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CONTAINING THE DECISIONS RENDERED IN THE
12th JUDICIAL DISTRICT

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Mihelich v. Fenstermacher
Bar Association Page

158

Inside Back Cover

INTELLECTUAL PROPERTY LAW

- * Patents
- * Trademarks
- * Copyrights
- * Unfair Competition
- * Trade Secrets
- * Internet Matters

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39 Years in Harrisburg

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Estate Notices

DECEDENTS ESTATES

NOTICE IS HEREBY GIVEN that letters testamentary or of administration have been granted in the following estates. All persons indebted to the estate are required to make payment, and those having claims or demands to present the same without delay to the administrators or executors or their attorneys named below.

FIRST PUBLICATION

ESTATE OF RITA E. KRAKOWSKI, late of Halifax Township, Dauphin County, Pennsylvania. Executrix: Judy Irene Paul, 1372 Spring House Road, Middletown, PA 17057. Attorney: Earl Richard Etzweiler, Esq., 105 North Front Street, Harrisburg, PA 17101. Telephone (717) 234-5600. j29-f12

ESTATE OF HAROLD E. GEPHART, JR., late of Lower Paxton Township, Dauphin County, Pennsylvania (died April 25, 2009). Administrator: Linda L. Gephart, 4859 Londonderry Road, Harrisburg, PA 17109. Attorney: Robert P. Grubb, Esq., Metzger, Wickersham, Knauss & Erb, P.C., P.O. Box 5300, Harrisburg, PA 17110-0300. j29-f12

ESTATE OF BLAKE C. BOWMAN, late of Upper Paxton Township, Dauphin County, Pennsylvania (died October 20, 2009). Personal Representative: Wayne Lee Bowman, 299 Hup Road, Millersburg, PA 17061. Attorney: Emily Long Hoffman, 255 Market Street, Millersburg, PA 17061. j29-f12

ESTATE OF CATHERINE M. GLUNZ, late of Harrisburg, Dauphin County, Pennsylvania (died December 19, 2009). Executor: Clemens B. Glunz, Jr. Attorneys: Hazen Elder Law, 2000 Linglestown Road, Suite 202, Harrisburg, PA 17110. j29-f12

ESTATE OF RICHARD B. HEATON, late of Middletown, Dauphin County, Pennsylvania (died November 14, 2009). Executrix: Nancy L. Heaton. Attorney: David C. Miller, Jr., Esq., 1100 Spring Garden Drive, Suite A, Middletown, PA 17057. Telephone (717) 939-9806. E-mail: DavidCMillerJr@verizon.net j29-f12

ESTATE OF JOANNE S. KERN, late of Highspire, Dauphin County, Pennsylvania (died December 22, 2009). Executrix: Jo Ann K. Dragas. Attorneys: Hazen Elder Law, 2000 Linglestown Road, Suite 202, Harrisburg, PA 17110. j29-f12

ESTATE OF NORA T. LINARDI, late of Steelton Borough, Dauphin County, Pennsylvania (died December 8, 2009). Co-Executors: Francis G. Linardi and Veronica A. Roderick. Attorney: Marci M. Miller, Esq., Hazen Elder Law, 2000 Linglestown Road, Suite 202, Harrisburg, PA 17110. j29-f12

FIRST PUBLICATION

Estate Notices

ESTATE OF MARY L. BECHTEL, late of Washington Township, Dauphin County, Pennsylvania. Co-Executors: Donald R. Bechtel, 4561 Route 225, Elizabethville, PA 17023 and Michael T. Bechtel, 140 E. Vicki Lane, Elizabethville, PA 17023. Attorney: Earl Richard Etzweiler, Esq., 105 North Front Street, Harrisburg, PA 17101. Telephone (717) 234-5600. j29-f12

ESTATE OF DOROTHY M. SPIKES, late of the City of Harrisburg, Dauphin County, Pennsylvania (died February 2, 2009). Executrix: Keisha S. Moore. Attorney: Susan H. Confair, Esq., Reager & Adler, PC, 2331 Market Street, Camp Hill, PA 17011. Telephone (717) 763-1383. j29-f12

ESTATE OF PATRICIA A. PARI, late of Swatara Township, Dauphin County, Pennsylvania (died November 29, 2009). Executrix: William J. Mioff, 310 Fresno Drive, Harrisburg, PA 17112. Attorney: Francis A. Zulli, Esq., Wion, Zulli & Seibert, 109 Locust Street, Harrisburg, PA 17101. j29-f12

ESTATE OF GRACE O. SNYDER, late of Upper Paxton Township, Dauphin County, Pennsylvania. Executor: Paul J. Leskin, 6027 Woodcrest Avenue, Philadelphia, PA 19131. Attorney: Earl Richard Etzweiler, Esq., 105 North Front Street, Harrisburg, PA 17101. Telephone (717) 234-5600. j29-f12

ESTATE OF ARABELLA A. HOFFMAN, late of Millersburg Borough, Dauphin County, Pennsylvania. Executor: Janie Kay Schlegel, 507 North Street, Millersburg, PA 17061. Attorney: Earl Richard Etzweiler, Esq., 105 North Front Street, Harrisburg, PA 17101. Telephone (717) 234-5600. j29-f12

ESTATE OF JOHN W. KASTER, late of Wiconisco Township, Dauphin County, Pennsylvania (died December 24, 2009). Co-Executrices: Lori A. Herb, 406 Pottsville Street, Lykens, PA 17048 and Sally A. Smeltz, 504 East Grand Avenue, Tower City, PA 17980. Attorney: Gregory J. Kerwin, Esq., Kerwin & Kerwin, 4245 Route 209, Elizabethville, PA 17023. j29-f12

ESTATE OF LYNN M. MASTER, late of Lower Paxton Township, Dauphin County, Pennsylvania (died November 30, 2009). Executrix: Nancy A. Baker, 1916 Columbia Avenue, Camp Hill, PA 17011. Attorney: Elizabeth H. Feather, Esq., Caldwell & Kearns, P.C., 3631 North Front Street, Harrisburg, PA 17110. Telephone (717) 232-7661. j22-f5

ESTATE OF PATRICIA E. EBERSOLE, late of Lower Swatara Township, Dauphin County, Pennsylvania. Co-Executors: Sherry D. Ebersole Catt, 3004 Willow Glen Drive, Mount Joy, PA 17552 and Michele M. Cochran, 2540 Evergreen Drive, Indiana, PA 15701. Attorney: Michael J. Supinka, Esq., Supinka & Supinka, PC, 939 Philadelphia Street, Third Floor, Indiana, PA 15701. j29-f12

ESTATE OF CHARLES D. PURSCH, late of Derry Township, Dauphin County, Pennsylvania (died December 23, 2009). Co-Executors: Elizabeth Shuey and Andrew Pursch. Attorney: George W. Porter, Esq., 909 East Chocolate Avenue, Hershey, PA 17033. j29-f12

SECOND PUBLICATION

ESTATE OF GERALD R. FETROW, late of Swatara Township, Dauphin County, Pennsylvania (died December 14, 2009). Executor: Jered L. Hock. Attorney: Robert P. Grubb, Esq., Metzger, Wickersham, Knauss & Erb, P.C., P.O. Box 5300, Harrisburg, PA 17110-0300. j22-f5

Mihelich v. Fenstermacher**Domestic Relations — Child and Spousal Support Obligation — Income Reduction — Earning Capacity.**

This is an appeal from a calculation of earning capacity, which the obligor argued was too high. After being terminated from employment for violation of company policy by inappropriately using company email, he started his own consulting company. The Court's calculation was based upon projected profits of the company, which were characterized by the obligor as "very conservative" in his Business Plan.

1. An income reduction that results from a firing for cause is identified under the Support Guidelines as a voluntary reduction in income. Pa. R.C.P. 1910.16-2(d)(1).

2. It is the obligor's burden to prove that any income reduction was involuntary. *Grimes v. Grimes*, 596 A.2d 240, 242 (Pa. Super. 1991).

Pa. R.A.P. 1925 (a) opinion. C.P., Dau. Co., No. 00740 DR 2009; PACSES 466110804.

Dale K. Ketner, for the Obligor

David C. Schanbacher, for the Obligee

TURGEON, J., January 8, 2010. – Support obligor Christopher Fenstermacher appeals to the superior court from child and spousal support orders issued by this Court on September 25, 2009. He argues that the earning capacity assigned to him for the purpose of calculating his support obligation was too high. This opinion is written in support of those orders, pursuant to Pa. R.A.P. 1925(a).

