

174

DOCKET NO. _____

NUMBER

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YEAR

134

May

1961

Clifford H. Kanour, Marjorie A.

Kanour & Larry W. Kanour, a minor
by Clifford H. Kanour, his Gdn.
Ad Litem

VERSUS

Ronald A. Yarger

Josephine A. Yarger

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CLIFFORD H. KANOUR, MARJORIE
A. KANOUR, and LARRY W. KANOUR
a minor, by CLIFFORD H. KANOUR
his Guardian Ad Litem

VS

No. 134 May Term, 1961

RONALD A. YARGER and JOSEPHINE A.
YARGER

Trespass

PRAECIPE FOR SUMMONS

TO WILLIAM T. HAGERTY, PROTHONOTARY

SIR:

Issue summons in trespass in the above case.

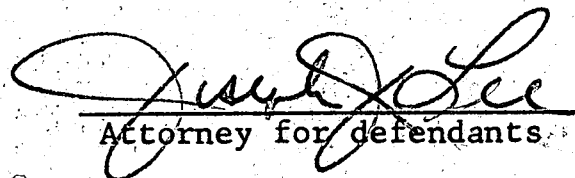

Attorney for Plaintiffs

ACCEPTANCE OF SERVICE

TO WILLIAM T. HAGERTY, PROTHONOTARY

SIR:

Service of process in the above stated case is hereby
accepted and issuance of the summons waived.


Attorney for defendants

Dated: May 19, 1961

No. 134 May Term, 1961
OF CLEARFIELD COUNTY, PENNA.
IN THE COURT OF COMMON PLEAS

CLIFFORD H. KANOUR ET AL

Trespass

PRÆCIPUE IN SUMMONS

RONALD A. YARGER ET AL

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
No. 134 May Term, 1961
Trespass

CLIFFORD H. KANOUR ET AL

RONALD A. YARGER ET AL
VS
WILLIAM T. HAGERTY, PROTHONOTARY

PRAECIPE FOR SUMMONS

PRAECIPE FOR SUMMONS

WILLIAM T. HAGERTY, PROTHONOTARY

Issue summons in trespass in the above case.

Attorney for Plaintiffs

ACCEPTANCE OF SERVICE

TO WILLIAM T. HAGERTY, PROTHONOTARY

SIR:

Service of process in the above stated case is hereby

accepted and issuance of the summons waived.

[Signature]
Attorney for Defendants

Dated: May 19, 1961

CLIFFORD H. KANOUR, MARJORIE
A. KANOUR, and LARRY W. KANOUR
a minor, by CLIFFORD H. KANOUR
his Guardian Ad Litem

VS
No. 134 May Term, 1961

RONALD A. YARGER and JOSEPHINE A. YARGER
Trespass

FILED
MAY 19 1961
WM. T. HAGERTY
CLERK

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CLIFFORD H. KANOUR, MARJORIE
A. KANOUR, and LARRY W. KANOUR
a minor, by CLIFFORD H. KANOUR
his Guardian Ad Litem

VS

No. 134 May Term, 1961

RONALD A. YARGER *and*

Trespass

Josephine A. Yarger

PETITION TO COMPROMISE

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

The Petition of Larry W. Kanour by Clifford H. Kanour, Guardian Ad Litem, respectfully represents:

(1). Your Petitioner is a minor and is represented by Clifford H. Kanour, his father, in this action against the above named defendant.

(2). This action has been commenced on behalf of the said minor, Larry W. Kanour, to recover damages for bodily injuries sustained by the said Larry W. Kanour as the result of an automobile accident occurring on November 14, 1959 wherein the minor plaintiff, who was a guest passenger in an automobile being driven by the defendant, incurred a fracture of the left femur necessitating hospitalization and resulting in great pain and suffering of the said minor plaintiff.

(3). The defendant has offered to settle the claim of the minor plaintiff and also the claim of the parent plaintiffs, Clifford H. Kanour and Marjorie A. Kanour, in the following terms:

(a). Clifford H. Kanour and Marjorie A. Kanour for medical expenses for which they are legally responsible, to wit:

(i). Philipsburg State Hospital - \$784.34.

(ii). Dr. Joseph J. Kinney, medical services -

\$550.00.

(iii). Dr. Clark M. Forcey, medical expenses -
\$100.00

(b). Larry W. Kanour:

(i). Seventytwo weeks loss of wages at \$60.00
a week - \$4320.00.

(ii). Pain and suffering-\$2745.66

(c). Counsel fees for the attorney for the plaintiffs
and cost of these proceedings, including the cost of having
a guardian of the estate appointed for the minor plaintiff,
are to be paid by the defendant in addition to the foregoing
settlement.

(4). Your Petitioner is informed and therefore believes
that the said Larry W. Kanour was last seen by Dr. Joseph J.
Kinney at his office in Philipsburg, Pennsylvania on March 24,
1961, and at that time he was pronounced recovered and was able
to return to work as of April 18, 1961.

(5). Your Petitioner believes that the proposed compromise
is in the best interest of the said minor, Larry W. Kanour.

