed to comply with Paragraph 3(d) of the Court's order of May 5, 1995, and also Paragraph 13 of that order.

Continued Page 338B

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Specifically, the Plaintiff should allow the minor child to have a private conversation with the Defendant/mother and that shall not be on a speaker phone but shall be in a private manner, so that the child can speak with the child's mother. Also, the Plaintiff shall strictly comply with the requirement that he provide his current telephone number and address at all times.

If he has changed his telephone number and has not provided that to the Defendant, he shall do that forthwith and hereafter he shall comply with Paragraph 13, unless at some point in time that is amended.

BY ORDER OF THE COURT,
Anthony J. Vardaro, J.
6-12-97 DISTRIBUTED Walton, Tinko, Massey

June 20, 1997 Motion to Withdraw as Counsel for Plaintiff and Order filed. AND NOW, this 20 day of June, 1997, upon Motion of Joseph W. Tinko, Esquire to withdraw as counsel for the Plaintiff, and upon consideration of the facts set forth in said Motin, it is hereby Ordered, Adjudged and Decreed as follows:

1. The said Motion is granted; and
2. The said Petitioner, JOSEPH W. TINKO, ESQUIRE, is hereby granted leave to immediately withdraw as the attorney for the Plaintiff in this matter.

BY THE COURT:
Anthony J. Vardaro, J.
6-20-97 FAXED Massey & Tinko

June 20, 1997 Praecipe to Withdraw Appearance Pursuant to Pa.R.C.P. No. 1012 by Joseph W. Tinko, Esq., filed.

June 20, 1997 Petition for Special Relief by Defendant filed. (ORDER Issued in Motion Court)

June 27, 1997 Petition For Contempt of Court and Order 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 wihthe court your defenses or objections, you must appear in court on Thurs, July 17, 1997, at 9:15 AM in Courtroom #1 or #2, of the Crawford County Courthouse, Meadville, Pennsylvania.

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

If the court finds tha tyou have wilfully failed to comply with its Order for custody, you may be found to be in comtempt of court and committed to jail, fined or both.

This Petition and Order shall be served by any competent adult or by regular mail.

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

Court Administrator
Crawford county Courthouse
Meadville, Pennsylvania 16335
(814) 333-7498

BY THE COURT,
Gordon R. Miller, J

Date June 26, 1997

June 27, 1997 Order filed. AND NOW, June 20, 1997, the Defendant presents a petition for special relief in Motions Court in which she avers that the Plaintiff has not complied with Paragraph 3(c) of the Court's custody order of May 5, 1995.

Specifically, that paragraph provides that the Defendant shall have temporary physical custody of Shannon Osman for a period of time in the summer which wouldhave commenced onJune 14th, 1997. The Plaintiff refused to provide the child to the Defendant for that period of temporary physical custody to commence.

Although Paragraph 3(c) is somewhat vague as to the actual period of temporary physical custoyd, it is ordered and directed that the Plaintiff forthwith provide custody of Shaonnon Osman to the Defendant, and when such custody is recieved, unless there is further order of Court, Shannon shall remain in the Defendant's custody for a period of vie consecutive weeks.

BY ORDER OF THE COURT
Anthony J. Vardaro, J

6-27-97 Faxed Massey & Tinko

June 27, 1997 Petition for Contempt of Court 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 **Thursday, July 17, 1997, at 9:15 A.M.** in Courtroom #1 or #2, of the Crawford County Courthouse, **Meadville**, Pa.

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

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

This Petition and Order shall be served by any competent adult or by regular mail.

BY THE COURT,
Gordon R. Miller, J.

Date: June 26, 1997
6-27-97 FAXED Tinko & Massey

July 15, 1997 PetitionTo Allow Plaintiff to Participate at July 17, 1997 Contempt Hearing Via Telephone Conference and Order filed. AND NOW, this 15th day of July, 1997, upon presentation and consideration ofthe Plaintiff's Petition to Participate at the July 17, 1997 Contempt HearingVia Telephone Conference: is denied. Plaintiff has not complied with the notice requirements mentioned in Local Civil Rule L206A.

BY THE COURT:
Gordon R. Miller, J

7-15-97 Faxed Hatheway & Massey

July 23, 1997 ORDER: AND NOW, July 17, 1997, at the close of the formal hearing, the parties have agareed to a resolution of the two contempt petitions that have filed by the mother.

Based on that agreement, the following Order is entered: Gordon R. Miller, P.J.
(FOR COMPLETE ORDER SEE PAPER FILED)
July 23, 1997 Distributed Maurer & Hatheway
July 31, 1997 Faxed Pineo

RECORD CONTINUED ON PAGE 338 (C).....

WILLIAM R. OSMAN

vs.

MARIALICE OSMAN

RECORD CONTINUED FROM PAGE 338 (B)

OF

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Aug. 15, 1997 MEMORANDUM AND ORDER filed. Pursuant to paragraph 5(h) of the Order of July 17, 1997,we are filing of record the original letter of Aug. 7, 1997 from the Crawford Co. Drug and Alcohol Executive Commission, Inc. A copy of this Memorandum and said letter shall be delivered by the Prothonotary to counsel for both parties.
BY THE COURT
Gordon R. Miller, P.J.

Aug. 15, 1997 Order FAXED Attys. Massey and Tinko.

Aug. 18, 1997 Petition for Modification of Custody Order, ORDER AND NOTICE and ORDER AND NOTICE TO APPEAR filed.
AND NOW, this 18 day of August, 1997, it is ordered and decreed that the parents in this matter shall satisfactorily complete the Seminar for Separating Parents in accordance with Crawford Co. Civil Rule L1930. (SEE PAPERS FILED).
BY THE COURT,
Anthony J. Vardaro, J.

Aug. 18, 1997 Order FAXED Attys. Maurer, Pineo and Hatheway.

NOTICE AND ORDER TO APPEAR, You, William R. Osman, have been sued in Court to modify custody, partial custody or visitation of your child(ren).
You are ORDERED to appear in person at such time and place as will be determined by Mediator, William Pineo, Esq., for a mediation conference. The Mediator shall send you a Notice of the hearing by mail to the address listed on the complaint or petition that has been filed recently. (SEE PAPERS FILED).
BY THE COURT,
Anthony J. Vardaro, J.

Date: 8/18/97
Aug. 18, 1997 Order FAXED Attys. Maurer, Pineo and Hatheway.

Sept 10,1997 Amended Petition For Modification of Custody Order, filed.

Sept. 22, 1997 Petition for Waiver of Attendance at Seminar for Separating Parents, and order filed. ORDER: AND NOW, this 19 day of Sept. 1997 after presentation and consideration of the plaintiffs petition: Is denied. Plaintiff shall attend this seminar or a seminar (similar) in a location closer to his home.
BY THE COURT,
Gordon r. Miller, j.
9/22/97 faxed to Hatheway and Maurer

Oct 9, 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 presently effective Custody Order shall be continued with no change except the following: The mother shall have the right to have a telephone conversation with her children each Wednesday at 8 P.M. and each Saturday at 10 A.M. when they ar eunder the care of their father. The father shall have the children make the call to their mother's residence. After the parties have established that both are present at their respective phones, the phone connection may be terminated and the mother will immediately call the father's residence and speak with her children.
2. Costs and fees of this Mediation, which are fixed at $152.00 are assessed to Crawford County. The Mediator notes that the mother is appearing Forma Pauperis and that her income is extremely limited. Her status is therefore continued. The Mediator also notes for the Court that the father's living expenses are heavy, and therefore it would be a hardship for him to contribute to the costs.
3. (see paper filed)
4. Both parties shall take the next available Seminar for Separating Parents.
Anthony J. Vardaro, J.

Oct 13, 1997 Faxed Pineo, Maurer, Hatheway
(FOR COMPLETE ORDER SEE PAPER FILED)

July 28, 1998 Certificate of completion of the Seminar for Separating Parents for Marialice Osman, filed.

Aug. 5, 1998 Petition for Modification of Custody/Visitation Order, ORDER AND NOTICE filed. AND NOW, this 24 day of July, 1998, a Petition for Modification of Custody Order being filed herewith which avers that there are children of the marriage under the age of 18 years it si ORDERED AND DECREED that the parties shall comply with Crawford Co. Civil Rule L1930 and shall attend and complete the Seminar for Separating Parents, etc. (SEE PAPERS FILED).
BY THE COURT:
Anthony J. Vardaro, J.

Aug. 5, 1998 FAXED Attys. Halliday, Fuller, Hatheway.

NOTICE AND ORDER TO APPEAR : You, William R. Osman, have been sued in Court to(obtain)(modify) custody, partial custody or visitation of the child: Shannon Osman.
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.(SEE PAPERS FILED).
BY THE COURT,
Gordon R. Miller, J.

DATE: August 4, 1998
Aug. 5, 1998 FAXED Attys. Halliday, Fuller, Hatheway.

Aug. 5, 1998 ORDER filed. AND NOW, this 4th day of August, 1998, upon consideration of the within Petition for Modification of Custody/Visitation Order, Your Honorable Court appoint a mediator in the above captioned proceedings.
Further, that any and all relevant medical and psychiatric reports be submitted to the mediator and to the Court upon the hearings in this matter.
By the Court:
Gordon R. Miller, J.

Aug. 5, 1998 FAXED Attys. Halliday, Fulelr, Hatheway.

Oct 2, 1998 ORDER: AND NOW, October 2, 1998 after mediation conference before John Fuller, Esquisre, the Order of this Court dated May 5, 1995 is continued in full force and effect, as supplemented by Orders of this Court dated June 20, 1997 and October 10, 1997.
Kathleen Nelson, esquire, is hereby appointed as Guardian Ad Litem for the minor child, Shannon Osman, to represent the child in any further custody proceedings.
The fees ($240.00) and costs ($9.00 court order filing fee) 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 $75.50.
B. The father shall within thirty (30) days of the date of this order pay the Prothonotary $124.50 representing his share of the fees and costs.
Anthony J. Vardaro, J.
Oct 5, 1998 Faxed Halliday, hatheway, Fuller & Nelson
Oct 6, 1998 sent Plf bill.

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D

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WILLIAM R. OSMAN VS. MARIALICE OSMAN RECORD CONTINUED FROM PAGE 338 (C) of AD 1992 - 971

March 2, 1999 ORDER filed. AND NOW, March 1, 1999 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT;

I. Legal custody of Shannon Osman 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 in important decisions etc.

II. Physical custody of Shannon Osman shall be with her parents, subject to the following conditions:

A. Shannon Osman shall remain at the Residential Treatment Facility (RTF) at Clarion Psychiatric Center, Clarion, PA. until her placement in a foster home by CRR (Franklin/Fulton Co. MH/MR), which placement is imminent. After placement in the foster home, each parent shall be entitled to visit and take Shannon into his or her custody one (1) weekend a month from Friday at 10:00 o'clock a.m. until Sunday at 7:00 o'clock p.m. etc.

Father is hereby ordered to register for, and complete, the Seminar for Separating Parents as required by Crawford Co. Civil Rule L1930, etc.

Mother shall obtain a drug and alcohol assessment and provide a copy of such assessment to Kathleen R. Nelson, Esq., Guardian Ad Litem.

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.

The fees ($240.00) and costs ($9.00 court order filing fee) in this case are to be paid as follows: One-half (½) father and one-half(½) mother. (FOR FURTHER INFORMATION, SEE PAPERS FILED).

Gordon R. Miller,
Judge

March 3, 1999 FAXED Attys. Fuller, Nelson, Hatheway and Halliday.

April 20, 1999 Certificate of completion of separating parents seminar, filed.

As of March 12, 2001 for future filings See Computer.

1992

PATRICIA A. MCELHANEY

VS.

THOMAS N. MCELHANEY

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in accordance with the provisions of Article 8.9 of the Plan as though the Participant had terminated employmetn with Amoco Inc. on the date this Order is received by the Committee. If the Alternte Payee Benefit is equal to or greater than $3,500.00, then the Plan shall establish a separate account under the Plan in the name of the Alternate Payee and thereafater the Alternate Payee shall have all rights of a participant in the Plan with respect to such account. The administration fee in the amount of $250.00 assessed by the Plan to establish an account in favor of the Alternte Payee shall be charged to the Alternate Payee's account under the Plan.

6. The Alternate Payee irrevocably waives the right to be designated as the beneficiary to receive the Participant's death benefits, if any, provided under the Plan after reduction for the Alternate Payee Benefit.

7. The Alternte Payee Benefit shall be paid pro-rata from each investment fund in which the Participants' total individual account under the Plan is invested as of the last plan valuation date prior to the date of distribution under (5) above.

8. The Paricipant and Alternate Payee shall promptly notify the Committee of any change in their respective addresses.

9. The Participant and Alternate Payee shall submit this Order to the Committee for its determination that this order constitutes a QDRO.

10. It is intended that this Order shall constitute a QDRO and the Court retains jurisdiction to amend this Order as may be necessary to establish or maintain it as a QDRO.

SO ORDERED this 21st day of Sept., 1993.

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

Sept. 30, 1993 Copy of Order to Attys. Ann Gamble and Mary Ann Kirkpatrick.

MILDRED A. CUSTARD

VS.

DANIEL L. CUSTARD

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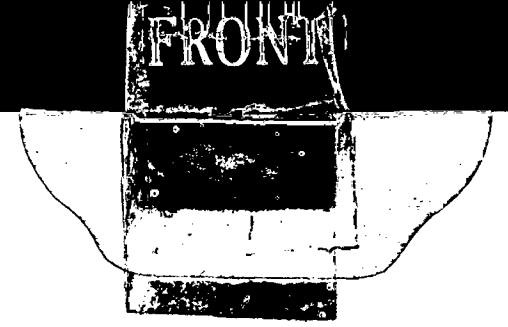
10. This Corut shall retain jurisdiction for purposes of enforcement of this Order or for purposes of establishing and maintaining qualification of this Qualified Domestic Relations Order; and

11. If modification is requested by the Plan Administrator in order to make its determination that this Order qualified as a Qualified Doemstic 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. 10, 1993 Copy of Order to Atty. James Irwin, Dom Rel., Barbara Walton.


