

**THE**  
**Dauphin County Reporter**

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12th JUDICIAL DISTRICT

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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 IRENE M. SCHANKWEILER, late of Middletown, Dauphin County, Pennsylvania (died December 31, 2010). Trustee: Robert D. Schankweiler, 7048 B Red Top Road, Harrisburg, PA 17111. Attorney: Amy M. Moya, Esq., 5011 Locust Lane, Harrisburg, PA 17109. m25-a8

ESTATE OF AGNES G. NICHICI, late of the Township of Susquehanna, Dauphin County, Pennsylvania (died February 7, 2011). Executor: Roderick J. Nichici, 3644 Derry Street, Harrisburg, PA 17111. Attorney: Harry L. Bricker, Jr., Esq., 921 Bradford Road, Harrisburg, PA 17112. m25-a8

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ESTATE OF THELMA HOLMES a/k/a THELMA A. HOLMES, late of Lower Paxton Township, Dauphin County, Pennsylvania (died December 21, 2010). Co-Executors: Sandra K. Kauffman and Ronald James Holmes, c/o Hazen Elder Law, 2000 Linglestown Road, Suite 202, Harrisburg, PA 17110. Attorneys: Hazen Elder Law, 2000 Linglestown Road, Suite 202, Harrisburg, PA 17110. m25-a8

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ESTATE OF NELSON D. HAWK, late of Susquehanna Township, Dauphin County, Pennsylvania (died February 25, 2011). Co-Executors: Samuel E. Cole, 108 Harman Road, Halifax, PA 17032 and Frances M. Cole, 108 Harman Road, Halifax, PA 17032. Attorney: Terrence J. Kerwin, Esq., Kerwin & Kerwin, LLP, 27 North Front Street, Harrisburg, PA 17101. m25-a8

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ESTATE OF WILLARD A. SMITH, JR., late of Susquehanna Township, Dauphin County, Pennsylvania (died December 14, 2010). Personal Representative: Sharon Smith, 1312 North 21st Street, Harrisburg, PA 17109. Attorney: Bruce D. Foreman, Esq., 112 Market Street, 6th Floor, Harrisburg, PA 17101. m25-a8

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ESTATE OF DOROTHY E. EBY, late of Lower Paxton Township, Dauphin County, Pennsylvania (died February 23, 2011). Co-Executors: John H. Eby, 16 Culpepper Road, Shrewsbury, PA 17361 and Ronald F. Eby, 203 Curvin Drive, Harrisburg, PA 17112. Attorney: Gary L. James, Esq., James, Smith, Dieterick & Connolly, LLP, 134 Sipe Avenue, Hummelstown, PA 17036. Telephone (717) 533-3280. m25-a8

**Enders v. Carns****Domestic Relations — Child Support — Arrearage — Overpayment Credit.**

Appellant/father sought relief from a court order directing him to pay an arrearage of child support. The Dauphin County order included a credit to which Appellee/mother was entitled due to child support overpayments she had made to him under a Berks County order. He contended, however, that this credit was barred by a two-year statute of limitations, that the matter had been previously litigated, and also that the Dauphin County Court lacked the authority to add a Berks County overpayment to a Dauphin County order collecting his arrearage.

1. Courts should treat overpayments like they do underpayments (arrears) whereby trial courts have traditionally been afforded broad discretion to remedy support underpayments. *Portugal v. Portugal*, 798 A.2d 246 (Pa. Super. 2002).

2. A two year statute of limitations does not apply to the collection or enforcement of monies under or overpaid in a support case. *42 Pa. C.S.A. §5524*.

3. Pa.R.C.P. Rule 1910.2-1(b)(1) states that “if courts in two or more counties must be involved in the establishment and enforcement of an obligation for support ... the case must proceed pursuant to the Intrastate Family Support Act.” This Act includes provisions by which a support order issued by one tribunal may be registered for enforcement in any other tribunal of competent jurisdiction. *23 Pa. C.S.A. §§8401-02*. Though this Act, like the Support Rules and the Domestic Relations Code, is generally addressed to the collection and enforcement of support and arrears, as opposed to overpayments, it must be considered as extending to the collection of overpayments in light of [a trial] court’s broad discretion to enforce and correct overpayments.

Pa.R.A.P. 1925(a) Opinion. C.P., Dau. Co., No. 02843 DR 1995; PACSES 790001070

*Emily Long Hoffman*, for Appellant

*Robert G. Radebach*, for Appellee

TURGEON, J., February 28, 2011. – Donald Carns appeals to the superior court from an order issued by this court on September 20, 2010, directing him to pay an arrearage only order of child support. He argues that this court erred by adding to his arrears in this action a \$12,059 credit Joanne Enders was entitled to against him for child support she overpaid him under a Berks County order. Father believes that mother’s credit was extinguished by her failure to seek timely enforcement of the credit and/or that the credit issue was fully litigated in Dauphin County and/or that there exists no legal right for her to collect the Berks County overpayment in Dauphin County. This opinion is written in support of the order granting the credit, pursuant to Pa.R.A.P. 1925(a).

Enders v. Carns

## BACKGROUND

The parties were formerly married and have three children. The youngest child became emancipated on May 14, 2008. An original child support order was entered in 1995 in Dauphin County and modified many times over the years. During recent years, mother has resided in Dauphin County and father in Berks County. Custody arrangements have been modified on numerous occasions prompting mother to seek child support in Dauphin County and father in Berks County.

*Berks County:* Proceedings were initiated in 2003 by father after he had obtained primary physical custody of two children<sup>1</sup> The issue of how much support mother owed him was vigorously litigated, most significantly on the issue of father's income / earning capacity from his logging business. In a comprehensive opinion, relying upon an exhaustive record compiled by the support master, the Berks County Court entered an order on February 1, 2007, setting forth mother's support obligation for various periods of time between June 16, 2003 and December 30, 2005. (Mother's Petition to Modify Support Arrearage (Dauphin County 4/26/10, Exbt. A)) The order reflected the court's finding that father's income was considerably higher than what he claimed. As such, the court found that mother owed father no support for all periods of time sought with the exception of one 24-day period. (*Id.*) Father filed an appeal to the superior court which rejected his challenge and affirmed the lower court.<sup>2</sup>

During the course of the Berks County litigation – between 2003 and January 31, 2007 – mother's wages were garnished in the amount of \$12,817 to pay for her support obligation under the Berks County interim order. After the trial court's February 1, 2007 order was entered, her support was recalculated and it was determined she owed a total of only \$758, resulting in her having overpaid father \$12,059. (Mother's Petition to Modify, Exbt. C) The Berks County Order of February 1, 2007, stated that "in the case of any overpayments having been made by [mother], credit shall be given against any medical contributions [father] seeks in this case against [mother] . . . Otherwise, [mother] is left to pursue any legal remedy available to her outside of this case." *Id.* (Exbt. A) Around April 21, 2008, the Berks County Domestic Relations Section sent a "60-day case closure letter" to

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1. *Carns v. Enders*, Case No. 03-1627-00, PACSES No. 261101775 (Berks Co.).

2. *Carns v. Enders*, No. 425 MDA 2007 (Pa. Super. Dec. 28, 2007) (unpublished).

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mother informing her that the case was closed as of April 21, 2008 due to the lack of a current support order and/or that the arrears owed were under the threshold and/or that the order was unenforceable. (N.T. 9/20/10 at 12-13; Father's Exbt. 1)

*Dauphin County:* The most current request for support was filed by mother on March 4, 2004, seeking support for three children. (N.T. 8/20/10 at 2-3) Due to the pending Berks County case, litigation in the Dauphin County support case was delayed until April 21, 2008, when an office conference was held amongst the parties and a Domestic Relations Section conference officer. (N.T. 8/20/10 at 3) During the conference, mother requested that her Berks County credit be transferred to the Dauphin County support order as an arrears against father so that she could collect it under the Dauphin County order. (N.T. 8/20/10 at 3, 9 (citing Conference Officer's Summary, p. 3)) Father's attorney opposed the transfer. (*Id.*) The conference officer's notes indicated that the credit sought was \$7,269. (N.T. 8/20/10 at 9) Immediately following the conference and upon the officer's recommendation, I issued a series of four orders dated April 21, 2008, with effective dates between January 1, 2006 and February 26, 2008, requiring father to pay support in differing amounts. The last order in date directed he pay \$906 per month for support of two children, plus \$100 per month against his arrearage of \$15,001. (N.T. 8/20/10 at 3-5) This arrearage did not include the Berks County credit.

Father sought *de novo* review and a hearing was scheduled before me on September 9, 2008. In lieu of a hearing, the parties' attorneys met in chambers to attempt to settle their differences; no testimony was presented. Counsel thereafter indicated that they had reached a resolution, though the specifics of their resolution are in dispute (discussed *infra*). Based upon their representations, I issued an order September 9, 2008, suspending all child support as of May 14, 2008, which is the date when the parties' youngest child, then seventeen, emancipated herself. I further directed that father pay \$200 per month against his Dauphin County arrears of \$15,001 (as of April 2008).

On April 26, 2010, mother filed a Petition to Modify the Support Arrearage in Dauphin County. In her petition, mother sought to have the Berks County credit (of \$12,059) added to father's Dauphin County support arrearage and collected here. Mother asserted in her petition that she had alerted father to the overpayment "but he has failed to acknowledge it or take any steps to repay the money to her."

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(Petition to Modify Support Arrearage ¶10) After father filed a response, this court held hearings on to the petition to modify on August 20, 2010 and September 20, 2010.