(6). If this compromise is approved your Honorable Court
will be requested to direct a portion of the amount payable to
Larry W. Kanour by way of reimbursement for the claim for lost
wages to be paid directly to your Petitioner as his natural
guardian.

WHEREFORE, your Petitioner prays that the Court, after such
hearing as it may desire on the matter, approve the compromise
above set forth and authorize payment of the monies derived there-

from to the parties thereunto entitled.

And he will ever pray.

Clifford H. Kanour
(Clifford H. Kanour)
Guardian Ad Litem for Larry
W. Kanour

STATE OF PENNSYLVANIA:

:SS

COUNTY OF CLEARFIELD :

CLIFFORD H. KANOUR, being duly sworn according to law, deposes and says that the facts set forth in the within Petition are true and correct to the best of his information, knowledge and belief.

Clifford H. Kanour
(Clifford H. Kanour)

Subscribed and sworn to before

me this 13th day of May, 1961.

Agatha I. Carson

AGATHA I. CARSON, NOTARY PUBLIC
DECATUR TOWNSHIP, CLEARFIELD COUNTY
MY COMMISSION EXPIRES DECEMBER 17, 1961

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CLIFFORD H. KANOUR, MARJORIE
A. KANOUR, and LARRY W. KANOUR
a minor, by CLIFFORD H. KANOUR
his Guardian Ad Litem

VS

No. 134 May Term, 1961

RONALD A. YARGER

Trespass

ORDER FOR HEARING

NOW, to wit, this 19th day of May, 1961, the foregoing Petition
of Clifford H. Kanour, Guardian Ad Litem for Larry W. Kanour, a
minor, to compromise this action having been read and considered,
this Court will hold a hearing on the matter at 10 o'clock
A. M., in chambers, in Clearfield, Pennsylvania, on the 20
day of May, 1961, for the purpose of taking such testimony as may
be necessary and approving or disapproving said compromise at the
conclusion thereof.

By the Court,


P. J.

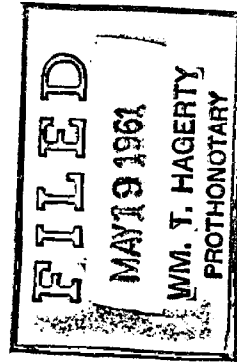
IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
No. /34 May Term, 1961
Trespass

CLIFFORD H. KANOUR ET AL

VS

RONALD A. YARGER *and*
Suzanne A. Yarger

PETITION TO COMPROMISE



JOSEPH J. LEE
ATTORNEY-AT-LAW
CLEARFIELD, PA.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CLIFFORD H. KANOUR, MARJORIE
A. KANOUR, and LARRY W. KANOUR
a minor, by CLIFFORD H. KANOUR
his Guardian Ad Litem

VS

No. 134

May Term, 1961

RONALD A. YARGER and JOSEPHINE A.
YARGER

Trespass

APPROVAL OF COMPROMISE
AND SETTLEMENT

NOW, to wit, this ^{20th} day of May, 1961, the Petition of
Clifford H. Kanour, Guardian Ad Litem for Larry W. Kanour, a
minor, to compromise the action commenced to the above term and
and Josephine A. Yarger
number against Ronald A. Yarger/having come on for hearing, and
the Court having fully examined into the propriety of the proposed
compromise and having fully gone into the matter with the said
Larry W. Kanour and his Guardian Ad Litem, Clifford H. Kanour,
and Clifford H. Kanour and Marjorie A. Kanour, parents of said
minor, and medical proof having been presented in support of the
Petition, and this Court being satisfied upon said proofs and re-
presentations of the parties, and upon due consideration of the
premises that the offer to compromise this action is, under the
circumstances, a fair, equitable and adequate one and would be
to the best interest of all parties to this proceeding and to the
said minor, Larry W. Kanour, in particular, NOW, THEREFORE, it is
hereby ORDERED, ADJUDGED AND DECREED:

(1). That Clifford H. Kanour, Guardian Ad Litem for Larry
W. Kanour, a minor, is hereby authorized and directed to com-
promise and settle said action in accordance with the prayer of
the Petition filed in these proceedings.

(2). Clifford H. Kanour, Guardian Ad Litem for Larry W.
Kanour, and Clifford H. Kanour and Marjorie A. Kanour in their own

right, together with Larry W. Kanour, are hereby authorized and directed to execute a full and complete release of all claims for damages to the said Larry W. Kanour and to the said Clifford H. Kanour and Marjorie A. Kanour arising out of injuries sustained by the said minor, Larry W. Kanour, in an accident occurring on or about November 14, 1959 wherein the said Larry W. Kanour was a guest passenger in an automobile driven by the defendant, Ronald A. Yarger, which became involved in an accident resulting in injuries to the said Larry W. Kanour, releasing the said Ronald and Josephine A. Yarger from all liability therefor both to Larry W. Kanour, the minor, and Clifford H. Kanour and Marjorie A. Kanour, his parents, and to accept in full payment of all claims arising out of or in any way related to said accident the sum of \$8500.00, to be distributed as follows:

(a). To Clifford H. Kanour and Marjorie A. Kanour, or their designees, the sum of \$1434.34, for hospital and medical expenses incurred.

