

ADVANCE SHEET

Pages 430-433

THE
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CONTAINING THE DECISIONS RENDERED IN THE
12th JUDICIAL DISTRICT

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PennDOT v. I. A. Construction Corp., et al.
Bar Association Page

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Inside Back Cover

INTELLECTUAL PROPERTY LAW

Patentability and infringement studies,
patent applications worldwide,
trademark studies and registrations,
copyrights, licensing, intellectual
property management.

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34 Years in Harrisburg

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Dauphin County Bar Association:

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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 THADDEUS B. STRZELEC, late of Lower Paxton Township, Dauphin County, Pennsylvania (died November 6, 2005). Executor: Paul Helwig, 3435 Trindle Road, Camp Hill, PA 17011. Attorney: Terrence J. Kerwin, Esq., Kerwin & Kerwin, 27 North Front Street, Harrisburg, PA 17101. d23-j6

ESTATE OF WILLIAM A. STRICKLER, late of the Borough of Steelton, Dauphin County, Pennsylvania (died November 28, 2005). Executrix: Emma T. Strickler, 2779 South Second Street, Steelton, PA 17113. Attorney: Stanley A. Smith, Esq., Rhoads & Sinon LLP, One South Market Square, P.O. Box 1146, Harrisburg, PA 17108. d23-j6

ESTATE OF KATHRYN S. STAHL, late of the Borough of Steelton, Dauphin County, Pennsylvania. Executor: Ronald M. Stahl, P.O. Box 194, Aberdeen, MD 21001. Attorney: Allen D. Smith, Esq., 51 South Front Street, P.O. Box 7592, Steelton, PA 17113. d23-j6

ESTATE OF ROBERT L. WIEST, late of the Borough of Lykens, Dauphin County, Pennsylvania (died November 24, 2005). Executrix: Mae I. Maurer, 425 Main Street, Lykens, PA 17048. Attorney: Joseph D. Kerwin, Esq., Kerwin & Kerwin, 4245 Route 209, Elizabethtown, PA 17023. d23-j6

ESTATE OF ROSE MARY TIERI, late of West Hanover Township, Dauphin County, Pennsylvania (died November 18, 2005). Executrix: Mary Ann Maxwell, 356 Sarhelm Road, Harrisburg, PA 17112. Attorney: Diane M. Dils, Esq., 1017 North Front Street, Harrisburg, PA 17102. d23-j6

ESTATE OF JANE C. DERMOTT, late of Dauphin County, Pennsylvania. Executor: Thomas J. Dermott, Jr., 185 Hickory Road, Carlisle, PA 17013. Attorney: Michael A. Scherer, Esq., O'Brien, Baric & Scherer, 19 West South Street, Carlisle, PA 17013. Phone (717) 249-6873. d23-j6

ESTATE OF ETHEL M. KLINE, late of Cumberland County, Pennsylvania. Executor: William F. Shultz, 7697 Manor Drive, Harrisburg, PA 17112-4207. Attorney: Carl G. Wass, Esq., Caldwell & Kearns, 3631 North Front Street, Harrisburg, PA 17110-1533. d23-j6

FIRST PUBLICATION

Estate Notices

ESTATE OF LILLIAN F. MARION, late of Harrisburg, Dauphin County, Pennsylvania (died November 18, 2005). Executor: M&T Investment Group, Attorney: Linus E. Fenicle, Esq., Reager & Adler, P.C., 2331 Market Street, Camp Hill, PA 17011. Phone (717) 763-1383.

d23-j6

ESTATE OF MICHAEL S. ORLOWSKI, late of Lower Paxton Township, Dauphin County, Pennsylvania (died November 30, 2005). Co-Executors: Thomas M. Orłowski, 1541 Woodbridge Drive, Middletown, PA 17057 and Maureen T. Edwards, 107 Mill Street, Apt. 7-G, Middletown, PA 17057. Attorney: Lowell R. Gates, Esq., Gates, Halbruner & Hatch, P.C., 1013 Mumma Road, Suite 100, Lemoyne, PA 17043.

d23-j6

SECOND PUBLICATION

ESTATE OF JOANNE J. CESSNA, late of the Township of Halifax, Dauphin County, Pennsylvania (died November 4, 2005). Executrix: Bonnie E. Kern, 8 Creek Road, Halifax, PA 17032. Attorney: Joseph D. Kerwin, Esq., Kerwin & Kerwin, 4245 Route 209, Elizabethtown, PA 17023.

d16-d30

ESTATE OF CLARA A. KAHLER, late of the Township of Mifflin, Dauphin County, Pennsylvania (died November 4, 2005). Co-Executors: Lily L. Shade, 5365 Route 225, Elizabethtown, PA 17023 and William E. Kahler, 4791 Shippen Dam Road, Elizabethtown, PA 17023. Attorney: Joseph D. Kerwin, Esq., Kerwin & Kerwin, 4245 Route 209, Elizabethtown, PA 17023.

d16-d30

ESTATE OF E. LUCILLE BECKNER, late of Susquehanna Township, Dauphin County, Pennsylvania (died September 5, 2005). Executrix: Marilyn B. Perry. Attorney: George W. Porter, Esq., 909 East Chocolate Avenue, Hershey, PA 17033.

d16-d30

ESTATE OF HARRY E. MILLER, JR., late of Williamstown Borough, Dauphin County, Pennsylvania (died September 25, 2005). Executor: Brad D. Miller, 157 North West Street, Williamstown, PA 17098. Attorney: Terrence J. Kerwin, Esq., Kerwin & Kerwin, 27 North Front Street, Harrisburg, PA 17101.

d16-d30

ESTATE OF EDNA M. ROE, late of Derry Township, Dauphin County, Pennsylvania (died August 8, 2005). Executrix: Betty L. Shaffner, 1067 Princeton Drive, Hummelstown, PA 17036. Attorney: John S. Picconi, Esq., 310 West Chocolate Avenue, P.O. Box 252, Hershey, PA 17033.

d16-d30

ESTATE OF AUGUST R. DECIMA, late of the City of Harrisburg, Dauphin County, Pennsylvania (died August 19, 2005). Executrix: Josephine J. Decima, 2402 Chestnut Street, Harrisburg, PA 17104. Attorney: Dennis J. Shatto, Esq., Cleckner and Fearn, 119 Locust Street, P.O. Box 11847, Harrisburg, PA 17108-1847.

d16-d30

ESTATE OF ANNIE M. COBB, late of Harrisburg, Dauphin County, Pennsylvania (died October 17, 2005). Administrator: Melvin E. Cobb, 2454 Market Street, Harrisburg, PA 17103. Attorney: Jan L. Brown, Esq., Jan L. Brown & Associates, 845 Sir Thomas Court, Suite 12, Harrisburg, PA 17109. Phone (717) 541-5550.

d16-d30

ESTATE OF VIRGINIA H. FITZGERALD, late of Dauphin County, Pennsylvania (died October 23, 2005). Co-Executrices: Virginia Gavin, 63 Poplar Drive, Morris Plains, NJ 07950 and Cathleen Fartely, 140 Brindle Road, Mechanicsburg, PA 17055. Attorney: John D. Sheridan, Esq., Serratelli, Schiffman, Brown & Calhoon, 2080 Linglestown Road, Suite 201, Harrisburg, PA 17110.

d16-d30

PennDOT v. I. A. Construction Corp., et al.