FRONT

MARIXIE O. ZELEN

VS.

RANDY S. ZELEN

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e. We make no further provisions with respect to the payment of Mr. Iwanyshyn's fees. Upon presentation of other petitions or requests the Court may consider directing the defendant to pay additional sums. Before doing so, however, the Court would require a complete itemization of Mr. Iwanyshyn's fees and services to the date of the petition and his best estimate as to the time, effort and cost for future services.

5. The defendant shall file up to date answers to the continuing interrogatories filed by the plaintiff in March of 1993 and originally answered on June 4, 1993. Said answers shall be filed within thirty (30) days from the date of this Order and shall be complete for all periods up to and including Dec. 31, 1994.

6. Both parties shall comply with Pa. R.C.P. 1920.33. We do not set a time limti on matters referred to therein that might be under the control and discretion of the Master. We would expect the Master will set some time limits and that there will be an appropriate direction from the Master that expert's opinions and reports shall be exchanged ina timely manner at a reasonable time before the Master's hearing.

7. The plaintiff shall have the right and opportunity to obtain an appraisal of the defendant's new residence at a time to be arranged by the parties. The cost of said appraisal shall be paid for by the defendant up to a limit of $500. The defendant shall pay the fee for said appraisal within thirty (30) days after the appraiser submits the bill to him.

8. The plaintiff shall have the right and opportunity to have a boat or yacht appraised. Hopefully the parties can agree on an appraiser and agree to accept the value set by the appraiser. The cost of said appraisal shall be paid for by the defendant. If the parties cannot agree on the appraiser or if each party wants a separate appraisal then the defendant shall pay for the cost of his appraisal and pay up to $500 toward the costs of the plaintiff's appraisal.

9. The defendant shall give written or verbal authority to Jeffrey Evans directing and authorizing Mr. Evans to furnish relevant information, including copies of documents (at the plaintiff's expense) that relate to any joint or marital accounts that Mr. Evans has knowledge or handled. This shall not include post-separation accounts owned solely by the defendant unless the source of those accoutns was marital joint or pre-separation funds.

10. The plaintiff's request for fees to employ a vocational expert to assess her vocational capabilities is denied.

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

Dec. 20, 1994 Copeis of Order given Attys. Nelson and Irwin.

Jan. 6, 1995 Notice to File Pre-Trial Statement, filed.

Feb. 13, 1995 Petition For Contempt filed.

Feb. 13, 1995 Order filed. AND NOW, this 3rd day of February, 1995, it is hereby ORDERED, ADJUDGED AND DECREED that a Rule to Show Cause is hereby entered upon Defendant, Randy Zelen, to show cause why he should not be held in contempt of Court.

Said Rule is returnable on the 17th day of February, 1995, in Courtroom No 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania at 9:00 o'clock a.m.

BY THE COURT:
Gordon R. Miller, J

Feb. 13, 1995 Faxed Barmen and Irwin

Feb. 13, 1995 Motion For Leave To Take Discovery filed.

Feb. 13, 1995 Request For Hearing filed. AND NOW, this 3rd day of February, 1995 upon consideration of Plaintiff's Motion for Discovery in the Form of Production of Documents, a hearing is scheduled with the Court of Common Pleas of Crawford County, Pennsylvania, on the 17th day of February, 1995 at 9:00 o'clock a.m. in courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania

BY THE COURT:
Gordon R. Miller, J

Feb. 13, 1995 Faxed Irwin & Barmen

Feb. 13, 1995 Motion For Partial Reconsideration, For Extension of Time To File Modified Inventory and For Entry onto Premises and Order filed. AND NOW, on this 10th day of February, 1995, it is hereby ordered, adjudged and decreed that argument on this matter is scheduled for the same date and time as Plaintiff's Petition For Contempt and Motion For Leave to Take Discovery, the 17th day of February, 1995 at 9:00 a.m. before the Honorable Gordon R. Miller, J

BY THE COURT
Gordon R. Miller, J

Feb. 13, 1995 Faxed Barmen and Irwin

Feb. 21, 1995 Defendant's Supplemental Answers to Interrogatories,filed.

Feb. 21,1995 Defendant's Answers to Plaintiff's Interrogatories, filed.

Feb. 22, 1995 Motion for Extension of Time to Obtain Appraisals on behalf of plaintiff, filed.

Feb. 22, 1995 Order filed. AND NOW, February 17, 1995 after an informal hearing where the court considered four matters, we now dispose of those matters in turn.

1. DEFENDANT"S MOTION FOR PARTIAL RECONSIDERATION, FOR EXTENSION OF TIME TO FILE MODIFIED INVENTORY, AND FOR ENTRY ONTO THE PREMISES

A. The Court will not reconsider its order given the Defendant option of submitting copies of his appraisals to the Plaintiff or making payment of $1,000 to apply on the appraisals. It appears that the Defendant will not be submitting copies of the appraisals but he is required to make a payment of $1,000 to apply on Plaintiff's appraisals. Without preducting the future, we would hope that the parties at the time this matter is presented to the Master or the Court for final divorce decree, would have a detailed list of (a) all attorney's fees and expenses incurred in this litigatioin; and (b) a list of all payments made by either party toward the same, because the ultimate division of counsel fees, costs, and expenses can be made at that time, and there can be readjustments. For instance, without deciding the matter, if it turns out that the Plaintiff receives an appropriate equitable distribution of marital property, it may well be that she should then have the funds to pay for the appraisals and other matters that had been contributed to by the Defendant during this litigation. We are requiring the Defendant to make contributions because his earnings greatly outweigh the Plaintiff's earnings.

B. The Defendant is not required to file a new inventory but shall fully and completely comply with the Rules governing pretrial statements.

C. Both parties shall file a full and complete income and expense statement as required by the Rules within 20 days from this date.

D. The Defendant, his counsel, and/or appraiser shall have the right to reasonable access to the marital real estate to make another appraisal of personal property located in and about said real estate. Any appraiser or appraisers shall notify counsel for the Planitiff, giving three available dates and times when they may appraise the property, and counsel for the Plaintiff shall respond by choosing one of those dates within 40 hours after he is initially contacted The Plaintiff shall not further interfere with their work unless they ask her questions. She shall leave them alone unless they ask questions or require information and input from her.

Continued on page 414.....

Michael D. Ruck
vs.
Melinda A. Ruck

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Jan. 26, 1995 ORDER filed. AND NOW, January 25, 1995, the Court notes that with the consent of the parties, we interviewed the childin chambers with only the Court REporter presetn and considered various questions that had been presented by both parties.

No transcript of this conversation with the child in chambers shall be made without further Order of Court.

BY THE COURT:
Anthony J. Vardaro, J.

Jan. 26, 1995 given Brode
Jan. 27, 1995 sent Plf.

Feb. 6, 1995 MEMORANDUM AND ORDER filed. ORDER. AND NOW, February 3, 1995,it is ordered and decreed that:

1. The natural parents of Randall Ryan Ruck, shall share legal custody of the minor child.[2] Said joint custody being shared shall entitle both of the parents toequalaccess to any records relating to the child held bya third party, including, but not limited to, school and medical records, and shall also entitle both parents toequal input with regard to the educational and religious upbringing of the child,as well as any elective surgery.

2. Primary phgical custody of the child shall remain with the naturalfather, Michael D.Ruck. Regular periods of temporary physical custody of the child shall be granted to the mother, Melinda A.Ruck. Physical custody for the mother shall be as follows:

a. The mother shall be entitled to periods of temporary physical custody every other weekend from 7:00 P.M.on Friday until 7:00 P.M. on Sunday beginning with the next weekend which would have been scheduled as a result of the April 6, 1994 order.

b. Beginning with the summer of 1995, and each summer thereafter, the child shall be in the physical custody of the mother beginning at 6:00 P.M. on the day one week after the last day of school for the school year and shall remain in mother's physical custody until 6:00 P.M. on week before the day the next school year begins. During this time period, the father shall be entitled to periods of temporary physical custody as indicated in this paragraph above.

c. Each odd numbered year during the Christmas-New Years school vacation,the child shall be in mother's temporary physical custody from December 26th at 5:00 P.M. Through January 1st at 5:00 P.M. at which time the child shall be returned to the physical custody of the father.

During even numbered years during the Christmas-New Years holiday vacation, the child shall be in the mother's physical custody from December 24th at 5:00 P.M. until December 30th at 5:00 P.M. at which time he shallbe returned tothe physical custody of the father.

d. Other holidays shall be defined as: Easter,Memorial Day, Labor Day andThanksgiving. The child shall be in father's custody every Memorial Day and mother's custody every Labor Day and Easter and Thanksgiving shall be alternated with the child during odd numbered years to spend Thanksgiving Day with mother and Easter with father and ineven numbered years to spend Easter with mother and Thanksgiving Day with father.

For the purposes of any holiday,the holiday shall begin at 5:00 P.M. the day before the holiday and end at 5:00 P.M. on the day of the holiday.

The only exception to the above holiday schedule shall be when mother has the child in her temporaryphysical custody for Thanksgiving the child shall remain in her temporary physical custody from the Wednesday before Thanksgiving Day at 5:00 P.M. until the following Sunday at 7:00 P.M. regardless of whether that would be her normal period of weekend temporaryphysical custody or not.

e. Notwithstanding any other provision of this order, the child shall spend Mother's Day with his mother and Father's Day with his father with each day to begin at 9:00 A.M. and end at 7:00P.M.

3. Throughout the schedules set forth above,the parent not having custody may call the child every Wednesday evening at 7:30 P.M. to speak to the child uninterrupted for a period of 15 minutes unless another time is arranged in advance with the child. The other parent shall not interfere with the conversation between the parent not in custody of the child nor shall he or she procure anyone else to do so. The parents are not to talk to one another during these phone calls other than to the extent that a parent may answer the telephone he or she may simply turn the telephone over to the child. The parent with custody of the child shall make sure that the child is available at the designated time and, if the child is not going to be available for some reason, the parent in custody will make sure the child contacts the other parent to arrange for a different telephone call time.

4. Allexchanges of custody between the parties with respect to the child shalltake place at theDairy Mart in Orwell,Ohio unless otherwise agreed upon between the parties in advance. Each party shall drive to that location and the parties shall park at least 15 to 20 feet away from one another in a safe location so that the child may exit the vehicle in which he arrives and go to the vehicle of the other parent with no contact whatsoever between the parents.

5. Each party shall arrive promptlyfor each exchange of the child. In no event shall a party be more than 15 minutes late for any exchange of custody.

In the event a party is late, the other party may not discuss that with the party at the time of the exchange. The parties shall either address that matter through counsel or, if it becomes a continuous problem, then through appropriate court proceedings.

We do order and direct both parties to be as prompt as possible and to make every effort tobe exactly on time.

6. Both parties shall, within 30 days, arrange to enter into appropriate individual or group counseling for anger management as theCourt finds both parties have the ability to lose their tempers inappropriately.

We also order and direct that both parties shall, within 30 days,arrange to enter into appropriate parenting classes.

In both cases, the parties shall continue in those programs, faithfully attend the same, and participate in the same until discharged by the persons in charge of those programs because that person believes that such programs have been completed successfully. Neither parent shall drop out of the programs themselves nor shall they do anything to cause themselves to be terminated from the programs prior to sucessfully completing the same.

7. Each of the parents and any adult, including father's wife and mother's boyfriend, coming into contact with the child shall teach him to develop and demonstrate that natural love and resspect a parent is due from his or her child.

8. Neither party shall blacken the character of the other party in any manner in front of the child nor shall they procure anyone else to do so on their behalf. At any time either party is aware of another person blackening the character of the other parent in front of the child, he or she shall be responsible for immediately removing the child from that environment and making every effort to require those visiting with the child to cease and desist from such behavior.

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

10. No party shall leave the child at home without proper care at any time.

11. Each parent has responsiblity for raising this child and neither shall undermine the authority of the other parent.

12. In the event these parties need to have discussions about the child or anyother discussions between them, since it is apparent that they cannot civilly deal with one another, they shall have all such discussions whether they be on the telephone or personally when the child is nowhere around. This specifically meansthat no discussionshall take place at the time of the exchange of custody of the child for, as we have indicated in this order, there shall be no contact at all between the parents during such exchanges of custody.

13.During any time in which a parent is transporting the child,he or she shall not be under the influence of alcoholic beverages nor shall he or she have had any alcoholic beverage to drink within three hours of such transporting.

13. Inlight of the fact that the Plaintiff is no longer represented by counsel, a copy of this order shall be mailed to him at 3407 W. 45th Street, Cleveland,OH 44102, by regular mail,postage pre-paid.

BY THE COURT:
Anthony J.Vardaro, J.

2. The Superior Court in Hill v. Hill,422 Pa.Super. 533, 619 A.2d 1086 (1993) said that in order to find that shared custody was appropriate the trial court has to make at least a minimal finding that the parties are able to cooperate.

Continued to Page 342 A

Michael D.Ruck
vs
Melinda A.Ruck

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In this case, we make the finding but just minimally. The only thing that these parties are really able to cooperate about apparently is at least making the necessary transfers of the child from the custody of one person to the other.
2-6-95 Copies dist.to Mr. Ruck & Atty. Brode

Oct. 16, 1995, Praecipe to Proceed in Forma Pauperis filed.

Oct 18, 1995 Petition for Modification of a Partial Custody Order and Order filed. You, Michael D. Ruck, respondent have been sued in court to obtain custody of the minor child Randall Ryan Ruck.

