

ADVANCE SHEET

Pages 99-102

THE
Dauphin County Reporter

(USPS 810-200)

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

No. 5699, Vol. 124

February 27, 2009

No. 35

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

Penny Supply, Inc. v. Cameron Real Estate, LP, et al.
Bar Association Page

99
Inside Back Cover

INTELLECTUAL PROPERTY LAW

Helping businesses recognize and manage
invention and patent issues.

Hooker & Habib, P. C.

Jeffrey S. Habib

Charles A. Hooker

Thomas Hooker

www.h-hpc.com

100 Chestnut Street, Suite 304

Harrisburg, PA 17101-2518

Telephone: 717-232-8771

Facsimile: 717-232-8773

E-Mail: hhpc@ptd.net

38 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

DONALD MORGAN
Executive Director
JOYCE TAMBOLAS
Administrative Assistant
BRIDGETTE L. HILBISH
Office Assistant

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.

TERMS

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

Telephone (717) 232-7536

Estate Notices

DECEDENTS ESTATES

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

FIRST PUBLICATION

ESTATE OF JOHN B. KOCH, late of Middle Paxton Township, Dauphin County, Pennsylvania. Executor: James A. Koch, 1111 Peters Mountain Road, Dauphin, PA 17018. Attorney: Christian S. Dagher, Esq., 105 North Front Street, Harrisburg, PA 17101. Telephone (717) 234-5600. f27-m13

ESTATE OF JACK ANDERSON ROBINETTE, late of Derry Township, Dauphin County, Pennsylvania (died February 4, 2009). Executor: William B. Robinette, 26 South Village Trail, Fairport, NY 14450. Attorney: Jill M. Wineka, Esq., Purcell, Krug & Haller, 1719 North Front Street, Harrisburg, PA 17102. f27-m13

ESTATE OF DOROTHY A. LENKER a/k/a DOROTHY ANN LENKER, late of Lower Paxton Township, Dauphin County, Pennsylvania (died February 4, 2009). Executrix: Kandy Z. Lenker. Attorney: Nora F. Blair, Esq., 5440 Jonestown Road, P.O. Box 6216, Harrisburg, PA 17112. f27-m13

ESTATE OF THERESA A. DELUTIS, late of Middletown Borough, Dauphin County, Pennsylvania (died February 8, 2009). Executor: Daniel A. DeLutis. Attorney: Nora F. Blair, Esq., 5440 Jonestown Road, P.O. Box 6216, Harrisburg, PA 17112. f27-m13

ESTATE OF DENNIS N. MINNICH, late of Mifflin Township, Dauphin County, Pennsylvania. Executrix: Ruth Minnich, 130 Hoffman Road, Elizabethville, PA 17023. Attorney: Earl Richard Etzweiler, Esq., 105 North Front Street, Harrisburg, PA 17101. Telephone (717) 234-5600. f27-m13

ESTATE OF ARDEN C. FANUS, late of East Hanover Township, Dauphin County, Pennsylvania (died July 13, 2006). Executrix: Edna M. Fanus, 1391 Manada Gap Road, Grantville, PA 17028. Attorney: Chad J. Julius, Esq., 8150 Derry Street, Suite A, Harrisburg, PA 17111. f27-m13

ESTATE OF GRACE I. HARTER, late of the City of Harrisburg, Dauphin County, Pennsylvania (died January 16, 2009). Executrix: Cathy I. Fesler, 329 Kelso Street, Harrisburg, PA 17111. Attorney: Jan L. Brown, Esq., Jan L. Brown & Associates, 845 Sir Thomas Court, Suite 12, Harrisburg, PA 17109. f27-m13

Pennsy Supply, Inc. v. Cameron Real Estate, LP, et al.

Contracts — Breach — Promissory Estoppel — Unjust Enrichment/Quantum Meruit — Conversion.

Plaintiff, seeking payment for concrete supplied to Defendant, filed a complaint stating causes of action for breach of contract, promissory estoppel, unjust enrichment/quantum meruit, and conversion. Defendant filed preliminary objections on the basis that the equitable causes of action and tort claim could not be entertained because the gist of the action was breach of an express agreement. The Court noted, however, that Defendants had not yet admitted the existence of a contract and therefore their preliminary objections were premature.