During the first hearing, it was revealed that there was a discrepancy in the reported Berks County credit; the Dauphin County conference officer had indicated in her April 2008 notes that the overpayment was \$7,269 while mother's attorney stated it was \$12,059. The former figure was reflected in the SCDU/PACSES statewide computer system, accessible to county Domestic Relations Offices throughout the state.<sup>3</sup> (N.T. 8/20/10 at 17, 18) The latter figure was obtained by mother's attorney from documents he received from the Berks County Court (dated March 25, 2010). (N.T. 8/20/10 at 19-20, citing Petition to Modify Support Arrearage, Exbt. C) Mother's attorney further informed the court that he had mailed these same documents and a cover letter to the Dauphin County Domestic Relations Section on March 29, 2010, in which he requested that the \$12,059 credit be added to father's arrears.<sup>4</sup> (N.T. 8/20/10 at 7-8)

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3. PACSES (Pennsylvania Automated Child Support Enforcement System) is a statewide computer system installed by the Pennsylvania Department of Public Welfare (DPW) for child support enforcement, as required under federal Title IV-D of the Social Security Act (42 U.S.C.A. §§651-69b). See, 55 Pa. Code §108.2 (Definitions). The Bureau of Child Support Enforcement (BCSE) within the Pennsylvania DPW is the single state agency charged with administering the IV-D program in Pennsylvania, pursuant to cooperative agreements entered into with the county courts. The Pennsylvania State Collections and Disbursement Unit (PA SCDU) is the organizational unit within BCSE responsible for collecting and disbursing support. See, 23 Pa.C.S.A. §4302. Title IV-D requires states to establish comprehensive programs and automated data processing for child support enforcement and determinations of paternity as conditions for receiving state grants for services for needy families with children and child welfare services. 42 U.S.C. §§654, 654a. PACSES is certified by the Child Support Enforcement Office of the U.S. Department of Health and Human Services.

4. This letter was filed in the Domestic Relations Section unofficial "working file." (N.T. 8/20/10 at 8) It was stamped as having been received on March 31, 2010. (*Id.*) At the August 20, 2010 hearing, I asked the DRS Operations Manager why this certification of arrears was not entered in the Dauphin County support docket and he did not know why. (*Id.*) The letter stated as follows:

Enclosed please find an audited statement from Berks County on the overpayment relative to this matter. This indicates an overpayment of \$12,059.38 as of December 31, 2005. Prior statements from Berks County showed an overpayment of \$7,263.75.

Please verify that the overpayment figure in the last hearing in the above matter was the \$7,263.75 amount. If it was used to calculate the arrearage, we are requesting that the arrearage figure from the last court hearing in this matter be amended to add \$4,795.63 be added [sic] to the arrearage amount.

Mother's attorney attached Berks County documents including a notarized "Statement of Arrears," showing arrears of negative \$12,059, i.e. a credit in that amount in mother's favor.

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Despite the existence of mother's credit, the Domestic Relations representative at that August 20, 2010 hearing testified that according to PACSES, the parties' Berks County case showed a zero balance. He explained that "[i]t appears that when Berks County closed their case they zeroed out all the arrears so they could start the closure process which is why we are showing zero arrears. . . . It was just taken off because of procedure for case closure." (N.T. 8/20/10 at 6-7)

At the conclusion of the testimony, I continued the hearing pending receipt of the certified documents from the Berks County court clarifying the correct amount of mother's credit. That court promptly sent a letter to this court providing documents from its audit which revealed mother's overpayment/credit was \$12,059. At the second hearing, on September 20, 2010, I accepted the information from Berks County into the record, following which I issued an order, directing that the Berks County credit be added to father's current arrearage of \$8,740 in Dauphin County. I further ordered that father's payment against his arrears, of \$200 per month, remain the same. Father filed a timely appeal from the September 20, 2010 order.

## LEGAL DISCUSSION

In his statement of matters (errors) complained of on appeal, father raises many issues, which can be distilled into the following: the court committed an error of law and abused its discretion by adding mother's Berks County overpayment to the father's Dauphin County arrearage because (1) mother can not enforce an overpayment from Berks County where that case had been closed for more than two years at the time mother sought to enforce a right to the overpayment in Dauphin County; (2) mother's attempt to add her Berks County overpayment to his Dauphin County arrears was fully litigated in Dauphin County proceedings in 2008 and can not be litigated again; and (3) the Dauphin County court was not permitted to add a Berks County overpayment to a Dauphin County order collecting an arrearage.

Before addressing these issues, this court notes the following with regard to overpayments of support. The Support Guidelines and the support provisions set forth in the Domestic Relations Code are designed to collect and enforce support obligations, including arrearages, owed by support obligors (payors) to support

obligees (payees).<sup>5</sup> They are not designed to address the recoupment of overpayments made by an obligor to an obligee.<sup>6</sup> There are no such remedies delineated within the Support Guidelines or Domestic Relations Code for the collection of the overpayment of support.

Our appellate courts, unsurprisingly, have had limited opportunity to address overpayment issues. *See, Rich v. Rich*, 967 A.2d 400, 409 (Pa. Super. 2009) (acknowledging dearth of cases addressing support overpayment). At least one court, however, which has addressed the issue has held that courts should treat overpayments like they do underpayments (arrears) whereby trial courts have traditionally been afforded broad discretion to remedy support underpayments. *Portugal v. Portugal*, 798 A.2d 246 (Pa. Super. 2002). In that case, husband overpaid spousal support to his wife and sought that she pay him back in a lump sum. The lower court refused to require a lump sum payment, instead ordering that husband be granted a credit against his current spousal support obligation over a two year period until the credit was recovered. In addressing husband's appeal, the superior court initially noted that in his argument that he should have been reimbursed in a lump sum payment was not supported by any legal authority. *Id.* at 255. The court then upheld the trial court's decision to allocate the credit against a charging order to correct the overpayment, finding that that

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5. The law governing child and spousal support is set forth in the Domestic Relations Code as well as the Rules of Civil Procedure addressing support, as promulgated by general rule of the Pennsylvania Supreme Court. 23 Pa.C.S.A. §4322(a); Pa.R.C.P. 1910.1 through 1910.50. The Rules of Civil Procedure promulgated by the Supreme Court, have the force of statute. *Maddas v. Dehaas*, 816 A.2d 234, 238 (Pa. Super. 2003), *appeal denied*, 827 A.2d 1202 (Pa. 2003).

6. For example, under the Support Guidelines, there exist many remedies when the obligor fails to pay or underpays support owed resulting in the obligor owing arrears in the nature of overdue support. Pa.R.C.P. 1910.1 ("Overdue support" definition, i.e. support that accrues as a result of nonpayment, as opposed to arrears created by retroactivity). These remedies include increasing the monthly support obligation, withholding or seizing periodic or lump sum payments of income from a government agency; withholding or seizing periodic or lump sum payments of income from insurance carriers or privately-insured employers; withholding or seizing judgments or settlements; withholding or seizing public and private retirement funds in pay status; imposing liens on real property; attaching and seizing assets of the obligor held in financial institutions; reducing and executing a judgment against the obligor; initiating contempt proceedings; reporting the overdue support to consumer reporting agencies and suspension of occupational, commercial/driver's and recreational licenses. Pa.R.C.P. 1910.20(b). Another remedy labels all overdue support as a judgment and provides a streamlined procedure for entry of that judgment. Pa.R.C.P. 1910.24(a). The judgment is then executable per general Rules of Civil Procedure. *Id.* (Explanatory Comment - 2000).



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solution “may be likened to a trial court’s efforts to allocate a party’s underpayment or non-payment of a support obligation. Traditionally, courts of this Commonwealth have been given broad discretionary power to remit accrued support arrearages.” *Id.* (citing *Kessler v. Helmick*, 672 A.2d 1380, 1384 (Pa. Super. 1996) (court did not abuse its discretion by ordering payment of support arrearages in installments rather than as a lump sum)). With this background in mind, we turn to the specific issues raised by father.

#### FINALITY OF BERKS COUNTY CASE

Father argues that mother can not enforce an overpayment from Berks County where that case was closed for more than two years at the time mother sought to enforce a right to the overpayment in Dauphin County. Father’s attorney also argues that the Berks County credit can not be enforced in Dauphin County because mother sought to enforce it here beyond a two year statute of limitations. Father notes that mother did not file her petition to modify the support arrearage seeking enforcement of the credit in Dauphin County until April 26, 2010, a few days beyond the expiration of the statute.

Father’s underlying assertion relies upon his claim that mother was notified no later than April 21, 2008, by the Berks County Court, that the case there had been closed due to the lack of a current support order and/or that the arrears owed were under the threshold and/or that the order was unenforceable. Father suggests this case closure resulted in the extinguishment of mother’s right to collect her overpayment. The record reveals, however, that the Berks County case was closed only for the purpose of clearing out any payment in the PACSES system. This was done because the obligor (mother) owed no support or arrears and as such there was no need for PACSES to collect any monies. Father otherwise points to no legal authority for the proposition that the administrative closure of a case on the statewide computer system acts to extinguish a party’s overpayment of court-ordered support. Such a conclusion would be contrary to how arrearages are treated under Pennsylvania law; as noted above, courts should generally treat the collection of overpayments and underpayments similarly. *Portugal, supra*. It is thus instructive to note that the law prohibits courts from reducing arrearages except for any period of time during which a petition to modify was filed. *See, Miller v. Bistransky*, 679 A.2d 1300, 1303 (Pa. Super. 1996) (concurring opinion) (citing 23 Pa.C.S.A. § 4352(e)). Father has not filed such a request.

