

DOCKET NO. 174

NUMBER	TERM	YEAR
<u>379</u>	<u>May</u>	<u>1961</u>

Elaine Kronenwetter and Linda

Kronenwetter, et al

VERSUS

Rear Admiral Robert E. Cronin and

Robert E. Cronin, Jr.

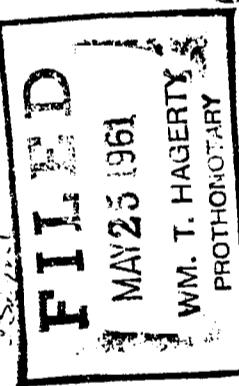
IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PA.
No. 117 Fainerry Term, 1961

ELAINE KRONENWETTER and LINDA
KRONENWETTER, minors by
HERBERT E. KRONENWETTER,
their father and natural
guardian, and HERBERT E.
KRONENWETTER and LENA I.
KRONENWETTER, in their own
right

vs.

REAR ADMIRAL ROBERT E. CRONIN
and ROBERT E. CRONIN, Jr.

PETITION



LAW OFFICES
GREAMON, CHERRY & CHERRY
7-10 DAMUS BUILDING
Du Bois, PENNSYLVANIA
109 N. BRADY STREET

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

ELAINE KRONENWETTER and LINDA
KRONENWETTER, minors, by HERBERT
E. KRONENWETTER, their father and
natural guardian, and HERBERT E.
KRONENWETTER and LENA I. KRONENWETTER,
in their own right, Plaintiffs

vs.

No. 179 May Term, 1961

REAR ADMIRAL ROBERT E. CRONIN and
ROBERT E. CRONIN, Jr., Defendants

TO WILLIAM T. HAGERTY, PROTHONOTARY:

Sir:

Issue Summons in Trespass in the above captioned case.

Elaine Kronenwetter and Linda
Kronenwetter, minors by Herbert E.
Kronenwetter, their father and
natural guardian

Herbert E. Kronenwetter
Herbert E. Kronenwetter
Lena I. Kronenwetter
Plaintiffs

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

ELAINE KRONENWETTER and LINDA
KRONENWETTER, minors by HERBERT E.
KRONENWETTER, their father and
natural guardian, and HERBERT E.
KRONENWETTER and LENA I. KRONENWETTER,
in their own right, Plaintiffs

vs.

No. 179 May Term, 1961

REAR ADMIRAL ROBERT E. CRONIN and
ROBERT E. CRONIN, Jr., Defendants

TO WILLIAM T. HAGERTY, PROTHONOTARY:

Sir:

Now, May 25, 1961, service of Summons in Trespass

is accepted and issuance of writ is waived. Enter our appearance for Rear Admiral Robert E. Cronin and Robert E. Cronin, Jr. in the above captioned proceeding.

GLEASON, CHERRY & CHERRY

By Edward V. Cherry

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

ELAINE KRONENWETTER and LINDA KRONENWETTER, minors by HERBERT E. KRONENWETTER, their father and natural guardian, and HERBERT E. KRONENWETTER and LENA I. KRONENWETTER, in their own right, Plaintiffs :
vs. : No. : May Term, 1961
REAR ADMIRAL ROBERT E. CRONIN and ROBERT E. CRONIN, Jr., Defendants :

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

The joint Petition of Elaine Kronenwetter and Linda M. Kronenwetter, minors, by Herbert E. Kronenwetter, their father and natural guardian, and Herbert E. Kronenwetter and Lena I. Kronenwetter in propria persona, and United Services Automobile Association, insurance carrier of Rear Admiral Robert E. Cronin, by Gleason, Cherry & Cherry, their attorneys, respectfully represents:

1. Elaine Kronenwetter is a minor of the age of 15 years and resides with her father and mother, the said Herbert E. Kronenwetter and Lena I. Kronenwetter, at Weedville, Pennsylvania.
2. Linda Kronenwetter is a minor of the age of 18 years and resides with her father and mother the said Herbert E. Kronenwetter and Lena I. Kronenwetter at Weedville, Pennsylvania.
3. That Linda Kronenwetter and Elaine Kronenwetter, minors, were on August 16, 1959, passengers in a 1958 Ford owned by Joan Coradi and operated by Vincent Coradi when the said Ford was struck by a 1954 Chevrolet two-door owned by Rear Admiral Robert E. Cronin and operated by Robert E. Cronin, Jr. The accident occurred at the intersection of highway routes 255 and 153 in the Village of

Penfield, Clearfield County, Pennsylvania when the said Robert E. Cronin, Jr. failed to bring his vehicle to a stop at a stop sign on said route 153 and struck the vehicle in which the minor plaintiffs were passengers.