1. The doctrine of unjust enrichment is inapplicable when the relationship between parties is founded upon a written agreement or express contract, regardless of how harsh the provisions of such contracts may seem in the light of subsequent happenings. *Wilson Area School District v. Skepton*, 895 A.2d 1250, 1254 (Pa. 2006).

2. Causes of action and defenses may be pleaded in the alternative. *Pa. R.C.P. 1020(c)*.

Preliminary Objections. C.P., Dau. Co., No. 2008 CV 12922. Objections denied.

Joel C. Hopkins and Amy C. Forester for Plaintiff

Jan L. Budman, II for Defendants

KLEINFELTER, J., January 30, 2009. – Pennsy Supply, Inc. (“Pennsy”) initiated this action by filing a complaint against Cameron Real Estate, LP, Cameron Management, Inc. (“Cameron”) and David R. Dodd, II (“Dodd”) on October 6, 2008. The complaint states the following causes of action:

- COUNT I Action to Recover Price Under the Pennsylvania Commercial Code against all Defendants
- COUNT II Breach of Contract against all Defendants
- COUNT III Promissory Estoppel
- COUNT IV Unjust Enrichment/Quantum Meruit – against all Defendants
- COUNT V Action on Account Stated – against all Defendants
- COUNT VI Violation of the Contractor and Subcontractor Payment Act against all Defendants
- COUNT VII Conversion against Dodd only

Pennsy Supply, Inc. v. Cameron Real Estate, LP, et al.

Cameron and Dodd have filed preliminary objections to Counts III, IV and VII which are now before the court for disposition.

The general pre-count averments in the complaint advise that Pennsy is engaged in the business of supplying construction materials. Cameron develops and manages real estate; Dodd is president of Cameron Management. On January 10, 2007, Pennsy submitted a bid to supply concrete to Cameron in connection with its project at 1000 N. Cameron Street in the City of Harrisburg. Our review of the documents appended to the complaint does not reveal any formal acceptance of the bid proposal by Cameron. We do see a credit application which Cameron submitted to Pennsy, as well as a March 23, 2007 letter from Pennsy to Cameron approving an open account and attaching conditions of sale. Lastly, we note Pennsy's exhibits showing the account stated and a demand letter seeking payment of past due invoices totaling \$309,149.11.

Cameron and Dodd object to the counts in the complaint which sound in equity (III – Promissory Estoppel; IV – Unjust Enrichment/Quantum Meruit) and in tort (VII – Conversion) because, they argue, this is clearly an action based on a breach of contract. As such, there is an adequate remedy at law and equitable remedies will not stand. Additionally, as to Dodd, a tort claim is not appropriate where the gist of the action lies clearly in contract.

As a general principle the arguments of Cameron/Dodd are quite sound. in *Wilson Area School District v. Skepton*, 895 A.2d 1250, 1254 (Pa. 2006) our Supreme Court reminded:

As this Court has recognized, the doctrine of unjust enrichment contemplates that “[a] person who has been unjustly enriched at the expense of another must make restitution to the other.” (*Citation omitted*). With that said, it has long been held in this Commonwealth that the doctrine of unjust enrichment is inapplicable when the relationship between parties is founded upon a written agreement or express contract, regardless of how “harsh the provisions of such contracts may seem in the light of subsequent happenings.” (*Citations omitted*). While it does not appear that this Court has expounded upon this rule of law, it has been recognized that this bright-line rule not only has “a distinguished common-law pedigree, but it also derives a great deal of

Pennsy Supply, Inc. v. Cameron Real Estate, LP, et al.

justification from bedrock principles of contract law.” *Curley v. Allstate Insurance Company*, 289 F. Supp. 2d 614, 620 (E.D. Pa. 2003). Moreover, as the Curley court noted,

[this] bright-line rule also has deep roots in the classical liberal theory of contract. It embodies the principle that parties in contractual privity ... are not entitled to the remedies available under a judicially-imposed quasi[-]contract [i.e., the parties are not entitled to restitution based upon the doctrine of unjust enrichment] because the terms of their agreement (express and implied) define their respective rights, duties, and expectations.

