

DOCKET NO. 173

NUMBER	TERM	YEAR
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81	February	1961
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Edwin S Kammerer

**VERSUS**

Aetna Casualty & Surety Company

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

EDWIN S. KAMMERER

: No. 81 February Term, 1961

-vs-

:

AETNA CASUALTY & SURETY  
COMPANY

: IN ASSUMPSIT

:

PRAECIPE FOR SUMMONS IN ASSUMPSIT

To William T. Hagerty, Prothonotary

Sir: Enter our appearance for the Plaintiff and issue  
Summons in Assumpsit against the Defendant in the above stated  
action.

BELL, SILBERBLATT & SWOPE  
By

Richard A. Bell  
Richard A. Bell, Attorneys for  
Plaintiff

February 16, 1961

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENN -  
SYLVANIA, No. ~~5~~ February  
Term, 1961 - In Assumpsit

EDWIN S. KAMMERER

-vs-

AETNA CASUALTY & SURETY  
COMPANY

PRAECLipe FOR SUMMONS IN  
ASSUMPSIT

1 FEB 16 1961

WM. T. HAGERTY  
PROTHONOTARY

4/150-PL

288

John

No. 81 February Term 19 61

Edwin S. Kammerer

versus

Aetna Casualty & Surety Company

## SUMMONS

Richard A. Bell,

Attorney

# SUMMONS

Commonwealth of Pennsylvania  
County of Clearfield

To ..... Aetna Casualty & Surety Company

You are notified that ..... Edwin S. Kammerer

the plaintiff , has commenced an action in Summons in Assumpsit .....  
against you which you are  
required to defend:

Date ..... February 16, 1961

Wm St. Hayt  
Prothonotary.

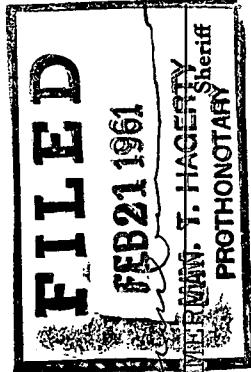
# Affidavit of Service

Edwin S. Kammerer }  
vs. }  
Aetna Casualty & Surety Company }  
\_\_\_\_\_  
No. 81 February Term, 1961  
Summons  
\_\_\_\_\_  
Returnable within \_\_\_\_\_ days  
from date of service hereof.

NOW February 20, 1961 at 10:00 o'clock A.M.  
served the within Summons  
on Aetna Casualty & Surety Company by serving agent Moore, Wilson &  
Esheiman at place of business, 201 E. Market Street, Clearfield, Pa.  
\_\_\_\_\_  
by handing to A. L. Moore, Jr., Vice President of Moore, Wilson &  
Esheiman Summons  
a true and attested copy of the original Summons  
known to him the contents thereof.

Costs. Sheriff Amerman \$7.00  
(Paid by Atty Bell)  
\_\_\_\_\_  
So answers,

Sworn to before me this 20th  
day of February A. D. 19 61  
*Wm. T. Hager*  
Wm. T. Hager  
Prothonotary



EDWIN S. KAMMERER, ) IN THE COURT OF COMMON PLEAS  
)  
Plaintiff, ) CLEARFIELD COUNTY, PENNSYLVANIA  
)  
vs. ) NO. 81 FEBRUARY TERM, 1961  
)  
AETNA CASUALTY AND SURETY COMPANY, )  
)  
Defendant. ) IN ASSUMPSIT

**APPEARANCE**

**TO THE PROTHONOTARY:**

Please enter our appearance in the above entitled matter  
on behalf of the Defendant, Aetna Casualty and Surety Company.  
All papers may be served on us at 119 East Beaver Avenue, State  
College, Pa.

MILLER, KISTLER & LEE  
Attorneys for Defendant

By: Robert K. Kistler  
ROBERT K. KISTLER

Dated: March 22, 1961.

