

05-1928-CD
Michelle Lindemuth et al vs Janet
Heid

Michele Lindemuth et al vs Janet Heid
2005-1928-CD

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

MICHELE LINDEMUTH, as parent and
natural guardian of CHRISTOPHER STEWART,
a minor

Plaintiffs

vs.

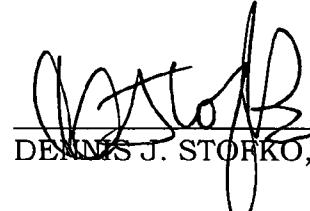
NO. 2005-1928-C0

JANET HEID,

Defendant

TO THE PROTHONOTARY:

Please issue a Writ of Summons in Civil Action in the above captioned
matter.


DENNIS J. STORKO, ESQUIRE

FILED

DEC 12 2005

M/2:05/w

William A. Shaw

Prothonotary/Clerk of Courts

No CAVT.

+

WRT NOT ISSUED
PER HARR.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

MICHELE LINDEMUTH, as parent and
natural guardian of CHRISTOPHER STEWART,
a minor

Plaintiffs

vs.

NO. 2005-1928. CD

JANET HEID,

Defendant

FILED
DEC 12 2005
m 12:05
William A. Shaw
Prothonotary/Clerk of Courts
No CER.

PETITION FOR APPROVAL TO COMPROMISE MINOR'S ACTION

TO THE HONORABLE, THE JUDGE OF THE ABOVE NAMED COURT:

The petition of Michele Lindemuth, as parent and natural guardian of Christopher Stewart, a minor represents:

1. The Plaintiff, Michele Lindemuth is the parent and natural guardian of Christopher Stewart, a minor who reside at R D 1 Box 404, Brockway, Jefferson County, Pennsylvania.
2. The Defendant, Janet Heid is an adult individual residing at 414 West Dubois Avenue, Dubois, Clearfield County, Pennsylvania.
- 3 On or about May 10, 2001 the minor plaintiff, Christopher Stewart was on the property of the defendant when he was injured as a result of falling while attempting to climb over a fence and sustained a lacertaion to his left arm.

4. As a result of the incident the minor plaintiff was taken to Dubois Regional Medical Center where he received suturing of the injured area.

5. The minor plaintiff subsequently received follow up treatment with Dr. Dela and was discharged from his care on May 21, 2001.

6. The minor plaintiff has recovered from these injuries and all medical bills associated with his treatment have been paid.

7. At the time of the accident the minor claimant, Christopher Stewart was 7 years of age having a birth date of July 11, 1993.

8. At the time of the accident the defendant was insured by a policy issued by State Farm Insurance providing for liability coverage.

9. A claim has now been presented on behalf of the minor plaintiff and your petitioner to recover against the above captioned defendant for the damages and injuries as stated in this petition.

10. The defendant, through her representative, has entered into an amicable compromise agreement wherein the defendant agrees to make payment in full settlement of all claims that may have arisen or may arise as a result of said accident subject to the approval of your Honorable Court.

11. The above mentioned amounts shall be paid as follows:

A. The sum of \$13,000.00 made payable to Michele Lindemuth, as parent and natural guardian of Christopher Stewart, a minor, to be deposited into a

federally insured account marked not to be withdrawn until majority of minor or further Order of Court.

12. The petitioner believes it would be to the best interest and advantage of the minor if the compromise or settlement were consummated as there are always questions that cannot be anticipated in the trial of a case of this nature and because petitioner well and truly believes that the amount of the fund created and the terms of its creation are appropriate to the circumstances and to the injuries received.

13. Dennis J. Stofko, Attorney at Law, has been requested by the defendants to prepare the within documents for Court approval.

WHEREFORE, your petitioner respectfully prays that a decree be entered approving said compromise settlement and ordering distribution of said funds and authorizing and directing the discontinuance and settlement of the said action upon payment of the funds by the defendant and of the payment of costs incident to the proceedings by the defendant.

AND YOUR PETITIONER WILL EVER PRAY.



Michele Lindemuth
Michele Lindemuth, as parent and
natural guardian of Christopher
Stewart, a minor

I, Michele Lindemuth, as parent and natural guardian of Christopher Stewart, a minor, do hereby swear or affirm that the facts set forth in the Petition to Compromise Minor's Action are correct to the best of my knowledge, information and belief.

I understand that these averments of fact are made subject to the penalties of 18 Pa. CSA 4904 relating to unsworn falsification to authorities.

Michele Lindemuth
Michele Lindemuth, parent and natural guardian of Christopher Stewart, a minor

Dated: _____

FILED *cc*
010:44 AM
DEC 14 2005 Stofko

cc
William A. Shaw
Prothonotary/Clerk of Courts

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

MICHELE LINDEMUTH, as parent and
natural guardian of CHRISTOPHER STEWART,
a minor

Plaintiffs

vs.

NO. 05-1928-CD

JANET HEID,

Defendant

ORDER

AND NOW this 13 day of Dec, ^{2005 f5d} 2004 on consideration of the
within Petition, it appearing to the Court that the same is right and proper under
the circumstances,

IT IS HEREBY ORDERED, DIRECTED AND DECREED that the compromise
settlement between the Plaintiffs and the Defendant be and the same is herewith
approved with the parties directed to take the appropriate steps to consummate
said settlement.

IT IS HEREBY FURTHER ORDERED, DIRECTED AND DECREED that the
settlement is hereby directed to be distributed as follows:

A. The sum of \$13,000.00 made payable to Michele Lindemuth, as parent
and natural guardian of Christopher Stewart, a minor, to be deposited into a
federally insured account marked not to be withdrawn until majority of minor or
further Order of Court.

IT IS FURTHER ORDERED, DIRECTED AND DECREED that the above sum shall be in full and complete settlement and satisfaction of any and all claims recoverable in the foregoing action and the plaintiffs or their attorney are herewith directed, authorized and empowered to mark the said action satisfied in full and irrevocably terminate and discontinue said action upon payment of said sums now due and the record costs by the defendant.

BY THE COURT.

A handwritten signature in black ink, appearing to read "Fred Gummere", is written over a horizontal line. The signature is fluid and cursive, with a large, stylized 'F' at the beginning.

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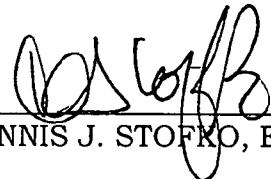
NO. 05-1928-CJ

JANET HEID,

Defendant

PRAECIPE

Please mark the above captioned matter ended, settled and forever
discontinued.


DENNIS J. STOFKO, ESQUIRE

FILED NO CC
m 19:44 6/1 Cert. of Disc.
DEC 14 2005 to Atty
William A. Shaw
Prothonotary/Clerk of Courts
Copy to CIA

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

CIVIL DIVISION

 COPY

**Michele Lindemuth
Christopher Stewart**

Vs. **No. 2005-01928-CD**
Janet Heid

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 December 14, 2005, marked:

Ended, Settled and Forever Discontinued

Record costs in the sum of \$85.00 have been paid in full by Dennis J. Stofko, Esq.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal of this Court at Clearfield, Clearfield County, Pennsylvania this 14th day of December A.D. 2005.

William A. Shaw, Prothonotary