Our court followed *Wilson* and applied those principles in *Eastern Atlantic Insurance Co. v. Swiss Reinsurance America Corp.*, 123 Dauph. 161 (2006).

Having expressed agreement with Cameron/Dodd – that Pennsy’s claim for equitable relief cannot be entertained where an express agreement exists – we nevertheless question that this issue is properly presented by preliminary objection. All of the cases cited by Cameron/Dodd – except *Eastern Atlantic* – challenged the equitable remedies after the pleadings were closed. Moreover, while in *Eastern Atlantic* the challenge was raised (and granted) under preliminary objections, it seems that, given the extended procedural history in that case,¹ the court was fully satisfied that “an express agreement between the parties exists in this case.” *Eastern Atlantic*, at 170.

In the case at bar, while it seems that a contract exists, Cameron/Dodd have not yet admitted this fact in a responsive pleading. In fact, throughout its preliminary objections and brief, Cameron/Dodd refer to an “alleged contractual relationship” (Brief, p. 3) and an “alleged contractual agreement.” (P.O., p. 2).

We can hardly blame Pennsy for wanting to cover its bases to include equitable relief should Cameron/Dodd deny the existence of an enforceable contract. For these reasons we find the preliminary objections to be premature. Should an express contract be admitted in an answer filed to

1. The court had previously granted judgment on the pleadings to defendant and appointed a special master. Additionally, a collateral action was filed in the U.S. District Court.

Penssy Supply, Inc. v. Cameron Real Estate, LP, et al.

the complaint, Cameron and Dodd would be completely within their right to file a motion for judgment on the pleadings as to Counts III, IV and VII. In the meantime we will allow Penssy to avail themselves of Pa. R.C.P. 1020(c) which permits causes of actions to be pleaded in the alternative.

We enter the following:

ORDER

AND NOW, January 30, 2009,

IT IS HEREBY ORDERED that the Defendants' Preliminary Objections to the Complaint are denied. Defendants shall file their Answer to Plaintiff's Complaint within twenty (20) days of the date of this Order.

—————○—————

FIRST PUBLICATION

Estate Notices

ESTATE OF ELIZABETH A. PESHINA, late of Lower Swatara Township, Dauphin County, Pennsylvania. Administrator CTA / Attorney: Richard L. Placey, Esq., Placey & Wright, 3621 North Front Street, Harrisburg, PA 17110.

f27-m13

ESTATE OF EARL TIMOTHY, late of Harrisburg, Dauphin County, Pennsylvania (died November 15, 2008). Executrix: Anne Timothy, 5092 Clover Court, Harrisburg, PA 17111. Attorney: Joseph J. Dixon, Esq., 126 State Street, Harrisburg, PA 17101.

f27-m13

ESTATE OF ROSE M. LAPORE, late of the City of Harrisburg, Dauphin County, Pennsylvania. Executor: George Lapore, 133 Blacksmith Road, Camp Hill, PA 17011. Attorneys: Butler Law Firm, 500 North Third Street, P.O. Box 1004, Harrisburg, PA 17108.

f27-m13

ESTATE OF MARY E. HERB, late of Upper Paxton Township, Dauphin County, Pennsylvania. Executor: Larry G. Herb, 415 Hoy Road, Millersburg, PA 17061. Attorney: Earl Richard Etzweiler, Esq., 105 North Front Street, Harrisburg, PA 17101. Telephone (717) 234-5600.

f27-m13

SECOND PUBLICATION

ESTATE OF MARLIN S. KEIM, late of Lower Paxton Township, Dauphin County, Pennsylvania. Executor: Kenneth J. Keim, 456 Lewisberry Road, New Cumberland, PA 17070. Telephone (717) 774-2656. Attorney: W. Scott Staruch, Esq., Telephone (717) 975-0600.

