

05-1350-CD

Clarendon Ins. vs R. Frankhouser

Clarendon Insur. Vs Robert Frankhouser
2005-1350-CD

Brian J. Walker, Esquire, AIC
Hennessy & Walker Group, P.C.
142 West Market Street, Suite 2
West Chester, PA 19382
610-431-2727
Attorney I.D. 71927

Clarendon Insurance A/S/O
Grazyna Weresa
PO Box 6580
Saddle Brook, NJ 07663
and on behalf of Grazyna Weresa
59-61 60th Lane
Maspeth, NY 11378
vs.
Robert Frankhouser
215 Poplar Avenue
Clearfield, PA 16830

: In The Court of Common Pleas
: Clearfield County, Pennsylvania
: Civil Action Law
: No: 05-1350-CJ

FILED *Atty pd.*
m 11:22 AM 85.00
AUG 31 2005 *CCS/HF*
LIN

William A. Shaw
Prothonotary/Clerk of Courts

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

David S. Meholick, Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
814-765-2641 Ext. 5982

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las páginas siguientes, usted tiene veinte (20) días de plazo al partir de la fecha de la demanda y la notificación. Hace falta asentir una comparecencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Señalado que si usted no se defiende, la corte tomará medidas y puede continuar la demanda en contra suya sin previo aviso o notificación. Además, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

Lleva esta demanda a un abogado inmediatamente. Si no tiene abogado o si no tiene el dinero suficiente de pagar tal servicio. Vaya en persona o llame por teléfono a la oficina cuya dirección se encuentra escrita abajo para averiguar donde se puede conseguir asistencia legal.

David S. Meholick, Court Administrator
Clearfield County Courthouse
Clearfield, PA 16830
814-765-2641 Ext. 5982

Brian J. Walker, Esquire
Hennessy & Walker Group, P.C.
142 W. Market Street
West Chester, PA 19382
610-431-2727

Attorney I.D. 71927

Attorney for Plaintiffs

Clarendon Ins. A/S/O : In The Court of Common Pleas
Grazyna Weresa
PO Box 6580 : Clearfield County, Pennsylvania
Saddle Brook, NJ 07663
And on behalf of Grazyna Weresa : Civil Action Law
59-61 60th Lane
Maspeth, NY 11378 : No:

VS

Robert Frankhouser
215 Poplar Ave.
Clearfield, PA 16830

COMPLAINT

1. Plaintiff Clarendon Ins. is an insurance carrier licensed and authorized to conduct business in the Commonwealth of Pennsylvania and having as one of its principal places of business the above captioned address.
2. Grazyna Weresa is an adult individual residing at the above captioned address.
3. Defendant Robert Frankhouser is an adult individual residing at the above captioned address.
4. On or about 1/4/03, Plaintiff Clarendon Ins. insured Grazyna Weresa with a personal auto policy, policy number NYA 559005-01 said policy covering a 2001 Jeep and carrying with same, collision coverages.

5. On or about 1/4/03, at or near Exit 32 Route 80 East

Defendant Robert Frankhouser while operating a 1998 Chrysler, PA registration did negligently or recklessly strike/collide into Plaintiff's 2001 Jeep causing damages to same in the amount of \$4397.32

6. The negligence of the Defendant consisted of:

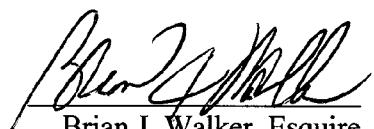
- a) failing to yield right of way;
- b) being inattentive;
- c) striking another motor vehicle lawfully upon the roadway;
- d) failing to give due regard to the rights, safety point and position of Plaintiff's vehicle;
- e) failing to maintain control of said vehicle so as to be able to stop within the assured clear distances ahead;
- f) improper lane change
- g) other such negligence that may be developed through continuing discovery and trial of this matter.

7. The aforesaid collision resulted solely from the negligent acts and/or failure to act on part of Defendant named herein and were due in no manner whatsoever to any act and/or failure to act on part of Plaintiffs.

8. As a result of the aforesaid collision, Plaintiff Clarendon Ins. settled the collision claim of Grazyna Weresa in the amount of \$4397.32 (said figure includes Plaintiff's first party deductible) representing fair and reasonable reimbursement for the damages sustained.