BACKGROUND

The parties Laureen Mihelich and Christopher Fenstermacher were married in 1997 and separated in January 2009. They are the parents of two minor children over whom Ms. Mihelich maintains primary physical custody. On April 16, 2009, Ms. Mihelich filed a complaint seeking child and spousal support. Following a Domestic Relations Section office conference, I signed the conference officer's recommended support order, dated May 15, 2009. Obligee Mihelich thereafter filed a request seeking a de novo hearing. She argued that in calculating the support order, obligor should have been held to the income he was making as of December 2008, when he was terminated by his employer for cause instead of to the lower income he received thereafter.

Mihelich v. Fenstermacher

The sole issue addressed at the September 2, 2009 de novo hearing concerned obligor's income/earning capacity. The evidence presented was that obligor was employed as a pharmacist and pharmaceutical consultant by SAI Healthcare/IMS. Defendant had been hired by IMS in 2005 and earned a base salary of \$128,800, which steadily increased to \$167,300 in 2008. His 2008 income, including miscellaneous income, was approximately \$182,000. (N.T. 17-21; Obligee's Exbt. 7) Obligor was terminated by IMS on December 1, 2008 due to inappropriate use of company email. In January 2009, following his termination, obligor decided to start his own consulting company, Naritas, paying himself an annual income of \$70,000 per year.

In determining the amount due under the Support Guidelines, the conference officer assigned obligor a net monthly income of \$4,450 which reflected the \$70,000 yearly income obligor intended to pay himself through self-employment with Naritas. At the conclusion of the de novo hearing, I directed that obligor's income for the purpose of calculating his child and spousal support obligation be based upon his projected 2009 income from Naritas, of \$165,200. (N.T. 45-46)

My decision was supported by evidence presented at the de novo hearing which was that when obligor formed Naritas in early 2009, he authored a Business Plan in which he projected profits for Naritas of \$50,000 for each of the last three quarters in 2009, noting that this prediction "is very conservative." (N.T. 33; Plaintiff's Exbt. 9, p. 9) He also said in his Business Plan that "[t]he pharmaceutical intelligence industry has been growing over the past 10 years due to the demands of a changing political environment and economic pressures. Current cuts in staff and dwindling pipelines will provide a need for more competitive assessments now and for the next 10 years." (N.T. 35; Exbt. 9, p. 3) He further represented in his Plan that "Consulting in the pharmaceutical business is conservatively estimated to be a \$1 billion market. Although some would expect consulting to drip in an economic downturn, solid companies such as the pharmaceutical industry are spending more money to discover what their competitors are doing to survive." (Exbt. 9, p. 8)

Although obligor testified at the de novo hearing that his projections were overly optimistic (N.T. 35), this court found obligor's testimony not entirely credible since obligor admitted at the hearing to being responsible for a posting on his Facebook page in July 2009 in which he stated that "I will be back at the grindstone as soon as my ex loses the support appeal. What a bitch." (N.T. 37-38) I thus directed that the

Mihelich v. Fenstermacher

Domestic Relations Section calculate support orders using an \$165,200 earning capacity for obligor.¹ I subsequently signed two orders of support on September 25, 2009, which were calculated using the earning capacity I had attributed to obligor. Obligor subsequently filed a timely appeal from the entry of both orders.²

LEGAL DISCUSSION

In his statement of matters (errors) complained of on appeal, obligor argues that this court erred as a matter of law (1) in assessing him an earning capacity when the facts presented did not show that he voluntarily lost his job, (2) in assigning him an earning capacity in the range of his prior employment when the facts showed no jobs were available at his prior earning capacity, that defendant's employment sector had shed thousands of jobs and where defendant's prior employer had publically announced massive job terminations and layoffs, and (3) by taking testimony by proffer rather than by direct examination.

The applicable Support Guidelines addressing changes in a party's income, is as follows:

Rule 1910.16-2. Support Guidelines. Calculation of Net Income.

(d) Reduced or Fluctuating Income.

(1) *Voluntary Reduction of Income.* When either party voluntarily assumes a lower paying job, quits a job, leaves employment, changes occupations or changes employment status to pursue an education, or is fired for cause, there generally will be no effect on the support obligation.

(2) *Involuntary Reduction of, and Fluctuations in, Income.* No adjustments in support payments will be made for normal fluctuations in earnings.

1. This figure was derived from obligor's Business Plan and assumed a gross profit of \$50,000/quarter or \$200,000 per year, less \$142,800 in expenses, for a net profit of \$57,200. Added back to this figure was a pending sale of \$48,000 and his \$60,000 salary. (N.T. 45; Exbt. 9, p. 10)

2. The orders required as follows: (1) effective April 16, 2009, obligor was directed to pay \$3,633 per month, plus \$100 per month on arrears, allocated \$1,910 for children, \$1,607 for spouse and \$116 for mortgage; (2) effective September 14, 2009, obligor's obligation was \$3,571 per month, plus \$100 per month on arrears, allocated \$1,896 for children and \$1,569 for spouse and \$106 for mortgage. There is no dispute about any other figures used in calculating the amount of support.

Mihelich v. Fenstermacher

However, appropriate adjustments will be made for substantial continuing involuntary decreases in income, including but not limited to the result of illness, lay-off, termination, job elimination or some other employment situation over which the party has no control.

(3) *Seasonal Employees.* ...

(4) *Earning Capacity.* Ordinarily, either party to a support action who willfully fails to obtain appropriate employment will be considered to have an income equal to the party's earning capacity. Age, education, training, health, work experience, earnings history and child care responsibilities are factors which shall be considered in determining earning capacity.

No adjustments in support payments will be made for normal fluctuations in earnings. However, appropriate adjustments will be made for substantial continuing involuntary decreases in income.

Pa. R.C.P. 1910.16-2(d).³

"[A] person's support obligation is determined primarily by the parties' actual financial resources and their earning capacity. Although a person's actual earnings usually reflect his earning capacity, where there is a divergence, the obligation is determined more by earning capacity than actual earnings. Earning capacity is defined as the amount that a person realistically could earn under the circumstances, considering his age, health, mental and physical condition, training, and earnings history." *Baehr v. Baehr*, 889 A.2d 1240, 1244-45 (Pa. Super. 2005) (citing *Woskob v. Woskob*, 843 A.2d 1247, 1251 (Pa. Super. 2004) (citations omitted)). "Where a party assumes a lower paying job or willfully fails to obtain appropriate employment, the support obligation is determined by his assessed earning capacity." *Woskob* at 1254 (citation omitted). It is the obligor's burden to prove that any income reduction was involuntary. *Grimes v. Grimes*, 596 A.2d 240, 242 (Pa. Super. 1991).

3. The Rules of Civil Procedure promulgated by the Supreme Court, have the force of statute. *Maddas v. Dehaas*, 816 A.2d 234, 238 (Pa. Super. 2003), *appeal denied*, 827 A.2d 1202 (Pa. 2003).

Mihelich v. Fenstermacher

Obligor argues that this court erred in assessing him an earning capacity when the facts presented did not show that he voluntarily lost his job. He argues the court further erred by assigning him an earning capacity in the range of his prior employment income. As noted above, it was obligor's burden to prove that his income reduction was involuntary. *Grimes, supra*. Obligor failed to meet this burden.

Obligor admitted on the record that he was terminated by his employer for violation of company policy by inappropriately using company email. (N.T. 12, 40) Obligor merely speculated that his inappropriate use of email provided his employer with a pretextual reason to terminate him at a time it was cutting staff. (N.T. 41) Obligor presented **no** evidence, in fact, that he was terminated from his employment due to mass terminations at his company. As such, the evidence showed obligor was fired for cause. An income reduction that results from a firing for cause is identified under the Support Guidelines as a voluntary reduction in income. Pa. R.C.P. 1910.16-2(d)(1). It was thus appropriate to hold obligor to an earning capacity within the range of income he had been making at the time of his termination since it provided an accurate reflection of his earning capacity following his termination. As noted, earning capacity is the amount that a person can realistically earn under the circumstances, considering his age, health, mental and physical condition, training, and earnings history. *Baehr* at 1245. The earning capacity assigned to obligor in fact reflected obligor's own conservative assessment of his earning capacity in *Naritas*.