f20-m6

ESTATE OF MARLIN A. HOOVER, late of Lykens Township, Dauphin County, Pennsylvania. Co-Executors: Robert M. Hoover, 8785 Route 25, Spring Glen, PA 17978 and Jeffrey A. Hoover, P.O. Box 165, Beaver Springs, PA 17812. Attorney: Earl Richard Etzweiler, Esq., 105 North Front Street, Harrisburg, PA 17101. Telephone (717) 234-5600.

f20-m6

ESTATE OF HENRY K. LEWIS, late of Derry Township, Dauphin County, Pennsylvania (died November 15, 2008). Executrix: Joan K. Lewis, 315 North Front Street, Harrisburg, PA 17101. Attorney: Leonard Tintner, Esq., Boswell, Tintner, Piccola & Alford, 315 North Front Street, Post Office Box 741, Harrisburg, PA 17108.

f20-m6

ESTATE OF ANNA M. HULTZAPPLE, late of Susquehanna Township, Dauphin County, Pennsylvania (died January 8, 2009). Co-Executors: David Hultzapple, II and Cindy Hultzapple, 321 Regent Road, Harrisburg, PA 17112. Attorney: Terrence J. Kerwin, Esq., Kerwin & Kerwin, 27 North Front Street, Harrisburg, PA 17101.

f20-m6

ESTATE OF ANNA G. ZIRILLI, late of Derry Township, Dauphin County, Pennsylvania. Executor: Martin L. Ginter, 318 Kent Drive, Harrisburg, PA 17111. Attorney: John R. Beinhaur, Esq., Beinhaur & Curcillo, 3964 Lexington Street, Harrisburg, PA 17109.

f20-m6

ESTATE OF SAMUEL MORRISON, late of Lower Paxton Township, Dauphin County, Pennsylvania (died January 25, 2009). Co-Executors: Gerald K. Morrison and Sue Morrison Dym. Executor/Attorney: Gerald K. Morrison, Esq., McNees Wallace & Nurick LLC, 100 Pine Street, P.O. Box 1166, Harrisburg, PA 17108-1166. Telephone (717) 232-8000.

f20-m6

SECOND PUBLICATION

Estate Notices

ESTATE OF ROBERT F. KRAUSE, late of Harrisburg, Dauphin County, Pennsylvania (died January 17, 2009). Executor: William A. Woodward. Attorney: Karen M. Balaban, Esq., Karen M. Balaban, LLC, P.O. Box 821, Harrisburg, PA 17108-0821. f20-m6

ESTATE OF EMMA IRENE SMELTZER, late of Swatara Township, Dauphin County, Pennsylvania. Co-Executors: Linda R. Venturo, 140 North Third Street, Steelton, PA 17113 and Robert W. Smeltzer, Jr., 628 Second Street, Enhaut, PA 17113. Attorney: Matthew J. Golden, Esq., Skarlatos & Zonarich LLP, 17 South Second Street, 6th Floor, Harrisburg, PA 17101. f20-m6

ESTATE OF THOMAS J. O'HOLLERAN, late of Lower Paxton Township, Dauphin County, Pennsylvania. Executor: Michael K. O'Holleran, 529 West High Street, Hummelstown, PA 17036. Attorney: Theresa L. Shade Wix, Esq., Wix, Wenger & Weidner, 4705 Duke Street, Harrisburg, PA 17109-3041. f20-m6

ESTATE OF JANE M. SMITH, late of West Hanover Township, Dauphin County, Pennsylvania (died January 21, 2009). Executrix: Cathy Ann Spizzirri, 3215 North 3rd Street, 2nd Floor, Harrisburg, PA 17110. Attorney: Ann E. Rhoads, Esq., Cleckner and Fearn, 119 Locust Street, P.O. Box 11847, Harrisburg, PA 17108-1847. f20-m6

ESTATE OF SUSAN HOOK MOSCOSO a/k/a SUSAN H. MOSCOSO, late of Lower Paxton Township, Dauphin County, Pennsylvania (died January 26, 2009). Executrix: Marybeth Moscoso-Fries, 177 Hiddenwood Drive, Harrisburg, PA 17110. Attorney: Elyse E. Rodgers, Esq., Keefer Wood Allen & Rahal LLP, 635 North 12th Street, Suite 400, Lemoyne, PA 17043. f20-m6