4. That as a result of the aforesaid accident, Herbert E. Kronenwetter incurred the following expenses for medical attention for the said minors all of which were paid under a medical provision of the Insurance Company of the said Joan Coradi:

Medical expenses of Elaine Kronenwetter,	
Maple Avenue Hospital	\$67.00
W. R. Hill, M. D.	15.00
P. J. Valigorsky	84.00

Medical expenses of Linda Kronenwetter,	
Maple Avenue Hospital	162.85
L. J. Cherry, M. D.	150.00
G. S. Cherry, D.D.S.	120.00
F. E. Murdock	29.50

5. That Rear Admiral Robert E. Cronin, one of the defendants and owner of the aforesaid Chevrolet, is insured by United Services Automobile Association, which company has negotiated a settlement with Herbert E. Kronenwetter, father of Linda and Elaine Kronenwetter, for the injuries received by Linda and Elaine Kronenwetter. The settlement figure for Linda Kronenwetter is in the total sum of \$2250.00 and the settlement figure for Elaine Kronenwetter is in the total sum of \$550.00. Said settlement figures were agreed upon directly between a representative of the insurance company and Herbert E. Kronenwetter without the intervention of legal counsel on the part of either.

6. That your petitioner, Gleason, Cherry & Cherry, represent United Services Automobile Association for the purpose of preparing the necessary papers to present to your Honorable

Court for approval of the settlement and that said attorneys do not represent Herbert E. Kronenwetter and have performed no services for him other than preparing a praecipe directing the Prothonotary to issue a summons as above captioned, which said praecipe was signed personally by Herbert E. Kronenwetter and Lena I. Kronenwetter.

7. That your petitioners Herbert E. Kronenwetter and Lena I. Kronenwetter, feel that the settlement offered by United Services Automobile Association in the gross amounts of Two Thousand Two Hundred Fifty (\$2,250.00) Dollars in Linda Kronenwetter's case and Five Hundred Fifty (\$550.00) Dollars in Elaine Kronenwetter's case is fair and reasonable under the circumstance and request your Honorable Court to approve the same and direct distribution.

8. That Elaine Kronenwetter apparently has no permanent injury or disability attributable to the accident, as is evidenced by statement of P. J. Valigorsky, M. D. which is attached hereto and made a part hereof.

9. That Linda Kronenwetter apparently has no permanent injury or disability attributable to the accident other than a crooked nose which will require surgery to straighten out the same. N. D. Yingling, M. D. of Clearfield, Pennsylvania has informed your petitioners that it will cost approximately One Thousand (\$1,000.00) Dollars for surgery that will be necessary to correct the nose of Linda Kronenwetter. Statements of L. J. Cherry, M. D., G. S. Cherry, D. D. S. and N. D. Yingling, M. D. are attached hereto and made a part hereof. Letter of F.E. Murdock, M.D., is also attached hereto and made a part hereof.

10. Attached hereto is a letter from William L. White, M.D. who is going to operate on the nose of Linda Kronenwetter.

WHEREFORE, your petitioners jointly pray your Honorable Court to approve the settlement in the gross amount of Five Hundred Fifty (\$550.00) Dollars in the case of Elaine Kronenwetter and the gross amount of Two Thousand Two Hundred Fifty (\$2,250.00) Dollars in the case of Linda Kronenwetter, and they will ever pray.

Elaine Kronenwetter and Linda Kronenwetter, minors by Herbert E. Kronenwetter, their father and natural guardian

Herbert E. Kronenwetter
Herbert E. Kronenwetter

Herbert E. Kronenwetter
Herbert E. Kronenwetter

Lena I. Kronenwetter
Lena I. Kronenwetter

GLEASON, CHERRY & CHERRY

By Edward V. Cherry

LOUIS J. CHERRY, M. D.
THE TURNER BUILDING
61 W. LONG AVENUE
DUBOIS, PENNA.
—
TELEPHONE 3500

January 25, 1961

TO WHOM IT MAY CONCERN:

Re: Linda Kronenwetter

Miss Linda Kronenwetter was involved in a motor accident on August 16, 1959.

