

ADVANCE SHEET Pages 196-214

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12th JUDICIAL DISTRICT

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42 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 PATRICIA M. SCHULDER, late of Harrisburg, Dauphin County, Pennsylvania (died July 24, 2012). Personal Representative: Daniel J. Schulder, 202 Hale Avenue, Harrisburg, PA 17104. f22-m8

ESTATE OF WILLIAM B. BARD, late of Swatara Township, Dauphin County, Pennsylvania (died October 21, 2012). Personal Representative: Donna K. Emory a/k/a Donalita K. Emory and Paul Emory, 1936 Oberlin Road, Harrisburg, PA 17111. Attorney: Benjamin R. Yoffee, Esq., 15 East Main Street, P.O. Box 605, New Bloomfield, PA 17068. f22-m8

ESTATE OF KATHRYN E. BOWMAN, late of Susquehanna Township, Dauphin County, Pennsylvania (died January 25, 2013). Executor: Alan R. Bowman, 4631 Hamlin Lane, Harrisburg, PA 17110. Attorney: Gregory M. Kerwin, Esq., Kerwin & Kerwin, LLP, 4245 State Route 209, Elizabethtown, PA 17023.. f22-m8

ESTATE OF MARGARET M. ARMOR, late of Millersburg Borough, Dauphin County, Pennsylvania. Co-Executors: James P. Armor, Sr., 272 River Street, Millersburg, PA 17061 and Robert G. Armor, 14 Bennett Road, East Haven, CT 06513. Attorney: Earl Richard Etzweiler, Esq., 105 North Front Street, Harrisburg, PA 17101. Telephone (717) 234-5600. f22-m8

ESTATE OF ROBERT F. DICK, late of the Township of Lower Paxton, Dauphin County, Pennsylvania (died November 28, 2012). Personal Representative: Jennifer Tobias, 3699 Cutler Court, Stewartstown, PA 17363. Attorney: Jeffrey L. Troutman, Esq., Kodak Law Office, P.C., 407 North Front Street, P.O. Box 11848, Harrisburg, PA 17108-1848. f22-m8

ESTATE OF PHILLIP W. HAYES, late of Halifax, Dauphin County, Pennsylvania (died October 16, 2012). Personal Representatives: Autumn D. Miller-Kembring and Geoffrey A. Hayes, 458-B Matamoras Road, Halifax, PA 17032. f22-m8

FIRST PUBLICATION

Estate Notices

ESTATE OF MARY W. ZERBE, late of Millersburg Borough, Dauphin County, Pennsylvania. Co-Executors: Edythe E. Barry, 704 Mohr Road, Millersburg, PA 17061; Ronald E. Zerbe, 278 Store Lane, Dalmatia, PA 17017 and Winifred M. Kowalick, 834 Cougar Point Circle, Seven Valleys, PA 17360. Attorney: Earl Richard Etzweiler, Esq., 105 North Front Street, Harrisburg, PA 17101. Telephone (717) 234-5600. f22-m8

ESTATE OF WILBUR G. CALVERT, late of Lower Paxton Township, Dauphin County, Pennsylvania (died January 3, 2013). Executrix: Linda Young, Camp Hill, PA. Attorney: Jacqueline A. Kelly, Esq., Jan L. Brown & Associates, 845 Sir Thomas Court, Suite 12, Harrisburg, PA 17109. Telephone (717) 541-5550. f22-m8

ESTATE OF KATHRYN E. BOWMAN, late of Susquehanna Township, Dauphin County, Pennsylvania (died January 25, 2013). Executor: Alan R. Bowman, 4631 Hamlin Lane, Harrisburg, PA 17110. Attorney: Gregory M. Kerwin, Esq., Kerwin & Kerwin, LLP, 4245 State Route 209, Elizabethtown, PA 17023. f22-m8

ESTATE OF HELEN S. GEORGE, late of Derry Township, Dauphin County, Pennsylvania. Personal Representative: Gary George. Attorney: Anthony J. Nestico, Esq., Nestico Druby, P.C., 1135 East Chocolate Avenue, Suite 300, Hershey, PA 17033. f22-m8

SECOND PUBLICATION

ESTATE OF DALE R. BOYER, late of Middletown, Dauphin County, Pennsylvania. Administrator CTA: John W. Hoch, 72 Roop Street, Highspire, PA 17034. Attorney: Clifford B. LePage, Jr., Esq., 44 N. Sixth Street, P.O. Box 8521, Reading PA 19603. f15-m1

ESTATE OF JACK S. BRENIZER a/k/a JACK S. BRENIZER, SR., late of West Hanover Township, Dauphin County, Pennsylvania (died January 10, 2013). Executor: Jack S. Brenizer, Jr. Attorney: Marc W. Witzig, Esq., Cunningham & Chernicoff, P.C., 2320 North Second Street, Harrisburg, PA 17110. f15-m1

ESTATE OF COLLIN H. HEPFORD, SR., late of Susquehanna Township, Dauphin County, Pennsylvania (died January 2, 2013). Co-Executors: Alan R. Hepford and Collin H. Hepford, Jr., 517 N. 36th Street, Harrisburg, PA 17109. Attorney: Aaron C. Jackson, Esq., Tucker Arensberg, P.C., 2 Lemoyne Drive, Suite 200, Harrisburg, PA 17043. f15-m1

ESTATE OF GEORGE HAVRILLA, late of the City of Harrisburg, Dauphin County, Pennsylvania (died December 11, 2011). Executor: David Havrilla, 4697 Shelley Lane, Ellicott City, MD 20143. Attorney: Aaron C. Jackson, Esq., Tucker Arensberg, P.C., 2 Lemoyne Drive, Suite 200, Lemoyne, PA 17043. f15-m1

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Accordingly, I issued an order denying defendant's post sentence motion.

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J.E.F v. K.J.F.

Domestic Relations — Custody — Relocation.

Plaintiff Father appealed an order granting Defendant Mother's request for modification of an existing custody schedule, as well as permission to relocate from suburban Harrisburg to Hamburg, Pennsylvania.

1. Under the current Child Custody Act, in making any custodial determination, the court must determine the best interest of the child by considering all relevant factors, giving weighted consideration to those factors which affect the safety of the child, including the sixteen statutorily defined factors. 23 Pa. C.S.A. § 5328(a), see *J.R.M v. J.E.A.*, 33 A.3d 647, 652 (Pa. Super. 2011).

2. Children with ADD/ADHD present additional challenges to courts to create appropriate parenting plans providing for more stability and family consistency. See e.g., Saposnek et al., *Special Needs in Family Court Cases*, 43 Family Court Review, No. 4, pp. 566-581 (Oct. 2005). It is a generally accepted premise that Courts should provide for fewer transitions between households for such children.

3. Section 5337 of the Child Custody Act places upon the party seeking to relocate the burden of establishing that relocation will serve the best interest of the child, considering ten statutory factors. 23 Pa. C.S.A. § 5337(i)(1); see *B.K.M. v. J.A.M.*, 50 A.3d 168, 175 (Pa. Super. 2012). Relocation is defined as "[a] change in a residence of a child which significantly impairs the ability of a nonrelocating party to exercise custodial rights." 23 Pa. C.S.A. § 5322; see *C.M.K. v. K.E.M.*, 45 A.3d 417 (Pa. Super. 2012).

Pa.R.A.P. 1925(a) Opinion. C.P., Dau. Co., No. 2011 CV 5080 CU.

Clyde W. Vedder, for the Plaintiff

Margaret M. Simok, for the Defendant

TURGEON, J., January 24, 2013. – Plaintiff, the Father in this custody action, has appealed from an order granting Defendant Mother's request for modification of an existing custody schedule as well as permission to relocate from suburban Harrisburg to Hamburg, Pennsylvania. This Opinion is filed in support of that order, pursuant to Pa.R.A.P. 1925(a).

PROCEDURAL BACKGROUND

Father JEF and Mother KJF were formerly married and are the parents of a son LF, currently eight years old, and a daughter RF, currently six years old. Following their marriage in June 2001, the parties lived in

Virginia following which they moved to the Harrisburg area in 2006. They separated in December of 2010 and divorced on July 24, 2012.