ESTATE OF SAMUEL C. DUPLER, SR., late of East Hanover Township, Dauphin County, Pennsylvania. Executrix: Nan Louise Papp, 14 N. Swarthmore Avenue, Ridley Park, PA 19078. Attorney: Keith D. Wagner, Esq. f20-m6

ESTATE OF ROBERT L. PAYNE, late of the City of Harrisburg, Dauphin County, Pennsylvania (died January 24, 2006). Administrator: Natalie V. Payne. Attorney: Nora F. Blair, Esq., 5440 Jonestown Road, P.O. Box 6216, Harrisburg, PA 17112. f20-m6

ESTATE OF PEGGY J. ADAMS, late of the Township of Swatara, Dauphin County, Pennsylvania. Administrator: John W. Adams, 2345 N. 4th Street, Harrisburg, PA 17110. Attorney: Kenneth F. Lewis, Esq., 1101 North Front Street, Harrisburg, PA 17102. f20-m6

THIRD PUBLICATION

ESTATE OF TIMOTHY S. DEWALT, late of Harrisburg, Dauphin County, Pennsylvania (died January 9, 2009). Executrix: Tammy C. Dewalt. Attorney: Bruce J. Warshawsky, Esq., Cunningham & Chernicoff, P.C., 2320 North Second Street, Harrisburg, PA 17110. f13-f27

ESTATE OF JOHN E. CROMAN, JR., late of the Paxtang Borough, Dauphin County, Pennsylvania (died September 20, 2008). Executor: Terrence Lee Fasick, 117 Hummel Avenue, Lemoyne, PA 17043. Attorney: Jan L. Brown, Esq., Jan L. Brown & Associates, 845 Sir Thomas Court, Suite 12, Harrisburg, PA 17109. f13-f27

ESTATE OF ELIZABETH W. KRIEG, late of Swatara Township, Dauphin County, Pennsylvania. Executor: John R. Zonarich, 17 South Second Street, 6th Floor, Harrisburg, PA 17101. Attorney: Matthew J. Golden, Esq., Skarlatos & Zonarich LLP, 17 South Second Street, 6th Floor, Harrisburg, PA 17101. f13-f27

THIRD PUBLICATION

Estate Notices

ESTATE OF MARY M. WAGNER, late of Harrisburg, Dauphin County, Pennsylvania (died December 4, 2008). Executor: C. Michael Wagner, 4923 Killington Drive, Harrisburg, PA 17112. Attorney: Amy M. Moya, Esq., 5011 Locust Lane, Harrisburg, PA 17109. f13-f27

ESTATE OF JAMES H. WOODRUFF, late of Dauphin County, Pennsylvania (died January 13, 2009). Personal Representative: Jean D. Woodruff, 210 Parkway Road, Harrisburg, PA 17110. f13-f27

ESTATE OF DENNIS L. COOPER, late of Halifax Township, Dauphin County, Pennsylvania. Executrix: Carol L. Cooper, 3005 Peters Mountain Road, Halifax, PA 17032. Attorney: Earl Richard Etzweiler, Esq., 105 North Front Street, Harrisburg, PA 17101. Telephone (717) 234-5600. f13-f27

ESTATE OF WILLIAM J. SHOCKLOSS, late of West Hanover Township, Dauphin County, Pennsylvania. Executrices: Patricia Shockloss, 7297 Olde Mill Road, Harrisburg, PA 17112 and Mary Galie, 1119 Ross Lane, Phoenixville, PA 19460. Attorney: Gerald J. Shekletski, Esq., Stone LaFaver & Shekletski, P.O. Box E, New Cumberland, PA 17070. f13-f27

ESTATE OF RUTH M. HAGAMAN, late of Derry Township, Dauphin County, Pennsylvania (died November 12, 2008). Executor: Allan E. Hagaman, 285 Crescent Drive, Hershey, PA 17033. Attorney: C. Thomas Work, Esq., Stevens & Lee, 111 North 6th Street, P.O. Box 679, Reading, PA 19603-0679. f13-f27

ESTATE OF JAMES F. GIBSON, late of Susquehanna Township, Dauphin County, Pennsylvania (died March 1, 2005). Executor: James P. Gibson, Jr., 2028 Chavey Chase Drive, Harrisburg, PA 17110. Attorney: James G. Nealon, III, Esq., Kerwin & Kerwin, 2411 North Front Street, Harrisburg, PA 17110. f13-f27

ESTATE OF DOUGLAS E. HELT, late of Millersburg Borough, Dauphin County, Pennsylvania. Executor: Russell D. Helt, Jr., 156 Wilt Boulevard, Millersburg, PA 17061. Attorney: Earl Richard Etzweiler, Esq., 105 North Front Street, Harrisburg, PA 17101. Telephone (717) 234-5600. f13-f27

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN that the Certificate of Authority was filed on 1/28/2009 for the purpose of obtaining a Certificate of Authority pursuant to the provisions of the Business Corporation Law of 1988, 15 Pa. C.S. Section 1101.

The name of the corporation is **Stellar Recovery, Inc.**

The purpose for which the corporation is collection agency.

8040 Excelsior Drive, Suite 200
Madison WI 53717
Toll Free: 800-981-7183
Telephone: (608) 827-5300
Fax: (608) 827-5501
www.bizfilings.com

f27

NOTICE IS HEREBY GIVEN that **ideablob Corp.**, a foreign business corporation incorporated under the laws of the State of Delaware, where its principal office is located at Welsh & McKean Roads, P.O. Box 844, Spring House, PA 19477, has applied for a Certificate of Authority in Pennsylvania, where its registered office is located at c/o Corporation Service Company. The registered office of the corporation shall be deemed for venue and official publication purposes to be located in Dauphin County. f27

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 **CPH Engineers, Inc.** The address of its principal office under the laws of its jurisdiction is 500 West Fulton Street, Sanford FL 32771. The Commercial Registered Office address is United Corporate Services, Inc. in the County of Dauphin. The Corporation is filed in compliance with the requirements of the applicable provision of 15 Pa. C.S. 4124(b). f27

NOTICE IS HEREBY GIVEN that **IronPort Systems, Inc.** with a Commercial Registered Agent Provider in c/o Corporation Service Company 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 c/o General Counsel, 170 West Tasman Drive, San Jose, CA 95134. This shall serve as official notice to creditors and taxing authorities. f27

NOTICE IS HEREBY GIVEN that **Summit Securities, Inc.**, a Pennsylvania corporation, having its registered office located at 12810 E. Nora, Suite D, Spokane Valley, WA 99216, has filed a Certificate of Election to Dissolve with the Department of State of the Commonwealth of Pennsylvania, pursuant to and in accordance with the provisions of the Business Corporation Law of the Commonwealth of Pennsylvania, approved May 5, 1933, as amended, and that the said corporation is winding up its affairs in the manner prescribed by said law, so that its corporate existence shall be ended upon the issuance of a Certificate of Dissolution by the Department of State of the Commonwealth of Pennsylvania.

f27
/s/ MAGGIE LYONS
President & Principal Financial Officer
Phone: (509) 835-3461

NOTICE IS HEREBY GIVEN that **Metropolitan Mortgage & Securities Co., Inc.**, a Pennsylvania corporation, having its registered office located at 12810 E. Nora, Suite D, Spokane Valley, WA 99216, has filed a Certificate of Election to Dissolve with the Department of State of the Commonwealth of Pennsylvania, pursuant to and in accordance with the provisions of the Business Corporation Law of the Commonwealth of Pennsylvania, approved May 5, 1933, as amended, and that the said corporation is winding up its affairs in the manner prescribed by said law, so that its corporate existence shall be ended upon the issuance of a Certificate of Dissolution by the Department of State of the Commonwealth of Pennsylvania.