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Furthermore, in the context of closing out arrears, Support Rule 1910.19(f) provides a mechanism by which a court may terminate a support order and remit arrears where the support order is no longer enforceable, or where the obligor is no longer able to pay due to lack of income or assets and where there is no prospect that he or she will be able to pay in the foreseeable future. Pa.R.C.P. 1910.19(f). However, under this Rule, where such an order is entered and arrears are “zeroed out,” the order is *without prejudice*. *Id.* Even in cases where the obligee has been provided notice of the proposed termination of support and arrears and fails to object, the deletion of any arrears is *without prejudice* as well. *Id.* Clearly, this Rule reflects an intent to permit an obligee to later enforce a support obligation and/or arrears should circumstances change, i.e., such an order is not final. Thus, in the context of arrears that accrue from court ordered support, there is no legal mechanism by which arrears finally extinguish. The same rules must apply with regard to support overpayments. As such, the case closure in Berks County did not extinguish the existence of mother’s credit.

Father’s attorney also argues that mother is precluded from seeking to enforce the Berks County credit here because she is barred to do so by a two year statute of limitations, noting that mother did not file her Dauphin County petition to add the Berks County arrears here until April 26, 2010, a few days beyond the expiration of two years from the date she was notified of the Berks County case closure, on April 21, 2008.

Father’s argument fails, primarily because a two year statute of limitations does not apply to the collection or enforcement of monies under or overpaid in a support case. The two year limitation period applies only to the following types of actions:

**§ 5524. Two year limitation**

The following actions and proceedings must be commenced within two years:

- (1) An action for assault, battery, false imprisonment, false arrest, malicious prosecution or malicious abuse of process.
- (2) An action to recover damages for injuries to the person or for the death of an individual caused by the wrongful act or neglect or unlawful violence or negligence of another.

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- (3) An action for taking, detaining or injuring personal property, including actions for specific recovery thereof.
- (4) An action for waste or trespass of real property.
- (5) An action upon a statute for a civil penalty or forfeiture.
- (6) An action against any officer of any government unit for the nonpayment of money or the non-delivery of property collected upon on execution or otherwise in his possession.
- (7) Any other action or proceeding to recover damages for injury to person or property which is founded on negligent, intentional, or otherwise tortious conduct or any other action or proceeding sounding in trespass, including deceit or fraud, except an action or proceeding subject to another limitation specified in this subchapter.

42 Pa.C.S.A. § 5524. Clearly, none of these provisions apply. In any event, even were a two year statute were held to apply, it would not be applicable because the record in this case shows that mother acted within two years of learning of the Berks County case closure. The evidence presented was that she attempted to collect the Berks County overpayment in Dauphin County by requesting on March 31, 2010 that the Dauphin County Domestic Relations Section apply her \$12,059 credit against father's Dauphin County arrears. (See footnote 4 and accompanying text)

## FINALITY OF DAUPHIN COUNTY PROCEEDINGS

Father asserts that because mother previously sought to include her Berks County credit during Dauphin County support proceedings, that the issue was resolved when a final Dauphin County court order was entered September 9, 2008, which did not include her requested credit, and from which order mother did not appeal. Father's attorney also argued at the hearings on August 20 and September 20, 2010, that the issue of the Berks County credit had been resolved when the parties reached an overall settlement of support issues on September 9, 2008. (N.T. 9/20/10 at 7) Father notes that at the April 21, 2008 support

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conference, mother requested that the Berks County credit be included in the Dauphin County support order while father objected to the inclusion. Immediately following the conference and upon the conference officer's recommendation, I issued a series of interim orders which denoted the arrears to total \$15,001. This figure did not include mother's requested credit, then thought to be \$7,269 by the conference officer. Father sought *de novo* review which turned into a settlement conference between the attorneys and resulted in an agreed order which I issued on September 9, 2008, suspending all child support as of May 14, 2008, and directing that father pay \$200 per month against his Dauphin County arrears of \$15,001.

These issues raised by mother – that the September 9, 2008 settlement conference resulted in a settlement of the credit issue which was incorporated into order I issued that same day – are in the nature of fact issues. Father's recollection of the facts surrounding these events are that at the September 9, 2008 settlement conference I informed the parties I would grant mother her Berks County credit but that I wanted the parties to agree on a final figure so that they would not be back in court re-litigating the issue. (N.T. 8/20/10 at 13) Father's attorney claimed he then offered to pay mother \$10,000 total to cover his Dauphin County arrearage, then over \$14,000, and the Berks County credit, which he believed was then around \$7,000. According to father's attorney, mother rejected the \$10,000 offer, though they ultimately agreed that he would pay approximately \$14,000, which father's attorney believed incorporated the approximate \$7,000 credit owed mother from Berks County. In exchange, father agreed he would not pursue his claim that his 2006 through 2008 income had been over-stated resulting in an inflated child support obligation. (N.T. 8/20/10 at 14, 19-20) Father's attorney insisted that she only agreed to drop father's appeal on the income issues because the Berks County credit issue had been resolved. (N.T. 8/20/10 at 24)

Mother's attorney, on the other hand, recollected that the only issue before me for the September 9, 2008 *de novo* review, was the amount father owed under the Dauphin County support order. Mother's attorney agreed that father's attorney made an offer of \$10,000 to resolve the approximate \$14,000 Dauphin County arrearage (as of September 2008), which mother rejected. Mother's attorney denied that there was any kind of agreement resolving the Berks County credit. (N.T. 8/20/10 23-24) He recalled that I told counsel that the issue of the Berks County credit and another unrelated issue mother sought to raise (college expenses) would have to be resolved at another time. (N.T. 8/20/10 at

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On the record, I indicated that I did not believe father had submitted sufficient evidence to show that the issue of the Berks County credit was resolved at the settlement conference September 9, 2008. I set forth my reasoning, as follows:

**The Court:** ... there was no order that established what the amount of [the Berks County credit] was. We never transferred it to Dauphin County.

**Father's Attorney:** But it was in dispute and it was discussed at the hearing [before the conference officer], Your Honor.

**The Court:** But I never resolved it. I never issued an order resolving it.

**Father's Attorney:** The parties agreed to a final [September 9, 2008] order, Your Honor.

**The Court:** You have shown me no agreement. It wasn't put in the proposed court order. There is no letter between you and [mother's attorney] embodying the agreement. What makes sense is if the arrears were \$14,454, the current cash value would have been \$10,000. So it would make sense for you to offer \$10,000 to clear that up. But no way would a \$10,000 offer have been appropriate for a \$20,000 arrearage which would have been the Dauphin County of \$14[,000] and the \$7,000 owed in Berks County, \$21,000. So I am sure that that, I mean, just does not make sense. I would have encouraged a \$10,000 cash offer to pay off the \$14,000 because that would be the current cash value but that did not take into account the Berks County [credit] and the Berks County [credit] was never transferred to Dauphin County so that is what today's proceeding is is what is the amount of the Berks County credit to be transferred to add to what she is owed.

Now I will reopen the hearing when I have a response from the [Berks County] president judge [as to the correct amount of the credit]. ...

(N.T. 8/20/10 at 28-29) Because father failed to provide evidence that the credit issue was resolved on September 9, 2008, I rejected father's argument that that order fully litigated the issue and foreclosed mother's later attempt to recover the credit.

Enders v. Carns

RIGHT OF DAUPHIN COUNTY  
TO ENFORCE BERKS COUNTY OVERPAYMENT

Father's final argument is that the Dauphin County Court lacked the authority to add a Berks County overpayment to a Dauphin County order collecting father's arrearage. I direct the appellate court to the following discussion at the second hearing in support of my finding that mother's credit can be collected in Dauphin County:

**The Court:** ... Now, one of the issues raised was whether we can apply the credit to offset or add to this so that we just have one county collecting, or if we need Berks County to do their own wage attachment to correct the arrears. And, Kim [Robison, Domestic Relations Section Director], you would be aware of what state policies we operate under. It's a statewide child support collection and disbursement system under PACSES. Do we have any regulations or is it merely operating procedure policy that we do this for other counties and they do it for us?

**DRS Director:** If Berks County closed their case, which they very well may have done –

**Mother's Attorney:** I can tell you they did because we tried to have them do it, Your Honor. That's the only reason we're here.

**DRS Director:** And I think that was part of the problem, because when they closed their case that's why they showed \$7,200 [credit]. Then they acknowledged that when they closed the case, there was a balance of over \$4,000 that they didn't — if you would look at PACSES, that's why no one was seeing it.

So right now they — as far as they were concerned, they closed their case. They took everything off. So right now there's one case with the balance and that's the Dauphin County case.

Two things could happen. Berks County could — but then there would have to be litigation. They could reinstate their case and put a balance on, but the money's going to be coming in, it would be disbursed then, since the recipient is the same person both on the Dauphin County case and the Berks County case. The other option would be that through Court order we

Enders v. Carns

would add to the current balance in the Dauphin County case an additional amount by way of Court order and then it would just be there and we would just hold the arrearage. ...

**The Court:** So rather than having two wage attachments or whatever, it would be one and it's consolidated under one county. And is that routinely done?

**DRS Director:** Mm-hmm, especially if a county already closed out their case. If they still had their case open with a balance, then we'd just let them collect on theirs and we would collect on ours. But since they closed their case, they took everything off the system, you know, right now they have a zero balance on their case.