In May 2012, Mother filed a petition for modification of a July 26, 2011 agreed custody order. That order provided Father with physical custody Sunday and Monday overnights, Mother physical custody Tuesday and Wednesday overnights, and alternating physical custody Thursday through Saturday overnights, thus requiring the children to change residences up to three times during the course of a week. Mother sought to modify that order to a shared physical custody schedule of alternating weeks as well as a more clearly defined holiday schedule.

In July 2012, Mother also presented Father with a Notice of her proposed relocation from Harrisburg (Dauphin County) to Sinking Springs, Pa. (Berks County). 23 Pa.C.S.A. § 5337(c). Mother alternatively asserted her move was not a “relocation” because it would not significantly impair with Father’s physical custodial time or cause the children to change schools or healthcare professionals. Father filed a Counter-Affidavit objecting to Mother’s proposed relocation. 23 Pa.C.S.A. § 5337(d). The parties failed to reach an agreement at their custody conciliation conference in August 2012.

I held their custody trial on November 7, 2012, following which I indicated I would modify the custody schedule to alternating weeks. I also indicated that while I was receptive to allowing Mother to relocate, I found her proposed site in Sinking Springs unacceptable. I held a second hearing November 28, 2012, at which Mother proposed she be permitted to relocate to Hamburg (Berks County) at the end of May 2013. Following the submission of post-hearing briefs, I issued an order granting the custody modification and relocation requests, December 12, 2012, as amended December 17, 2012.¹ Under the modified order, during the school year, each party was granted physical custody one-week-on, one-week-off, commencing Friday at the conclusion of the children’s school day. Under this schedule, the parent obtaining physical custody is responsible for picking up the children from their schools. During summers, the parties have alternating physical custody on a two-week-on, two-week-off schedule, with all custody exchanges at Father’s residence. The relocation portion of the order permits Mother to move into a three or four bedroom home in Hamburg. Father has since filed an appeal in which he challenges both the custody modification and the relocation.

1. The amended order was issued to correct a typographical error; the first order incorrectly stated that Mother was permitted to move to Harrisburg. The amended order correctly reflected that she was permitted to move to Hamburg.

FACTUAL BACKGROUND

Mother, thirty-six years old, currently resides in a small two-bedroom apartment in suburban Harrisburg. Father, forty-one years old, resides in a single family home north of Harrisburg owned by his parents, located within the Susquehanna Township School District (Dauphin County). Presently, their residences are six miles apart, a commute of approximately ten to fifteen minutes. Under the proposed relocation, Mother will move fifty-one miles away from Father's residence into a larger single-family three or four bedroom home in Hamburg with her partner of two years, DD, upon expiration of her lease May 27, 2013.

Mother was raised in the Poconos and has extended family in that area as well as in the Lehigh Valley, which is approximately one hour from Hamburg. She is a graduate of Messiah College and is currently employed as a community educator, program specialist and conference coordinator for the Pennsylvania Division of the American Trauma Society in Mechanicsburg, Pa., near Harrisburg. She initially worked there in 2002 for a short time before moving with Father to Virginia. (N.T. 11/7/12 at 6-10) In 2007, after the parties returned to this area, the American Trauma Society re-hired her. The CEO, Mother's immediate supervisor, testified that because Mother is such a valued employee, they would retain her upon her move to Hamburg and would accommodate a flexible work schedule attuned to her children's school and health needs. (N.T. 11/7/12 at 6-10) During her custodial periods, Mother normally works 9:00 a.m. to 2:30 p.m., otherwise she works from 9:00 a.m. to 5:00 p.m., with flexible hours for doctor appointments, school events and emergencies. (N.T. 11/7/12 at 42-43, 52-53; Exbt. D-8).

Father works part-time at Hershey Chocolate World as a tour-ride attendant, averaging twenty-five hours every two weeks. (N.T. 11/7/12 at 111-12, 125) He also works part-time as a Christian Counselor seeing about five clients a week, some during the day and some in the evenings. (N.T. 11/7/12 at 127-28) As of the custody hearings, Father was in the process of purchasing the HIS Creation Counseling firm. (N.T. 11/7/12 at 110-11) Father testified as well that he is able to be flexible with his employment to accommodate custodial responsibilities. (N.T. 11/7/12 at 112, 127)

At the first hearing, Mother proposed moving to an apartment in Sinking Springs, closer to her partner DD, who Mother has been dating since February 2011. (N.T. 11/7/12 at 18) Mother indicated she wished to make this move to also be closer to her sister and extended family from the Poconos and Lehigh Valley areas. (See N.T. 11/7/12 at 12) As of the hearings, DD was employed in Reading, Pa. (Berks County) as a

district manager for GAP and resided in a Reading apartment building she owned. (N.T. 11/7/12 at 17-18). Sinking Springs is over sixty miles from Father's home and a drive of approximately one hour each way. (N.T. 11/7/12 at 58-59) Following that hearing, during an in chambers conference with the parties, I told Mother that I did not see the benefit to her and the children of moving to another apartment, closer to her partner but not with her partner, an hour closer to her extended family yet an hour away from them still, requiring a drive through congested highways to the children's schools. The parties agreed we schedule a continued hearing date regarding another proposal.

Mother's second relocation plan was to relocate together with DD to a three to four bedroom single-family dwelling in Hamburg.² Hamburg is a quaint but growing community with a large community park with a swimming pool, baseball fields, basketball courts and children's activities. (N.T. 11/28/12 at 5) Mother testified that upon her relocation, the children would remain in their Susquehanna Township schools as well as retain the same health care providers. (N.T. 11/7/12 at 60; 11/28/12 at 15-16) Mother planned to renew her lease in her current Harrisburg area apartment for six months, until May 27, 2013, following which she and DD would move into a Hamburg home they will jointly purchase. (N.T. 11/28/12 at 6) Mother chose Hamburg because it is located half way between the children's schools and Mother's extended family's residences, immediately off an exit on I-78. (N.T. 11/28/12 at 4-5; Exbt. D-24) The commute from Hamburg to the children's schools is approximately forty-five to fifty minutes. (N.T. 11/28/12 at 7, 19; Exbt. D-23)

Mother and Father are both actively involved in their children's lives, school activities and extra-curricular activities. The children are emotionally attached to both parents. (N.T. 11/7/12 at 96) RF is currently in the first grade and LF in third grade at separate schools within the Susquehanna Township School District. (N.T. 11/7/12 at 43-44) Both children receive good positive scores and exemplary comments on their report cards. (N.T. 11/7/12 at 112; Exbt. D-4) LF has been diagnosed with ADHD but is mainstreamed in school. (N.T. 11/7/12 at 107) LF sees a clinical psychologist and has play therapy with another counselor. (N.T. 11/7/12 at 108-09) Father and Paternal Grandmother denied concerns about LF's behavior due to ADHD which Mother observes while in her care. (N.T. 11/7/12 at 98, 107-08) Mother believes he should be

2. Hamburg is approximately twenty miles from downtown Reading, a commute of approximately thirty-five minutes for DD.

appropriately medicated while Father and paternal grandparents object. The parties agreed to follow the advice of LF's clinical psychologist, who recently conducted an evaluation and plans routine follow up treatment. (N.T. 11/7/12 at 48)

While living in her Harrisburg area apartment, Mother has been transporting the children to and from school during her custodial periods. As proposed, during her custodial week, Mother will drive the children from Hamburg to their schools and back each day. (N.T. 11/28/12 at 19-20; Exbt. D-23) Thus, during the school year, the children will be picked up at school around 3:10-3:20 p.m., and they will be at Mother's home by 4:10 p.m., in time to attend family activities such as their nephew's high school football games on Friday nights. (N.T. 11/28/12 at 20-21) For summers, Mother will probably enroll the children in the Harrisburg YWCA child care program which Father could also choose to utilize. (N.T. 11/28/12 at 14) Mother believes that the move will not affect LF and RF's ability to participate in after-school or extracurricular activities or impact Father's involvement with the children. (N.T. 11/28/12 at 15-16) Traditionally, according to Mother, Father has not been involved with the children during her periods of physical custody. (N.T. 11/28/12 at 16)