CONCLUSION

For the foregoing reasons, we enter the following:

ORDER

AND NOW, this 29th day of September, 2005, it is hereby ORDERED that: Defendant's Motion to Dismiss is DENIED.

—————o—————

PennDOT v. I. A. Construction Corp., et al.**Practice — Pleadings — Default judgment — Meritorious defense.**

Defendants sought to open a default judgment requiring them to indemnify and defend Plaintiff for claims arising from a fatal automobile accident at a construction site where work was being performed pursuant to contract. The Defendants contended that the contract required indemnification and defense only for claims arising out of negligent construction work, not for negligence attributable to highway design. However, the complaint alleged negligence in failing to both properly design *and construct* the highway, so the Court denied the motion.

1. Generally, a default judgment may be opened when the moving party: (1) promptly files a petition to open the default judgment, (2) shows a meritorious defense, and (3) provides a reasonable excuse or explanation for its failure to file a responsive pleading.

2. The requirement of a meritorious defense is only that a defense must be pleaded that if proved at trial would justify relief. The defendant does not have to prove every element of its defense, however, it must set forth the defense in precise, specific and clear terms.

Petition to Open Judgment of Default. C.P., Dau. Co., No. 106 CV 2005. Petition denied.

Christopher Wilson, for the Commonwealth

Jeffrey B. Rettig, for Defendants I. A. Construction Corp. and Liberty Mutual Insurance Co.

Raymond J. Colon, for Defendants DiGregorio

KLEINFELTER, J., November 17, 2005. – Before the court for disposition is the Petition to Open Judgment of Default filed by defendants I.A. Construction Corporation (hereinafter “IA”) and Liberty Mutual Insurance Co. (hereinafter “Liberty Mutual”).

PennDOT v. I. A. Construction Corp., et al.

Plaintiff Pennsylvania Department of Transportation (hereinafter “PennDot”) initiated this declaratory judgment action by filing a complaint on January 7, 2005. The complaint seeks to compel IA and Liberty Mutual to indemnify and defend PennDot in all claims brought in a tort action arising out of a fatal automobile accident on State Route 38 in Butler County, Pennsylvania, in which PennDot was joined as an additional defendant on February 17, 2004 (*DiGregorio v. PennDot, et al.*, civil docket number 04-10026 in the Butler County Court of Common Pleas). The defendants filed no response.

On August 2, 2005, PennDot filed a Praecipe for Entry of Judgment by Default. Defendants filed the instant petition to open on August 11, 2005. On August 24, 2005, we ordered the defendants to submit a brief in support of their petition and ordered that PennDot file a reply brief within ten days thereafter. Both briefs have been filed.

Generally, a default judgment may be opened when the moving party: “(1) promptly file[s] a petition to open the default judgment, (2) show[s] a meritorious defense, and (3) provide[s] a reasonable excuse or explanation for its failure to file a responsive pleading.” *Penn-Delco School District v. Bell Atlantic-PA, Inc.*, 745 A.2d 14, 17 (Pa.Super. 1999). However, Rule 237.3 of the Pennsylvania Rules of Civil Procedure “eases the burden of a party against whom judgment has been entered and who moves promptly for relief from the judgment” by negating the need to provide an explanation for failing to file a responsive pleading. Pa.R.Civ.P. 273.3, 1994 Explanatory Comment; *Penn-Delco School District, supra*. Specifically, Rule 273.3(b) provides that “if the petition is filled within ten days after the entry of the judgment on the docket, the court shall open the judgment if the proposed complaint or answer states a meritorious defense.”

Here, the defendants filed their petition to open the default judgment nine days after the judgment was entered, making Rule 237.3 applicable. Therefore, the defendants need only demonstrate that they state a meritorious defense in their answer. *Penn-Delco School District, supra*.

“The requirement of a meritorious defense is only that a defense must be pleaded that if proved at trial would justify relief (citation omitted). The defendant does not have to prove every element of [its] defense, however, [it] must set forth the defense in precise, specific and clear terms (citation omitted).”

Id. at 19.

PennDOT v. I. A. Construction Corp., et al.

The declaratory judgment complaint filed by PennDot consists of three counts: Count I – Breach of Contract, PennDot v. IA; Count II – Breach of Contract, PennDot v. Liberty Mutual; and, Count III – Bad Faith. By way of background, the declaratory judgment complaint avers that IA contracted with PennDot to provide construction services in the area of State Route 38 where the accident took place. The contract obligated IA to furnish an insurance certificate naming PennDot as an additional insured, indemnifying PennDot and holding them harmless from any suits brought on account of injuries arising during IA's performance of the contract. Liberty Mutual was retained by IA to provide this insurance.

The defendants allege that the terms of the contract speak for themselves and deny having breached. Specifically, the defendants contend that the contract only obligates them to indemnify and defend PennDot for injury claims that arise out of construction work performed by IA. As such, the defendants contend that they have no contractually imposed duty to indemnify and defend PennDot in cases where PennDot's alleged negligence is limited to highway design.

Regarding Count I, the defendants contend that IA fulfilled its obligation to obtain insurance to indemnify PennDot for construction work performed under the contract and were under no obligation to indemnify PennDot in the Butler County litigation because the complaint to join PennDot as an additional defendant in the DiGregorio case alleged only negligence in the design of the highway on which the accident occurred, not negligent construction. As regards to Count II, the defendants claim that Liberty Mutual did not breach its agreement to indemnify and defend PennDot with respect to the operations of IA because PennDot is alleged to have been independently negligent in failing to properly design the highway.

We find these defenses to be without merit. The complaint to join PennDot as an additional defendant in the DiGregorio matter clearly alleges negligence in the construction of the roadway on which the accident occurred. Indeed, Paragraphs 14(a), (b), (c) and 22(a), (b) and (c) plainly allege negligence in failing to both properly design *and construct* the highway. As such, the defendants have failed to meet the meritorious defense requirement under Pa.R.Civ.P. 237.3.

In reference to Count III, the defendants aver that PennDot fails to state a claim upon which relief can be granted. PennDot claims that the defendants breached a duty to act in good faith pursuant to 42 Pa.C.S.A. §8371, which provides that a court may award special damages in cases

PennDOT v. I. A. Construction Corp., et al.

where it finds the “insurer has acted in bad faith toward the insured.” 42 Pa.C.S.A. §8371. Section 8371 does not provide for an independent cause of action, but is a provision which allows the court to grant special damages if it is found that the insurer acted in bad faith. Thus, this count bears no significance on the instant matter.

We enter the following:

ORDER

AND NOW, this 17th day of November 2005, upon consideration of the defendants’ Petition to Open Judgment of Default, ...

IT IS HEREBY ORDERED that said motion is denied.

—————o—————

SECOND PUBLICATION

Estate Notices

ESTATE OF HENRIETTA S. KRAUS, late of Harrisburg, Dauphin County, Pennsylvania (died November 2, 2005). Executor: Richard S. Friedman, Esq., 600 North Second Street, Fifth Floor, Harrisburg, PA 17101. Attorney: John F. King, Esq., Friedman & King, P.C., 600 North Second Street, Fifth Floor, Harrisburg, PA 17101. d16-d30

THIRD PUBLICATION

ESTATE OF H. PEARL SPANGLER a/k/a HATTIE PEARL SPANGLER, late of Lower Paxton Township, Dauphin County, Pennsylvania. Co-Executors: Joyce C. Umholtz and James E. Spangler. Attorney: Jeffrey J. Reich, Esq., 111 North Lime Street, Lancaster, PA 17602. d9-d23

ESTATE OF CECILIA M. ULSH, late of Harrisburg, Dauphin County, Pennsylvania (died August 30, 2005). Executrix: Elizabeth Ulsh Russell. Attorney: Marielle F. Hazen, Esq., 2000 Linglestown Road, Suite 202, Harrisburg, PA 17110. d9-d23

ESTATE OF MILDRED V. BURKETT a/k/a MILDRED VIRGINIA BURKETT, late of Lower Paxton Township, Dauphin County, Pennsylvania (died October 29, 2005). Executor: George Henry Burkett. Attorney: Jacqueline A. Kelly, Esq., Jan L. Brown & Associates, 845 Sir Thomas Court, Suite 12, Harrisburg, PA 17109. Phone (717) 541-5550 d9-d23

ESTATE OF LEROY W. WALMER, late of the City of Harrisburg, Dauphin County, Pennsylvania (died October 22, 2005). Executrix: Lana Walmer, 186 S. Tulpehocken Street, Pine Grove, PA 17963. Attorney: Ann E. Rhoads, Esq., Cleckner and Fearen, 119 Locust Street, P.O. Box 11847, Harrisburg, PA 17108-1847. d9-d23

ESTATE OF JAMES D. GINGRICH, late of the Borough of Middletown, Dauphin County, Pennsylvania. Executor: Michele Gingrich. Attorney: Julie M. Cooper, Esq., Gingrich, Smith, Klingensmith & Dolan, 222 S. Market Street, Suite 201, P.O. Box 267, Elizabethtown, PA 17022. d9-d23

ESTATE OF PATRICIA ANN CRUM, late of Upper Paxton Township, Dauphin County, Pennsylvania. Executrix: Katrina M. Deitz, 120 Brenda Drive, Millersburg, PA 17061. Attorney: Gregory M. Kerwin, Esq., Kerwin & Kerwin, 4245 Route 209, Elizabethtown, PA 17023. d9-d23

ESTATE OF JOHN L. LONGNAKER, late of Derry Township, Dauphin County, Pennsylvania. Executrix: Elma J. Longnaker, 1038 West Areba Avenue, Hershey, PA 17033. Attorney: Paul T. Tomczuk, Esq., McQuaide Blasko, 811 University Drive, State College, PA 16801. d9-d23

ESTATE OF JEAN E. WITTHOFT, late of Lower Allen Township, Cumberland County, Pennsylvania (died October 12, 2005). Co-Executrices: Jean S. Zeigler and Maria S. Neve. Attorney: Nora F. Blair, Esq., 5440 Jonestown Road, P.O. Box 6216, Harrisburg, PA 17112. d9-d23

ESTATE OF CAROLINE MAYHEW, late of Lower Swatara Township, Dauphin County, Pennsylvania (died November 14, 2005). Executrix: Janet Lucille Parr, 6871 Huntingdon Street, Harrisburg, PA 17111-4436. Attorney: Steve C. Nicholas, Esq., Nicholas Law Offices PC, 2215 Forest Hills Drive, Suite 37, Harrisburg, PA 17112-1099. d9-d23

ESTATE OF ANN MAE (HOLMAN) NEELY, late of Harrisburg, Dauphin County, Pennsylvania. Executor: Charles Louis Neely, 1849 Herr Street, Harrisburg, PA 17103. d9-d23

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, on November 18, 2005, for the purpose of obtaining a Certificate of Incorporation under the Business Corporation Law of 1988, Act of December 21, 1988, P.L. 1444, No. 177, as amended. The name of the corporation is: **MSJC, Inc.**

The purpose of the corporation is to provide fashion consulting, research development and customer service and any and all legal business within Pennsylvania and all other activities connected therewith, and shall have unlimited power to engage in and to do any lawful act concerning any and all lawful business for which corporations may be incorporated under the Business Corporation Law of 1988.

HARRY M. BATURIN, Esq.
Baturin & Baturin
2604 North Second Street
Harrisburg, PA 17110

d23

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, on November 18, 2005, for the purpose of obtaining a Certificate of Incorporation under the Business Corporation Law of 1988, Act of December 21, 1988, P.L. 1444, No. 177, as amended. The name of the corporation is: **PPMS CORPORATION.**

The purpose of the corporation is to provide complete roadside assistance and roadside customer service and any and all legal business within Pennsylvania and all other activities connected therewith, and shall have unlimited power to engage in and to do any lawful act concerning any and all lawful business for which corporations may be incorporated under the Business Corporation Law of 1988.

HARRY M. BATURIN, Esq.
Baturin & Baturin
2604 North Second Street
Harrisburg, PA 17110

d23

NOTICE IS HEREBY GIVEN that the Certificate of Authority was filed with the Department of State, of the Commonwealth of Pennsylvania on November 10, 2005 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 **Christie Digital Systems USA, Inc.**

The purpose for which the corporation is organized is distribution, sales, installation and servicing of projection and display systems. d23

NOTICE IS HEREBY GIVEN that the Certificate of Authority was filed with the Department of State, of the Commonwealth of Pennsylvania on November 10, 2005 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 **Richard Patitucci Inc.**

The purpose for which the corporation is organized for a construction company. d23

NOTICE IS HEREBY GIVEN that **EAST COAST TRANSPORTATION, INC.** has been incorporated under the provisions of the Pennsylvania Business Corporation Law of 1988.

ELAINE PETTINATO-COLLIS, JR.,
Incorporator

KELLY HOFFMAN & GODUTO, LLP
300 North Second Street, 10th Floor
Harrisburg, PA 17101

d23

NOTICE IS HEREBY GIVEN that **E.P. COLLINS & COMPANY** has been incorporated under the provisions of the Pennsylvania Business Corporation Law of 1988.

ELAINE PETTINATO-COLLIS, JR.,
Incorporator

KELLY HOFFMAN & GODUTO, LLP
300 North Second Street, 10th Floor
Harrisburg, PA 17101

d23

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed in the Department of State of the Commonwealth of Pennsylvania for **Atlantic Environmental Services, Inc.** on November 18, 2005 under the provisions of the Pennsylvania Business Corporation Law of 1988, as amended. d23

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 **Bedford Insurance Brokerage, Inc.** on 10/17/05. The address of its principal office under the laws of the jurisdiction in which it is incorporated is 1230 Ave. of the Americas, 7th floor, New York, NY 10020. The registered office for this business is: Nauman, Smith, Shissler & Hall, LLP, Dauphin County, PA. The corporation is file in compliance with the requirements of the applicable provision of 15 Pa.C.S. 4124. d23

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 **Hiscox Inc.** on 10/17/05. The address of its principal office under the laws of the jurisdiction in which it is incorporated is 113 Cox Avenue, Armonk, NY 10504. The registered office for this business is: Nauman, Smith, Shissler & Hall, LLP, Dauphin County, PA. The corporation is file in compliance with the requirements of the applicable provision of 15 Pa.C.S. 4124. d23

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed and approved by the Department of State, Commonwealth of Pennsylvania for **S&R Wings, Inc.**, which was incorporated under the provisions of the Business Corporation Law of 1988.

RICHARD S. FRIEDMAN, Esq.
Friedman & King, P.C.
600 N. Second Street, Fifth Floor
P.O. Box 984
d23 Harrisburg, PA 17108

NOTICE IS HEREBY GIVEN that **Johnson Development Corporation** with a registered agent in care of Paracorp Incorporated in Dauphin County does hereby give notice of its intention to withdraw from doing business in this Commonwealth as per 15 Pa.C.S. 4129(b). The address of its principal office under the laws of its jurisdiction is 9100 Wilshire Boulevard, Suite 1000 West, Beverly Hills, CA 90212. This shall serve as official notice to creditors and taxing authorities. d23

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 **ACIG Insurance Agency, Inc.** on 11/08/05. The address of its principal office under the laws of the jurisdiction in which it is incorporated is 12222 Merit Drive, Suite 1660, Dallas, TX 75251. The registered office for this business is: Nauman, Smith, Shissler & Hall, LLP, Dauphin County, PA. The corporation is file in compliance with the requirements of the applicable provision of 15 Pa.C.S. 4124. d23

NOTICE IS HEREBY GIVEN that **Nolt Group, LLC**, a Pennsylvania limited liability company, filed its Certificate of Organization with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, PA, on September 27, 2005. The Pennsylvania Limited Liability Company is established under the provisions of the Pennsylvania Limited Liability Company Law of 1994, 15 Pa.C.S. §8913, as amended.

TERRENCE J. KERWIN, Esq.
Kerwin and Kerwin
27 North Front Street
d23 Harrisburg, PA 17101

NOTICE IS HEREBY GIVEN that **EFS Construction Management Services, Inc.** with a registered agent in care of National Registered Agents, Inc. in Dauphin County does hereby give notice of its intention to withdraw from doing business in this Commonwealth as per 15 Pa.C.S. 4129(b). The address of its principal office under the laws of its jurisdiction is 1221 Lamar Street, Suite 1600, Houston, TX 77010. This shall serve as official notice to creditors and taxing authorities. d23

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 **Savich Insurance Services, Inc.** on 09/16/05. The address of its principal office under the laws of the jurisdiction in which it is incorporated is 1388 Christina Drive, Lawrenceville, GA 30043. The registered office for this business is Nauman, Smith, Shissler & Hall, LLP, Dauphin County, PA. The corporation is file in compliance with the requirements of the applicable provision of 15 Pa.C.S. 4124. d23

NOTICE IS HEREBY GIVEN that the General Partners of **BELLEVUE WOODS ASSOCIATES**, a Pennsylvania General Partnership, with address of 2134 Rudy Road, Harrisburg, PA 17104, have approved a proposal that the partnership voluntarily dissolve, and that the General Partners are now engaged in winding-up mid settling the affairs of the Partnership per the provisions or Section 807 the Pennsylvania Uniform Partnership Act of 1997, as amended.

d23 LATHER E. MILSPAW, JR., Esq.

NOTICE IS HEREBY GIVEN that **WEBER FUNERAL HOMES, P.C.**, was incorporated on December 12, 2005 under the provisions of the Pennsylvania Professional Corporation Law.

d23 BLANK ROME LLP, Solicitors
One Logan Square
18th and Cherry Streets
Philadelphia, PA 19103-6998

FIRST PUBLICATION

Fictitious Notices

NOTICE IS HEREBY GIVEN that an application for registration of a fictitious name, **Feinberg Shopp Associates**, for the conduct of business in Dauphin County, Pennsylvania, with its principal place of business at 240 North Third Street, Harrisburg, PA 17101, was made to the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania on the 8th day of November, 2005, pursuant to the Fictitious Names Act of 1988. The names and addresses of individuals interested in the aforesaid business are: Bradley Shopp, 6328 Stephens Crossing, Mechanicsburg, PA 17050 and David Feinberg, 19 Cherish Drive, Camp Hill, PA 17011.

The purpose or purposes of the business will be lobbying and public relations.

LUTHER E. MILSPAW, Jr., Esq.
130 State Street
P.O. Box 946
Harrisburg, PA 17108
d23

FIRST PUBLICATION

Miscellaneous Notices

IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY
PENNSYLVANIA

CIVIL DIVISION

No. 2005 CV 2992 MF

LASALLE BANK NATIONAL ASSOCIATION ("ASSIGNEE"), FORMERLY KNOWN AS LASALLE NATIONAL BANK, IN ITS CAPACITY AS INDENTURE TRUSTEE UNDER THAT CERTAIN SALE AND SERVICING AGREEMENT DATED NOVEMBER 1, 1998, AMONG AFC TRUST SERIES 1998-4, AS ISSUER, SUPERIOR, Plaintiff

vs.

AUDREY A. PEREZ, Defendant

NOTICE

NOTICE of Sheriff's Sale of Real Estate on April 13, 2005 at 10:00 A.M. in the Courthouse Lobby, Front and Market Streets, Harrisburg, PA 17101.

FIRST PUBLICATION

Miscellaneous Notices

ALL THE RIGHT, TITLE, INTEREST AND CLAIM OF AUDREY A. PEREZ OF, IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

ALL THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE BOROUGH OF STEELTON, COUNTY OF DAUPHIN, AND COMMONWEALTH OF PENNSYLVANIA. HAVING ERECTED THEREON A DWELLING BRING KNOWN AND NUMBERED AS 306 WALNUT STREET, STEELTON, PA, 17113. DEED BOOK VOLUME 3254 PAGE 6, AND PARCEL NUMBER 58-006-005.

LaSalle Bank National Association ("Assignee"), Formerly Know as LaSalle National Bank, in its capacity as Indenture Trustee Under That Certain Sale and Servicing Agreement Dated November 1, 1998, Among AFC Trust Series 1998-4, as Issuer, Superior, at Execution No. 2005 CV 2992 MF in the amount of \$77,683.02.

Schedule of Distribution will be filed by the Sheriff on the date specified by the Sheriff no later than thirty (30) days from sale date.

Distributions will be made in accordance with the schedule unless exceptions are filed within ten (10) days of the filing of the Schedule.

KRISTINE M. ANTHOU, Esq.
Grenen & Birsic, P.C.
One Gateway Center, Ninth Floor
Pittsburgh, PA 15222
(412) 281-7650

d23

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

CIVIL ACTION – LAW

No. 1139-N-82

ROBIN MORRIS, Plaintiff

vs.

ALLEN R. STEPP, Defendant

**FORM OF SERVICE
BY PROCESS OF PUBLICATION**

TO: ROBIN MORRIS

YOU ARE A NAMED AS PLAINTIFF in a civil action instituted by you against Defendant Allen R. Stepp. After judgment was entered for Plaintiff and against Defendant on April 20, 1999, Defendant paid judgment proceeds into an escrow account in the Motor Vehicle Judgment fund held by the Prothonotary of Dauphin County. Defendant has filed a motion seeking a return of the judgment proceeds. Defendant alleges that Plaintiff has failed to claim said funds and therefore should be returned to Defendant.

YOU ARE HEREBY NOTIFIED to plead to Defendant's motion in this case, of which the above action is a brief summary, within twenty (20) days from publication.

IF YOU WISH TO PLEAD, you must enter a written appearance personally or by an attorney and file your defenses or objections in writing with the Court. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the Defendant. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH 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

LESLIE D. JACOBSON, Esq.
8150 Derry Street
Harrisburg, PA 17111
(717) 909-5858

d23

FAX: (717) 909-7788

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

No. 33 EQ 2004

NOTICE OF QUIET TITLE ACTION

CIVIL ACTION - EQUITY

**PHILLIP G. TOMKO, DAVID S. WALLS
and JANICE L. WALLS, Plaintiff**

vs.

**CIT CONSUMER FINANCE, DAUPHIN
DEPOSIT BANK (N.K.A. M & T BANK),
and JOHN BUTCHER, Defendants**

FIRST PUBLICATION

Miscellaneous Notices

**FORM OF SERVICE BY PROCESS
OF PUBLICATION**

TO: JOHN BUTCHER

YOU HAVE BEEN NAMED as Defendant in a civil action instituted by Plaintiffs, Phillip G. Tomko, David S. Walls, and Janice L. Walls, against you in this Court. Plaintiffs, Phillip G. Tomko, David S. Walls, and Janice L. Walls allege in the Complaint in this action that Defendant be barred from asserting any right, lien, title or interest in the property known as: 332 Pine Street, Dauphin County, Pennsylvania.

YOU ARE HEREBY NOTIFIED to plead to the complaint in this case, of which the above action is a brief summary, within twenty (20) days from publication.

IF YOU WISH TO DEFEND, you must enter a written appearance personally or by an attorney and file your defenses or objections in writing with the Court. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the Defendant. You may lose money or property or other rights important to you.

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

DAUPHIN COUNTY
LAWYER REFERRAL SERVICE
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LESLIE D. JACOBSON, Esq.
8150 Derry Street
Harrisburg, PA 17111
(717) 909-5858
FAX: (717) 909-7788

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

CIVIL ACTION – LAW

No. 2005 CV 5130 CN

EMINENT DOMAIN - IN REM

**IN RE: CONDEMNATION BY THE
REDEVELOPMENT AUTHORITY
OF THE CITY OF HARRISBURG
OF CERTAIN PARCELS OF REAL
ESTATE IN THE CITY OF
HARRISBURG IN CONNECTION
WITH THE HARRISBURG
VACANT PROPERTY
REINVESTMENT BOARD OF THE
CITY OF HARRISBURG**

**TO: Robert L. Lawrence
Mark Harvey
Lorenzo C. Rowland, Sr.
Sandra L. Rowland**

PLEASE TAKE NOTICE that a Declaration of Taking was filed by the Redevelopment Authority of the City of Harrisburg on December 7, 2005.

The address of the condemnor is: Redevelopment Authority of the City of Harrisburg, 10 North Second Street, Harrisburg, Pennsylvania.

The Condemnation action is authorized under the Urban Redevelopment Law of Pennsylvania, Act of May 24, 1945, P.L. 991, Section 9(1) and Section 12 (35 P.S. 1709, 1712).

The Declaration of Taking was authorized by Resolutions adopted by the Board of the Redevelopment Authority of the City of Harrisburg at the meeting convened on September 20, 2005. The minutes of said meeting may be examined at the office of the Authority, 10 North Second Street, Harrisburg, Pennsylvania.

The Redevelopment Authority of the City of Harrisburg, acting as agents for the Harrisburg Vacant Property Reinvestment Board of the City of Harrisburg and by authority of City Council Ordinance No. 26-1979, has been instructed to acquire various properties throughout the City through condemnation.

The property condemned is all that certain piece or parcel of land situate in the City of Harrisburg, Dauphin County, Pennsylvania, known and addressed as:

Tax Parcel No. 10-025-005.

FIRST PUBLICATION

Miscellaneous Notices

Address: 2290 North 6th Street, Harrisburg, Pennsylvania.

The condemnation vests title of fee simple absolute in this Authority.

A property map showing the condemned property and legal description for same may be inspected at the office of the Authority, 10 North Second Street, Suite 405, Harrisburg, Pennsylvania.

Just compensation has been made or secured by a Bond filed by the Authority with its Declaration of Taking in accordance with Section 403(a) of the Eminent Domain Code.

IF YOU WISH TO CHALLENGE the power or the right of Condemnor to appropriate the condemned property, the sufficiency of the security, the procedure followed by Condemnor or the Declaration of Taking, you are required to file Preliminary Objections within thirty (30) days of this Notice of Condemnation.

STUART J. MAGDULE, Esq.
Smigel, Anderson & Sacks, LLP
4431 North Front Street
Harrisburg, PA 17110-1260
(717) 234-2401

d23

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

CIVIL ACTION – LAW

No. 2005 CV 5126 CN

EMINENT DOMAIN - IN REM

**IN RE: CONDEMNATION BY THE
REDEVELOPMENT AUTHORITY
OF THE CITY OF HARRISBURG
OF CERTAIN PARCELS OF REAL
ESTATE IN THE CITY OF
HARRISBURG IN CONNECTION
WITH THE HARRISBURG
VACANT PROPERTY
REINVESTMENT BOARD OF THE
CITY OF HARRISBURG**

**TO: James L. Crawford
Russell E. Handy**

PLEASE TAKE NOTICE that a Declaration of Taking was filed by the Redevelopment Authority of the City of Harrisburg on December 7, 2005.

The address of the condemnor is: Redevelopment Authority of the City of Harrisburg, 10 North Second Street, Harrisburg, Pennsylvania.

The Condemnation action is authorized under the Urban Redevelopment Law of Pennsylvania, Act of May 24, 1945, P.L. 991, Section 9(1) and Section 12 (35 P.S. 1709, 1712).

The Declaration of Taking was authorized by Resolutions adopted by the Board of the Redevelopment Authority of the City of Harrisburg at the meeting convened on September 20, 2005. The minutes of said meeting may be examined at the office of the Authority, 10 North Second Street, Harrisburg, Pennsylvania.

The Redevelopment Authority of the City of Harrisburg, acting as agents for the Harrisburg Vacant Property Reinvestment Board of the City of Harrisburg and by authority of City Council Ordinance No. 26-1979, has been instructed to acquire various properties throughout the City through condemnation.

The property condemned is all that certain piece or parcel of land situate in the City of Harrisburg, Dauphin County, Pennsylvania, known and addressed as:

Tax Parcel No. 10-016-037.

Address: 608 Oxford Street, Harrisburg, Pennsylvania.

The condemnation vests title of fee simple absolute in this Authority.

A property map showing the condemned property and legal description for same may be inspected at the office of the Authority, 10 North Second Street, Suite 405, Harrisburg, Pennsylvania.

Just compensation has been made or secured by a Bond filed by the Authority with its Declaration of Taking in accordance with Section 403(a) of the Eminent Domain Code.

IF YOU WISH TO CHALLENGE the power or the right of Condemnor to appropriate the condemned property, the sufficiency of the security, the procedure followed by Condemnor or the Declaration of Taking, you are required to file Preliminary Objections within thirty (30) days of this Notice of Condemnation.

STUART J. MAGDULE, Esq.
Smigel, Anderson & Sacks, LLP
4431 North Front Street
Harrisburg, PA 17110-1260
(717) 234-2401

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FIRST PUBLICATION

Miscellaneous Notices

IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY
PENNSYLVANIA

CIVIL ACTION – LAW

No. 2005-CV-3372-NC

**IN RE: Petition to Change Name
FROM: Brandon Reed Fazzolari
TO: Brandon Hamdy Ahmed**

NOTICE IS HEREBY GIVEN, that on November 15, 2005, the Amended Petition of Hamdy M. Ahmed was filed in the above-named Court for a decree to change his son's name from **Brandon Reed Fazzolari to Brandon Hamdy Ahmed**. The Court has fixed the 31st day of January 2006, at 2:00 o'clock p.m. in Courtroom No. 6, Dauphin County Courthouse, as the time and place for hearing of said Petition when and where all persons interested may appear and show cause why the prayer of said Petition should not be granted.

MAX J. SMITH, JR., Esq.
James, Smith, Dieterick & Connelly LLP
P.O. Box 650
d23 Hershey, PA 17033

IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY
PENNSYLVANIA

CIVIL ACTION – LAW

No. 2005-CV-5127-CN

EMINENT DOMAIN - IN REM

**IN RE: CONDEMNATION BY THE
REDEVELOPMENT AUTHORITY
OF THE CITY OF HARRISBURG
OF CERTAIN PARCELS OF REAL
ESTATE IN THE CITY OF
HARRISBURG IN CONNECTION
WITH THE HARRISBURG
VACANT PROPERTY
REINVESTMENT BOARD OF THE
CITY OF HARRISBURG**

**TO: Steven Parker
Longfield Corporation**

PLEASE TAKE NOTICE that a Declaration of Taking was filed by the Redevelopment Authority of the City of Harrisburg on December 7, 2005.

The address of the condemnor is: Redevelopment Authority of the City of Harrisburg, 10 North Second Street, Harrisburg, Pennsylvania.

The Condemnation action is authorized under the Urban Redevelopment Law of Pennsylvania, Act of May 24, 1945, P.L. 991, Section 9(1) and Section 12 (35 P.S. 1709, 1712).

The Declaration of Taking was authorized by Resolutions adopted by the Board of the Redevelopment Authority of the City of Harrisburg at the meeting convened on September 20, 2005. The minutes of said meeting may be examined at the office of the Authority, 10 North Second Street, Harrisburg, Pennsylvania.

The Redevelopment Authority of the City of Harrisburg, acting as agents for the Harrisburg Vacant Property Reinvestment Board of the City of Harrisburg and by authority of City Council Ordinance No. 26-1979, has been instructed to acquire various properties throughout the City through condemnation.

The property condemned is all that certain piece or parcel of land situate in the City of Harrisburg, Dauphin County, Pennsylvania, known and addressed as:

Tax Parcel No. 10-016-033.

Address: 616 Oxford Street, Harrisburg, Pennsylvania.

The condemnation vests title of fee simple absolute in this Authority.

A property map showing the condemned property and legal description for same may be inspected at the office of the Authority, 10 North Second Street, Suite 405, Harrisburg, Pennsylvania.

Just compensation has been made or secured by a Bond filed by the Authority with its Declaration of Taking in accordance with Section 403(a) of the Eminent Domain Code.

IF YOU WISH TO CHALLENGE the power or the right of Condemnor to appropriate the condemned property, the sufficiency of the security, the procedure followed by Condemnor or the Declaration of Taking, you are required to file Preliminary Objections within thirty (30) days of this Notice of Condemnation.

STUART J. MAGDULE, Esq.
Smigel, Anderson & Sacks, LLP
4431 North Front Street
Harrisburg, PA 17110-1260

d23

(717) 234-2401

FIRST PUBLICATION

Miscellaneous Notices

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

CIVIL ACTION – LAW

No. 2005 CV 4740 NC

NAME CHANGE

IN RE: JULIO DARVISHI, PETITIONER

ORDER

AND NOW, this 6th day of December, 2005 upon Motion of Brian P. Platt, Certified Legal Intern for the Petitioner above named, it is ORDERED and DECREED that the within Petition be heard on the 31st day of January, 2006, in Courtroom 6, Dauphin County Courthouse, Front and Market Streets, Harrisburg, Pennsylvania at 10:00 A.M. and that notice of the within Petition and of the aforesaid date of hearing be published in the Paxton Herald and Dauphin County Reporter. d23

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

CIVIL ACTION – LAW

No. 2005 CV 4805 CN

EMINENT DOMAIN - IN REM

**IN RE: CONDEMNATION BY THE
REDEVELOPMENT AUTHORITY
OF THE CITY OF HARRISBURG
OF CERTAIN PARCELS OF REAL
ESTATE IN THE CITY OF
HARRISBURG IN CONNECTION
WITH THE HARRISBURG
VACANT PROPERTY
REINVESTMENT BOARD OF THE
CITY OF HARRISBURG**

**TO: Howard L. Lewis, Jr.
Gwen Cheatham**

PLEASE TAKE NOTICE that a Declaration of Taking was filed by the Redevelopment Authority of the City of Harrisburg on November 14, 2005.

The address of the condemnor is: Redevelopment Authority of the City of Harrisburg, 10 North Second Street, Harrisburg, Pennsylvania.

The Condemnation action is authorized under the Urban Redevelopment Law of Pennsylvania, Act of May 24, 1945, P.L. 991, Section 9(1) and Section 12 (35 P.S. 1709, 1712).

The Declaration of Taking was authorized by Resolutions adopted by the Board of the Redevelopment Authority of the City of Harrisburg at the meeting convened on July 19, 2005. The minutes of said meeting may be examined at the office of the Authority, 10 North Second Street, Harrisburg, Pennsylvania.

The Redevelopment Authority of the City of Harrisburg, acting as agents for the Harrisburg Vacant Property Reinvestment Board of the City of Harrisburg and by authority of City Council Ordinance No. 26-1979, has been instructed to acquire various properties throughout the City through condemnation.

The property condemned is all that certain piece or parcel of land situate in the City of Harrisburg, Dauphin County, Pennsylvania, known and addressed as:

Tax Parcel No. 10-010-022.

Address: 2341 Jefferson Street, Harrisburg, Pennsylvania.

The condemnation vests title of fee simple absolute in this Authority.

A property map showing the condemned property and legal description for same may be inspected at the office of the Authority, 10 North Second Street, Suite 405, Harrisburg, Pennsylvania.

Just compensation has been made or secured by a Bond filed by the Authority with its Declaration of Taking in accordance with Section 403(a) of the Eminent Domain Code.

IF YOU WISH TO CHALLENGE the power or the right of Condemnor to appropriate the condemned property, the sufficiency of the security, the procedure followed by Condemnor or the Declaration of Taking, you are required to file Preliminary Objections within thirty (30) days of this Notice of Condemnation.

STUART J. MAGDULE, Esq.
Smigel, Anderson & Sacks, LLP
4431 North Front Street
Harrisburg, PA 17110-1260
(717) 234-2401

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FIRST PUBLICATION

Miscellaneous Notices

IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY
PENNSYLVANIA

CIVIL ACTION – LAW

No. 2005 CV 2373 MF

WELLS FARGO BANK MINNESOTA, N.A.,
AS TRUSTEE, Plaintiff

vs.

LAVERNE BOILER, Only Known Surviving
Heir of Eddie Boiler, Deceased Mortgagor
and Real Owner and Unknown Surviving
Heirs of Eddie Boiler, Deceased Mortgagor
and Real Owner, Defendants

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

To: Unknown Surviving Heirs of
Eddie Boiler, Deceased Mortgagor
and Real Owner
125 Hoerner Street
Harrisburg, PA 17103

TAKE NOTICE:

That the Sheriff's Sale of Real Property (real
estate) will be held:

DATE: THURSDAY, APRIL 13, 2006

TIME: 10:00 a.m. Eastern Time

LOCATION: Sheriff's Office, Dauphin
County Administration Building,
Commissioner's Hearing Room, 4th Floor -
Market Square, 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.

THE LOCATION of your property to be sold
is 125 Hoerner Street, City of Harrisburg,
Harrisburg, Dauphin County, PA 17104.

THE JUDGMENT under or pursuant to which
your property is being sold is docketed in the
within Commonwealth and County to: Number
2005 CV 2373 MF.

THE NAME OF THE OWNER OR REPUT-
ED OWNER of this property is: Laverne Boiler,
Only Known Surviving Heir of Eddie Boiler,
Deceased Mortgagor and Real Owner and
Unknown Surviving Heirs of Eddie Boiler,
Deceased Mortgagor and Real Owner.

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 dis-
bursed 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 INFOR-
MATION 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

FIRST PUBLICATION

Miscellaneous Notices

**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

LEGAL DESCRIPTION

ALL THAT CERTAIN tract or parcel of land with improvements thereon erected situated in the City of Harrisburg, Dauphin County, Pennsylvania more particularly bounded and described as follows:

BEGINNING at a point on the Easterly line of Hoerner Street which point is Two Hundred Twenty-eight (228) feet North of the Northeastly corner of Walnut and Hoerner Street; THENCE along the Easterly line of Hoerner Street North Twenty-three (23) degrees Thirty (30) minutes West Fourteen (14) feet to a point; THENCE through the center of a partition

wall and beyond North Sixty-six (66) degrees Thirty (30) minutes East Eighty-two (82) feet to a point on the Westerly line of a Ten (10) feet wide public alley; THENCE along same South Twenty-three (23) degrees Thirty (30) minutes East Eleven (11) feet to a point; THENCE South Sixty-six (66) degrees Thirty (30) minutes West Eighty-two (82) feet to a point, the place of BEGINNING.

IMPROVEMENTS consisting of a residential dwelling.

BEING KNOWN AS 125 Hoerner Street, Harrisburg, PA 17104.

BEING TAX PARCEL No. 08-016-021.

BEING THE SAME PREMISES which Dobson Limited Family Partnership, by Deed dated June 30, 2003, and recorded July 9, 2003 in the Office of the Recorder of Deeds in and for Dauphin County, Pennsylvania in Deed Book 5013, Page 324, granted and conveyed unto Eddie Boiler, in fee. And the said Eddie Boiler departed this life on September 23, 2004, whereupon title to said premises passed to Laverne Boiler, his only known surviving heir, and his unknown surviving heirs, by operation of law.

SEIZED AND TAKEN in execution as the property of Laverne Boiler, Only Known Surviving Heir of Eddie Boiler, Deceased Mortgagor and Real Owner, and Unknown Surviving Heirs of Eddie Boiler, Deceased Mortgagor and Real Owner, under Judgment No. 2005 CV 2373.

TERRENCE J. McCABE, Esq.
McCabe, Weisberg and Conway, P.C.
123 South Broad Street, Suite 2080
Philadelphia, PA 19109
(215) 790-1010

d23

SECOND 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 thereto *on Tuesday, January 17, 2006*. Pursuant to Dauphin County Orphans' Court Rule 6.10.1, objections to an account must be filed in writing with the Register or Clerk *no later than the close of business on Tuesday, January 10, 2006*.

1. ALBRIGHT, MARGARET I., Deceased, First and Final Account of Deborah J. Nicholas and Alison A. Devitt, Administratrices.
2. BLUE RIDGE MEMORIAL GARDENS PERPETUAL CARE TRUST, Settlor, First and Intermediate Account PNC Bank, N. A., Trustee (Trust dated November 8, 2000).
3. FULKROAD, JEROME, Deceased, First and Final Account of Ernest Leroy Schreiber and Allen Shaffer, Executors.
4. GAFFORD, FRANCIS J., Deceased, First and Final Account of Manufacturers and Traders Trust Company, Successor to Dauphin Deposit Bank and Trust Company, Surviving Co-Trustee (Trust Under Will).
5. GOOD, CATHARINE E., Deceased, First and Final Account of John Linn Good, Trustee (Trust Under Will).
6. GRAFL, FRANK M., Deceased, First and Final Account of Pennsylvania Guardianship Association, Inc., Administrator.