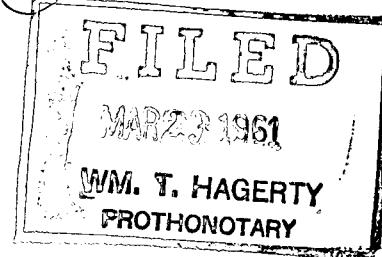
IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA  
NO. 81 FEBRUARY TERM, 1961  
IN ASSUMPSIT

EDWIN S. KAMMERER,  
Plaintiff,

vs.

AETNA CASUALTY AND SURETY  
COMPANY,  
Defendant.

APPEARANCE



LAW OFFICES OF  
MILLER & KISTLER & LEE  
BELLEFONTE & STATE COLLEGE, PA.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

EDWIN S. KAMMERER :  
VS. : No. *S/* February Term, 1961  
AETNA CASUALTY & SURETY COMPANY : IN ASSUMPSIT

MOTION FOR DISCOVERY UNDER  
RULE #4009 OF THE PENNSYLVANIA  
RULES OF CIVIL PROCEDURE

(1). The above stated action has been commenced by Summons.  
(2). The claim of the Plaintiff against the Defendant is based upon a policy of insurance, which the Defendant issued to the School District of the Borough of Clearfield, insuring the School District and its employees from liability for damages, and reputed to be Policy No. 3 CA 45913.

(3). The Plaintiff does not have a copy of the said policy and can not prepare his Complaint, nor otherwise prosecute his action, without first obtaining a copy of the said policy.

NOW, THEREFORE, this 20th day of February, 1961, the Plaintiff moves your Honorable Court for an Order, directing the Defendant hereunto to produce and permit the inspection of the insurance policy which it had with the School District of the Borough of Clearfield, insuring the said School District from liability for damages, which was in effect on February 2, 1957, pursuant to Pennsylvania Rule of Civil Procedure No. 4009 (1), and further to provide the Plaintiff with a copy of said policy of insurance or to permit the Plaintiff, by his attorneys, to make a copy of the said policy.

BELL, SILBERBLATT & SWOOP

BY: Richard A. Bell  
Attorneys for Plaintiff

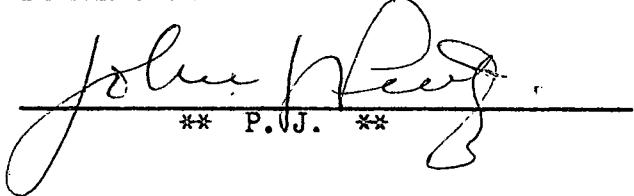
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

EDWIN S. KAMMERER :  
VS. : No. February Term, 1961  
AETNA CASUALTY & SURETY COMPANY :  
: IN ASSUMPSIT

ORDER OF COURT

NOW, THIS 17<sup>th</sup> day of ~~February~~ April, 1961, the Aetna Casualty & Surety Company, Defendant, is directed to produce and make available to Edwin S. Kammerer, and his attorneys, Bell, Silberblatt & Swoope, the policy of insurance which it, the Defendant, issued to the School District of the Borough of Clearfield, protecting the said School District and its employees from liability for damages, which was in effect on the 2nd day of February, 1957, and to supply the said Plaintiff with an exact copy of the said policy or to permit the Plaintiff, by his attorneys, to make a copy of the said policy. The said policy shall made available to the Plaintiff and his attorneys, at 5<sup>th</sup> Floor Clearfield Trust & Bank, Clearfield, Pennsylvania, within ~~forty~~ fifteen days of the date of this Order.

BY THE COURT:

  
\_\_\_\_\_  
\*\* P.J. \*\*

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA  
No. February Term, 1961  
IN ASSUMPSIT

EDWIN S. KAMMERER

VS.

AETNA CASUALTY & SURETY  
COMPANY

MOTION FOR DISCOVERY UNDER  
RULE #4009 OF THE PENNSYLVANIA  
RULES OF CIVIL PROCEDURE

John A. Fagerl  
FROTH & OTTER

BELL, SILBERBLATT & SWOOP  
ATTORNEYS AT LAW  
CLEARFIELD TRUST CO. BLDG.  
CLEARFIELD, PENNA.