I saw her in the emergency room of the Maple Avenue Hospital. She had a 10cm laceration of the left side of her forehead, 4cm laceration of the right side of her forehead, 2.5cm laceration of right upper eyelid, cerebral concussion and contusion of the nose. X-rays of the nose revealed no fractures or dislocations as did x-rays of the skull.

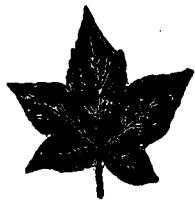
She was discharged on February 6, 1960. Residual was a scar on her forehead, otherwise she has recovered completely.

Yours very truly,



Louis J. Cherry, M.D.

LJC/GC



Maple Avenue Hospital

A Community Hospital Conducted Without Profit

DUBOIS, PENNA.

Jan 18, 1961

To whom it May Concern,

Elaine Kronenwetter was injured in a car accident. The diagnosis at that time was Brain concussion. She suffered from periodic headache for approximately one year. She has a complete recovery from the Brain Concussion.

*Sincerely,
Paul J. Valley orsky, M.D.*

Phone 723

Office Hours:

Week Days 9 to 5 P. M.

Saturday 9 to 12 A. M.

Evenings by Appointment

Dr. George S. Cherry
DENTIST

Deposit National Bank Building
DuBois, PA.

December 7, 1960

Re: Miss Linda Kronewetter

To Whom it may Concern:

In regard to Linda Kronewetter who was involved in a automobile accident on August 16, 1959, I administered emergency treatment to her for a fractured incisor tooth (upper). I then prepared and inserted a porcelain jacket crown October 16, 1959. I have since seen her and she has been doing very well and her treatment is complete.

Yours Truly

Dr. G.S. Cherry
Dr. G.S. Cherry

F. E. MURDOCK, M. D.
28½ WEST SCRIBNER AVENUE
DUBOIS, PENNA.
PHONE 163

27 January 61

Mr. Edward Cherry
Gleason, Cherry & Cherry
7-10 Damus Building
DuBois, Pa.

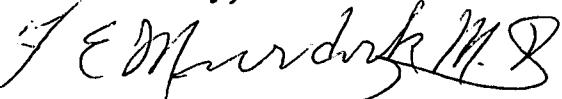
Re:Linda Kronenwetter
Weedville, Pa.

Dear Mr. Cherry :

Miss Linda Kronenwetter was in my office on November 21, 1959. She stated that she had been in an accident in August. She wanted to be sure her eyes were okay.

She stated at the time that she had been bruised and had a tooth chipped and had headaches awhile after the accident. Upon examination I find no evidence of any defect or disability from such alleged accident. I found that she would be benefited by a change in prescription in her glasses. This was done. Vision with new glasses is entirely normal.

Yours sincerely,


F. E. Murdock, M. D.

FEM/mjs

N. D. YINGLING, M. D.
GENERAL SURGERY
CLEARFIELD, PA.
TELEPHONE 56641

January 16 1961

Gleason, Cherry & Cherry
7-10 Damus Building
DuBois Pa.

Dear sirs:

I have examined Miss Linda Kronenwetter since receiving your letter and find that she does have a nasal deformity plus a deviated septum to the right. She says this followed her automobile accident.

She desires to have this repaired surgically. I have advised her to consult with her physician, Dr. Cherry of DuBois who has her x-rays and treated her originally.

I would think she should see a plastic surgeon and have him estimate her expense for this procedure. Such surgery would have to be done out of town.

Yours truly,

NDY:js

N. D. Yingling M. D.

N. D. Yingling M. D.

WILLIAM L. WHITE, M. D.
MEDICAL ARTS BUILDING
3700 FIFTH AVENUE
PITTSBURGH 13, PA.

May 15, 1961

Parrett and Barger
11 E. Park Avenue
P. O. Box 55
Dubois, Pennsylvania

Dear Mr. Barger:

This is to verify that Linda Kronewetter from Weedsburg, Pennsylvania was examined in my office on March 27, 1961. An estimate of \$650.00 was quoted for the surgical fee. This fee would not include the hospital charges.

Sincerely yours

W.L. White
William L. White, M.D.

