

02-1995-CD  
IN RE: CLIFFORD BOGARDUS, etal.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

IN RE: CLIFFORD BOGARDUS  
and VIRGINIA BOGARDUS, as  
parents and natural guardians of  
APRIL BOGARDUS, a minor,

Petitioners

No. 02-1995-CD

**PETITION FOR APPROVAL OF  
SETTLEMENT OF A MINOR'S CLAIM**

Filed on behalf of:  
PETITIONERS

Counsel of record for this party:

GEOFFREY S. CASHER, ESQUIRE  
E-mail address:  
gcasher@edgarsnyder.com

PA I.D. No. 35309

EDGAR SNYDER & ASSOCIATES, LLC  
100 West High Street  
Ebensburg, PA 15931-1539

(814) 472-9000

**FILED**

DEC 31 2002

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

IN RE: CLIFFORD BOGARDUS            No.  
and VIRGINIA BOGARDUS, as  
parents and natural guardians of  
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Petitioners

**PETITION FOR APPROVAL  
OF SETTLEMENT OF A MINOR'S CLAIM**

AND NOW, come the Petitioners, CLIFFORD BOGARDUS and VIRGINIA BOGARDUS, as parents and natural guardians of your minor Petitioner, APRIL BOGARDUS, a minor, by and through their attorneys, EDGAR SNYDER & ASSOCIATES, LLC, and GEOFFREY S. CASHER, ESQUIRE, and sets forth the following Petition for Approval of Settlement of a Minor's Claim.

1.     The minor's date of birth is April 11, 1989. All parties to this action reside at R. D. #4, Box 519, DuBois, Pennsylvania 15801.

2.     On or about September 18, 1999 your minor Petitioner, and her mother, VIRGINIA BOGARDUS, were visiting at her aunt, Cleora Confer's, house at R. D. #1, Box 891, Brockway, Jefferson County, Pennsylvania. At that time, your minor Petitioner, APRIL BOGARDUS, sat on the couch and began to pet a dog owned by her aunt, Cleora Confer, and the dog without reason snapped at your minor Petitioner, biting her on the face and around the upper lip area.

The minor was injured and taken to DuBois Regional Medical Center in DuBois,

Pennsylvania, where she was seen by Dr. Jeffrey Rice. Dr. Rice's records reflect a lacerated upper eyelid, a small laceration to the cheek, and an avulsion type upper lip laceration, extending to the right cheek area. The next day, the patient was taken to the operating room where her upper lip was reconstructed and sutured. Follow-up treatment was done by Dr. Rice and he performed resurfacing of the lip area to eliminate scarring and decrease outward appearance of the dog bite.

3. Cleora Confer was insured under a homeowner's policy from State Farm Insurance Company, claim number 38-P283-331. After negotiation with the adjuster, Paul Keller, the adjuster offered \$20,000.00 in full and final settlement of the minor's claim. Undersigned counsel has recommended to the Petitioners that they accept the \$20,000.00 in full and final settlement.

4. The Petitioners hired the firm of EDGAR SNYDER & ASSOCIATES, LLC, on a one-third contingency basis, plus reimbursement of expenses. The law firm of EDGAR SNYDER & ASSOCIATES, LLC, investigated the accident, obtained medical records, negotiated with the insurance company, took various photos in an attempt to effectuate a settlement.

5. The expenses associated with this case total \$398.68. Further, there is a Department of Public Welfare lien in the amount of \$816.28 and a lien to Jeffrey Rice DMD in the amount of \$540.00, resulting in total costs and liens of \$1,754.96. Attorney's fees in the amount of 25% of the total settlement amounts to \$5,000.00. The balance to the client, if said settlement is approved by your Honorable Court, amounts to \$13,245.04.

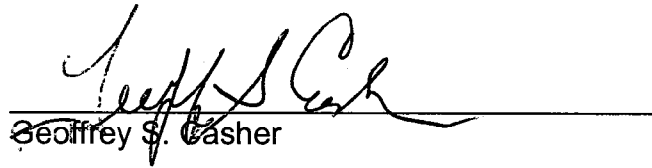
6. It is requested that this Honorable Court approve the settlement. The settlement monies will be deposited directly by the undersigned counsel into a federally insured bank of the Petitioners choosing. Further, the money will be placed in the minor's

own name with the express restriction that no withdrawals be made until the minor achieves the age of eighteen, unless this Court so orders.

WHEREFORE, it is requested ths Honorable Court approve the settlement and distribution as set forth in the Order.

Respectfully submitted:

EDGAR SNYDER & ASSOCIATES, LLC



Geoffrey S. Casher

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

IN RE: CLIFFORD BOGARDUS  
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parents and natural guardians of  
APRIL BOGARDUS, a minor,

No. 02-1995-CD

Petitioners

ORDER OF COURT

AND NOW, to-wit, this 24 day of Feb, 200<sup>3</sup>2, it is hereby

Ordered that the claims on behalf of the Minor, APRIL BOGARDUS, as to liability insurance may be settled for the sum of \$20,000.00.