The Court of Common Pleas of Crawford County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accomodations available to disabled individuals having business before the court, please contaact our 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.
Date: 10-25-95
Anthony J. Vardaro, J.
Oct 27, 1995 Faxed to Brode

Dec. 11, 1995 ORDER filed. AND NOW, December 8, 1995 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Randall Ryan Ruck 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 Randall Ryan Ruck shall be with his mother, effective December 4, 1995, subject to the following conditions:

A. The father shall be entitled to visit and take the child into his custody the first three weekends of each month from 5:00 o'clock p.m. on Saturday to 7:00 o'clock p.m. on Sunday, beginning December 9, 1995. The first three weekends shall be the weekends on which the first three Saturdays fall. Weekend visits shall be at the home of father's parents.

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

C. Father shall also be able to have the child in his custody one evening each week from 5:30 o'clock p.m. to 9:00 o'clock p.m. to attend boy scout or cub scout meetings or other similar activities. The evening visit shall be on the same day each week.

D. Beginning with the Summer of 1996, the child shall be in the custody of the father for a period of two weeks. 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 as follows: The parent receiving custody shall provide transportation. Father shall provide transportation for weekday evening visits.

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 heatlth or well being.

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

III. This order is a temporary order but shall become a permanent order unless exceptions thereto are filed by either party within twenty (20) days of the date hereof.

IV. Cost of the Mediation conference will be divided equally between the parties.
Anthony J. Vardaro, J.

12-11-95 FAXED Fuller, Brode.
Dec 13, 1995 sent Plf. & dft

Dec. 21, 1995 Order filed. AND NOW, December 21, 1995, the Order of December 8, 1995 is hereby amended as follows: IV. Cost of the mediation conference shall be divided as follows: One-half (½) - Crawford County; One-half (½) - Michael D. Ruck.
Anthony J. Vardaro, J
Dec. 21, 1995 Faxed Brode

Darlynn L. Miller and
James L. Miller
vs
Ralph Nazzaro, M.D.and
Titusville Area Hospital

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of Record
AD 1992 - 953

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#29 Mar. 7, 1995 Memorandum and Order filed. (Original filed at AD 1993-783)

#30 Apr 6, 1995 Answers to Interrogatories and Response to Requests for Production of Documents (Second Set), filed.

#31 Apr. 26, 1995 Notice of Service of Answers to Plaintiffs' Interrogatories filed.

#32 May 11, 1995, Affidavit of Chungja C. Shim, M.D. filed.

#33 June 28, 1995, Notice of Intent to Complete Discovery filed.

#34 June 29, 1995, Notice of Intent to Complete Discovery filed.

#35 Aug. 28, 1995, UPon praecipe of defendant Ralph Nazzaro, MD, Certificate of Readiness filed.

ON OCTOBER 1995 TRIAL LIST

#36 Sept. 26, 1995 ORDER filed. AND NOW, Sept. 25, 1995 at the call of the trial list, Plaintiff's counsel has asked for a continuance in order to take the deposition of Dr. Chu for trial and to obtain additional medical evidence for use at trial.

The Plaintiffs have had ample opportunity to obtain Dr. Chu's deposition and to decide whether or not to obtain another expert for use at trial.

Even though the Plaintiffs have had that opportunity and really are not entitled to a continuance, the Court is going to continue this case one time only for the Plaintiffs in order that the Plaintiffs may try their best case. Accordingly, this case is continued to the Feb. 1996 term of civil jury trials. The Plaintiffs shall determine which additional expert or experts they will be needing and make that determination no later than Oct. 31, 1995. They shall move ahead to either taking their experts depositions for use at trial. The Plaintiffs shall not be entitled to any further continuances for any reason whatsoever. This is their final opportunity to get their experts and their medication phase of this case together.

We grant this continuance because this is the first time it is on the trial list and it doesn't appear that the Defendants are prejudiced in terms of their ability to try the case.

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

Sept. 26, 1995 Copies mailed to all counsel.

#37 Sep. 26, 1995 Motion to Continue filed.

#38 December 27, 1995 Apoearance filed.

#39 Jan. 22, 1996, Upon praecipe of attys. for dft. Titusville Area Hospital, Atty. Patrick MechasEsq. is hereby substituted for Atty. John G. Wall.

#40 Feb. 8, 1996, PRE-TRIAL ORDER filed. (Gordon R. Miller, Judge)
Feb. 8, 1996, Dist. by court.

#41 Feb. 12, 1996 Amended New Matter on behalf of Ralph Nazzaro, M.D., filed.

not included ~~Feb. 12, 1996 Supplemental Pretrial Statement on behalf of Ralph Nazzaro, M.D., filed.~~

#42 Feb. 12, 1996 Motion in Liminie on behalf of plaintiffs filed.

#43 ✓ Feb. 12, 1996 Motion in Limine on behalf of Ralph Nazzaro, M.D, filed.

not included ~~Feb. 12, 1996 Supplemental Pretrial Statement on behalf of Ralph Nazzaro, MD., filed.~~

#44 Feb. 12, 1996 Proposed Voir Dire Questions on behalf of Ruthellen Weeks, M.D., filed.

#45 Feb. 12, 1996 Plaintiffs' Proposed Voir Dire Questions filed.

✓ ~~Feb. 16, 1996 Trial Memorandum of Defendant Ruthellen Weeks, M.D. Regarding Applicability of The "Captain of The Ship" Doctrine on behalf of defendant, filed.~~ not included

#46 Feb. 16, 1996 ORDER filed. AND NOW, February 14, 1996, at the close of the plaintiffs' case-in-chief, one of the defendants, the Titusville Hospital, made an oral motion for compulsory nonsuit, which may or may not have been consented to by the plaintiffs. Thereafter, the Titusville Hospital withdrew its motion for a compulsory nonsuit.

Without thoroughtly reviewing the record to determine exactly what counsel for the plaintiffs said with respect to the Titusville Hospital, the Court did not enter a compulsory nonsuit in favor of Titusville Hospital, and therefore, permits it to withdraw its motion for compulsory nonsuit.

BY THE COURT,
Gordon R. Miller, President Judge

Feb. 16, 1996 Copy given Attys. Flaherty, Getsinger, Cavanaugh, McVerry and Mechas.

✓ ~~Feb. 16, 1996 Plaintiffs attorneys' proposed Verdict filed.~~ not included

✓ ~~Feb. 16, 1996 Plaintiffs attorneys' proposed Verdict filed.~~ not included

#47 Feb. 16, 1996 Points For Charge on behalf of Ralph Nazzaro, M.D., filed.

#48 Feb. 16, 1996 Supplemental Points For Charge on behalf of Ralph Nazzaro, M.D, filed.

#49 Feb. 16, 1996 Points For Charge on behalf of Ruthellen Weeks, M.D., filed.

#50 Feb. 16, 1996 Proposed Points For Charge on behalf of Titusville Area Hospital, filed.

#51 Feb. 16, 1996 Plaintiffs' Requested Jury Instructions filed.

#52 Feb. 16, 1996 Videotape Deposition of Winston Chu, M.D., filed.

RECORD CONTINUED ON PAGE 344.....

1992

Darlynn L. Miller and
James L. Miller

vs.

Ralph Nazzaro, M.D., Titusville Area Hospital, and
Ruthellen Weeks, M.D.

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OF

AD 1992-953

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#53 Feb. 16, 1996 AND NOW, Feb. 12, 1996, jury selected and Feb. 13, 1996, jury sworn at 9:13 a.m. as follows:

1. Thomas Conrad
2. Debra Stagl
3. Jeannette Hurley
4. Frank Fischer
5. Henry White, Jr.
6. Richard Trypus
7. Stephen Hall
8. David Ray
9. Kenneth Lloyd, Jr.
10. Kellie Rice
11. Paul Hewston
12. Barbara Biery

Alternate: Monica Flummer
Alternate: Joseph Flanagan

twelve good and lawful persons who upon their solemn oath which they have taken and at least 10 of them say: AND NOW, February 16, 1996 at 6:20 p.m., we, the jury empaneled in the above entitled action do hereby answer the following questions and find accordingly:

AS TO THE LAPAROTOMY SPONGE

Question 1:
Do you find that the laparotomy sponge that was retrieved from the body of Darlynn Miller on Sept. 6, 1991 was placed or left in her body during any of the surgeries that occurred on Aug. 12, 1991?

Yes x No_____

Question 2:
(a) If you answered Question 1 "Yes" do you find that Ralph Nazzaro, M.D was negligent with respect to the sponge that was in Darlynn Miller's body?

Yes_____ No x

Question 3:
(a) If you answered Question 1 "Yes" do you find that Ruthellen Weeks, M.D was negligent with respect to the sponge that was in Darlynn Miller's body?

Yes x No_____

(b) If you answered Question 3(a) "Yes" was the negligence of Dr. Weeks, as you found it to be, a substantial factor in causing damages to the plaintiffs?

Yes x No_____

(c) If you answered Question 3(a) "Yes" did you find Dr. Weeks liable because of her own conduct? Yes_____ No x or because of the conduct of others Yes_____ No x or both Yes x No_____.

Question 4:
(a) If you answered Question 1 "Yes" do you find that Titusville Area Hospital was negligent with respect to the sponge that was in Darlynn Miller's body?

Yes x No_____

(b) If you answered Question 4(a) "yes" was the negligence of the Titusville Hospital, as you found it to be, a substantial factor in causing damages to the plaintiffs?

Yes x No_____

Question 5:
Answer Question 5 only if your answers to Question 1 was "Yes" and your answers to either:
Questions 2(a) and (b) are both yess and/or;
Questions 3(a) and (b) are both yes, and/or;
Questions 4(a) and (b) are both yest
then state the amount of damages, if any, sustained by the plaintiffs as a result of any negligence you have found occurred with respect to the sponge in this case.

Damages for Darlynn Miller $55,000.00
Damages for James L. Miller $ 8,000.00

AS TO THE NG TUBE

Question 6:
(a) Do you find that Dr. Nazzaro was negligent with respect to the NG Tube placed in Darlynn Miller?

Yes x No_____

(b) If you answered Question 6(a) "Yes" was Dr. Nazzaro's negligence, as you found it to be, a substantial factor in causing damages to the plaintiffs?

Yes x No_____

(c) If you answered Question 6(a) "yes" did you find Dr. Nazzaro liable because of his own conduct? Yes_____ No x or because of the conduct of others Yes x No_____ or both Yes_____ No x.

Question 7:
(a) Do you find that the Titusville Area Hospital was negligent with respect to the NG Tube placed in Darlynn Miller?

Yes x No_____

(b) If you answered Question 7(a) "Yes" was the negligence of the Titusville Area Hospital, as you found it to be, a substantial factor in causing damages to the plaintiffs.

Yes x No_____

Question 8:
Answer Question 8 only if your answers to Questions 6(a) and 6(b) are both yes and/or if your answers to Questions 7(a) and 7(b) are both yes.

Then state the amount of damages, if any, sustained by the plaintiffs as a result of any negligence you have found occurred with respect to the NG Tube in this case.

For Darlynn Miller $35,000.00
For James L. Miller $ 2,000.00

Stephen Hall, Jury Foreperson

Feb. 20, 1996 Exhibits filed.

Continued to Page 489

1992

Shirley A. Simcheck
vs
Mark G.Hornaman and
Roger A.Hornaman

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AD 1992 - 1044

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Jun. 12, 1995 Motion to Withdraw as Counsel and ORDER filed. AND NOW this 12 day of June, 1995, it is hereby ORDERED and DECREED that Michael Halliday be permitted to withdraw as counsel for the Plaintiff in the above captioned proceedings.

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

6-12-95 Faxed Woodruff & Halliday

Nov.28, 1995 Appearance of Jorden and White by William T. Jorden, Esquire,Attorney for Shirley Simcheck, the Plaintiff, filed.

Dec. 27, 1995 Plaintiff's Answer to Defendants' New Matter and Counterclaim filed.

Dec. 27, 1995 Notice of Deposition of Dr. James R. Macielak filed.

Dec. 27, 1995 Notice of Intention to Complete Discovery filed.

Aug. 14, 1996 Notice of Deposition by Plaintiffs filed.

Oct. 30, 1996 Notice of Deposition by Plaintiffs filed.

Jan. 2, 1997 Amended Notice of Deposition by Plaintiffs filed.

Apr 16, 1997 Notice of Service of Interrogatories, filed.

Dec 29, 1997 Certificate of Readiness, filed.

ON TRIAL LIST FOR February 1998

Dec 31, 1997 Notice of (Video) Deposition, filed.

Jan. 27, 1998 ORDER FILED. AND NOW, JAN. 26, 1998, the pre-trial conference in this case is scheduled for Tuesday, Feb. 3, 1998 at 9:00 AM in Courtroom 1, with the settlement conference to follow if counsel adhere to the local rules regarding settlement conferences.

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

1/27/98 DISIRIBUTED JORDAN & WOODRUFF

Feb. 2, 1998 MOTION FOR SETTLEMENT CONFERENCE AND ORDER FILED. AND NOW this 2nd day of Feb. 1998 a settlement conference in the above captioned matter is scheduled fro the 3rd day of Feb. at 9 o'clock in Ct. room 1.

GORDON R. MILLER JUDGE

2/2/98 Dist. Woodruff & Jorden

Feb. 6, 1998 PRE TRIAL ORDER FILED. AND NOW, Feb. 3, 1998 after a pre-trial conference with all counsel present the Court enters the following orerr:
1. All discovery is completed, all parties are ready for trial and the trial shall commence during the week of Feb. 9, 1998 depending upon the trial schedule and the number of cases to be tried that week. The case is tentatively set to begin on Wed. Feb. 11, 1998 at 9:00 o'clock AM in Ct. room no. 2. This is subject to change, unfortunately. Jury selection may take place on Monday, Feb. 9, 1998 after 10:00 o'clock AM. It is anticipated that this case shall take two days to try.
SEE PAPERS FILED.

BY THE COURT
Gordon R. Miller

Faxed to Attys. by court

Feb. 6, 1998 PLAINTIFF'S VOIR DIRE FILED.

Feb. 9, 1998 PLAINTIFF'S MOTION TO JOIN IN THE DEFENDANTS' MOTION FOR MISTRIAL

Feb. 10, 1998 Plaintiff's MotionTo Join In the Defendants' Motion For Mistrial and Order filed. AND NOW, this 9th day of February, 1998, upon Motion of the defendants and the plaintiff, a mistrial is declared and this case will be rescheduled for the April, 1998 term of court. Counsel for the defendant has consented to this mtoion.

Gordon R. Miller, J

2/11/98 Faxed Jorden & Woodruff.

Feb. 11, 1998 Proposed Void Dire Questions filed.

Feb. 11, 1998 Transcript of Proceeding at the time of Jury Selection filed.

Feb. 11, 1998 Order filed. AND NOW, February 9, 1998, it is ordered as follows:
1. Counsel shall submit briefs or memorandums of law on the question of whether or not there should be a mistrial or another panel chosen in this case on theissue of the reference to insurance that came out in one of Mr. Jordan's voir dire questions. That brief or memorandum shall be filed with the Court no later than 1:00 p.m. on February 10, 1998.
@. The court reporter shall transcribe, as soon as she can, the questions that were posed to prospective alternate juror George Palotas, NO. 76. He was called as a possible alternate after Miss Telliho was excused. All of this occurred during Mr. Jordan's voir dire questioning.

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

2/11/98

Feb. 17, 1998 Notice of Video Deposition of Dr. James R. Macielak filed.

Feb. 23, 1998 Upon praecipe of William J. Wyrick substitute his appearance for Dwayne D. Woodrull for defendants filed.

Mar 27, 1998 Uponpraecipe of plaintiff attorney for value received and upon payment of costs, the above captioned action is hereby settled and discontinued of record.

1121	MARILYN L. PUTNAM AND RICHARD E. PUTNAM VS. WILLIAM G. SESLER al VS. CLEMSON ROOFING, ALLEGHENY ENGINEERING CO., AND SNYDER GENERAL CORP.	CONTINUED FROM PAGE 335 OF RECORD A. D. 1992 - 1121

Nov. 12, 1996 Certificate of Readiness on behalf of William G. Sesler and Gregory P. Sesler t/d/b/a Commonwealth Realty I, II, III filed.

ON TRIAL LIST FOR FEBRUARY 1997

Nov. 18, 1996, Notice of Intent to complete Discovery filed.

Dec 31, 1996 **WITHDRAWAL** of Appearance of Swensen, Perer, Johnson and McCandless by David A. Schroeder, Esq., on behalf of Allegheny Engineering Co.; **AND APPEARANCE** of Marsh, Spaeder, Baur, Spaeder and Schaaf by Eugene C. Sundberg, Jr., on behalf of Allegheny Engineering Company, filed.

Jan. 27, 1997 Motion for Continuance by Plaintiffs and Order filed. AND NOW, to-wit, this 27th day of January, 1997 it is hereby ORDERED, ADJUDGED and DECREED that the above captioned cases be continued until the next available trial list.
BY THE COURT:
Gordon R. Miller, J.
1-27-97 FAXED Millhouse, Millin, Goodrich, Sundberg, Box & Slater

Mar 14, 1997 Certificate of Service of Supplemental Interrogatories Directed to the Defendants William G. Sesler and Gregory P. Sesler, t/d/b/a Commonwealth Realty II, filed.

Mar. 31, 1997 Order filed. AND NOW, march 31, 1997, the pretrial conference and settlement conference in this case shall be held on Monday, April 7, 1997, at 9:00 a.m. in Courtroom 1.
The settlement conference will follow the pretrial conference.
The parties shall be familiar with and follow the local rules with respect to both pretrial and settlement conferences.
BY ORDER OF THE COURT,
Gordon R. Miller, P.J.
3-31-97 FAXED all counsel

Mar. 31, 1997 Order filed. AND NOW, March 31, 1997, it is ordered as follows:
1. Jury selection shall take place on Monday, April 14, 1997, at approximately 10:00 a.m.
2. The trial will commence at 9:00 a.m. on Tuesday, April 15, 1997.
BY ORDER OF THE COURT,
Gordon R. Miller, P.J.
3-31-97 FAXED All counsel

Apr. 1, 1997 Notice of Video Tape Deposition by John C. Lyons, M.D. for Defendant filed.

April 28, 1997, Upon praecipe of plaintiff attorney, the above captioned case is herby marked settled, discontinued and satisfied of reocrd.

1992

Milton Pettit and
Donna Pettit
vs.
David L. Sterling

CONTINUED FROM PAGE 11
of Record
A. D. 1992 - 911

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Apr 22, 1997 ORDER: AND NOW, April 10, 1997, the Defendant's motion for Judgment of Non Pros as to the Plaintiffs' Complaint and Motion for Judgment in favor of Defendant and against Plaintiffs as to Defendant's counterclaim, which said motion is not opposed by the Plaintiffs, is granted.

Judgment of non pros is entered in favor of the Defendant and against the Plaintiffs as to the Defendant's counter-claim.

Counsel for the Defendant shall prepare and submit to the Court a proper Form of Judgment or order pursuant Pa.R.C.P. 1066 since this is a Quiet Title Action. He shall serve a tarue and correct copy of the proposed Judgment or order on counsel for the Plaintiffs two days prior to submitting the matter to the Court. If there is no objection by counsel for the Plaintiffs, the Court will sign the Form of Judgment or Order presented by the Defendant.

Gordon R. Miller, P.J.

Apr 22, 1997 Mailed Roeder & Dist Blystone

And Now, May 19, 1997 at 2:59 PM upon praecipe of plaintiff's attorney, final judgment is hereby entered in this case in favor of the plaintiffs and against the defendants, pursuant to the foregoing Order of Court.

S-45

FINAL JUDGMENT
Barbara H. King
Prothonotary

1992

1992

Roselyn R. Sallaway
vs
John W. Sallaway

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of record
AD 1992-1111

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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.

11/25/98 Distributed Irwin

Dec 31, 1998 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

DIVORCE DECREE FILED

Jan. 22, 1999 AND NOW, January 19, 1999, it is hereby ordered and decreed that ROSELYN R. SALLAWAY, Plaintiff, and JOHN W. SALLAWAY, 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 allimony pendente lite if any economic claims remain pending.

BY THE COURT,
Anthony J. Vardaro, J.

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In Re: Appeal of Forest Green Estates Associates, a/k/a Forest Green Apartments, Parcel I.D. No. 3220-063-70011-3A.

vs.

Board of Assessment Appeals of Crawford County, PA

Record Continued from page 185

of record

A.D. 1992 - 1085

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Mar. 24, 1995 Appearance of John F. Spataro, Solicitor for Crawford County Board of Assessment Appeals filed.

Apr. 20, 1995 Appeal from Action of the Board of Assessment Appeals of Crawford County, filed.

July 18, 1995 Stipulation and Consent Order filed. AND NOW, this 14th day of July, 1995, upon consideration of the within Stipulation, the same is hereby entered as an Order of this Court. The Chief Assessor, Joseoph J. Galbo, III, is directed to make the appropriate adjustments to the assessment records and take whatever further action is required in order to effectuate this Order. All taxing bodies are directed to make any refunds to the taxpayer that this valuation may necessitate.

BY THE COURT,
Gordon R. Miller, J

July 18, 1995 Faxed, Gablo, Spataro & Stack

Aug. 1, 1995 Revised stipulation and Consent Order filed. AND NOW, this 31st day of July, 1995, upon consideration of the wtihin Revised Stipulation, the same is hereby entered as an Order of this Court. The Chief Assessor, Joseph J. GAlbo, III, is directed to make the appropriate adjustments to the assessment records and take whatever further action is requried in order to effectuate this Order. All taxing bodies are directed to make any refurnds to the taxpayer that this valuation may necessitate.

BY THE COURT,
Gordon R. Miller, J

Aug. 1, 1995 Faxed Spataro & Stack

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GLENN A. DAVIS

vs.

ROBIN A. BEACH

RECORD CONTINUED FROM PAGE 297

OF

AD 1992 - 1197

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X-rays and M.R.I.'s apparently did not show much until late 1993.

In early 1994 the plaintiff underwent surgery by Dr. Mark Foster where Dr. Foster performed a decompressive lumbar laminectomy, left-sided. Dr. Foster performed some activities during the surgery that required additional surgery about a month later. The plaintiff was out of work for about two months.

Prior to this accident the plaintiff had had prior back problems and was treating with a chiropractor. He was going to the chiropractor about six or seven times a year. At the time of the accident he was unemployed. He applied for unemployment compensation which was tantamount to saying he was available for work since he registered at the Unemployment Compensation Office. He worked for a short time for a home builder/remodeler but claims he could not do the work because of the physical injuries he suffered in this accident.

3. The legal and factual issues are:

a. Whether or not the accident in question was approximate cause of the injuries sustained by the plaintiff.

b. Whether or not the actions of Dr. Foster during the first surgery which resulted in the need for an additional surgery is a amtter for which the plaintiff may recover damages against the defendant.

4. The plaintiff claims the following dames:

a. Pain and suffering, past, present and future.

b. Loss of life's pleasures.

c. The plaintiff is not seeking, and cannot recover any economic losses. The jury will be told that bills, expenses and other economic losses have been taken care of by other means and that the jury is not to be concerned with those matters. The issues in this case center around non-economic losses.

5. The plaintiff's case in chief:

a. Witnesses. The plaintiff will call the following witnesses for trial.

Glenn A. Davis, Jeff Proper, Robin A. Deitch, Officer Armatan, Dr. Mark Foster by video tape, Dr. William K. Petrella, in person or by video tape.

b. Exhibits.

i. Titusville Hospital Emergency Room records, the authenticity to which has been stipulated by counsel.

ii. Photographs of the scene.

6. The defendant's case in chief:

a. Witnesses:

Jeff Proper, Donald Errera, Dr. Sandra Davis, Dr. Richard Meader by deposition, Bruce Carrera or Albert Highburger.

b. Exhibits:

i. Titusville Hospital second set of records, the authenticity to which has been stipulated by counsel.

7. If the parties have not already done so they shall prenumber all exhibits and provide true and correct copeis of all exhibits, as prenumbered, to opposing counsel no later than 4:30 o'clock p.m. on Friday, Oct. 6, 1995

8. All counsel shall prepare and exchange written voir dire questions no later than 4:30 o'clock p.m. on Friday, Oct. 6, 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 questions of the jury panel counsel shall be permitted to read or paraphrase their own voir dire questions. The Court will permit counsel to supplement their voir dire questions if said questions are reasonably necessary to make further inquiry on matters raised by voir dire of the Court and other counsel.

9. All counsel shall submit requested points for charge as soon as practicable but no later than the close of the presentation of all evidence.

10. Counsel desiring to submit a proposed verdict slip shall do so prior to the commencement of final arguments.

11. Counsel shall prepare, exchange and file with the Court the following no later than 4:30 o'clock p.m. on Friday, Oct. 6, 1995:

a. Memorandum of law on all legal issues.

b. Statement indicating which deposition objections are preserved and/or which are waived or withdrawn.

c. Hard copies of any depositions that contain objections for the Court to decide.

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

Oct. 4, 1995 Copies distributed to Attys. Quinn and Thomas.

Oct.13, 1995, TRIAL MEMORANDUM filed.

Oct.13,1995 Statement relative to Medical Depositions filed.

Nov. 9, 1995 Upon Praecipe of John E.Quinn, Esquire, Attorney for Plaintiff, the above captioned action is marked settled and discontinued of record.

Nov. 13, 1995 Videotape Deposition of Mark R.Foster,M. D.,Wednesday, September 6, 1995, filed.

Nov. 13, 1995 Videotape deposition of W.Keith Petrella, D.O., Tuesday, April 25, 1995, filed.

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Marixie O. Zelen
vs.
Randy S. Zelen

Record continued from page 341
of record
A.D. 1992 - 1193

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E. Plaintiff shall have the right to appraise Defendant's current residence. The process set out in Paragraph D shall apply to Plaintiff's appraisal.

2. PLAINTIFF'S MOTION FOR LEAVE TO TAKE DISCOVERY, ASKING FOR THE PRODUCTION OF DOCUMENTS:

A. It appears that many of the documents listed on Plaintiff's request for production of documents filed February 13, 1995 were furnished, some on a timely basis, and some late.

B. The Defendant shall furnish true and correct copies of the following documents to counsel within 20 days from this date:

(i) All interim financial statements for the year 1989 through 1994, even though the year-end-financial statements may have already been furnished.

(ii) Detailed depreciation schedules for 1993 and 1994, if those have not already been given.

(iii) Copies of all corporate mintes, bylaws and amendments to the bylaws for the years 1989 through 1994 inclusive, if they have not already been given.

(iv) Payroll records from 1993 and 1994, if they have not already been given.

C. The Defendant shall fully and completely answer all interrogatories and supplemental interrogatories that have been propounded to him within 20 days from this date.

D. The Plaintiff requested, in Paragraph 7, information from Physicians Practice Management, Inc., Accounting Software. The Defendant maintains that that information cannot be taken form his software. If the Plaintiff's expert believes he needs it and believes that it can be or should be made available, he or someone on behalf of the Defendant to make a determination as to who is right; that is, can the information be retrieved or not. If the information can be retrieved, then it shall be made available to the Plaintiff's expert within 20 days from this date. If the parties still cannot agree on this matter, then they may re-approach the Court on an appropriate motion or petition. However, if the Court is to make a decision, we will require experts present in court to testify as to all relevant matters concerning any opinions or positions that they take, because the court is incapable of making this decision without hearing form others who are familiar with the software and how to enter information into the computer and how to retrieve information from it, as well as how the software works.

3. PLAINTIFF'S PETITION FOR CONTEMPT FILED FEBRUARY 13, 1995

The Plaintiff is withdrawing that petition, although she believes that the Defendant has not complied with the Rules and orders regarding discovery and furnishing information, but believes he has, to some extent, purged himself through a late submission of information. She no longer pursues this at this time.

4. PLAINTIFF'S PETITION FOR EXTENSION OF TIME TO OBTAIN APPRAISALS, RECEIVED BY THE COURT ADMINISTRATOR ON FEBRUARY 15, 1995.

A. Said Motion is granted. The time frame set out in our order of December 20, 1994 is hereby reestablished as of this date.

BY ORDER OF THE COURT,
Gordon R. Miller,

Feb. 22, 1995 Copies dist. to Glasser & Irwin

Mar. 16, 1995 Plaintiff's Income & Expense, filed.

Mar. 17, 1995 Notice of Scheduled Pre-Hearing Conference, filed.

Mar. 17, 1995 Notice to File Pre-Trial Statement, filed.

Mar. 31, 1995, Motion for Release of Exhibits and Order filed. ORDER: AND NOW, this 31 dayof Mar. 1995, it is ordered and decreed that the Dom Rel Office of Crawford County shall permit counsel for plaintiff, Marixie Zelen, to remove all exhibits from their control at D. R. 1992 - 1040 for the purpose of copying the same. Counsel for the plaintiff shall return, all original exhibits to the Dom Rel Office, by the close of the next business day. We are applying Rule L310 of the Crawford County civil rules.

BY THE COURT,
Gordon r. Miller, J.

3/31/95 Fax to Glasser, Walton and Irwin and Dom Rel.

Apr. 3, 1995 Motion to Unseal Evidence and ORDER filed. AND NOW, this 31st day of March, 1995,it is hereby ordered that the Prothonotary shall unseal the exhibits, Court Findings of July 23, 1993 and any transcript of testimony taken at the custody hearing at the above-captioned number for inspection and utilization by both parties and their legal counsel in the divorce action pending between the parties.

This order shall not permit the Plaintiff or the Defendant to divulge or disclose to the public any of the contents of the exhibits,findings or testimony taken in said proceedings except to the extent necessary for use in the divorce action.

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

4-3-95 Faxed to Irwin & Glasser.

Apr. 10, 1995 Summary of Second Pre-Trial Conference, filed.

July 13, 1995, Notice of Scheduled Master's Hearing filed.

Jul. 28, 1995 Stipulation and ORDER filed. AND NOW, this 28th day of July, 1995 it is hereby Ordered, Adjudged and Decreed that the Prothonotary of Crawford County shall, forthwith, release thepassports of Plaintiff, Marixie O.Zelen and Defendant, Randy S.Zelen, to each respective party through their respective attorneys. In addition, the passports of the Zelen children, Justin Zelen and Jamie Zelen, shall be released to Attorney James R.Irwin, 360 Chestnut Street, Meadville, Pennsylvania who shall hold said passports in escrow and shall not release same until further order of Court, the children reach the age of 18, or written agreement of the parties.

The passport of Rina Zelen being held with the Prothonotary of Crawford County shall be released to Rina Zelen, as she has reached the age of 18.

BY THE COURT:
Gordon R. Miller, J.

8-1-95 Faxed to Attys. Irwin, Glasser & Nelson

Aug. 17, 1995 Affidavit of Consent by Marixie O.Zelen, Plaintiff, filed.

Aug. 17, 1995 Master's Report and Recommendation,filed.

Aug. 17, 1995 Notice ofFiling Master's Report,filed.

Aug 29, 1995 Upon praecipe of plaintiff attorney to transmit record, case moved to Court.

RECORD CONTINUED ON PAGE 415.....

1992

MARIXIE O. ZELEN

VS.

RANDY S. ZELEN

RECORD CONTINUED FROM PAGE 414

OF

AD 1992 - 1193

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DIVORCE DECREE FILED

Sept. 5, 1995 AND NOW, September 1, 1995, it is Ordered, adjudged and decred 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.

3. Husband will pay unallocated child support and alimony, including college educational expenses in accordance with the attached transcription of the parties' settlement agreement.

4. The parties waive any claims they may have for further alimony pendente lite, counsel fees, costs and expenses.

5. The parties will execute any and all documents necessary to effectuate this agreement in accordance with the attached settlement agreement.

6. The reporter has submitted a bill for taking down the notes of testimony and transcribing the settlement agreement in the amount of $338.20 and the prothonotary is directed to pay the same forthwith to Lorraine Dallas, 820 Ravine ST., Meadville, PA 16335.

7. The master's fee of $1,345 is approved as reasonable. The remaining $1,111.80 of the deposit of $1,450 paid by Husband shall be applied to this fee. The remaining fee shall be divided equally between the parties and each shall pay over to the prothonotary $116.60 forthwith. Once received, all money for the master's fee shall be paid over to Crawford County.

BY THE COURT:
Gordon R. Miller, J.

Jan 15, 1996 Consent Order of Court of January 15, 1996 effectuating the settlement reache the sum of $200.00 in cash shall be rolled over from "Resources Trust Co. IRA FBO Randy Zelen" Acct. No. 1-114-44-6541 to an account designated by Marixie Zelen.
Jan 15, 1996 Faxed Glasser & Irwin

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Daniel J. Delo

vs.

Melissa J. Hall

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of record

A.D. 1992 - 1035

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

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

5. Should it be necessary for either party to cancel or modify the visitations as st 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 father shall supply transportation necessiated by the exercise of his visitation rights.

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

8. Neither party shall use illegal drugs or be under the influence of alcohol at any time when said party has the care and custody ofthe subject minor child. The mediator informs the court that the subject minor child suffers from asthma. The child is therefore not to be exposed to tobacco smoke. The parties shall not smoke tobacco or any other substance in any dwelling in which the child is residing nor in any automobile in which she is being transported nor in her presence. The parents shall encourage their friends to behave likewise.

9. Any person transporting the child shall make sure that the seat belts or other restraints are sue din accordance with the law of Pennsylvania.

10. Neither party shall do or say anything to blacken the character of the otherin the child's estimation. Each pa rty shall treat the other in a polite and rrespectful manner when in the child's presence and each p arty shall instruct his or her relatives and friends to do likewise and also not to disparage the other party in the child's estimation.

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

12. Costs and fees of this Mediation are fixed at $102.00. The mediator notes for the court that each of the parties is indigent. Costs and fees of this mediation are assessed to Crawford County.

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

By the Court,
Gordon R. Miller,

Jan. 14, 1993 Copies of order to Atty's Pineo, Brautigam, and Sullivan

Darlynn L.Miller and
James L.Miller
vs
Ralph Nazzaro,MD, Titusville
Area Hospital and Ruthellen
Weeks,MD

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of Record

AD 1992 - 953

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#54 Feb. 20, 1996 ORDER filed. AND NOW,February 14, 1996, at the conclusion of the Plaintiff's case in chief, itis order as follows:

1. The motions for compulsory non-suit filed on behalf of Ralph Nazzaro, M. D.are denied in all respects.

2. The motions for compulsory non-suit filed by Ruthellen Weeks, M. D.are re-denied in part and granted in part. A compulsory non-suit entered in favor of Dr. Weeks and against the Plaintiffs with respect to allegations relating to the insertion and subsequent effects of insertion of an N.G.tube at or about the time of surgery that took place on or about September 6, 1991. In all other respects the motion for compulsory non-suit made byDr.Weeks is denied.

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

2-21-96 Faxed to all counsel, mailed Gavin

#55 Feb. 20, 1996 ORDER filed. AND NOW, February 16, 1996, the Court orders that two proposed verdict slips presented by the plaintiffs be filed of record.

The first is a two-page verdict slip which was presented earlier this week and the second is a four-page verdict slip that was presented this date prior to the Court's charge to the jury.

BY THE COURT,
Gordon R. Miller, President Judge

2-21-96 Faxed to all counsel, mailed Gavin

#56 Feb.20,1996 ORDER filed. AND NOW,February 16, 1996,after the jury has rendered a verdict in case,counsel for Dr.Nazarro made an oral motion to mold the verdict in view of the verdict with respect to question 6(c) and Pa. R.C.P.2252. Counsel for Dr. Weeks will be filing a similar motion pursuant to Pa.R.C.P. 2252.

ACCORDINGLY,it is ORDERED as follows:

1. This Order does not change the time for filing post-trial motions.

2. Rather than hear oral motions at this time,the Court will entertain any written motions to mold the verdict, if said motions are filed within the next 10 days. If any said motions are filed, the Court will schedule an oral argument as soon as the attention of the Court may be had.

BY THE COURT,
Gordon R.Miller, President Judge

2-21-96 Faxed to all counsel, mailed Gavin

#57 #58 Feb 23,1996 Motion for Delay Damages filed.
Feb 23,1996 Motion for Post Trial Relief filed.

#59 Feb. 26, 1996 Motion For Post Trial Relief on behalf of Ruthellen Weeks, M.D, defendant, filed.

#60 Feb. 26, 1996 Motion for Post-Trial Relief on behalf of Ralph Nazzaro, M.D., filed.

#61 Feb. 26, 1996 Motion to Mold the Verdict of The Jury on behalf of Ralph Nazzaro, M.D., filed.

#62 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 on said motion 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 shall be filed with the court reporters no later than March 22, 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 CountyCivil 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) (Original filed at AD 1993-783)

Feb. 29, 1996 ORDER filed. AND NOW,February 27, 1996, thecourt 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 thenthe party desiring said transcripts shall obtain the same in accordance withthe Uniform Rules Governing Court Reporting and Transcripts (Rule 5001 et seq. of the Rules os Judicial Administration) as well as the Crawford CountyCivil Rules. Any such request shall be 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 Crawfor 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) (Original filed at AD 1993 - 783)

#64 March 7,1997 Answerto Plaintiff Motion for Delay Damages filed.
#65 March 7 ,, Answer to Plaintiff Motion for Post Trial Relief filed.
#66 March 11, 1996 Upon praecipe of Defendant attorney on behalf of Ralph Nazzaro, M.D. this case placed on next Argument List.

ON A P R I L 1 9 9 6 A R G U M E N T L I S T

#67 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 Plaintiffs' Motion for Post-Trial Relief are placed on the May 28, 1996 Argument List.

ON MAY, 1996 ARGUMENT LIST

(Original on File at AD 1993-783)

68 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.

Continued to Page 490

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' motions for delay damages.
4. Plaintiffs' motions for post trial relief.

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

3-25-96 Faxed All counsel. (Original filed at AD 1993-783)

#69 May 1, 1996, Transcript of Proceedings at time of Jury Trial filed. (see filed at AD 1993 - 783)

#70 May 1, 1996, Transcript of Proceedings at time of Jury Trial filed. Volume II of II. (see filed at AD 1993 - 783)

#71 June 10, 1997 MEMORANDUM AND ORDER filed. 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 against Ralph Nazzaro, M.D. in the amt. 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.
3. Dr. Ruthellen Weeks' Motion to Mold the Verdict is gaanted. A verdict is entered in favor of Darlynn L. Miller against Ruthellen Weeks, M.D. in the amount of $41,250.00 A verdict is entered in favor of James L. Miller and against Ruth ellen 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 agaisnt Ralph Nazzaro, M.D. - $3,417.06.
James L. Miller against ralph Nazzaro, M.D. - $195.26
Darlynn L.Miller agaisnt Ruthellen Weeks, M.D. - $2,361.99.
James L. Miller against Ruthellen Weeks, M.D. - $343.56

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

6/10/97 mailed to all council.

Verdict entered - 6/10/97
N - 1461
W - 146

#72 July 9, 1997 Appeal of Defendant Nazzaro, M.D. To Superior Court of Pennsylvania from June 10, 1997 order.

#73 July 15, 1997 Superior Court of Pennsylvania Official Docket Docket #01454PGH97 filed.

#74 August 20, 1997 Upon Praecipe of Plaintiff's attorney this case is marked settled and discontinued as to Ruthellen Weeks, M.D. only.

#75 AND NOW, August 21, 1997 Upon Praecipe of Plaintiffs attorney judgment is hereby entered in favor of the plaintiff's and against the Defendants Ralph Nazzaro, MD and Titusville Area Hospital on the erdict of the jury and the Court's Memorandum and Order on the Post-Trial Motions entered June 10, 1997.
N-144, T-185

JUDGMENT
Barbara H. King, Prothonotary

May 13, 1998 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

Dated: March 31, 1998

May 13, 1998 Certificate of Contents of Remanded Record and Notice of Remand under Pennsylvania Rules of Appellate Proceudre 2571 and 2572: Record in Two Parts, One Deposliton and Two Transcripts Superior Court Opinion and Judgment Order filed.

May 22, 1998 PRAECIPE TO DISCONTINUE FILED. UPON PRAECIPE OF JAMES 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. (Alos 1993-783)

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Elaine S.Woods
vs
Mark C. Woods

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AD 1992 - 1021

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Dec. 29, 1992 Sheriff's Return filed. I hereby deputize theSheriff of Allegheny County, Pennsylvania to serve the within Protection From Abuse according to law. The defendants alleged address is Penn Apt's., 245 Center Avenue, Ensworth, PA 15202. Employment - Air Bourne Exp., Montour Church Rd., Pgh. (2:30 - 10:30)

Robert M.Stevens, Sheriff, Crawford County, PA

See Affidavit of Service endorsed hereon by Sheriff of Allegheny County, Pennsylvania, which is part of this return. NOT FOUND RETURN RECEIVED 12-23-92
So answers;

Robert M.Stevens,
Sheriff, Crawford County, PA

LAURA KUHN
VS.
DAVID KUHN

CONTINUED FROM PAGE 219
of Record
A. D. 1992 - 1119

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Dec. 30, 1992 SHERIFF'S RETURN filed. SERVED David Kuhn personally on Dec. 21, 1992 at 9:24 AM by handing a copy of the Complaint in Divorce and Complaint for Custody to him in the Crawford County Courthouse, Diamond Park, Meadville, Pa. So answers,
Edgar D. Householder, Chief Deputy
Robert M. Stevens, Sheriff

Dec. 31, 1992 Order filed. AND NOW, December , 1992, after mediation conference before John Fuller, and with the consent of the parties, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. The parties and their children shall submit to an evaluation and counseling by Kathy Berkey of Psychological Associates. As soon as reasonably possible, Kathy Berkey shall submit a report to Custody Mediator, John Fuller, Esq. containing recommendations regarding custody and visitation. Copies of the report shall be furnished to James Irwin and Barbara Walton, attorneys for the parties. Costs of the evaluation and counseling shall be paid by the father, David W. Kuhn.