WLW:rhs

COMMONWEALTH OF PENNSYLVANIA :
COUNTY OF : SS:

HERBERT E. KRONENWETTER and LENA I. KRONENWETTER, being duly sworn according to law, depose and say that they have carefully read the within Petition, that the facts set forth therein are correct and that they understand the legal necessity for approval of the settlement of this claim, that they understand that Gleason, Cherry & Cherry are representing the United Services Automobile Association, the insurance carrier of Rear Admiral Robert E. Cronin, and they feel that the proposed settlement is fair and reasonable and to the best interests of them and their minor daughters and request the Court to approve the same.

Herbert E. Kronenwetter
Herbert E. Kronenwetter
Lena I. Kronenwetter
Lena I. Kronenwetter

Sworn to and subscribed before me this 25th day of
May 1961.

My Commission Expires

Amelia Daenby
Notary Public

PROTHONOTARY
My Commission Expires
1st Monday Jan. 1962

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

ELAINE KRONENWETTER and LINDA :
KRONENWETTER, minors by HERBERT:
E. KRONENWETTER, their father :
and natural guardian, and :
HERBERT E. KRONENWETTER and :
LENA I. KRONENWETTER, in their :
own right, Plaintiffs :
:

vs.

No. ~~Ex. No. 1~~ May Term, 1961

REAR ADMIRAL ROBERT E. CRONIN :
and ROBERT E. CRONIN, Jr., :
Defendants :
:

ORDER

NOW, this ~~25th~~ day of May, 1961, upon consideration
of the foregoing Petition and after personally talking with LINDA
KRONENWETTER and ELAINE KRONENWETTER, the injured minors and their
parents, Herbert E. Kronenwetter and Lena I. Kronenwetter, and
considering the report of the minors' doctors, and upon motion of
Gleason, Cherry & Cherry, Attorneys for one of the petitioners,
the Court hereby approves the settlement of the claim of the
minor, LINDA KRONENWETTER, for the gross sum of Two Thousand Two
Hundred Fifty (\$2,250.00) Dollars, and approves the settlement of
the claim of the minor ELAINE KRONENWETTER in the sum of Five
Hundred Fifty (\$550.00) Dollars, and directs distribution to be
made as follows:

Herbert E. Kronenwetter, father and
natural guardian of Elaine
Kronenwetter. \$500.00

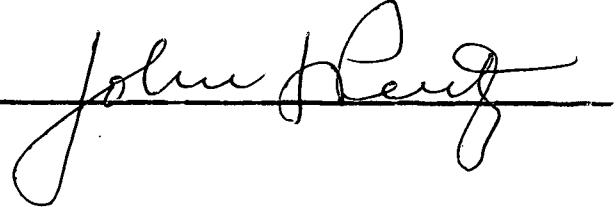
Herbert E. Kronenwetter and Lena
I. Kronenwetter, expenses in-
curred on behalf of Elaine
Kronenwetter. 50.00

Total \$ 550.00

Deno Veronesi, guardian of Linda Kronenwetter.	\$2200.00
Herbert E. Kronenwetter and Lena I. Kronenwetter, ex- penses incurred on behalf of Linda I. Kronenwetter.	<u>50.00</u>
Total	\$2250.00

On receipt of all of the aforesaid checks, Herbert E. Kronenwetter and Lena I. Kronenwetter are 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, after which the defendants, Rear Admiral Robert E. Cronin, and Robert E. Cronin, Jr. shall be discharged from any further liability to the aforesaid plaintiffs.

BY THE COURT



John H. Reid

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

ELAINE KRONENWETTER and LINDA
KRONENWETTER, minors by HERBERT
E. KRONENWETTER, their father and
natural guardian, and HERBERT E.
KRONENWETTER and LENA I. KRONENWETTER,
in their own right, Plaintiffs

vs.

:No. ~~104~~ May Term, 1961

REAR ADMIRAL ROBERT E. CRONIN and
ROBERT E. CRONIN, Jr., Defendants

TO THE PROTHONOTARY OF SAID COURT:

Sir:

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

Dated May 25, 1961.

Elaine Kronenwetter and Linda
Kronenwetter, minors by Herbert E.
Kronenwetter, their father and
natural guardian

Herbert E. Kronenwetter
Herbert E. Kronenwetter
Lena I. Kronenwetter
Plaintiffs