A. It is further Ordered that the settlement proceeds of \$13,245.04 shall be distributed by payment of the sum of \$13,245.04 to CLIFFORD and VIRGINIA BOGARDUS, as parents and natural guardians of APRIL BOGARDUS, and the bank of their choice. The settlement proceeds will be forwarded directly by Geoffrey S. Casher, Esquire, to the bank which must be federally insured or whose deposits are backed by the full faith and credit of the United States Government, and said funds must be deposited in an account in the Minor's own name with an express restriction that no funds may be withdrawn until the Minor achieves the age of 18, unless otherwise authorized by an Order of the Orphan's Court of Common Pleas of Clearfield County. It is further Ordered that the sum of \$816.28 shall be paid

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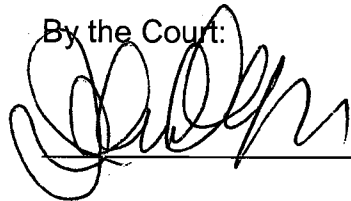
FEB 24 2003

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to the Department of Public Welfare in settlement of their lien and the sum of \$540.00 to Jeffrey Rice, DMD, in settlement of an outstanding bill. It is further Ordered that the sum of \$1,754.96 shall be paid to the law firm of Edgar Snyder & Associates, LLC for its fee and costs in this matter;

- B. Petitioners, CLIFFORD and VIRGINIA BOGARDUS, are the persons authorized to execute all necessary documents on behalf of APRIL BOGARDUS to settle all claims to the liability insurance of Cleora Confer
- C. Attorney Geoffrey Casher shall provide this Court with proof of deposit of the settlement proceeds received by the Minor within thirty days of deposit of said funds.

By the Court:



\_\_\_\_\_, J.

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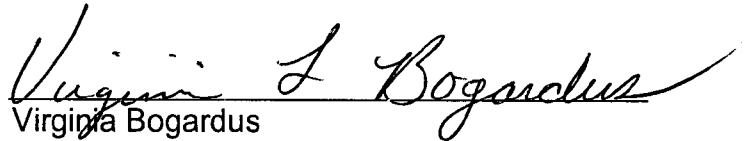
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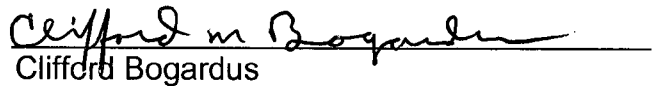
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**VERIFICATION**

We, CLIFFORD and VIRGINIA BOGARDUS, Petitioners herein, hereby verify that the averments of fact contained in the foregoing Petition for Approval of Settlement of a Minor's Claim are true and correct and based upon our personal knowledge, information or belief. We understand that these averments of fact are made subject to the penalties of 18 Purdons Consolidated Statutes Section 4904, relating to unsworn falsification to authorities.

  
Virginia Bogardus

  
Clifford Bogardus

Date:

11-25-02

FILED

NO  
cc

0110:44 BTH  
DEC 31 2002

William A. Shaw  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

IN RE: CLIFFORD BOGARDUS and  
VIRGINIA BOGARDUS, as parents  
and natural guardians of APRIL  
BOGARDUS,

No. 02-1995-CD

Petitioners

**PROOF OF DEPOSIT OF SETTLEMENT  
PROCEEDS**

Filed on behalf of:  
Petitioners

Counsel of record for this party:

GEOFFREY S. CASHER, ESQUIRE  
E-mail address: gcasher@edgarsnyder.com

PA I.D. No. 35309

EDGAR SNYDER & ASSOCIATES, LLC  
100 West High Street  
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APR 28 2003

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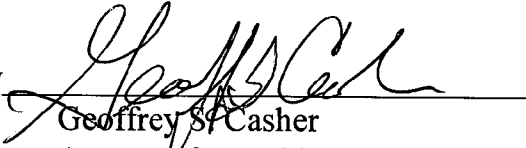
Petitioners

**PROOF OF DEPOSIT**

Kindly file the enclosed Proof of Deposit of settlement proceeds, which consists of a photocopy of the Certificate of Deposit, pursuant to the Order of Court dated February 24, 2003.

