

IN THE COURT OF COMMON PLEAS OF THE FIFTY-NINTH
JUDICIAL DISTRICT, PENNSYLVANIA

COUNTY OF ELK,
Plaintiff

vs.

WILLIAM DICKEY, MATTHEW W. DICKEY,
WILLIAM JEROME DICKEY, CLARENCE CLAIRE
DICKEY, MARY EDNA DICKEY, MARTHA
PAULINE DICKEY, MATTHEW W. DICKEY, JR.,
JOSEPHINE DICKEY, WILLIAM D. LONG, JAMES
LONG, PAUL B. DICKEY, MARY EDNA DICKEY
FAWCETT, MYRTLE H. LONG, CARLTON CLAIRE
DICKEY, ADA DICKEY MEANS, WILLIAM
WARREN DICKEY, LULU MAY BROWN, their
heirs, assigns, devisees, and personal
representatives, and SAMUEL MOORE, EARL
MOORE, JOHN W. ELLIOTT, RICHARD E. ELLIOTT,
JR., JOHN OSCAR MOORE, ALSO KNOWN AS
OSCAR JOHN MOORE, SARAH MOORE,
S. EVAN MOORE, MARY T. MOORE, and their
heirs, assigns, devisees, and personal
representatives, and AARON REITZ,
JESSIE E. THOMPSON, JEAN BARRETT
BENNINGER, WAYNE H. BARRETT,
REBECCA BORDEN, their heirs, assigns, devisees,
and personal representatives, and WILLIAM
KELSO, DAVID GEALEY and MAUREEN GEALEY,
his wife, PETER GEALEY and MARY GEALEY, his wife,
SCOTT CHRISTOPHERSON and EILEEN
CHRISTOPHERSON, his wife, KAREN
CHRISTOPHERSON FITZPATRICK, and
BRIAN FITZPATRICK, her husband, CAROL ANN
CHRISTOPHERSON STOUT and ROBERT STOUT, her
husband, DEBORAH D. MORTON, LINDA LAUER, LONI
CHRISTOPHERSON and their heirs, assigns, devisees,

COUNTY BRANCH - ELK
CIVIL DIVISION

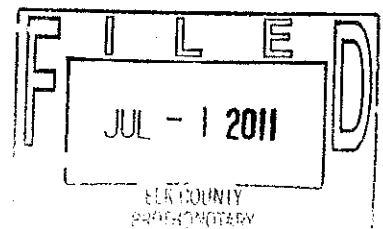
No. 2011-140

**PLAINTIFF'S MOTION FOR
DEFAULT JUDGMENT**

Filed on behalf of Plaintiff,
County of Elk

Counsel of Record for
this party:

Lisa C. McManus, Esq.
Pa. I.D. 59661
616 Sherry Road
Saint Marys, PA 15857
Office: 814.781.1319
Cell: 814.594.7690
Fax: 814.834.0006
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and personal representatives; SANDRA GODFREY,
personal representative for the Estate of A. HOWARD
MARLIN, her successors and or assigns; and
MICHAEL A. KUBICO, JR. and STEPHEN B. KUBICO,
as personal representatives for the Estate of
HELEN SMITH KUBICO,

Defendants

IN THE COURT OF COMMON PLEAS OF THE FIFTY-NINTH
JUDICIAL DISTRICT, PENNSYLVANIA

COUNTY OF ELK,
Plaintiff

vs.

WILLIAM DICKEY, et al.
Defendants

: COUNTY BRANCH - ELK
: CIVIL DIVISION
:
: No. 2011-140
:

MOTION FOR DEFAULT JUDGMENT

Plaintiff, by and through its attorney, Lisa C. McManus, files this motion for default judgment against defendants and in support thereof avers the following:

1. This is an action to quiet title in which plaintiff requests that defendants, their heirs and assigns and any person claiming under defendants be permanently enjoined and restrained from asserting any claim or interest in or to the oil and natural gas rights underlying real property described in plaintiff's complaint.
2. Attorney Jon M. Rowan has filed an Acceptance of Service on behalf of defendant Sandra Godfrey, as personal representative for the estate of A. Howard Marlin, his successors and assigns, after being authorized by his client to do so.
3. Attorney Nathaniel Parker has filed an Acceptance of Service on behalf of defendants David Gealey and Maureen Gealey, Peter Gealey and Mary Gealey, Scott Christopherson and Eileen Christopherson, Karen Christopherson Fitzpatrick and Brian Fitzpatrick, Carol Ann Christopherson Stout and Robert Stout, Deborah D. Morton, Loni Christopherson, and Linda Lauer, after being authorized by his clients to do so.
4. Attorney Stuart Shapiro has filed an Acceptance of Service on behalf of defendants Michael A. Kubico, Jr. and Stephen B. Kubico, as personal repre-


sentatives for the estate of Helen Smith Kubico, her successors and assigns, after being authorized by his clients to do so.

5. By order of this Honorable Court, service of the notice to defend was served on the remaining defendants by publication in the Saint Marys Daily Press on June 6, 2011, and in the Ridgway Record on May 27, 2011. Attached as Exhibit "A" is Proof of Publication of Notice in both newspapers.
6. Attached as Exhibit "B" is an affidavit stating that said notice was published and that no answer has been filed.
7. Pursuant to Pa. R.C.P. No. 1066(a), "The court shall grant appropriate relief upon affidavit that a complaint containing a notice to defend has been served and that the defendant has not filed an answer...."

WHEREFORE, plaintiff requests this Court to enter an order of default judgment against defendants, their heirs and/or assigns, pursuant to Pa. R.C.P. No. 1066, as follows:

- a) that plaintiff owns in fee and is entitled to the quiet and peaceful possession of the oil and natural gas as described in Plaintiff's Amended Complaint and that defendants and all persons or entities claiming under them have no estate, right, title, lien or interest in or to the said subject oil or natural gas or any part thereof;
- b) that defendants and all persons or entities claiming under them are permanently enjoined from asserting any adverse claim to plaintiff's title to said subject oil and natural gas.

7/1/11


Lisa C. McManus
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF THE FIFTY-NINTH
JUDICIAL DISTRICT, PENNSYLVANIA

COUNTY OF ELK,
Plaintiff

vs.

COUNTY BRANCH - ELK
CIVIL DIVISION

No. 2011-140

DECREE

WILLIAM DICKY, MATTHEW W. DICKY,
WILLIAM JEROME DICKY, CLARENCE CLAIRE
DICKY, MARY EDNA DICKY, MARTHA
PAULINE DICKY, MATTHEW W. DICKY, JR.,
JOSEPHINE DICKY, WILLIAM D. LONG, JAMES
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FAWCETT, MYRTLE H. LONG, CARLTON CLAIRE
DICKY, ADA DICKY MEANS, WILLIAM
WARREN DICKY, LULU MAY BROWN, their
heirs, assigns, devisees, and personal
representatives, and SAMUEL MOORE, EARL
MOORE, JOHN W. ELLIOTT, RICHARD E. ELLIOTT,
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OSCAR JOHN MOORE, SARAH MOORE,
S. EVAN MOORE, MARY T. MOORE, and their
heirs, assigns, devisees, and personal
representatives, and AARON REITZ,
JESSIE E. THOMPSON, JEAN BARRETT
BENNINGER, WAYNE H. BARRETT,
REBECCA BORDEN, their heirs, assigns, devisees,
and personal representatives, and WILLIAM
KELSO, DAVID GEALEY and MAUREEN GEALEY,
his wife, PETER GEALEY and MARY GEALEY, his wife,
SCOTT CHRISTOPHERSON and EILEEN
CHRISTOPHERSON, his wife, KAREN
CHRISTOPHERSON FITZPATRICK, and
BRIAN FITZPATRICK, her husband, CAROL ANN
CHRISTOPHERSON STOUT and ROBERT STOUT, her
husband, DEBORAH D. MORTON, LINDA LAUER, LONI
CHRISTOPHERSON and their heirs, assigns, devisees,
and personal representatives; SANDRA GODFREY,

personal representative for the Estate of A. HOWARD
MARLIN, her successors and or assigns; and
MICHAEL A. KUBICO, JR. and STEPHEN B. KUBICO,
as personal representatives for the Estate of
HELEN SMITH KUBICO,

