

ADVANCE SHEET
THE
Dauphin County Reporter
(USPS 810-200)

A WEEKLY JOURNAL
CONTAINING THE DECISIONS RENDERED IN THE
12th JUDICIAL DISTRICT

No. 5955, Vol. 125

January 31, 2014

No. 90

Entered as Second Class Matter, February 16, 1898, at the Post Office at Harrisburg, Pa.,
under the Act of Congress of March 31, 1879

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

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43 Years in Harrisburg

**THE
DAUPHIN COUNTY REPORTER**
Edited and Published
by the
**DAUPHIN COUNTY BAR
ASSOCIATION**
213 North Front Street
Harrisburg, PA 17101-1493
(717) 232-7536

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Printed by
KURZENKNABE PRESS
1424 Herr St., Harrisburg, PA 17103

THE DAUPHIN COUNTY REPORTER (USPS 810-200) is published weekly by the Dauphin County Bar Association, 213 North Front Street, Harrisburg, PA 17101. Periodical postage paid at Harrisburg, PA. POSTMASTER: Send address changes to THE DAUPHIN COUNTY REPORTER, 213 North Front Street, Harrisburg, PA 17101.

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Estate Notices

DECEDENTS ESTATES

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

FIRST PUBLICATION

ESTATE OF PATRICIA A. KLINE, late of the Township of Williams, Dauphin County, Pennsylvania, (died January 11, 2014). Executor: Scott W. Kline, Sr., 7789 State Route 209, Williamstown, Pennsylvania 17098. Attorney: Terrence J. Kerwin, Esq., Kerwin & Kerwin, LLP, 4245 State Route 209, Elizabethtown, PA 17023. j31-f14

ESTATE OF ESTHER M. BANKS, late of Middletown Borough, Dauphin County, Pennsylvania. Personal Representative: Judy A. Halterman c/o Anthony J. Nestico, Esq., Nestico Druby, P.C., 1135 East Chocolate Avenue, Suite 300, Hershey, PA 17033. Attorney: Anthony J. Nestico, Esq., Nestico Druby, P.C., 1135 East Chocolate Avenue, Suite 300, Hershey, PA 17033. j31-f14

ESTATE OF MARIE A. CASNER, late of Washington Township, Dauphin County, Pennsylvania. Executor: Gary N. Wise, 336 North Road, Elizabethtown, PA 17023. Attorney: Earl Richard Etzweiler, Esq., 105 N. Front Street, Harrisburg, PA 17101. j31-f14

ESTATE OF VIRGINIA M. FILBEY, late of Londonderry Township, Dauphin County, Pennsylvania, (died January 3, 2014). Executor: Vincent D. Buser. Attorney: David C. Miller, Jr., Esq., 1100 Spring Garden Drive, Suite A, Middletown, PA 17057. j31-f14

ESTATE OF JUDY A. LAHR, late of the Borough of Middletown, Dauphin County, Pennsylvania, (died January 3, 2014). Executor: Rickey L. Lahr. Attorney: David C. Miller, Jr., Esq., 1100 Spring Garden Drive, Suite A, Middletown, PA 17057. j31-f14

ESTATE OF JANICE L. SIMS, late of Harrisburg, Dauphin County, Pennsylvania, (died November 18, 2013). Administrator: John S. Kundrat, 107 Boas Street, Harrisburg, PA, 17102. Attorney: John S. Kundrat, Esq., KUNDRAT & ASSOCIATES, 107 Boas Street, Harrisburg, Pennsylvania 17102. j31-f14

SECOND PUBLICATION

Estate Notices

ESTATE OF DOROTHY TOSHEFF, late of Lower Paxton Township, Dauphin County, Pennsylvania, (died January 4, 2014). Executrix: SusanMarie Smith, P.O. Box 198, Summerdale, PA 17093. Attorney: Elizabeth H. Feather, Esq., Caldwell & Kearns, P.C., 3631 North Front Street Harrisburg, PA 17110. j24-f7

ESTATE OF DEBORA A. ROWE A/K/A DEBORA ANN ROWE-BLACK A/K/A DEBORA A. ROWE BLACK, late of Lower Paxton Township, Dauphin County, Pennsylvania, (died September 9, 2013). Executor: Eric Rowe, 1164 Queen Esther Drive, Sayre, PA 18840. Attorney: Jill M. Wineka, Esq., Purcell, Krug & Haller, 1719 North Front Street, Harrisburg, PA 17102. j24-f7

ESTATE OF HELEN B. METZGER, late of Susquehanna Township, Dauphin County, Pennsylvania, (died November 25, 2013). Co-Executors: Holly Leggett, 515 Benton Road, Camp Hill, PA 17011 and Julie O. Metzger, 2889 Oakwood Drive, Harrisburg, PA 17110. Attorney: Charles B. Zwally, Esq., Mette, Evans & Woodside, 3401 North Front Street Harrisburg, PA 17110. j24-f7

ESTATE OF OLIVER L. SLINKER, late of the Township of Lower Paxton, Dauphin County, Pennsylvania. Executrix: Dolores A. Slinker, 1185 Fairmont Drive, Harrisburg, PA 17112. Attorney: Craig A. Hatch, Esq., Halbruner, Hatch & Guise, LLP, 2109 Market Street, Camp Hill, PA 17011. j24-f7

ESTATE OF JOSEPH PATRICK DEARING, late of Dauphin County, Pennsylvania, (died July 16, 2013). Executrix: Shirley A. Dearing. Attorney: Patricia Carey Zucker, Esq., Daley Zucker Meilton & Miner, LLC, 635 N. 12th Street, Suite 101, Lemoyne, PA 17043. j24-f7

ESTATE OF MAX G. SHEAFFER, late of West Hanover Township, Dauphin County, Pennsylvania, (died on December 8, 2013). Co-Executors: Sally S. Hamilton, 7012 Hemlock Road, Harrisburg, PA 17112 and Joel C. Sheaffer, 7476 Sterling Road, Harrisburg, PA 17112. Attorney: Jean D. Seibert, Esq., Caldwell & Kearns, PC, 3631 North Front Street, Harrisburg, PA 17110. j24-f7

ESTATE OF RUTH J. SCHREIBER, late of Dauphin County, Pennsylvania, (died January 2, 2014). Executrix: Stephanie Schrolucke; Attorney: Patricia Carey Zucker, Esq., Daley Zucker Meilton & Miner, LLC, 635 N. 12th Street, Suite 101, Lemoyne, PA 17043. j24-f7

ESTATE OF LEE ANN SHULTZ, late of Lykens Borough, Dauphin County, Pennsylvania, (died January 5, 2014). Co-Executors: John R. Shultz, 26 West Main Street, Lykens, PA 17048 and Jeff E. Shultz, 656 North Second Street, Lykens, PA 17048. Attorney: Gregory M. Kerwin, Esq., Kerwin & Kerwin, LLP, 4245 State Route 209, Elizabethville, Pennsylvania, 17023. j24-f7

ESTATE OF BEATRICE CONSTANCE BEASLEY, late of Swatara Township, Dauphin County, Pennsylvania, (died December 29, 2013). Administratrix: Sandra M. Parrish, 1020 Reservoir Road, Steelton, PA 17113. Attorney: Terrence J. Kerwin, Esq., Kerwin & Kerwin, LLP, 4245 State Route 209, Elizabethville, PA 17023. j24-f7

P.D.D. v. K.M.D.

Agreement.¹³ Father additionally owes Mother \$16,260 in outstanding COBRA fees.¹⁴ Any monies the parties may owe each other for the children's extracurricular expenses and their uninsured medical expenditures will be determined by the parties' Domestic Relations Office Enforcement Officer, to whom both parties shall provide verifiable copies of all required receipts within 30 days.

A hearing on attorney's fees shall be held on **January 21, 2014 at 10:00 AM**, Courtroom 7, Dauphin County Courthouse. The parties agree that Father is entitled to an offset of \$2,500 for attorney fees owed by Mother to Father as ordered by Judge Clark in February 5, 2013. (N.T. 32) The court will consider Father's payment schedule for the obligations listed above and any other enforcement issues at that time of the hearing.

_____o_____

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Domestic Relations - Divorce - Marital Property - Equitable Distribution - *Alimony* – *Pendente Lite* - Attorney Fees

The parties divorced after twenty-one years of marriage, during which they had a high standard of living attributable primarily to Defendant/Husband's income. Both parties filed exceptions to a Divorce Master's Report, which had granted each party one-half of the marital estate.

1. In divorce cases, the evidence must be considered *de nova* at every stage of review. The report of the master is entitled to great consideration in that he [or she] has heard and seen the witnesses, and it should not be lightly disregarded. It is advisory only, however, and the reviewing court is not bound by it and it does not come to the court with any preponderate weight or authority which must be overcome. *Rothrock v. Rothrock*, 765 A.2d 400, 404 (Pa. Super. 2000).

2. The essence of the concept of an equitable division is that "after considering all relevant factors" the court may "deem just" a division that awards one of the parties more than half, perhaps the lion's share of the property. *Platek v. Platek*, 309 Pa. Super. 16, 454 A.2d 1059 (1982).

3. The purpose of alimony is not to reward one party and punish the other, but rather to ensure that the reasonable needs of the person who is unable to support herself through appropriate employment are met. *Miller v. Miller*, 744 A.2d 778, 788 (Pa. Super. 1999). Alimony is based upon reasonable needs in accordance with the lifestyle and standard of living established by the parties during the marriage, as well as the payor's ability to pay. *Moran v. Moran*, 839 A.2d 1091, 1096 (Pa. Super. 2003).

13. Under the Agreement, Father owed \$80,500 in child support between January 2012 to date (through November 2013) and has paid \$36,137. (Exbt. D-2)

14. This assumes Father is current on his obligation to pay Mother \$1,500 per month towards COBRA as I directed in my interim order of July 17, 2013.

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4. An order for *alimony pendente lite* entered during the pendency of a divorce action is not appealable until all claims connected to the divorce proceeding are resolved. *Capuano v. Capuano*, 823 A.2d 995, 998-999

Exceptions to Master's Report. C.P., Dau. Co., No. 2010 CV 486 DV. Denied in part.

Sandra L. Meilton and Cheryl L. Young, for Plaintiff

J Paul Helvy, for Defendant

OPINION

Turgeon, J., January 8, 2014 – Before the court are the exceptions filed by each party to the Divorce Master's Report concerning equitable distribution of their marital estate. In addition, Husband seeks for the court to reconsider an *alimony pendente lite* (APL) award issued in a separate support action. For the reasons set forth below, I grant Wife's exceptions in part and deny Husband's exceptions and his request for reconsideration of the APL order.

BACKGROUND

The parties Gretchen (Wife) and Stanley Rapp (Husband) married in June 1988 and separated in December 2009. It was the second marriage for both parties. They have two children, both emancipated. On January 14, 2010, Wife initiated a divorce action including claims for equitable distribution, support and counsel fees. Wife initiated a separate support action on January 4, 2010, seeking child and spousal support/APL. *Rapp v. Rapp*, No. 0091 DR 2010, PACSES No. 850111413 (Dauphin County).

Divorce Master Charles Friedman held two days of hearings in December 2012. Following the hearings, he issued his Report and Recommendations on June 3, 2013. The Master valued the marital estate at \$3,353,625 and recommended each party be awarded one-half thereof and that Husband pay Wife \$10,000 per month alimony until she turns sixty years of age, on August 21, 2021. The Master denied both parties' requests for attorney's fees and Father's request for a credit of one-half the fair rental value of the marital home, in which Wife was living. The most hotly contested issue before the Master was the value of Husband's stake in his lobbyist businesses. The parties provided significantly divergent expert valuations; Husband's expert opined the businesses' marital value at \$970,000 while Wife's expert opined it was \$3,149,000. The Master accepted Husband's expert's valuation. Both parties thereafter filed exceptions to these and other findings within the Master's Report.

The relevant facts presented before the Master are as follows: Husband, currently sixty years old, is in good health. He is a lobbyist and partner in a number of related business entities. His 2011 gross

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annual income was \$1,159,626, and his monthly net income \$47,618, as determined in the support proceedings held before me and adopted by the Master.¹ Husband's main lobbyist business is Greenlee Partners, LLC, in which he owns a fifty percent interest. Greenlee Procurement, LLC also does lobbying in which Husband has a forty percent interest and Greenlee Partners a twenty percent interest, making Husband's interest fifty percent by virtue of his interest in Greenlee Partners. Husband also owns a fifty percent interest in a political consulting and fundraising business, Keystone Strategies. As noted, the Master accepted Husband's expert's valuation in these entities, totally rejecting the valuation offered by Wife's expert.

Wife, currently fifty-two years old, has a high school education although she took classes at Harrisburg Area Community College prior to the marriage and a class at Penn State following separation. Prior to her marriage to Husband and for a few years following their marriage, she worked in the Pennsylvania Senate from which she receives a \$68 monthly pension. Wife testified that she contributed to the development of Husband's lobbyist business including recommending a number of employees based upon her Pennsylvania Senate contacts, as well as organizing and hosting political fundraisers. Husband denied that she contributed in any significant manner to his professional life. Wife also claimed she gave up her career and became a stay-at-home parent upon Husband's insistence. Wife currently works approximately twelve hours a week as a sales clerk, earning \$10 per hour.

The Master found that Wife's health is fair. Wife asserted to the Master that considering her lengthy absence from the work force, her age and her health conditions, there is little prospect for gainful employment. The Master nevertheless noted my finding in the support action in which I held Wife to a \$25,000 earning capacity as of July 1, 2011 (a monthly net income of \$1,772).

The Master concluded that the parties had a high standard of living during their marriage. They owned substantial assets, including the marital home in which Wife resides, as well as other property, investments and businesses. The acquisition of the parties' marital assets was mostly attributable to Husband's income although early in the marriage Wife liquidated her retirement account from pre-marital employment to contribute to the down payment on a house. She also deposited half of a

1. I found at a later support hearing that Husband's 2011 monthly net income was actually \$49,345, discussed below.

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\$50,000 inheritance into a joint bank account. With the exception of the marital value of Husband's lobbyist business entities, the parties agreed to the value of their marital assets and liabilities.

After the parties filed their exceptions to the Master's Report, and following their submission of briefs, I held oral argument August 26, 2013. I thereafter took the matter under advisement during which time the parties attempted to settle the matter. While the parties were unable to reach a global settlement, they subsequently agreed to the appointment of Gregory Crumling as an independent business evaluator to provide a binding opinion on the value of Husband's three business interests. On December 20, 2013, following his review of the record, Mr. Crumbling submitted a report in which he opined that the marital value of Husband's interest in those businesses is \$1,615,000. Given this binding figure, the total value of the marital estate has now increased from \$3,353,625 to \$3,998,625.

LEGAL DISCUSSION

Wife argues the Master erred (1) by granting her only one-half of the marital estate, (2) by not awarding her more alimony of a longer duration, and (3) denying her request for counsel and expert fees and expenses. Husband argues the Master erred by (1) denying his request for a credit representing one-half of the fair rental value of the marital home, (2) awarding Wife alimony and (3) denying his claim for counsel fees. Husband also raises a fourth claim in his exceptions, which is that I should reconsider, in these divorce proceedings, a July 2, 2013 order which requires Husband pay Wife \$19,029 monthly APL.

This court's standard of review in assessing a master's report and recommendations is as follows:

In divorce cases, the evidence must be considered *de novo* at every stage of review. The report of the master is entitled to great consideration in that he [or she] has heard and seen the witnesses, and it should not be lightly disregarded. It is advisory only, however, and the reviewing court is not bound by it and it does not come to the court with any preponderate weight or authority which must be overcome. The reviewing court must consider the evidence, its weight and the credibility of the witnesses, *de novo*. The Master's report is not controlling, either on the lower court or on the appellate court.

* * *

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...in cases where the issue is one of credibility the findings of the master should be given fullest consideration, this is not to say that the master's conclusions regarding credibility are binding on the reviewing court, but where the record alone does not indicate which party's testimony should be credited, the determination of the master can tip the balance.

Rothrock v. Rothrock, 765 A.2d 400, 404 (Pa. Super. 2000) (citations omitted).

OVERALL DIVISION OF MARITAL PROPERTY

In this case, the Master divided the marital estate equally between the parties. Wife argues she should have received a greater share of the total estate, now valued at \$3,998,625, seeking sixty percent thereof. I agree that Wife is entitled to more than one-half the marital estate and award her fifty-five percent, or \$2,199,244, and Husband forty-five percent, or \$1,799,381. This court is guided by the thirteen statutory factors set forth in the Divorce Code is so deciding. Those factors are as follows:

§ 3502. Equitable division of marital property.

- (a) General rule.--Upon the request of either party in an action for divorce or annulment, the court shall equitably divide, distribute or assign, in kind or otherwise, the marital property between the parties without regard to marital misconduct in such percentages and in such manner as the court deems just after considering all relevant factors. The court may consider each marital asset or group of assets independently and apply a different percentage to each marital asset or group of assets. Factors which are relevant to the equitable division of marital property include the following:
- (1) The length of the marriage.
 - (2) Any prior marriage of either party.
 - (3) The age, health, station, amount and sources of income, vocational skills, employability, estate, liabilities and needs of each of the parties.
 - (4) The contribution by one party to the education, training or increased earning power of the other party.
 - (5) The opportunity of each party for future acquisitions of capital assets and income.
 - (6) The sources of income of both parties, including, but not limited to, medical, retirement, insurance or other benefits.
 - (7) The contribution or dissipation of each party in the acquisition, preservation, depreciation or appreciation of the marital property, including the contribution of a party as homemaker.

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- (8) The value of the property set apart to each party.
- (9) The standard of living of the parties established during the marriage.
- (10) The economic circumstances of each party at the time the division of property is to become effective.
- (10.1) The federal, state and local tax ramifications associated with each asset to be divided, distributed or assigned, which ramifications need not be immediate and certain.
- (10.2) The expense of sale, transfer or liquidation associated with a particular asset, which expense need not be immediate and certain.
- (11) Whether the party will be serving as the custodian of any dependent minor children.

23 Pa.C.S.A. § 3502(a).

Our superior court has offered further guidance concerning distribution of a marital estate:

...[T]here is no simple formula by which to divide marital property. The method of distribution derives from the facts of the individual case. The list of factors [in the Divorce Code] serves as a guideline for consideration, although the list is neither exhaustive nor specific as to the weight to be given the various factors. Thus, the court has flexibility of method and concomitantly assumes responsibility in rendering its decisions. The concept of equitable distribution is not an equal division of marital property. [fn omitted] In *Platek v. Platek*, this court stated:

[T]he essence of the concept of an equitable division is that “after considering all relevant factors” the court may “deem just” a division that awards one of the parties more than half, perhaps the lion’s share of the property. 309 Pa. Super. 16, 454 A.2d 1059 (1982).

Semasek v. Semasek, 479 A.2d 1047, 1052 (Pa. Super. 1984), *rev’d. on other grounds*, 502 A.2d 109 (Pa. 1985) (upholding a 56/44 division of the marital estate).

An equal (50/50) division of the marital estate in this case would be inequitable based upon application of the factors set forth above to the

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facts of this particular case. Notably, factors (a)(1), (3), (5), (6), (9), (10) weigh heavily in favor of a greater distribution of the marital estate to Wife, as follows:

(a)(1) The length of the marriage.

The parties' marriage was of a fairly long duration, 21.5 years, during which they raised two children.

(a)(3) The age, health, station, amount and sources of income, vocational skills, employability, estate, liabilities and needs of each of the parties the amount of the parties' incomes and employability.

Husband is currently sixty years old and is in good health. He is the owner of various established lobbyist entities which provide him a significant income. There is no indication his employment and business ownership situation will change in the near future. Wife is currently fifty-two years of age and only in fair health. She has a limited work history and an earning capacity of only \$25,000. Based upon 2011 figures, Husband's annual gross income was over 46 times greater than Wife's (\$1,159,626 vs. \$25,000 (earning capacity)) and his net income over 27 times greater (\$49,345 per month vs. \$1,772).

(a)(5) The opportunity of each party for future acquisitions of capital assets and income.

Given Husband's far superior income he has a significantly greater opportunity for the future acquisition of capital assets and income. Husband has also been able to make contributions to his retirement and investment accounts since the parties' separation, increasing his non-marital estate. In contrast, Wife is currently employed part-time and has yet to realize her full time earning capacity. These facts, coupled with Wife's age, health and lengthy absence from the job market, reveal a reduced ability to acquire future assets.

(a)(6) The sources of income of both parties, including, but not limited to, medical, retirement, insurance or other benefits.

As noted, Husband is currently self-employed earning well over a million dollars per year. He is provided medical and retirement benefits from his employment and has been able to continue to make contributions to his retirement plan post-separation, over and above his APL payments to Wife. Wife has a limited income making near minimum wage plus a \$68 per month pension from her pre-marital employment. Her pri-

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mary source of income following separation and during the course of the divorce proceedings has been APL payments. Wife has no separate retirement account other than her minimal state pension.

(a)(9) The standard of living of the parties established during the marriage.

The parties' standard of living during their marriage was high. As recited by the Master in his Report: "[The parties] vacationed and dined in restaurants frequently. They lived in a large home and drove luxury automobiles. The parties hired architects, decorators and landscapers when they renovated both of their homes. Husband and Wife wore designer clothing and acquired artwork during their marriage. The parties were members of West Shore and Hershey County Clubs. They held season tickets at the Hershey Theater for 20 years. Husband's company also had a suite at the Giant Center. Their lifestyle was commensurate with Husband's income." (Master's Report p. 6).

(a)(10) The economic circumstances of each party at the time the division of property is to become effective.

At the time of the division of the marital property, Husband will still be earning a very substantial income in the lobbyist industry. Wife, according to the most recent testimony, will be working approximately twelve hours a week as a sales clerk, earning \$10 per hour, or \$6,240 gross per year (though her earning capacity is \$25,000, or a \$1,772 monthly net income). Under my equitable distribution determination, wherein she receives fifty-five percent of the marital estate, her distribution will be \$2,199,244. In less than four years, Husband's income will be equal to the value of marital property equitably distributed to Wife, and Husband will continue to earn that and probably more based upon the historical increase in earnings from his businesses and other investments.

That both parties were previously married (factor (a)(2)) is not a significant factor in deciding equitable distribution in this case.

The parties strongly disagreed as to the level of Wife's contribution to Husband's increased earning power ((a)(4)). Wife claimed she offered substantial help to the development and running of his lobbyist businesses. I find, upon review of the record, that while Wife did offer some contributions, they were not so substantial as to make this factor one weighing significantly in Wife's favor.

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Factor (a)(7) addresses the contribution or dissipation of each party in the acquisition, preservation, depreciation or appreciation of the marital property, including the contribution of a party as homemaker. Wife contributed to the parties' marriage and maintenance of the marital property as a homemaker, wife and mother, raising the parties' two children and allowing Husband time to spend furthering his career and businesses. In addition, Wife gave up her career at Husband's insistence. Husband was nevertheless responsible for the acquisition of the vast majority of the marital estate. On balance, this factor weighed in Husband's favor.

The value of the property set apart to each party ((a)(8)) is not a significant factor in determining equitable distribution. The evidence revealed that while both parties own separate non-marital property, there was no great disparity between the value of each party's holdings such that this factor weighed in favor of one party over the other.²

In light of the equitable distribution factors outlined above, the Master erred by granting Wife only one-half of the marital estate. Instead, a just and equitable division under the facts of this case dictate that Wife receive fifty-five percent and Husband forty-five percent.³

ALIMONY

Both parties have filed exceptions to the Master's award of \$10,000 per month alimony to Wife commencing upon the termination of the APL award and ceasing when she turns sixty years old, on August 21, 2021. Wife argues the alimony should be almost twice that awarded and be of an indefinite duration. Husband argues Wife should receive no alimony. I find the alimony awarded appropriate in duration. I conclude, however, that alimony should be increased to \$12,000, as explained below.

"The purpose of alimony is not to reward one party and punish the other, but rather to ensure that the reasonable needs of the person who is unable to support herself through appropriate employment are met." *Miller v. Miller*, 744 A.2d 778, 788 (Pa. Super. 1999) (citation omitted). Alimony provides a secondary remedy and is available where economic justice and the reasonable needs of the parties cannot be achieved

2. The remaining statutory factors ((a)(10.1)(10.2) and (11)) were not offered by the parties as relevant to the equitable distribution of the marital property.

3. I note that under my order of equitable distribution, Husband will receive almost 7% more of the total marital estate than what he was awarded under the Master's distribution scheme (\$1,799,381 (mine) vs. \$1,676,813 (Master's)), attributable to the increased value of the total estate.

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by way of an equitable distribution. *Moran v. Moran*, 839 A.2d 1091, 1097 (Pa. Super. 2003) (citation omitted). An award of alimony should be made to either party only if the trial court finds that it is necessary to provide the receiving spouse with sufficient income to obtain the necessities of life. *Stammero v. Stammero*, 889 A.2d 1251, 1259 (Pa. Super. 2005) (citation omitted). “Alimony is based upon reasonable needs in accordance with the lifestyle and standard of living established by the parties during the marriage, as well as the payor’s ability to pay.” *Moran* at 1096 (citation omitted).

The Divorce Code provides the following guidance in deciding whether alimony shall be granted:

§ 3701. Alimony

...

(b) Factors relevant. – In determining whether alimony is necessary and in determining the nature, amount, duration and manner of payment of alimony, the court shall consider all relevant factors, including:

- (1) The relative earnings and earning capacities of the parties.
- (2) The ages and the physical, mental and emotional conditions of the parties.
- (3) The sources of income of both parties, including, but not limited to, medical, retirement, insurance or other benefits.
- (4) The expectancies and inheritances of the parties.
- (5) The duration of the marriage.
- (6) The contribution by one party to the education, training or increased earning power of the other party.
- (7) The extent to which the earning power, expenses or financial obligations of a party will be affected by reason of serving as the custodian of a minor child.
- (8) The standard of living of the parties established during the marriage.
- (9) The relative education of the parties and the time necessary to acquire sufficient education or training to enable the party seeking alimony to find appropriate employment.

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- (10) The relative assets and liabilities of the parties.
- (11) The property brought to the marriage by either party.
- (12) The contribution of a spouse as homemaker.
- (13) The relative needs of the parties.
- (14) The marital misconduct of either of the parties during the marriage. The marital misconduct of either of the parties from the date of final separation shall not be considered by the court in its determinations relative to alimony, except that the court shall consider the abuse of one party by the other party. As used in this paragraph, "abuse" shall have the meaning given to it under section 6102 (relating to definitions).
- (15) The Federal, State and local tax ramifications of the alimony award.
- (16) Whether the party seeking alimony lacks sufficient property, including, but not limited to, property distributed under Chapter 35 (relating to property rights), to provide for the party's reasonable needs.
- (17) Whether the party seeking alimony is incapable of self-support through appropriate employment.

23 Pa.C.S.A. § 3701(b).

Unquestionably, alimony is appropriate considering the relatively lengthy duration of the parties' marriage (factor (b)(5)), the high standard of living they established during the marriage ((b)(8)), Wife's contribution to the marriage as a homemaker ((b)(10)) and the relative disparity in their incomes ((b)(1)). Most notably, Husband's earnings and earning capacity are far superior than Wife's; his gross income is over 46 times greater than Wife's and his net income over 27 times greater. His primary source of income, from self-employment in his lobbyist businesses, will undoubtedly provide him with a consistently high level of income well into the future. Wife's source of income is limited to near-minimum wage work ((b)(3)). Furthermore, Wife's prospects are low for earning than \$25,000 per year of employment income given her age (fifty-two), health (fair) and limited employment history ((b)(2)). While Wife will receive significant liquid assets under my distribution determination, which can be income producing to her, they are not quite comparable to those owned by Husband, who holds a controlling share in his income producing businesses ((b)(10)). Husband, though older

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than Wife (sixty years old), is in better health and will most likely be able to continue his self-employment into the near future.

A \$12,000 per month alimony award is also warranted to help Wife bridge the gap between her reasonable needs / living expenses and her limited income ((b) (16)), discussed in more detail below. Such an award takes into consideration the relative needs of the parties ((b) (13)), as it provides Husband a net income of approximately \$28,000 per month after consideration of his alimony payment and of his claimed monthly living expenses.⁴

Wife argues that she should be awarded \$19,701 per month alimony, which is the difference between her monthly net earning capacity of \$1,772 and her claimed reasonable monthly expenses of \$21,473.⁵ Husband disputes that Wife's reasonable expenses are that high while Wife suggests they are considerably scaled back when compared to the parties' spending during their marriage. Based upon my review of Wife's claimed expenses, I find them somewhat inflated and conclude her reasonable expenses are approximately \$17,000 per month.⁶ These reasonable expenses exceed by \$5,228 Wife's monthly income, which includes her \$1,772 earning capacity and alimony of \$10,000. This court thus agrees with Wife that some additional alimony, or a total of \$12,000 per month, is appropriate to help bridge this gap between her income and reasonable expenses. To the extent Wife is unable to further reduce her expenses, she should will be able to meet any such shortfall through the significant liquid marital assets awarded today, totaling \$629,025, which are potentially income-producing to her.

Wife also argues that she should be awarded alimony of an indefinite duration given her poor prospects of finding well-paying future employment. The award I have fashioned in this case includes a \$600,000 rollover of 401(k) funds from Husband. These funds will allow Wife to establish a retirement account which she will have access to at age sixty (without penalty). She will also have the option at some point in her sixties to begin receiving Social Security retirement income which will

4. Alimony Factors (b)(4), (7), (9), (11), (14), and (15) were either not significantly relevant to my decision to uphold the Master's decision to grant alimony or were not applicable to the parties' situation.

5. Wife's claimed expenses exclude \$4,000 per month she claims she spends on counsel fees and \$1,833 per month on expert fees. (Wife's Brief in Support, p. 40)

6. I specifically find that Wife's claimed monthly expenses for home maintenance (\$2,000), health insurance (\$1,431), clothing (\$1,500), food (\$1,667), personal care (\$667), entertainment (\$,1000) and vacations (\$1,000), totaling over \$9,000, are close to twice what is reasonable. (Exbt. D-19)

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help supplement her income. Furthermore, Husband will be getting closer to retirement at the conclusion of the alimony term. For these reasons, I find no error in the Master's decision to cease alimony upon Wife turning sixty years of age.

Husband argues Wife should receive no alimony. He suggests that any shortfall Wife may experience between her expenses and her employment income/earning capacity be entirely bridged by investment income she can earn from proceeds realized by selling the marital home and from the liquid assets she will be awarded in equitable distribution. With regard to the marital home, Husband argues that Wife should be able to earn five percent income on the home's \$684,000 equity value, or \$34,200 per year. I initially note that Husband's argument fails to consider that if Wife were to sell the marital home, she would most likely need to use a significant amount of the equity to purchase another home in which to live. Thus, Husband's estimate of Wife's potential investment income from the home is greatly exaggerated. Furthermore, an immediate sale of the marital residence is not necessary in order to effectuate economic justice between the parties, which is the gravamen of my assessment of the issue. *See Moran v. Moran*, 839 A.2d 1091 (Pa. Super. 2003) (the trial court abused its discretion in directing that the parties sell maritally owned real estate, awarded to husband, without an explanation that the sale was necessary in order to effectuate economic justice). Economic justice can be accomplished through the total equitable distribution scheme as well as through alimony payments, which are warranted under statutory factors analyzed above.

Regarding other liquid assets, Husband argues as well that Wife should be imputed an income of five percent of the value of any liquid assets awarded to her. Under my proposed distribution, Wife will be receiving \$629,025 in liquid assets. Assuming Wife conservatively invests at a five percent return, she can earn \$31,451 gross per year from such an investment. After adding her \$25,000 earning capacity, her gross income should about \$56,451 gross per year. Assuming her net income is approximately seventy-five percent of that amount, her net income would be \$42,338, or \$3,528 per month. This net monthly income standing alone, without additional alimony, is clearly insufficient to allow Wife to meet her monthly expenses. As such, an award of no alimony is clearly improper.

Husband finally argues that the Master erred by requiring he pay alimony until Wife turns sixty years of age, at which time he will be sixty-eight. He suggests that his prospects as a lobbyist will decrease in

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his sixties and that his income will be insufficient by that point in his life. Working well beyond age sixty-eight is not unreasonable or uncommon in a white collar position; there is no evidence that Husband will retire sooner or his earnings will decrease, since his business revenues continue to increase. In any event, alimony obligations are always subject to future modification should Husband present sufficient evidence of changed circumstances of a substantial and continuing nature. See 23 Pa.C.S.A. §3701(e).

Credit for Fair Rental Value of Marital Residence

Husband filed an exception to the Master's decision denying him a credit for one-half the fair rental value of the marital residence. The parties stipulated that the fair rental value is \$3,000 per month. Husband seeks credit for one-half of that rental value from the date of separation in December 2009 to date, less one-half of the reasonable expenses for maintenance on the property. The Master declined to grant Husband rental credit for two reasons: first, that Wife's claimed expenses for home maintenance exceeded the total rental value, and second, that such an award would not be equitable considering the relevant statutory factors for determining equitable distribution and the overall distribution scheme. (Master's Report p. 14)

An equitable distribution order may include an award to the non-possessing spouse of one-half of the rental value of the marital residence when possessed exclusively by the other spouse during the parties' separation. *Middleton v. Middleton*, 812 A.2d 1241, 1248 (Pa. Super. 2002) (citations omitted). However, such an award is not mandatory. *Id.* citing 23 Pa.C.S.A. § 3502(a)(7); *Schneeman v. Schneeman*, 615 A.2d 1369 (Pa. Super. 1992) (while each party is entitled to his or her equitable share of marital property, including fair rental value of the marital residence, the trial court need not compute that equitable share as a credit to the non-possessory spouse, as long as the total distributory scheme is equitable); *Butler v. Butler*, 621 A.2d 659, 668 (Pa. Super. 1993); and *Sutliff v. Sutliff*, 522 A.2d 1144, 1154 (Pa. Super. 1987) (although award of rent is permissible, refusal was not an abuse of discretion under the totality of the circumstances and the equitable distribution order as a whole). To determine if an award of fair rental value is appropriate, the court must consider "the amount and sources of income of the parties, the parties' relative vocational skills and employability and the opportunity of each party for future acquisitions of capital assets and income." *Gordon v. Gordon*, 647 A.2d 530 (Pa. Super. 1994), *rev'd on other grounds*, 681 A.2d 732 (Pa. 1996). Where a credit is warranted, it is

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proper for the court to deduct from the rental value “the non-possessing spouse’s share of expenses paid by the possessing spouse related to preserving the marital residence (i.e., mortgage, insurance, taxes, maintenance).” *Gaydos v. Gaydos*, 693 A.2d 1368, 1377 (Pa. Super. 1997).

The Master, in considering the claim, calculated the total rental value from the date of separation to the date of his hearings, which he erroneously indicated was a 26 month period. The correct time frame, as argued by Husband, was instead 36 months (December 2009 to December 2012) and thus the Master should have found the total rental value at the time to be \$108,000 instead of \$78,000. In any event, the Master credited Wife’s claim that she had spent \$110,514 on home maintenance expenses since the date of separation through the Master’s hearings, noting that while he believed some of her expenses “could be questioned,” he would accept them as accurate “because Husband has failed to [question them].” (Master’s Report p. 14, n. 2) I find no error in the Master’s decision.

Husband disputes the Master’s conclusion that he did not question Wife’s claimed home maintenance expenses at the hearings, noting that he specifically challenged as unnecessary certain repairs and expenditures totaling \$28,707.⁷ Even were the court to credit Husband’s evidence before the Master as to these costs, the net rental value on the marital home, through the date of the Master’s hearings, would be only \$26,193 (\$108,000 (rental value) - (\$110,514 - \$28,707) (adjusted home expenses)). Given the overall value of the marital estate (almost \$4 million), there is no error in declining to award Husband one-half of this relatively *de minimis* rental value of the marital home (\$13,096.50).

Husband also argues that the rental value should be considered ongoing (December 2009 through January 2014). The gross rental value to date would be \$147,000 (49 months x \$3,000), less reasonable expenses for maintenance. It would be pure conjecture for this court to determine the net rental value given that there is no evidence of home maintenance expenses beyond the dates of the Master’s hearings. Nevertheless, even to the extent the home expenses as proposed by Husband are extrapolated to date from the figures provided the Master, the total net due to

7. Husband’s Brief in Support, p. 5 (citing N.T. 172-73) Husband also challenged the inclusion by Wife of real estate and school taxes she paid totaling \$17,753, reasoning that Wife could have avoided these costs had she sold the home, as Husband desired. The reality, however, is that the property has not been sold and the taxes are real costs of preserving the marital residence. The law is explicit that such taxes paid by the possessing spouse are properly deducted from the fair rental income. *Gaydos, supra*.

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Husband remains a similarly *de minimis* amount, \$17,836.⁸ Independent of the minimal value of the credit, a rental credit is not warranted here since the overall equitable distribution adequately compensates Husband for his interests in the marital property. Husband's annual income of over one million dollars substantially exceeds Wife's annual gross earning capacity of \$25,000. It is clear that Husband has a superior source of income, superior vocational skills, employability and a greatly superior ability to acquire future assets and income. *Gordon, supra*. Therefore, the Master's denial of Husband's fair rental value claim was appropriate and Husband's exception is denied.

ATTORNEYS' FEES

Both parties filed exceptions to the Master's failure to award them attorneys' fees and expenses. While the parties stipulated that the attorneys' fees charged to the parties in this matter were reasonable fees for the work performed, they retained the right to dispute the necessity for the work performed, as well as whether either party should be responsible for any portion of the other party's legal fees and expenses.

The Divorce Code grants the court authority to award reasonable counsel fees and expenses. 23 Pa.C.S.A. § 3702. The purpose of an award of counsel fees is to promote the fair administration of justice by enabling the dependent spouse to maintain or defend the divorce action without being placed at a financial disadvantage; the parties must be "on par" with one another. *Biese v. Biese*, 979 A.2d 892, 899 (Pa. Super. 2009). Counsel fees are awarded based on the facts of each case after a review of all the relevant factors and only upon a showing of need. *Id.* Determinative factors include the payor's ability to pay, the requesting party's financial resources, the value of the services rendered, and the property received in equitable distribution. *Id.*

Husband claims the Master should have awarded him \$62,868, covering seventy-five percent of his fees expended on Wife's allegedly overly zealous and excessive discovery requests. Wife did in fact make many such requests primarily to seek what she believed were hidden assets. The Master noted within his Report that he found Wife's "relentless" discovery requests "unnecessary" and a "scorched-earth litigation

8. Assuming the court credits Husband's home expense evidence, Wife's claimed total home expenses would be \$110,514 less the legitimate expenses challenged by Husband, \$28,707, a total of \$81,807 home expenses over 36 months, or \$2,272 per month. The net monthly rental value of the marital home is thus \$728 (\$3,000 - \$2,272). Extrapolated over 49 months, this total net rental value is \$35,672 (\$728 x 49 months), one-half of which is \$17,836.

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policy” causing a dissipation of marital assets through “extraordinary legal fees.” (Master’s Report pp. 6, 19) Having handled several of the discovery disputes, I disagree with the Master’s characterization of Wife’s requests as unnecessary, excessive and extraordinary and as such, find the denial of Husband’s attorney’s fees request to have been proper.⁹

Wife argues the Master erred by failing to grant her request for \$175,000 in attorney’s fees and costs, which she claimed totaled \$281,195 through November 2012. Wife asserts that payment of her fees and expenses is required to allow her an equal footing in this matter. She also claims that an award is justified given the huge disparity between the parties’ incomes noting that Husband can replicate the entire value of the marital estate within five years. She also argues that fees are warranted given that Husband failed to provide an adequate level of cooperation during the discovery process, requiring her to expend additional fees and costs.

I find the denial of Wife’s request for fees proper upon evaluation of the determinative factors: payor’s ability to pay, the requesting party’s financial resources, the value of the services rendered and the property received in equitable distribution. *Biese, supra*. Importantly, over the past four years, Husband has paid (or owes) Wife almost \$900,000 APL. One of the chief purposes for awarding APL is to equalize the financial resources between parties in a divorce proceeding, particularly where one party, in theory, “has major assets which are the financial sinews of domestic warfare.” *Schenk v. Schenk*, 880 A.2d 633, 644 (Pa. Super. 2005) (citing *Litmans v. Litmans*, 673 A.2d 382, 388 (Pa. Super. 1996)). In addition, under the award I issue today, Wife will be receiving total marital assets of \$2,199,244 of which \$629,025 are liquid assets, which should be income-producing for Wife. Wife has been additionally awarded \$12,000 monthly alimony payable to her until August 2021, absent future modification. These financial resources and property received in equitable distribution are sufficient to place Wife “on par” with Husband in this litigation.

Support Action: Reconsideration of APL Award

Finally, Husband seeks reconsideration in these divorce proceedings of my July 2, 2013 support order finding his APL obligation was

9. I had the additional advantage of observing both parties on numerous occasions in their support hearings, as well as in various divorce proceedings including hearings on special relief matters, contempt issues and the discovery litigation.

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\$19,029 per month. Husband suggests that he may attack the support (APL) order and have it “corrected” in these divorce proceedings.

The relevant support action history is as follows: After Wife filed her initial complaint and following a support conference, I issued an order as recommended by the Domestic Relations Section conference officer directing Husband pay Wife \$14,731 per month APL (effective January 4, 2010).¹⁰ Wife requested *de nova* review and a hearing was held December 20, 2010 to address her challenge to the support order as well as issues related to requests for special relief in the divorce action. Following the hearing, I entered an order establishing Husband’s APL obligation at \$17,125 per month, based upon a zero income/earning capacity for Wife and Husband’s \$47,618 monthly net income. Effective July 1, 2011, I assigned Wife an annual gross earning capacity of \$25,000 (\$1,772 monthly net income) finding she should be able to obtain full-time employment. The inclusion of an earning capacity to Wife reduced Husband’s APL obligation to \$16,182 per month.

On November 28, 2012, Wife filed a petition seeking a retroactive increase of the APL award after she discovered Husband had been earning additional \$30,000 annual gross income (\$2,917 per month) which she alleged had not been properly disclosed. Following a hearing May 16, 2013, I issued an order July 2, 2013 granting Wife’s petition. The order, made retroactive to January 1, 2011, directed that Husband pay \$19,737 per month APL. For the purpose of calculating the order, Wife was assigned zero income/earning capacity while I found that Husband’s monthly net income (in 2011) was \$49,345. Effective July 1, 2011, the APL order was reduced to \$19,029 per month, reflecting the inclusion of Wife’s earning capacity of \$1,772 net per month. Husband’s monthly net income remained at \$49,345.

Husband asserts there exist multiple errors with my July 2, 2013 APL order including: increasing his APL obligation where there did not exist a substantial change in his income; requiring that he reimburse Wife for unreimbursed medical expenses of both Wife and children; making the award retroactive to January 1, 2011; recalculating his income, deductions and expenses beyond the alleged additional income; and granting relief to Wife beyond what she requested in her modification petition.

10. At the time Wife filed her support complaint, the parties’ youngest child was an unemancipated high school senior who was living with Mother and thus the initial support order included child support. The child became emancipated in May 2010 and thus subsequent orders address APL only.

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APL is “an order for temporary support granted to a spouse during the pendency of a divorce or annulment proceeding.” 23 Pa.C.S.A. § 3103. An order for APL entered during the pendency of a divorce action is not appealable until all claims connected to the divorce proceeding are resolved, as explained in *Capuano v. Capuano*, 823 A.2d 995 (Pa. Super. 2003), as follows:

“[During the pendency of a divorce action,] the portion of a trial court order attributable to child support is final and immediately appealable; however, the portion of an order allocated to spousal support [or APL] is interlocutory.” *Hrinkevich v. Hrinkevich*, 450 Pa. Super. 405, 676 A.2d 237, 239 (1996), citing *Calibeo v. Calibeo*, 443 Pa. Super. 694, 663 A.2d 184, 186 (1995). In keeping with the above principle, our court recently opined:

It is well-recognized that a spousal support order entered during the pendency of a divorce action is not appealable until all claims connected with the divorce action are resolved. *Fennell v. Fennell*, 753 A.2d 866, 867 (Pa. Super. 2000); *Deasy v. Deasy*, 730 A.2d 500, 502 (Pa. Super. 1999), *appeal denied*, 562 Pa. 671, 753 A.2d 818 (2000). The rationale behind this rule is that, for purposes of judicial efficiency, in the event that an initial award of interim relief is granted in error, the court has the power to make adjustments in the final settlement via the equitable distribution of marital property. *Ritter v. Ritter*, 359 Pa. Super. 12, 518 A.2d 319, 321 (1986). Thus, when all economic matters involved in a divorce are resolved, any support order can be reviewed and corrected when the court finalizes the equitable division of the property. *Fried v. Fried*, 509 Pa. 89, 96, 501 A.2d 211, 215 (1985).

Thomas v. Thomas, 760 A.2d 397, 398 (Pa. Super. 2000).

Capuano at 998-999. Husband argues that under this rationale, I have authority to correct errors contained in my July 2, 2013 order awarding interim (APL) relief. Wife offers the following argument in response, with which I agree:

...Husband’s reliance on *Capuano* is flawed because it ignores the underlying factual and procedural scenarios about which the court stated its rationale. The decision that interim relief orders in divorce matters are interlocutory and not appealable until final disposition of the case was promulgated by the Supreme Court in *Fried*. Prior to *Fried*, some Pennsylvania courts held that an award of alimony pendent lite and/or counsel fees was considered a final appealable

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order under the old Divorce Law, Act of May 2, 1929, P.L. 1237, as amended, 23 P.S. § 1 et seq. (repealed 1980), “...based upon the theory that the money paid pursuant to the order was unrecoverable, i.e., irreparably lost.” *Fried* at 214. However, in *Fried*, the Supreme Court opined that,

...under the new [Divorce] Code [of 1980] the conclusion that a grant of interim financial relief may result in the irreparable loss of a claimed right cannot be supported. We hold, therefore, that such an order is interlocutory and thus not reviewable until final disposition of the case.

Fried at 215. The Superior Court in *Ritter*, and then in *Capuano*, applied the Supreme Court’s rationale to the respective appeals of spousal support orders in those cases and considered the orders interlocutory and quashed the appellants’ appeals as they related to spousal support.

None of the cases cited by Husband in support of his assertion that it is appropriate to include an exception to the July 2, 2013 spousal support order in his exceptions to the Master’s Report were at the same procedural juncture as the matter at hand. Specifically, none of the cases reported that the underlying divorce matter had been or was currently before the court or a divorce master, or that a final settlement as to the equitable division of marital property, alimony and/or a final award of attorney’s fees and costs had been reached. Therefore, it stands to reason that, procedurally, the time for any adjustments that the Supreme Court opined could be made in the final settlement of a divorce matter, if the initial award of interim relief was granted in error, would be during a hearing before the divorce master, not afterwards.

(Wife’s Brief in Opposition, pp. 19-20)

Even were I to find it procedurally proper to address Husband’s claims of error on the merits in this action, I make two important observations. First, I am hampered in assessing his claims of error fully since the transcript of the hearing on Wife’s petition to modify the APL award has not been requested or produced. Second, assuming Husband’s claims of error are proven to be correct, then the remedy in this case would not require that I “make adjustments to the final settlement via the equitable distribution of marital property” (*Capuano, supra*), but would ultimately require a correction to the APL order, potentially including a

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relatively minor reduction in the award and a credit against arrears, a change in the effective date, and adjustment to the language within the order concerning reimbursable medical expenses. As such, I decline to reconsider the prior APL order in these proceedings. Husband retains as a remedy the right to appeal the APL order upon it becoming a final order.

Accordingly, I enter the following:

ORDER

AND NOW, this 8th day of January 2014, Husband's exceptions to the Master's Report are DENIED. Wife's exceptions are DENIED, except as set forth above. The total value of the marital estate is \$3,998,625, of which Wife is awarded 55% thereof and Husband 45%. Husband shall pay Wife alimony of \$12,000 per month until she turns sixty years of age (on August 21, 2021). The marital property of the parties shall be divided as follows:

HUSBAND**Assets**

Greenlee and Keystone Entities	\$ 1,615,000
Greenlee Partners 401(k)	\$ 1,083,930
Silver Maple Distribution	\$ 44,000
Advance from PNC LOC	\$ 5,000
SMR Properties, LP	\$ 148,350
SMR-GP	\$ 1,255
Loan from Silver Maple	\$ 84,291
Advance - Silver Maple	\$ 20,000
FNB Advance	\$ 56,000
Merrill Lynch Account	\$ 19,819
2009 Federal Tax Refund	\$ 129,888
2009 State Tax Refund	\$ 7,394
Mercedes Trade-in	\$ 5,000
Misc. Personal Property	\$ 2,446
Withdrawal FNB Acct	\$ 15,345
Escrow Refund	\$ 6,967

Debt

FNB LOC	(\$ 186,283)
Silver Maple Properties	(\$ 30,000)
Net To Husband (Existing)	\$ 3,028,406

WIFE**Assets**

Marital Residence Value	\$ 856,000
Advance - Silver Maple	\$ 20,000
FNB Advance	\$ 156,000
Lexus Trade-in	\$ 18,000
Trip to Spain	\$ 4,500
Merrill Lynch Account	\$ 2,000
Withdrawal FNB Acct	\$ 15,345
PSERS Pension	\$ 4,481
Personal Property	\$ 79,935

Debt

PNC LOC	(\$ 172,828)
Net to Wife	\$ 970,219

Payment to Wife for

55/45 Distribution	(\$1,299,025)
Final Distribution (55/45)	\$1,799,381

Payment from Husband for

55/45 Distribution	\$ 1,299,025
Final Distribution (55/45)	\$ 2,199,244

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Husband's payment to Wife for her equitable portion of the parties' marital estate, totaling \$1,299,025, shall be paid as follows: Husband shall pay Wife \$600,000 by rolling-over that amount from his 401(k) into a retirement account in Wife's name, or by a QDRO effectuating the same. The remaining amount, \$629,025, shall be paid to Wife within ninety (90) days, or as otherwise agreed by the parties.

Husband shall designate Wife as beneficiary on one of his life insurance policies to secure the APL award and secure future payment of the \$629,025 if an alternate payment plan is negotiated. All deeds or titles to vehicles or other property transferred under this Order shall be executed within thirty (30) days.

The parties shall immediately submit a Divorce Decree to be promptly entered by this Court.

_____o_____

SECOND PUBLICATION

Estate Notices

ESTATE OF HARRY D. STRAUB, late of the Township of Upper Paxton, County of Dauphin and Commonwealth of Pennsylvania. Executor: Larry Straub, 144 Vista Road, Klingersstown, PA 17941. Attorney: Joseph C. Michetti, Jr., Esq., Diehl, Dlugé, Jones & Michetti, 921 Market Street, Trevorton, PA 17881. j24-f7

ESTATE OF ALDA E. MUTH, late of the Township of Lykens, County of Dauphin and Commonwealth of Pennsylvania. Co-Executors: Donna E. Kratzer, 187 Hebe Church Road, Herndon, PA 17830 or Charles H. Muth, 523 S. Pine Street, Lykens, PA 17048. Attorney: Joseph C. Michetti, Jr., Esq., Diehl, Dlugé, Jones & Michetti, 921 Market Street, Trevorton, PA 17881. j24-f7

ESTATE OF LARRY T. SHEAFFER, late of Londonderry Township, Pennsylvania, (died December 24, 2013). Executor/Administrator: Robin A. Sheaffer, 4024 Parkside Court, Mount Joy, PA 17552. Attorney: Michael S. Grab, Esq., 327 Locust Street, Columbia, PA 17512. j24-f7

ESTATE OF GLENN S. WAMBOLD, late of Susquehanna Township, Dauphin County, (died 12/1/2013). Executor/Administrator: Janet Parker, 3915-510 Union Deposit Road, Harrisburg, PA 17109. j24-f7

ESTATE OF THEODORA A. SWATSKY, late of Lower Paxton Township, Dauphin County, Pennsylvania. Executrix: Janet H. Davis. Attorney: Melanie Walz Scaringi, Esq., Scaringi & Scaringi, P.C., 2000 Linglestown Road, Suite 106, Harrisburg, PA 17110. j24-f7

THIRD PUBLICATION

Estate Notices

ESTATE OF CATHERINE B. BUNJEVAC, late of Harrisburg, Dauphin County, Pennsylvania. Executrix: Yvonne A. Whisenant, 1521 Inverness Drive, Mechanicsburg, PA 17050. Attorney: John R. Zonarich, Esq., Skarlatos-Zonarich LLC, 17 South 2nd Street, Floor 6, Harrisburg, PA 17101. j17-j31

ESTATE OF GLENN JONES, late of Williamstown Borough, Dauphin County, (died August 23, 2013). Executor/Administrator: Brenda Jones, 239 E. Broad Street, Williamstown, PA 17089. Attorney: Kari E. Mellinger, Esq., R.J. Marzella & Associates, 3513 North Front Street, Harrisburg, PA 17110. j17-j31

ESTATE OF JUDITH ANN REIFSNYDER, late of Hershey, Derry Township, Dauphin County, Pennsylvania, (died December 17, 2013). Executor: James Reifsnnyder, 28 N. Lincoln Street, Palmyra, PA 17078. Attorney: A. Mark Winter, Esq., 310 W. Chocolate Ave, Hershey, PA 17033. j17-j31

ESTATE OF WILLIAM S. SAUNDERS, late of Middletown Borough, Dauphin County, Pennsylvania, (died November 10, 2013). Administrator: Theodore Solomon, 1711 Forster Street, Harrisburg, PA 17103. Attorney: Christa M. Aplin, Esq., Jan L. Brown & Associates, 845 Sir Thomas Court, Suite 12, Harrisburg, PA 17109. j17-j31

ESTATE OF TIMOTHY N. PICKEL, late of Middletown, Dauphin County, Pennsylvania, (died December 24, 2013). Co-Administrators: Nolan M. Pickel and Jessica M. Pickel. Attorney: Bruce J. Warshawsky, Esq., Cunningham & Chemicoff, P.C., 2320 North Second Street, Harrisburg, PA 17110. j17-j31

THIRD PUBLICATION

Estate Notices

ESTATE OF GERALDINE FERTIG a/k/a GERALDINE L. FERTIG, late of Susquehanna Township, Dauphin County, Pennsylvania, (died November 10, 2013). Executor: Wayne Fertig, 2128 Sycamore Drive, Harrisburg, PA 17112. Attorney: Elyse E. Rogers, Esq., Saidis, Sullivan & Rogers, 635 North 12th Street, Suite 400, Lemoyne, PA 17043. j17-j31

ESTATE OF ANTHONY ALEXANDER, late of Susquehanna Township, Dauphin County, Pennsylvania, (died 12/15/2013). Executrix: Consilia Minnich, 85 Keswick Drive, Mechanicsburg, PA 17050. Attorney: Kari E. Mellinger, Esq., R.J. Marzella & Associates, 3513 North Front Street, Harrisburg, PA 17110. j17-j31

ESTATE OF MAUREEN CALLAHAN, late of the Township of Susquehanna, County of Dauphin and Commonwealth of Pennsylvania. Executor: Roger H. Ostdahl, 1050 Mountain View Road, Harrisburg, PA 17110. Attorney: Douglas C. Lovisky, Esq., 1500 West College Avenue, State College, PA 16801. j17-j31

ESTATE OF CHRISTOPHER MICHAEL METZLER, late of Middletown Borough, Dauphin County, Pennsylvania, (died September 7, 2013). Administratrix: Jamie Metzler, 526 N. Spring Street, Middletown, PA 17057. Attorney: Robert G. Radebach, Esq., 912 North River Road, Halifax, PA 17032. j17-j31

ESTATE OF LETA E. REEHER, late of Susquehanna Township, Dauphin County, Pennsylvania, (died December 23, 2013). Executor: Arthur B. Reeher, 115 Brook Lane, Marysville, PA 17053. Attorney: Terrence J. Kerwin, Esq., Kerwin & Kerwin, LLP, 4245 State Route 209, Elizabethtown, PA 17023. j17-j31

ESTATE OF EDWARD L. STENE, late of Hershey, Dauphin County, Pennsylvania, (died December 24, 2013). Executor: John K. Stene, Jr. Attorney: David C. Miller, Jr., Esq., 1100 Spring Garden Drive, Suite A, Middletown, PA 17057. j17-j31

ESTATE OF PAUL I. WEAVER, SR., late of Halifax Township, Pennsylvania, (died October 6, 2013). Executor: Paul I. Weaver, Jr., 168 Hershey Road, Halifax, PA 17032. Attorney: Robert G. Radebach, Esq., 912 North River Road, Halifax, PA 17032. j17-j31

ESTATE OF JAMES D. SELVIG, late of the Borough of Steelton, Dauphin County, Pennsylvania. Executrix: Jeanann Wydra, 1029 Melrose Street, Harrisburg, PA 17104. Attorney: Theresa L. Shade Wix, Esq., Wix, Wenger & Weidner, 4705 Duke Street, Harrisburg, PA 17109-3041. j17-j31

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed under the provisions of the Pennsylvania Business Corporation law of 1988, as amended for **Triple Z Enterprises Inc.** of the Pennsylvania (PA) Bus. Corp. Law of 1988. j31

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Section 4129/6129 of the Pennsylvania (PA) Bus. Corp. Law of 1988, **Bernard Hodes Group Inc.**, a corporation incorporated under the laws of the State of Delaware with its principal office located at c/o Diversified Agency Services - Deborah E. Zangara, 437 Madison Ave., NY, NY 10022 and a registered office in PA at c/o: Corporation Service Co., Dauphin County, which on 9/11/1987, was granted a Certificate of Authority to transact business in the Commonwealth of PA, intends to file an Application for Termination of Authority with the Dept. of State.j31

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN that **PeerVoice America Limited**, a foreign business corporation incorporated under the laws of Delaware, with its princ. office located at One Rodney Square, 10th Fl., Tenth & King Sts., Wilmington, DE 19801, has applied for a Certificate of Authority in Pennsylvania under the PA Bus. Corp. Law of 1988. The commercial registered office provider in PA is c/o: Corporation Service Company, and shall be deemed for venue and official publication purposes to be located in Dauphin County. j31

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Section 4129/6129 of the Pennsylvania (PA) Bus. Corp. Law of 1988, **Baltimore Windustrial Co.**, a corporation incorporated under the laws of the State of Delaware with its principal office located at 688 E. Main St., Branford, CT 06405 and a registered office in PA at c/o: Corporation Service Company, Dauphin County, which on 6/1/2005, was granted a Certificate of Authority to transact business in the Commonwealth of PA, intends to file an Application for Termination of Authority with the Dept. of State. j31

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Section 4129/6129 of the Pennsylvania (PA) Bus. Corp. Law of 1988, **The Interlective, Inc.**, a corporation incorporated under the laws of the State of Delaware with its principal office located at 42 Curtis Ave., Somerville, MA 02144 and a registered office in PA at c/o: Corporation Service Co., Dauphin County, which on 5/3/2011, was granted a Certificate of Authority to transact business in the Commonwealth of PA, intends to file an Application for Termination of Authority with the Dept. of State. j31

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on December 2, 2013 by **EAD Control Systems, Inc.**, a foreign corporation formed under the laws of the State of where its principal office is located at 3635 S. 149th Street, Omaha, Nebraska 68144, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988. The character and nature of the business is industrial controls and automation services. The proposed registered office in Pennsylvania is Corporation Service Company, 2595 Interstate Drive, Suite 103, Harrisburg, PA 17110. j31

NOTICE IS HEREBY GIVEN that **Discovery Benefits, Inc.**, a foreign business corporation incorporated under the laws of the State of North Dakota, where its principal office is located at 4321 20th St., SW, Fargo, ND 58103, 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. j31

NOTICE IS HEREBY GIVEN that **MICEL CORP.** with a registered agent in c/o of National Corporate Research, Ltd. In Dauphin county does hereby give notice of its intention to withdraw from doing business in this Commonwealth. The address to which any proceeding may be sent before this filing is Drinker Biddle & Reath LLC c/o Luc Atlan, 191 N. Wacker Dr., Ste. 3700, Chicago, IL 60606. This shall serve as official notice to creditors and taxing authorities. j31

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, for **Perenna Pharmaceuticals, Inc.** on January 14, 2014. 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
j31 Harrisburg, PA 17101

NOTICE IS HEREBY GIVEN that **AP Exhaust Technologies, Inc.**, a foreign business corporation incorporated under the laws of North Carolina, 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 300 Dixie Trail, Goldsboro, NC 27530.

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. j31

NOTICE IS HEREBY GIVEN that an Application for Certificate of Authority was filed with the PA Dept. of State on 11/26/2013 by **MS Financing Inc.**, a foreign corporation formed under the laws of the jurisdiction of DE with its principal office located at 1585 Broadway, New York, NY 10036, to do business in PA under the provisions of the Business Corporation Law of 1988. The registered office in PA shall be deemed for venue and official publication purposes to be located in Dauphin County. j31

NOTICE IS HEREBY GIVEN that **Robert Bosch Packaging Technology, Inc.**, a foreign business corporation incorporated under the laws of Minnesota, with its princ. office located at 8700 Wyoming Ave. North, Minneapolis, MN 55445, has applied for a Certificate of Authority in Pennsylvania under the PA Bus. Corp. Law of 1988. The commercial registered office provider in PA is Corporation Service Co., and shall be deemed for venue and official publication purposes to be located in Dauphin County. j31

NOTICE IS HEREBY GIVEN that **FECI HOLDING CORP.**, a foreign business corporation incorporated under the laws of Delaware, with its princ. office located at 2255 LeJeune Rd., 4th Fl., Coral Gables, FL 33134, has applied for a Certificate of Authority in Pennsylvania under the PA Bus. Corp. Law of 1988. The commercial registered office provider in PA is Corporation Service Co., and shall be deemed for venue and official publication purposes to be located in Dauphin County. j31

NOTICE IS HEREBY GIVEN that **Combustioneer Corporation**, a foreign business corporation incorporated under the laws of Maryland, with its princ. office located at 643 Lofstrand Ln., Rockville, MD 20850, has applied for a Certificate of Authority in Pennsylvania under the PA Bus. Corp. Law of 1988. The commercial registered office provider in PA is Corporation Service Co., and shall be deemed for venue and official publication purposes to be located in Dauphin County. j31

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN that an Application for Certificate of Authority has been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on or about December 30, 2013, for a foreign corporation with a registered address in the state of Pennsylvania as follows: **Atchafalaya Measurement, Incorporated** c/o National Registered Agents, Inc.

This corporation is incorporated under the laws of Louisiana. The address of its principal office under the laws of its jurisdiction in which it is incorporated is 124 Credit Drive, Scott, LA 70583. The corporation has been qualified in Pennsylvania under the provisions of the Business Corporation Law of 1988, as amended.

j31

NOTICE IS HEREBY GIVEN that an Application for Certificate of Authority has been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on or about January 3, 2014, for a foreign corporation with a registered address in the state of Pennsylvania as follows: **Mae-Eitel Inc.** c/o National Corporate Research.

This corporation is incorporated under the laws of Delaware. The address of its principal office under the laws of its jurisdiction in which it is incorporated is InCorp Services, Inc., One Commerce Center, 1201 Orange Street, Suite 600, Wilmington, Delaware 19899. The corporation has been qualified in Pennsylvania under the provisions of the Business Corporation Law of 1988, as amended.

j31

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, on December 20, 2013, organized under the provision of the Pennsylvania Business Corporation Law of 1988.

The name of the new business corporation is: **WCWILHELM, Inc.** And the purpose for which it is to be organized is to engage in any business permitted by law, with a focus on financial advisor.

Law Offices of Peter J. Russo, P.C.
5006 E. Trindle Road, Suite 203
Mechanicsburg, PA 17050

j31

NOTICE IS HEREBY GIVEN that an Application for Certificate of Authority has been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on or about January 13, 2014, for a foreign corporation with a registered address in the state of Pennsylvania as follows: **SunOpta Grains and Foods Inc.** c/o National Registered Agents, Inc.

This corporation is incorporated under the laws of Minnesota. The address of its principal office under the laws of its jurisdiction in which it is incorporated is 7301 Ohms Lane, Suite 600, Edina, MN 55439. The corporation has been qualified in Pennsylvania under the provisions of the Business Corporation Law of 1988, as amended.

j31

NOTICE IS HEREBY GIVEN that an Application for Certificate of Authority has been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on or about January 9, 2014, for a foreign corporation with a registered address in the state of Pennsylvania as follows: **Alphaeon Corporation** c/o CT Corporation System. This corporation is incorporated under the laws of Delaware. The address of its principal office under the laws of its jurisdiction in which it is incorporated is 4040 MacArthur Blvd., Suite 210, Newport Beach, CA 92660. The corporation has been qualified in Pennsylvania under the provisions of the Business Corporation Law of 1988, as amended.

j31

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN that **Schadler Kramer Group, LLC**, hereby gives notice that Application for Certificate of Authority for Foreign Corporation Registration will be filed with the Department of State of the Commonwealth of Pennsylvania as required by 15 Pa.C.S. §4124(b) or by 15 Pa.C.S. §6124(b). The purpose for which the corporation is to be registered is for Advertising Agency Services. j31

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on September 18, 2013, by **MicroPort Orthopedics Inc.**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at 1209 Orange St., Wilmington, DE 19801, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania shall be deemed for venue and official publication purposes to be located at c/o CT Corporation System, Dauphin County. j31

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 4129 of the Business Corporation Law of 1988, **AmeriSpec, Inc.**, a corporation of the State of Delaware, with principal office located at 3839 Forest Hill-Irene Rd., Memphis, TN 38125, and having a Commercial Registered office Provider and county of venue as follows: CT Corporation System, Dauphin County, which on April 15, 1997, was granted a Certificate of Authority, to transact business in the Commonwealth, intends to file an Application for Termination of Authority with the Department of State. j31

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 4129 of the Business Corporation Law of 1988, **Wright Hotel Development, Inc.**, a corporation of the State of Nevada, with principal office located at 11250 NE Holman St., Portland, OR 97220, and having a Commercial Registered office Provider and county of venue as follows: CT Corporation System, Dauphin County, which on February 11, 2009, was granted a Certificate of Authority, to transact business in the Commonwealth, intends to file an Application for Termination of Authority with the Department of State. j31

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 4129 of the Business Corporation Law of 1988, **Commonwealth H2O Corporation**, a corporation of the Commonwealth of Massachusetts, with principal office located at 50 Federal St., 4th Fl., Boston, MA 02110, and having a Commercial Registered office Provider and county of venue as follows: CT Corporation System, Dauphin County, which on May 24, 2001, was granted a Certificate of Authority, to transact business in the Commonwealth, intends to file an Application for Termination of Authority with the Department of State. j31

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 4129 of the Business Corporation Law of 1988, **FRIGID COIL/FRICK, INC.**, a corporation of the State of Delaware, with principal office located at c/o Johnson Controls Inc, Attn: Law Dept., 507 E. Michigan St., Milwaukee, WI 53202, and having a Commercial Registered office Provider and county of venue as follows: CT Corporation System, Dauphin County, which on August 24, 1988, was granted a Certificate of Authority, to transact business in the Commonwealth, intends to file an Application for Termination of Authority with the Department of State. j31

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN to all creditors and claimants of **HILP Malvern, Inc.**, a Pennsylvania corporation, that the shareholders have approved a proposal that the corporation dissolve voluntarily and that the 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 Business Corporation Law of 1988.

j31

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania, in Harrisburg, on December 30, 2013, for the purpose of obtaining a Certificate of Incorporation for a new business corporation organized under the Pa. Business Corporation Law of 1988, Act of December 21, 1988, P.L. 1444, No. 177, 15 Pa.C.S. Section 1101, et seq.

The name of the new corporation is **Queen Jamaica, Inc.**

Michael B. Goldberg, Esq.,
SHUMAKER WILLIAMS, P.C.
P.O. Box 88
Harrisburg, PA 17108

j31

NOTICE IS HEREBY GIVEN THAT on January 14, 2014, Articles of Incorporation were filed with the Department of State for **All of Me Foundation, Inc.**, a nonprofit corporation organized under the Pennsylvania Nonprofit Corporation Law of 1988, exclusively for charitable purposes.

FOX ROTHSCHILD LLP
747 Constitution Dr., Ste. 100
P.O. Box 673
Exton, PA 19341-0673

j31

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania, Harrisburg, Pennsylvania, on January 2, 2014, for the purpose of obtaining a Certificate of Incorporation for a domestic business corporation organized and existing under the provisions of the Business Corporations Law of the Commonwealth of Pennsylvania, Act of December 21, 1988 (P.L. 1444, No. 177), as amended from time to time.

The name and registered office of the corporation is **O.D. TACTICAL, INC.**, 1070 Highspire Road, Harrisburg, PA 17111.

The purpose for which it was organized to engage in and do all lawful business for which corporations may be incorporated under the Business Corporation Law of 1988, as amended.

Jennifer B. Hipp, Esq.
One West Main Street
Shiremanstown, PA 17011

j31

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on September 19, 2013, by **MicroPort Direct LLC**, a foreign Limited Liability Corporation formed under the laws of the State of Delaware, where its principal office is located at 5677 Airline Rd., Arlington, TN 38002, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania limited Liability Corporation.

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.

j31

FIRST PUBLICATION

Fictitious Notices

NOTICE IS HEREBY GIVEN that an application for registration of a fictitious name, **Sea Prime**, for the conduct of business in Dauphin County, Pennsylvania, with the principal place of business being 919 N. Market Street, Suite 1801, Wilmington, Delaware 19801 was made to the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania on the 18th day of November, 2013 pursuant to the Act of Assembly of December 16, 1982, Act 295.

The name and address of the only person or persons owning or interested in the said business are: Bantry Bay America, Inc., 919 Market Street, Suite 1801, Wilmington, Delaware 19801. j31

NOTICE IS HEREBY GIVEN that an application for registration of a fictitious name, **Meadow View Wood Craft**, for the conduct of business in Dauphin County, Pennsylvania, with the principal place of business being 2967 State Route 25, Millersburg Pa. 17061 was made to the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania on the 15th day of January, 2014 pursuant to the Act of Assembly of December 16, 1982, Act 295.

The name and address of the only person or persons owning or interested in the said business are: Ephraim K. Stoltzfus, 2967 State Route 25, Millersburg Pa. 17061, and David B. Stoltzfus Jr., 2967 State Route 25, Millersburg Pa. 17061. j31

FIRST PUBLICATION

Miscellaneous Notices

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 **March 5, 2014**. 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 March 4, 2014**.

1. IBBERSON, JOSEPH E., Deceased, First and Final Account of Charles H. Strauss and Henry D. Gerhold, Executors.
2. OMMERT, CLIFFORD H., Deceased, First and Final Account of David C. Miller, Jr., Executor. **January 27, 2014**

j31-f7

Jean Marfizo King
Register of Wills &
Clerk of the Orphans' Court

FIRST PUBLICATION

Miscellaneous Notices

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

DOCKET NO. 2013 CV 10114 NC

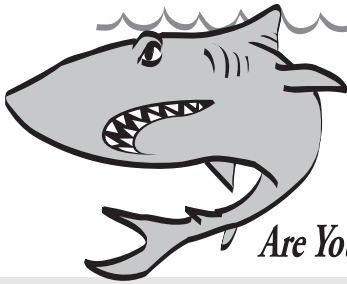
PETITION FOR CHANGE OF NAME

NOTICE

NOTICE IS HEREBY GIVEN that on December 11, 2013, the Petition of **Jonathan Robert Miller** was filed in the above named court, requesting a decree to change his/her name from **Jonathan Robert Miller** to **Jonathan Robert Major**. The Court has fixed February 24, 2014 in Courtroom No.11, at 1:45 P.M. at the Juvenile Justice Center, 25 South Front Street, 7th Floor, Harrisburg, PA as the time and place for the hearing on said Petition, when and where all persons interested may appear and show cause if any they have, why the prayer of the said Petition should not be granted.

j31

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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

Opinions Not Yet Reported

BAR ASSOCIATION PAGE – Continued

MISCELLANEOUS SECTION

CLERK OF COURT - SCRANTON, PA (13-01R)

2nd Posting

The United States District Court for the Middle District of Pennsylvania is seeking additional applications for the position of Clerk of Court. All prior applications received remain active and will be considered. There is no need to re-apply.

The Clerk of Court is a senior management position which is responsible for managing the administrative and operational functions of the Clerk's Office, including preparing the annual budget, ensuring compliance with statutory requirements and directing policy implementation and long-range planning. The official duty station of the Clerk of Court is Scranton, Pennsylvania, and the position requires residency within daily commuting distance of our Scranton headquarters. The position also involves travel among all of our vicinages. The salary range for the position is JSP 16-1 (\$134,722) to JSP 17-10 (\$167,000). Please refer to the court's web site at www.pamd.uscourts.gov to view the complete Vacancy Announcement. The closing date for applications is February 14, 2014. j17-j31

DEPUTY COURT ADMINISTRATOR – The 12th Judicial District of PA, Dauphin County, is seeking candidates for Deputy Court Administrator. This state-level mgmt position is responsible for overseeing the day-to-day operations & administrative functions of the Dauphin county Court of Common Pleas, Criminal Division. Responsibilities include coordinating the activities which set in motion the criminal court scheduling to assure the efficient & timely disposition of cases.

Minimum requirements: Bachelor's degree in Judicial, Business, or Public Administration; and 3 yrs court mgmt experience or 4 yrs varied office mgmt work.

Submit resume and cover letter to: AOPC - HR, PO Box 61260, Harrisburg, PA 17106 or to Human.Resources@pacourts.us. For additional information, please visit our website: www.pacourts.us. EOE j17-j31

BAR ASSOCIATION PAGE – Continued

MISCELLANEOUS SECTION

LEGAL SECRETARY – needed for partner handling defense workers' compensation cases for law firm in downtown Hbg. We need a top-notch, detailed oriented individual w/ at least 3 yrs law firm experience, 70 wpm. We are looking for someone with superior organization skills, enjoys a variety of duties, able to work in a fast paced environment and works well under pressure. Resumes held in strictest confidence. Salary DOE. Only qualified applicants will be contacted. Please forward resume and salary requirements to Box I c/o Dauphin County Reporter, 213 N. Front St., Harrisburg, PA 17101. j31-f14

ATTORNEY – Solo practitioner seeking attorney to share office space in Colonial Park area. Clerical staff included. Please contact the Law Office of Marianne Rudebusch, at 717-657-0632, if interested. j31-f14

ATTORNEY – The Office of Inspector General is seeking to fill an attorney position for our Harrisburg Office. For further information please click on the link below. <http://www.oig.state.pa.us/portal/server.pt/community/employment/3782>. j31-f14

ATTORNEY DISCIPLINARY / ETHICS MATTERS

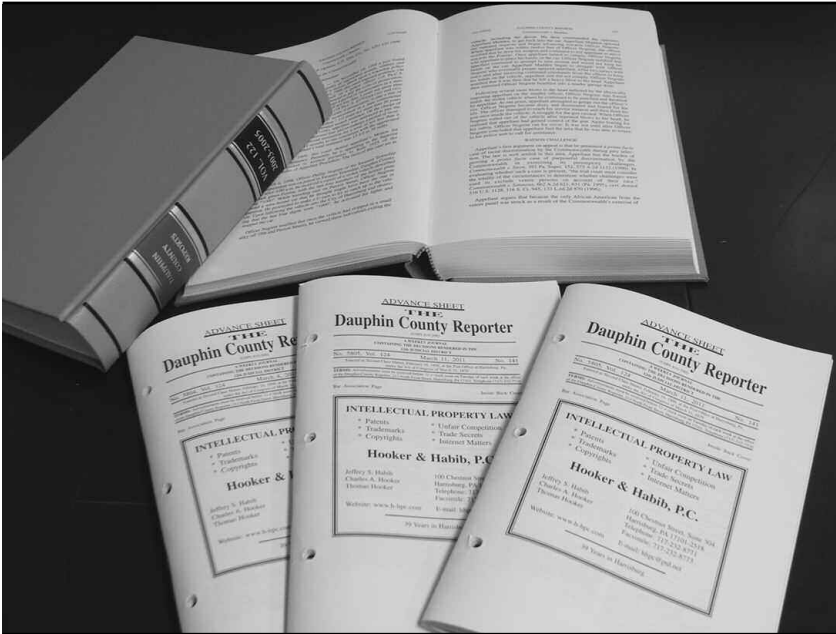
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