II. Pending receipt of the evaluation and a further mediation conference, IT IS ORDERED AND DECREED AS FOLLOWS TO-WIT:

a. Legal custody of Megan Kuhn and Hailey Kuhn shall be shared by their mother and father.

b. Physical custody of Megan Kuhn and Hailey Kuhn shall be shared as follows:

1. The father shall be entitled to custody of the childern each week from Friday at 3:00 p.m. until Monday at 8:00 p.m.

2. The mother shall be entitled to custody each week from 8:00 p.m. Monday evening until 3:00 p.m. Friday afternoon.

3. At Christmas of 1992 the mother shall be entitled to custody on Christmas Day until 1:00 p.m. and the father shall be entitled to custody thereafter in connection with his regular visitation schedule.

4. Transportation shall be as follows: The father shall pick the children up at 3:00 p.m. on Fridays at the mother's home in Greenville and shall drop the children off on Monday evenings at 8:00 p.m. at the home of the grandmother, Norma Tracy, in Conneaut Lake. There shall be no angry exchanges between the parties in the presence of the children.

5. The mother shall not move or change her address without further court order.

6. Costs of the mediation conference shall be paid for by Crawford County.

Anthony J. Vardaro, J

(See Original at A.D. 1990-673)
Jan. 5, 1993 copies of order to Atty's Fuller, Irwin & Walton and Kathy Berkey

Feb. 25, 1993 Acceptance of Service filed. I accept service of the Complaint for Divorce on behalf of David Kuhn, and state tha tI am authorized to do so. James Irwin, Esq.

Mar 3, 1993 Affidavit of Consent of Plaintiff, filed.

Mar. 3, 1993 Petition to Modify and Motion to Appoint Custody Mediator and Order filed. And Now, Feb. 19, 1993, the parties herein and their counsel are ordered to appear before John Fuller, Child Custody Mediator, at such time as the Child Custody Mediator shall determine.

By the Court:
Anthony J.Vardaro, J.

Mar.8, 1993 Copy of Order to Attys. Fuller, Irwin, & Walton.

Apr .14, 1993 TEMPORARY ORDER, filed. AND OW, this 14th day of April, 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, Megan and Halley Kuhn.

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

3a. The children shall reside with either parent on an alternating weekly schedule. For the week beginning April 4, the mother shall have primary physical custody until Friday, April 9, at 8:00 p.m. Thereafter, the father shall have custody from April 9, at 8:00 p.m. until April 16 at 8:00 p.m., then the mother shall have primary physical custody for the followign week during the same hours and days, and the parties shall thereafter alternate the weekly custodial periods.

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 and such conversations will not be unreasonably monitored by the parent having physical custody.

4. Holiday visitation shall be arranged as follows.

a. The parties shall alternate the holidays of Easter, Thanksgivign, and Christmas. The father shall have visitation and temporary physical custody for Easter, 1993, from 8:00 a.m. to 8:00 p.m. and the parties shall thereafter alternate the listed holidays durign the same hours.

b. The children shall spend Father's Day with their father from 8:00 a.m. to 8:00 p.m., and Mother's Day with their mother, during the sme hours.

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

5. Should it be necessary for either party to cancel or modify the visitations as set out in this Order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancellation or modification. Said modifications or cancellations shall not be proposed except for good reasons. Should a cancellation or modification be necessary, the parties shall attempt at once to arrange for alternative visits or to make alternative arrangements.

6. The parties shall split responsibility for transportation with the party receiving the children in the exercise of his or her rights picking up the children at the home of the other. Should relationship between the parties be so strained as to prevent them from picking up the children at the home of the other, then the home of the mother's mother may be used as the drop-off and pick-up point.

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 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 childrne are beign 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 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.

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

12. The parties are hereby ordered to undergo parental evaluation. The mediator has been informed by the father's counsel that said evaluations may be performed through Community Mental Health Services in Meadville. The parties shall make arrangements for evaluations within thirty (30) days or report to the mediator why arrangements cannot be made. The personnel at Community Mental Health Center are requested and required to make known to the mediator and to counsel for the parties the results of the evaluations. Said evaluations shall set forth any factors bearing on the fitness on either party to be a parent for the subject minor children and recommendations regardign the future of the custodial arrangement and whether or not further counseling of the parents and the children would be advisable.

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LAURA KUHN
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13. Costs and fees of this Mediation, which are fixed at $202.00 are divided equally between the parties with a share of each being assessed to him or her as costs in this case. The mediator notes for the court that each of the parties is indigent, and therefore costs are assessed to crawford County.

14. The Prothonotary's Office informs the mediator that no deposit was made and n o disposition need be made of it.

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

By the Court,
Anthony J. Vardaro, J.

Apr. 19, 1993 copy to W. Pineo, J. Irwin, B. Walton, Plf. & Dft.

Sep. 20, 1993 Emergency Petition to Modify Custody and ORDER filed. AND NOW, this 20th day of September, a hearing in the above matter has been set for the 5th day of October, 1993 at 2:30 o'clock p.m. inCourtroom No. 2, of the Crawford County Courthouse, Meadville, Pennsylvania 16335.

It is further ordered and decreed that pending final determination by the Court, the aforesaid minor children shallbe in the exclusive custody of their father.

Additionally,pending final determinationby the Court, the aforesaid minor children shall remain in Warren County or Crawford County.

BY THE COURT:
Gordon R. Miller, J.

9-27-93 Copy of Order to Attys. Pineo, Walton, Irwin& Fuller.

Sep.20, 1993 Petition for Contemp under Pa. Rule of Civil Procedure 1915.12 filed.

Sep. 20, 1993 Order filed. AND NOW, this 20th day of September, 1993, it is hereby ORDERED, ADJUDGED AND DECREED that a Rule to Show Cause is hereby entered upon Defendant, LauraE.Kuhn, to how cause why she should not be held in contempt of Court.

Said Rule is returnable on the 5th day of October, 1993, inCourtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania at 2:30 o'clock p.m.

BY THE COURT:
Gordon R. Miller, J.

9-27-93 Copy of Order to Attys. Pineo, Walton, Irwin &Fuller.

Sep. 29, 1993 Motion for Continuance and ORDER filed. AND NOW, this 29 day of September, 1993 upon presentation and consideration of the within Motion thishearing is rescheduled for the _____ day of October, 1993 at _____ o'clock __.m. in Courtroom No. 1 or 2 of the Crawford County Courthouse, Meadville, Pennsylvania.

Motion declined. Hearing Judge may reconsider at time of Hearing.

BY THE COURT:
P. R,Thomas, S. J.

10-1-93 Copy of Or der to Attys. Pineo, Walton, Irwin& Fuller.

Oct. 5, 1993 Order filed. AND Now, October 4, 1993, Laura Kuhn appeared in Motions Court asking for a continuance of the custody matter set for tomorrow, October 5th, indicating she needs mroe time to get an attorney. The attorney for David Kuhn did not object and, therefore, the hearing scheduled for October 5, 1993 is continued and shall be held on MOnday, November 1, 1993 at 2:30 o'clock p.m. in Courtroom NO. 1 of the Crawford County Courthouse.

BY ORDER OF THE COURT,
Gordon R. Miller J

Oct. 5, 1993 copies dist. to Walton and Irwin

Oct. 13, 1993 Motion For Leave To Terminate Representation and ORDER filed. AND NOW, October 11, 1993, Barbara J. Walton, Esq., is given leave of court to withdraw as attorney for Defendant, Laura E. Kuhn.

BY THE COURT:
Gordon R. Miller, J.

Oct. 20, 1993 Copy of Order to Attys. B. Walton and J. Irwin.

Oct. 25, 1993, Motion for continuance filed. (see paper filed at aD 1990 - 673)

Oct. 25, 1993, ORDER filed. AND NOW, this 25 day of Oct. 1993, upon presentation and consideration fo the within Motion this hearing is rescheduled for the 8 day of dec. 1993, at 1 oclock p.m. in C. R. No. 1 or 2 ofthe Crawford County courthouse, Meadville, Pa.

BY THE COURT,
Anthony J. Vardaro, J.

Nov. 1, 1993, copies of order to J. Irwin, Pineo, fuller and Ted Isoldi. (see paper filed. at AD 1990-673)

Dec. 6, 1993 Answer to Petition for Contempt filed. (See paper filed at AD 1990-673)

Dec. 10, 1993 ORDER filed. (See Order filed at AD 1990-673)

Feb. 1, 1994 Order filed. AND NOW, January 28 1994 after formal hearing in which both parties present evidence and were represented by counsel, the Court now disposes of the father's emergency petition to modify filed September 20, 1993 and the father's petition for contempt filed the same date.

We find as a fact that while these two children were in the custody of the mother, they were seriously harmed and injured and that primary physical custody should now shift to the father. Furthermore, we continue toh old the mother in contempt of court for violating the prior court orders. Punishing the mother is difficlt because she has not income and has considerable psychological needs. We caution her to fully and ocmpletely abide by this court order within the next 12 months unless modified or amended. If she fails to do so, then the Court will have to impose sanctions because this is the third time the mother has been held in contempt of court orders andher problem and lack of financial wherewithal will no longer be a defense.

I TIS ORDERED AS FOLLOWS:

1. Primary legal and physical custody of Megan and Hailey Kuhn shall be with their father.

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

3. The mother shall have the right to visit her children for at least 4 hours per week, which the Court hereby sets at two hours on Tuesday and two hours on Friday of each week, between the hours of 3:00 o'clock p.m. and 5:00 o'clock p.m. Those visitations shall take place at the home of Lillian Morris, 709 Main Street, Conneautville, PA. In the event that the mother cannot make a particular session, she shall contact Mrs. Morris at least 24 hours in advance and indicate that she will not be available so that (a) Mrs. Morris will not be interrupted and can proceed with her own personal affairs and (b) Mrs. Morris and the mother could work out an alternative two hours to be subsituted for the visitation that the mother cannot make. If the mother does not arrive at the Morris home by 3:30 on any day of a visitation, Mrs. Morris may consider that visitation to have been canceled and she shall be free to go about her regular daily activities and in this event, no additional or substituted time shall be given.

The Court hopes that the mother will exercise these visitation rights on Tuesday and Fridays and that she should only opt for substituted time for valid reasons, such as working, lack of transportation, poor health, etc. The mother shal l not take the children from the home of Mrs. Morris. Mrs. Morris shallgive the mother reasonable provacy so that the mother may spend uninterrupted andunmmonitored time or uncontrolled tome with her children. If the parties and Mrs. Morris can agree to any other times for visitation, such as longer periods of time, holiday visitation, birthday

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-b-

see also A.D. 1990-673

and mother's days visitations, then additional periods of visitation may occur withthe content of the parties and Mrs. Morris.

The mother shall have the right to take one other person with her during these visitations. If Mrs. Morris permits a greater number, then the mother may take a greater number, but Mrs. Morris is only obligated to permit one other person.

Transportation for these visits shall be paid for totally by the mother.

4. Each party shall teach the children to give the other party that love and respect that is due a parent from a child.

5. Neither party shall use or possess illegal drugs or controlled substances or b eunder the influence of alcoholic or intoxicating beverages or liquor when visiting or having custody of a child.

6. Neither party shall do or say anything to blacken the character of the other in a child's estimation. Each party shall treat the other in a polite and respectful manner when in the children's presence and each par ty shallinstruct his or her relatives to do likewise, and not to critically comment about the other parent in the presence of a child.

7. It is clear that the mother needs to undergo evaluations, counseling, treatment and therapy. It is also obvious that these parties need some intermediary to assist them in dealing with each other at an approporiate level in the best interest of the children and to attempt to resolve conflicts so that there efforts can be focused on the best interest and upbringing of the children. The court is not able to dictate exactly how all of this should take place, and believes that the providers of counseling an other relevant services are better qualified to do that. If any provider of service in these areas suggests or recommends to either parent that the parent undergo additional or different kinds of therapy, evaluations and treatment, then the parent to whom that suggestionis made shall do that.

8. Initially, we order:

A. The mothr undergo a thorough psychiatric evaluation with Dr. Qureshi at the Meadville Medical Center and follow up on any recommendations or advice or treatment that he prescribes. If Dr. Qureshi prepares a written report, a copy of that report shall be furnished to counsel for the father and to the Court.

B. The mother shall continue her counseling with Audrey Smith which we believe, based upon the mother's representation, centers acound matters of self esteem and choosing appropriate relationships as well as any other matters that Audrey Smith may be conseling her on, which would be matters that Audrey Smith believes the mother needs.

C. At some point, both parents should become involved with the Center for families in change or some other similar entity to either be chosen by them or one of the counselors advising the mother to help assist the father and the mother in their interrelationships with each other on such matters as cummunications, conflict resolution, proper parenting, etc. In the event that the Center for Families in Change or some other entity recommends to the father that he shoul dundergo counseling, he shall do that.

The purpose of all of this, as indicated above, is to work on matters that bear on the fitness of the parties to be parents and to advance the best interest of the children, as well as to deal with each other.

BY ORDER OF THE COURT,
GordonR. Miller,

Feb. 1, 1994 Copies of order to Atty's Irwin and Isoldi

Jul. 25, 1994 Report, filed. (See Original Filed at AD 1990 - 673)

Jul. 25, 1994 Notice of Appearance, Notice with Affidavit Under Section 3301 (d) of the Divorce Code, Notice of Intention to Request Entry of Divorce Decree, Affidavit of Section 3301(d) Notice, filed.

Sep. 1, 1994 Notice of Intention to Request Entry of Divorce Decree filed.

Sep. 1, 1994 UponPraecipe of Ted Isoldi, Esquire, Attorney for Plaintiff to transmit record, case moved to Court.

DIVORCE DECREE FILED

Sept. 8, 1994 AND NOW, September 6, 1994, it is ordered and decreed that LAURA KUHN, plaintiff, and DAVID KUHN, defendant, are divorced from the bonds of matrimony.

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

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

Dec. 29, 1995 Appearance of Thomas, Truax, Spadafore, Walker and Keenan by R. Charles Thomas, Atty., for defendant filed.

May 10, 1996 Petition for Further Mediation and Review of Custody Order and ORDER filed. AND NOW, May 9, 1996, upon presentation and consideration of the foregoing Petition, it is ordered and decreed that this matter be returned to the Custody Mediator, John Fuller, Esq., for review and for consideration of the modification of the Order heretofore entered on January 28,1994. Both parties must comply with Crawford County Civil Rule L1930. by attending and completing the seminar for Separating Parents within 45 days of this date.

BY THE COURT,
Gordon R. Miller, J.

May 23, 1996 Affidavit of Service by Bernadette M. DeVore for Defendant filed. I, Bernadette M. DeVore, Esquire, after being duly sworn according to law, do depose and say that: I am the attorney of record for the above named Petitioner/Defendant Laura E. Kuhn; that I did on the 14th day of May, 1996, cause to be sent to the above named Respondent/Plaintiff, by Certified Mail, Addressee Only, Return Receipt Requested, a true and correct copy of the Petition for Further Mediation and Review of Custody Order filed at the above term and number; and that I did on the 20th day of May, 1996, receive a duly executed return receipt dated May 17, 1996.

Bernadette M. DeVore, Esquire
Attorney for Petitioner/Defendant

June 4, 1996 Certificate of compeltion of the Seminar for Separating Parents of Laura E. Armour, filed.

Sept. 6, 1996 ORDER filed. AND NOW, Sept. 5, 1996 after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Megan Kuhn and Haley Kugh shall be with their father, the plaintiff herein.

II. Physical custody of Megan Kuhn and Haley Kugh shall be with their father, subject to the following conditions:

A. The mother shall be entitled to visit the children two (2) hours on Friday each week between the hours of 3:00 o'clock p.m. and 5:00 o'clock p.m. Those visits shall initially take place at the home of Lillian Morris until antoher location can be found satisfactory to both mother and father. Father shall not be present during these visits. Mother and children may leave the home of Lillian Morris, or other intermediary, to go to the local park, or other appropriate places, but at all times shall kee p the intermediary advised of their whereabouts.

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TERESA MILLER
VS.
RAYMOND MILLER

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10. The Defendant is reminded that this is an Order of Court and violation of this Order may be punishable by a fine of up to $1,000.00 and a jail sentence of up to 6 months.

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

Nov. 18, 1992 copies givent o Co. Ctrl, Cochranton Police, Attys White & Sullivan

Apr. 16, 1993 Order filed. AND NOW, April 16, 1993 the parties are before the Court with respect to a criminal matter involving incidents concerning these two individuals. At the time of that hearing, the Defendant requests a modification of the order entered at this number and term on November 1, 1992 by Present Judge Gordon R. Miller. With the Plaintiff present and her agreement, the order of November 12, 1993 is modified to the following extent:

1. Paragraphs 2 and 3 of said order are rescinded.
2. Paragraph 4 of said order shall remain in full force and effect to the extent that it shall be applicable to the parties are not living together but the parties may modify the order by their agreement in the event that they are living together or in the event that they think they can both agree to something other than what that paragraph indicates. At any tiem, either party is free to file an appropriate custody action for the purpose of establishing a permanent custody and visitation agreement should the parties not be together.
3. With respect to paragraph 9 of the order of November 12, 1992 any portion of that paragraph indicating that it will be a violation of this order for the Planitiff to invite or encourage the Defendant to visit her home shall no longer be in full force and effect since the parties intend to reconcile and of course that will rresult in the Defendant being in the home of the Plaintiff.
4. In all other respects, the order of November 12, 1992 shall remain in full force and effect.

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

Apr. 19, 1993 Copies given to Sullian, White, CPD, Co. control and DA

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B. Holidays shall be defined as Christmas, Easter and Thanksgiving. Custody of the children shall be shared on the aforesaid holidays and in the absence of an agreement to the contrary, the children shall be in the custody of the father on the aforesaid holiday 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 4:00 o'clock p.m.

Cost of the Mediation conference will be divided as follows: One-half (½) mother; one half (½) father. 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.

(FOR REMAINDER OF ORDER SEE FILE FOLDER)

Anthony J. Vardaro, J.

Sept. 17, 1996 ORDER filed. AND NOW, September 16, 1996, the court has received a series of documents entitled psychiatric evaluation of Laura Kuhn dated February 22, 1994, psychological evaluation of Laura E. Kuhn dated August 22, 1995 and a report filed by Ted Isoldi, Esquire.

It is hereby ordered and directed that the Prothonotary shall place these matters of record in a sealed envelope, properly identified, and the sealed envelope shall remain sealed and not be opened without further order of court authorizing the same.

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

9-23-96 FAXED Walton & Irwin & MAILED Isoldi

Nov. 19, 1996, Petition for contempt and order filed. RULE: And Now, Nov. 18, 1996, upon presentation adn consideration of the foregoing petition, a Rule is entered upon plff. toshow cause, why the prayer of the dft. should not be granted.

Rule returnable on Tues. Dec.10, 1996, in C. R. 1 or 2 of courthouse, Meadville, Pa. at 9:15 a.m.

By the Court,
Gordon R. Miller, J.

11/20/96 faxed to DeVore and Irwin

Dec. 10, 1996, see MOTION TO CONTINUE GENERALLY and ORDER at AD 1990 -673.

Dec. 20, 1996 Stipulation and Consent Order filed. AND NOW, December 19, 1996, in consideration of the attached Stipulation, it is hereby Ordered that the Defendant/Petitioner shall be entitled to an additional hour to her weekend visits, commencing withthe first weekend following the date of this Order and running for four (4) consecutive weeks thereafter.

BY THE COURT:
Anthony J. Vardaro, J

12-20-96 Faxed DeVore & Irwin

Dec. 20, 1996 Motion to Withdraw Petition and Order filed. AND NOW, December 30, 1996, upon presentation and consideration of the foregoing Motion, the Petition for contempt is withdrawn, having been satisfied by the Stipulation and Consent Order entered simultaneously herewith.

BY THE COURT:
Anthony J. Vardaro, J.

1 2-97 DeVore & Irwin

Jan 13, 1997 Praecipe to Attach Copy of Medical Report.

Jan. 22, 1997 Motion to Unseal by Plaintiff and Rule to Show Cause filed. AND NOW, this 20th day of January, 1997, upon consideration of the within Motion to Unseal, the Defendant is directed to show cause, if any, why the relief requested in said motion should not be granted.

Hearing fixed for Wednesday, February 26, 1997, at 9:00 a.m. o'clock, in Courtroom No. 1.
Gordon R. Miller, J.

1-23-97 FAXED DeVore & Irwin

March 5, 1997 ORDER filed. AND NOW, Feb. 26, 1997, the Plaintiff's motion to unseal is denied because the documents that are under seal are documents that counsel for the Plaintiff already has. Those documents consist of a psychological evaluation dated Aug. 22, 1995 and a two-page psychiatric evaluation by Dr. Qureshi dated Feb. 22, 1994.

At the hearing held this date, the Court unsealed the envelope and finds only those two documents along with our Court documents, the motion is denied and the Prothonotary shall place these two reports back in a sealed envelope with the same information and notation that is contained in the envelope which we unsealed.

This Order sealing those documents has no bearing on the use by the parties of this information or the admissibility or nonadmissibility of this information in any further proceeding.

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

March 5, 1997 Order Distributed Attys. DeVore and Irwin.

March 11, 1997 NOTICE AND ORDER TO APPEAR, filed. You, DAvid W. Kuhn, have been sued in Court regarding custody. You are ORDERED to appear in person at such time and place as will be determined by the Mediator, John Fuller, Esq., (SEE PAPER FILED).

Date: March 7, 1997

BY THE COURT
Gordon R. Miller, J.

March 11, 1997 Order FAXED Attys. DeVore, Fuller and Irwin.

March 11, 1997 Motion To Return to Mediation and ORDER filed. AND NOW, March 7, 1997, upon presentation and consideration of the foregoing, motion is granted and the parties are directed to appear for mediatin as set by the Mediator. The Court is considering this as a petition to modify. See Pa. R.C.P. 1915.15. Plaintiff shall comply with local rule 1930 forthwith.

Gordon R. Milelr, J.

March 11, 1997 Order FAXED Attys. DeVore, Fuller and Irwin.

May 5, 1997 ORDER: AND NOW, May 2, 1997, after mediation conference before John Fuller, Esquire, IT IS ORDERED AND DECREED AS FOLLOWS, TO-WIT:

I. Legal custody of Megan Kuhn and Haley Kuhn 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 Megan Kuhn and Haley Kuhn shall be with their father, subject to the following conditions:

IV. The fees and costs in this case which are set in the amount of $189.00 (3 hrs. X $60.00) and $9.00 court order filing fee are to be paid as follows:

A. The mother has deposited with the Prothonotary the requested $150.00 which shall be applied toward the fees and costs. She shall have refunded to her $55.50.

B. The father shall within thirty (30) days of the date of this order pay the Prothonotary $94.50 representing his share of the fees and costs.

Gordon R. Miller, P.J.

May 6, 1997 Faxed DeVore, Irwin & Fuller May 13, 1997 Sent Plf & Dft

(For Complete Order See Paper Filed)

See Page 502 (a) . . . .

DAVID W. KUHN

VS.

LAURA E. KUHN (ARMOUR)

RECORD CONTINUED FROM PAGE 502

OF

AD 1992 - 1119

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May 23, 1997 Request for Emergency Special Relief and ORDER filed. AND NOW, May 16, 1997, after review of the Motion presented by the Attorney for the Plaintiff, it is hereby ORDERED AND DECREED, this motion is denied. We will not supersede the temporary order based on the allegations in the Motion.

BY THE COURT,
Gordon R. Miller, J.

May 23, 1997 EXCEPTIONS TO MEDIATOR's REPORT, RECOMMENDATIONS AND ORDER OF COURT Filed. AND NOW, May 16, 1997, upon consideration of the Exceptions filed in the above matter, a hearing is set for Wed., Aug. 13, 1997, at 9:00 , o'clock, A.M., in Courtroom No. 2 of the Crawford Co. Courthouse, Meadville, PA 16335.

BY THE COURT,
Gordon R. Miller, J.

May 23, 1997 Order FAXED Attys. DeVore and Rowden.

June 27, 1997 Petition for Emergency Special Relief by Defendant filed. A Rule is entered upon the Respondent to show cause, if any he has, why Petitioner's prayer for contempt should not be granted.

THIS RULE IS RETURNABLE ON July 30, 1997 at 1:30 o'clock, P.M. in Courtroom No. 1 of the Crawford county Courthouse, Meadville, PA. 16335.

Until further order of Court, state and local law enforcement agencies are directed to enforce the May 2, 1997 Order.

Father will give the mother visitation on July 4, 1997 from 7:00 p.m. to July 6, 1997 at 7:00 p.m.

BY THE COURT:
Gordon R. Miller, J.
6-27-97 FAXED Rowden, Irwin & DeVore

June 27, 1997 Petition for Contempt and Rule to Show Cause field. AND NOW, June 27, 1997, upon presentation and consideration of the foregoing Petition, a Rule is entered upon the Respondent to show cause, if any he has, why the prayer of the Petitioner should not be granted.

THIS RULE IS RETURNABLE ON Wednes, July 30, 1997 at 1:30 o'clock P.M. in courtroom No. 1 of the Crawford County Courthouse, Diamond Park, Meadville, PA 16335.

FOR THE COURT:
Ann A. Walker, Ct. Admin.
6-27-97 FAXED DeVore

July 30, 1997 Affidavit of Service filed. I, Bernadette M. DeVore, Esquire, after being duly sworn according to law, do depose and say that; I am the attorney of record for the above named Plaintiff; that I did on the 16th day of May, 1997, cause to be sent to the above named Plaintiff, by Certified Mail, Addressee ONly, Return Receipt Requested, a copy of the signed May 2, 1997 Order filed at the above term and number; and that I did on the 20th day ofMay, 1997 receive a duly executed return receipt dated May 17, 1997.

Bernadette M. DeVore

Aug. 1, 1997 Order filed. AND NOW, July 30, 1997, after a full formal hearing on the mtoehr's Petition for Contempt we find that the father is in contempt of the May 2, 1997 Order on the following dated:

ON June 6, 1997. That is the date when the mother was to take the child to some counseling session. The father instead took the child to Dr. Choi. Since that was the date the mother was entitled to receive the child, the burden shifted to the father to explain that the visit to Dr. Choi was a necessity. That was never done.

On or about June 19, 1997, when the mother was to have the third weekend of June.

ACCORDINGLY, it is ORDERED as follows:

1. The father shall fully and completely comply with all applicable Court Orders for the next 9 months. If he doe so, the contempt proceeding will be automatically dissolved.
2. As punishment for contempt, the father shall pay to the mother's attorney the sum of $200 to represent a partial payment for the fee on the contempt action and the full fee for the Petition for Special Relief. Said sum shall be paid to Ms. DeVore no later than September 2, 1997.
3. The father shall accord the mother another weekend from Friday at 3 o'clock p.m. to Sunday at 3 o'clock p.m. in the next two months at a time to be agreed upon by the parties as an additional period of visitation.
4. as to the other dates that the mother alleges the father violated the Order, which dates are set forth in the Complaint, we find in favor of the father. We are satisfied that the father only violated the Order on two dates.

BY THE COURT,
Gordon R. Miller, J

8-1-97 Distributed DeVore & Rowden

Aug. 21, 1997 MEMORANDUM AND ORDER filed. ORDER: AND NOW, Aug. 20, 1997 it is ordered as follows:

1. The temporary custody order of May 2, 1997 is affirmed in all respects except as hereinafter provided.
2. Niether parent shall smoke cigarettes or other tobacco products inside any building or motor vehicle while the children are present.
3. The Judge's sec. sahll send a true and correct copy of ths order. the attached memorandum and Audrey Smith's Report of Aug. 22, 1995 to Kathy Berkey for the purposes set forth inthe memordandum.