9. Pursuant to the aforesaid policy of insurance, Plaintiff Clarendon Ins. is subrogated to Grazyna Weresa for this loss.

WHEREFORE, Plaintiffs demand judgment against the Defendant in the amount of \$4397.32 together plus costs, interest and such other relief this Court finds equitable and just.



Brian J. Walker, Esquire
Hennessy & Walker

COMMONWEALTH OF PENNSYLVANIA :

COUNTY OF CHESTER : ss

The undersigned verifies that the facts contained herein are true and correct.

The undersigned understands that false statements herein are made subject to the penalties of 19 Pa. C.S. Section 4904, relating to unsworn falsification to authorities.

If applicable, this affidavit is made on behalf of the Plaintiff(s); that the said Plaintiff(s) is/are unable and unavailable to make this verification on its/his/her own behalf within the time allotted for filing of this pleading, and the facts set forth in the foregoing pleading are true and correct to the best of counsel's knowledge, information and belief.

This verification is made pursuant to Pa. R.C.P. 1024 and is based on interviews, conferences, reports, records and other investigative material in the file



Brian J. Walker, Esquire, AIC

Dated: 8/26/05

FILED

AUG 31 2005

William A. Shew
Prothonotary Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DOCKET # 100774
NO: 05-1350-CD
SERVICE # 1 OF 1
COMPLAINT

PLAINTIFF: CLARENDON INSURANCE A/S/O GRAZYNNA WERESA
vs.
DEFENDANT: ROBERT FRANKHouser

SHERIFF RETURN

NOW, September 29, 2005 AT 1:45 PM SERVED THE WITHIN COMPLAINT ON ROBERT FRANKHouser DEFENDANT AT 15200 BENNETTS VALLEY HWY., PENFIELD, CLEARFIELD COUNTY, PENNSYLVANIA, BY HANDING TO ROBERT FRANKHouser, DEFENDANT A TRUE AND ATTESTED COPY OF THE ORIGINAL COMPLAINT AND MADE KNOWN THE CONTENTS THEREOF.

SERVED BY: NEVLING / HUNTER

FILED
9/30/05
DEC 27 2005
William A. Smith
Prothonotary/Clerk of Courts

PURPOSE	VENDOR	CHECK #	AMOUNT
SURCHARGE	HENNESSY	31562	10.00
SHERIFF HAWKINS	HENNESSY	31562	34.52

Sworn to Before Me This

____ Day of _____ 2005

So Answers,

Chester A. Hawkins
by Marilyn Hamer
Chester A. Hawkins
Sheriff

FILED

DEC 27 2005

William A. Shaw
Prothonotary/Clerk of Courts

Brian J. Walker, Esquire
Hennessy & Walker Group, P.C.
142 W. Market Street
West Chester, PA 19382
610-431-2727
Attorney I.D. 71927

Attorney for Plaintiff

Clarendon Ins. a/s/o
Grazyna Weresa.
and on behalf of
Grazyna Weresa

: In The Court of Common Pleas

: Clearfield County, Pennsylvania

: No. 05-1350-CD

VS

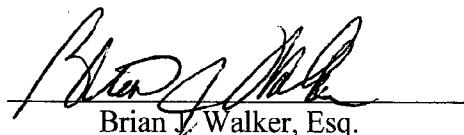
: Civil Action – Law

Robert Frankhouser

Praecipe

To The Prothonotary:

Please mark the above captioned case as Dismissed without Prejudice.



Brian J. Walker, Esq.

FILED
m/3/18pm (un)
FEB 27 2006
acc a/cert of
disc to ~~PAW~~
Walker
a copy to C/A

William A. Shaw
Prothonotary

FILED

FEB 27 2006

William A. Scully
Prothonotary

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

© COPY

Clarendon Insurance
Grazyna Weresa

Vs.
Robert Frankhouser

No. 2005-01350-CD

CERTIFICATE OF DISCONTINUATION

Commonwealth of PA
County of Clearfield

I, William A. Shaw, Prothonotary of the Court of Common Pleas in and for the County and Commonwealth aforesaid do hereby certify that the above case was on February 27, 2006, marked:

Dismissed without prejudice

Record costs in the sum of \$85.00 have been paid in full by Brian J. Walker Esq..

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 27th day of February A.D. 2006.



William A. Shaw, Prothonotary