\* \* \*

**DRS Director:** ... And, I mean, if this was a Dauphin County case, we routinely have situations where, you know, someone will — the children will change from one household to another, and when we do the retroactivity there might be a credit that exists on one case and we will put it on by way of Court order, transfer it as an arrearage to the case that's now existing. We do that on a routine basis because everybody's here in Dauphin County.

(N.T. 9/20/10 at 8-11)

The Domestic Relations Code broadly includes as part of the powers and duties of a Domestic Relations Section the power to “collect and pay over to persons entitled thereto moneys received pursuant to support proceedings” and to “make effective the orders of support entered.” 23 Pa.C.S.A. § 4305(a)(4) and (7). This court is additionally afforded broad discretion to enforce and correct overpayments. *Portugal, supra*. The evidence before me was that the Berks County Court had administratively closed its case, that mother tried to obtain relief in Berks County but was unable to do so,<sup>7</sup> that father was refusing to pay back this huge

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7. This is consistent with the language included in that Court's order of February 1, 2007, which created the overpayment, whereby the judge issuing the order stated that to the extent father did not seek credit for medical contributions against the overpayment, that “[o]therwise, [mother] is left to pursue any legal remedy available to her outside of this case.” *Id.* This language seems to indicate that that court expected the mother to pursue her credit outside of that Berks County support order.

Enders v. Carns

windfall he had received absent a court order directing him to do so, and that father had an existing charge in Dauphin County for payment of arrears. Given the broad discretion afforded this court, it was entirely proper for this court to add mother's Berks County credit to father's Dauphin County arrears.

This decision is further consistent with the provisions of the Support Rules. Rule 1910.2-1(b) states that "if courts in two or more counties must be involved in the establishment and enforcement of an obligation for support: ... the case must proceed pursuant to the Intrastate Family Support Act."<sup>8</sup> Pa.R.C.P. Rule 1910.2-1(b)(1). As noted, this court's involvement was in part necessitated by the Berks County case closure and by mother's inability to obtain relief there. That Intrastate Family Support Act applies to actions between parties from different counties in Pennsylvania. 23 Pa.C.S.A. § 8102. It includes provisions by which a support order issued by one tribunal may be registered for enforcement in any other tribunal of competent jurisdiction. 23 Pa.C.S.A. §§ 8401-02. Though this Act, like the Support Rules and the Domestic Relations Code, is generally addressed to the collection and enforcement of support and arrears, as opposed to overpayments, it must be considered as extending to the collection of overpayments in light of this court's broad discretion to enforce and correct overpayments. Mother's contact with Dauphin County in March 2010, by which she provided a notarized copy from Berks County of its "Statement of Arrears" there, should be considered as effectively in compliance with the registration requirements of the Act. *See* 23 Pa.C.S.A. § 8402(a).

Accordingly, I entered an order of support on September 20, 2010, directing that mother's overpayment of support in the Berks County action be added to father's support arrearage in this case.

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8. Pennsylvania Intrastate Family Support Act. 23 Pa.C.S.A. § 8101 *et seq.*



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**FIRST PUBLICATION**

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**Estate Notices**

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ESTATE OF JOHN E. WATERS, late of the City of Harrisburg, Dauphin County, Pennsylvania (died February 14, 2011). Executrix: Jean M. Waters, 6470 Gallop Road, Harrisburg, PA 17111. Attorney: Robert L. Knupp, Esq., Knupp Law Offices, LLC, 407 North Front Street, P.O. Box 630, Harrisburg, PA 17108-0630. Telephone (717) 238-7151. m25-a8

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ESTATE OF MARIS MACCHIONI, late of Derry Township, Dauphin County, Pennsylvania. Personal Representative: Lynn A. Reinhold. Attorney: Anthony J. Nestico, Esq., Nestico, Druby & Hildabrand, P.C., 840 East Chocolate Avenue, Hershey, PA 17033. m25-a8

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ESTATE OF SHIRLEY S. SIMMONS, late of Middle Paxton Township, Dauphin County, Pennsylvania. Executrix: Debra A. Nye, 58 Walsh Road, Halifax, PA 17032. Attorney: Gregory M. Kerwin, Esq., Kerwin & Kerwin, LLP, 4245 State Route 209, Elizabethtown, PA 17023. m25-a8

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ESTATE OF RUSSELL G. JURY, late of the Township of Halifax, Dauphin County, Pennsylvania (died February 20, 2011). Executrix: Shirley A. Long, 374 Parmer Drive, Halifax, PA 17032. Attorney: Joseph D. Kerwin, Esq., Kerwin & Kerwin, LLP, 4245 State Route 209, Elizabethtown, PA 17023. m25-a8

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ESTATE OF FLORENCE SOLOMON, late of Susquehanna Township, Dauphin County, Pennsylvania (died January 28, 2011). Administrator: Michael L. Solomon, 1616 Galen Road, Harrisburg, PA 17110. Attorney: Michael L. Solomon, Esq., 240 North Third Street, 7th Floor, Harrisburg, PA 17101. m25-a8

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ESTATE OF ANDREW J. SIGNORE a/k/a ANDREW J. SIGNORE, SR., late of Swatara Township, Dauphin County, Pennsylvania (died July 28, 2010). Personal Representative: Carol I. Signore, 890 Cardinal Drive, Harrisburg, PA 17111. Attorney: Richard C. Seneca, Esq., 564 Old York Road, Etna, PA 17319. m25-a8

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ESTATE OF CORRINE M. SCHOFIELD, late of Harrisburg, Dauphin County, Pennsylvania (died January 19, 2011). Co-Executors: Andrea P. Schofield, 5404 Pond Road, Harrisburg, PA 17111 and Francis B. Schofield, 2662 Chestnut Street, Elizabethtown, PA 17022. Attorney: Amy M. Moya, Esq., 5011 Locust Lane, Harrisburg, PA 17109. m25-a8

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**SECOND PUBLICATION**

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ESTATE OF ELEANOR M. SALLADA, late of Lower Paxton Township, Dauphin County, Pennsylvania. Executrix: Sherry L. Sallada, 2604 Paxton Church Road, Harrisburg, PA 17110. Attorneys: Butler Law Firm, 500 North Third Street, P.O. Box 1004, Harrisburg, PA 17108. m18-a1

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ESTATE OF LEON C. HOERNER, late of Conewago Township, Dauphin County, Pennsylvania (died February 27, 2011). Co-Executors: Ralph A. Hoerner, 410 Gates Road, Hershey, PA 17033 and Theresa M. Weinhold, 8 Fox Run Road, Lebanon, PA 17042. Attorney: Jean D. Seibert, Esq., Wion, Zulli & Seibert, 109 Locust Street, Harrisburg, PA 17101. m18-a1

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ESTATE OF PATRICIA J. CLENDENIN, late of Middletown, Dauphin County, Pennsylvania (died February 17, 2011). Executor: John S. Clendenin, II. Attorney: David C. Miller, Jr., Esq., 1100 Spring Garden Drive, Suite A, Middletown, PA 17057. Telephone (717) 939-9806, e-mail: DavidCMillerJr@verizon.net. m18-a1

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**SECOND PUBLICATION**

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**Estate Notices**

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ESTATE OF ROBERT E. STRANG, late of Lower Paxton Township, Dauphin County, Pennsylvania (died July 9, 2010). Administratrix: Erica J. Strang. Attorney: Nora F. Blair, Esq., 5440 Jonestown Road, P.O. Box 6216, Harrisburg, PA 17112. m18-a1

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ESTATE OF EUGUENE D. ALTHER, late of Londonderry Township, Dauphin County, Pennsylvania (died November 27, 2010). Personal Representative: Terry D. Alther, 813 Locust Grove Road, Elizabethtown, PA 17022. Attorney: Charles E. Wasilefski, Esq., Peters & Wasilefski, 2931 North Front Street, Harrisburg, PA 17110. m18-a1

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ESTATE OF HELEN M. HARR, late of Susquehanna Township, Dauphin County, Pennsylvania (died January 4, 2011). Executor: Douglas E. Yates, 2725 Booser Avenue, Harrisburg, PA 17103. Attorney: Jeffrey A. Ernico, Esq., Mette, Evans & Woodside, 3401 North Front Street, Harrisburg, PA 17110. Telephone (717) 232-5000. m18-a1

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ESTATE OF WILLIAM L. THOMPSON a/k/a WILLIAM LEE THOMPSON, late of Derry Township, Dauphin County, Pennsylvania (died March 3, 2011). Executor: Jeffrey S. Thompson. Attorney: George W. Porter, Esq., 909 East Chocolate Avenue, Hershey, PA 17033. m18-a1

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ESTATE OF ELIZABETH A. ISKRIC, late of Swatara Township, Dauphin County, Pennsylvania (died January 7, 2011). Executrix: Kim Marie Romeo, 1537 Ridge Road, Elizabethtown, PA 17022. Attorney: Jeffrey R. Ballomo, Esq., 910 South George Street, York, PA 17403. m18-a1

ESTATE OF KENNETH M. FASNACHT, SR., late of Lower Swatara Township, Dauphin County, Pennsylvania. Co-Executors: Kenneth M. Fasnacht, Jr., Barbara Ann Brassell, Deborah Reitz and Sandra Lynne Geesaman, c/o Stone Lafaver & Shekletski, 414 Bridge Street, New Cumberland, PA 17070. Attorney: David H. Stone, Esq., Stone Lafaver & Shekletski, P.O. Box E, New Cumberland, PA 17070. m18-a1

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ESTATE OF JOHN A. NATALE, SR. a/k/a JOHN A. NATALE, late of Swatara Township, Dauphin County, Pennsylvania. Executrix: Joy Ann Natale, 6100 Evelyn Street, Harrisburg, PA 17111. Attorneys: Butler Law Firm, 500 North Third Street, P.O. Box 1004, Harrisburg, PA 17108. m18-a1

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ESTATE OF LEROY W. DECKER, late of Harrisburg, Dauphin County, Pennsylvania (died February 2, 2011). Attorney: Gary L. James, Esq., James, Smith, Dietterick & Connelly, LLP, 134 Sipe Avenue, Hummelstown, PA 17036. Telephone (717) 533-3280. m18-a1

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ESTATE OF JEAN E. ZEIGLER, late of Lower Paxton Township, Dauphin County, Pennsylvania. Executrix: June E. Zeigler Selle, 5 Meuhlenberg Avenue, Duncannon, PA 17020. Attorney: Earl Richard Etzweiler, Esq., 105 North Front Street, Harrisburg, PA 17101. Telephone (717) 234-5600. m18-a1

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ESTATE OF FRANCIS A. PARSHALL, late of the Township of Lower Paxton, Dauphin County, Pennsylvania. Administratrix: Helen S. Parshall, 1621 Elbridge Road, Harrisburg, PA 17112. Attorney: Johanna H. Rehkamp, Esq., Turner and O'Connell, 4701 North Front Street, Harrisburg, PA 17110. m18-a1

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**SECOND PUBLICATION**

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**Estate Notices**

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ESTATE OF PATRICIA M. BOOKAS, late of the City of Harrisburg, Dauphin County, Pennsylvania (died February 16, 2011). Executor: Michael E. Bookas. Attorney: Nora F. Blair, Esq., 5440 Jonestown Road, P.O. Box 6216, Harrisburg, PA 17112. m18-a1

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**THIRD PUBLICATION**

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ESTATE OF MARYELLA ROLLIN, late of Lower Paxton Township, Dauphin County, Pennsylvania (died May 30, 2010). Executor: Richard C. Seneca, 564 Old York Road, Eters, PA 17319. Attorney: Richard C. Seneca, Esq., 564 Old York Road, Eters, PA 17319. m11-m25

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ESTATE OF JANET B. REEM, late of Swatara Township, Dauphin County, Pennsylvania. Personal Representative: Robin Dunlap Reem, 7680 NW 11th Street, Pembroke Pines, FL 33024. Attorney: Allen E. Hench, Esq., Allen E. Hench Law Office, P.C., 220 Market Street, Newport, PA 17074. Telephone (717) 567-3139. m11-m25

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ESTATE OF RUTH N. PORTERFIELD, late of Dauphin County, Pennsylvania (died January 28, 2011). Personal Representative: Craig Porterfield, 436 Blue Ridge Drive, York, PA 17402. m11-m25

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ESTATE OF GRACE P. VARNICLE, late of West Hanover Township, Dauphin County, Pennsylvania. Co-Executors: Virginia A. Livingston and William E. Scheffer, Jr., 135 North George Street, York, PA 17401. Attorney: Sharon E. Myers, Esq., CGA Law Firm, PC, 106 Harrisburg Street, P.O. Box 606, East Berlin, PA 17316. Telephone (717) 259-9592. m11-m25

ESTATE OF JAMES EARL SHAFFER, late of Derry Township, Dauphin County, Pennsylvania (died February 5, 2011). Executor: Robert E. Shaffer. Attorney: George W. Porter, Esq., 909 East Chocolate Avenue, Hershey, PA 17033. m11-m25

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ESTATE OF JEFFREY ALAN MILLER, late of Lower Paxton Township, Dauphin County, Pennsylvania (died February 7, 2011). Administratrix: Lucia Roberto Miller, 704 Old Limekiln Lane, Newport, PA 17074. Attorney: Terrence J. Kerwin, Esq., Kerwin & Kerwin, LLP, 27 North Front Street, Harrisburg, PA 17101. m11-m25

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ESTATE OF MARJORIE F. GILLAM, late of Harrisburg, Dauphin County, Pennsylvania (died November 15, 2010). Personal Representatives: Debra J. Eckley, 7621 Coriander Way, Harrisburg, PA 17112 and Paul J. Gillam, 347 Harshaw Drive, Chester Springs, PA 19425. Attorney: Kevin J. Ryan, Esq., Ryan, Morton & Imms LLC, 220 W. Gay Street, West Chester, PA 19380-2917. m11-m25

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ESTATE OF SALOME M. KOCHER, late of Lower Paxton Township, Dauphin County, Pennsylvania (died January 3, 2011). Executor: Karl E. Kocher, Jr., 520 Walnut Street, Apt. 4, Lemoyne, PA 17043. Attorney: Joseph J. Dixon, Esq., 126 State Street, Harrisburg, PA 17101. m11-m25

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ESTATE OF RILEY A. PATRICK a/k/a RILEY PATRICK and MILDRED C. PATRICK LIVING TRUST dated May 22, 1996, as amended (the "Trust"), following the death of Mildred C. Patrick, late of Derry Township, Dauphin County, Pennsylvania on February 6, 2011 (the "Decedent"), is hereby given. Successor Death Trustee: Kenneth E. Patrick, c/o James Smith Dietterick & Connelly, LLP, P.O. Box 650, Hershey, PA 17033. Attorney: Gary L. James, Esq., James Smith Dietterick & Connelly, LLP, P.O. Box 650, Hershey, PA 17033. Telephone (717) 533-3280. m11-m25

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**THIRD PUBLICATION**

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**Estate Notices**

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ESTATE OF GRACE N. STAHLER, late of the City of Harrisburg, Dauphin County, Pennsylvania. Executrix: Joan Solt, c/o Bradford D. Wagner, Esq., 662 Main Street, Hellertown, PA 18055-1726. Attorney: Bradford D. Wagner, Esq., 662 Main Street, Hellertown, PA 18055-1726. Telephone (610) 838-6563.

m11-m25

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ESTATE OF REV. BRIAN P. CONRAD, late of Lower Paxton Township, Dauphin County, Pennsylvania (died February 13, 2011). Executrix: Mary Patricia Conrad a/k/a Sister Ann Patrick, 11405 Encore Drive, Silver Spring, MD 20901. Attorney: Terrence J. Kerwin, Esq., Kerwin & Kerwin, LLP, 27 North Front Street, Harrisburg, PA 17101.

m11-m25

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**FIRST PUBLICATION**

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**Corporate Notices**

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NOTICE IS HEREBY GIVEN that an application was made to the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, on the 8th day of March, 2011, by **Industrial Energy Users-Ohio**, an Ohio non-profit corporation, with its principal office located at 21 East State Street, 17th Floor, Columbus, OH 43215, for a Certificate of Authority under the provisions of the PA Nonprofit Corporation Law of 1988.

The proposed registered office of the said corporation in the Commonwealth of Pennsylvania will be located at c/o Corporation Service Company, Dauphin County, PA.

McNEES, WALLACE & NURICK LLC  
100 Pine Street  
m25 Harrisburg, PA 17101

NOTICE IS HEREBY GIVEN that **LINDA MEHAFFIE REALTY INC.** has been incorporated under the provisions of the Pennsylvania Business Corporation Law of 1988.

EUGENE STEGER & ASSOCS., PC  
411 Old Baltimore Pike  
Suite 101  
m25 Chadds Ford, PA 19317

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NOTICE IS HEREBY GIVEN that pursuant to the requirements of Section 4129 of the Pennsylvania Business Corporation Law of 1988, notice is hereby given that **INTEGRITY CONSULTING INTERNATIONAL, INC.**, a Nevada corporation, transacting business in Pennsylvania with its registered office in the Commonwealth at c/o 600 N. Second Street, Harrisburg, PA 17101, and the principal address in Nevada is at 2248 Meridian Boulevard, Suite H, Minden, NV 89423 will file a certificate terminating its authority as a foreign corporation.

MARSHAL H. DAVIS, Esq.  
2021 Buckingham Drive  
P.O. Box 364  
m25 Jamison, PA 18929

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NOTICE IS HEREBY GIVEN that **PERKINS & WILL ARCHITECTS, P.C.**, a corporation organized under the laws of the state of New York, a Professional Corporation has applied for a Certificate of Authority under the provisions of the Business Corporation Law of 1988. The address of its principal office under the laws of the jurisdiction in which it is incorporated is: 215 Park Avenue S., New York, NY 10003 and the address of its proposed registered office in this Commonwealth is c/o 116 Pine Street, Suite 320, Harrisburg, PA 17101.

POWELL, TRACHTMAN,  
LOGAN, CARRLE & LOMBARDO,  
m25 114 North Second Street  
Harrisburg, PA 17101

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FIRST PUBLICATION

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Corporate Notices

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NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, for **Horicon Foods, Inc.** on March 10, 2011. The said corporation has been incorporated under the provisions of the Business Corporation Law of 1988 of the Commonwealth of Pennsylvania.

McNEES WALLACE & NURICK LLC  
100 Pine Street  
m25 Harrisburg, PA 17101

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NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Commonwealth of Pennsylvania, Department of State, at Harrisburg, Pennsylvania on March 2, 2011 for the purpose of obtaining a Certificate of Incorporation.

The name of the corporation organized under the Pennsylvania Business Corporation Law of 1988, Act of December 21, 1988, P.L. 1444, No. 177, as amended and supplemented, is: **361 Designs, Inc.**, 112 Market Street, 4th Floor, Harrisburg, PA 17101.

DUANE P. STONE, Esq.  
P.O. Box 696  
m25 Dillsburg, PA 17019

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NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, on the 23rd day of December 2010, for a business corporation organized under the Business Corporation Law of 1988, Act of December 21, 1988, P.L. 1444, No. 177, as amended.

The name of the Corporation is:  
**PT Apprenticeship, Inc.**

MICHAEL CHEREWKA, Esq.  
624 North Front Street  
m25 Wormleysburg, PA 17043

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NOTICE IS HEREBY GIVEN that **Colonial Park Trust** with a commercial registered agent 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. 4129(b). The address of its principal office under the laws of its jurisdiction is 180 East Broad Street, 21st Floor, Columbus, OH 43215.

This shall serve as official notice to creditors and taxing authorities. m25

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NOTICE IS HEREBY GIVEN that **Wrestle for a Cure Inc.**, a foreign non-profit corporation incorporated under the laws of the State of Delaware, where its principal office is located at 2711 Centerville Road, Suite 400, Wilmington, Delaware 19808, has applied for a Certificate of Authority in Pennsylvania, where its registered office is located at 2334 Forest Lane, Harrisburg, Pennsylvania 17112. The purposes for which it has been organized are to organize, promote and operate Folkstyle, Freestyle and Greco Roman wrestling tournaments and events for the benefit of charity.

The registered office of the corporation shall be deemed for venue and official publication purposes to be located in Dauphin County, Pennsylvania. m25

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NOTICE IS HEREBY GIVEN that **Swift Transportation Company, Inc.**, a foreign business corporation incorporated under the laws of the State of Arizona, intends to withdraw from doing business in this Commonwealth. The address, including street and number, if any, of its principal office under the laws of its jurisdiction is: 2200 South 75th Avenue, Phoenix, AZ 85043.

Its last registered office in this Commonwealth is c/o National Registered Agents, Inc. and is deemed for venue and official publication purposes to be located in Dauphin County. m25

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NOTICE IS HEREBY GIVEN that **Landmark Healthcare Services, Inc.** (1750 Howe Avenue, Suite 300, Sacramento, CA 95825-3369) will file an application for registration of the fictitious name "**MyRehabReport**" under 54 Pa. C.S. m25

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FIRST PUBLICATION

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Corporate Notices

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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 **Wolford America, Inc.** The address of its principal office under the laws of its jurisdiction is 11 East 26th Street, Suite 1301, New York, NY 10010. The name of this corporations commercial registered office provider is United Corporate Services, Inc. in the County of Dauphin.

The Corporation is filed in compliance with the requirements of the applicable provision of 15 Pa. C.S. 4124(b). m25

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NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Corporation Bureau of the Department of State of the Commonwealth of Pennsylvania:

- (1) The name of the corporation is **ARYA ASSOCIATES, INC.**
- (2) The corporation has been organized under Title 15 of the Pennsylvania Consolidated Statutes §§ 1101-4162 (the Business Corporation Law of 1988, as amended).

ROBERT C. MAY, Esq.  
The Law Firm of May & May, P.C.  
4330 Carlisle Pike  
Camp Hill, PA 17011  
m25 (717) 612-0102

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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 **Green Technical Services Inc.** The address of its principal office under the laws of its jurisdiction is 106 Crosby Road, Dover, NH 03 820. The name of this corporations commercial registered office provider is National Corporate Research, Ltd. in the County of Dauphin.

The Corporation is filed in compliance with the requirements of the applicable provision of 15 Pa. C.S. 4124(b). m25

NOTICE IS HEREBY GIVEN that an application for registration of the assumed name **TruBlu Pool Solutions** for the conduct of business in Dauphin County, Pennsylvania, with the principal place of business being 526 North Second Street, Steelton, PA 17113, was made to the Department of State of Pennsylvania at Harrisburg, Pennsylvania, on the 8th day of March 2011, pursuant to 54 Pa. C.S. §311.

The name of the individual owning or interested in the said business is Joshua Smith.

McNEES WALLACE & NURICK LLC  
100 Pine Street  
P.O. Box 1166  
m25 Harrisburg, PA 17108-1166

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NOTICE IS HEREBY GIVEN that **Exterior Energy Solutions, LLC**, a Pennsylvania limited liability company under the laws of the Commonwealth of Pennsylvania, with its principal place of business at 129 Graystone Drive, Hummelstown, Pennsylvania 17036, was issued a Certificate of Organization from the Department of State of the Commonwealth of Pennsylvania on March 3, 2011. The Pennsylvania limited liability company is established under the provisions of the Pennsylvania Limited Liability Company Law of 1994, 15 Pa. C.S. §8913, as amended.

CHARLES J. DEHART, III, Esq.  
Caldwell & Kearns  
3631 North Front Street  
m25 Harrisburg, PA 17110

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NOTICE IS HEREBY GIVEN that **Matrix Environmental Technologies Inc.**, a foreign business corporation incorporated under the laws of the State of New York, where its principal office is located at 3730 California Road, P.O. Box 427, Orchard Park, NY 14127, has applied for a Certificate of Authority in Pennsylvania, where its registered office is located at 116 Pine Street, Suite 320, Harrisburg, PA, 17101.

The registered office of the corporation shall be deemed for venue and official publication purposes to be located in Dauphin County, Pennsylvania. m25

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FIRST PUBLICATION

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Corporate Notices

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NOTICE IS HEREBY GIVEN that **4B Insurance Services, Inc.**, a foreign business corporation incorporated under the laws of the State of California, received a Certificate of Authority in Pennsylvania on 6/28/2002 and surrenders its Certificate of Authority to do business in Pennsylvania.

Its last registered office in this Commonwealth was located at: c/o CT Corporation System, 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 29A Technology Drive, Suite 100, Irvine, CA 92618. m25

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NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on March 10, 2011, by **Eagle Test Systems, Inc.**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at Corporation Trust Ctr., 1209 Orange Street, Wilmington, DE 19801, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania is located at c/o CT Corporation System, Dauphin County, Pennsylvania. m25

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NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on March 8, 2011, by **Sloan Valve Company**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at 1209 Orange Street, Wilmington, DE 19801, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania is located at c/o CT Corporation System, Dauphin County, Pennsylvania. m25

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NOTICE IS HEREBY GIVEN that a Certificate of Authority was filed in the Department of State of the Commonwealth of Pennsylvania for **CLEAREDGE POWER, INC.** The address of its principal office under the laws of its jurisdiction is 7175 NW Evergreen Parkway, Suite 100, Hillsboro, OR 97124. The Commercial Registered Agent is listed as National Registered Agents, Inc. in Dauphin County.

The Corporation is filed in compliance with the requirements of the applicable provisions of 15 Pa. C.S. 4124(b). m25

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NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on March 1, 2011, by **Bozzuto Management Company**, a foreign corporation formed under the laws of the State of Maryland, where its principal office is located at 7850 Walker Drive, Suite 400, Greenbelt, MD 20770, 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 is located at c/o CT Corporation System, Dauphin County, Pennsylvania. m25

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NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State for **BMCHPA, Inc.**, a corporation organized under the Pennsylvania Business Corporation Law of 1988. m25

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FIRST PUBLICATION

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Corporate Notices

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NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on March 14, 2011, by **MedEnergy HealthGroup, Inc.**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at 1209 Orange Street, Wilmington, DE 19801, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania is located at c/o CT Corporation System, Dauphin County, Pennsylvania. m25

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NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on March 14, 2011, by **SciFluent Communications, Inc.**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at 1209 Orange Street, Wilmington, DE 19801, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania is located at c/o CT Corporation System, Dauphin County, Pennsylvania. m25

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NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on March 4, 2011, by **Tableau Software, Inc.**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at 837 N. 34th Street, Suite 400, Seattle, WA 98103, 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 is located at c/o CT Corporation System, Dauphin County, Pennsylvania. m25

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NOTICE IS HEREBY GIVEN that a Certificate of Authority was filed in the Department of State of the Commonwealth of Pennsylvania for **BRUNELLO CUCINELLI, USA, INC.** The address of its principal office under the laws of its jurisdiction is 7 Sutton Place, Brewster, NY 10509. The Commercial Registered Agent is listed as National Registered Agents, Inc. in Dauphin County.

The Corporation is filed in compliance with the requirements of the applicable provisions of 15 Pa. C.S. 4124(b). m25

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NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State for **Yeager Woodworking, Inc.**, a corporation organized under the Pennsylvania Business Corporation Law of 1988. m25

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NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on March 14, 2011, by **Martino & Binzer, Inc.**, a foreign corporation formed under the laws of the State of Connecticut, where its principal office is located at 270 Farmington Avenue, Suite 128, Farmington, CT 06032, 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 is located at c/o Corporation Service Company, Dauphin County, Pennsylvania. m25

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NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on March 14, 2011, by **JE Touring, Inc.**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at 2711 Centerville Road, Suite 400, Wilmington, DE 19808, 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 is located at c/o Corporation Service Company, Dauphin County, Pennsylvania. m25



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FIRST PUBLICATION

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Corporate Notices

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NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on February 28, 2011, by **BenefitFocus.com, Inc.**, a foreign corporation formed under the laws of the State of South Carolina, where its principal office is located at 100 Benefitfocus Way, Daniel Island, SC 29492, 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 is located at c/o National Registered Agents, Inc., Dauphin County, Pennsylvania. m25

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NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on March 14, 2011, by **Protection Strategies Incorporated (PSI)**, a foreign corporation formed under the laws of the Commonwealth of Virginia, where its principal office is located at 2300 9th Street South, Suite 400, Arlington, VA 22204, 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 is located at c/o National Registered Agents, Inc., Dauphin County, Pennsylvania. m25

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NOTICE IS HEREBY GIVEN that **Vanderlande Industries Inc.**, a foreign business corporation incorporated under the laws of the State of Delaware, where its principal office is located at 1828 West Oak Parkway, Marietta, GA 30062, has applied for a Certificate of Authority in Pennsylvania, where its registered office is located at 2595 Interstate Drive, Suite 103, Harrisburg PA 17110.

The registered office of the corporation shall be deemed for venue and official publication purposes to be located in Dauphin County, Pennsylvania. m25

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NOTICE IS HEREBY GIVEN to all persons interested or who may be affected by **Hard Day's Night Acquisition Corp.**, a Pennsylvania business corporation, with a registered office at c/o The Prentice-Hall Corporation System, Dauphin County, that the members and directors have approved a proposal that the corporation dissolve voluntarily and that the corporation and its Board of Directors is now engaged in winding up and settling the affairs of the corporation under the provisions of Section 1975 of the Pennsylvania Corporation Law of 1988, as amended. m25

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NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on March 15, 2011, for the purpose of obtaining a charter of a Nonprofit Corporation organized under the Nonprofit Corporation Law of 1988 of the Commonwealth of Pennsylvania. The name of the corporation is: **PEX FOUNDATION FOR THE ARTS, INC.**

The purpose or purposes for which it was organized are: Funding of artists & organizations that support or produce fine arts, performance, theatre, music & participatory art. m25

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NOTICE IS HEREBY GIVEN that **Wells Lamont Industry Group, Inc.**, a Delaware 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. m25

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NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State for **Benchmark Builders & Remodelers Inc.**, a corporation organized under the Pennsylvania Business Corporation Law of 1988. m25

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NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State for **Superior Seal Coating, Inc.**, a corporation organized under the Pennsylvania Business Corporation Law of 1988. m25

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**FIRST PUBLICATION**

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**Fictitious Notices**

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NOTICE IS HEREBY GIVEN pursuant to the provisions of Section 311 of the Fictitious Names Act, Act of 16 December 1982, P.L. 1309, Section 2, as amended, 54 Pa. C.S. Section 311, of the filing with the Corporation Bureau, Department of State, Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, on February 3, 2011, of an application for the registration of a fictitious name for the conducting of business under the assumed or fictitious name of **Arlington Physical Therapy and Sports Medicine**.

The principal office of the business is 805 Sir Thomas Court, Harrisburg, PA 17109.

The name and address of each person who is a party to the registration are: The Arlington Group, Inc., 805 Sir Thomas Court, Harrisburg, PA 17109.

MICHAEL L. BANGS, Esq.  
429 South 18th Street  
m25 Camp Hill, PA 17011

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NOTICE IS HEREBY GIVEN that an Application for Registration of Fictitious Name was filed on March 15, 2011 in the Office of the Commonwealth of Pennsylvania, Department of State, in accordance with the Fictitious Names Act, 54 Pa. C.S. §301 et seq.

The name under which the business will be conducted is **Penn State Hershey Children's Hospital** and the principal place of business is 500 University Drive, Hershey, PA 17033.

The principal party included in this registration is: The Milton S. Hershey Medical Center, 500 University Drive, Hershey, PA 17033.

ASHLEY D. COOPER Esq.  
McQuaide Blasko, Inc.  
811 University Drive  
m25 State College, PA 16801

NOTICE IS HEREBY GIVEN that an application for registration of a fictitious name, **Chad's Quality Landscaping**, for the conduct of business in Dauphin County, Pennsylvania, with the principal place of business being 5005 Irene Drive, Harrisburg, PA 17112, was made to the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania on the 11th day of March, 2011 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: Chad Eric Zimmerman, 5005 Irene Drive, Harrisburg, PA 17112. m25

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NOTICE IS HEREBY GIVEN pursuant to the provisions of Section 311 of the Fictitious Names Act, Act of 16 December 1982, P.L. 1309, Section 2, as amended, 54 Pa.C.S. Section 311, of the filing with the Corporation Bureau, Department of State, Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, on February 24, 2011, of an application for the registration of a fictitious name for the conducting of business under the assumed or fictitious name of **RESTAURANT AUCTION COMPANY**. The principal office of the business is 22 North Cameron Street, Harrisburg, Pennsylvania, 17101.

The name and address of each person who is a party to the registration are: Chef's Foodservice Equipment, Inc., 22 North Cameron Street, Harrisburg, PA 17101.

MICHAEL L. BANGS, Esq.  
429 South 18th Street  
m25 Camp Hill, PA 17011

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FIRST PUBLICATION

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Miscellaneous Notices

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IN THE COURT OF COMMON PLEAS  
OF DAUPHIN COUNTY  
PENNSYLVANIA

No. 2010-CV-14459-MF

NOTICE OF SHERIFF'S SALE

WELLS FARGO BANK, N.A., Plaintiff

vs.

DIANE SEBES, Defendant

NOTICE

TO: DIANE SEBES

NOTICE OF SHERIFF'S SALE  
OF REAL PROPERTY

BEING PREMISES: 34 SOUTH HARRIS-  
BURG STREET, STEELTON, PA 17113-2327,  
County of DAUPHIN, Commonwealth of Penn-  
sylvania.

PARCEL Number 1: 59-011-051-000-0000.

IMPROVEMENTS consist of residential  
property.

SOLD as the property of DIANE SEBES.

YOU ARE HEREBY NOTIFIED that your  
house (real estate) at 34 SOUTH HARRIS-  
BURG STREET, STEELTON, PA 17113-2327  
is scheduled to be sold at the Sheriff's Sale on  
APRIL 14, 2011 at 10:00 AM., at the DAUPHIN  
County Courthouse to enforce the Court  
Judgment of \$83,224.75 obtained by, WELLS  
FARGO BANK, N.A. (the mortgagee), against  
the above premises.

m25

PHELAN HALLINAN &  
SCHMIEG, LLP

IN THE COURT OF COMMON PLEAS  
OF DAUPHIN COUNTY  
PENNSYLVANIA

CIVIL ACTION – LAW

No. 2007-CV-13413-CV

PENNSYLVANIA STATE EMPLOYEES  
CREDIT UNION, Plaintiff

vs.

ISIAIAH J. JOHNSON, Defendant

NOTICE

TO: ISIAIAH J. JOHNSON

YOU ARE HEREBY NOTIFIED that on  
December 12, 2007, Plaintiff, Pennsylvania State  
Employees Credit Union, filed a Complaint  
endorsed with a Notice to Defend against you in  
the Court of Common Pleas of Dauphin County,  
Pennsylvania, docketed to No. 2007-CV-13413-  
CV, which has been reinstated, wherein Plaintiff  
seeks to enforce its rights under its loan docu-  
ments.

SINCE YOUR CURRENT WHEREABOUTS  
are unknown, the Court by Order dated March  
14, 2011, ordered notice of said facts and the fil-  
ing of the Complaint to be served upon you as  
provided by R.C.P. 430(b).

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

NOTICE

YOU HAVE BEEN SUED IN COURT. If you  
wish to defend, you must enter a written appear-  
ance personally or by attorney, and file your  
defenses or obligations 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 INFOR-  
MATION ABOUT HIRING A LAWYER.

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**FIRST PUBLICATION**

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**Miscellaneous Notices**

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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

SHAWN M. LONG, Esq.  
Barley Snyder LLC  
126 East King Street  
Lancaster, PA 17602  
m25 (717) 299-5201

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

**CIVIL ACTION – LAW**

**No. 2009-CV-05621-NT**

**PENNSYLVANIA STATE EMPLOYEES  
CREDIT UNION, Plaintiff**

vs.

**AYANNA D. CARTER, Defendant**

**NOTICE**

**TO: AYANNA D. CARTER**

YOU ARE HEREBY NOTIFIED that on April 30, 2009, Plaintiff, Pennsylvania State Employees Credit Union, filed a Writ of Revival endorsed with a Notice to Defend against you in the Court of Common Pleas of Dauphin County, Pennsylvania, docketed to No. 2009-CV-05621-NT, which has been reinstated, wherein Plaintiff seeks to enforce its rights under its loan documents.

SINCE YOUR CURRENT WHEREABOUTS are unknown, the Court by Order dated March 14, 2011, ordered notice of said facts and the filing of the Writ of Revival to be served upon you as provided by R.C.P. 430(b).

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

**NOTICE**

YOU HAVE BEEN SUED IN COURT. If you wish to defend, you must enter a written appearance personally or by attorney, and file your defenses or obligations in writing with the Court. You are warned that if you fail to do so, the case may proceed without you and a Judgment may be entered against you without further notice for the relief requested by the Plaintiff. You may lose money or property or other rights important to you.

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

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

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

SHAWN M. LONG, Esq.  
Barley Snyder LLC  
126 East King Street  
Lancaster, PA 17602  
m25 (717) 299-5201

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**FIRST PUBLICATION**

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**Miscellaneous Notices**

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

**CIVIL ACTION – LAW**

**No. 2007-CV-13496-CV**

**PENNSYLVANIA STATE EMPLOYEES  
CREDIT UNION, Plaintiff**

**vs.**

**SCOTT S. SZEKERES, Defendant**

**NOTICE**

**TO: SCOTT S. SZEKERES**

YOU ARE HEREBY NOTIFIED that on December 14, 2007, Plaintiff, Pennsylvania State Employees Credit Union, filed a Complaint endorsed with a Notice to Defend against you in the Court of Common Pleas of Dauphin County, Pennsylvania, docketed to No. 2007-CV-13496-CV, which has been reinstated, wherein Plaintiff seeks to enforce its rights under its loan documents.

SINCE YOUR CURRENT WHEREABOUTS are unknown, the Court by Order dated March 14, 2011, ordered notice of said facts and the filing of the Complaint to be served upon you as provided by R.C.P. 430(b).

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

**NOTICE**

YOU HAVE BEEN SUED IN COURT. If you wish to defend, you must enter a written appearance personally or by attorney, and file your defenses or obligations in writing with the Court. You are warned that if you fail to do so, the case may proceed without you and a Judgment may be entered against you without further notice for the relief requested by the Plaintiff. You may lose money or property or other rights important to you.

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

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

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

SHAWN M. LONG, Esq.  
Barley Snyder LLC  
126 East King Street  
Lancaster, PA 17602  
(717) 299-5201

m25

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

**CIVIL ACTION – LAW**

**No. 2008-CV-17047-CV**

**PENNSYLVANIA STATE EMPLOYEES  
CREDIT UNION, Plaintiff**

**vs.**

**MARKITA N. KENNEDY, Defendant**

**NOTICE**

**TO: MARKITA N. KENNEDY**

YOU ARE HEREBY NOTIFIED that on December 9, 2008, Plaintiff, Pennsylvania State Employees Credit Union, filed a Complaint endorsed with a Notice to Defend against you in the Court of Common Pleas of Dauphin County, Pennsylvania, docketed to No. 2008-CV-17047-CV, which has been reinstated, wherein Plaintiff seeks to enforce its rights under its loan documents.

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**FIRST PUBLICATION**

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**Miscellaneous Notices**

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SINCE YOUR CURRENT WHEREABOUTS are unknown, the Court by Order dated March 7, 2011, ordered notice of said facts and the filing of the Complaint to be served upon you as provided by R.C.P.430(b).

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

**NOTICE**

YOU HAVE BEEN SUED IN COURT. If you wish to defend, you must enter a written appearance personally or by attorney, and file your defenses or obligations in writing with the Court. You are warned that if you fail to do so, the case may proceed without you and a Judgment may be entered against you without further notice for the relief requested by the Plaintiff. You may lose money or property or other rights important to you.

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

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

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

SHAWN M. LONG, Esq.  
Barley Snyder LLC  
126 East King Street  
Lancaster, PA 17602  
(717) 299-5201

m25

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

**CIVIL ACTION – LAW**

**No. 2008-CV-3401-MF**

**NOTICE OF ACTION IN  
MORTGAGE FORECLOSURE**

**PNC BANK, NATIONAL ASSOCIATION,  
Plaintiff**

vs.

**MICHAEL C. PAUL and  
MARY ELLEN BUTENSKY, Defendants**

**TO: Michael C. Paul and  
Mary Ellen Butensky**

YOU ARE HEREBY NOTIFIED that on March 24, 2008, Plaintiff, PNC Bank, National Association, filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend against the above Defendants, in the Court of Common Pleas of Dauphin County, PA docketed at No. 2008-CV-3401-MF, wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 414 Spruce Street, Gratz, PA 17030, Tax Parcel No. 27-008-047, whereupon the property would be sold by the Sheriff of Dauphin County.

**NOTICE**

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the following, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the complaint or for any claim or 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 TO FIND OUT WHERE YOU CAN GET LEGAL HELP. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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**FIRST PUBLICATION**

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**Miscellaneous Notices**

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

PENNSYLVANIA LAWYER  
REFERRAL SERVICE  
100 SOUTH STREET  
P.O. BOX 186  
HARRISBURG, PA 17103  
TELEPHONE: 1-800-692-7375

BRETT A. SOLOMON, Esq.  
Tucker Arensberg, P.C.  
1500 One PPG Place  
Pittsburgh, PA 15222  
(412) 566-1212

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

**CIVIL ACTION – LAW**

**No. 2010 CV 16137**

**NOTICE OF ACTION IN  
MORTGAGE FORECLOSURE**

**BAC HOME LOANS SERVICING, LP fka  
COUNTRYWIDE HOME LOANS  
SERVICING LP, Plaintiff**

vs.

**STEPHEN C. NIGRO, Only Known  
Surviving Heir of SHARON L. NIGRO,  
Deceased Mortgagor and Real Owner  
and Unknown Surviving Heirs of  
SHARON L. NIGRO, DECEASED  
MORTGAGOR AND REAL OWNER,  
Defendants**

**TO: UNKNOWN SURVIVING  
HEIRS OF SHARON L. NIGRO,  
DECEASED MORTGAGOR  
AND REAL OWNER**

**PREMISES SUBJECT  
TO FORECLOSURE:  
353 MARKET STREET  
HIGHSPIRE, PENNSYLVANIA 17034**

**NOTICE**

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

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

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

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

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

m25

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**FIRST PUBLICATION**

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**Miscellaneous Notices**

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

**CIVIL ACTION – LAW**

**No. 2010-CV-13581-MF**

**NOTICE OF ACTION IN  
MORTGAGE FORECLOSURE**

**FULTON BANK, N.A.,  
FORMERLY KNOWN AS FULTON BANK,  
Plaintiff**

**vs.**

**UNKNOWN HEIRS, SUCCESSORS,  
ASSIGNS, AND ALL PERSONS, FIRMS,  
OR ASSOCIATIONS CLAIMING RIGHT,  
TITLE, OR INTEREST FROM OR  
UNDER RITA J. SCHUBACK, DECEASED,  
Defendants**

**IMPORTANT NOTICE**

**TO: UNKNOWN HEIRS, SUCCESSORS,  
ASSIGNS, AND ALL PERSONS,  
FIRMS, OR ASSOCIATIONS  
CLAIMING RIGHT, TITLE, OR  
INTEREST FROM OR UNDER  
RITA J. SCHUBACK, DECEASED**

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE

A LAWYER, GO TO OR TELEPHONE THE FOLLOWING 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

SHAWN M. LONG, Esq.  
Barley Snyder LLC  
126 East King Street  
Lancaster, PA 17602-2893  
(717) 299-5201

m25

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

**ORPHANS' COURT DIVISION**

**No. 10-OC-2011**

**IN RE: MAMIE BROWN, ABSENTEE**

**NOTICE OF HEARING**

YOU ARE HEREBY NOTIFIED that a petition for presumption of death of **MAMIE BROWN**, a missing individual believed dead, has been filed by **WILLIAM P. BROWN, III**.

NOTICE IS HEREBY GIVEN that at 8:30 o'clock a.m., on the 29th day of April, 2011, in Court Room Number 5, evidence will be heard by the Orphans' Court concerning the alleged absence of said missing individual and the circumstances and duration thereof. The missing individual, if alive, or any other individual having evidence that the missing individual is alive, is required to produce and present to the court evidence that the missing individual is still in life.

This 8th day of March, 2011.



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FIRST PUBLICATION

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Miscellaneous Notices

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CERTIFICATION  
COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF DAUPHIN

I, SANDRA C. SNYDER, do hereby certify that I am the duly elected Register of Wills and Clerk of the Orphans' Court in and for the County of Dauphin, Commonwealth of Pennsylvania, and as such duly elected official do hereby certify that the above **ORDER OF HEARING 10-OC-2011** is a true and correct copy of the said document as it appears in the records of the Office of the Register of Wills and Clerk of the Orphans' Court of said county.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal of my office this 10th, day of March, 2011, at Harrisburg, Pennsylvania.

/s/ SANDRA C. SNYDER  
Register of Wills and  
Clerk of Orphans' Court

m25-a1

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SECOND PUBLICATION

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Miscellaneous Notices

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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 there to **on Tuesday, April 19, 2011**. 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, April 12, 2011**.

1. FALCK, MARIE C., Deceased, First and Final Account of Lena Mattern and Florence Snyder, Executrices.
2. MARTZ, GEORGE E., Deceased, First and Final Account of George Martz Residuary Trust Under Will Dated May 31, 1977, Fulton Bank, N.A., Trustee.

Dated: March 14, 2011

/s/ SANDRA C. SNYDER  
Register of Wills and

m18-m25 Clerk of the Orphans' Court Division

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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*

MARCH 2011  
APRIL 2011

Judge Richard A. LEWIS  
Judge Lawrence F. CLARK, JR.

*Opinions Not Yet Reported*

February 28, 2011 – Turgeon, J., **Mihelich v. Fenstermacher**, No. 00740 DR 2009: PAC-SES 466110804

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m11-m25

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**MISCELLANEOUS SECTION**

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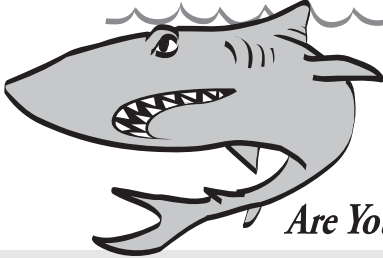
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