Defendants

DECREE

AND NOW, this _____ day of July, 2011, an affidavit of service by publication of the complaint with notice to plead having been filed, and no answer having been made by defendants, upon consideration of the motion of plaintiff pursuant to Pa. R.C.P. No. 1066, it is hereby ORDERED that a judgment by default be entered against defendants that defendants, their heirs and/or assigns, and any person or entity claiming under defendants are permanently enjoined and restrained from asserting any claim or interest in or to the oil and natural gas in the following real property or any part thereof:

A tract of land in the Township of Millstone, County of Elk, and State of Pennsylvania, being portions of Warrant Numbers 2542, 2548, and 2533 and being more particularly described as follows:

Beginning at a point, being the southeastern corner of Warrant 2548; thence, North 89 West, 60.51 chains; thence North 0 East, 40.5 chains; thence South 89 West, 6.66 chains; thence South 86 West, 18.07 chains; thence South 0 West, 39.35 chains; thence North 89 West, 31 chains; thence South 0 West, 74.57 chains; thence North 88 West, 2.87 chains; thence North 61 West, 9.01 chains; thence North 54 West, 6.88 chains; thence North 48 West, 12.31 chains; thence North 29 East, 1.07 chains; thence North 14 East, 9.32 chains; thence North 90 West, 1.97 chains; thence South 33 West, 5.49 chains; thence South 68 West, 4.99 chains; thence North 64 West, 2.06 chains; thence North 65 West, 7.75 chains; thence South 69 West, 14.26 chains; thence South 55 West, 12.59 chains; thence South 31 West, 12.63 chains; South 30 West, 8.67 chains; thence South 40 West, 3.83 chains; thence North 89 West, 39.61 chains; thence North 0 East, 27.33 chains; thence South 89 East, 17.5 chains; thence North 0 East, 40 chains; thence South 89 East, 12.49 chains; thence North 0 East, 16.5 chains; thence North 1 West, 33.21 chains; thence North 89 West, 30 chains; thence North 1 East, 52.5 chains; thence

South 89 East, 115.75 chains; thence South 89 East, 121 chains; thence South 0 West, 81.62 chains, to the place of beginning.

Also being part of Uniform Parcel Identifier 08-09-004-5521.

EXCEPTING AND RESERVING: Description of said Exception No. 1; Beginning at corner 1, common to land of the Dickey Estate, within Warrant 2548, W of the Old Olean Road, in the clear on a gentle SW slope, a 1" solid iron bar 6" above ground, a 2" x 48" iron pipe in a mound of stones;

Thence with four lines of the Dickey Estate, S 86° 52' W, 24.58 chains to corner 2, in a scattered young growth of white oak on a gentle SE slope, a 1" iron pipe, a 2" x 48" iron pipe in a mound of stones;

Thence N 08° 57' W, 21.44 chains to Corner 3, in the NW corner of a cleared field, on a gentle NW slope, a 2" iron pipe with three pine stump witnesses, a 2" x 48" iron pipe in a mound of stones;

Thence N 86° 52' E, 24.58 chains to Corner 4, in a second growth of white oak on a gentle rocky SW slope, a 2" x 48" iron pipe in a mound of stones;

Thence S 08° 57' E, 21.49 chains to the place of beginning, containing 52.49 acres, be the same more or less, being the same land conveyed by William Dickey et al. to Anne E. Gregg in 1913, lying at the head of Gregg Run, a branch of Milestone Creek, tributary to the Clarion River.

Description of said Exception No. 11; Beginning at Corner 1, common to land of the Dickey Estate, on a W slope an iron pin driven flush with the surface of the ground, a 2" x 48" iron pipe in a mound of stones;

Thence with seven lines of the Dickey Estate, S 09° 21' W, 5.11 chains to corner 2, on a west slope, a 1¼" iron pipe flush with surface of ground, a 2" x 48" iron pipe in a mound of stones;

Thence N 89° 58' W 1.50 chains to a Corner 3, on a W slope about 0.08 chain E of the NE corner of an old barn, a 2" x 48" iron pipe in a mound of stones;

Thence N 01° 03' W 5.37 chains to Corner 4, on a W slope, at corner of a fence bearing N, S and E, a 2" x 48" iron pipe in a mound of stones;

Thence N 10° 59' E 5.77 chains to Corner 5, on a W slope at corner of fence bearing S 10° W and E, about 0.70 chain E of the road to Marienville, a 2" x 48" iron pipe in a mound of stone;

Thence S 80° 51' E 2.96 chains to Corner 6, on a rocky W slope at edge of second growth white oak, a 2" x 48" iron pipe in a mound of stones;

Thence S 11° 01' W 5.62 chains to Corner 7, in the clear on a W slope about 0.06 chain S of the center of the south foundation wall of abandoned schoolhouse, a 2" x 48" iron pipe in a mound of stones;

Thence N 83° 36' W, 0.50 chain to the place of beginning, containing 2.71 acres be the same more or less; being the same land now owned by Joseph Moore and John Van Tassel near the mouth of the Millstone Creek, originally conveyed by William Dickey, et al. to Joseph Moore and others by various deeds.

It is further decreed that plaintiff owns in fee and is entitled to the quiet and peaceful possession of the oil and natural gas above-described and that defendants and all persons or entities claiming under them have no estate, right, title, lien or interest in or to the said subject oil or natural gas or any part thereof.

By the Court:

J.

EXHIBIT A

PROOF OF PUBLICATION OF NOTICE IN THE RIDGWAY RECORD

STATE OF PENNSYLVANIA, } SS:
COUNTY OF ELK

Darlene M Coder Of The Ridgway Record, of the County and State aforesaid, being duly sworn, deposes and says that The Ridgway Record, a daily newspaper published in Ridgway, County and State aforesaid, was established December 1, 1903, and since which date The Ridgway Record has been regularly issued in said County, and that the printed notice or publication attached hereto is exactly the same as was printed and published in the regular editions and issues of the said The Ridgway Record on the following dates, viz: May 27, 2011

Affiant further deposes that he, she is the Publisher of The Ridgway Record, a daily newspaper of general circulation, to verify the foregoing statement under oath, and that neither the affiant nor The Ridgway Record is interested in the subject matter at the aforesaid notice or advertisement and that all allegations in the foregoing statements as to time, place and character of publication are true.

Copy of Notice or Publication

Darlene M Coder

Sworn to and subscribed before me this 1st

day of June A.D., 2011

My Commission expires:

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Karen R. Kilhoffer, Notary Public

City of St. Marys, Elk County

My Commission Expires Aug. 27, 2012

Member, Pennsylvania Association of Notaries

Karen R Kilhoffer

STATEMENT OF ADVERTISING COSTS

To

Dr.

For publishing the notice or publication attached hereto on the above dates \$ 460.80
Probating same: \$ 5.00

Total: \$ 465.80

Publisher's Receipt for Advertising Costs:

 hereby acknowledges receipt of the aforesaid notice and publication costs and certifies that the same have been duly paid.

