

ADVANCE SHEET

Pages 464-469

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Thompson v. Hoover
Bar Association Page

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INTELLECTUAL PROPERTY LAW

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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 RICHARD D. AURAND, late of the Borough of Highspire, Dauphin County, Pennsylvania (died January 11, 2006). Administrator: Jody P. Aurand. Attorney: George W. Porter, Esq., 909 East Chocolate Avenue, Hershey, PA 17033. f17-m3

ESTATE OF MARLIN L. HESS, late of Derry Township, Dauphin County, Pennsylvania (died November 25, 2005). Executor: Dennis L. Hess, 575 Trail Road, Hummelstown, PA 17036. Attorney: David W. DeLuce, Esq. Johnson, Duffie, Stewart & Weidner, 301 Market Street, P.O. Box 109, Lemoyne, PA 17043. f17-m3

ESTATE OF SHIRLEY D. ROADCAP, late of Millersburg, Dauphin County, Pennsylvania (died January 10, 2006). Co-Executrices: Mildred M. O'Donnell and Joanne E. Frank. Attorney: Linus E. Fenicle, Esq., Reager & Adler, P.C., 2331 Market Street, Camp Hill, PA 17011. Phone (717) 763-1383. f17-m3

ESTATE OF KATHRYN R. LENGLE, late of Lower Paxton Township, Dauphin County, Pennsylvania (died December 31, 2005). Administratrix: Heather Lengle. Attorney: Donna M. Mullin, Esq., James, Smith, Dietterick & Connelly, LLP, 134 Sipe Avenue, Hummelstown, PA 17036. Phone (717) 533-3280. f17-m3

ESTATE OF EVELYN H. FRICK, late of Susquehanna Township, Dauphin County, Pennsylvania (died January 4, 2006). Executrix: Ruth Ann McMillen, Manufacturers and Traders Trust Company, 213 Market Street, Harrisburg, PA 17101. Attorney: Jean D. Seibert, Esq., Wion, Zulli & Seibert, 109 Locust Street, P.O. Box 1121, Harrisburg, PA 17108-1121. f17-m3

ESTATE OF DANIEL F. DIEHL, late of Lower Paxton Township, Dauphin County, Pennsylvania (died January 2, 2006). Co-Executrices: Sally D. Bruns and Ann D. Menger. Attorney: Richard W. Stevenson, Esq., McNees Wallace & Nurick LLC, 100 Pine Street, P.O. Box 1166, Harrisburg, PA 17108. Phone (717) 237-5208. f17-m3

ESTATE OF FRANK BLOOM, late of Lower Paxton Township, Dauphin County, Pennsylvania (died January 23, 2006). Executor: Phillip Bloom. Attorney: Richard W. Stevenson, Esq., McNees Wallace & Nurick LLC, 100 Pine Street, P.O. Box 1166, Harrisburg, PA 17108. Phone (717) 237-5208. f17-m3

FIRST PUBLICATION

Estate Notices

ESTATE OF MARION L. MATTERN, late of Upper Paxton Township, Dauphin County, Pennsylvania (died January 13, 2006). Executrix: Elizabeth J. Mattern, P.O. Box 97, Elizabethtown, PA 17023. Attorney: Earl Richard Etzweiler, Esq., 105 North Front Street, Harrisburg, PA 17101. Phone (717) 234-5600. f17-m3

ESTATE OF JANE W. PAWLAK, late of Hershey, Dauphin County, Pennsylvania (died January 26, 2006). Co-Executrices: Stephanie P. Verdelli, Michelle P. Handley and Barbara P. Clay, 7 Deer Run Road, Hershey, PA 17033. Attorney: Linda J. Olsen, Esq., Law Firm of Killian & Gephart, 218 Pine Street, P.O. Box 886, Harrisburg, PA 17108. f17-m3

ESTATE OF CHARLES R. SCHUBAUER a/k/a CHARLES R. SCHUBAUER, SR., late of Dauphin County, Pennsylvania. Co-Executors: Walter G. Schubauer and Ronald M. Schubauer. Attorney: Anthony J. Fitzgibbons, Esq., 279 North Zinn's Mill Road, Suite D, Lebanon, PA 17042. f17-m3

ESTATE OF MILDRED R. DELL, late of City of Harrisburg, Dauphin County, Pennsylvania. Executor: Gary E. Dell, 959 South 21st Street, Harrisburg, PA 17104. Attorney: Joseph A. Curcillo, III, Esq., Beinhaur & Curcillo, 3964 Lexington Street, Harrisburg, PA 17109. f17-m3

ESTATE OF LEONA H. MOORE, late of Millersburg, Dauphin County, Pennsylvania (died December 31, 2005). Personal Representative: Calvin A. Teats 477 Isle of Q Road, Millersburg, PA 17061. Attorney: Allen Shaffer, Esq., Shaffer & Engle Law Office, 129 Market Street, Millersburg, PA 17061. f17-m3

ESTATE OF JEFFREY W. SWAINCOTT, late of Harrisburg, Dauphin County, Pennsylvania (died January 7, 2006). Administrator: Helen K. Swaincott. Attorney: Diane S. Baker, Esq., P.O. Box 6443, Harrisburg, PA 17112-0443. f17-m3

SECOND PUBLICATION

ESTATE OF GRACE M. ZERBE, late of Borough of Williamstown, Dauphin County, Pennsylvania (died January 18, 2006). Executrix: Susan J. Zerbe, 3024 North 5th Street, Harrisburg, PA 17110. f10-f24

ESTATE OF BERT C. JOHNSTON, late of Susquehanna Township, Dauphin County, Pennsylvania. Co-Executrices: Diana J. Faust, 661 Elm Circle, Harrisburg, PA 17111 and Walene J. Gambler. Attorney: J. Stephen Feinour, Esq., Nauman, Smith, Shissler & Hall, LLP, P.O. Box 840, Harrisburg, PA 17108-0840. f10-f24

ESTATE OF NOREEN D. THOMAS, late of the City of Harrisburg, Dauphin County, Pennsylvania (died December 10, 2005). Executor: John V. Thomas, 407 Pawnee Drive, Mechanicsburg, PA 17050-2547. f10-f24

ESTATE OF BRUCE L. CODER, late of Steelton Borough, Dauphin County, Pennsylvania. Executrix: Jane E. Coder, 1616 Clive Road, Oreland, PA 19075. Attorney: Allen D. Smith, Esq., 51 South Front Street, P.O. Box 7592, Steelton, PA 17113. f10-f24

ESTATE OF DOROTHY K. NEAGLE a/k/a DOROTHY K. NEAGLE SHUEY a/k/a DOROTHY SHUEY, late of Lower Paxton Township, Dauphin County, Pennsylvania (died November 6, 2005). Executrix: Karen A. Frey, 841 Twin Oaks Drive, Hummelstown, PA 17036. Attorney: Gary L. James, Esq., James, Smith, Dieterick & Connelly, LLP, 134 Sipe Avenue, Hummelstown, PA 17036. Phone (717) 533-3280. f10-f24

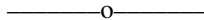
Thompson v. Hoover

advice], the damage sustained by the plaintiff would have been reduced or avoided. . . .” This instruction in no way requires or directs the court to specify the form of medical care at issue in the case. Thus, the instruction as given was best suited to perform the function of allowing the jury to consider all forms of medical treatment. Defendants have failed to establish that the jury was confused or misled by this court’s instructions and/or that that court’s failure to use the word “psychiatric” resulted in prejudicial error. *Clack v. Commonwealth*, 710 A.2d 148, 153 (Pa. Cmwlth. 1998).

Accordingly, we enter the following:

ORDER

AND NOW, this 12th day of December, 2005, upon consideration of the post-trial motions filed by Defendants Tina Landvater, Mervin Hoover and Power Systems Electric, Inc., Plaintiff’s response thereto and for the reasons set forth in the accompanying opinion, it is hereby ORDERED that the Defendants’ post-trial motions, including their requests for a new trial, are DENIED.

**Thompson v. Hoover****Domestic relations — Custody — Standing — Presumption of paternity.**

Plaintiff sought custody of a child he allegedly conceived during a brief intimate relationship with the Defendant, who at the time was in a troubled, but intact marriage. The Court found that an irrebuttable presumption of the husband’s paternity applied to the facts and circumstances of the case, such that the Plaintiff lacked standing to pursue custody.

1. The presumption that a child born to a married woman is the child of the woman’s husband is one of the strongest presumptions known in law. *Strauser v. Stahr*, 726 A.2d 152, 1054 (Pa. 1999). Where the family (mother, child and husband/presumptive father) remains intact at the time that the husband’s paternity is challenged, the presumption is irrebuttable. *Freedman v. McCandless*, 539 Pa. 584, 591, 654 A.2d 529, 532 (1995). *Coco v. Vandergrift*, 416 Pa. Super. 444, 448, 611 A.2d 299, 301 (1992).

2. The issue of improper termination of parental rights is not raised if parental rights have not been established.

Pa. R.A.P. 1925 Opinion. C.P., Dau. Co., No. 2004 CV4632 CU.

Sandra Edwards Gray, Lancaster County, for Plaintiff

N. Christopher Menges, York County, for Defendant

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HOOPER, J., December 21, 2005. –

1925 OPINION

The Custody Complaint in the above-captioned matter was filed by the Plaintiff, Tony P. Thompson, on October 20, 2004. The Defendant, Erin Hoover filed Preliminary Objections to the Complaint challenging the Plaintiff's standing to pursue a custody action. The matter was scheduled for a hearing on July 8, 2005. The issue before the court at the hearing was whether the presumption of paternity applied, such that Plaintiff lacked standing to pursue custody. We entered an Order on September 7, 2005 granting Defendant's Preliminary Objections. Based upon the facts presented at the hearing, we found that the presumption applied and ruled that Plaintiff was estopped from making a custody claim. Plaintiff appeals that decision.

FACTUAL BACKGROUND

The Defendant in the case, Erin Hoover, age 32, was married to Bryan Hoover, age 32, on June 6, 1999. During the period of time at issue, Ms. Hoover was employed at Franklin and Marshall College in Lancaster. Her husband Bryan Hoover is employed as a civil engineer.

The Plaintiff, Mr. Thompson is a single man and is employed at Franklin and Marshall as an assistant football coach. Mr. Thompson and Ms. Hoover met in February of 2003, while Ms. Hoover was working at Franklin and Marshall College. Erin Hoover and Mr. Thompson had a relationship between August 24, 2003 and February 2004. (Notes of Testimony, July 8, 2005, p. 8; p. 12) (Hereinafter, "N.T."). In October 2003, Erin Hoover left the marital residence and leased an apartment in Lancaster. (N.T. p. 7-8). Mr. Thompson also lived in the Lancaster area. During this period of time, Ms. Hoover had an intimate relationship with Mr. Thompson and spent time at his apartment in Lancaster. (N.T. p. 25). She met Mr. Thompson's family.

The record reflects that except during the time period of October 2003 through January of 2004, Ms. Hoover and her husband have resided at their current address in Harrisburg. (N.T. p. 7). When Ms. Hoover leased the apartment, in Lancaster, she did so with her husbands' approval. (N.T. p. 48). The record reflects that although Ms. Hoover leased the apartment, the marital home largely remained intact. All of Ms. Hoover's mail, life insurance, financial information remained in joint names with her husband Bryan. They both continued to contribute to marital expenses. (N.T. p. 17-22; N.T. p. 54). Most significantly, the wife and husband continued to see each during this period of time and

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were involved with counseling individually and jointly to keep their marriage intact. (N.T. p. 16). Ms. Hoover testified that at no point did she consider her marriage over. (N.T. p. 25). Ms. Hoover testified that during the period of the Fall of 2003 through January of 2004, she and her husband maintained communication with each other, spent Christmas together with her family, and attended counseling sessions. (N.T. p. 11-12). Ms. Hoover testified that the purpose of their maintaining contact was to see if the two could work on their marriage and keep it together. (N.T. p. 12; N.T. p. 16).

Ms. Hoover testified that at no time did she consider herself legally separated from her husband, nor did she seriously consider or file for divorce, seek legal representation or request support. (N.T. p. 17; 23). Ms. Hoover and her husband began looking for a new home together in January 2004. (N.T. p. 20). Mr. and Ms. Hoover continued attending counseling sessions throughout the pregnancy of Ms. Hoover. Mr. and Ms. Hoover paid Ms. Hoover's pre-natal care expenses. The husband's name is on the child's birth certificate. (N.T. p. 22). The record reflects that Mr. Hoover considers the child as his own, and is committed to raising her as his own. (N.T. p. 15). The record reflects that the husband and wife have lived as an intact marital family since February 2004. (N.T. p. 12).

The wife's romantic relationship ended with Mr. Thompson in January 2004. Mr. and Ms. Hoover did experience another marital disagreement in the month of February, and Ms. Hoover engaged in sexual relationship with the Plaintiff. Nevertheless, since the wife's return to the marital residence in January 2004, husband and wife have continued to live together as an intact family.

LEGAL DISCUSSION

A. AN IRREFUTABLE PRESUMPTION OF PATERNITY APPLIES IN THE INSTANT MATTER.

Both counsel have properly directed the court to *Brinkley v. King*, 549 Pa. 241, 701 A.2d 176 (1997). Pursuant to *Brinkley*, the premise that the strong presumption that a child conceived or born during marriage is a child of that marriage serves the public policy of promotion of marriage of an intact family. The presumption supports the policy that a marriage which functions as a family unit should not be destroyed by disputes over the parentage of a child conceived or born during the marriage. Specifically, third parties should not be allowed to attack the integrity of a functioning marital unit. *Brinkley*, 549 Pa. at 251, 701 A.2d at 181.

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Further, we are guided by *Strauser v. Stahr*, 726 A.2d 1052 (Pa. 1999). In *Strauser*, the Supreme Court of Pennsylvania identified the presumption that a child born to a married woman is the child of the woman's husband as one of the strongest presumptions known in law. *Id.*, at 1054. The Court in *Strauser* stated:

Traditionally, the presumption can be rebutted only by proof either that the husband was physically incapable of fathering a child or that he did not have access to his wife during the period of conception. (*citations omitted*) Thus, it has been held that, where the presumption applies, blood test results (existing or potential) are irrelevant unless and until the presumption has been overcome. *Jones v. Trojak*, 535 Pa. 95, 105, 634 A.2d 201, 206 (1993). It has also been held that, in one particular situation, no amount of evidence can overcome the presumption: where the family (mother, child and husband/presumptive father) remains intact at the time that the husband's paternity is challenged, the presumption is irrebuttable. *Freedman v. McCandless*, 539 Pa. 584, 591, 654 A.2d 529, 532 (1995). *Coco v. Vandergrift*, 416 Pa. Super. 444, 448, 611 A.2d 299, 301 (1992).

Strauser v. Stahr, 726 A.2d, 1052 (Pa. 1999) at 1053.

We find that the case before us falls within the parameters of *Brinkley* and *Strauser*. The marriage into which this child was born existed for four years prior to the temporary separation and continues. During the period of temporary separation only the physical location of the husband and wife changed, while even then Ms. Hoover and her husband continued to work on their marital relationship. The mother and husband in this case, while temporarily separated, remained in a marriage which was intact. They continued to see each other, attended counseling, jointly met their financial obligations, and made important family decisions together. Moreover, this child was born in October 2004, and the husband and wife were together undisputedly from February 2004 until October 8, 2004. The parties have remained together since then and have chosen to preserve their marriage and raise their family.

We are also guided by the language of the Court in *John M. v. Paula T.*, 524 Pa. 306, 571 A.2d 1380 (1990):

[t]here is, in short, a family involved here. A woman and a man who have married and lived together as husband

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and wife, giving birth to and raising [several] children, have obvious interests in protecting their family from the unwanted intrusions of outsiders (even ones who have had serious relationships with the mother, father or children). The Commonwealth recognizes and seeks to protect this basic and foundational unit of society, the family, by the presumption that a child born to a woman while she is married is a child of the marriage.

John M., 524 PA. at 317, 571 A.2d at 1386.

We find that the present case falls within those circumstances in which the presumption of paternity continues to apply. We find that the presumption is not rebuttable.¹

B. THE COURT'S ORDER OF SEPTEMBER 7, 2005 DID NOT CONSTITUTE AN IMPROPER TERMINATION OF PARENTAL RIGHTS WITHOUT A HEARING.

Plaintiff's pleadings filed prior to the instant appeal raise no issue as to an alleged improper termination of parental rights, and therefore any such argument is waived.

Even were it deemed not waived, clearly, the proceeding before this court is not tantamount to an involuntarily termination of parental rights because parental rights have not been established. For the reasons we have set forth above, the presumption of paternity within the marriage is irrebuttable. There are no parental rights to terminate because they have not been established.

C. THE COURT PROPERLY DETERMINED THAT THE PRESUMPTION OF PATERNITY WOULD SERVE AN INTACT FAMILY.

As the Pennsylvania Supreme Court in *Strauser v. Stahr*, *supra*, has stated, no amount of evidence can overcome the presumption of paternity where the family (mother, child, and husband/presumptive father) remains intact at the time that the husband's paternity is challenged; the presumption is irrebuttable. *See also*, *Freedman v. McCandless*, 539 Pa. at 584 at 592, 654 A.2d 529, 533 (1995) and *Coco v. Vandergrift*, 416 Pa. Super. 444, 448, 611 A.2d 299, 301 (1992). In the

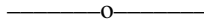
1. We are not unmindful of the views of others regarding the right to compel blood testing. We believe that the plurality of the Supreme Court has decided that a third party that stands outside of an intact marital relationship should not be allowed for any purpose to challenge the husband's claim of parentage. *John M.*, 571 A.2d at 3189.

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present case, Plaintiff, a third party, challenged the husband's paternity at a time during which this family was intact. There is no question that the mother and husband separated from September 2003 until the middle of February 2004. However, as we have set forth at length, even during that time, the mother and husband continued to work on their marital relationship, continued to spend holidays and birthdays together, maintain common health insurance and other financial information. Neither mother nor husband ever filed a divorce or sought a formal separation agreement. Likewise, it is not disputed that the mother had an intimate relationship with the Plaintiff, Tony Thompson, during that period of time, but from February 2004 until October 2004 through the time of the hearing on July 8, 2005, the mother, father and child indisputably lived together as an intact family. The mere fact that the mother and father separated physically for a period of six months in order to work on their marriage and that during that separation Ms. Hoover had sexual relations with Mr. Thompson does not overcome the presumption of the husband's paternity.

In reaching this conclusion, we have looked at the totality of the evidence before us. We applied the presumption of paternity after having found that during the physical separation, Mr. and Ms. Hoover remained committed to their marriage and both put forth an effort to preserve their marital relationship, despite the mother's intimacy with the Plaintiff.

As a matter of law, this Court finds that the presumption of paternity is appropriately applied to this marriage and this family.



SECOND PUBLICATION

Estate Notices

ESTATE OF BARBARA K. BARTON, late of Susquehanna Township, Dauphin County, Pennsylvania (died January 26, 2006). Co-Executors: Donald A. Till, 3940 Grace Road, Harrisburg, PA 17110 and Francis A. Zulli, Esq., 109 Locust Street, Harrisburg, PA 17101. Attorney: David A. Wion, Esq., Wion, Zulli & Seibert, 109 Locust Street, Harrisburg, PA 17101. f10-f24

ESTATE OF BARBARA A. SILVERBERG, late of Lower Paxton Township, Dauphin County, Pennsylvania. Executor: Gerald Silverberg. Attorney: John E. Feather, Jr., Esq., Feather & Feather, P.C., 22 West Main Street, Annville, PA 17003. f10-f24

ESTATE OF MYRA W. SANDANNA, late of the City of Harrisburg, Dauphin County, Pennsylvania (died January 11, 2006). Executrix: MaryAnn Straw, 540 South 24th Street, Harrisburg, PA 17104. Attorney: Linda J. Olsen, Esq., The Law Firm of Killian & Gephart, 218 Pine Street, P.O. Box 886, Harrisburg, PA 17108. f10-f24

ESTATE OF ANN TRANORES, late of Susquehanna Township, Dauphin County, Pennsylvania (died January 14, 2006). Executrix: Vasilikie J. Edelman, 3617 Centerfield Road, Harrisburg, PA 17109. Attorney: Steve C. Nicholas, Esq., Nicholas Law Offices PC, 2215 Forest Hills Drive, Suite 37, Harrisburg, PA 17112-1099. f10-f24

ESTATE OF MICHAELENE EPPINGER, late of Swatara Township, Dauphin County, Pennsylvania. Administrator: Russell Eppinger, Jr. Attorney: Anthony J. Nestico, Esq., Nestico, Druby & Hildabrand, LLP, 840 East Chocolate Avenue, Hershey, PA 17033. f10-f24

THIRD PUBLICATION

ESTATE OF DAVID M. HOUTZ, late of Rush Township, Dauphin County, Pennsylvania (died January 9, 2006). Executrix: Darlee J. Lebo, 678 St. John's Road, Elizabethville, PA 17023. Attorney: Earl Richard Etzweiler, Esq., 105 North Front Street, Harrisburg, PA 17101. Phone (717) 234-5600. f3-f17

ESTATE OF DAWN MARIE MOTTER, late of Lower Paxton Township, Dauphin County, Pennsylvania (died December 11, 2005). Administratrix: Mrs. Dorothy Motter-Balash, 121 Thorton Park Avenue, Davenport, FL 33897-6422. Attorney: Gary L. Rothschild, Esq., 2215 Forest Hills Drive, Suite 35, Northwood Office Center, Harrisburg, PA 17112. f3-f17

ESTATE OF OLGA K. SCHATZ, late of Susquehanna Township, Dauphin County, Pennsylvania (died January 14, 2006). Executrix: Linda S. Hoover. Attorney: Cara A. Boyanowski, Esq., Serratelli, Schiffman, Brown & Calhoun, P.C., 2080 Linglestown Road, Suite 201, Harrisburg, PA 17110. f3-f17

ESTATE OF DOUGLAS A. BREAM, late of Conewago Township, Dauphin County, Pennsylvania (died December 5, 2005). Executrix: Bernadette E. Bream, 6106 Schoolhouse Road, Elizabethtown, PA 17022. Attorney: Michael P. Bianchini, Esq., Griffith, Strickler, Lerman, Solymos & Calkins, 110 South Northern Way, York, PA 17402-3737. f3-f17

ESTATE OF ROBERT H. GEISEL, JR., late of Swatara Township, Dauphin County, Pennsylvania (died January 10, 2006). Executrix: Avis Ann Pulaski, 8 Rutherford Road, Harrisburg, PA 17109. Attorney: Terrence J. Kerwin, Esq., Kerwin & Kerwin, 27 North Front Street, Harrisburg, PA 17101. f3-f17

THIRD PUBLICATION

Estate Notices

ESTATE OF R.G. HOOVER a/k/a RENALD G. HOOVER, late of Middletown Borough, Dauphin County, Pennsylvania. Executor: James B. Hoover, 108 Forest Avenue, Locust Valley, NY 11560. Attorney: Bridget M. Whitley, Esq., Skarlatos & Zonarich LLP, 17 South Second Street, 6th Floor, Harrisburg, PA 17101. f3-f17

ESTATE OF MARIAN L. MINNICH, late of Jackson Township, Dauphin County, Pennsylvania. Executrix: Melinda L. Spicher, 11 Cherry Drive, Halifax, PA 17032. Attorney: Gregory M. Kerwin, Esq., Kerwin & Kerwin, 4245 Route 209, Elizabethtown, PA 17023. f3-f17

ESTATE OF DENNIS K. NALLY a/k/a DENNIS KEITH NALLY, late of Middletown, Dauphin County, Pennsylvania. Executrix: Vicky L. Nally, 1540 Woodridge Drive, Middletown, PA 17057. Attorney: Heather D. Royer, Esq., Smigel, Anderson & Sacks, LLP, 4431 North Front Street, Harrisburg, PA 17110. f3-f17

ESTATE OF DALE E. SEDESHE, SR., late of West Hanover Township, Dauphin County, Pennsylvania (died December 19, 2005). Executrix: Angela M. Martin, 725 North Second Street, Steelton, PA 17113. Attorney: Francis A. Zulli, Esq., Wion, Zulli & Seibert, 109 Locust Street, Harrisburg, PA 17101. f3-f17

ESTATE OF GREGORY YAREMCHAK, late of Middletown, Dauphin County, Pennsylvania. Executrix: Nicole Lynn Yaremchak, 412 Young Avenue, Middletown, PA 17057. f3-f17

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed on January 24, 2006, with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, for the purpose of obtaining a Certificate of Incorporation of a proposed business corporation to be organized under the 1988 Pennsylvania Business Corporation Law of the Commonwealth of Pennsylvania. The name of the corporation is **Prime Plus Mortgage, Inc.** The registered office is 515 Division Street, Harrisburg, Dauphin County, Pennsylvania 17110-2016. The purpose of the corporation is: to provide mortgage broker services and all other lawful business in the Commonwealth of Pennsylvania and elsewhere for which corporations may be incorporated under the Pennsylvania Business Corporation Law.

STEVE C. NICHOLAS, Esq.
Nicholas Law Offices, P.C.
2215 Forest Hills Drive, Suite 37
Harrisburg, PA 17112-1099
(717) 540-7746

f17

NOTICE IS HEREBY GIVEN that **MB-TG Enterprises, Inc.** was incorporated in the Commonwealth of Pennsylvania under the Provisions of the Pennsylvania Business Corporation Law of 1988. f17

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

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

f17

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN in compliance with the requirements of the Business Corporation Law of 1988, Act of December 21, 1988, P.L. 1444, No. 177, Section 103, effective October 1, 1989, as amended, on behalf of MID ATLANTIC REALTY GROUP, LLC:

1. The name of the corporation is **Mid Atlantic Realty Group, LLC**.

2. The corporation is organized under the provisions of the Business Corporation Law of 1988, approved December 21, 1988, P.L. 1444, No. 177, as amended, 15 Pa.C.S.A. Section 1301, et seq.

3. The purpose of the corporation is to engage in all lawful business for which corporations may be incorporated under the Business Corporation Law of 1988.

4. Articles of Incorporation for the above corporation were filed with the Corporation Bureau of the Department of State of the Commonwealth of Pennsylvania on February 10, 2006. f17

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed in the Department of State of the Commonwealth of Pennsylvania for **K & E Mechanical Inc.** on January 31, 2006 under the provisions of the Pennsylvania Business Corporation Law of 1988, as amended. f17

NOTICE IS HEREBY GIVEN that **Denier Electric Co., Inc.**, a foreign business corporation incorporated under of the laws of the State of Ohio, where its principal office is located at 10891 Hamilton-Cleves Highway, Ross, Ohio 45061, 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, Pennsylvania 17110. The registered office of the corporation shall be deemed for venue and official publication purposes to be located in Dauphin County. f17

NOTICE IS HEREBY GIVEN that a Certificate of Authority for a business corporation was filed in the Department of State of the Commonwealth of Pennsylvania for **CAVANNA PACKAGING USA INC.**, on February 1, 2006. The address of its principal office under the laws of its jurisdiction is 5 Pearl Court, Suite C, Allendale, NJ 07401. The commercial registered office provider for this corporation is National Corporate Research, Ltd. in Dauphin County. The Corporation is filed in compliance with the requirements of the applicable provision of 15 Pa. C.S. 4124(b). f17

NOTICE IS HEREBY GIVEN that a Certificate of Authority for a foreign business corporation was filed in the Department of State of the Commonwealth of Pennsylvania for **Clarion Associates Inc. DBA: VIVALDI Insurance** on January 12, 2006. The address of its principal office under the laws of the jurisdiction in which it is incorporated is New York. The registered office for this business is: Nauman, Smith, Shissler & Hall, LLP, Dauphin County, PA. The corporation is filed in compliance with the requirements of the applicable provision of 15 Pa.C.S. 4124. f17

NOTICE IS HEREBY GIVEN that **MPT of Bucks County MOB, LLC** with a registered office in care of National Registered Agents, Inc. in Dauphin County does hereby give notice of its intention to withdraw from doing business in this Commonwealth as per 15 Pa. C.S. 8586. The address of its principal office under the laws of its jurisdiction is 1000 Urban Center Drive, Suite 501, Birmingham, AL 35242. This shall serve as official notice to creditors and taxing authorities. f17

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed in the Department of State of the Commonwealth of Pennsylvania for **CSS Acquisition, Inc.** on February 2, 2006 under the provisions of the Pennsylvania Business Corporation Law of 1988, as amended. f17

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN that on January 24, 2006, an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, by **ALESCO FINANCIAL TRUST**, a foreign Business Trust formed under the laws of the State of Maryland, where its principal office is located at c/o CSC - Lawyers Incorporating Service, Baltimore, MD 21202, 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 c/o Corporation Service Company, Dauphin County. f17

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 4129 of the Business Corporation Law of 1988, **ManTech Solutions Corporation**, a corporation of the Commonwealth of Virginia, with principal office at 12015 Lee Jackson Highway, Fairfax, VA 22033, and having a Commercial Registered office Provider and county of venue as follows: CT Corporation System, Dauphin County, which on November 8, 1995, was granted a Certificate of Authority, to transact business in the Commonwealth, intends to file an Application for Termination of Authority with the Department of State. f17

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on January 30, 2006, by **LINDA-BURY, McCORMICK & ESTABROOK, P.A.**, a foreign corporation formed under the laws of the State of New Jersey, where its principal office is located at 53 Cardinal Drive, P.O. Box 2369, Westfield, NJ 07091-2369, 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 c/o Corporation Service Company, Dauphin County, Pennsylvania. f17

NOTICE IS HEREBY GIVEN that **NAGASE NEW YORK CORPORATION**, a New York Corporation intends to file an Application for Termination of Authority and the registered office is located at c/o Corporation Service Company, Dauphin County, Pennsylvania. f17

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on January 27, 2006, by **OHEL CHILDREN'S HOME AND FAMILY SERVICES, INC.**, a foreign nonprofit corporation formed under the laws of the State of New York, where its principal office is located at 4510 16th Avenue, Brooklyn, NY 11204, for a Certificate of Authority to do business under the provisions of the Pennsylvania Nonprofit Corporation Law of 1988, exclusively for charitable, educational and scientific purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended.

The registered office in Pennsylvania shall be deemed for venue and official publication purposes to be located c/o Corporation Service Company, Dauphin County, Pennsylvania. f17

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State for **KIME APARTMENTS CORPORATION**, a corporation organized under the Pennsylvania Business Corporation Law of 1988. f17

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on February 1, 2006, by **MINERAL VISIONS INC.**, a foreign corporation formed under the laws of the State of Ohio, where its principal office is located at 11833 Ravenna Road, Chardon, OH 44024, 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 c/o Corporation Service Company, Dauphin County, Pennsylvania. f17

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 January 19, 2006, by **ARG RESOURCES, INC.**, doing business in the Commonwealth of Pennsylvania, under the fictitious name of **ARG RESOURCES, INC. (GEORGIA)**, a foreign corporation formed under the laws of the State of Georgia, where its principal office is located at 1155 Perimeter Center West, Atlanta, GA 30338, 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 c/o Corporation Service Company, Dauphin County, Pennsylvania. f17

NOTICE IS HEREBY GIVEN that **Euro RSCG Magnet Inc.**, a foreign business corporation incorporated under the laws of the State of New York, where its principal office is located at 110 Fifth Avenue, New York, NY 10011, has applied for a Certificate of Authority in Pennsylvania, where its registered office is located at 2704 Commerce Drive, Harrisburg, PA 17110, and its registered agent at such address is the Corporation Service Company.

The registered office of the corporation shall be deemed for venue and official publication purposes to be located in Dauphin County, Pennsylvania. f17

NOTICE IS HEREBY GIVEN that **MPT of Bucks County Hospital, LLC** with a registered office in care of National Registered Agents, Inc. in Dauphin County does hereby give notice of its intention to withdraw from doing business in this Commonwealth as per 15 PA C.S. 8586. The address of its principal office under the laws of its jurisdiction is 1000 Urban Center Drive, Suite 501, Birmingham, AL 35242. This shall serve as official notice to creditors and taxing authorities. f17

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on February 1, 2006, by **NPIL PHARMA INC.**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at c/o NRAI, 160 Greentree Drive, Suite 101, Dover, DE 19904, 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 c/o National Registered Agents, Inc., Dauphin County, Pennsylvania. f17

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, for the purpose of obtaining a Certificate of Incorporation pursuant to the provisions of the Business Corporation Law of the Commonwealth of Pennsylvania, Act of December 21, 1988 (P.L. 1444, No. 177).

The name of the proposed corporation is: **Chiggy Enterprises, Inc.**

The Articles of Incorporation were filed on December 27, 2005.

ALAN G. LEISAWITZ, Esq.
2755 Century Boulevard
Wyomissing, PA 19610
(610) 372-3500

f17

NOTICE IS HEREBY GIVEN that a Certificate of Authority for a foreign business corporation was filed in the Department of State of the Commonwealth of Pennsylvania for **Insurance Works, Inc. DBA: Star Alliance Insurance Services** on January 9, 2006. The address of its principal office under the laws of the jurisdiction in which it is incorporated is California. The registered office for this business is: Nauman, Smith, Shissler & Hall, LLP, Dauphin County, PA. The corporation is filed in compliance with the requirements of the applicable provision of 15 Pa.C.S. 4124. f17

FIRST PUBLICATION

Fictitious Notices

NOTICE IS HEREBY GIVEN that an application for registration of a fictitious name, **Elusive Arts**, for the conduct of business in Dauphin County, Pennsylvania, with the principal place of business being 21 Banbury Road, Hummelstown, PA was made to the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania on the 26th day of January 2006, pursuant to the Act of Assembly of December 16, 1982, Act 295.

The name and address of the only person owning or interested in the said business is: Gwen S. Vares, 21 Banbury Road, Hummelstown PA 17036. f17

NOTICE IS HEREBY GIVEN that an application for registration of a fictitious name, **Suds 'n Hugs Pet Care**, for the conduct of business in Dauphin County, Pennsylvania, with the principal place of business being 503 Miller Road, Halifax, PA 17032 was made to the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania on the 19th day of December, 2005 pursuant to the Act of Assembly of December 16, 1982, Act 295.

The name and address of the persons owning or interested in the said business are: Kuhn Enterprises, Inc., 503 Miller Road, Halifax, PA 17032. f17

FIRST PUBLICATION

Miscellaneous Notices

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

CIVIL ACTION – LAW

No. 2005-CV-4941-CV

**KIMBERLY ANN SMITH and
RAY P. SMITH, Plaintiffs**

vs.

CHRISTOPHER D. ROGERS, Defendant

**NOTICE OF PUBLICATION
TO DEFENDANT**

CHRISTOPHER D. ROGERS, Defendant:

A civil action has been filed against you by Plaintiffs who filed a Complaint alleging that you were negligently driving a vehicle that collided into their vehicle on the Harvey Taylor Bridge, Harrisburg, Dauphin County, Pennsylvania. Plaintiffs claim damages in the amount of \$7,310.63. You are hereby notified to file an Answer to the Complaint, which is summarized above, within twenty (20) days from the date of publication.

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.

FIRST PUBLICATION

Miscellaneous Notices

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

CHRISTOPHER E. RICE, Esq.
Martson Deardorff Williams & Otto
Ten East High Street
Carlisle, PA 17013
(717) 243-3341

f17

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

CIVIL ACTION – LAW

No. 2005-CV-3608-MF

**NOTICE OF ACTION IN
MORTGAGE FORECLOSURE**

**WASHINGTON MUTUAL BANK, FA,
Plaintiff**

vs.

**THERESA M. VAUPEL
a/k/a THERESA M. SALOV and
JEFFREY S. VAUPEL, Defendants**

NOTICE

**TO: THERESA M. VAUPEL
a/k/a THERESA M. SALOV
and JEFFREY S. VAUPEL**

**NOTICE OF SHERIFF'S SALE
OF REAL PROPERTY**

TAKE NOTICE that the real estate located at 236 LOCUST STREET, STEELTON, PA 17113 is scheduled to be sold at Sheriff's Sale on Thursday, APRIL 13, 2006 at 10:00 A.M., Dauphin County Administration Building, 4th Floor, Commissioners Hearing Room, Harrisburg, PA, to enforce the court judgment of \$52,842.44. obtained by WASHINGTON MUTUAL BANK, FA (the mortgagee).

ALL THAT CERTAIN piece or parcel of land situate in the Third Ward of the Borough of Steelton, Dauphin County, Pennsylvania, bounded and described as follows:

BEGINNING at the southwestern, also known as the southeastern, corner of Fourth Street and Locust Street; thence in a southeasterly direction along said Fourth Street one hundred twenty-five (125) feet to an alley ten feet wide; thence in a southwesterly direction, seventeen and one-half (17-1/2) feet, more or less, to a point on the northeastern line of property No. 234 Locust Street; thence in a northwesterly direction along the northwestern line of property No. 234 Locust Street one hundred twenty-five (125) feet to a point on Locust Street, aforesaid; thence in a northeasterly direction along the southeastern side of Locust Street, seventeen and one-half (17-1/2) feet, more or less, to said corner of Fourth and Locust Streets, the Place of BEGINNING.

BEING part of Lot No. 179 on Plan of H.A. Kelker's Second Extension of Baldwin, which Plan is recorded in the Office for Recording of Deeds, etc., in and for Dauphin County, in Plan Book "A", Page 73.

HAVING THEREON ERECTED a three story frame dwelling house known as No. 236 Locust Street.

IT BEING the same premises which Jack E. Hoerner and Karen W. Hoerner, husband and wife, by their deed dated June 30, 1994, and recorded in the Office of the Recorder of Deeds in and for Dauphin County, Pennsylvania, in Deed Book 2251, page 011, granted and conveyed unto Theresa M. Salov, single woman, one of the Grantors herein.

TITLE TO SAID PREMISES IS VESTED IN Jeffrey S. Vaupel and Theresa M. Vaupel, husband and wife, by Deed from Theresa M. Vaupel, formerly known as, Theresa Salov and Jeffrey S. Vaupel, wife and husband, dated 4-30-96. recorded 5-3-96 in Dead Book 2610, page 524.

BEING PREMISES 236 LOCUST STREET, STEELTON, PA 17113.

IMPROVEMENTS consist of residential property.

SOLD as the property of THERESA M. VAUPEL a/k/a THERESA M. SALOV and JEFFREY S. VAUPEL.

CONDITIONS OF SALE: THE HIGHEST AND BEST BIDDER SHALL BE THE BUYER.

TERMS: The purchaser will be required to pay the full amount of his bid by TWO O'CLOCK p.m. on the day of the sale, and if complied with, a deed will be tendered by the Sheriff at the next Court of Common Pleas for Dauphin County, conveying to the purchaser all the right, title, interest and claim which said defendant has in and to said property at the time of levying the same. ALTHOUGH NOT PART OF THE MINI-

FIRST PUBLICATION

Miscellaneous Notices

MUM BID, PROPERTY SOLD FOR MINIMUM BID DOES NOT DISCHARGE DELINQUENT AND/OR OUTSTANDING TAXES AND THE PURCHASER WILL BE RESPONSIBLE FOR SAME. If above conditions be not complied with on the part of the Purchaser, the property will again be offered for sale by the Sheriff at THREE O'CLOCK p.m. on the same day. The said purchaser will be held liable for the deficiencies and additional cost of said sale.

TAKE NOTICE that a Schedule of Distribution will be filed by the Sheriff on MAY 15, 2006, distribution will be made in accordance with the schedule unless exceptions are filed within ten (10) days thereto.

DANIEL G. SCHMIEG, Esq.
Suite 1400, One Penn Center
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

f17

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

CIVIL ACTION – LAW

No. 2005-CV-3998-MF

**NOTICE OF ACTION IN
MORTGAGE FORECLOSURE**

**WASHINGTON MUTUAL BANK, FA S/I/I
TO WASHINGTON MUTUAL HOME
LOANS, INC. f/k/a PNC MORTGAGE
CORP. OF AMERICA, Plaintiff**

vs.

**UNKNOWN HEIRS, SUCCESSORS,
ASSIGNS and ALL PERSONS, FIRMS OR
ASSOCIATIONS CLAIMING RIGHT,
TITLE OR INTEREST FROM OR UNDER
REGINA T. TRIMIAR, Deceased,
Defendant(s)**

NOTICE

**TO: UNKNOWN HEIRS, SUCCESSORS,
ASSIGNS and ALL PERSONS, FIRMS
OR ASSOCIATIONS
CLAIMING RIGHT, TITLE OR
INTEREST FROM OR UNDER
REGINA T. TRIMIAR, Deceased**

**NOTICE OF SHERIFF'S SALE
OF REAL PROPERTY**

TAKE NOTICE that the real estate located at 2015 MANADA STREET, HARRISBURG, PA 17104 is scheduled to be sold at Sheriff's Sale on Thursday, APRIL 13, 2006 at 10:00 A.M., Dauphin County Administration Building, 4th Floor, Commissioners Hearing Room, Harrisburg, PA, to enforce the court judgment of \$52,842.44. obtained by WASHINGTON MUTUAL BANK, FA S/I/I TO WASHINGTON MUTUAL HOME LOANS, INC. F/K/A PNC MORTGAGE CORP. OF AMERICA (the mortgagee).

ALL THAT CERTAIN piece or parcel of land situate in the First ward of the City of Harrisburg, Dauphin County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the southern line of Manada Street, 140 feet eastwardly of the southeast corner of 20th and Manada Streets, at line of property No. 2013 Manada Street; thence southwardly along said line through the center of a partition wall, 100 feet to a 12 foot wide alley; thence eastwardly along said alley, 20 feet to line of Lot No. 75; thence northwardly along said line, 100 feet to Manada Street; thence westwardly along Manada Street, 20 feet to the place of BEGINNING.

HAVING THEREON ERECTED a brick dwelling house known and numbered as 2015 Manada Street, Harrisburg, Pennsylvania.

BEING Lot No. 74, Plan "I", Cloverly Heights, Plan Book "G", Page 18.

BEING THE SAME PREMISES which Elsie W. Zimmerman, widow, by Deed dated and recorded January 11, 1979 in the Office of the Recorder of Deeds in and for Dauphin County in Record Book 3, Page 505, granted and conveyed unto Donald A. Milletics and Mary L. Milletics, his wife. The said Donald A. Milletics died June 18, 1993 thereby vesting sole title unto Mary L. Milletics, widow Grantor herein. The said Mary L. Milletics, by a Power of Attorney dated March 17, 1997, did appoint Linda Baker as her Attorney-in-Fact. Said Power of Attorney is intended to be recorded contemporaneously herewith.

TITLE TO SAID PREMISES IS VESTED IN Regina T. Trimiari, single woman, by Deed from Mary L. Milletics, widow, by her Attorney-in-fact, Linda Baker dated 12-31-98, recorded 1-5-99 in Deed Book 3300, page 551.

BEING PREMISES 2015 MANADA STREET, HARRISBURG, PA 17104.

IMPROVEMENTS consist of residential property.

FIRST PUBLICATION

Miscellaneous Notices

SOLD as the property of UNKNOWN HEIRS, SUCCESSORS, ASSIGNS AND ALL PERSONS, FIRMS OR ASSOCIATIONS CLAIMING RIGHT, TITLE OR INTEREST FROM OR UNDER REGINA T. TRIMIAR, Deceased.

CONDITIONS OF SALE: THE HIGHEST AND BEST BIDDER SHALL BE THE BUYER.

TERMS: The Purchaser will be required to pay the full amount of his bid by TWO O'CLOCK p.m. on the day of the sale, and if complied with a deed will be tendered by Sheriff at the next Court of Common Pleas for Dauphin County, conveying to the purchaser all the right, title, interest and claim which said defendant has in and to said property at the time of levying the same. ALTHOUGH NOT PART OF THE MINIMUM BID, PROPERTY SOLD FOR MINIMUM BID DOES NOT DISCHARGE DELINQUENT AND/OR OUTSTANDING TAXES AND THE PURCHASER WILL BE RESPONSIBLE FOR SAME. If above conditions be not complied with on the part of the Purchaser, the property will again be offered for sale by the Sheriff at THREE O'CLOCK p.m. on the same day. The said Purchaser will be held liable for the deficiencies and additional cost of said sale.

TAKE NOTICE that a Schedule of Distribution will be filed by the Sheriff on MAY 15, 2006, distribution will be made in accordance with the schedule unless exceptions are filed within ten (10) days thereto.

DANIEL G. SCHMIEG, Esq.
Suite 1400, One Penn Center
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
f17 (215) 563-7000

IN THE COURT OF COMMON PLEAS

**OF DAUPHIN COUNTY
PENNSYLVANIA**

CIVIL ACTION – LAW

No. 3240 CV 2005

**NOTICE OF ACTION IN
MORTGAGE FORECLOSURE**

**CITIFINANCIAL COMPANY, INC.,
Plaintiff**

vs.

CATHY MITCHELL, Defendant

NOTICE

TO: CATHY MITCHELL

**NOTICE OF SHERIFF'S SALE
OF REAL PROPERTY**

TAKE NOTICE that the real estate located at 2314 LUCE STREET, HARRISBURG, PA 17104 is scheduled to be sold at Sheriff's Sale on Thursday, 4/13/06 at 10:00 A.M., Dauphin County Administration Building, 4th Floor, Commissioners Hearing Room, Harrisburg, PA, to enforce the court judgment of \$74,676.16, obtained by CITIFINANCIAL COMPANY, INC. (the mortgagee).

ALL THAT CERTAIN TRACT of land situate in the 13th Ward of the City of Harrisburg, Dauphin County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the northern line of Luce Street 211 feet more or less eastwardly from the northeast corner of 23rd and Luce Streets at line of property No. 2312 1/2 Luce Street; thence northwardly along said line through the center of a partition wall 100 feet to Lawn Alley; thence eastwardly along said Alley 14 feet to line of property No. 2314 1/2 Luce Street; thence southwardly along said line 100 feet to Luce Street; thence westwardly along the northern line of Luce Street 14 feet to the place of BEGINNING.

BEING THE SAME PREMISES which Richard R. Suhay and Jane E. Suhay, his wife by Deed dated June 29, 1990 and recorded July 5, 1990 in Record Book 1447, Page 51, granted and conveyed unto Linda A. Strayer, single person.

TITLE TO SAID PREMISES IS VESTED IN Cathy Mitchell, by Deed from Linda A. Strayer, a single person, dated 1-20-94, recorded 1-24-94, in Deed Book 2151, page 406.

FIRST PUBLICATION

Miscellaneous Notices

BEING PREMISES 2314 LUCE STREET,
HARRISBURG, PA 17104.

IMPROVEMENTS consist of residential
property.

SOLD as the property of CATHY MITCHELL.

CONDITIONS OF SALE: THE HIGHEST
AND BEST BIDDER SHALL BE THE BUYER.

TERMS: The purchaser will be required to pay
the full amount of his bid by TWO O'CLOCK
p.m. on the day of the sale, and if complied with,
a deed will be tendered by the Sheriff at the next
Court of Common Pleas for Dauphin County,
conveying to the purchaser all the right, title,
interest and claim which said defendant has in
and to said property at the time of levying the
same. ALTHOUGH NOT PART OF THE MINI-
MUM BID, PROPERTY SOLD FOR MINI-
MUM BID DOES NOT DISCHARGE DELIN-
QUENT AND/OR OUTSTANDING TAXES
AND THE PURCHASER WILL BE RESPON-
SIBLE FOR SAME. If above conditions be not
complied with on the part of the Purchaser, the
property will again be offered for sale by the
Sheriff at THREE O'CLOCK p.m. on the same
day. The said purchaser will be held liable for the
deficiencies and additional cost of said sale.

TAKE NOTICE that a Schedule of
Distribution will be filed by the Sheriff within
thirty (30) days of the Sheriff's Sale, distribution
will be made in accordance with the schedule
unless exceptions are filed within ten (10) days
thereto.

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 THE
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 REDUCED FEE OR NO FEE.

DAUPHIN COUNTY

LAWYER REFERRAL SERVICE

213 North Front Street
Harrisburg, PA 17101
(717) 232-7536

DANIEL G. SCHMIEG, Esq.
Suite 1400, One Penn Center
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

f17

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

CIVIL ACTION – LAW

No. 2005-CV-581-MF

**FIRST AMENDED COMPLAINT IN
MORTGAGE FORECLOSURE**

**JP MORGAN CHASE BANK AS TRUSTEE
FOR EQUITY ONE ABS, INC.,
MORTGAGE PASS-THROUGH
CERTIFICATE SERIES #2000-1, Plaintiff**
vs.

**TRACEY FINLEY, Known Surviving Heir of
Leola Steele, Deceased Mortgagor and Real
Owner,**

**VICTOR STEELE, Known Surviving Heir of
Leola Steele, Deceased Mortgagor and Real
Owner,**

**ALEXANDRIA SIZER, Known Surviving
Heir of Leola Steele, Deceased Mortgagor
and Real Owner,**

**ALEXANDER STEELE, JR., Known
Surviving Heir of Leola Steele, Deceased
Mortgagor and Real Owner,**

**Unknown heirs, successors, assigns and all
persons, firms, or associations claiming right,
title or interest from or under Leola Steele,
Deceased Mortgagor and Real Owner,
Defendants**

**TO: Unknown heirs, successors, assigns,
and all persons, firms, or associations
claiming right, title or interest from or
under Leola Steele, Deceased
Mortgagor and Real Owner**

**PREMISES SUBJECT
TO FORECLOSURE:
1931 BRIGGS STREET
HARRISBURG, PA 17103**

FIRST PUBLICATION

Miscellaneous Notices

NOTICE

IF YOU WISH TO DEFEND, you must enter a written appearance personally or by attorney and file your defenses or objections in writing to 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

PINA S. WERTZBERGER, Esq.
Milstead & Associates, LLC
Woodland Falls Corporate Park
220 Lake Drive East, Suite 301
Cherry Hill, NJ 08002
(856) 482-1400

f17

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

No. 2790-CV-2005

**MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC., Plaintiff
vs.**

KELLY M. PIERCE, Defendant

TAKE NOTICE: Your house (real estate) at 986 Red Hill Plaza, Middletown, PA 17057 is scheduled to be sold at Sheriff's Sale on April 13, 2006 at 10:00 p.m. in the Administrative Building,

4th Floor, Commissioner's Hearing Room, Second and Market Streets, Harrisburg, PA 17101 to enforce the Court Judgment of \$182,882.75 obtained by Mortgage Electronic Registration Systems.

A.T.C. lot or piece of ground situate in the Londonderry Township, Dauphin County, PA.

Irregular shaped lot.

Tax Parcel Number: 34-031-022.

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

PINA S. WERTZBERGER, Esq.
Milstead & Associates, LLC
Woodland Falls Corporate Park
220 Lake Drive East, Suite 301
Cherry Hill, NJ 08002
(856) 482-1400

f17

NOTICE OF AUDIT

**TO LEGATEES, NEXT OF KIN,
CREDITORS AND ALL
OTHER PERSONS CONCERNED**

NOTICE IS HEREBY GIVEN that the following accounts have been filed by the respective accountants in the Office of the Register of Wills or with the Clerk of the Orphans' Court Division of the Common Pleas of Dauphin County, as the case may be, and that the same shall be duly presented to the said Orphans' Court Division at the Office of the Court Administrator for Audit, Confirmation and Distribution of the said ascertained balances to and among those legally entitled thereto *on Tuesday, March 21, 2006*. Pursuant to Dauphin County Orphans' Court Rule 6.10.1, objections to an account must be filed in writing with the Register or Clerk *no later than the close of business on Tuesday, March 14, 2006*.