Finally, obligor argues that this court erred by taking testimony by proffer rather than by direct examination. At the commencement of the de novo hearing, the Dauphin County Domestic Relations Section Director provided the court with a synopsis of the procedural background. (N.T. 4-8) Immediately thereafter, I informed the parties and their counsel as follows: "The way I like to do it is you call your witness and you give an offer of proof and then the witness says – we say would that be your testimony and they say yes and then we tender that witness for cross examination." (N.T. 8) Oblige'e's attorney proceeded with his offer of proof to which his client agreed, after which she was subjected to cross examination. (N.T. 8-11). Obligor's attorney then made a short offer of proof concerning obligor's income which obligor agreed was correct. (N.T. 12-13) Thereafter, obligor was extensively cross-examined (N.T. 13-38) following which obligor's attorney was permitted to conduct re-direct examination, with no court-imposed limitations (N.T. 38-42). At the conclusion of the examina-

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Mihelich v. Fenstermacher

obligor's attorney stated "that is all I have." (N.T. 42) Obligor's attorney made no objection whatsoever concerning an inability to fully examine the obligor during the course of the hearing. (N.T. 42) As such, this claim of error is completely lacking in merit.

Accordingly, I entered orders of support holding obligor to his income as of December 2008.

—————○—————

SECOND PUBLICATION

Estate Notices

ESTATE OF FREDERICA F. HAAS, late of Derry Township, Dauphin County, Pennsylvania. Executrix: Donna W. McCullough, 8660 143rd Street, Seminole, FL 33776. Attorney: David R. Getz, Esq., Wix, Wenger & Weidner, 508 North Second Street, P.O. Box 845, Harrisburg, PA 17108-0845. Telephone (717) 234-4182. j22-f5

ESTATE OF HELEN MILLER a/k/a HELEN I. MILLER, late of the Borough of Elizabethville, Dauphin County, Pennsylvania. Executrix: June J. Adams, 893 Meeting House Road, Herndon, PA 17830. Attorney: Joseph C. Michetti, Jr., Esq., Dluge & Michetti, 921 Market Street, Trevorton, PA 17881. j22-f5

ESTATE OF JAMES W. REED, late of Elizabethville Borough, Dauphin County, Pennsylvania (died January 2, 2010). Executrix: Suzanne L. Witmer, 300 St. Marks Road, Mechanicsburg, PA 17050. Attorney: Terrence J. Kerwin, Esq., Kerwin & Kerwin, 27 North Front Street, Harrisburg, PA 17101. j22-f5

ESTATE OF ELIZABETH I. HUGO, late of Paxtang Borough, Dauphin County, Pennsylvania. Executrix: Gail J. Mahoney, 1580 Vesta Drive, Harrisburg, PA 17112. Attorney: Edmund G. Myers, Esq., Johnson, Duffie, Stewart & Weidner, 301 Market Street, P.O. Box 109, Lemoine, PA 17043-0109. j22-f5

ESTATE OF WILLIAM J. SCHALLER, III, late of South Hanover Township, Dauphin County, Pennsylvania (died October 30, 2009). Administratrix: Kimberly K. Schaller. Attorney: Cara A. Boyanowski, Esq., Serratelli Schiffman Brown & Calhoun, 2080 Linglestown Road, Suite 201, Harrisburg, PA 17110. j22-f5

ESTATE OF GERALDINE S. BAUGHMAN, late of Susquehanna Township, Dauphin County, Pennsylvania (died November 2, 2009). Executrix: Gwendolyn A. Baughman, 2133 Sauers Road, Harrisburg, PA 17110. j22-f5

ESTATE OF HOWARD F. GEYER a/k/a HOWARD F. GEYER, SR., late of Lower Paxton Township, Dauphin County, Pennsylvania (died December 10, 2009). Executrix: Tracy L. Rader, 896 Ridge Road, Grantville, PA 17028. Attorney: Gary L. Rothschild, Esq., 2215 Forest Hills Drive, Suite 35, Harrisburg, PA 17112. j22-f5

ESTATE OF AMEDEO JOHN SALLUSTI, late of Swatara Township, Dauphin County, Pennsylvania. Co-Executors: Krista M. Sallusti and Justin A. Sallusti, 361 N. 48th Street, Harrisburg, PA 17111. Attorney: Larry B. Selkowitz, Esq., Stevens & Lee, 17 North Second Street, Harrisburg, PA 17101. j22-f5

ESTATE OF MARY ANN KEANE, late of Swatara Township, Dauphin County, Pennsylvania (died December 20, 2009). Executrix: Kathleen A. Heverly, 7059 Creek Run Road, Harrisburg, PA 17111. Attorney: Jan L. Brown, Esq., Jan L. Brown & Associates, 845 Sir Thomas Court, Suite 12, Harrisburg, PA 17109. j22-f5

ESTATE OF MARY C. SIMPSON, late of East Hanover Township, Dauphin County, Pennsylvania (died December 7, 2009). Administratrix: Valerie Anne Betz, 218 Verbeke Street, Harrisburg, PA 17102. Attorney: Jill M. Wineka, Esq., Purcell, Krug & Haller, 1719 North Front Street, Harrisburg, PA 17102. j22-f5

ESTATE OF BRIAN K. CHUBB, late of Upper Paxton Township, Dauphin County, Pennsylvania. Executrix: Vickie Mace, 9622 State Route 209, Williamstown, PA 17098. Attorney: Gregory M. Kerwin, Esq., Kerwin & Kerwin, 4245 State Route 209, Elizabethville, PA 17023. j22-f5

SECOND PUBLICATION

Estate Notices

ESTATE OF RHEBA E. TROUTMAN a/k/a RHEBA ELOISE TROUTMAN, late of Halifax, Dauphin County, Pennsylvania (died October 12, 2009). Executrix: Victoria F. Piscioneri, 237 Deerfield Road, Camp Hill, PA 17011. Attorney: Edmund G. Myers, Esq., Johnson, Duffie, Stewart & Weidner, 301 Market Street, P.O. Box 109, Lemoyne, PA 17043. j22-f5

THIRD PUBLICATION

ESTATE OF PATRICIA L. SHOCKLEY a/k/a PATRICIA LOUISE SHOCKLEY, late of West Hanover Township, Dauphin County, Pennsylvania (died November 28, 2009). Executor: Richard Shockley. Attorney: Nora F. Blair, Esq., 5440 Jonestown Road, P.O. Box 6216, Harrisburg, PA 17112. j15-j29

ESTATE OF BARBARA JEAN TATUM, late of the City of Harrisburg, Dauphin County, Pennsylvania. Testatrix: Janay D. Tatum, 2236 Concord Circle, Harrisburg, PA 17110. Attorney: James H. Rowland, Jr., Esq., 812 N. 17th Street, P.O. Box 1424, Harrisburg, PA 17105-1424. j15-j29

ESTATE OF NANCY U. LACOVARA, late of Susquehanna Township, Dauphin County, Pennsylvania (died November 26, 2009). Executor: Dennis A. Shuttlesworth. Attorney: Nora F. Blair, Esq., 5440 Jonestown Road, P.O. Box 6216, Harrisburg, PA 17112. j15-j29

ESTATE OF CHARLOTTE E. CORSNITZ, late of Washington Township, Dauphin County, Pennsylvania. Executrix: Carol A. Conrad, 97 Juniata East Parkway, Newport, PA 17074. Attorney: Earl Richard Etzweiler, Esq., 105 North Front Street, Harrisburg, PA 17101. Telephone (717) 234-5600. j15-j29

ESTATE OF JAN CHRISTOPHER SIJTSMA, late of Southwest Madison Township, Perry County, Pennsylvania. Executrix: Nicole Sijtsma, 1442 Laurel Run Road, Landisburg, PA 17040. Attorney: Ira H. Weinstock, Esq., 800 North Second Street, Harrisburg, PA 17102. j15-j29

ESTATE OF JANE A. BROWN a/k/a JANE A. STEWART BROWN, late of the City of Harrisburg, Dauphin County, Pennsylvania (died September 7, 2009). Executrix: Denis L. Stewart, 4602 Village Run Court, Glen Allen, VA 23060. Attorney: Kent H. Patterson, Esq., 221 Pine Street, Harrisburg, PA 17101. j15-j29

ESTATE OF DOUGLAS K. BOWERS, late of Middle Paxton Township, Dauphin County, Pennsylvania (died July 31, 2009). Executrix: Lisa M. Irwin (Bowers). Attorney: Cara A. Boyanowski, Esq., Serratelli Schiffman Brown & Calhoon, 2080 Linglestown Road, Suite 201, Harrisburg, PA 17110. j15-j29

ESTATE OF NATIVADAD PEREZ, late of Lower Paxton Township, Dauphin County, Pennsylvania. Executor: Ramiro Colon c/o Turo Robinson, 28 South Pitt Street, Carlisle, PA 17013. Attorney: Lorin Andrew Snyder, Esq., Turo Robinson, 28 South Pitt Street, Carlisle, PA 17013. j15-j29

