

DOCKET NO. 175

NUMBER TERM YEAR

97 November 1961

Donna J. Dickson, a minor by  
Elva Thompson, her mother and  
natural gdn, and Elva Thompson,  
in her own right

**VERSUS**

Mack Dickson

Richard Dotts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DONNA J. DICKSON, a minor,  
by ELVA THOMPSON, her mother  
and natural guardian, and  
ELVA THOMPSON in her own  
right

No. 97 November Term 1961

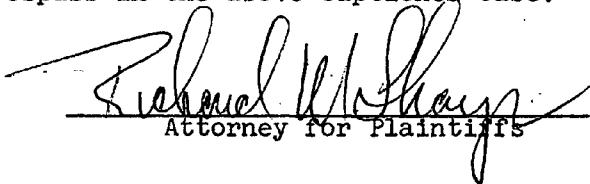
vs.

MAC DICKSON and RICHARD F.  
DOTT

TO: WILLIAM T. HAGERTY, PROTHONOTARY

Sir:

Issue Summons in Trespass in the above captioned case.

  
Richard W. Hayes  
Attorney for Plaintiffs

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DONNA J. DICKSON, a minor,  
by ELVA THOMPSON, her mother  
and natural guardian, and  
ELVA THOMPSON in her own  
right

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vs.

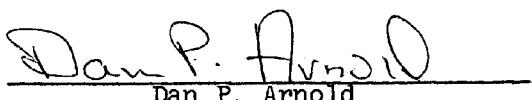
MAC DICKSON and RICHARD F.  
DOTT

TO: WILLIAM T. HAGERTY, PROTHONOTARY

Sir:

NOW, November 17 1961, service of Summons is accepted  
and issuance of writ is waived. Enter my appearance for the  
defendants in the above captioned proceeding.

DAN P. ARNOLD  
ATTORNEY AT LAW  
CLEARFIELD, PA.

  
Dan P. Arnold

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DONNA J. DICKSON, a minor, :  
by ELVA THOMPSON, her mother :  
and natural guardian, and :  
ELVA THOMPSON in her own :  
right : No. November Term 1961  
vs. :  
MAC DICKSON and RICHARD F. :  
DOTTs :  
:

TO THE HONORABLE JOHN J. PENTZ, PRESIDENT JUDGE OF SAID COURT:

The joint petition of Donna J. Dickson, a minor, by Elva Thompson, her mother and natural guardian, and Elva Thompson, in her own right, by their attorney, Richard M. Sharp, Esquire, and Nationwide Mutual Insurance Company, insurance carrier for both of the defendants above named, by Dan P. Arnold, Esquire, their attorney, respectfully represents:

1. That Donna J. Dickson is a minor of the age of 16 years and resides with her mother, Elva Thompson, in Osceola Mills, Pennsylvania.

2. That Donna J. Dickson, the above named minor, was, on June 17, 1960 at about 7:55 P. M. standard time, a passenger in a motor vehicle being operated by the defendant, Mac Dickson.

3. That on the date and at the time aforesaid, the motor vehicle being operated by the defendant, Mac Dickson, was struck headon by the motor vehicle being operated by Richard F. Dotts, who was approaching in the opposite direction, said collision occurring about four miles west of Irvona, Clearfield County, Pennsylvania on Legislative Route 17022.

4. That as a result of the aforesaid collision, Donna J. Dickson suffered lacerations of the face, multiple contusions of the face and chest, a fracture of the alveolar process of the

superior maxilla and loss of two incisor teeth.

5. That as a result of the aforesaid accident and the injuries received by Donna J. Dickson, Elva Thompson incurred the following expenses for the treatment of her minor daughter:

George W. Mills, D. D. S.	\$ 150.00
Lester Luxenberg, M. D.	50.00
Clark M. Forcey, M. D., X-rays	<u>20.00</u>
Total	<u>\$ 220.00</u>

6. That both of the defendants above named are insured by Nationwide Mutual Insurance Company which company has negotiated a settlement with Richard M. Sharp, attorney for the minor plaintiff and her mother, for the injuries received by Donna J. Dickson for the gross amount of Seven hundred fifty (\$750.00) Dollars.

7. That your petitioner, Dan P. Arnold, Esquire, represents Nationwide Mutual Insurance Company for the purpose of preparing the necessary papers to present your Honorable Court for approval of the settlement and has performed no services for the plaintiffs herein who have been represented at all times by your other petitioner, Richard M. Sharp.

8. That your petitioners feel that the settlement in the gross amount of \$750.00 is fair and reasonable under the circumstances and request your Honorable Court to approve the same and direct distribution.

9. That attached hereto and made a part hereof is a letter dated October 10, 1961 from Lester Luxenberg, M. D., the attending physician of the minor plaintiff, in which he states the nature of the injuries received by her. (Dr. Luxenberg treated both the minor plaintiff and her father and only the last paragraph of the attached letter refers to the minor plaintiff herein).

DAN P. ARNOLD  
ATTORNEY AT LAW  
CLEARFIELD, PA.

WHEREFORE, your petitioners jointly pray your Honorable Court to approve the settlement in the gross amount of \$750.00 and direct distribution of the same.

And they will ever pray.