EDGAR SNYDER & ASSOCIATES, LLC

By

  
Geoffrey S. Casher  
Attorney for Petitioner



**FIRST  
Commonwealth**

DUBOIS MALL OFFICE  
DUBOIS PA 15801  
814 371-5002

**APRIL BOGARDUS, WITH NO WITHDRAWALS**

**TO BE MADE UNTIL SHE ACHIEVES THE AGE**

**OF 18 ON APRIL 11, 2007, UNLESS**

**OTHERWISE AUTHORIZED BY EXPRESS**


**ORDER OF COURT OF THE COURT**

**OF COMMON PLEAS OF COUNTY.**

**Certificate of Deposit**

**Non Transferable - Non Negotiable  
Automatically Renewable**

**60 - 120 MONTH CERTIFICATE**

REPRESENTATIVE <b>CLJ</b>	BRANCH <b>042</b>	CD TYPE <b>445</b>	CERTIFICATE NUMBER <b>01042800001064</b>	AMOUNT <b>\$13,245.04</b>
MATURITY PERIOD <b>60 MONTH</b>		ISSUE DATE: <b>March 21, 2003</b>		MATURITY DATE <b>March 21, 2008</b>
INTEREST RATE PAYABLE: <b>3.450%</b>			ANNUAL PERCENTAGE YIELD: <b>3.50%</b>	
ISSUED TO: <b>APRIL L BOGARDUS VIRGINIA L BOGARDUS AND CLIFFORD M BOGARDUS GUARDIANS</b>			CUSTOMER NUMBER: 1042800001064  ADDRESS <b>RD4 BOX 519 DUBOIS PA 15801</b>  TELEPHONE: 814 583-7892	
INTEREST PAYMENTS WILL BE DISBURSED: <b>MONTHLY AND ADDED TO THE PRINCIPAL BALANCE</b>				
<b>EARLY WITHDRAWAL POLICY</b> IF THE DEPOSIT IS WITHDRAWN BEFORE THE MATURITY DATE, A PENALTY EQUAL TO 365 days SIMPLE INTEREST WILL BE ASSESSED. ALL PENALTIES ARE ASSESSED AT THE RATE BEING PAID ON THE ACCOUNT AT THE TIME OF WITHDRAWAL. EARLY WITHDRAWAL MAY RESULT IN A REDUCTION IN THE PRINCIPAL AMOUNT ORIGINALLY DEPOSITED. NO PENALTY WILL BE ASSESSED ON WITHDRAWALS RESULTING FROM THE DEATH OR MENTAL INCAPACITY OF A DEPOSITOR. NO PENALTY WILL BE ASSESSED ON NORMAL DISTRIBUTIONS.				
<b>RENEWAL POLICY</b> THE ACCOUNT IS AUTOMATICALLY RENEWABLE. UNLESS WE RECEIVE WRITTEN INSTRUCTIONS TO THE CONTRARY WITHIN TEN (10) CALENDAR DAYS AFTER THE MATURITY DATE, THE ACCOUNT WILL BE RENEWED FOR AN ADDITIONAL 60 MONTH TERM. THE INTEREST RATE AND ANNUAL PERCENTAGE YIELD FOR THE NEXT MATURITY PERIOD WILL BE WHAT THE BANK IS OFFERING ON FIXED RATE 60 MONTH CERTIFICATES AS OF THE MATURITY DATE. RENEWAL WILL BE EFFECTIVE AND INTEREST WILL BE EARNED AS OF THE MATURITY DATE. FUNDS MAY BE WITHDRAWN WITHIN THE TEN (10) CALENDAR DAYS AFTER ANY MATURITY DATE BY SURRENDERING THE CERTIFICATE AND COMPLETING A WRITTEN REQUEST. NO INTEREST WILL BE PAID AFTER THE MATURITY DATE ON FUNDS WITHDRAWN DURING THE TEN (10) DAY PERIOD.				
cdc_cr.nr.doc 11/27/02				
<b>TAX REPORTING INFORMATION</b>				
TAX INFORMATION FOR THIS ACCOUNT WILL BE REPORTED USING YOUR NAME AS LISTED ABOVE AND THE FOLLOWING TAXPAYER IDENTIFICATION NUMBER:  TAXPAYER NAME: APRIL L BOGARDUS TAXPAYER IDENTIFICATION NUMBER: 187-70-8908				
<b>DEPOSITOR ACKNOWLEDGEMENTS</b>				
BY SIGNING THE BANK'S COPY OF THE CERTIFICATE AT THE TIME THE ACCOUNT WAS OPENED, EACH SIGNER: (1) ACKNOWLEDGED THAT THE DEPOSIT ACCOUNT AGREEMENT, CERTIFICATES OF DEPOSIT, AND THE DISCLOSURE OF ACCOUNT TERMS WERE RECEIVED BEFORE THE ACCOUNT WAS OPENED, AND (2) AGREED THAT THE TERMS AND CONDITIONS CONTAINED THEREIN WILL GOVERN THE OPERATION OF THE ACCOUNT.				
<b>BANK SIGNATURE:</b>				
Bank Signature >  <SEAL>			Date > <b>3/21/13</b>	

**CLIENT COPY**

RECEIVED  
MAR 26 2003  
By \_\_\_\_\_

FILED

M 11:20 AM  
APR 28 2003

McC  
C/AD

William A. Shaw  
Prothonotary