ESTATE OF BELINDA C. SHAMBAUGH, late of Harrisburg, Dauphin County, Pennsylvania (died November 26, 2009). Executor: David E. Platt, Jr., 1025 Stoney Creek Road, Dauphin, PA 17018. Attorney: Paul Taneff, Esq., Ricci & Taneff, 4219 Derry Street, Harrisburg, PA 17111. j15-j29

ESTATE OF ALICE M. FINKBONE, late of the City of Harrisburg, Dauphin County, Pennsylvania (died August 12, 2009). Administratrix: Deborah A. String, 149 North Enola Drive, Enola, PA 17025. Attorney: Ann E. Rhoads, Esq., Cleckner and Fearen, P.O. Box 11847, Harrisburg, PA 17108-1847. j15-j29

THIRD PUBLICATION

Estate Notices

ESTATE OF THOMAS HARVEY a/k/a THOMAS M. HARVEY, SR., late of Dauphin County, Pennsylvania. Executrix: Tometta Lachelle Harvey. Attorney: Steven R. Snyder, Esq., the Law Offices of VanOrmer & Associates, 344 South Market Street, Elizabethtown, PA 17102. j15-j29

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed on January 5, 2010, with the Commonwealth of Pennsylvania. The name of the corporation is **2 Hearts, Inc.** The corporation has been incorporated under the provisions of the Business Corporation Law of 1988, as amended.

ANTHONY J. NESTICO, Esq.
840 East Chocolate Avenue
Hershey, PA 17033
(717) 533-5406

j29

ESTATE OF ROSLYN G. FREEBORN, late of the Borough of Middletown, Dauphin County, Pennsylvania (died October 17, 2009). Executrix: Shirley D. Newhart, CTA, 921 Butler Court, Hummelstown, PA 17036. Attorney: John S. Davidson, Esq., 320 West Chocolate Avenue, P.O. Box 437, Hershey, PA 17033-0437. j15-j29

NOTICE IS HEREBY GIVEN that a Certificate of Organization has been filed with the Department of State of the Commonwealth of Pennsylvania in Harrisburg, Pennsylvania, for **Advent Counseling Services, LLC**. The Certificate of Organization was filed on January 7, 2010. Said Limited Liability Company intends to be organized under the provisions of the Business Corporation Law of the Commonwealth of Pennsylvania of 1988. The initial registered office of the company is in care of Anthony J. Nestico, Esquire, 840 East Chocolate Avenue, Hershey, PA 17033, (717) 533-5406, Attorney for Advent Counseling Services, LLC. j29

ESTATE OF BLANCHE A. MILLER, late of Upper Paxton, Dauphin County, Pennsylvania (died December 27, 2009). Attorney: Gregory M. Kerwin, Esq., Kerwin & Kerwin, 4245 Route 209, Elizabethtown, PA 17023. j15-j29

NOTICE IS HEREBY GIVEN that **VN Acquisition, Inc.**, a Pennsylvania corporation, having its registered office is located at 600 North 2nd Street, Harrisburg, PA 17101, has filed a Certificate of Election to Dissolve with the Department of State of the Commonwealth of Pennsylvania, pursuant to and in accordance with the provisions of the Business Corporation Law of the Commonwealth of Pennsylvania, approved May 5, 1933, as amended, and that the said corporation is winding up its affairs in the manner prescribed by said law, so that its corporate existence shall be ended upon the issuance of a Certificate of Dissolution by the Department of State of the Commonwealth of Pennsylvania.

/s/ LANCE A. JONES, Esq.
6011 W. Courtyard Drive
Suite 300
Austin, TX 78730

j29

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN that **STH & Associates, Inc.** a foreign business corporation incorporated under the laws of the State of Pennsylvania where its principal office is located at 1032 Battlecreek Road, P.O. Box 703, South Pittsburg, TN 37380 has applied for a Certificate of Authority in Pennsylvania, where its registered office is located at C T Corporation System, PA, Dauphin.

The registered office of the corporation shall be deemed for venue and official publication purposes to be located in Dauphin County, Pennsylvania. j29

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN that **FirstService Residential Realty, Inc.**, a foreign business corporation incorporated under the laws of the State of Florida, where its principal office is located at 1815 Griffin Road, Suite 404, Dania Beach, FL 33004, has applied for a Certificate of Authority in Pennsylvania, where its registered office is located at: c/o Corporation Service Company, 2704 Commerce Drive, Harrisburg, PA 17110.

The registered office of the corporation shall be deemed for venue and official publication purposes to be located in Dauphin County, Pennsylvania.

j29

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania for **SPRING LAKE COMMUNICATIONS, INC.**, formed pursuant to the provisions of the Pennsylvania Business Corporation Law of 1988.

CLIFTON R. GUISE, Esq.
Gates, Halbruner, Hatch & Guise, P.C.
1013 Mumma Road, Suite 100
Lemoyne, PA 17043

j29

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed on January 7, 2010, with the Commonwealth of Pennsylvania. The name of the corporation is **Michael A. Warnagiris, P.C.** The corporation has been incorporated under the provisions of the Business Corporation Law of 1988, as amended.

ANTHONY J. NESTICO, Esq.
840 East Chocolate Avenue
Hershey, PA 17033
(717) 533-5406

j29

NOTICE IS HEREBY GIVEN that a Certificate of Organization was filed with the Pennsylvania Department of State on January 11, 2010, for a Limited Liability Company to be known as **Sky Enterprise, LLC**, in compliance with the requirements of 15 Pa.C.S.A. §8901, et seq.

KEITH D. WAGNER, Esq.
6 East Main Street - 2nd Floor
P.O. Box 323
Palmyra, PA 17078

j29

NOTICE IS HEREBY GIVEN that an Application for Certificate of Authority has been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on or about January 12, 2010, for a foreign corporation with a registered address in the state of Pennsylvania as follows: **Human Technologies Corporation**, c/o Incorporating Services, Ltd.

This corporation is incorporated under the laws of the State of New York.

The address of its principal office under the laws of its jurisdiction in which it is incorporated is 2260 Dwyer Avenue, Utica, NY 13501.

The corporation has been qualified in Pennsylvania under the provisions of the Business Corporation Law of 1988, as amended.

j29

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Commonwealth of Pennsylvania, Department of State, at Harrisburg, Pennsylvania on December 29, 2009 for the purpose of obtaining a Certificate of Incorporation.

The name of the corporation organized under the Pennsylvania Business Corporation Law of 1988, Act of December 21, 1988, P.L. 1444, No. 177, as amended and supplemented, is: **Poison Reverse Computing Solutions, Inc.**, 5718 Kenwood Avenue, Harrisburg, PA 17112.

DUANE P. STONE, Esq.
P.O. Box 696
Dillsburg, PA 17019

j29

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN that **Studio 222 Architects LLC**, a foreign business corporation incorporated under the laws of the State of Illinois, where its principal office is located at 222 S. Morgan Street, Suite 4B, Chicago, Illinois 60607, has applied for a Certificate of Authority in Pennsylvania, where its registered office is located at c/o InCorp Services, Inc., Dauphin County.

The registered office of the corporation shall be deemed for venue and official publication purposes to be located in Dauphin County, Pennsylvania. j29

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, on January 6, 2010 for the purpose of obtaining a Certificate of Incorporation pursuant to the provisions of the Business Corporation Law of 1988, 15 Pa. C.S. Section 1306. The name of the corporation is **RJBay Inc.**

The purpose for which the corporation is retail services.

8040 Excelsior Drive - Suite 200
Madison WI 53717
(800) 981-7183
(608) 827-5300
Fax (608) 827-5501
www.bizfilings.com

j29

NOTICE IS HEREBY GIVEN that **P.C. Help Services, Inc.**, a foreign business corporation incorporated under the laws of the State of New Jersey, intends to withdraw from doing business in this Commonwealth. The address, including street and number, if any, of its principal office under the laws of its jurisdiction is 2242 Shawnee Path, Scotch Plains, NJ 07076.

Its last registered office in this Commonwealth is c/o Prentice-Hall Corporation System, Inc. and is deemed for venue and official publication purposes to be located in Dauphin County. j29

NOTICE IS HEREBY GIVEN that an Application for Certificate of Authority has been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on or about December 18, 2009, for a foreign corporation with a registered address in the state of Pennsylvania as follows: **Creative Management Inc.**, c/o AAAGENT Services, LLC.

This corporation is incorporated under the laws of the State of New Jersey.