By

LEGAL NOTICE

TO William Dickey, Matthew W. Dickey, William Jerome Dickey, Clarence Claire Dickey, Mary Edna Dickey, Martha Pauline Dickey, Matthew W. Dickey, Jr., Josephine Dickey, William D. Long, James Long, Paul B. Dickey, Mary Edna Dickey Fawcett, Myrtle H. Long, Carlton Claire Dickey, Ada Dickey Means, William Warren Dickey, Lulu May Brown, Their Heirs, Assigns, Devisees, and Personal Representatives, and Samuel Moore, Earl Moore, Bertha R. Elliott, John W. Elliott, John Oscar Moore, also known as Oscar John Moore, Sarah Moore, S. Evan Moore, Mary T. Moore, and Their Heirs, Assigns, Devisees, and Personal Representatives, and Aaron Reitz, Jessie E. Thompson, Jean Barrett Benninger, Wayne H. Barrett, Rebecca Borden, Their Heirs, Assigns, Devisees, and Personal Representatives, and unknown heirs of William Kelso, Deceased.

IN THE COURT OF COMMON PLEAS OF THE FIFTY-NINTH
JUDICIAL DISTRICT, PENNSYLVANIA

COUNTY OF ELK,
Plaintiff

COUNTY BRANCH - ELK
CIVIL DIVISION

vs.

No. 2011 - 140

COMPLAINT IN CIVIL
ACTION-QUIET TITLE

WILLIAM DICKEY, MATTHEW W. DICKEY,
WILLIAM JEROME DICKEY, CLARENCE CLAIRE
DICKEY, MARY EDNA DICKEY, MARTHA
PAULINE DICKEY, MATTHEW W. DICKEY, JR.,
JOSEPHINE DICKEY, WILLIAM D. LONG, JAMES
LONG, PAUL B. DICKEY, MARY EDNA DICKEY
FAWCETT, MYRTLE H. LONG, CARLTON CLAIRE
DICKEY, ADA DICKEY MEANS, WILLIAM
WARREN DICKEY, LULU MAY BROWN, their
heirs, assigns, devisees, and personal
representatives, and SAMUEL MOORE, EARL
MOORE, JOHN W. ELLIOTT, RICHARD E. ELLIOTT, JR.,
JOHN OSCAR MOORE, ALSO KNOWN AS
OSCAR JOHN MOORE, SARAH MOORE,
S. EVAN MOORE, MARY T. MOORE, and their
heirs, assigns, devisees, and personal
representatives, and AARON REITZ,
JESSIE E. THOMPSON, JEAN BARRETT
BENNINGER, WAYNE H. BARRETT,
REBECCA BORDEN, their heirs, assigns, devisees,
and personal representatives, and WILLIAM
KELSO, DAVID GEALEY and MAUREEN GEALEY,
his wife, PETER GEALEY and MARY GEALEY, his wife,
SCOTT CHRISTOPHERSON and EILEEN
CHRISTOPHERSON, his wife, KAREN
CHRISTOPHERSON FITZPATRICK, and
BRIAN FITZPATRICK, her husband, CAROL ANN
CHRISTOPHERSON STOUT and ROBERT STOUT, her
husband, DEBORAH D. MORTON, LINDA LAUER, LONI
CHRISTOPHERSON and their heirs, assigns, devisees,
and personal representatives; SANDRA GODFREY,
personal representative for the Estate of A. HOWARD
MARLIN, her successors and or assigns; and
MICHAEL A. KUBICO, JR. and STEPHEN B. KUBICO,
as personal representatives for the Estate of
HELEN SMITH KUBICO,

Defendants

Notice is hereby given that the County of Elk has filed a Quiet Title action against you in the above-named Court, requesting that legal title to the oil and natural gas rights underlying real property located in Millstone Township, Elk County, Pennsylvania be quieted in the County of Elk. The following notice advises you of your rights.

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the action, you must take action within twenty days by entering a written appearance personally or by attorney with the court your defenses or objections to the claims set forth against

KELSO, DAVID GEALEY and MAUREEN GEALEY,
his wife, PETER GEALEY and MARY GEALEY, his wife,
SCOTT CHRISTOPHERSON and EILEEN
CHRISTOPHERSON, his wife, KAREN
CHRISTOPHERSON FITZPATRICK, and
BRIAN FITZPATRICK, her husband, CAROL ANN
CHRISTOPHERSON STOUT and ROBERT STOUT, her
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NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the action, you must take action within twenty days by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Elk County Prothonotary
Elk County Courthouse
Main Street
Ridgway, PA 15853
(814) 776-5344

Lisa C. McManus, Attorney for Plaintiff
616 Sherry Road
Saint Marys, PA 15857
814.781.1319

May 27, adv.