BY THE COURT,
Gordon R. Miller, J.
8/21/97 Dist. to Rowden and DeVore

Aug. 25, 1997 Letter dated August 19, 1997 from Judge Gordon R. Miller to Kathy Berkey, MA, filed.

Sept. 7, 1999 Petition to Modify Partial Custody/Visitation Order and Order filed. AND NOW, September 9, 1999, it is ordered and decreed that the parent sin this matter shall satisfactorily complete the Seminar for Separating Parents in accordance with Crawford County Civil Rule L1930. Applications for the seminar may be obtained at the Center for Family Services, Inc. at 213 Center Street, Meadville, Pennsylvania 16335; the Prothonotary at the Crawford County Courthouse; or the Court Administrator at the Crawford County Courthouse.

Application for attendance at the seminar must be made by the plaintiff or petitioner within fifteen (15) days after the pleading or petition is filed; and by the defendant or respondent within fifteen (15) days after he or she is served with the pleading or petition.

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

If either party has any questions about this seminar he/she should consult an attorney or refer to the Crawford County Civil Rules of Court that are available in the Prothonotary's Office and in the Crawford County Law Library or contact the Center for family Services, Inc.

BY THE COURT,
Gordon R. Miller, J

You, David W. Kuhn, Respondent, have been sued in court to obtain custody, partial custody or visitation of the children Megan and Haley Kuhn.

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.

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 are further ordered to bring with you the minor children as required by the Mediator.

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

Date: 9/9/99

Gordon R. Miller, J

Oct. 4, 1999, Appearance of Peters, Lindsay, Lewis, & Hatheway, by Brian J. Lindsay, attys. for plff. filed. (see paper filed at AD 1990 - 673)

Oct. 7, 1999 Cofidential Custody Conference Inquiry Form of Laura E. Armour filed.

Oct. 7, 1999 Confidential Custody Conference Inquiry Form of David W. Kuhn filed.

FOR FURTHER DOCKET ENTRIES SEE COMPUTER 1992 31119 AD 1992 1119 also AD 1990 673

1992

Barbara J.Walton

Gerald Laver
vs.
Elizabeth Ann Laver

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5. Should it be necessary for either party to cancel or modify the visitations as set out in this Order or as previously arranged, the party seeking cancellation or modification shall notify the other party as soon as he or she knows of the necessity which impels the cancelltion 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 tansportation 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 alcohol at any time when said party has the care and custody of the subject minor children. The parties are cautioned that recent medical research has indicated that tobacco smoke is injurious to the health of growing children. Therefore, neither party shall smoke tobacco or permit others to do so in a closed automobile in which the children are being transported or in the bedroom of the children.

9. 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. Neither party shall expose the children to the company of persons of the opposite sex to which they are not related by blood or marriage between the hours of 8:00 p.m. and 7:00 a.m.

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

13. Costs and fees of this Mediation are fixed at $152.00. The mediator ntoes that the mother is indigent and her share is assessed to Crawford County.

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 shall be remitted to him.

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

By the Court,
Gordon R. Miller, J.

Dec. 3, 1992 Copy of the Order to Attys. Pineo, Walton & Toomey.

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1992

1992

Sherry McDonald
vs.
Charles McDonald

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11. The Defendant shall pay court costs in the amount of $94.50 no later than December 31, 1992. He shall pay it to the office of the Prothonotary on the first floor of the Courthouse.

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

13. If the Plaintiff kdoes invite the Defendant to her place, he shall leave if he is directed to. He shall under no circumstances by under the influence of alcoholic beverages or controlled substances or illegal drugs and he shall leave at all events no later than twelve o'clock midnight.

BY ORDER OF THE COURT,
Gordon R. Miller, President Judge

Dec. 16, 1992 Copy of Order to Meadville Police Department, County Control, Plaintiff and Defendant.

1992

Roxane D. Fucci

vs.

Joseph Fucci

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of

AD 1992 - 1019

Apr, 17, 1995, Petition for Special Relief and Order filed. ORDER: AND NOW, this 17 day of Apr. 1995, upon consideration of the dfts Petition for Spec. RElief, it is hereby ordered and decreed as follows:
1. The parties are permitted to be present at the appraisal of the personal property located at the marital residence, R. D. #5, Barco Road, Meadville, Pa. and at Dfts residence, 970 So. Main St. Apt. 2, Meadville, Pa. which appraisal has been scheduled by Bruce Nicolls for Apr. 18, 1995, at 4:30 p.m.
2. The defendant shall be permitted to be present at the appraisal of the marital residence by Vickie Gillette of Appraisal and Counseling Services, Inc., scheduled for Apr. 19, 1995 at 3:00 p.m.

3. Neither party shall cancel the appraisals with Bruce Nicolls and /or Appraisal and Counseling Services, Inc., as scheduled above, and no other party shall unreasonable interfere with either appraisal.
BY THE COURT:
Anthony J. VArdaro, J.

4/17/95 faxed to Nelson and Thomas.

May 9, 1995 Pre-Trial Statement, filed.

May 11, 1995, Appearance of Brian J. Lindsay, attorney for plaintiff, filed.

May 12, 1995 Plaintiff's Inventory and Appraisement filed.

May 12, 1995 Plaintiff's Income and Expense Statement filed.

May 26, 1995 Summary of Pre-Hearing Conference, filed.

June 2, 1995 Motion For Withdrawal of Appearance and Order filed. AND NOW, this 13 day of June, 1995, the Motion for Withdrawal of Appearance by Kathleen R. Nelson, Esquire, is granted.
BY THE COURT,
Anthony J. Vardaro, J

June 15, 1995 Faxed Nelson, Lindsay and Thomas

June 6, 1995 Notice of Scheduled Master's Hearing filed.

June 15, 1995 Stipulation Relative To Plaintiff's Petition for Special Relief and ORDER filed. AND NOW, this 15 day of June, 1995, the Plaintiff's Petition for Special Relief is granted and the Stipulation of the Plaintiff and Defendant attached to this Order are made a part thereof by reference thereto and incorporated herein.
BY THE COURT,
Anthony J. Vardaro, J.

June 16, 1995 Order FAXED Attys. Thomas and Lindsay.

June 29, 1995, Supplemental Pre-Trial Statement filed.

July 7, 1995, Notice of Scheduled Master's Hearing filed.

Jul.31, 1995 Motion to compel Discovery and ORDER filed. AND NOW, this 26th day of July, 1995, uponpresentation and considerationof the within Motion, a Rule is granted upon the Defendant to show cause, if any he has, why the relief requested in the aforesaid Motion should not be granted.
Returnable and for hearing and/or argument onthe 3rd day of August, 1995, at 9:15 o'clock A.M., in Courtroom 1 or 2, Crawford County Court House, Meadville,Pennsylvania.
Copies of this Order to be served upon the Defendant, JOSEPH FUCCI, by regular mail and upon his counsel, Brian Lindsay, Esq., by regular mail.
BY THE COURT,
Gordon R. Miller, J.
8-1-95 Faxed Lindsay, given Thomas

Aug. 7, 1995 Order filed. AND NOW, August 3, 1995 at the time this matter is before theCourt on a motion to compel discovery in the nature of more complate answers to interrogatories, thecourt is advised by counsel that the matter can be amicably resolved and both counsel will endeavor to complete full and complete answers to interrogatories with the same to be filed and completed no later than 10 days before a Master's hearing now scheduled on or about August 30th, 1995. The Court is advised that two days have been set aside for that hearing.
In the event that pretrial discovery is not complete and a continunace is requested, the same must be addressed to this Court and this Court, after hearing, will consider imposition of counsel fees as a sanction for failing to complete pretrial discovery.
BY ORDER OF THE COURT,
P. Richard Thomas, S.J.

Aug. 7, 1995 copies dist. to Thomas, Pickens & Lindsay

Aug. 22, 1995, Amended REsponse to Interrogatories filed.

Sept 6, 1995, Affidavit of Service of Complaint in divorce filed. R. C. Thomas, ESq. being duly sworn according to law, deposes and says that on Oct. 27, 1992 he sent a true and correct copy of th complaint in divorce properly endorsed with the notice to defend, filed in the above action to dft. at dft's last known address of R. D. #5, Meadville, Pa. 16335 byi cert. mail No. P 643 856 998 postage prepaid rest. del, ret. rec. req. and that attached hereto is a duly executed ret. rec. card showing date of del. as 10/28/92.
R. Charles Thomas, Esq.

Sept. 6, 1995, Affidavit of Consent of Plaintiff filed.

Sep 8, 1995 Notice of Filing Master's Report, filed.

Sept 8, 1995 Master's Report and Recommendation, filed.

Nov.15, 1995 Upon Praecipe for Review Under 3301(c) of the Divorce Code of R.CharlesThomas,Esquire, Attorney for Plaintiff to transmit record,Case Moved toCCourt.

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1992

JAMES H. ANDERS
vs.
PENNSYLVANIA DEPT. OF TRANSPORTATION

Continued from Page 127 of record

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Apr. 14, 1993 Momorandum and Order filed. AND NOW, April 14, 1993, the appellant's request for a supersedeas and an order requiring the Department of Transportation to return his registration plate is denied for the reasons set forth inthe attached memorandum.

The appelant is ordered and directed to serve the Department with a true and correct copy of original notice of appeal and notice of hearing in the manner set forth in the attached memorandum and file proof of such service with the Prothonotary. If that is properly done the Department of Transportation shall immediately return the appllant's registration plates to him as he then would be entitled to the automatic statutory supersedeas.

The Prothonotary shall forward a true and coorect copy of the attached meorandum and this Order to the Department of Transportation via certified mail, return receipt requested, to the Department of Transportation, Room 103, Harrisburg, PA 17123.

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

April 14, 1993 Copies of Memorandum and Order dist. to Anders, Dept. of Revenue (Cert,cert.Mail) andShaddinger. Apr. 21, 1993 Copy Mailed to Kathy Kisak,Esquire

Apr. 20, 1993 Proof of Service filed.

June 16, 1993 Memorandum and Order, filed. ORDER: AND NOW, June 15, 1993 the Court finds that the suspension of the appellant's registration privileges under the Financial Responsibility Act ws proper, therefore the appeal is dismissed and the suspension by the Department of Transportation sustained.

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

June 16, 1993 copies of order mailed to Kuhar & Anders

1019.

ROXANE FUCCI
Plaintiff
VS.
JOSEPH FUCCI
Defendant

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of RECORD
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Nov. 17, 1995 **FINAL DECREE** filed. AND NOW, Nov. 17, 1995, it is Ordered, adjudged and decreed as follows:

1. The parties hereto are divorced from the bonds of matrimony.
2. Wife shall receive or retain the following items from the list of marital property:
   Marital residence — Personal property in her possession
   Bank accounts titled in her name — Life insurance policies titled in her name
   Hafer Trucking 401(K) — Advanced Case Products 401(K)
   Husband will convey to her from his possession:
   105 wheat pennies (#5 under "Coins" on p.6 of Nicholls appraisal)
   311 Wheat pennies, 1940's (#9, "coins, p.6)
   25 nickels (#11, "Coins", p.6)
   Lincoln cent book---1941 UP, not complete (#12, "Coins", p. 6)
   crocks or blue jars (not listed on appraisal)
   Mercury head dimes, probably located in crocks or blue jars (not on appraisal)
3. Husband shall receive or retain the following items from the list of marital property:
   1987 Ford F150 — 1986 Chevrolet Cavalier
   Personal property in his possession or at the home of his parents
   Bank Accounts titled in his name — Life Insurance policies titled in his name
   Heatrex retirement benefits — Family photographs, as more fully described in No. 3 below

3. Wife will provide husband with photo's from the collection of family photographs. She will probide a reasonable number of photographs to adequately represent each of the family activities or happenings over the life of the marriage, including representative photos of the parties and/or the children or other family members. The intention is to supply husband with a reasonable and as complete a photographic record of the family life over the duration of the marriage as is retained by the wife. To the extent specific photos are not provided, wife will make available to husband the negatives so that he may obtain copies of any photos retained by wife. He will return the negatives once this is accomplished.
4. Wife will pay husband $7,500 in exchange for his release of all interest in the marital residence. She will ensure that he is removed as a liable party on any debt secured by the marital residence and hold him harmless with respect to any such debt.
5. The exchange of personalty described above will occur no later than ten (10) days following the entry of a final decree of divorce in this matter.
6. The payment of $7,500 from wife to husband will occur no later than forty-five (45) days following the entry of a final decree of divorce in this matter.
7. The parties will execute any and all documents necessary to effectuate this agreement.
8. Each party will assume sole liability for any debt secured by property they have received under this agreement. To the extent necessary, they will ensure that the other party is removed as a liable party with respect to any such debt. With respect to unsecrued debt, each party will assume that debt on which they have undertaken to make payments since the separation. Each party will hold the other harmless for any debt they have assumed under this paragraph.
9. The parties waive any claims they may have for alimony, alimony pendente lite, counsel fees, costs and expenses.
10. From the Master's Deposit already paid, the Prothonotary is directed to pay $175 to Lorraine Dallas, Reporter, forthwith.
11. The parties are each directed to pay $87.50 to the prothonotary as reimbursement of the Reporter's Fee, forthwith and before any divorce decree is released to them.
12. All claims raised in the pleadings, except for claims relating to child custody, which are not specifically dealt with herein are deemed denied.

BY THE COURT:
Gordon R. Miller, J.

11-17-95 Copy in Thomas' box.

Jan. 4, 1996 Stipulation and Consent to Entry of Custody Order and ORDER filed. Order dated January 2, 1996 filed.
BY THE COURT,
Gordon R. Millerr, J.

1-4-96 Faxed R. C. Thomas & B.Lindsay