The address of its principal office under the laws of its jurisdiction in which it is incorporated is 935 Route 34, Suite 3-A, Matawan, NJ 07741.

The corporation has been qualified in Pennsylvania under the provisions of the Business Corporation Law of 1988, as amended. j29

NOTICE IS HEREBY GIVEN that **Triple S Trucking Co., Inc.**, a foreign business corporation incorporated under the laws of the State of New Mexico, where its principal office is located at 300 Legion Road, Aztec, New Mexico 87410, has applied for a Certificate of Authority in Pennsylvania, where its registered office is located at 116 Pine Street, Suite 320, Harrisburg, Pennsylvania 17101. The registered office of the corporation shall be deemed for venue and official publication purposes to be located in Dauphin County, Pennsylvania. j29

NOTICE IS HEREBY GIVEN that **Francis O. Day Co., Inc.**, a foreign business corporation incorporated under the laws of the State of Maryland, where its principle office is located at 850 East Gude Drive, Suite A, Rockville, MD 20850, has filed a Certificate of Authority in Pennsylvania.

Its registered office is located at 600 N. Second Street, Suite 401, Harrisburg, PA 17101; said registered office shall be deemed for venue and official publication purposes to be located in Dauphin County. j29

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN that **Butler Fence Co., Inc.** with a commercial registered agent in care of National Corporate Research, Ltd. in Dauphin County does hereby give notice of its intention to withdraw from doing business in this Commonwealth as per 15 Pa. C.S. 4129(b). The address of its principal office under the laws of its jurisdiction is 536 State Fair Boulevard, Syracuse, NY 13204. This shall serve as official notice to creditors and taxing authorities. j29

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on January 14, 2010, by **TAGSYS RFID GROUP INC.**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at 1209 Orange Street, Wilmington, DE 19801, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania shall be deemed for venue and official publication purposes to be located in Dauphin County. j29

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on January 6, 2010, by **GENERAL SALES ADMINISTRATION, INC.**, a foreign corporation formed under the laws of the State of New Jersey, where its principal office is located at 47 N. Dell Avenue, Kenvil, NJ 07847 for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania shall be deemed for venue and official publication purposes to be located in Dauphin County. j29

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on January 12, 2010, by **TARCO STEEL, INC.**, a foreign corporation formed under the laws of the State of New York, where its principal office is located at 13 Spud Lane, Binghamton, NY 13904, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania shall be deemed for venue and official publication purposes to be located at c/o Corporation Service Company, Dauphin County. j29

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Section 4129 of the Nonprofit Corporation Law of 1988, **MERCURY MARINE ACCEPTANCE CORPORATION**, a corporation incorporated under the laws of the State of North Carolina, with principal office at 401 N. Tryon Street, NC1-021-02-20, Charlotte, NC 28255 and registered office in Pennsylvania at CT Corporation System, 116 Pine Street, Suite 320, Harrisburg, PA 17101 which on March 8, 1993 was granted a Certificate of Authority to transact business in the Commonwealth of Pennsylvania, intends to file an Application for Termination of Authority with the Department of State. j29

NOTICE IS HEREBY GIVEN that the Certificate of Authority was filed on 1/11/2010 for the purpose of obtaining a Certificate of Authority pursuant to the provisions of the Business Corporation Law of 1988, 15 Pa. C.S. Section 1101. The name of the corporation is **Photogenic, Inc.**

The purpose for which the Corporation is organized is for souvenir photos.

8040 Excelsior Drive - Suite 200
Madison WI 53717
(800) 981-7183
(608) 827-5300
Fax (608) 827-5501
www.bizfilings.com

j29

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on November 9, 2009 by **PATRIOT RISK SERVICES, INC.**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at 1209 Orange Street, Wilmington, DE 19801, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania shall be deemed for venue and official publication purposes to be located at c/o CT Corporation System, Dauphin County. j29

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on January 12, 2010, by **LEAM DRILLING SYSTEMS, INC.**, a foreign corporation formed under the laws of the State of Louisiana, where its principal office is located at 3114 West Old Spanish Trail, New Iberia, LA 70560, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania shall be deemed for venue and official publication purposes to be located in Dauphin County. j29

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on December 30, 2009, by **QinetiQ North America Operations LLC**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at 7918 Jones Branch Drive, Suite 350, McLean, VA 22102, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania shall be deemed for venue and official publication purposes to be located in Dauphin County. j29

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on January 15, 2010 by **SUBSURFACE CONSTRUCTORS INCORPORATED**, a foreign corporation formed under the laws of the State of Missouri, where its principal office is located at 110 Angelica Street, St. Louis, MO 63147-3404, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania shall be deemed for venue and official publication purposes to be located in Dauphin County. j29

FIRST PUBLICATION

Miscellaneous Notices

SHERIFF SALE

YOU ARE HEREBY NOTIFIED that by virtue of certain writs of Execution issued out of the Court of Common Pleas and Orphans' Court of Dauphin County, PA, the Sheriff of Dauphin County will expose at Public Sale or Outcry, at the Dauphin County Administration Building, 4th Floor - Commissioners Hearing Room, Market Square, Harrisburg, PA 17101, on Thursday, February 25, 2010 at 10:00 A.M., the following real estate, to wit:

ALL THAT CERTAIN lot or piece of land situate in the 7th Ward of the City of Harrisburg, Dauphin County, Pennsylvania, bounded and described in accordance with a survey and plan hereof made by Edgar J. Walker, Professional Engineer, dated February 28, 1973, as follows:

BEGINNING at a point on the South side of Herr Street, said point being 16.33 feet east of the Southeast corner of 15th and Herr Streets; thence along the South side of Herr Street, North 67 degrees East 13.67 feet to a corner of premises known as No. 1505 Herr Street; thence along said premises and passing through the center of a partition wall, South 23 degrees East 100 feet to a point on the North side of a 20 feet wide alley; thence along the same South 67 degrees West 12 feet to the wall of a brick building erected on premises known as No. 1501 Herr Street; thence along the wall of said building, North 23 degrees West 30 feet to a corner of said brick building;

NOTICE

FIRST PUBLICATION

Miscellaneous Notices

thence along the Northern wall of said building South 67 degrees West 1.67 feet to a point; thence continuing along said premises known as No. 1501 Herr Street and passing through the center of the partition wall dividing the dwellings erected on this lot and said 1501 Herr Street, North 23 degrees West 70 feet to the point and place of BEGINNING.

HAVING THEREON ERECTED a dwelling known as No. 1503 Herr Street, Harrisburg, PA 17103.

FOR TITLE see Dauphin County Record Book 5824, Page 376.

SEIZED AND SOLD in Execution as the property of Erica L. Payne under Dauphin County Judgment No. 2008-CV-17758-MF.

BEING DESIGNATED AS TAX PARCEL No. 7-92-13.

NOTICE is further given to all parties in interest and claimants. Schedule of proposed distributions will be filed by the Sheriff of Dauphin County, on Monday, March 29, 2010 and distributions will be made in accordance with the said schedule unless exceptions are filed thereto within the (10) days thereafter.

j29

**IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY
PENNSYLVANIA**

CIVIL ACTION – LAW

CIVIL DIVISION

No. 2009 CV 587 MF

**NOTICE OF ACTION IN
MORTGAGE FORECLOSURE**

**PHH MORTGAGE CORPORATION,
Plaintiff**

vs.

SEAN TOBIAS, Defendant

TO: SEAN TOBIAS

YOU ARE HEREBY NOTIFIED that on JANUARY 20, 2009, Plaintiff, PHH MORTGAGE CORPORATION, filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of DAUPHIN County Pennsylvania, docketed to No. 2009 CV 587 MF. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 28 NORTH 28TH STREET, HARRISBURG, PA 17103 whereupon your property would be sold by the Sheriff of DAUPHIN County.

YOU ARE HEREBY NOTIFIED to plead to the above referenced Complaint on or before twenty (20) days from the date of this publication or a Judgment will be entered against you.

NOTICE

IF YOU WISH TO DEFEND, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

DAUPHIN COUNTY
LAWYER REFERRAL SERVICE
213 North Front Street
Harrisburg, PA 17101
(717) 232-7536

j29

FIRST PUBLICATION

Miscellaneous Notices

**IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY
PENNSYLVANIA**

CIVIL ACTION – QUIET TITLE

No. 2009-CV-16015-QT

**THE REDEVELOPMENT AUTHORITY
PLEAS OF THE CITY OF HARRISBURG,
A PENNSYLVANIA REDEVELOPMENT
AUTHORITY, Plaintiff**

vs.