FIRST PUBLICATION

Miscellaneous Notices

1. BEIDEL, GLORIA C., Deceased, First and Final Account of Larry E. Beidel, Executor.
2. ISLER, BETTY J., Deceased, First and Final Account of Benjamin J. Butler, Administrator, C.T.A.
3. OBERHOLTZER, JOHN, Deceased, First and Final Account of Manufacturers and Traders Trust Company, Executor.
4. RILAND, MARY E., Deceased, First and Final Amount of Richard Sheesley, Mary Ellen Sheesley, and Paul Straw, Executors.
5. SALERNO, ROCHELLE L., Deceased, First and Final Account of James D. Bogar, Administrator.
6. SCHAFFER, PAUL A., Deceased, First and Final Account of Luann Schaffer-Yeager, Executrix.
7. SMITH, WILLIAM S., Deceased, First and Final Account of Robert C. Saidis, Executor.
8. SPURLOCK, JR., ROBERT, Deceased, First and Final Account of Alis Tyson, Administratrix.
9. WALLACE, SR., ARTHUR W., Deceased, First and Final Account of Arthur W. Wallace, Jr., Administrator.

Dated: February 10, 2006

/s/ SANDRA C. SNYDER
Register of Wills and
f17-f24 Clerk of the Orphans' Court Division

SECOND PUBLICATION

Miscellaneous Notices

NOTICE

NOTICE IS HEREBY GIVEN that the Annual Meeting of the Members of the **PENNSYLVANIA NATIONAL MUTUAL CASUALTY INSURANCE COMPANY** will be held at 11:00 a.m. on Monday, April 3, 2006, at the Home Office of the Company, PNI Plaza, Two North Second Street, Harrisburg, Pennsylvania, for the purpose of electing Directors and the transacting of such other business as may be properly submitted.

KENNETH R. SHUTTS
Executive Vice President,
f10-f24 Secretary & General Counsel

NOTICE

The annual meeting of the **Merchants and Business Men's Mutual Insurance Company** will be held at the Home Office of the Company, 275 Grandview Avenue, Suite 300, Camp Hill, Pennsylvania on Wednesday, April 26, 2006 at 9:00 o'clock a.m. for the purpose of electing directors and for the transaction of such other business as may properly be brought before the meeting, at which time and place all policyholders are invited to be present.

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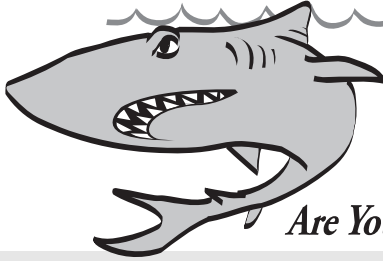
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The Board of Directors of the Bar Association meets on the third Thursday of the month at the Bar Association headquarters. Anyone wishing to attend or have matters brought before the Board should contact the Bar Association office in advance.

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

FEBRUARY 2006
MARCH 2006

Judge Jeannine TURGEON
Judge Lawrence F. CLARK, JR.

Opinions Not Yet Reported

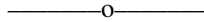
January 9, 2006 – Cherry, J., **Williams v. Kerr** (No. 3799 CV 2005)
January 18, 2006 – Kleinfelter, J., **Reisinger v. Reisinger** (No. 2006 CV 0040 CU)
January 19, 2006 – Clark, J., **Commonwealth v. Taylor** (No. 2430 CR 2003)

BAR ASSOCIATION PAGE – Continued

MISCELLANEOUS SECTION

Opinions Not Yet Reported

- January 30, 2006 – Kleinfelter, J., **Columbia Casualty Company v. Coregis Insurance Company, City of Harrisburg** (No. 1344 CV 2002)
February 3, 2006 – Kleinfelter, J., **Rohrer v. Connelly, et al.** (No. 1998 CV 5498)
February 3, 2006 – Kleinfelter, J., **Des-Ogugua v. For Sale By Owner Real Estate, Inc., et al.** (No. 3633 CV 1999)
February 7, 2006 – Kleinfelter, J., **Lawrence v. Bordner** (No. 2005 CV 4273 AB)



PARALEGAL — West Shore law firm has immediate opening for paralegal with 1 to 3 years prior experience to assist senior attorney in handling of personal injury cases. Paralegal certificate or degree and prior experience in private law firm required. Candidate must be able to work in fast paced environment, interact with clients and handle multiple tasks. Competitive salary, excellent benefits and pleasant working environment with easy commute and on site parking. **Fax resume to 717-728-1339 or mail to Office Manager, 2225 Millennium Way, Enola, PA 17025.** f10-f24

ALLENTOWN/LEHIGH VALLEY, PA — Corporate/Healthcare Associate: Fitzpatrick Lentz & Bubba, P.C. is seeking a corporate and transactional associate with two to five years of experience practicing health care law. Candidate must have experience representing health care clients and will preferably have an understanding of federal and state fraud and abuse and self referral laws, licensing matters and other specialized health care laws and regulations. Outstanding academic credentials are required. Please send resume and salary requirements to: Firm Manager, Fitzpatrick Lentz & Bubba, P.C., 4001 Schoolhouse Lane, Stabler Corporate Center, Center Valley, PA 18034; flb@flblaw.com. f3-f17

ATTORNEY — expanding Camp Hill firm seeks experienced family law Associate. Salary commensurate with experience and ability. Excellent compensation and benefits package including medical and retirement. Send resume and salary requirements to Cognetti & Associates, 210 Grandview Avenue, Suite 102, Camp Hill, PA 17011 or fax (717) 909-4068. f3-f17

PARALEGAL — expanding Camp Hill law firm seeking experienced paralegal. Family law experience a must. Excellent compensation and benefits package including medical and retirement. Send resume and salary requirements to Maria P. Cognetti & Associates, 210 Grandview Avenue, Suite 102, Camp Hill, PA 17011 or fax to (717) 909-4068. f3-f17

BAR ASSOCIATION PAGE – Continued
MISCELLANEOUS SECTION

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PSEA is a professional education association/labor organization representing 178,000 members seeking Associate Staff Counsel candidates for its Harrisburg office. The position will commence Fall of 2006 and end on August 31, 2008. Position is modeled after judicial clerkship. Preference will be given to candidates with strong writing and research skills.

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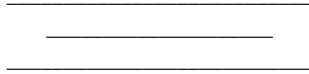
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BAR ASSOCIATION PAGE – Continued

MISCELLANEOUS SECTION

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**SUPREME COURT OF PENNSYLVANIA
CIVIL PROCEDURAL RULES COMMITTEE**

NOTICE OF PROPOSED RECOMMENDATION NO. 212

**Proposed New Rule 204.1 Governing
the Format of Pleadings and Other Legal Papers**

The Civil Procedural Rules Committee is proposing the promulgation of new Rule of Civil Procedure 204.1 governing the format of pleadings and other legal papers.

The recommendation is published in full in the *Pennsylvania Bulletin*, the advance reports of *West's Atlantic* and *Pennsylvania Reporters*, the *Pennsylvania Law Weekly*, the *Philadelphia Legal Intelligencer* and the *Pittsburgh Legal Journal*. The recommendation is also published electronically as part of the Home Page of the Administrative Office of Pennsylvania Courts at "<http://www.aopc.org>".

The proposed recommendation has not been submitted to the Supreme Court of Pennsylvania for review but rather is being submitted to the bench and bar for comments and suggestions prior to its submission to the Supreme Court. All communications should be sent not later than **March 8, 2006** to:

**Harold K. Don, Jr.
Counsel
Civil Procedural Rules Committee
5035 Ritter Road, Suite 700
Mechanicsburg, Pennsylvania 17055**

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civil.rules@pacourts.us**

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