

BRYAN D. MANEVAL  
and NICOLE L. MANEVAL  
Plaintiffs

vs.

NATIONWIDE MUTUAL FIRE  
INSURANCE COMPANY  
Defendant

: IN THE COURT OF COMMON PLEAS  
: OF LYCOMING COUNTY, PENNSYLVANIA  
:  
:  
: NO. 01-00,946  
:  
: CIVIL ACTION - LAW  
:  
:  
: MOTION FOR POST-TRIAL RELIEF

**Date: August 8, 2003**

**ORDER**

This Order is entered in relation to the Motion for Post-Trial Relief filed by Defendant National Mutual Fire Insurance Company on July 7, 2003. At the time that document was filed this Court was on vacation. The Court's normal course of action would have been to immediately enter an order indicating that no action would be taken on the Motion for Post-Trial Relief because an appropriate scheduling order in a form provided by Lycoming County Rule of Civil Procedure L206 was not attached to the Motion. The Court has previously advised defense counsel of the necessity of attaching such form to motions on prior occasions.

Due to the delay between the date of filing that Motion and this Court receiving it for review, the Court will not enter such order of non-action.

It is ORDERED and DIRECTED that the Motion for Post-Trial Relief filed by Defendant on July 7, 2003, is hereby DENIED. The basis for denial primarily is that the matters raised in the Motion for Post-Trial Relief addressed this Court's assessment of credibility and weight of the evidence as well as

the sufficiency. This Court's Adjudication filed June 24, 2003 addresses those issues and indicates this Court's assessment of credibility and the weight to be afforded the testimony.

In addition, this Court denies the Motion because it is not at all certain that the Motion is timely filed inasmuch as a final verdict and adjudication was not entered by that which was filed by the Court on June 24<sup>th</sup> but rather a supplemental verdict and order was to be filed in accordance with the terms of the final adjudication and verdict is filed herewith which constitutes a final disposition of the issues in this case.

This Court also notes that Defendant has filed a request for transcription of trial testimony. This Court believes that the Motion for Transcription does not require any action by this Court. The Court does note that it appears that defense counsel has not notified the Court Administrator, Clerk of Courts and Court Reporters as required by Pa. R.J.A. 5005.5(a). If such transcripts are sought by Defendant, defense counsel shall comply with said Rules and also post the necessary security deposit therefore.

BY THE COURT,

William S. Kieser, Judge

cc: Richard A. Vanderlin, Esquire  
Scott L. Grenoble, Esquire  
525 South Eighth Street; P. O. Box 49; Lebanon, PA 17042-0049  
Judges  
Christian J. Kalas, Esquire  
Gary L. Weber, Esquire (Lycoming Reporter)