**MIGUEL A. SILVERA, FIRST UNION
NATIONAL BANK, CITY OF
HARRISBURG, DAUPHIN COUNTY
TAX CLAIM BUREAU, W. LEE SIEMON
a/k/a LEE SIEMON, PARA CORP.
and WILLIE THOMPSON, Defendants**

**TO: Para Corp.
Willie Thompson
W. Lee Siemon a/k/a Lee Siemon**

NOTICE

YOU ARE HEREBY NOTIFIED that an Action to Quiet Title was brought against you in the Court of Common Pleas of Dauphin County, filed to No. 2009-CV-16015-QT requesting that you be forever barred from asserting any right, title or interest in and to the real property described herein and that The Redevelopment Authority of the City of Harrisburg has extinguished any right, lien, title or interest claimed by you or any other person or persons to the premises as follows:

ALL THAT CERTAIN tract or parcel of land and premises, situate, lying and being in the City of Harrisburg, in the County of Dauphin and Commonwealth of Pennsylvania, more particularly described as follows:

BEGINNING at a point on the western side of Agate Street, which point is ninety-six (96) feet north of the northern side of Columbia Street, at the center of partition wall between the properties known as Nos. 2548 and 2550 Agate Street; said Agate Street being widened ten (10) feet on the western side from the original twenty (20) feet wide street; thence in a northerly direction twelve (12) feet to the center of a partition wall

between properties known as Nos. 2550 and 2552 Agate Street; thence in a westerly direction, through said partition wall, seventy-two (72) feet, more or less, to a four (4) feet wide alley; thence in a southerly direction, along said four (4) feet wide alley, twelve (12) feet to a point; and thence in an easterly direction seventy-two (72) feet, more or less, to the place of BEGINNING.

TOGETHER with the right to use in common with the other properties abutting thereon of the four (4) feet wide private alley on the west of the above described property.

HAVING THEREON ERECTED a two-story brick dwelling house now known as and numbered 2550 Agate Street, Harrisburg, Dauphin County, Pennsylvania.

IF YOU WISH TO DEFEND, YOU MUST ENTER A WRITTEN APPEARANCE PERSONALLY OR BY AN ATTORNEY AND FILE YOUR DEFENSES OR OBJECTIONS IN WRITING WITH THE COURT. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT FURTHER NOTICE FOR RELIEF REQUESTED BY THE PLAINTIFF. YOU MAY LOSE MONEY OR PROPERTY OR OTHER RIGHTS IMPORTANT TO YOU.

YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

DAUPHIN COUNTY
LAWYER REFERRAL SERVICE
213 North Front Street
Harrisburg, PA 17101
(717) 232-7536

STUART J. MAGDULE, Esq.
River Chase Office Center
Smigel, Anderson & Sacks, LLP
4431 North Front Street, 3rd Floor
Harrisburg, PA 17110-1778
(717) 234-2401
smagdule@sasllp.com

FIRST PUBLICATION

Miscellaneous Notices

**IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY
PENNSYLVANIA**

No. 2008-CV-4660-MF

**NOTICE OF SHERIFF'S SALE
OF REAL ESTATE
PURSUANT TO PENNSYLVANIA
RULE OF CIVIL PROCEDURE 3129**

**BANK OF NEW YORK AS TRUSTEE
FOR THE CERTIFICATE-HOLDERS
CWABS, INC. ASSET-BACKED
CERTIFICATES, SERIES 2006-11,
Plaintiff**

vs.

**LATANA R. HARBISON
a/k/a LATANA HARBISON
a/k/a R. HARBISON LATANA,
Defendants**

**TO: Latana R. Harbison
a/k/a Latana Harbison
a/k/a R. Harbison Latana
2605 North 5th Street
Harrisburg, PA 17110**

**Latana R. Harbison
a/k/a Latana Harbison
a/k/a R. Harbison Latana
830 Presidents Drive
Apt. 314
Hummelstown, PA 17036**

TAKE NOTICE:

YOU ARE HEREBY NOTIFIED that the Sheriff's Sale of Real Property (real estate) will be held:

DATE: February 25, 2010

TIME: 10:00 a.m.

LOCATION: Sheriff's Office
Dauphin County Administration Building
Commissioner's Hearing Room
4th Floor - Market Square
Harrisburg, PA 17101

THE PROPERTY TO BE SOLD is delineated in detail in a legal description mainly consisting

of a statement of the measured boundaries of the property, together with a brief mention of the buildings and any other major improvements erected on the land. (SEE FOLLOWING DESCRIPTION)

THE LOCATION of your property to be sold is 2605 North 5th Street, Harrisburg, PA 17110.

THE JUDGMENT under or pursuant to which your property is being sold is docketed in the within Commonwealth and County to: Number 2008-CV-4660-MF.

THE NAME OF THE OWNER OR REPUTED OWNER of this property is: Latana R. Harbison a/k/a Latana Harbison a/k/a R. Harbison Latana.

A SCHEDULE OF DISTRIBUTION, being a list of the persons and/or governmental or corporate entities or agencies being entitled to receive part of the proceeds of the sale received and to be disbursed by the Sheriff (for example, to banks that hold mortgages and municipalities that are owed taxes) will be filed by the Sheriff of this County thirty (30) days after the sale and distribution of the proceeds of sale in accordance with this schedule will, in fact, be made unless someone objects by filing exceptions to it within ten (10) days of the date it is filed.

Information about the Schedule of Distribution may be obtained from the Sheriff of the Court of Common Pleas of the within County at the Courthouse address specified herein.

**THIS IS A NOTICE OF THE
TIME AND PLACE OF THE SALE
OF YOUR PROPERTY.**

**IT HAS BEEN ISSUED BECAUSE
THERE IS A JUDGMENT AGAINST YOU.**

**IT MAY CAUSE YOUR PROPERTY
TO BE HELD, TO BE SOLD
OR TAKEN TO PAY THE JUDGMENT.**

YOU ARE HEREBY NOTIFIED that you may have legal rights to prevent your property from being taken away. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, YOU MUST ACT PROMPTLY.

YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

FIRST PUBLICATION

Miscellaneous Notices

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

DAUPHIN COUNTY
LAWYER REFERRAL SERVICE
213 North Front Street
Harrisburg, PA 17101
(717) 232-7536

**THE LEGAL RIGHTS YOU
MAY HAVE ARE:**

1. You may file a petition with the Court of Common Pleas of the within County to open the judgment if you have a meritorious defense against the person or company that has entered judgment against you. You may also file a petition with the same Court if you are aware of a legal defect in the obligation or the procedure used against you.
2. After the Sheriff's Sale, you may file a petition with the Court of Common Pleas of the within County to set aside the sale for a grossly inadequate price or for other proper cause. This petition **MUST BE FILED BEFORE THE SHERIFF'S DEED IS DELIVERED.**
3. A petition or petitions raising the legal issues or rights mentioned in the preceding paragraphs must be presented to the Court of Common Pleas of the within County. The petition must be served on the attorney for the creditor or on the creditor before presentation to the Court and a proposed order or rule must be attached to the petition.

If a specific return date is desired, such date must be obtained from the Court Administrator's Office - Civil Division, of the within County Courthouse, before a presentation to the Court.

TERRENCE J. McCABE, Esq.
MARC S. WEISBERG, Esq.
EDWARD D. CONWAY, Esq.
MARGARET GAIRO, Esq.
McCabe, Weisberg and Conway, P.C.
123 South Broad Street, Suite 2080
Philadelphia, Pennsylvania 19109
(215) 790-1010

j29

**IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY
PENNSYLVANIA**

CIVIL ACTION – LAW

No. 2009-CV-15684-CV

**NOTICE OF ACTION IN
MORTGAGE FORECLOSURE**

**HSBC MORTGAGE SERVICES, INC.,
Plaintiff**

vs.

**PAUL GARDINER
a/k/a PAUL E. GARDINER and
SUNDAY GARDINER
a/k/a SUNDAY L. GARDINER, Defendant**

**TO: PAUL GARDINER
a/k/a PAUL E. GARDINER and
SUNDAY GARDINER
a/k/a SUNDAY L. GARDINER**

**PREMISES SUBJECT
TO FORECLOSURE:
100 MAPLE STREET
MILLERSBURG, PA 17061**

NOTICE

YOU ARE HEREBY NOTIFIED that if you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the Plaintiff. You may lose money or property or other rights important to you.

NOTICE

FIRST PUBLICATION

Miscellaneous Notices

YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

DAUPHIN COUNTY
LAWYER REFERRAL SERVICE
213 North Front Street
Harrisburg, PA 17101
(717) 232-7536

TERRENCE J. McCABE, Esq.
MARC S. WEISBERG, Esq.
EDWARD D. CONWAY, Esq.
MARGARET GAIRO, Esq.
McCabe, Weisberg and Conway, P.C.
123 South Broad Street, Suite 2080
Philadelphia, PA 19109
(215) 790-1010

j29

**IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY
PENNSYLVANIA**

CIVIL ACTION – LAW

CIVIL DIVISION

No. 2009 CV 12369 MF

**NOTICE OF ACTION IN
MORTGAGE FORECLOSURE**

**WELLS FARGO BANK, N.A. S/B/M
WELLS FARGO HOME MORTGAGE,
INC., Plaintiff**

vs.

STEPHEN PARKER, Defendant

TO: Stephen Parker

YOU ARE HEREBY NOTIFIED that on October 7, 2009, Plaintiff, Wells Fargo Bank, N.A. S/B/M Wells Fargo Home Mortgage, Inc., filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of DAUPHIN County Pennsylvania, docketed to No. 2009 CV 12369 MF. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 603 West Chocolate Avenue, Hershey, PA 17033 whereupon your property would be sold by the Sheriff of DAUPHIN County.

YOU ARE HEREBY NOTIFIED to plead to the above referenced Complaint on or before twenty (20) days from the date of this publication or a Judgment will be entered against you.

NOTICE

IF YOU WISH TO DEFEND, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

DAUPHIN COUNTY
LAWYER REFERRAL SERVICE
213 North Front Street
Harrisburg, PA 17101
(717) 232-7536

j29

FIRST PUBLICATION

Miscellaneous Notices

IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY
PENNSYLVANIA

No. 110 ADOPT 2009

ORPHAN'S COURT DIVISION

IN RE: LILLIAN WATERS

To: Bryan K. Williams, Jr.

NOTICE

YOU ARE HEREBY NOTIFIED that on the 25th day of February 2010 at 9:15 A.M., in Courtroom No. 1 of the Dauphin County Courthouse a hearing will be held with respect to the termination of your parental rights to **Lillian Waters**. This matter is brought by **Catherine Bankes**, the natural mother, and her husband, **Nathan Bankes**, who intends to adopt the child.

IF YOU DO NOT APPEAR AT THIS HEARING, THE COURT MAY DECIDE THAT YOU ARE NOT INTERESTED IN RETAINING RIGHT TO YOUR CHILD AND YOUR FAILURE TO APPEAR MAY AFFECT THE COURT'S DECISION ON WHETHER TO END YOUR RIGHTS TO YOUR CHILD. YOU ARE WARNED THAT EVEN IF YOU FAIL TO APPEAR AT THE SCHEDULED HEARING, THE HEARING WILL GO ON WITHOUT YOU AND YOUR RIGHTS TO YOUR CHILD BE ENDED BY THE COURT WITHOUT YOUR BEING PRESENT.

You have the right to be represented at the hearing by a lawyer. You should take this notice 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 help.

DAUPHIN COUNTY
LAWYER REFERRAL SERVICE
213 North Front Street
Harrisburg, PA 17101
(717) 232-7536

IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY
PENNSYLVANIA

No. 2008-CV-12394-MF

NOTICE OF SHERIFF'S SALE

CITICORP TRUST BANK, Plaintiff

vs.

FRANCINE POELLINITZ,
HEIR OF MARGRETTA M. JONES,
DECEASED, STEVEN JONES,
HEIR OF MARGRETTA M. JONES,
DECEASED, MICHAEL LEWIS JONES,
HEIR OF MARGRETTA M. JONES,
ANGELA M. JONES, HEIR OF
MARGRETTA M. JONES, DECEASED
and UNKNOWN HEIRS, SUCCESSORS,
ASSIGNS, and PERSONS, FIRMS,
OR ASSOCIATIONS CLAIMING
RIGHT, TITLE OR INTEREST FROM
OF UNDER MARGRETTA M. JONES,
DECEASED, Defendant(s)

NOTICE

TO: FRANCINE POELLINITZ,
HEIR OF MARGRETTA M. JONES,
DECEASED, STEVEN JONES,
HEIR OF MARGRETTA M. JONES,
DECEASED, MICHAEL LEWIS
JONES, HEIR OF MARGRETTA M.
JONES, ANGELA M. JONES,
HEIR OF MARGRETTA M. JONES,
DECEASED and UNKNOWN HEIRS,
SUCCESSORS, ASSIGNS, and
PERSONS, FIRMS, OR
ASSOCIATIONS CLAIMING
RIGHT, TITLE OR INTEREST
FROM OF UNDER MARGRETTA M.
JONES, DECEASED

NOTICE OF SHERIFF'S SALE
OF REAL PROPERTY

ALL THAT following described lot of ground situate, lying and being in STEELTON Borough, County of DAUPHIN Commonwealth of Pennsylvania, bounded and limited as follows, to wit:

BEING PREMISES: 681 PAXTON STREET, STEELTON, PA 17113.

IMPROVEMENTS consist of residential property.

FIRST PUBLICATION

Miscellaneous Notices

SOLD as the property of FRANCINE POELLINITZ, HEIR OF MARGRETTA M. JONES, DECEASED, STEVEN JONES, HEIR OF MARGRETTA M. JONES, DECEASED, MICHAEL LEWIS JONES, HEIR OF MARGRETTA M. JONES, ANGELA M. JONES, HEIR OF MARGRETTA M. JONES, DECEASED & UNKNOWN HEIRS, SUCCESSORS, ASSIGNS, AND PERSONS, FIRMS, OR ASSOCIATIONS CLAIMING RIGHT, TITLE OR INTEREST FROM OF UNDER MARGRETTA M. JONES, DECEASED.

PARCEL No. 59-005-002-000-0000.

NOTICE IS HEREBY GIVEN that your house (real estate) at 681 PAXTON STREET, STEELTON, PA 17113 is scheduled to be sold at the Sheriff's Sale on APRIL 15, 2010 at 10:00 A.M., at the DAUPHIN County Courthouse to enforce the Court Judgment of \$89,191.66 obtained by, CITICORP TRUST BANK (the mortgagee), against your Prop. sit. in STEELTON Borough, County of DAUPHIN, and State of Pennsylvania.

j29

DANIEL SCHMIEG, Esq.

**IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY
PENNSYLVANIA**

CIVIL ACTION – LAW

CIVIL DIVISION

No. 2008-CV-12495-EQ

**MOTION FOR DECLARATION
OF OWNERSHIP**

EDWARD OMOLO, Movant

vs.

**CLEOPHAS K. KOSGEI and
RAEL METTO, Respondents**

**TO: CLEOPHAS K. KOSGEI and
RAEL METTO**

YOU ARE HEREBY NOTIFIED that on September 26, 2008, Movant, proceeding without counsel, filed a motion for declaration of

ownership of a certain vehicle, docketed to No. 2008-CV-12495-EQ, wherein Movant seeks to obtain title to the vehicle, which is believed to be currently registered in your name(s).

YOU ARE HEREBY NOTIFIED to plead to the referenced Complaint on or before twenty (20) days from the date of this publication or a Judgment will be entered against you.

NOTICE

IF YOU WISH TO DEFEND, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

DAUPHIN COUNTY
LAWYER REFERRAL SERVICE
213 North Front Street
Harrisburg, PA 17101
(717) 232-7536

j29

**IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY
PENNSYLVANIA**

CIVIL ACTION – LAW

No. 2009 CV 06032 MF

**NOTICE OF ACTION IN
MORTGAGE FORECLOSURE**

**BAC HOME LOANS SERVICING, L.P.
FKA COUNTRYWIDE HOME LOANS
SERVICING, L.P.,
7105 Corporate Drive
PTX C 35
Plano, TX 75024, Plaintiff**

vs.

FIRST PUBLICATION

Miscellaneous Notices

UNKNOWN HEIRS OF THE ESTATE OF JAMES SANDERS, DECEASED, GRACE SANDERS, Solely In Her Capacity as Heir of the Estate of James Sanders, Deceased and PRISCILLA MALCOLM a/k/a PRISCILLA JOHNSON, Solely In Her Capacity as Heir of the Estate of James Sanders, Deceased, Mortgagor(s) and Record Owner(s), 1209 North 14th Street, Harrisburg, PA 17103, Defendant(s)

THIS LAW FIRM IS A DEBT COLLECTOR AND WE ARE ATTEMPTING TO COLLECT A DEBT. THIS NOTICE IS SENT TO YOU IN AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED FROM YOU WILL BE USED FOR THAT PURPOSE.

