

BOROUGH OF KUTZTOWN,  
Plaintiff,

IN THE COURT OF COMMON PLEAS  
OF BERKS COUNTY, PENNSYLVANIA

VS.

FIRST AMERICAN TITLE INSURANCE COMPANY,  
Defendant,

CIVIL ACTION 15-16511

MAXATAWNY TOWNSHIP and MAXATAWNY  
TOWNSHIP MUNICIPAL AUTHORITY,  
Intervenors.

CASE NO.:

**PRAECIPE FOR ARGUMENT**

**To the Prothonotary:**

(1) Argument date requested is September 6, 2016  
 by agreement of all parties and the assigned judge under B.R.C.P. 211.2(c)(1)

(2) The matter to be argued is Kutztown's Petition to Release Escrow Documents held by the Court

(3) The party who has the burden is Borough of Kutztown

(4) The matter should be argued before:  
 a panel of judges under B.R.C.P. 211 (a)  
 a single judge under B.R.C.P. 211 (b)

(5) The following named judge  should  should not hear the case for the following reasons: Judge Rowley; Judge Rowley was presented with preliminary objections in this matter and entered and Order staying the matter and directing certain documents be turned over to the Court to be held in escrow.

(6) Case will be argued for Plaintiff by George C. Werner, Esquire

Case will be argued for ~~Defendant~~ Intervenor by Sean E. Summers, Esquire

Case will be argued for Additional Defendant by \_\_\_\_\_

  
Attorney for Plaintiff Borough of Kutztown

BOROUGH OF KUTZTOWN,  
Plaintiff,  
v.  
FIRST AMERICAN TITLE INSURANCE COMPANY,  
Defendant,  
MAXATAWNY TOWNSHIP and MAXATAWNY  
TOWNSHIP MUNICIPAL AUTHORITY,  
Intervenors.

IN THE COURT OF COMMON PLEAS  
OF BERKS COUNTY, PENNSYLVANIA

Civil No. 15-16511

### AFFIDAVIT OF SERVICE FOR ARGUMENT COURT

George C. Werner, Esquire \_\_\_\_\_, certifies that

service was made pursuant to Berks County Rules of Court as follows:

- Praecipe for Argument                       Brief(s) for Argument  
 Proposed Order                                       Preliminary Objections                       Petition to Release Escrow Documents

upon Sean E. Summers, Esquire \_\_\_\_\_, who is

a party                       attorney for Maxatawny Township and Maxatawny Township Municipal Authority  
Name of party

by personal service on \_\_\_\_\_ by  
Date

handing the same to said person

hand delivery of the same to said person's last address at:

by U.S. Mail     first class     registered     certified  
deposited on July 25, 2016 \_\_\_\_\_ and  
Date

addressed to said person's last address at:

Summers Nagy Law Office, 200 Spring Ridge Drive, Suite 202, Wyomissing, PA 19610

and via e-mail to ssummers@summersnagy.com

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.

  
\_\_\_\_\_  
Attorney for Borough of Kutztown