



**IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA**

**FILED**  
DEC 21 2000  
William A. Shaw  
Prothonotary

*See*  
11:30 AM  
DEC 21 2000  
41CC  
PAW  
**FILED**  
Att'd.  
80.00  
William A. Shaw  
Prothonotary

(P)

**IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA**

IN RE: MATTER OF JOSEPH  
BORTZ, minor child  
of LEISA HOLLAR ] ORPHANS' COURT DIVISION  
 ]  
 ] No.: 00-1580-CQ  
 ]  
 ]  
 ]  
 ]  
 ] PETITION TO SETTLE A  
 ] MINOR'S CLAIM  
 ]  
 ]  
 ] Filed on behalf of:  
 ] LEISA HOLLAR,  
 ] Petitioner  
 ]  
 ] Counsel of Record for this Party:  
 ] VICTOR H. PRIBANIC  
 ] PA I.D. NO. 30785  
 ]  
 ] PRIBANIC & PRIBANIC, P.C.  
 ] 1735 Lincoln Way  
 ] White Oak, PA 15131  
 ]  
 ] (412) 672-5444 DLT

**FILED**

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Prothonotary

**IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA**

IN RE: MATTER OF JOSEPH ] ORPHANS' COURT DIVISION  
BORTZ, minor child ]  
of LEISA HOLLAR ]  
] No.:  
]

**PETITION TO SETTLE A MINOR'S CLAIM**

Petitioner, Leisa Hollar, by her counsel, Victor H. Pribanic files the within Petition to Settle a Minor's Claim and in support thereof avers the following:

1. The Petitioner is the parent and guardian of Joseph Bortz, a minor who was injured on June 8, 1999.

2. Joseph Bortz was born on November 8, 1983.

3. Mr. Bortz was injured as a result of a shooting incident in which he sustained a gunshot wound to his face from which he has recovered.

4. The home owner's insurance carrier for the young man who fired the shot, Calvin Guelich, has tendered its policy limits in the amount of \$100,000.00 as set forth in the attached correspondence.

5. The home owner's insurance carrier for the individual whose home the incident occurred in has also tendered their limits in the amount of \$25,000.00 as set forth in Exhibit 2 heretc.

6. No additional source of funds is available in this matter.

7. A subrogation lien has been asserted by Boilermaker's National Health and Welfare Fund in respect to medical expenses incurred on behalf of Joseph Bortz' treatment in the amount of \$47,277.68 – counsel for the minor has secured an agreement from them to accept a sum of \$20,000.00 in full satisfaction of this subrogation claim.

8. The parties have entered into a fee agreement, a true and correct copy of which is attached hereto, which provides for the payment of lawyer's fees in this matter in the amount of \$33 1/3% - this fee has been reduced from Plaintiff's counsel's usual fee in the amount of 40% in consideration of the minority of the Plaintiff.

WHEREFORE, Petitioner respectfully requests that this Court enter an Order allowing settlement of the captioned claim upon the terms and conditions set forth in the attached Order.

RESPECTFULLY SUBMITTED,

  
VICTOR H. PRIBANIC  
Attorney for Petitioner

**FILED**

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IN RE: MATTER OF JOSEPH ] ORPHANS' COURT DIVISION  
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of LEISA HOLLAR ]  
] No.: \_\_\_\_\_

**ORDER OF COURT**

AND NOW, to wit, this 17 day of Jan, 2001, it  
is HEREBY ORDERED, ADJUDGED AND DECREED that the claim of the minor  
Plaintiff, Joseph Bortz may be settled by his parent and guardian, Leisa Hollar upon the  
following terms and conditions and the funds shall be distributed as follows:

1. The sum of \$20,000.00 shall be paid to Boilermaker's National Health and Welfare Fund in satisfaction of the subrogation claim asserted by them;
2. The sum of \$41,250.00 shall be paid to Pribanic & Pribanic, LLC as counsel fees;
3. The sum of \$—0— shall be paid to Pribanic & Pribanic, LLC as costs;  
57,322.63,750.00 for P.P.
4. The sum of \$\_\_\_\_\_ shall be deposited in the name of the minor in a restricted account which provides that no further distribution shall be made until the minor has reached his majority – proof of deposit shall be supplied to this Court within thirty (30) days of the date of the receipt of the foregoing funds by Leisa Hollar or in the alternative the funds payable to the minor Plaintiff may be deposited by the insurance carrier in an annuity provided no payments are made thereunder to the minor Plaintiff until he has reached majority except upon further Order of this Court.

BY THE COURT:

**FILED**

JAN 17 2001

0/10/51/00

William A. Shaw

Prothonotary

1 cent to ATF

J.