Richard W. Shap  
Attorney for Plaintiffs

Dan P. Arnold

COMMONWEALTH OF PENNSYLVANIA : : SS:  
COUNTY OF CLEARFIELD : :

ELVA THOMPSON, being duly sworn according to law, deposes and says that the facts set forth in the foregoing Petition are true and correct to the best of her knowledge, information and belief.

Elva Thompson

Sworn to and subscribed  
before me this 17<sup>th</sup> day  
of November 1961.

DAN P. ARNOLD  
ATTORNEY AT LAW  
CLEARFIELD, PA.

Wm T. Hegerty

PROTHONOTARY  
My Commission Expires  
1st Monday Jan 3, 1962

Lester Luxenberg, M. D.  
James P. Scott, M. D.  
Joseph Kinney, M. D.  
18 North Second Street      Philipsburg, Pennsylvania

October 10, 1961

Mr. Dan P. Arnold  
101 S. Second Street  
Clearfield, Pennsylvania

Dear Mr. Arnold:

As per your request we are sending the following information on Richard and Donna Thompson.

Richard Thompson was admitted to the Philipsburg Hospital at 10:03 P.M. on 6-17-60. At the time of admission he had a laceration of the scalp and evidence of a head injury. The scalp was sutured, and a few hours following admission he developed a motor aphasia with paralysis of the right side of the body. Because of the severity of the head injury, he was immediately transferred to the Mercy Hospital in Pittsburgh. We have not seen Mr. Thompson since his transferral to Pittsburgh. We have a report from Dr. Richard Hershey, neurosurgeon at the Mercy Hospital, stating that Mr. Thompson was admitted there on 6-18-60 and discharged on 8-6-60. At the time of discharge he had a complete motor aphasia with a minimal residual left hemiparesis. Prognosis for complete recovery of function was guarded. Since we have not seen Mr. Thompson since his discharge from the Philipsburg Hospital on 6-18-60, we can give no further report as to his condition.

Donna Thompson was admitted to the Philipsburg Hospital 6-17-60. She had lacerations of the face, multiple contusions of the face and chest, a fracture of the alveolar process of the superior maxilla, and loss of two incisor teeth. The lacerations were sutured. Sutures were removed on 6-22-60, and Miss Thompson was discharged the same day. We have not seen her since that time and can render no further report as to her condition.

Very sincerely,

Lester Luxenberg, M.D.

LL:bb

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DONNA J. DICKSON, a minor, :  
by ELVA THOMPSON, her mother :  
and natural guardian, and :  
ELVA THOMPSON in her own :  
right : No. 97 November Term 1961  
vs. :  
MAC DICKSON and RICHARD F. :  
DOTTs :  
:

O R D E R

NOW, this 17<sup>th</sup> day of November 1961, in consideration of the foregoing petition and after personally observing Donna J. Dickson, the injured minor, and talking with her and her mother and natural guardian, and upon joint motion of Richard M. Sharp and Dan P. Arnold, petitioners herein, the Court hereby approves the settlement of the claim of the minor, Donna J. Dickson, for the gross amount of Seven hundred fifty (\$750.00) Dollars and directs distribution to be made as follows:

George W. Mills, D. D. S. and Elva Thompson	\$ 150.00 ✓
Lester Luxenberg, M. D. and Elva Thompson	50.00 ✓
Clark M. Forcey, M. D. and Elva Thompson	20.00
Richard M. Sharp, attorney's fees Elva Thompson, mother and natural guardian of Donna J. Dickson, and Commonwealth of Pennsylvania, Department of Public Assistance	175.00 ✓ <u>355.00</u>
Total	<u>\$ 750.00</u>

On receipt of all of the aforesaid checks, Elva Thompson is directed to sign a praecipe for the discontinuance of the above captioned action, in the form attached, upon payment of all costs by the defendants, or either of them, the defendants, Mac Dickson and Richard F. Dotts and Nationwide Insurance Company, under any policy or policies covering the said defendants, shall be discharged from any further liability to the aforesaid plaintiffs as a result of the accident set forth in the within petition.

BY THE COURT,

DAN P. ARNOLD  
ATTORNEY AT LAW  
CLEARFIELD, PA.

P. J.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DONNA J. DICKSON, a minor, :  
by ELVA THOMPSON, her mother :  
and natural guardian, and :  
ELVA THOMPSON in her own :  
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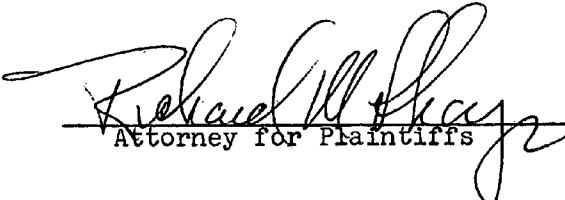
MAC DICKSON and RICHARD F. :  
DOTTTS :

TO THE PROTHONOTARY OF SAID COURT:

Sir:

Mark the above case settled and discontinued on payment  
of all costs by the defendants.

Dated: November 17, 1961

  
Richard F. Dotts  
Attorney for Plaintiffs

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNA.

No. 11 November Term, 1961

DONNA J. DICKSON, a minor,  
by ELVA THOMPSON, her mother  
and natural guardian, and  
ELVA THOMPSON, in her own  
right

vs.

MAC DICKSON and RICHARD F.  
DOTT

PETITION AND ORDER

SHARP & GILPATRICK  
ATTORNEYS AT LAW  
20 NORTH SECOND ST.  
PHILIPSBURG, PA.