No. \_\_\_\_\_ Term \_\_\_\_\_ 19\_\_\_\_\_

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vs.

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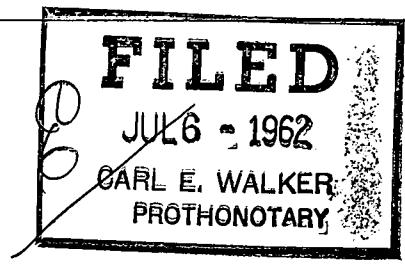
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## APPEARANCE

For \_\_\_\_\_



Edward Hammer

VERSUS

Retna Casualty & Surety Co.

No. 81 Term Feb. 1961

To Carl E. Walker

Prothonotary.

Sir: Enter \_\_\_\_\_ appearance for plaintiff

discontinuance

in above case.

Sell, Silberbatt & Swope

Richard L. Sell

Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF

CLEARFIELD COUNTY, PA.

LAW OFFICES OF  
**MILLER, KISTLER & LEE**  
BELLEFONTE & STATE COLLEGE, PA.

PLEASE REPLY TO:

JOHN R. MILLER, JR.  
ROBERT K. KISTLER  
DONALD E. LEE

1502 South Atherton Street  
State College, Pa.

TELEPHONES:  
BELLEFONTE-ELGIN 5-2616  
STATE COLLEGE-ADAMS 8-0554

May 31, 1962

Prothonotary  
Clearfield County  
Clearfield, Pa.

Dear Sir:

Enclosed is an original praecipe for rule to file complaint to No. 81 February Term, 1961. I would appreciate it if you would prepare this rule and deliver it to Richard A. Bell, attorney for Plaintiff.

I am sending a copy of this letter and of the praecipe to Mr. Bell directly for his information.

Sincerely,  
**MILLER, KISTLER & LEE**

By: *Robert K. Kistler*<sup>s</sup>

RKK:mes  
Encl. (1)  
cc: Richard A. Bell

EDWIN S. KAMMERER, ) IN THE COURT OF COMMON PLEAS  
)  
Plaintiff, ) CLEARFIELD COUNTY, PENNSYLVANIA  
)  
vs. ) NO. 81 FEBRUARY TERM, 1961  
)  
AETNA CASUALTY & SURETY COMPANY, )  
)  
Defendant. ) IN ASSUMPSIT

PRAECIPE FOR RULE TO FILE COMPLAINT

TO THE PROTHONOTARY:

Enter rule on the Plaintiff above named to file his  
complaint sec. leg. or judgment of non. pros. may be entered.

May 31, 1962

MILLER, KISTLER & LEE  
Attorneys for Defendant

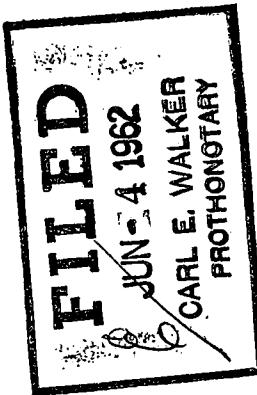
By: Robert K. Kistler  
Robert K. Kistler

IN THE COURT OF COMMON PLEAS  
CLEARFIELD COUNTY, PENNSYLVANIA  
NO. 81 FEBRUARY TERM, 1961  
IN ASSUMPSIT

EDWIN S. KAMMERER, Plaintiff,  
vs.

AETNA CASUALTY & SURETY COMPANY,  
Defendant.

PRAECIPE FOR RULE TO FILE  
COMPLAINT



LAW OFFICES OF  
MILLER, KISTLER & LEE  
STATE COLLEGE, PENNSYLVANIA  
1502 SOUTH ATHERTON STREET

Service accepted and issuance of rule waived  
June 6, 1962.

*Bell, Kistler & Lee*

*Richard A. Bell*

*atty. for Plaintiff*