The home in which Father lives is owned by his parents in the suburban Harrisburg area. It sits on a quarter acre with a fenced-in yard. (N.T. 11/7/12 at 98-99) The children have a strong relationship with their paternal grandparents and have spent significant time with them throughout their lives, whenever Mother and Father needed their assistance. (N.T. 11/7/12 at 97) Paternal Grandmother is a full-time pastor in Perry County and has access to a parsonage there where she and Paternal Grandfather mostly reside. (N.T. 11/7/12 at 25) Paternal grandparents spend at least a few nights per week in their Harrisburg area home with Father. (N.T. 11/7/12 at 25, 37) Until this past summer, the paternal grandparents provided most of the child care while they were in Father's custody. (N.T. 11/7/12 at 31) The grandparents are available to provide child care when Father works at Chocolate World, as needed and as requested. (N.T. 11/7/12 at 31-35) Father receives additional support caring for the children from his girlfriend MD. (N.T. 11/7/12 at 92-94)

While in Father's custody, the children traditionally rode the school bus to and from his residence, a ride of between thirty to forty-five minutes. (N.T. 11/7/12 at 54-55) Father previously indicated to Mother in an email that he preferred that the children ride the school bus in order to "get socialization experience and the discipline experience of riding the bus." (N.T. 11/7/12 at 132-33; Exbt. D-16) Two months before the first

custody hearing on November 7, 2012, Father arranged for Paternal Grandfather to take the children to and from school instead of using the school bus. (N.T. 11/7/12 at 37-38, 53-55)

Mother considers herself, DD and the children to be a family unit. (N.T. 11/7/12 at 65-66) She believes that she will be much happier and more relaxed if she is able to move to Hamburg since she will be with DD and closer to her family in the Poconos and Lehigh Valley area; she believes this would in turn make for “happier kids.” (N.T. 11/7/12 at 65-66; N.T. 11/28/12 at 14-15) According to Mother, the children love DD and have expressed an interest in spending more time with her as well as with Mother’s extended family. (N.T. 11/7/12 at 65-66; 11/28/12 at 5-6) The children also expressed to Mother an interest in moving out of their small apartment, which they do not like. (N.T. 11/28/12 at 5-6) An additional benefit if Mother and the children live together with DD will be the additional financial support of a dual-income family household. (N.T. 11/28/12 at 27)

DD exhibited a sincere interest in providing appropriate support for assisting Mother to raise her children by voluntarily attending the Seminar for Families in Conflict and reading AFCC’s “Planning for Shared Parenting - A Guide for Parents Living Apart,” which I include in all my pre-trial custody scheduling orders. (N.T. 11/7/12 at 18) DD participates and enjoys Friday night “movie night” at home with Mother and the children, plays games, shares meals and participates in other events with Mother and the children. (N.T. 11/7/12 at 19, 50) DD has been routinely available to provide child care including during emergencies and she considers herself a “huge support system” to Mother. (N.T. 11/7/12 at 19)

Mother testified that the children have expressed an interest in spending more time with her extended family in the Poconos and Lehigh Valley area. (N.T. 11/7/12 at 64) Mother testified that during the marriage she infrequently visited with her family because Father did not want to visit with them, though Father disputed this. (N.T. 11/7/12 at 16-17, 120-21) Mother’s parents died when she and her siblings were young and they were raised by grandparents who recently passed away. (N.T. 11/7/12 at 13) DD testified that she also believes it is extremely important to Mother to be closer to her extended family. (N.T. 11/7/12 at 21) Mother is otherwise lacking a family support group in the Harrisburg area. (N.T. 11/28/12 at 14)

With regard to the custody schedule, Father primarily opposed the alternating week schedule claiming it would hinder his ability to schedule

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clients, noting most clients desire to hold counseling sessions in the evenings. (N.T. 11/7/12 at 110) He acknowledged however, that he only has a handful of clients and meets with only some of them in the evenings. Under the agreed schedule, Father had custody of the children four out of every ten weeknights over a two week period. Under Mother's proposed alternating week schedule, he will have physical custody five out of every ten weeknights over the same period. Father otherwise conceded that his parents were available to provide child care in the evenings as needed. (N.T. 11/7/12 at 127)

Father opposed Mother's relocation primarily because of the children's proposed long commute to and from school, and being "confined in the car" for almost an hour before and after school. He was concerned that a long drive right before school would be detrimental to the children's schooling, particularly with LF due to his behavioral issues. (N.T. 11/7/12 at 115-16) He is concerned how weather problems would affect Mother's commute with the children as well as how child care would be arranged should one child be sick from school and the other not. (N.T. 11/7/12 at 116) Father is additionally concerned that the children will be split between two communities. (N.T. 11/7/12 at 118) Father conceded that he is not fond of the children living in Mother's small apartment but objected to a relocation almost an hour away. (N.T. 11/28/12 at 46) Paternal Grandmother expressed her concern about the children traveling almost two hours a day in the car especially in hazardous road conditions. (N.T. 11/7/12 at 96)

With regard to the school commute, Mother felt the long ride in her family car would be beneficial to her and the children:

Generally, when the kids are in the car that is our kind of time for our conversations. That is our catch-up time. Sometimes we have the best conversation just riding in the car. That is my chance to find out what they are looking forward to that day at school and after school that is the time for me to find out what specials they had that day, what they liked that day, what they didn't like that day, what they learned about.

And I do have a portable DVD player and I thought it may be a good idea for the children and I to go to the local library and get out some DVD's that might correspond with lessons that are coming up in school the following week. We have a backpack full of books that we keep in the car and often times the children will read to

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me and they will say hey, mom, did you know that such and such and we get into a conversation about that. So I think there is a way that we can show them these educational DVD's and they can correspond with the lessons they are learning in school.

(N.T. 11/7/12 at 55-56)

LEGAL DISCUSSION

In his statement of errors complained of on appeal, Father argues that this Court erred by modifying the agreed custody arrangement and by permitting Mother to relocate to Hamburg. Father also objects to language included in the final custody order concerning the potential future relocation of either parent.

Custody Modification

Under the current Child Custody Act,³ in making any custodial determination, the court must determine “the best interest of the child by considering all relevant factors, giving weighted consideration to those factors which affect the safety of the child,” including the sixteen statutorily defined factors. 23 Pa.C.S.A. § 5328(a), see *J.R.M. v. J.E.A.*, 33 A.3d 647, 652 (Pa. Super. 2011). My analysis of the statutory factors weighs heavily in favor of Mother’s request for a changed shared physical custody schedule to an alternating weekly schedule, rather than the current one requiring the children to change households either two or three times per week. My analysis of each of the Section 5328(a) statutory factors is as follows:

1. *Which party is more likely to encourage and permit frequent and continuing contact between the child and the other party.*

Both parents understand the importance of their children’s continued and frequent contact with each parent, therefore, this factor weighed equally for both parents.

2. *The present and past abuse committed by a party or member of the party’s household, whether there is a continued risk of harm to the child or an abused party and which party can better provide adequate physical safeguards and supervision of the child.*

3. 23 Pa.C.S.A. §§ 5321-5340.

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No abuse issues were presented therefore this factor was not applicable.

3. *The parental duties performed by each party on behalf of the child.*

Both parents have performed parental duties for their children throughout their lives. This factor therefore weighed equally in favor of both parties.

4. *The need for stability and continuity in the child's education, family life and community life.*

Both parents recognize the need for stability in their children's education, family and community life. When the parties separated, Mother agreed that Father's home would be the children's "school residence" in the Susquehanna Township School District in order to maintain some continuity of daily life and routine for the children. Mother proposes the children remain in their Susquehanna Township schools, retain their counselors and doctors, and both parents retain shared physical custody, thus maintaining continuity in their educational and family life. The alternating weekly schedule will not affect that. However, most importantly, changing from a schedule requiring the children move from Mother's to Father's home several times a week, to a one-week-on one-week-off schedule during the school year and a two-weeks-on two-weeks-off schedule during the summer, will significantly ease transition issues. It is difficult enough for adults or children to change households once a week, let alone up to two or three times a week as exists under the current schedule. Children with ADD/ADHD present additional challenges to courts to create appropriate parenting plans providing for more stability and family consistency.⁴ It is generally accepted premise that Courts should provide for fewer transitions between households for such children. This change to the physical custody

4. See e.g., Saposnek et al., *Special Needs Children in Family Court Cases*, 43 Family Court Review No. 4, pp. 566-581 (Oct. 2005).

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schedule will provide for greater stability and less stress in the children's lives. This factor was the most important in modifying the schedule.

5. *The availability of extended family.*

Father's parents reside both with Father in their suburban Harrisburg residence and in Paternal Grandmother's parsonage in Perry County. Father has a brother in Central Pennsylvania who is expected to be moving to the York area. Mother's siblings, aunts, uncles, and cousins live in the Poconos/Lehigh Valley area, and her partner, an hour away in Reading. This factor had no impact on granting the modification of the custody to alternating weeks.

6. *The child's sibling relationships.*

This factor is not applicable to the present case, inasmuch as the same physical custodial schedule applies to both children and they have no other siblings.

7. *The well-reasoned preference of the child, based on the child's maturity and judgment.*

It is my standard practice over the past twenty-one years to almost always speak with children in custody cases. In this case, however, I did not speak with the children because the proposed custody modification did not involve a question of which parent should be the primary physical custodian or even whether the total physical custodial time with Father should change. Rather, the only issue involved was whether the parties' equal physical custodial time should be chopped up over the course of a week as reflected in the older agreed order or lengthened to a minimum of one week prior to custody exchanges. This issue was not critical enough to place the children under oath for testimony concerning their parents' disagreement. In any event, LF and RF are still very young, only eight and six years old, respectively, as of the hearings. As such,

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their preferences would not have been of significant weight. *E.A.L. v. L.J.W.*, 662 A.2d 1109, 1117-18 (Pa. Super. 1995) (as the child becomes older and more mature, his or her preference becomes more weighty as long as it is based on good reasons).

8. *The attempts of a parent to turn the child against the other parent, except in cases of domestic violence where reasonable safety measures are necessary to protect the child from harm.*

To each parent's credit, no evidence presented indicated either parent attempted to turn their children against the other parent.

9. *Which party is more likely to maintain a loving, stable, consistent and nurturing relationship with the child adequate for the child's emotional needs.*

Again, to each parent's credit, both attempt to maintain a loving, stable, consistent and nurturing relationship with the children adequate for the children's emotional needs. The equal physical custodial time will not change, only the schedule. This, therefore, was not a factor.

10. *Which party is more likely to attend to the daily physical, emotional, developmental, educational and special needs of the child.*

Both parents attend to the daily physical, emotional, developmental, educational and special needs of the children. Mother does not seek to modify shared physical custodial status to one of primary physical custody. This factor, therefore, weighed equally for the parties.

11. *The proximity of the residences of the parties.*

Presently the parties' residences are six miles apart, albeit through congested roadways in suburban Harrisburg, an approximately ten to fifteen minute commute. This factor presented the most challenging issue of my analysis on whether to grant relocation, but not on whether to modify the physical custody schedule. Under the modified custody

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order, exchanges will occur at the children's school during the school year and at Father's residence during the summers, therefore, the proximity will not detrimentally burden Father's transportation responsibilities. Furthermore, under the modification, the children will change custody less frequently than in the past; from two or three times per week to once per week during the school year and once per two weeks in the summer, thus making issues of the proximity of the parties' residences less of a factor, both before and after Mother's move to Hamburg.

12. *Each party's availability to care for the child or ability to make appropriate child-care arrangements.*

Mother's daily work schedule is regular, yet flexible. Father's employments are both part-time and flexible. Both can make child-care arrangements through their families. Mother's partner is available to care for the children if Mother is unavailable. The equal physical custodial time will not change, only the schedule. This factor thus weighed equally for the parents.

13. *The level of conflict between the parties and the willingness and ability of the parties to cooperate with one another;*

Given the somewhat significant level of conflict between the parties, an alternating week custody schedule is in the best interest of the children as exchanges would be only once each week during the school year and once per two weeks in the summer. This factor weighed in favor of the modified custody schedule.

14. *The history of drug or alcohol abuse of a party or member of a party's household.*

This factor is not applicable, as no abuse issues presented.

15. *The mental and physical condition of a party or member of a party's household.*

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There was no evidence presented of a mental or physical condition by either party that would affect their ability to parent their children. This, therefore, was not a factor.

16. *Any other relevant factor.*

No other factors have been proposed or considered.

Accordingly, based upon consideration of these factors, I found that it was in the best interest of the children that the physical custodial schedule be modified to one-week-on, one-week-off during the school year and to two-weeks-on, two-weeks-off during the summer.

Relocation

Section 5337 of the Child Custody Act places upon the party seeking to relocate the burden of establishing that relocation will serve the best interest of the child, considering ten statutory factors. 23 Pa.C.S.A. § 5337(i)(1); see *B.K.M. v. J.A.M.*, 50 A.3d 168, 175 (Pa. Super. 2012). Mother initially argues, however, that this is not a “relocation” under the new law. “Relocation” is now defined as “[a] change in a residence of the child which significantly impairs the ability of a nonrelocating party to exercise custodial rights.” 23 Pa.C.S.A. § 5322; see *C.M.K. v. K.E.M.*, 45 A.3d 417 (Pa. Super. 2012). Mother contends that her proposed move will not significantly impair Father’s ability to exercise his custodial rights. This court agrees.

Father broadly suggests that the relocation will prevent him from participating in the children’s activities, meeting with teachers and other school authorities, and will disrupt medical and therapeutic appointments, noting that LF in particular attends many such appointments which are normally scheduled after school or in the early evenings. Father failed, however, to substantiate these claims. It is unclear to this court how Father’s participation in the children’s school-related activities and meetings will be disrupted as the children will remain in the same schools close to his residence. Father has additionally offered no evidence why LF’s appointments cannot be scheduled to accommodate whichever parent has physical custody. Furthermore, there is no plan to change the children’s Harrisburg area medical or mental health care providers. Father did not otherwise suggest that he planned to or had traditionally attended LF’s appointments during times Mother had physical custody such that his participation in such appointments would be hindered.

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Father cited *C.M.K. v. K.E.M.*, *supra*, to support of his opposition to the relocation. In that case, the superior court rejected the mother's argument that her proposed move was not a "relocation" under the current Child Custody Act. In *C.M.K.*, Mother planned to move from Grove City, Mercer County to Albion, Erie County, sixty-eight miles away. Mother had primary physical custody of the parties' elementary school-aged son and the move would have required that he attend a new school in Albion. The trial court concluded that the evidence revealed mother's move would significantly impair father's ability to exercise his custodial rights. The superior court affirmed, noting as follows:

... Competent record evidence reveals Father's active involvement in Child's sporting events, including baseball and street hockey at this time, and his desire to coach Child. The evidence also shows that Father is involved in school activities, including meetings with teachers and school authorities, and medical appointments. Father, who is an equipment operator, is able to arrange his schedule in order to attend many of Child's school and sports functions. The record confirms the trial court's conclusion that Mother's proposed relocation would break the continuity and frequency of Father's involvement with Child and therefore threatens significant impairment of Father's ability to exercise his custodial rights. Mother's offer of additional custodial time for Father would not ameliorate these adverse effects.

Id. at 426. This case is readily distinguishable from *C.M.K.* Notably, in this case, the children will not be changing schools. As discussed above, a significant portion of the father's involvement with his son in *C.M.K.* concerned his attendance at his son's school and sporting activities. That involvement would have been significantly impaired by his son's move to another school, sixty-eight miles away. By contrast, Father here failed to present evidence that the children's move will break the continuity and frequency of his involvement with them, particularly with regard to school-related activities.

Father asserts that the relocation will also cause the children to spend an inordinate time traveling. Father has failed to make any the connection, however, between the children's travel time and his loss of custodial rights. There is clearly no impairment to his custodial time for regular custody exchanges inasmuch as they occur at the children's Harrisburg area school during the school year and at Father's residence

during the summer. Father did testify at the first hearing that his custodial rights would be impaired by the proposed relocation insofar as he would have to spend his physical custodial time driving to meet Mother for custody exchanges that occurred during holidays or on days when school was not in session. To the extent that Father might have to drive to some mid-point location to exchange custody a handful of times per year, such an imposition is not a significant impairment to his custodial rights. Father otherwise conceded that his total custodial time would not be impaired by the relocation inasmuch as he would have physical custody half the time, the same amount he had under the previous agreed order. (N.T. 11/7/12 at 130-31)

Because the evidence does not indicate that Mother's move to Hamburg will significantly impair Father's ability to exercise his custodial rights, Mother's proposed move is not a "relocation" under the definition in the new custody statute.

Nevertheless, even were Mother's proposed move be considered a "relocation" under the Child Custody Act, Mother met her burden of establishing that the relocation will serve the children's best interests upon consideration of the ten statutory factors, as follows:

1. *The nature, quality, extent of involvement and duration of the child's relationship with the party proposing to relocate and with the non-relocating party, siblings and other significant persons in the child's life.*

The equal physical custodial time will not change, only the schedule. This, therefore, was not a factor. The children throughout their lifetime have enjoyed a significantly good relationship with their Mother, the party proposing to relocate, as well as with Father. The proposed relocation will not decrease the amount of time with either parent. It will, however, somewhat increase the children's one-on-one quality time with their Mother and each other, in the drive to and from their proposed new home. This time certainly should be more productive than the similar amount of time on a school bus while living with their Father.

2. *The age, developmental stage, needs of the child and the likely impact the relocation will have on the child's physical, educational and emotional development, taking into consideration any special needs of the child.*

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The children's relocation with Mother to a larger home in a real community as opposed to an apartment complex will be beneficial to the children. There was no evidence the children realized any community life while living in Mother's apartment complex. On the other hand, the relocation to Hamburg will likely provide the children with a more stable, happy home closer to Mother's extended family, which will benefit the children. In addition, Mother's partner will provide an increased support system to the children's lives. Mother has no support system in the Harrisburg area. The creation of a two income household will additionally provide the children more economic resources. Furthermore, the impact of relocation on the children's education development will be negligible as they will attend the same schools. The children's life within Father's community in suburban Harrisburg area will continue as it has. Accordingly, this factor weighed in favor of relocation.

3. *The feasibility of preserving the relationship between the non-relocating party and the child through suitable custody arrangements, considering the logistics and financial circumstances of the parties.*

The equal physical custodial time will not change, only the schedule. This, therefore, was not a factor. With continued shared physical custody, the children's relationship with their Father will remain preserved.

4. *The child's preference, taking into consideration the age and maturity of the child.*

As noted above, I normally speak with the children in custody matters. In this case, however, with regard to the proposed relocation, I chose not to speak with the children because the issue did not involve a question of which parent should be the primary physical custodian. Instead, the issues involved a disagreement between the parents over Mother's move, an additional thirty-five minutes

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away from Father. In any event, Mother indicated she had not discussed the specifics of her move with them, but testified the children expressed an interest in spending more time with Mother and her partner, living in a house versus a small apartment, living in a small quaint community with a baseball field, basketball court and a pool in addition to being closer to Mother's extended family in order to develop those family relationships. Father did not indicate the children themselves opposed the move. Furthermore, LF and RF are still very young, being only eight and six years old, respectively, as of the hearings. As such, their preferences are not of significant weight. I therefore considered this factor to favor Mother.

5. *Whether there is an established pattern of conduct of either party to promote or thwart the relationship of the child and the other party.*

To the parents' credit, no evidence presented indicated either parent attempted to turn their children against the other parent.

6. *Whether the relocation will enhance the general quality of life for the party seeking relocation, including, but not limited to, financial or emotional benefit or educational opportunity.*

The evidence revealed that Mother's relocation to a single-family dwelling from a small apartment, and living together with her partner, closer to her extended family, will significantly enhance her quality of life, both emotionally and economically. This was a factor which weighed heavily in favor of relocation.

7. *Whether the relocation will enhance the general quality of life for the child, including, but not limited to, financial or emotional benefit or educational opportunity.*

The children's relocation from a cramped apartment to a single-family dwelling in an established small-town community, with a happier and more

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relaxed Mother, will certainly enhance the general quality of the children's lives. In addition, they will receive the additional emotional and financial support from Mother's partner DD, whom they love, as well as move closer to Mother's extended family. The relocation will not otherwise affect the children's educational opportunities as they will remain in the same schools. Their life while living with their Father will remain basically unchanged. This factor thus weighs in favor of relocation.

8. *The reasons and motivation of each party for seeking or opposing the relocation.*

Mother seeks to live with her partner of almost two years and closer to her siblings and extended family, to a single-family home from a cramped apartment, in a small town rather than an apartment complex, with increased economical and emotional support system, all good reasons and motivators.

9. *The present and past abuse committed by a party or member of the party's household and whether there is a continued risk of harm to the child or an abused party.*

This factor was not applicable, as previously stated.

10. *Any other factor affecting the best interest of the child.*

No other factors have been proposed or considered.

Accordingly, to the extent Mother's proposed move to Hamburg qualifies as "relocation" under the Child Custody Act, Mother met her burden of proof by presenting compelling evidence that the relocation will serve the best interests of the children under the factors considered above.

Future Relocation

Father objects to standard language I included in my custody order concerning the potential future location of *either* party, as follows:

- a. Neither parent shall permanently relocate if the relocation would necessitate a change in the physical custodial

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schedule *or* significantly impair the ability of the non-relocating party to exercise physical custodial responsibilities, change of school district for their children, *or* exceed a twenty-five (25) mile radius without a minimum notice of ninety (90) days to the other parent.

- b. Both parents are always encouraged to relocate closer to each other's residence.
- c. The parent proposing relocation must notify all parties in accordance with 23 Pa.C.S.A. §5337.
- d. No parent may relocate their residence unless the other parent consents in writing or the Court approves the proposed relocation.

(Dec. 17, 2012 Custody Order, ¶ 14; italics added)

Father claims that under this language, Mother would be permitted to further relocate up to twenty-five miles from Hamburg, in a direction farther away from his residence, without objection by Father or the need for court permission. This is clearly an incorrect reading of the language in my order which requires that any future relocation by either party, including one less than twenty-five miles, is subject to statutory relocation procedure if the move significantly impairs the ability of the non-relocating party to exercise custodial responsibilities. Inasmuch as this language is merely reflective of statutory requirements, Father's objection to its inclusion lacks any merit whatsoever.

Therefore, I issued a custody order December 12, 2012 (as corrected December 17, 2012), granting Mother's requests for modification of the custody schedule and approving her proposed relocation to Hamburg, Pennsylvania.

SECOND PUBLICATION

Estate Notices

ESTATE OF JEWELL MINNICK, late of the City of Harrisburg, Dauphin County, Pennsylvania (died October 5, 1996). Personal Representatives: Janice L. Dunlap and Jay L. Wakefield, 707 S. 21st Street, Harrisburg, PA 17104. Attorney: Mark K. Emery, Esq., Law Offices of Mark K. Emery, 410 North Second Street, Harrisburg, PA 17101. Telephone (717) 238-9883. f15-m1

ESTATE OF SAMUEL E. HUMMERT, late of Lower Swatara Township, Dauphin County, Pennsylvania (died January 11, 2013). Executrix: Sharee R. Hummert, 96 Hollywood Drive, Middletown, PA 17057. Attorney: Kendra A. Mohr, Esq., Pannebaker & Mohr, P.C., 4000 Vine Street, Middletown, PA 17057. Telephone (717) 944-1333.

f15-m1

ESTATE OF GLADYS M. TROUTMAN, late of Elizabethville Borough, Dauphin County, Pennsylvania (died January 3, 2013). Personal Representative: Jacqueline M. Buffington (Fitting) 1311 Norton Road, Oberlin, PA 17113. Attorney: Christa M. Aplin, Esq., Jan L. Brown & Associates, 845 Sir Thomas Court, Suite 12, Harrisburg, PA 17109. Telephone (717) 541-5550. f15-m1

ESTATE OF DOROTHY M. CHAFFEE, late of Susquehanna Township, Dauphin County, Pennsylvania (died August 20, 1985). Successors Co-Trustees: Clifford L. Unfried and Jeffrey C. Unfried, c/o Jacqueline A. Kelly, Esq., Jan L. Brown & Associates, 845 Sir Thomas Court, Suite 12, Harrisburg, PA 17109. Telephone (717) 541-5550. f15-m1

ESTATE OF JOHN J. STAFFARONI a/k/a JACK STAFFARONI, late of Lower Paxton Township, Dauphin County, Pennsylvania (died October 28, 2012). Executrix: Nancy Staffaroni, 220 Lopax Road, Harrisburg, PA 17112. Attorney: Jeffrey A. Ernico, Esq., Mette, Evans & Woodside, 3401 North Front Street, Harrisburg, PA 17110. Telephone (717) 232-5000. f15-m1

ESTATE OF HAROLD A. SHOEMAKER, late of Middle Paxton Township, Dauphin County, Pennsylvania (died November 22, 2012). Executrix: Barbara A. Kline, 1489 Temple Road, Pottstown, PA 19464. Attorney: Thomas L. Hoffman, Esq., 635 E. High Street, P.O. Box 657, Pottstown, PA 19464. f15-m1

ESTATE OF MARYA P. MUMPER, late of Lower Paxton Township, Dauphin County, Pennsylvania (died January 20, 2013). Personal Representative: Ronald A. Pagliassotti, 5742 Meadowbrook Drive, Harrisburg, PA 17112. Attorney: William L. Adler, Esq., 4949 Devonshire Road, Harrisburg, PA 17109. f15-m1

ESTATE OF RICHARD H. YEARICK, late of the Township of Susquehanna, Dauphin County, Pennsylvania (died January 20, 2013). Executor: Harry M. Baturin, 2604 North Second Street, Harrisburg, PA 17110. Attorney: Madelaine N. Baturin, Esq., Baturin & Baturin, 2604 North Second Street, Harrisburg, PA 17110. f15-m1

THIRD PUBLICATION

ESTATE OF JEAN M. TAMANINI, late of Lower Paxton Township, Dauphin County, Pennsylvania (died January 19, 2013). Personal Representative: David F. Tamanini, 4298 Maryland Ct., Harrisburg, PA 17112. f8-f22

THIRD PUBLICATION

Estate Notices

ESTATE OF JAMES N. AHONEN, late of Middletown, Dauphin County, Pennsylvania (died November 10, 2012). Personal Representative: Denise L. Ahonen. Attorney: J. Stephen Feinour, Esq., Nauman, Smith, Shissler & Hall, LLP, P.O. Box 840, Harrisburg, PA 17108-0840. f8-f22

ESTATE OF SHELDON H. SWENGLE, late of Londonderry Township, Dauphin County, Pennsylvania. Personal Representative: Craig S. Swengle, 12400 N. 163rd East Avenue, Collinsville, OK 74021. Attorney: Bridget M. Whitley, Esq., SkarlatosZonarich LLC, 17 South 2nd Street, Floor 6, Harrisburg, PA 17101. f8-f22

ESTATE OF JULIO O. ENOS, late of Lower Paxton Township, Dauphin County, Pennsylvania (died October 30, 2012). Executrix: Mary M. Enos, Middletown, PA. Attorney: Jacqueline A. Kelly, Esq., Jan L. Brown & Associates, 845 Sir Thomas Court, Suite 12, Harrisburg, PA 17109. Telephone (717) 541-5550. f8-f22

ESTATE OF HELEN M. SEBASTIAN, late of Lower Paxton Township, Dauphin County, Pennsylvania. Personal Representative: Lorraine E. Daly (Sebastian), 360 Colonial Road, Harrisburg, PA 17109. Attorney: Elizabeth B. Place, Esq., SkarlatosZonarich LLC, 17 South 2nd Street, Floor 6, Harrisburg, PA 17101. f8-f22

ESTATE OF GERALD R. GROVE, late of Susquehanna Township, Dauphin County, Pennsylvania (died January 5, 2013). Co-Executrices: Paulette P. Konevitch and Cathleen J. Kellar, c/o Marielle F. Hazen, Esq., 2000 Linglestown Road, Suite 202, Harrisburg, PA 17110. Attorney: Marielle F. Hazen, Esq., 2000 Linglestown Road, Suite 202, Harrisburg, PA 17110. f8-f22

ESTATE OF ELIZABETH H. WAHAL, late of Lower Paxton Township, Dauphin County, Pennsylvania (died December 4, 2012). Executrix: Georgia J. Smee, 781 Chaucer Drive, Harrisburg, PA 17111. Attorney: Francis A. Zulli, Esq., Wion, Zulli & Seibert, 109 Locust Street, Harrisburg, PA 17101. f8-f22

ESTATE OF HARRIET E. SHEETZ, late of Jackson Township, Dauphin County, Pennsylvania (died January 12, 2013). Co-Executrices: Judy A. Sedesse, 1281 Rutter Road, Halifax, PA 17032 and Carol K. Warfel, 1149 Herndon Road, Herndon, PA 17830. Attorney: Holly M. Kerwin, Esq., Kerwin & Kerwin, LLP, 4245 State Route 209, Elizabethtown, PA 17023. f8-f22

ESTATE OF JEANNE H. WINN, late of Harrisburg City, Dauphin County, Pennsylvania (died January 1, 2013). Personal Representative: Gloria A. Shatto, J.D., Estate Settlement Officer & Vice President, Clermont Wealth Strategies, Fulton Bank, N.A., One Penn Square, P.O. Box 7989, Lancaster, PA 17604. Attorney: Elizabeth H. Feather, Esq., Caldwell & Kearns, P.C., 3631 North Front Street, Harrisburg, PA 17110. Telephone (717) 232-7661. f8-f22

THIRD PUBLICATION

Estate Notices

ESTATE OF JOEL J. JENKINS, late of Williamstown Borough, Dauphin County, Pennsylvania. Executrix: Judy Jo Barder, 537 W. Broad Street, Williamstown, PA 17098. Attorney: Earl Richard Etzweiler, Esq., 105 North Front Street, Harrisburg, PA 17101. Telephone (717) 234-5600. f8-f22

ESTATE OF JACQUELINE MARY GERHARDS, late of Middletown, Dauphin County, Pennsylvania (died December 16, 2012). Personal Representative: Melody Nunn, 22331 Caminito Mescalero, Laguna Hills, CA 92653. f8-f22

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN that **Chambersburg Senior Housing II GP Corp.** is incorporated under the provisions of the Pennsylvania Business Corporation Law of 1988, approved December 21, 1988, P.L. 1444, No. 177, effective October 1, 1989, as amended. f22

NOTICE IS HEREBY GIVEN that **First Investors Auto Owner Trust 2013 - 1**, a foreign business trust incorporated under the laws of Delaware, with its princ. office located at c/o 2711 Centerville Rd., Ste. 400, Wilmington, DE 19808, has applied for a Certificate of Authority in Pennsylvania under the PA Bus. Corp. Law of 1988. The commercial registered office provider in PA is Corporation Service Co., and shall be deemed for venue and official publication purposes to be located in Dauphin County. f22

NOTICE IS HEREBY GIVEN that **VALID USA, INC.**, a foreign business corporation incorporated under the laws of Delaware, with its princ. office located at c/o Capital Services, 1675 S. State. St., Ste. B, Dover, DE 19901, has applied for a Certificate of Authority in Pennsylvania under the PA Bus. Corp. Law of 1988. The commercial registered office provider in PA is Corporation Service Co., and shall be deemed for venue and official publication purposes to be located in Dauphin County. f22

NOTICE IS HEREBY GIVEN that **Move Mortgage Match, inc.**, a corporation incorporated under the laws of the State of Delaware with its principal office located at Attn: Corp. Paralegal, 30700 Russell Ranch Rd., Westlake Village, CA 91362, has filed an Application for Termination of Authority under Section 4129/6129 of the Business Corporation Law on 2/7/2013, and the registered office is located at c/o Corporation Service Co., Dauphin County. f22

NOTICE IS HEREBY GIVEN that **naviHealth, Inc.**, a foreign business corporation incorporated under the laws of Delaware, with its princ. office located at c/o Corporation Service Co., 2711 Centerville Rd., Ste. 400, Wilmington, DE 19808, has applied for a Certificate of Authority in Pennsylvania under the PA Bus. Corp. Law of 1988. The commercial registered office provider in PA is Corporation Service Co., and shall be deemed for venue and official publication purposes to be located in Dauphin County. f22

NOTICE IS HEREBY GIVEN to all creditors and claimants of **BEAVER VALLEY TWO PI, INC.**, a Pennsylvania (PA) corporation, which on 9/9/1987, was incorporated in the Commonwealth of PA, that said company intends to file Articles of Dissolution with the Dept. of State under the provisions of PA Business Corporation Law. f22

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN that **Muzzy-Lyon Auto Parts, Inc.**, a foreign business corporation incorporated under the laws of Delaware, with its princ. office located at 2711 Centerville Rd., Ste. 400, Wilmington, DE 19808, has applied for a Certificate of Authority in Pennsylvania under the PA Bus. Corp. Law of 1988. The commercial registered office provider in PA is Corporation Service Co., and shall be deemed for venue and official publication purposes to be located in Dauphin County. f22

NOTICE IS HEREBY GIVEN of the filing of Articles of Incorporation as follows:

1. The name of the corporation is **C A Lupp, Inc.**
2. The location of the registered office of the corporation is 4098 Derry Street, Harrisburg, PA 17111.
3. The Articles of Incorporation were filed under the provisions of the Business Corporation Law of 1988.
4. The corporation shall have unlimited power to engage in and do any lawful act concerning any or all lawful business for which corporations may be incorporated under the Business Corporation Law.
5. The Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania and approved by said Department on the 28 day of December, 2012. f22

NOTICE IS HEREBY GIVEN that **Regal Beloit Leesport, Inc.**, a foreign business corporation incorporated under the laws of the State of Wisconsin, where its principal office is located at 200 State Street, Beloit, WI 53511, is applying for a Certificate of Authority in Pennsylvania, where its registered office is located c/o National Registered Agents, Inc. The registered office of the corporation shall be deemed for venue and official publication purposes to be located in Dauphin County, Pennsylvania. f22

NOTICE IS HEREBY GIVEN that, **Walltopia USA, Inc.**, a foreign business corporation under the laws of the Commonwealth of Pennsylvania, where its principal office is located at 329 44th Street, Pittsburgh, PA 15201, 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. f22

NOTICE IS HEREBY GIVEN that pursuant to provisions of Section 311 of Fictitious Name Act 295 of 1982, approved December 16, 1982, Youth Transit Authority, LLC, filed on February 8, 2013, with the Department of State of the Commonwealth of Pennsylvania, an Application to Conduct Business under the assumed or fictitious name of **YTA Transportation** with its principal office and place of business at 188 Blue Jay Way, Hummelstown, PA 17036.

BRENDA R. HESS, Esq.
DICKSON, GORDNER AND HESS
208 East Second Street
Berwick, PA 18603
(570) 759-9814

f22

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN that the **National Spiritual Assembly of the Bahá'ís of the United State**, a foreign non-profit corporation incorporated under the laws of the State of Illinois, where its principal office is located at 1233 Central Street, Evanston, Illinois 60201-1611, has applied for a Certificate of Authority in Pennsylvania, where its registered office is located at Registered Agent Solutions, Inc., 125 Locust Street, Harrisburg, PA 17101. The purposes for which it has been organized are religious. The registered office of the corporation shall be deemed for venue and official publication purposes to be located in Dauphin County, Pennsylvania. f22

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on February 7, 2013, by **Jaypee Medical Inc.**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at 111 S. Independence Mall East. Ste. 835, Phila., PA 19106, 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. f22

NOTICE IS HEREBY GIVEN that the **Regional Bahá'í Council of the Northeastern States**, a foreign business corporation incorporated under the laws of the State of Illinois, received a Certificate of Authority in Pennsylvania on January 8, 2010 and surrenders its certificate of authority to do business in Pennsylvania. Its last registered office in this Commonwealth was located at: Registered Agent Solutions, Inc., 125 Locust Street, Harrisburg, PA 17101, and its last registered office of the corporation shall be deemed for venue and official publication purposes to be located in Dauphin County, Pennsylvania.

NOTICE OF ITS INTENTION to withdraw from Pennsylvania was mailed by certified or registered mail to each municipal corporation in which the registered office or principal place of business of the corporation in Pennsylvania is located.

THE POST OFFICE ADDRESS, including street and number, if any, to which process may be sent in an action or proceeding upon any liability incurred before any liability incurred before the filing of the application for termination of authority is Bahá'í National Center, Office of Legal Affairs, 1233 Central Street, Evanston, Illinois 60201-1611. f22

NOTICE IS HEREBY GIVEN that **LEHMAN PROPERTY MAINTENANCE, INC.** has been incorporated under the provisions of the Business Corporation Law of 1988.

BUTLER LAW FIRM
1007 Mumma Road, Suite 101
Lemoyne, PA 17043

f22

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State for **Gaming and Leisure Properties, Inc.**, a corporation organized under the Pennsylvania Business Corporation Law of 1988.

PEPPER HAMILTON LLP, Solicitors
3000 Two Logan Sq.,
18th & Arch Streets
f22 Phila., PA 19103-2799

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on January 24, 2013, by **Valet Waste Holdings Inc.**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at 601 N. Ashley Dr., Ste. 700, Tampa, FL 33602, 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. f22

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on February 7, 2013, by **Trinity Services Group, Inc.**, a foreign corporation formed under the laws of the State of Florida, where its principal office is located at 477 Commerce Blvd., Oldsmar, FL 34677, 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. f22

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on February 5, 2013, by **Overton Chicago Gear Corporation**, a foreign corporation formed under the laws of the State of Illinois, where its principal office is located at 530 Westgate Dr., Addison, IL 60101, 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. f22

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on February 5, 2013, by **Chicago Gear — D.O. James Corporation**, a foreign corporation formed under the laws of the State of Illinois, where its principal office is located at 530 Westgate Dr., Addison, IL 60101, 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. f22

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on February 5, 2013, by **H-D Advanced Manufacturing Company**, a foreign corporation formed under the laws of the State of Illinois, where its principal office is located at 530 Westgate Dr., Addison, IL 60101, 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. f22

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 February 11, 2013, by **Gripple Incorporated**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at 1611 Emily Ln., Aurora, IL 60502, 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. f22

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 February 5, 2013, for a foreign corporation with a registered address in the state of Pennsylvania as follows: **Morrell Instrument Co., Inc.** c/o AAASent Services, LLC.

This corporation is incorporated under the laws of New York. The address of its principal office under the laws of its jurisdiction in which it is incorporated is 502 Walt Whitman Road, Melville, NY 11747. The corporation has been qualified in Pennsylvania under the provisions of the Business Corporation Law of 1988, as amended. f22

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 February 7, 2013, for a foreign corporation with a registered address in the state of Pennsylvania as follows: **United Merchant Services, Inc.** c/o AAASent Services, LLC.

This corporation is incorporated under the laws of New Jersey. The address of its principal office under the laws of its jurisdiction in which it is incorporated is 255 Route 17 South, Hackensack, NJ 07601. The corporation has been qualified in Pennsylvania under the provisions of the Business Corporation Law of 1988, as amended. f22

NOTICE IS HEREBY GIVEN that **Amgro Receivables Corporation**, a foreign business corporation incorporated under the laws of the State of Delaware, received a Certificate of Authority in Pennsylvania on May 31, 2002 and does hereby give notice of its intention to surrender its certificate of authority to do business in Pennsylvania. Its last registered office in this Commonwealth was c/o Corporation Service Company in Dauphin County, Pennsylvania. The post office address, including street and number, if any, to which process may be sent in an action or proceeding upon any liability incurred before any liability incurred before the filing of the application for termination of authority is 1055 Broadway, FL 11, Kansas City, MO 64105. f22

NOTICE IS HEREBY GIVEN that **Amazon Web Services, Inc.**, a foreign business corporation incorporated under the laws of Delaware, with its principal office located at 410 Terry Ave. North, Seattle, WA 98109, has applied for a Certificate of Authority in Pennsylvania under the PA Bus. Corp. Law of 1988. The commercial registered office provider in PA is Corporation Service Co., and shall be deemed for venue and official publication purposes to be located in Dauphin County. f22

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN that **CCL Consumer Products, Inc.**, a foreign business corporation incorporated under the laws of Delaware, with its princ. office located at c/o Corporation Service Co., 2711 Centerville Rd., Ste. 400, Wilmington, DE 19808, has applied for a Certificate of Authority in Pennsylvania under the PA Bus. Corp. Law of 1988. The commercial registered office provider in PA is Corporation Service Co., and shall be deemed for venue and official publication purposes to be located in Dauphin County. f22

FIRST PUBLICATION

Miscellaneous Notices

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

CIVIL ACTION – LAW

No. 2011-CV-11644-MF

**NOTICE OF SHERIFF SALE
OF REAL ESTATE
PURSUANT TO PA.R.C.P. 3129**

**WELLS FARGO BANK, N.A.,
SUCCESSOR BY MERGER TO
WACHOVIA BANK OF DELAWARE,
N.A., FORMERLY KNOWN AS
FIRST UNION NATIONAL BANK
OF DELAWARE, N.A., Plaintiff**

vs.

DARRELL CROSSON, Defendant

TO: Darrell Crosson

YOU ARE HEREBY NOTIFIED that the Sheriff's Sale of Real Property (Real Estate) will be held in the Commissioner's Hearing Room, Dauphin County Administration Building (formerly the Mellon Bank Building). Please enter through the Market Square Entrance, take the elevator to the 4th Floor and turn right. Hearing Room is on the left. Harrisburg, Pennsylvania 17101 on 4/11/2013 at 9:30 am prevailing local time.

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

The LOCATION of your property to be sold is: 1717 North Street, Harrisburg, PA, 17103-1546.

The JUDGMENT under or pursuant to which your property is being sold is docketed to: No.: 2011-CV-11644-MF.

A complete copy of the Notice of Sheriff Sale will be sent to you upon request to the Attorney for the Plaintiff, Scott A. Dietterick, Esquire, Zucker, Goldberg & Ackerman, LLC, 200 Sheffield Street, Mountainside, NJ 07092, 908-233-8500.

**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 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.

FIRST PUBLICATION

Miscellaneous Notices

YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET FREE LEGAL ADVICE:

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

f22

ZUCKER, GOLDBERG
& ACKERMAN, LLC

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

CIVIL ACTION – LAW

CIVIL DIVISION

No. 2012-CV-7168-MF

**NOTICE OF ACTION IN
MORTGAGE FORECLOSURE**

**JPMC SPECIALTY MORTGAGE, LLC
F/K/A WM SPECIALTY MORTGAGE,
LLC, Plaintiff**

vs.

**PAUL M. BOYER a/k/a PAUL BOYER
a/k/a PAUL MATTHEW BOYER
and SUSAN K. BOYER
a/k/a SUSAN KAYE BOYER, Defendants**

NOTICE

**TO: SUSAN K. BOYER
a/k/a SUSAN KAYE BOYER**

YOU ARE HEREBY NOTIFIED that on August 17, 2012, Plaintiff, JPMC SPECIALTY MORTGAGE, LLC F/K/A WM SPECIALTY MORTGAGE, LLC, 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. 2012-CV-7168-MF. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 724 DUNKLE STREET, STEELTON, PA 17113-1401 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 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
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f22

FIRST PUBLICATION

Miscellaneous Notices

IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY
PENNSYLVANIA

No. 2012 CV 7741 NC

PETITION FOR CHANGE
OF NAME

NOTICE

NOTICE IS HEREBY GIVEN that on January 15, 2013, the Petition of **Noel Calderon** for the minor child **Elanny A. Galvez Sanchez a/k/a Elanny Sanchez** was filed in the above named court, requesting a decree to change her name from **Elanny Sanchez** to **Elanny Galvez Calderon**.

The Court has fixed March 5, 2013 at 1:30 p.m., at the Juvenile Justice Center, 25 South Front Street, 7th Floor, Harrisburg, PA as the time and place for the hearing on said Petition, when and where all persons interested may appear and show cause if any they have, why the prayer of the said Petition should not be granted.

f22

IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY
PENNSYLVANIA

No. 2011 CV 10879 MF

NOTICE OF SHERIFF'S SALE

NATIONSTAR MORTGAGE, LLC,
Plaintiff

vs.

ERIK DICK a/k/a ERIK J. DICK
and THE UNITED STATES OF
AMERICA C/O THE UNITED STATES
ATTORNEY FOR THE MIDDLE
DISTRICT OF PA, Defendants

NOTICE

TO: ERIK DICK a/k/a ERIK J. DICK

NOTICE OF SHERIFF'S SALE
OF REAL PROPERTY

BEING PREMISES: 309 BESSEMER
STREET, STEELTON, PA 17113-1804.

BEING in BOROUGH OF STEELTON,
FORMERLY BALDWIN, County of
DAUPHIN, Commonwealth of Pennsylvania,
60-003-004-000-0000

IMPROVEMENTS consist of residential
property.

SOLD as the property of ERIK DICK a/k/a
ERIK J. DICK and THE UNITED STATES
OF AMERICA C/O THE UNITED STATES
ATTORNEY FOR THE MIDDLE DISTRICT
OF PA.

YOU ARE HEREBY NOTIFIED that your
house (real estate) at 309 BESSEMER
STREET, STEELTON, PA 17113-1804 is
scheduled to be sold at the Sheriff's Sale on
06/06/2013 at 10:00 AM, at the DAUPHIN
County Courthouse, 101 Market Street,
Harrisburg, PA 17107-2012, to enforce the
Court Judgment of \$52,781.04 obtained by,
NATIONSTAR MORTGAGE, LLC (the
mortgagee), against the above premises.

f22

PHELAN HALLINAN, LLP

FIRST PUBLICATION

Miscellaneous Notices

IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY
PENNSYLVANIA

No. 2013-CV-420-NC

PETITION FOR CHANGE
OF NAME

NOTICE

NOTICE IS HEREBY GIVEN that on February 4, 2013, the Petition of **Kwai Neung Pang Yung** was filed in the above named court, requesting a decree to change her name from from **Kwai Neung Pang Yung** to **Kwai Neung Yung**.

The Court has fixed March 19, 2013 at 1:30 p.m., in Courtroom No. 11, at the Juvenile Justice Center, 25 South Front Street, 7th Floor, Harrisburg, PA as the time and place for the hearing on said Petition, when and where all persons interested may appear and show cause if any they have, why the prayer of the said Petition should not be granted. f22



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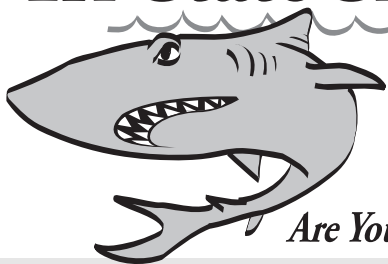
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TRIAL AHEAD?

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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

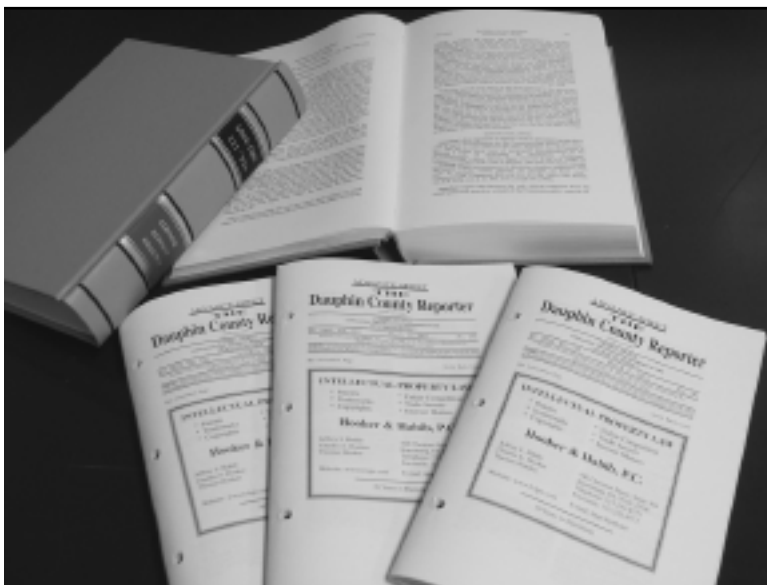
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BAR ASSOCIATION PAGE – Continued

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