Proof of Publication of Notice in The Daily Press

(Under Act of May 16th, 1929, P.L. 1784)

STATE OF PENNSYLVANIA, }
COUNTY OF ELK, } SS:

Darlene Coder

....., being duly sworn according to law, deposes and says that he is the
Publisher of the Daily Press, a newspaper of general circulation published in the City of
St. Marys, Elk County, Pennsylvania, which was established in February, 1910, and has been published continuously as
a daily newspaper of general circulation since that date, in said county, and that the printed notice of publication attached
hereto is exactly the same as was printed and published in the regular editions and issues of The Daily press on the fol-
lowing dates, viz:

6th

and the

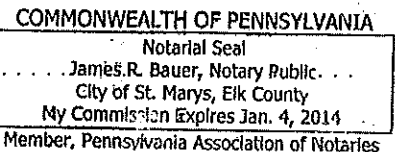
day of June A.D. 20 11

Affiant further deposes and says that he is duly authorized by The Daily Press, a newspaper of general circulation, to
verify the foregoing statements under oath, and that neither the affiant nor The Daily Press is interested in the subject
matter of the aforesaid notice or advertisement; and that all allegations in the foregoing statements as to time, place and
character of publication are true. Affiant further deposes and says that the costs, charges and expenses incurred in such
publication have been paid as will appear by receipted bill attached to this proof.

Copy of Notice
Publication

.....
Sworn and subscribed before me this 8th day
of June A.D. 20 11
.....
Notary Public

My Commission Expires



STATEMENTS OF ADVERTISING COSTS

Lisa McManus
616 Sherry Road
St. Marys, PA 15857

To THE DAILY PRESS Dr.

For publishing the notice or publication attached hereto on the above stated dates.	\$ 456.75
Probating same.	\$ 5.00
Total.	\$ 461.75

Publisher's Receipt for Advertising Costs

The Daily Press, a newspaper of general circulation, above named, hereby acknowledges receipt of the aforesaid notice
and publication costs and certifies that the same have been duly paid.

THE DAILY PRESS

By

LEGAL NOTICE

NOTICE

William Dickey, Matthew W. Dickey, William Jerome Dickey, Clarence Claire Dickey, Mary Edna Dickey, Martha Pauline Dickey, Matthew W. Dickey, Jr., Josephine Dickey, William D. Long, James Long, I B. Dickey, Mary Edna Dickey Fawcett, Myrtle H. Long, Carlton Dickey, Ada Dickey Means, William Warren Dickey, Lulu May Brown, Their Heirs, Assigns, Devisees, and Personal Representatives, Samuel Moore, Earl Moore, Bertha R. Elliott, John W. Elliott, John Moore, also known as Oscar John Moore, Sarah Moore, S. Evan Moore, Mary T. Moore, and Their Heirs, Assigns, Devisees, and Personal Representatives, and Aaron Reitz, Jessie E. Thompson, Jean Barrett Ninger, Wayne H. Barrett, Rebecca Borden, Their Heirs, Assigns, Devisees, and Personal Representatives, and unknown heirs of William Moore, Deceased.

IN THE COURT OF COMMON PLEAS OF THE FIFTY-NINTH
JUDICIAL DISTRICT, PENNSYLVANIA

COUNTY OF ELK, :COUNTY BRANCH - ELK
Plaintiff :CIVIL DIVISION

:No. 2011 - 140

WILLIAM DICKEY, MATTHEW W. DICKEY, :COMPLAINT IN
: CIVIL ACTION--
WILLIAM JEROME DICKEY, CLARENCE CLAIRE :QUIET TITLE

KEY, MARY EDNA DICKEY, MARTHA
LINE DICKEY, MATTHEW W. DICKEY, JR.,
JOSEPHINE DICKEY, WILLIAM D. LONG, JAMES
CLARENCE CLAIRE DICKEY, MARY EDNA DICKEY
FAWCETT, MYRTLE H. LONG, CARLTON CLAIRE
KEY, ADA DICKEY MEANS, WILLIAM
WARREN DICKEY, LULU MAY BROWN, their
heirs, assigns, devisees, and personal
representatives, and SAMUEL MOORE, EARL
MOORE, JOHN W. ELLIOTT, RICHARD E. ELLIOTT, JR.,
ALSO KNOWN AS OSCAR MOORE, SARAH MOORE,
JOHN MOORE, MARY T. MOORE, and their
heirs, assigns, devisees, and personal
representatives, and AARON REITZ,
JESSIE E. THOMPSON, JEAN BARRETT
NINGER, WAYNE H. BARRETT,
REBECCA BORDEN, their heirs, assigns, devisees,
personal representatives, and WILLIAM
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his wife, PETER GEALEY and MARY GEALEY, his wife,
CHRISTOPHERSON and EILEEN
CHRISTOPHERSON, his wife, KAREN
CHRISTOPHERSON FITZPATRICK, and
JOHN FITZPATRICK, her husband, CAROL ANN
CHRISTOPHERSON STOUT and ROBERT STOUT, her
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CHRISTOPHERSON and their heirs, assigns, devisees,
personal representatives; SANDRA GODFREY,
personal representative for the Estate of A. HOWARD
KUBICO, her successors and or assigns; and
STEPHEN B. KUBICO, JR. and STEPHEN B. KUBICO,
personal representatives for the Estate of
JOHN SMITH KUBICO,

Defendants

You have been sued in court. If you wish to defend against the claims set forth in the action, you must take action within twenty days by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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Elk County Prothonotary
Elk County Courthouse
Main Street
Ridgway, PA 15853
(814) 776-5344

Lisa C. McManus, Attorney for Plaintiff
616 Sherry Road
Saint Marys, PA 15857
814.781.1319
6/6-11

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EXHIBIT B

IN THE COURT OF COMMON PLEAS OF THE FIFTY-NINTH
JUDICIAL DISTRICT, PENNSYLVANIA

COUNTY OF ELK,
Plaintiff

vs.

WILLIAM DICKEY, et al.
Defendants

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COUNTY BRANCH - ELK
CIVIL DIVISION

No. 2011-140

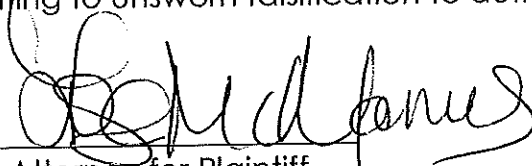
AFFIDAVIT

Lisa C. McManus deposes and says as follows:

1. that he or she is the attorney for plaintiff in this action and makes this affidavit on behalf of the plaintiff, being authorized to do so;
2. that a notice to defend this quiet title action within twenty (20) days of service was duly served on the following defendants, their heirs and assigns, by sending a true and correct copy to their counsel, who accepted service on their behalf: Sandra Godfrey, as personal representative for the estate of A. Howard Marlin, his successors and assigns; David Gealey and Maureen Gealey, Peter Gealey and Mary Gealey, Scott Christopherson and Eileen Christopherson, Karen Christopherson Fitzpatrick and Brian Fitzpatrick, Carol Ann Christopherson Stout and Robert Stout, Deborah D. Morton, Loni Christopherson, and Linda Lauer; Michael A. Kubico, Jr. and Stephen B. Kubico, as personal representatives for the estate of Helen Smith Kubico, her successors and assigns;
3. that a notice to defend this quiet title action within twenty (20) days of service was duly served on the remaining defendants, their heirs and assigns, by publication in the Saint Marys Daily Press on June 6, 2011, and in the Ridgway Record on May 27, 2011; and
4. that to date no defendant has filed an answer in the action.