NOTICE OF SHERIFF'S SALE OF REAL PROPERTY

TO: PRISCILLA MALCOLM a/k/a PRISCILLA JOHNSON, Solely In Her Capacity as Heir of the Estate of James Sanders, Deceased, Defendant(s), whose last known address is 1209 North 14th Street, Harrisburg, PA 17103

YOU ARE HEREBY NOTIFIED that your house at 1209 North 14th Street, Harrisburg, PA 17103, is scheduled to be sold at Sheriff's Sale on Thursday, February 25, 2010, at 10:00 AM, in Dauphin County Administration Building, Commissioners Hearing Room, Second and Market Streets, Harrisburg, PA 17101 to enforce the court judgment of \$95,568.58 obtained by BAC HOME LOANS SERVICING, L.P. f/k/a COUNTRYWIDE HOME LOANS SERVICING, L.P. against you.

NOTICE OF OWNER'S RIGHTS

YOU MAY BE ABLE TO PREVENT THIS SHERIFF'S SALE

To prevent this Sheriff's Sale you must take immediate action:

1. The sale will be cancelled if you pay to BAC HOME LOANS SERVICING, L.P. f/k/a COUNTRYWIDE HOME LOANS SERVICING, L.P., the back payments, late charges, costs and reasonable attorney's fees due. To find out how much you must pay call our office at 215-825-6329 or 1-866-413-2311.
2. You may be able to stop the sale by filing a petition asking the Court to strike or open judgment, if the judgment was improperly entered. You may also ask the Court to postpone the sale for good cause.
3. You may also be able to stop the sale through other legal proceedings.
4. You may need an attorney to assert your rights. The sooner you contact one, the more chance you will have of stopping the sale. (See following notice on how to obtain an attorney).

YOU MAY STILL BE ABLE TO SAVE YOUR PROPERTY AND YOU HAVE OTHER RIGHTS EVEN IF THE SHERIFF'S SALE DOES NOT TAKE PLACE.

1. If the Sheriff's Sale is not stopped, your property will be sold to the highest bidder. You may find out the price bid price by calling the Sheriff of Dauphin County at 717-255-2660. 2. You may be able to petition the Court to set aside the sale if the bid price was grossly inadequate compared to the value of your property. 3. The sale will go through only if the buyer pays the Sheriff the full amount due in the sale. To find out if this has happened, you may call the Sheriff of Dauphin County at 717-255-2660. 4. If the amount due from the Buyer is not paid to the Sheriff, you will remain the owner of the property as if the sale never happened. 5. You have a right to remain in the property until the full

FIRST PUBLICATION

Miscellaneous Notices

amount due is paid to the Sheriff and the Sheriff gives a deed to the buyer. At that time, the buyer may bring legal proceedings to evict you. 6. You may be entitled to a share of the money which was paid for your house. A schedule of distribution of the money bid for your house will be filed by the Sheriff within thirty (30) days from the date of the Sheriff's Sale. This schedule will state who will be receiving that money. The money will be paid out in accordance with this schedule unless exceptions (reasons why the proposed distribution is wrong) are filed with the Sheriff within ten (10) days after the schedule of distribution is filed. 7. You may also have other rights and defenses, or ways of getting your house back, if you act immediately after the sale. 8. You may contact the Foreclosure Resource Center: <http://www.philadelphiafed.org/foreclosure/>

YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE LISTED BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

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**DAUPHIN COUNTY
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**MICHAEL T. McKEEVER, Esq.
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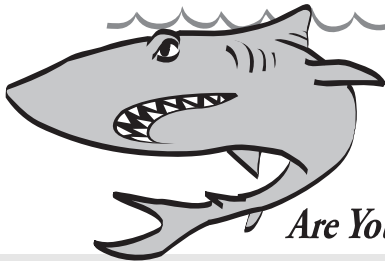
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CUMULATIVE TABLE OF CASES

Cameron Real Estate, LP, et al., Pennsy Supply, Inc. v.	99
Carroll, Commonwealth v.	102
Centric Bank, Schmitt v.	1
Commonwealth v. Carroll	102
Commonwealth v. Fernsler	64
Commonwealth v. Hosby	32
Commonwealth v. Montelione	10
Commonwealth v. Wingus	82
Cox, Wilson, et al. v.	57
Daniels, et al., v. Norfolk Southern Corporation, et al.,	
Wallett's Flooring Services, Inc. v.	94
DeHart, Fletcher v.	134
Dock v. Harrisburg Hospital, et al.	106
East Hanover Township Board of Supervisors	
v. RVG Land, LLC, Mundy, et al. v.	116
Estrada v. Olt, et al.	42
Estright v. Harrisburg Hospital, et al.	153
Fenstermacher, Mihelich v.	
Fernsler, Commonwealth v.	64
Fletcher v. DeHart	134
Investigative Consultant Services, Inc., et al.,	
Tagouma v.	121
Harrisburg Hospital, et al., Dock v.	
Harrisburg Hospital, et al., Estright v.	153

Cumulative Table of Cases

Hershey Medical Center, et al., Lopresti v.	48
Hosby, Commonwealth v.	32
Kelly v. Kelly	110
Kelly, Kelly v.	110
Kelly Systems, Inc. v. Koda	21
Keystone Service Systems, Inc., Pennswood Apartments L.P. v.	27
Koda, Kelly Systems, Inc. v.	21
Lopresti v. Hershey Medical Center, et al.	48
McAfee v. Quantum Imaging and Therapeutic Associates, Inc.	70
McGarrie v. Short	90
McNany, Walter v.	147
Mihelich v. Fenstermacher	158
Montelione, Commonwealth v.	10
Mundy, et al. v. East Hanover Township Board of Supervisors v. RVG Land, LLC	116
Norfolk Southern Corporation, et al. v. Wallett's Flooring Services, Inc. v. Daniels, et al.	94
Olt, et al., Estrada v.	42
Pennswood Apartments L.P. v. Keystone Service Systems, Inc.	27
Penny Supply, Inc. v. Cameron Real Estate, LP, et al.	99
Quantum Imaging and Therapeutic Associates, Inc., McAfee v.	70

Cumulative Table of Cases

RVG Land, LLC, Mundy, et al. v. East Hanover Township
Board of Supervisors v. 116

Schmitt v. Centric Bank 1

Short, McGarrie v. 90

Tagouma v. Investigative Consultant
Services, Inc., et al. 121

Wallett’s Flooring Services, Inc. v. Daniels, et al.,
v. Norfolk Southern Corporation, et al. 94

Walter v. McNany 147

Wilson, et al. v. Cox 57

Wingus, Commonwealth v. 82

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The Board of Directors of the Bar Association meets on the third Thursday of the month at the Bar Association headquarters. Anyone wishing to attend or have matters brought before the Board should contact the Bar Association office in advance.

REPORTING OF ERRORS IN ADVANCE SHEET

The Bench and Bar will contribute to the accuracy in matters of detail of the permanent edition of the Dauphin County Reporter by sending to the editor promptly, notice of all errors appearing in this advance sheet. Inasmuch as corrections are made on a continuous basis, there can be no assurance that corrections can be made later than thirty (30) days from the date of this issue but this should not discourage the submission of notice of errors after thirty (30) days since they will be handled in some way if at all possible. Please send such notice of errors to: Dauphin County Reporter, Dauphin County Bar Association, 213 North Front Street, Harrisburg, PA 17101-1493.

DAUPHIN COUNTY COURT SECTION

Motion Judge of the Month

JANUARY 2010
FEBRUARY 2010

Judge Bruce F. BRATTON
Judge Jeannine TURGEON

Opinions Not Yet Reported

BAR ASSOCIATION PAGE – Continued

MISCELLANEOUS SECTION

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Reply to Dauphin County Reporter, Box # K, 213 N. Front Street, Harrisburg, PA 17101. All communications will remain confidential. j22-f5

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Interested candidates must send a resume, writing samples, transcripts and references. Materials must be submitted no later than February 26th to: PSEA, Human Resources, ATTN: ASC, P.O. Box 1724, Harrisburg, PA 17105 or jobs@psea.org.

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LEGAL SECRETARY / PARALEGAL — Harrisburg law firm is seeking an experienced legal secretary / paralegal with a minimum of 3 to 5 years experience working in civil litigation. Applicants must have excellent communication and organizational skills. Salary will be commensurate with experience. Paid parking and excellent benefits. Please e-mail resume to dstrotle@schmidt-kramer.com for immediate consideration. j29-f12

BAR ASSOCIATION PAGE – Continued

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