7. PROSPECT HILL CEMETERY PERPETUAL CARE TRUST, Settlor, First and Final Account of Wachovia Bank, N. A., Trustee (Trust dated July 19, 1998).
8. SIMPSON, JOSEPH T., Settlor now Deceased, First and Partial Account of Manufacturers and Traders Trust Company, Successor to Dauphin Deposit Bank and Trust Company, Trustee (Trust dated January 26, 1973).
9. TRI-COUNTY MEMORIAL GARDENS PERPETUAL CARE TRUST, Settlor, First and Final Account of PNC Bank, N. A., Trustee (Trust dated November 8, 2000).
10. WEINER, MORRIS, Deceased, First and Final Account of Manufacturers and Traders Trust Company, Successor to Dauphin Deposit Bank and Trust Company, Trustee (Q-TIP Trust Under Will).
11. WEINER, MORRIS, Deceased, First and Final Account of Manufacturers and Traders Trust Company, Successor to Dauphin Deposit Bank and Trust Company, Trustee (Unified Credit Trust Under Will).

Dated: December 9, 2005

/s/ SANDRA C. SNYDER
Register of Wills and

d16-d23 Clerk of the Orphans' Court Division

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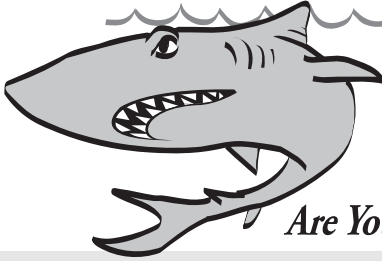
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Joseph G. Skelly, Esq.
Mediator and Arbitrator

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Harrisburg, PA 17110
717-526-4422
joeskelly@earthlink.net

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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

DECEMBER 2005

Judge Bruce F. BRATTON

JANUARY 2006

Judge Richard A. LEWIS

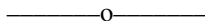
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(No. 2004 EQ 0040)

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- November 22, 2005 – Turgeon, J., **Tate v. Pitts**, (No. 1424 DR 2000; PACSES No. 227102381)
November 30, 2005 – Bratton, J., **Morgan v. Borough of Gratz, et al.** (No. 2004 CV 3892)
December 1, 2005 – Kleinfelter, J., **Reimert v. Trostle** (No. 2004 CV 4427)
December 7, 2005 – Kleinfelter, J., **Peterson v. State Farm Fire & Casualty Company, et al.** (No. 2003 CV 4018)
December 8, 2005 – Evans, J., **Jackson v. Buck, et al.** (No. 2004 CV 3761 MM)
December 12, 2005 – Evans, J., **Atwod v. Power Systems Electric, Inc., et al.** (No. 584 S 1995)



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

**IN RE: MOTION JUDGE ASSIGNMENTS
CALENDAR YEAR 2006**

ADMINISTRATIVE ORDER

JANUARY Judge Richard A. LEWIS
FEBRUARY Judge Jeannine TURGEON
MARCH Judge Lawrence F. CLARK, JR.
APRIL Judge Scott A. EVANS
MAY Judge Joseph H. KLEINFELTER
JUNE Judge Todd A. HOOVER
JULY Judge Bruce F. BRATTON
AUGUST Judge John F. CHERRY
SEPTEMBER Judge Lawrence F. CLARK, JR.
OCTOBER Judge Scott A. EVANS
NOVEMBER Judge Todd A. HOOVER
DECEMBER Judge Bruce F. BRATTON

BY THE COURT:

Richard A. Lewis, President Judge

BAR ASSOCIATION PAGE – Continued
MISCELLANEOUS SECTION

The Nominating Committee of the Dauphin County Bar Foundation, pursuant to Article X, Section 1 of the bylaws, submits the following nominations for the Board of Directors for the term of three years, beginning February 1, 2006:

Karen M. Balaban
Samuel T. Cooper III
Francis B. Haas, Jr.
David E. Lehman
F. R. Martsolf
Sandra L. Meilton
Howell C. Mette

At the first meeting of the Directors after their election, they shall elect a President, a Vice President, a Secretary and a Treasurer. These officers shall hold office until their successors are elected and qualified. d16-d23

United States District Court - Middle District of Pennsylvania

(PRO SE/DEATH PENALTY LAW CLERK (Harrisburg, PA))

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The United States District Court for the Middle District of Pennsylvania is seeking a qualified candidate for the position of full-time temporary combined Pro Se/Death Penalty Law Clerk (40 hours/week). The combined position will require that the Law Clerk undertake a comprehensive review of all applications for federal post-conviction relief filed in this Court by or on behalf of death-sentenced prisoners challenging their conviction and/or sentence; conduct legal research and analysis of the pertinent legal and factual issues; and prepare bench memoranda and draft orders and opinions. It is anticipated that the Death Penalty cases will require about 50% of the Law Clerk's time. The Law Clerk will also be assigned the responsibilities of a pro se law clerk. General responsibilities of a pro se law clerk involve substantive screening of all prisoner and inmate petitions and motions, including state and federal habeas corpus petitions, and civil rights complaints. The incumbent conducts legal research and drafts appropriate opinions and orders for the Court's approval. The law clerk will keep abreast of changes in the law in the death penalty and pro se areas, and will review the docket of the cases assigned to the incumbent to assure the proper progress of such cases, tracking motions, briefs, and other filings. Compiling statistics and preparing periodic reports which reflect the status and flow of cases is also required.

BAR ASSOCIATION PAGE – Continued

MISCELLANEOUS SECTION

The successful candidate must be a law school graduate and possess superior legal research and writing skills, excellent interpersonal skills, and a positive attitude. Experience, by education or practice, in substantive and procedural law concerning federal post-conviction relief and/or prisoner law is preferred. Experience with automated legal research systems and word processing software such as WordPerfect, is required. Full-time salary is JSP 11-01 (\$50,541) to JSP 14-10 (\$110,662). Salary is based on experience and bar membership. Benefits are provided. The successful candidate is hired provisionally, pending the results of a federal background investigation. The position is funded by the federal judiciary on a year-to-year basis according to national staffing formulas. No assurance of continued funding can be provided. In addition, the incumbent must satisfactorily complete a six (6) month probationary period.

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Scranton, PA 18501-1148
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BAR ASSOCIATION PAGE – Continued
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ATTORNEY WANTED — 5 years experience in Employment Law (employer and employee). Business experience or business law also a plus. All inquires kept confidential. Please respond to: Dauphin County Reporter, Attn: G, 213 N. Front Street, Harrisburg, PA 17101. d2-d23

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