Affiant verifies that the statements made in this affidavit are true and correct.
Affiant understands that false statements herein are made subject to the penalties
of 18 Pa. Cons. Stat. Ann. § 4904, relating to unsworn falsification to authorities.

7/1/11



Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF THE FIFTY-NINTH
JUDICIAL DISTRICT, PENNSYLVANIA

COUNTY OF ELK,
Plaintiff

vs.

COUNTY BRANCH - ELK
CIVIL DIVISION

No. 2011 - 140

WILLIAM DICKEY, MATTHEW W. DICKEY,
WILLIAM JEROME DICKEY, CLARENCE CLAIRE
DICKEY, MARY EDNA DICKEY, MARTHA
PAULINE DICKEY, MATTHEW W. DICKEY, JR.,
JOSEPHINE DICKEY, WILLIAM D. LONG, JAMES
LONG, PAUL B. DICKEY, MARY EDNA DICKEY
FAWCETT, MYRTLE H. LONG, CARLTON CLAIRE
DICKEY, ADA DICKEY MEANS, WILLIAM
WARREN DICKEY, LULU MAY BROWN, their
heirs, assigns, devisees, and personal
representatives, and SAMUEL MOORE, EARL
MOORE, JOHN W. ELLIOTT, RICHARD E. ELLIOTT,
JR., JOHN OSCAR MOORE, ALSO KNOWN AS
OSCAR JOHN MOORE, SARAH MOORE,
S. EVAN MOORE, MARY T. MOORE, and their
heirs, assigns, devisees, and personal
representatives, and AARON REITZ,
JESSIE E. THOMPSON, JEAN BARRETT
BENNINGER, WAYNE H. BARRETT,
REBECCA BORDEN, their heirs, assigns, devisees,
and personal representatives, and WILLIAM
KELSO, DAVID GEALEY and MAUREEN GEALEY,
his wife, PETER GEALEY and MARY GEALEY, his wife,
SCOTT CHRISTOPHERSON and EILEEN
CHRISTOPHERSON, his wife, KAREN
CHRISTOPHERSON FITZPATRICK, and
BRIAN FITZPATRICK, her husband, CAROL ANN
CHRISTOPHERSON STOUT and ROBERT STOUT, her
husband, DEBORAH D. MORTON, LINDA LAUER, LONI
CHRISTOPHERSON and their heirs, assigns, devisees,
and personal representatives; SANDRA GODFREY,

personal representative for the Estate of A. HOWARD
MARLIN, her successors and or assigns; and
MICHAEL A. KUBICO, JR. and STEPHEN B. KUBICO,
as personal representatives for the Estate of
HELEN SMITH KUBICO,

Defendants

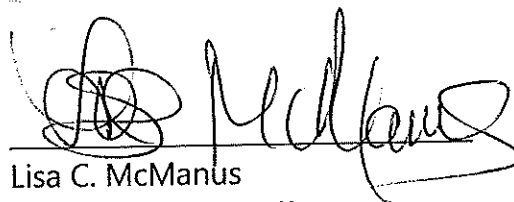
CERTIFICATE OF SERVICE

I, Lisa C. McManus, hereby certify that service of the foregoing Motion for Default Judgment was made upon the following, by mailing, first class, postage prepaid, a true copy to them at the following addresses on July 1, 2011:

Nathaniel C. Parker, Esq.
Greco & Lander, P.C.
1390 East Main Street, Suite 2
P.O. Box 667
Clarion, PA 16214

Stuart L. Shapiro
Shapiro Forman Allen & Sava LLP
380 Madison Avenue
New York, New York 10017

Jon M. Rowan, Esquire
Rowan Law Firm PC
2325 Oak Alley
Tyler, Texas 75703

A handwritten signature in black ink, appearing to read 'Lisa C. McManus', written over a horizontal line.

Lisa C. McManus
Attorney for Plaintiff
616 Sherry Road
Saint Marys, PA 15857

Dated: July 1, 2011