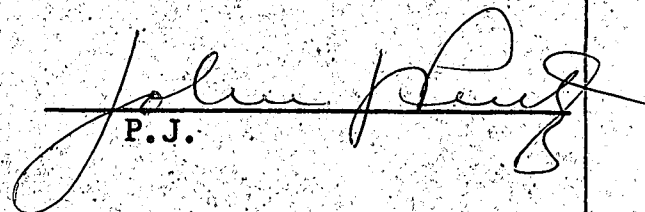
(b). To Clifford H. Kanour, natural guardian of Larry W. Kanour, being a portion of the amount claimed on behalf of said minor as reimbursement for loss of wages of said minor,

(c). To the First National Bank, Philipsburg, Pennsylvania, guardian of the estate of Larry W. Kanour, the sum of \$7065⁶⁶, being the balance of the compromise and settlement.

(3). In addition, the defendant shall pay counsel fees for the plaintiffs and all costs in these proceedings including, without limitation, the cost of having a guardian of the estate of Larry W. Kanour appointed.

(4). Upon receipt and distribution of the settlement in accordance with this Order as per an executed receipt by the said Clifford H. Kanour, Guardian Ad Litem for Larry W. Kanour, and by Clifford H. Kanour and Marjorie A. Kanour in their own right, and by an officer of the First National Bank, Philipsburg, Pennsylvania, guardian of the estate of Larry W. Kanour, the Clerk of the Court of Common Pleas of Clearfield County, Pennsylvania is hereby Ordered and Directed to mark the record in the above case settled and discontinued upon payment of the costs of these proceedings by the defendant and upon Praecipe of counsel for the plaintiffs.

By the Court,


P.J.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNA. No. 134 May Term, 1961 Trespass	
CLIFFORD H. KANOUR ET AL	
VS	
RONALD A. YARGER ET AL	
APPROVAL OF COMPROMISE AND SETTLEMENT	
FILED MAY 20 1961 WM. T. HAGERTY, PROTHONOTARY JOSEPH J. LEE ATTORNEY-AT-LAW CLEARFIELD, PA.	

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

CLIFFORD H. KANOUR, MARJORIE
A. KANOUR, and LARRY W. KANOUR
a minor, by CLIFFORD H. KANOUR
his Guardian Ad Litem

VS

No. 134 May Term, 1961

RONALD A. YARGER and JOSEPHINE A.
YARGER

Trespass

RECEIPT AND PRAECIPE FOR
DISCONTINUANCE

TO WILLIAM T. HAGERTY, PROTHONOTARY

SIR:

This is to certify that the undersigned have settled the
above entitled case as per Order of Court of May 20th, 1961, and
by the execution hereof we do hereby acknowledge that we or our
designees have received the total sum of \$8500.00 in accordance
with the schedule of distribution set forth in said Order, and
we hereby request that you mark the record in these proceedings
settled and discontinued upon payment of costs by the defendant.

Clifford H. Kanour
(Clifford H. Kanour) Guardian Ad
Litem for Larry W. Kanour

Larry W. Kanour
(Larry W. Kanour)

Clifford H. Kanour
(Clifford H. Kanour)

Marjorie A. Kanour
(Marjorie A. Kanour)

FIRST NATIONAL BANK, PHILIPSBURG,
PENNSYLVANIA

BY: J. Paul Trantz Jr. Trust Officer
Guardian of the estate of Larry
W. Kanour

J. Paul Trantz Jr.
Attorney for Plaintiffs

Dated: May 24, 1961

Dated: May 24, 1961

Attorney for Plaintiff

BY: *[Signature]*
Guardian of the estate of Larry W. Kanour
FIRST NATIONAL BANK, PHILIPSBURG, PENNSYLVANIA

(Marjorie A. Kanour)

(Clifford H. Kanour)

(Larry W. Kanour)

Litem for Larry W. Kanour
(Clifford H. Kanour) Guardian Ad

settled and discontinued upon payment of costs by the defendant.

we hereby request that you mark the record in these proceedings

with the schedule of distribution set forth in said Order, and

designees have received the total sum of \$8500.00 in accordance

by the execution hereof we do hereby acknowledge that we or our

above entitled case as per Order of Court of May No. 1961, and

This is to certify that the undersigned have settled

SIR:

TO WILLIAM T. HAGERTY, PROTHONOTARY

DISCONTINUANCE
RECEIPT AND PRAECIPE FOR

FILED
MAY 24 1961
WM. T. HAGERTY
PROTHONOTARY

RONALD A. YARGER and JOSEPHINE A. YARGER
Trespass

VS
No. 134 May Term, 1961

his Guardian Ad Litem
a minor, by CLIFFORD H. KANOUR
A. KANOUR and LARRY W. KANOUR
CLIFFORD H. KANOUR MARJORIE

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA