

ADVANCE SHEET

Pages 110-115

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CONTAINING THE DECISIONS RENDERED IN THE
12th JUDICIAL DISTRICT

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Kelly v. Kelly

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INTELLECTUAL PROPERTY LAW

Patentability and Infringement Studies

Patent Applications Worldwide

Can client use invention without infringing?
Can client prevent others from using invention?

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38 Years in Harrisburg

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TERMS

Advertisements must be received before 12 o'clock noon on Tuesday of each week at the office of the Dauphin County Reporter, 213 North Front Street, Harrisburg, PA 17101.

Telephone (717) 232-7536

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 BETTY L. GRABY, late of Gratz Borough, Dauphin County, Pennsylvania (died March 20, 2009). Executor: Douglas K. Graby, 1275 Wilhour Road, Millersburg, PA 17061. Attorney: Holly M. Kerwin, Esq., Kerwin & Kerwin, 27 North Front Street, Harrisburg, PA 17101. a10-a24

ESTATE OF LOUIS A. SPIZZIERI, late of Steelton Borough, Dauphin County, Pennsylvania. Executor: Franklin A. Spizzieri, 709 S. 2nd Street, Steelton, PA 17113. Attorney: John R. Zonarich, Esq., Skarlatos & Zonarich LLP, 17 South 2nd Street, 6th Floor, Harrisburg, PA 17101. a10-a24

ESTATE OF ANNA M. FREDERICK JONES a/k/a ANNA M. JONES, late of Wiconisco Township, Dauphin County, Pennsylvania. Executrix: Mary Lontz, 1755 Pottsville Street, Lykens, PA 17048. Attorney: Gregory M. Kerwin, Esq., Kerwin & Kerwin, 4245 Route 209, Elizabethville, PA 17023. a10-a24

ESTATE OF ROBERT DAVID HOFFMAN, late of Lower Paxton Township, Dauphin County, Pennsylvania (died November 15, 2008). Personal Representative: Cindy Thurman, 5801 Linglestown Road, Harrisburg, PA 17112. a10-a24

ESTATE OF DALE R. IBBERSON, late of the City of Harrisburg, Dauphin County, Pennsylvania (died March 2, 2009). Executrix: Judy Blanton, 1132 Picketown Road, Harrisburg, PA 17112. Attorney: Elyse E. Rogers, Esq., Keefer Wood Allen & Rahal LLP, 635 North 12th Street, Suite 400, Lemoyne, PA 17043. a10-a24

ESTATE OF WILLIAM G. WILSON, JR., late of the City of Harrisburg, Dauphin County, Pennsylvania (died February 23, 2009). Executor: Donald Wilson, 2122 Carey Way, Hummelstown, PA 17036. Attorney: Robert D. Kodak, Esq., Kodak & Imblum, P.C., 407 North Front Street, P.O. Box 11848, Harrisburg, PA 17108. a10-a24

SECOND PUBLICATION

ESTATE OF MARGARET TITTIGER, late of Lower Paxton Township, Dauphin County, Pennsylvania (died February 10, 2009). Executor: Frank Tittiger. Attorney: Marielle F. Hazen, Esq., 2000 Linglestown Road, Suite 202, Harrisburg, PA 17110. a3-a17

SECOND PUBLICATION

Estate Notices

ESTATE OF WILLIAM S. BEARD, late of Upper Paxton Township, Dauphin County, Pennsylvania. Executrix: Tracey A. Howard, 2934 Lincoln Highway East, Gordonville, PA 17529. Attorney: Earl Richard Etzweiler, Esq., 105 North Front Street, Harrisburg, PA 17101. Telephone (717) 234-5600. a3-a17

ESTATE OF DOROTHY A. LESHER, late of Elizabethville, Dauphin County, Pennsylvania. Co-Executors: Ronald Leshner, 301 Tennessee Avenue, Elizabethville, PA 17023 and Michael Leshner, 92 Enders Road, Halifax, PA 17032. Attorney: Gregory M. Kerwin, Esq., Kerwin & Kerwin, 4245 Route 209, Elizabethville, PA 17023. a3-a17

ESTATE OF LILLIAN ABELES, late of South Hanover Township, Dauphin County, Pennsylvania (died February 26, 2009). Executrix: Bonnie Diak, 7703 Hanoverdale Drive, Harrisburg, PA 17112. Attorney: James D. Cameron, Esq., 1325 North Front Street, Harrisburg, PA 17102. a3-a17

ESTATE OF MARY JANE FRONK, late of the Borough of Middletown, Dauphin County, Pennsylvania (died March 15, 2009). Executrix: Brenda J. Brubaker, 625 Hoffer Street, Middletown, PA 17057. Attorney: John S. Davidson, Esq., 320 West Chocolate Avenue, P.O. Box 437, Hershey, PA 17033-0437. a3-a17

ESTATE OF DUSHAN TALEFF, late of Lower Swatara Township, Dauphin County, Pennsylvania (died December 26, 2008). Executrix: Nadine Vukovich, 806 Tamar Road, Mechanicsburg, PA 17050. Attorney: Stanley A. Smith, Esq., Rhoads & Sinon LLP, One S. Market Square, P.O. Box 1146, Harrisburg, PA 17108-1146. a3-a17

ESTATE OF JEAN A. LONG, late of Lower Swatara Township, Dauphin County, Pennsylvania. Co-Executors: Richard Stambaugh and Carol Stambaugh, 5 Bells Hill, Landisburg, PA 17040. Attorney: Allen E. Hench, Esq., 220 Market Street, Newport, PA 17074. Telephone (717) 567-3139. a3-a17

ESTATE OF LARRY E. HUNTZINGER, late of Harrisburg, Dauphin County, Pennsylvania (died January 4, 2009). Executrix: Josephine L. Huntzinger, 305 S. Lakeview Drive, Harrisburg, PA 17110. Attorney: Richard S. Friedman, Esq., Richard S. Friedman, P.C., 300 North Second Street, Suite 402, Harrisburg, PA 17101. a3-a17

ESTATE OF DONNA JEAN KYLER, late of Steelton Borough, Dauphin County, Pennsylvania (died March 6, 2009). Administrator: John Kyler, 26 North 3rd Street, Steelton, PA 17113. Attorney: Jeff Foreman, Esq., 112 Market Street, 6th Floor, Harrisburg, PA 17101. Telephone (717) 236-9391. a3-a17

ESTATE OF BETTY L. WOLAND a/k/a BETTY W. ROMBERGER, late of the City of Harrisburg, Dauphin County, Pennsylvania (died March 12, 2009). Co-Executor: Robert A. Woland, 118 Winding Hill Drive, Lancaster, PA 17601. Co-Executor/Attorney: Harry L. Bricker, Jr., Esq., 407 North Front Street, Harrisburg, PA 17101. a3-a17

ESTATE OF CATHARINE P. SMITH, late of Dauphin County, Pennsylvania. Administratrix: Marsha J. Althouse, 400 Maryland Drive, P.O. Box 7544, Ft. Washington, PA 19034-7544. Attorney: Michael O'Hara Peale, Jr., Esq., Timoney Knox, LLP, 400 Maryland Drive, P.O. Box 7544, Ft. Washington, PA 19034-7544. a3-a17

ESTATE OF RAYMOND H. HOOVER, late of Dauphin County, Pennsylvania (died March 2, 2009). Executor: Ray Lee Hoover. Attorney: Steven P. Miner, Esq., Daley Zucker Meilton Miner & Gingrich, LLC, 1035 Mumma Road, Suite 101, Wormleysburg, PA 17043. a3-a17

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Given Dr. Lantzy's statement that "My concern, however, in (sic) where I feel the physicians ... erred ... is in the initial diagnosis of Elizabeth's infection," it is clear that the UVC issue is not Plaintiff's strongest suit. Still, it should be for the trial judge to determine whether testimony concerning the use of the UVC line in this case is admissible.

In the meantime, as for the motions for summary judgment, we enter the following:

ORDER

AND NOW, February 4, 2009,

IT IS HEREBY ORDERED that the Motion for Partial Summary Judgment of Defendants, Harrisburg Hospital and Pinnacle Health System, d/b/a Pinnacle Health, Pinnacle Health Hospitals, and Pediatrix Medical Group of Pennsylvania, Eric Michael, M.D., Margaret Donahue, M.D., Bernadine Moglia, M.D. are denied.

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Kelly v. Kelly

Domestic Relations — Custody — Jurisdiction — Uniform Child Custody Jurisdiction Enforcement Act — Home State — Temporary Absence.

Because of father's military deployment to Afghanistan in January, 2007, mother and child relocated temporarily from their home in Pennsylvania to Rhode Island. The family reunited briefly in Pennsylvania during father's two week furlough in October, 2007. However, shortly after completion of his military commitment and return to Pennsylvania in May, 2008, he filed for a divorce. Mother objected to jurisdiction in Pennsylvania, contending that Rhode Island should constitute the child's "home state" under the Uniform Child Custody Jurisdiction Enforcement Act (UCCJEA). The Court determined, however, that Pennsylvania had been the home state of the child when Mother and child relocated to Rhode Island, and that Pennsylvania remained the home state, despite such relocation, since the absence from the Commonwealth was intended to be temporary.

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1. A Court of this Commonwealth has jurisdiction to make an initial child custody determination only if this Commonwealth is the home state of the child on the date of the commencement of the proceeding, or was the home state of the child within six months before the commencement of the proceeding and the child is absent from the Commonwealth but a person acting as a parent continues to live within the Commonwealth. 23 Pa. C.S.A. §5421.

2. "Home State" is defined as the state in which a child lived with a parent for at least six consecutive months immediately before the commencement of a child custody proceeding; however, a period of temporary absence of the child or any of the parents from the state is included as part of any six consecutive month calculation. *See*, 23 Pa. C.S.A. §5402.

Petition Challenging Jurisdiction. C.P., Dau. Co., No. 2008-CV-14511-DC. Petition denied.

Maria P. Cognetti, for Plaintiff

John C. Howett, Jr., for Defendant

BRATTON, J., March 9, 2009. – This matter has come before the Court regarding a divorce action which contains a count regarding custody of the minor child, Charles Ayden Santos Kelly (DOB: November 3, 2003). The action was actually commenced by the filing of the divorce complaint in Centre County, Pennsylvania but was transferred at the request of the Plaintiff, Matthew Charles Kelly (hereinafter "Father"), upon his relocation to Dauphin County where he currently is enrolled in the Penn State College of Medicine at the Milton S. Hershey Medical Center. Defendant, Suzy Ann Santos Kelly (hereinafter "Mother"), has filed a Petition challenging jurisdiction which is currently before the Court.¹

Factually, it appears that the parties agreed that they were married in June of 2003 while the parents were both residing in Texas. The child in question was, in fact, born in Texas later that same year. The family

1. While the matter was still pending in Centre County, the Court of Common Pleas there faced a similar issue as to jurisdiction. After a hearing held before the Honorable Thomas King Kistler there on September 25, 2008 on which date he entered an Order which stated "After hearing, this Court determines that the Courts of Common Pleas of the Commonwealth of Pennsylvania do have jurisdiction over the custody dispute between Matthew Charles Kelly and Suzy Ann Santos Kelly. This Order of the Court is not intended to prejudice any party or any Court from making further determinations pursuant to the provisions of the UCCJEA regarding the appropriateness of any potential transfers of this action from any particular Court of Common Plea of Pennsylvania to the County Court in Kent County, Rhode Island or elsewhere."

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moved to State College, Pennsylvania, where Father was pursuing his undergraduate education at Penn State and they resided in a home they had purchased in State College, Pennsylvania, from May of 2005 until January of 2007. Father, however, was also a non-commissioned officer of the United States Army and was called to active duty in Afghanistan at that time. The parties also agreed that Mother and Father discussed his deployment and agreed that Mother and the child would temporarily move to Rhode Island where Mother's family resides so that she would have some support setting while Father was in the service of his country.

Father returned to the United States in October of 2007 for a two week leave and the family reunited in State College, Pennsylvania, during his furlough.

The parents also seemed to agree that their relationship had begun to deteriorate in late 2007. Father returned to State College in May of 2008 at the conclusion of his military commitment. Father filed his divorce action in Centre County on or about June 19, 2008.

Mother objects to jurisdiction in the Commonwealth of Pennsylvania citing to Section 5421 of the Uniform Child Custody Jurisdiction Enforcement Act (UCCJEA) which provides that, generally, the Court of this Commonwealth has jurisdiction to make initial child custody determination only if this Commonwealth is the home state of the child on the date of commencement of the proceeding or was the home state of the child within six months before the commencement of the proceeding and the child is absent from the Commonwealth but a person acting as a parent continues to live within the Commonwealth. 23 Pa. C.S.A. §5421. Home state is defined as the state in which a child has lived with the parent for at least six consecutive months immediately prior to the commencement of a child custody proceeding; however, a period of temporary absence of the child or of any of the parents from the state is included as part of any six consecutive month calculation. *See*, 23 Pa. C.S.A. §5402.

Mother, thus, contends that Rhode Island, where she has been living with the child since at least January of 2007, should constitute the "home state" under the UCCJEA; Father, however, contends that Mother's residence in Rhode Island does not alter the fact that, at the time Mother and the child left Pennsylvania, Pennsylvania was the home state and that Mother's move was only intended to be "a period

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of temporary absence” which would not alter the determination that Pennsylvania is the home state of the child.

Surprisingly, neither party has been able to direct the Court’s attention to any appellate court decision in this Commonwealth defining or describing the applicability of the UCCJEA’s language concerning “temporary absence” to facts such as those presented in this case.

In our review of other jurisdiction’s approach, we find that there has been at least three different approaches to the determination of whether an absence constitutes a “temporary absence” for the determination of home state jurisdiction.

Texas, for example, applies a rather strict physical presence test. In a case involving children who lived in Texas for three months then left the state with their mother for a few months then returned for a four month period before mother commenced a custody proceeding, the Texas Court of Appeals held that only the last four month period prior to commencement of the action counted for “home state” determination. *See, In re: Tieri*, 2008 Tex. App. LEXIS 6080. We note, however, that in Texas, only a parents absence from a state is included in the temporary absence calculation while Pennsylvania’s provisions regarding temporary absence refer to both the child’s and parent’s absences.

Other jurisdictions focus on the understanding of the parties with respect to the relocation of a parent and child in determining whether such move constitutes temporary absence from the jurisdiction. Connecticut Courts, for example, have determined that a court should examine what the parties’ intent and understanding was at the time of the move which took the party out of the state and should not attempt to conduct a retrospective examination of the parties’ evolving intentions. Thus, where parents married in Florida in 1996 but shortly thereafter separated and mother moved to Connecticut in June of 1997 where she gave birth to a child later that year and the parties later reunited in Florida in February of 1998 to attempt reconciliation but failed and mother returned to Connecticut in September of 1998 and initiated a divorce and custody proceeding there, the Connecticut Court did not include the time the mother had spent in Florida because the intent of the move was to reconcile with the father for an indefinite duration and, therefore, could not constitute a temporary absence. *See, Kleiner v. Kleiner*, 1999 Conn. Super. LEXIS 389.

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Yet a third approach which encompasses both of the prior two approaches, is sometimes referred to as “a totality of the circumstances” approach. In a North Carolina case, the mother removed the minor children from North Carolina to Vermont to take up residence with father’s parents in August of 2001. The parents reunited in North Carolina in November of 2001 but the children did not return to North Carolina until early January of 2002. Six weeks later, the children and mother again returned to Vermont. On July 1, 2002, the mother abruptly removed the children from Vermont and returned to North Carolina and filed custody proceedings immediately upon her return. The Court, viewing the totality of the circumstances, especially those concerning the parties’ changing intentions on where the children were to reside, held that North Carolina was not the home state and that the six week periods spent in North Carolina was not sufficient to destroy the initial conclusion that Vermont had become the home state. *See, Chick v. Chick*, 164 N.C. App. 444, 596 S.E.2d 303 (N.C. Ct. App. 2004).²

In the circumstances presented by this case, we believe it is clear that the parties intended that the removal of the child to Rhode Island with Mother was to be temporary. There is little evidence to support the fact that the parties ever changed that intention. At most, it appears that the parties began to discuss dissolution of the marriage late in 2007 and one could draw an inference that at some point between late 2007 and the filing by Father of the divorce action in June of 2008, the parties’ intention did, in fact, change.

We believe, however, that Pennsylvania’s statute excluding periods of temporary absence from determination of time spent in the “home state” for jurisdictional determination requires that we look at the intent of the parties at the time of the removal of the parent and/or child from the Commonwealth. In essence, we believe that the decision by Judge Kistler, although strangely worded, made the determination that Pennsylvania had been the home state of the child when Mother and child temporarily located to Rhode Island due to Father’s

2. Some cases have claimed that Pennsylvania is a totality of the circumstances jurisdiction based upon *Joselit v. Joselit*, 375 Pa. Super. 203, 544 A.2d 59 (Pa. Super. 1988), but we believe that such an interpretation of *Joselit* is incorrect. The Superior Court held that a trial court had abused its discretion in making a determination that Pennsylvania was an inconvenient forum. In dicta, the Superior Court explained that Pennsylvania was the home state of the child, seemingly employing a physical presence test and mentioning that the child’s hospitalization in New York was a temporary absence, but such language was, we believe dicta in the opinion.

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deployment to Afghanistan and that Pennsylvania remained the home state, despite such relocation, since the absence from the Commonwealth was intended to be temporary. With that decision, we concur.³

We conclude, therefore, that Pennsylvania is the home state for purposes of jurisdiction in the custody claim raised as part of the pending divorce now transferred to Dauphin County Court of Common Pleas.

Accordingly, we enter the following:

ORDER

AND NOW, this 9th day of March, 2009, upon consideration of the Defendant's Petition Challenging Jurisdiction, and after review of the legal positions stated by both parents in arguments of counsel, such Petition is DENIED.

— o —

3. While it is tempting to think that much of the evidence concerning the child's recent test may be located in Rhode Island where Mother and her family have been residing for more than a year and a half, such matters do not, we believe, alter the question of jurisdiction, i.e., the power of the court's of this Commonwealth to hear this custody dispute. At most, the consideration of the location of witnesses may be persuasive in a dispute over venue but, even then, we note that Pennsylvania has liberalized the allowance of testimony for witnesses from other states. *See, e.g.*, 23 Pa. C.S.A. §5411. *See, also*, Pa. R.C.P. 1930.3. Also, we specifically reject Father's argument that Pennsylvania's statutes protecting the parental rights of those in the military and on active duty deployment disallows our consideration of the absence of the service man in making a jurisdictional determination. Indeed, 51 Pa. C.S.A. §4109 only provides that "If a petition for the change of custody of the child of a ... service member who is deployed is filed after the end of the deployment, the Court may not consider the absence of the service member in determining the best interests of the child." Finally, we note only in passing that Judge Kistler's Order does allow for discussions between a judge of any Court of the Commonwealth of Pennsylvania with any judge from any other state in which a competing claim of jurisdiction may be made. We were advised that Mother has not filed a custody action in Rhode Island and have not been advised of such filing since this matter first came before the Court in mid-January. We have not, in any case, been contacted by any Court from the state of Rhode Island and Providence Plantations.

SECOND PUBLICATION

Estate Notices

ESTATE OF GLADYS R. SMITH, late of Dauphin County, Pennsylvania (died February 17, 2009). Executor: Bertram H. Goldberg, 4522 Hillside Court, Harrisburg, PA 17110. Attorney: Joseph K. Goldberg, Esq., 2080 Linglestown Road, Suite 106, Harrisburg, PA 17110. a3-a17

ESTATE OF JEANNE M. CARPENTER, late of Lower Paxton Township, Dauphin County, Pennsylvania. Executrix: Pamela Eileen Moser, 204 Pine Street, Steelton, PA 17113. Attorney: Kenneth F. Lewis, Esq., 1101 North Front Street, Harrisburg, PA 17102. a3-a17

THIRD PUBLICATION

ESTATE OF GERALDINE E. LURING, late of the Township of Susquehanna, Dauphin County, Pennsylvania. Executor: James P. Luring. Attorney: Heather D. Royer, Esq., Smigel, Anderson & Sacks, LLP, 4431 North Front Street, 3rd Floor, Harrisburg, PA 17110. m27-a10

ESTATE OF ESTHER I. MURRAY, late of Upper Paxton Township, Dauphin County, Pennsylvania. Co-Executors: Darwin R. Tobias, Sr. and Shirley I. Tobias, 67 Kinsinger Road, Halifax, PA 17032. Attorney: John J. Krafsig, Jr., Esq., 2921 North Front Street, Harrisburg, PA 17110. m27-a10

ESTATE OF ERNESTINE SHEAFFER, late of Swatara Township, Dauphin County, Pennsylvania (died January 12, 2009). Administrator: Manufacturers and Traders Trust Company, Joseph A. Macri, Vice President – Trust Officer, P.O. Box 2961, Harrisburg, PA 17105. Attorney: Edmund G. Myers, Esq., Johnson Duffie Stewart & Weidner, P.O. Box 109, Lemoyne, PA 17043-0109. m27-a10

ESTATE OF RICHARD E. GEIGER, late of the City of Harrisburg, Dauphin County, Pennsylvania. Executor: John Crescenzi, 794 Dogwood Terrace, Boiling Springs, PA 17007. Attorney: Bridget M. Whitley, Esq., Skarlatos & Zonarich LLP, 17 South 2nd Street, 6th Floor, Harrisburg, PA 17101. m27-a10

ESTATE OF ELMER W. ENGLE, late of Halifax Township, Dauphin County, Pennsylvania. Co-Executors: Linda E. Ruff, P.O. Box 302, Halifax, PA 17032; Bonita M. Freeman, P.O. Box G, Halifax, PA 17032 and Elmer G. Engle, 37 Beard Road, Mechanicsburg, PA 17050. Attorney: Earl Richard Etzweiler, Esq., 105 North Front Street, Harrisburg, PA 17101. Telephone (717) 234-5600. m27-a10

ESTATE OF LESTER F. BRANDT, late of Lower Paxton Township, Dauphin County, Pennsylvania (died January 24, 2009). Executrix: Cerise L. Brandt, 1432 Wanda Lane, Harrisburg, PA 17109. Attorney: Jan L. Brown, Esq., Jan L. Brown & Associates, 845 Sir Thomas Court, Suite 12, Harrisburg, PA 17109. m27-a10

ESTATE OF HAROLD G. COOK, late of Upper Paxton Township, Dauphin County, Pennsylvania. Executrix: Dabra E. Strait, 604 Light Street, Millersburg, PA 17061. Attorney: Earl Richard Etzweiler, Esq., 105 North Front Street, Harrisburg, PA 17101. Telephone (717) 234-5600. m27-a10

ESTATE OF FRANCIS M. KUMONTIS, late of Harrisburg, Dauphin County, Pennsylvania. Executor: Louis P. Oden, Seven Sorrows Rectory, 280 N. Race Street, Middletown, PA 17057. Attorney: Jay R. Braderman, Esq., Lavery, Faherty, Young & Patterson, P.C., 225 Market Street, Suite 304, P.O. Box 1245, Harrisburg, PA 17108-1245. m27-a10

THIRD PUBLICATION

Estate Notices

ESTATE OF SMYRA C. GEKAS, late of Lower Paxton Township, Dauphin County, Pennsylvania. Executrix: Valerie E.G. Caggiano, 305 Village Way, Harrisburg, PA 17112-8956. Attorney: Steve C. Nicholas, Esq., Nicholas Law Offices, 2215 Forest Hills Drive, Suite 37, Harrisburg, PA 17112-1099. m27-a10

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania on April 2, 2009, with respect to a proposed non-profit corporation. **One World Medicine Clinic**, which has been incorporated under the nonprofit Corporation Law of 1988. A brief summary of the purposes for which said corporation is organized is: A charitable organization for providing a higher standard of medical care to the underserved. a10

NOTICE IS HEREBY GIVEN that an Application For Certificate of Authority has been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on or about February 10, 2009, for a foreign corporation with a registered address in the state of Pennsylvania as follows: **COMMERCIAL CUSTOM SEATING AND UPHOLSTERY, INC.** c/o AAAGENT Services, LLC.

This corporation is incorporated under the laws of California.

The address of its principal office under the laws of its jurisdiction in which it is incorporated is 12601 Western Avenue, Garden Grove, CA 92841.

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

a10

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State for **LIFE'S MEMENTOS, INC.**, a corporation organized under the Pennsylvania Business Corporation Law of 1988. a10

NOTICE IS HEREBY GIVEN that **REED BROTHERS INSURANCE GROUP, INC.** a foreign business corporation incorporated under the laws of Kentucky, 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 of incorporation is 132 Public Square, P.O. Box 9, Columbia, KY 42728. 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, Pennsylvania. a10

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 **United Wellhead Services, Inc.** The address of its principal office under the laws of its jurisdiction is 7135 Ardmore Street, Houston, Texas 77054. The Commercial Registered Office address is Capitol 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). a10

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 **Insurancetogo-Worldwide Insurance Agency** on 03/09/2009. The address of its principal office under the laws of the jurisdiction in which it is incorporated is 500 Professional Center Drive, Suite 515, Novato, CA 94947. The registered office for this business is: Nauman, Smith, Shissler & Hall, LLP, Dauphin County, PA. The corporation is filed in compliance with the requirements of the applicable provision of 15 PA.C.S. 4124. a10

FIRST PUBLICATION

Corporate Notices

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 **Techinsurance Group, LLC** on 3/9/09. The address of its principal office under the laws of the jurisdiction in which it is incorporated is 1301 Central Expressway, Suite 115, Allen, TX 75013. The registered office for this business is: Nauman, Smith, Shissler & Hall, LLP, Dauphin County, PA. The corporation is filed in compliance with the requirements of the applicable provision of 15 PA.C.S. 4124. a10

NOTICE IS HEREBY GIVEN that **Aspen Contracting, Inc.**, a foreign business corporation incorporated under the laws of the State of Kansas, where its principal office is located at 706 NW O'Brien, Lee's Summit, Missouri 64063, has applied for a Certificate of Authority in Pennsylvania, where its registered office is located at c/o National Registered Agents, Inc., 600 North 2nd Street, Harrisburg, Pennsylvania 17101. The registered office of the corporation shall be deemed for venue and official publication purposes to be located in Dauphin County, Pennsylvania. a10

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 **DIGITAL MOTORWORKS, INC.** The address of its principal office under the laws of its jurisdiction is 16055 Space Center Blvd., Ste. 235, Houston, TX 77062. The Commercial Registered Office address is National Registered Agents, 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). a10

NOTICE IS HEREBY GIVEN that the Certificate of Authority was filed on 3/20/2009 for the purpose of obtaining a Certificate of Authority pursuant to the provisions of the Business Corporation Law of 1988, 15 Pa. C.S. Section 1101. The name of the corporation is **SUMMIT UTILITY SERVICES, INC.**

The purpose is to engage in underground utility construction. a10

NOTICE IS HEREBY GIVEN that an application for registration of the fictitious name, **Floors Select**, for conduct of business in the Commonwealth of Pennsylvania, with its principal place of business at 33 West Market Street, Wilkes-Barre, Pennsylvania, was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on or about March 7, 2009, pursuant to the Fictitious Names Act of December 16, 1982, Act 295 (54 Pa.C.S.A. 301 et seq.). The name and address of the person and/or entity owning or interested in said business is: Floors Select III, Inc., 8000 B Derry Street, Harrisburg, PA 17011.

STUART J. MAGDULE, Esq.
Smigel, Anderson & Sacks, LLP
4431 North Front Street
Harrisburg, PA 17110

a10

NOTICE IS HEREBY GIVEN that an Application For Certificate of Authority has been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on or about March 30, 2009, for a foreign corporation with a registered address in the state of Pennsylvania as follows: **LIQUIDWARE LABS, INC.** c/o National Registered Agents Inc.

This corporation is incorporated under the laws of Illinois.

The address of its principal office under the laws of its jurisdiction in which it is incorporated is 200 West Adams Street, Chicago, IL 60606.

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

a10

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN that Articles of Dissolution were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, On September 9, 2008 for the purpose of obtaining a Certificate of Incorporation pursuant to the provisions of the Business Corporation Law of 1988, 15 Pa. C.S. Section 3977. The name of the corporation is **Baldwin Language Technologies, Inc.**

The purpose for which the corporation was organized was to provide computer software design and program consulting. a10

NOTICE IS HEREBY GIVEN that **Evans Environmental and Geological Science and Management, LLC** with a Commercial Registered Office Provider in care of National Registered Agents, Inc. in Dauphin County does hereby give notice of its intention to withdraw from doing business in this Commonwealth as per 15 PA C.S. 8586. The address of its principal office is 14505 Commerce Way, Ste. 400, Miami Lakes, FL 33016. This shall serve as official notice to creditors and taxing authorities. a10

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on March 27, 2009, by **CELLAVISION, INC.**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at 1555 Jupiter Park Drive, Unit 6, Jupiter, FL 33458, 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. a10

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on March 25, 2009, by **BrandMuscle, Inc.**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at 3750 Park East Drive, Beachwood, OH 44122, 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. a10

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on March 26, 2009, by **NicOx 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. a10

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 **Bimbo Hungria Company** on March 30 2009. The address of its principal office under the laws of its jurisdiction is Petofi Sándor utca 40, Ujlengyel, Hungary 2724. The commercial registered office provider for this Corporation is Capitol 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. a10

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on March 26, 2009, by **EnerNOC, Inc.**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at c/o The Corporation Trust Company, 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 Corporation Service Company, Dauphin County, Pennsylvania. a10

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on March 31, 2009, by **U.S. Window and Door Construction Co., Inc.**, a foreign corporation formed under the laws of the Commonwealth of Massachusetts, where its principal office is located at Two Adams Place, Suite 100, Quincy, MA 02169, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania shall be deemed for venue and official publication purposes to be located at c/o CT Corporation System, Dauphin County. a10

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State for **ASPIRE RISK MANAGEMENT SERVICES, INC.**, a corporation organized under the Pennsylvania Business Corporation Law of 1988. a10

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on April 1, 2009, by **Catapult Holdings, Inc.**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at 470 North 2nd Street, 2nd Floor, Philadelphia, PA 19123, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania shall be deemed for venue and official publication purposes to be located at c/o, CT Corporation System, Dauphin County. a10

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

1. The name of the corporation is **HDM Cleaning, Inc.**
 2. The location of the registered office of the corporation 616 Monroe Street, Bressler, PA 17113
 3. The Articles of Incorporation were filed under the provisions of the Business Corporation Law of 1988.
 4. The corporation shall have unlimited power to engage in and do any lawful act concerning any or all lawful business for which corporations may be incorporated under the Business Corporation Law.
 5. The Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania and approved by said Department on the 26th day of March, 2009. a10
-

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on April 1, 2009, by **Synoil Inc.**, a foreign corporation formed under the laws of the State of Nevada, where its principal office is located at 520-5 Avenue SW, Suite 600 Calgary, Alberta, Canada T2P 3R7, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania shall be deemed for venue and official publication purposes to be located at c/o CT Corporation System, Dauphin County. a10

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on March 16, 2009, by **York Telecom Corporation**, a foreign corporation formed under the laws of the State of New Jersey, where its principal office is located at 81 Corbett Way, Eatontown, NJ 07724, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania shall be deemed for venue and official publication purposes to be located at c/o CT Corporation System, Dauphin County. a10

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on April 1, 2009, by **Concrete Protection and Restoration, Inc.**, a foreign corporation formed under the laws of the State of Maryland, where its principal office is located at 6737 Dogwood Road, Baltimore, MD 21207, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania shall be deemed for venue and official publication purposes to be located at c/o CT Corporation System, Dauphin County. a10

NOTICE IS HEREBY GIVEN that **Vedior Holding US, Inc.**, a foreign business corporation incorporated under the laws of Delaware, 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 60 Harvard Mill Square, Wakefield, MA 01880.

Its last registered office in this commonwealth is c/o Corporation Service Company and is deemed for venue and official publication purposes to be located in Dauphin County. a10

FIRST PUBLICATION

Fictitious Notices

NOTICE IS HEREBY GIVEN that an application for registration of a fictitious name, **jd designs**, for the conduct of business in Dauphin County, Pennsylvania, with the principal place of business being 16 S. 21st Street, Harrisburg, PA 17104, was made to the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania on the 23rd day of March, 2009, 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: Julie L. Dawson, 16 S. 21st Street, Harrisburg, PA 17104. a10

NOTICE IS HEREBY GIVEN that an application for registration of the name **The Riser Group** was filed in the Department of State of the Commonwealth of Pennsylvania under the Fictitious Names Act, 54 Pa.C.S. §301 et seq. The address of the principal office or place of business of the business to be carried on under or through the fictitious name is 151 Laurel Drive, Hershey, Pennsylvania 17033. The name and address of the entity which is party to the registration is The Riser Group, Inc., 151 Laurel Drive, Hershey, Pennsylvania 17033.

RICHARD C. SENECA, Esq.
564 Old York Road
Etters, PA 17319
(717) 932-0465

a10

FIRST PUBLICATION

Miscellaneous Notices

IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY
PENNSYLVANIA

PETITION FOR
CHANGE OF NAME

NOTICE

NOTICE IS HEREBY GIVEN that on March 23, 2009, the Petition of **Roberto Ricardo Yanez** was filed in the above named court, requesting a decree to change his/her name from **Roberto Ricardo Yanez** to **Roberto Ricardo Ramirez**.

The Court has fixed - July 20, 2009 in Courtroom No. 2, at 9:00 AM, Dauphin County Courthouse, Front and Market Streets, Harrisburg, PA as the time and place for the hearing on said Petition, when and where all persons interested may appear and show cause if any they have, why the prayer of the said Petition should not be granted. a10

IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY
PENNSYLVANIA

CHANGE OF NAME HEARING

NOTICE IS HEREBY GIVEN that a hearing on the Petition of **ELISE IDA MITCHELL** to change her name to **ELISE IDA LEMELLE**, will be held on May 21, 2009, at 2:00 P.M., in the Dauphin County Courthouse, Courtroom No. 6, Front and Market Streets, Harrisburg, Pennsylvania.

All parties having an interest in this matter are required to be in attendance.

CHARLES E. PETRIE, Esq.
3528 Brisban Street
Harrisburg PA 17111
(717) 561-1939

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IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY
PENNSYLVANIA

CIVIL ACTION – LAW

No. 2008-CV-2837-MF

HOUSEHOLD FINANCE CONSUMER
DISCOUNT COMPANY, Plaintiff

vs.

JANET MARIE GRAY
a/k/a JANET MARIE DAVIS
a/k/a JANET M. DAVIS
a/k/a JANET M. GRAY and
RANDY ROBERTS GRAY, Defendants

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

TO: Janet Marie Gray
a/k/a Janet Marie Davis
a/k/a Janet M. Davis
a/k/a Janet M. Gray
521 Winston Street
Charlotte, North Carolina 28206
and

Randy Roberts Gray
521 Winston Street
Charlotte, North Carolina 28206

TAKE NOTICE

NOTICE IS HEREBY GIVEN that the Sheriff's Sale of Real Property (real estate) will be held:

DATE: April 9, 2009

TIME: 10:00 a.m.

LOCATION: Sheriff's Office
Dauphin County Courthouse
Main Lobby
Front & Market
Harrisburg, Pennsylvania 17101

THE PROPERTY TO BE SOLD is delineated in detail in a legal description mainly consisting of a statement of the measured boundaries of the property, together with a brief mention of the buildings and any other major improvements erected on the land. (SEE DESCRIPTION ATTACHED)

THE LOCATION of your property to be sold is 403 Eshelman Street, Highspire, Pennsylvania 17034.

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Miscellaneous Notices

THE JUDGMENT under or pursuant to which your property is being sold is docketed in the within Commonwealth and County to: Number 2008-CV-2837-MF.

THE NAME OF THE OWNER OR REPRESENTED OWNER of this property is: Janet Marie Gray a/k/a Janet Marie Davis a/k/a Janet M. Davis a/k/a Janet M. Gray and Randy Roberts Gray.

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

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

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

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

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

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

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

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

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

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

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

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

SHERIFF'S OFFICE

ALL THAT CERTAIN four lots or parcels of land situate in Highspire, Dauphin County, Pennsylvania, more particularly bounded and described in accordance with a survey by E.J. Walker, Professional Engineer, dated March 30, 1970, as follows, to wit:

BEGINNING at a point on the southeast corner of Eshelman and Ann Streets; thence along the southern line of Eshelman Street south 70 degrees east one hundred twenty (120) feet to line of Lot No. 44 as found on the Plan of Lots known as Evandale, an addition to Highspire, laid out by John Eshelman and recorded in Harrisburg, Pennsylvania, in Plan Book "C", Page 37; thence along said line south 20 degrees

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west one hundred twenty (120) feet to Rhoda Alley; thence along the northern line of said Rhoda Alley north 70 degrees west one hundred twenty (120) feet to Ann Street aforesaid; thence along the eastern side of said Ann Street north 20 degrees east one hundred twenty (120) feet to a point, the place of BEGINNING.

BEING Lots No. 45, No. 46, No. 47, and No. 48 on Plan of Lots known as Evendale, and addition to Highspire, said Plan being recorded in the Dauphin County Records in Plan Book "C", Page 37.

HAVING THEREON ERECTED a one (1) story brick ranch style dwelling house known as 403 Eshleman Street, Highspire, Pennsylvania.

TAX PARCEL NUMBER: 30-021-020.

TERRENCE J. McCABE, Esq.
MARC S. WEISBERG, Esq.
EDWARD D. CONWAY, Esq.
MARGARET GAIRO, Esq.
McCabe, Weisberg and Conway, P.C.
123 South Broad Street, Suite 2080
Philadelphia, Pennsylvania 19109
a10 (215) 790-1010

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

ORPHANS' COURT DIVISION

No. 22 and 22A IN ADOPTION 2009

**IN THE MATTER
OF THE ADOPTION OF
BABY GIRL J. AND BABY BOY J.**

TO: ROBERT ALEXANDER

NOTICE IS HEREBY GIVEN that at the instance of ADOPTION BY CHOICE, the petitioner in the above case, you, ROBERT ALEXANDER, laying aside all business and excuses whatsoever, are hereby cited to be and appear before the Orphans' Court of Erie County, Pennsylvania, at the Erie County Court House, Court Room No. 1, City of Erie, Pennsylvania, on May 21, 2009 at 1:30 p.m., and then and there show cause, if any you have, why your parental

rights to Baby Girl J. and Baby Boy J, born to Vanessa Marie J. on July 3, 2008, at Saint Vincent Health Center, Erie, Pennsylvania, should not be terminated, in accordance with the Petition For Involuntary Termination Of Parental Rights filed on March 13, 2009 at the above term and number. The Petition alleges you, by conduct continuing for a period of at least six (6) months immediately preceding the filing of the petition, either have evidenced a settled purpose of relinquishing parental claim to the children or have failed or refused to perform parental duties. You hereby are notified that the Confirmation of Consent of the Natural Mother of Baby Girl J. and Baby Boy J. will take place on May 21, 2009 at 1:30 p.m. before the Honorable John A. Bozza.

IF IT IS YOUR INTENTION to contest these proceedings you, or your attorney, are further directed to immediately notify the Family/Orphans' Court Administrator, Room 205, Erie County Court House, Erie, PA 16501 or at (814) 451-6251 or the office of the Honorable John A. Bozza.

HEREIN fail not under penalty of the law.

A PETITION has been filed asking the Court to put an end to all rights you have to your children, Baby Girl J. and Baby Boy J. The Court has set a hearing to consider ending your rights to your children. That hearing will be held before the Honorable John A. Bozza at the Erie County Court House, Erie, Pennsylvania on the date and at the time set forth above.

YOU ARE WARNED that even if you fail to appear at the scheduled hearing, the hearing will go on without you and your rights to your children may be ended by the Court without your being present and if you fail to file a written objection to such termination with the court prior to the hearing.

YOU HAVE THE RIGHT to be represented at the hearing by a lawyer. You should take this paper to your lawyer at once. If you do not have a lawyer or can not afford one, go to or telephone the office set forth below to find out where you can get legal help.

LAWYERS' REFERRAL SERVICE
P.O. Box 1792
Erie, Pennsylvania 16507
(814) 459-4411

M. KATHRYN KARN, Esq.
731 French Street
Erie, Pennsylvania 16501
(814) 452-3151

a10

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Miscellaneous Notices

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

CIVIL ACTION – LAW

No. 2008-CV-9151-MF

**NOTICE OF ACTION IN
MORTGAGE FORECLOSURE**

**M&T BANK S/B/M ALLFIRST BANK
1100 Wehrle Drive
2nd Floor
Williamsville, NY 14221, Plaintiff**

vs.

**S. LEE ANOVIC and ANGEL J. ROSA
157 South Second Street
Steelton, PA 17113,
Mortgagors and Record Owners,
Defendants**

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

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

**TO: MARIA F. ROSA, DEFENDANT,
whose last known address is
157 South Second Street
Steelton, PA 17113**

YOU ARE HEREBY NOTIFIED that your house at 157 South Second Street, Steelton, PA 17113 is scheduled to be sold at Sheriff's Sale on Thursday, April 09, 2009, at 10:00 AM, in Dauphin County Administration Building, Commissioners Hearing Room, Second and Market Street, Harrisburg, PA 17101 to enforce the court judgment of \$34,087.52 obtained by M&T BANK S/B/M ALLFIRST BANK against you.

NOTICE OF OWNER'S RIGHTS

**YOU MAY BE ABLE TO
PREVENT THIS SHERIFF'S SALE**

TO PREVENT THIS SHERIFF'S SALE you must take immediate action: 1. The sale will be cancelled if you pay to M&T BANK S/B/M ALLFIRST BANK, the back payments, late charges, costs and reasonable attorney's fees due. To find out how much you must pay call our office at 215-825-6329 or 1-866-413-2311. 2. You may be able to stop the sale by filing a petition asking the Court to strike or open judgment, if the judgment was improperly entered. You may also ask the Court to postpone the sale for good cause. 3. You may also be able to stop the sale through other legal proceedings. 4. You may need an attorney to assert your rights. The sooner you contact one, the more chance you will have of stopping the sale. (See notice hereinafter on how to obtain an attorney).

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

1. If the Sheriff's Sale is not stopped, your property will be sold to the highest bidder. You may find out the price bid price by calling the Sheriff of Dauphin County at 717-255-2660. 2. You may be able to petition the Court to set aside the sale if the bid price was grossly inadequate compared to the value of your property. 3. The sale will go through only if the buyer pays the Sheriff the full amount due in the sale. To find out if this has happened, you may call the Sheriff of Dauphin County at 717-255-2660. 4. If the amount due from the Buyer is not paid to the Sheriff, you will remain the owner of the property as if the sale never happened. 5. You have a right to remain in the property until the full amount due is paid to the Sheriff and the Sheriff gives a deed to the buyer. At that time, the buyer may bring legal proceedings to evict you. 6. You may be entitled to a share of the money which was paid for your house. A schedule of distribution of the money bid for your house will be filed by the Sheriff within thirty (30) days from the date of the Sheriff's Sale. This schedule will state who will be receiving that money. The money will be paid out in accordance with this schedule

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unless exceptions (reasons why the proposed distribution is wrong) are filed with the Sheriff within ten (10) days after the schedule of distribution is filed. 7. You may also have other rights and defenses, or ways of getting your house back, if you act immediately after the sale. 8. You may contact the Foreclosure Resource Center: <http://www.philadelphiafed.org/foreclosure/>

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

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

CENTRAL PENNSYLVANIA
LEGAL SERVICES
213-A North Front Street
Harrisburg, PA 17101

MICHAEL T. McKEEVER, Esq.
Goldbeck McCafferty & McKeever, P.C.
Suite 5000 - Mellon Independence Center
701 Market Street
Philadelphia, PA 19106
(215) 825-6318

a10

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

CIVIL ACTION – LAW

No. 2008-CV-17386 MF

**NOTICE OF ACTION IN
MORTGAGE FORECLOSURE**

**DEUTSCHE BANK TRUST
COMPANY AMERICAS,
AS TRUSTEE FOR MERITAGE
MORTGAGE LOAN TRUST 2004-2,
4708 Mercantile Drive North
Fort Worth, TX 76137, Plaintiff**

vs.

**SCOTT SAURS and
MICHAEL R. WILSON, JR.,
Mortgagors and Record Owners,
1811 Market Street
Harrisburg, PA 17103, Defendants**

**THIS LAW FIRM IS A DEBT COLLECTOR
AND WE ARE ATTEMPTING
TO COLLECT A DEBT.**

**THIS NOTICE IS SENT TO YOU
IN AN ATTEMPT TO COLLECT A DEBT.
ANY INFORMATION OBTAINED
FROM YOU WILL BE USED
FOR THAT PURPOSE.**

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

**TO: SCOTT SAURS, DEFENDANT,
whose last known address is
1811 Market Street
Harrisburg, PA 17103**

YOU ARE HEREBY NOTIFIED that your house at 1811 Market Street, Harrisburg, PA 17103 is scheduled to be sold at Sheriff's Sale on Thursday, April 09, 2009, at 10:00 AM, in Dauphin County Administration Building, Commissioners Hearing Room, Second and Market Street, Harrisburg, PA 17101 to enforce the court judgment of \$52,035.45 obtained by DEUTSCHE BANK TRUST COMPANY AMERICAS, AS TRUSTEE FOR MERITAGE MORTGAGE LOAN TRUST 2004-2 against you.

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Miscellaneous Notices

NOTICE OF OWNER'S RIGHTS

**YOU MAY BE ABLE TO
PREVENT THIS SHERIFF'S SALE**

TO PREVENT THIS SHERIFF'S SALE you must take immediate action: 1. The sale will be cancelled if you pay to DEUTSCHE BANK TRUST COMPANY AMERICAS, AS TRUSTEE FOR MERITAGE MORTGAGE LOAN TRUST 2004-2, the back payments, late charges, costs and reasonable attorney's fees due. To find out how much you must pay call: 215-825-6329 or 1-866-413-2311 2. You may be able to stop the sale by filing a petition asking the Court to strike or open judgment, if the judgment was improperly entered. You may also ask the Court to postpone the sale for good cause. 3. You may also be able to stop the sale through other legal proceedings. 4. You may need an attorney to assert your rights. The sooner you contact one, the more chance you will have of stopping the sale. (See notice hereinbelow on how to obtain an attorney).

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

1. If the Sheriff's Sale is not stopped, your property will be sold to the highest bidder. You may find out the price bid price by calling the Sheriff of Dauphin County at 717-255-2660. 2. You may be able to petition the Court to set aside the sale if the bid price was grossly inadequate compared to the value of your property. 3. The sale will go through only if the buyer pays the Sheriff the full amount due in the sale. To find out if this has happened, you may call the Sheriff of Dauphin County at 717-255-2660. 4. If the amount due from the Buyer is not paid to the Sheriff, you will remain the owner of the property as if the sale never happened. 5. You have a right to remain in the property until the full amount due is paid to the Sheriff and the Sheriff gives a deed to the buyer. At that time, the buyer may bring legal proceedings to evict you. 6. You may be entitled to a share of the money which

was paid for your house. A schedule of distribution of the money bid for your house will be filed by the Sheriff within thirty (30) days from the date of the Sheriff's Sale. This schedule will state who will be receiving that money. The money will be paid out in accordance with this schedule unless exceptions (reasons why the proposed distribution is wrong) are filed with the Sheriff within ten (10) days after the schedule of distribution is filed. 7. You may also have other rights and defenses, or ways of getting your house back, if you act immediately after the sale.

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

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

CENTRAL PENNSYLVANIA
LEGAL SERVICES
213-A North Front Street
Harrisburg, PA 17101

MICHAEL T. McKEEVER, Esq.
Goldbeck McCafferty & McKeever, P.C.
Suite 5000 - Mellon Independence Center
701 Market Street
Philadelphia, PA 19106
(215) 825-6318

a10

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

CIVIL ACTION – LAW

No. 2006-CV-02497-MF

**NOTICE OF ACTION IN
MORTGAGE FORECLOSURE**

**DLJ MORTGAGE CAPITAL, INC.,
Plaintiff**

vs.

KENYATTA A. GUIDER, Defendant

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

FIRST PUBLICATION

Miscellaneous Notices

**TO: Kenyatta A. Guider
426 Hamilton Street
Harrisburg, PA 17102**

PROPERTY DESCRIPTION

ALL THAT CERTAIN lot or piece of land situate in the Twelfth Ward of the City of Harrisburg aforesaid, being bounded and described as follows, to wit:

BEGINNING at a point in the northern side of Hamilton Street twenty-four (24) feet, more or less, Westwardly from the north-western corner of Hamilton and Fulton Streets, at the center line of the division wall between properties Nos. 426 and 428 Hamilton Street; thence Northwardly along the center line of said division wall and beyond sixty-five (65) feet, more or less, to a point; thence Westwardly twelve (12) feet, more or less, to a point; thence southwardly along the eastern line of land of property No. 424 Hamilton Street and through the center line of the division wall between properties Nos. 424 and 426 Hamilton Street, sixty-five (65) feet, more or less, to the northern line of Hamilton Street; and thence eastwardly along the northern line of said Hamilton Street, twelve (12) feet, more or less, to the place of BEGINNING.

TOGETHER with the use of a three (3) feet wide private alley leading from the above described premises eastwardly to Fulton Street, in common with the owners and occupiers of other properties abutting thereon.

BEING THE SAME PREMISES which Fred W. Guider and Sarah E. Guider, granted and conveyed unto Sarah L. Robinson, by deed dated February 28, 2002, in the Recorder of Deeds in and for Dauphin County, Pennsylvania, in Book number 4311, Page 564, and recorded on March 14, 2002.

TITLE TO SAID PREMISES IS VESTED IN Kenyatta A. Guider, a single man, by Deed from Sarah L. Robinson, a single woman, dated 10/07/2004, recorded 10/13/2004, in Deed Book 5719, page 47.

PREMISES BEING: 426 HAMILTON STREET, HARRISBURG, PA 17102.

TAX PARCEL No. 12-005-093.

YOU ARE HEREBY NOTIFIED that your house at 426 Hamilton Street, 12th Ward of the City of Harrisburg, Dauphin County, Pennsylvania is scheduled to be sold by the Dauphin County Sheriff's Department on May 28, 2009 at 10:00 A.M. in the Dauphin County Administration Building (formerly the Mellon Bank Building) in the Commissioners Hearing Room, 4th Floor, Harrisburg, Pennsylvania, to enforce the Court judgment of \$68,126.72 obtained by Plaintiff, DLJ Mortgage Capital, Inc., against you.

**NOTICE OF OWNERS' RIGHTS
YOU MAY BE ABLE
TO PREVENT THIS SHERIFF'S SALE**

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

1. This sale will be cancelled if you pay to Plaintiff Mortgage the back payments, late charges, costs and reasonable attorneys' fees due. To find out how much you must pay, you may call Jessica McVittie at (215) 653-7450
2. You may be able to stop the sale by filing a petition asking the Court to strike or open the Judgment, if the judgment was improperly entered. You may also ask the Court to postpone the sale for good cause.
3. You may also be able to stop the sale through other legal proceedings.

You may need an attorney to assert your rights. The sooner you contact one, the more chance you will have of stopping the sale. (See notice herein-below on how to obtain an attorney).

**YOU MAY STILL BE ABLE
TO SAVE YOUR PROPERTY
AND YOU HAVE OTHER RIGHTS
EVEN IF THE SHERIFF'S SALE
DOES TAKE PLACE.**

1. If the Sheriff's Sale is not stopped, your property will be sold to the highest bidder. You may find out the price bid by calling Jessica McVittie at (215) 653-7450, or by calling the Dauphin County Sheriff's Department at (717) 780-6590.
2. You may be able to petition the Court to set aside the sale if the bid price was grossly inadequate compared to the value of your property.
3. The sale will go through only if the buyer pays the Sheriff the full amount bid in the sale. To find out if this has happened, you may call Jessica McVittie at (215) 653-7450, or by calling the Dauphin County Sheriff's Department at (717) 780-6590.

FIRST PUBLICATION

Miscellaneous Notices

4. If the amount due from the buyer is not paid to the Sheriff, you will remain the owner of the property as if the sale had never happened.
5. You have the right to remain in the property until the full amount due is paid to the Sheriff and the Sheriff gives a deed to the buyer. At that time, the buyer may bring legal proceedings to evict you.
6. You may be entitled to a share of the money which was paid for your house. A schedule of distribution of the money bid for your house will be filed by the Dauphin County Sheriff on or about thirty (30) days from the date of Sheriff's Sale. This schedule will state who will be receiving that money. The money will be paid out in accordance with this schedule unless exceptions (reasons why the proposed distribution is wrong) are filed with the Sheriff within ten (10) days after the distribution sheet is posted.
7. You may also have other rights and defenses, or ways of getting your house back, if you act immediately after the sale.

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.

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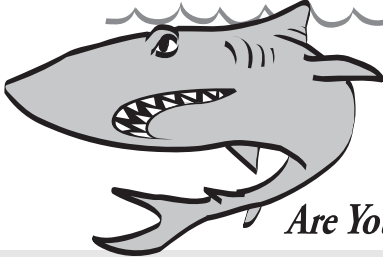
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The Board of Directors of the Bar Association meets on the third Thursday of the month at the Bar Association headquarters. Anyone wishing to attend or have matters brought before the Board should contact the Bar Association office in advance.

REPORTING OF ERRORS IN ADVANCE SHEET

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

DAUPHIN COUNTY COURT SECTION

Motion Judge of the Month

APRIL 2009
MAY 2009

Judge Scott Arthur EVANS
Judge Joseph H. KLEINFELTER

Opinions Not Yet Reported

March 20, 2009 – Bratton, J., **Mundy, et al. v. East Hanover Township Board of Supervisors v. RVG Land, LLC**, No. 2008-CV-12949-LU.

BAR ASSOCIATION PAGE – Continued

MISCELLANEOUS SECTION

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OFFICE SPACE AVAILABLE — 2411 North Front Street, Harrisburg. Prime location with parking. Three offices with common area on second floor available. Tennants have use of first floor conference rooms and receptionist. Perfect for small firms or solo practioners. Immediate availability. Please contact Brian Perry at 232-9900 or bperry@ngplawfirm.com. a3-a10

REAL ESTATE ATTORNEY — A mid-size professional association with headquarters in Harrisburg is seeking an attorney with knowledge of, and at least 2 years of experience in the areas of land use and zoning. Please send résumé, along with a cover letter and salary requirements, to jeredding@mette.com. a3-a17

PARALEGAL POSITION WANTED — Lamine Diene is seeking position as paralegal. Please contact him at 714 North Third Street, Apartment 301, Harrisburg, PA 17113 or call 717-732-7172. a10-a24

FULL-TIME PARALEGAL/SECRETARY — Downtown Harrisburg plaintiff's personal injury law firm seeking experienced paralegal/secretary. Proficient in grammar, wordperfect, drafting court documents and organizational skills. Must work well on own and have pleasant phone skills. Salary DOE, parking provided. Send resume and salary requirements to Dauphin County Reporter, Attn: G, 213 North Front Street, Harrisburg, PA 17101. a10-a24

BAR ASSOCIATION PAGE – Continued
MISCELLANEOUS SECTION

SUPREME COURT OF PENNSYLVANIA
CIVIL PROCEDURAL RULES COMMITTEE

NOTICE OF PROPOSED RECOMMENDATION NO. 238

Amendment of Rule 3111, 3137, 3145, and 3253 Governing
The Effect of Service of the Writ on the Garnishee

The Civil Procedural Rules Committee proposes that Rules of Civil Procedure 3111, 3137, 3145, and 3253 governing the effect of service of the writ on the garnishee be amended.

The recommendation is published in full in the *Pennsylvania Bulletin*, the advance reports of *West's Atlantic* and *Pennsylvania Reporters*, the *Pennsylvania Law Weekly*, the *Philadelphia Legal Intelligencer*, and the *Pittsburgh Legal Journal*. The recommendation is also published electronically on the website of the Unified Judicial System of Pennsylvania at <http://www.pacourts.us>.

The proposed recommendation has not been submitted to the Supreme Court of Pennsylvania for review but rather is being submitted to the bench and bar for comments and suggestions prior to its submission to the Supreme Court. All communications should be sent not later than **May 22, 2008** to:

Karla M. Shultz, Esquire
Counsel
Civil Procedural Rules Committee
5035 Ritter Road, Suite 700
Mechanicsburg, Pennsylvania 17055

or E-Mail to
civil.rules@pacourts.us

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