f27
/s/ MAGGIE LYONS
Acting CEO and CFO
Phone: (509) 835-3461

NOTICE IS HEREBY GIVEN that **Concepts in Healthcare, Inc.**, a foreign business corporation incorporated under the laws of the State of Maryland, with its principal office located at 4806 Chevy Chase Boulevard, Chevy Chase, Maryland 20815 and its registered office located at CT Corporation System, Dauphin County, Pennsylvania, has applied for a Certificate of Authority in Pennsylvania. The registered office of the corporation shall be deemed for venue and official publication purposes to be located in Dauphin County, Pennsylvania. f27

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania on 05/10/2008, with respect to a proposed Limited Liability Corporation, **Bebos' Towing Roadside Assistance, LLC** which has been incorporated under the Limited Liability Corporation Law of 1988. A brief summary of the purposes for which said corporation is organized is: Towing and Road Services Assistance.

f27
CARLOS R. GUZMAN
1911 East Pike Street
Philadelphia, PA 19124

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed on December 17, 2008, with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, on behalf of **EAST SHORE MEDICAL & PAIN MANAGEMENT, PC**. The said Business Corporation has been incorporated under the Pennsylvania Business Corporation Law of 1988.

STEPHEN C. NUDEL, Esq.
219 Pine Street
f27 Harrisburg, PA 17101

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

The name of the corporation organized under the Pennsylvania Business Corporation Law of 1988, Act of December 21, 1988, PL 1444, No. 177, as amended and supplemented, is **MARSHALL INSURANCE GROUP, INC.**

JOHN M. COLES, Esq.
Roads & Sinon LLP
12th Floor
One South Market Square
P.O. Box 1146
f27 Harrisburg, PA 17108-1146

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania for **ANROL YVIER MANAGEMENT, INC.**, formed pursuant to the provisions of the Pennsylvania Business Corporation Law of 1988.

CLIFTON R. GUISE, Esq.
Gates, Halbruner, Hatch & Guise, P.C.
1013 Mumma Road, Suite 100
f27 Lemoyne, PA 17043

NOTICE IS HEREBY GIVEN that **On-Site Analysis, Inc.** with a Commercial Registered Agent Provider in c/o CT Corporation System 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 7108 Fairway Drive, Suite 130, Palm Beach Gardens, FL 33418. This shall serve as official notice to creditors and taxing authorities. f27

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed on November 25, 2008 with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, for the purpose of obtaining a Certificate of Incorporation of a proposed business corporation to be organized under the 1988 Pennsylvania Business Corporation Law of the Commonwealth of Pennsylvania. The name of the corporation is **225 N. 2nd Enterprises, Inc.**

The registered office is at 225 N. Second Street, Harrisburg, Dauphin County, PA 17101. The purpose of the corporation is: To conduct a licensed restaurant business and all other lawful business in the Commonwealth of Pennsylvania and elsewhere for which corporations may be incorporated under the Pennsylvania Business Corporation Law.

STEVE C. NICHOLAS, Esq.
Nicholas Law Offices, P.C.
2215 Forest Hills Drive, Suite 37
Harrisburg, PA 17112-1099
f27 (717) 540-7746

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, for **Euro Motorcars Devon, Inc.** on February 18, 2009. 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
Harrisburg, PA 17101
f27

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN that **Burkhardt Property Management, LLC**, a Pennsylvania Limited Liability Company under the laws of the Commonwealth of Pennsylvania, with its principal place of business at 4098 McIntosh Road, Harrisburg, PA 17112, was issued a Certificate of Organization from the Department of State of the Commonwealth of Pennsylvania on November 1, 2008. 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.

JOSEPH D. KERWIN, Esq.
Kerwin & Kerwin
4245 State Route 209
f27 Elizabethville, PA 17023

NOTICE IS HEREBY GIVEN that the members of **One Call Logistics, L.L.C.**, a Pennsylvania limited liability company, with an address at 1121 Terry Drive, Harrisburg, PA 17113, have approved a proposal that the Company voluntarily dissolve, and that the Members are now engaged in winding up and settling the affairs of the Company under the provisions of Section 8971 of the Pennsylvania Limited Liability Company Law of 1994, as amended.

NESTICO, DRUBY & HILDABRAND, LLP
840 East Chocolate Avenue
Hershey, PA 17033
f27 (717) 533-5406

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State for **POSTAGE, INC.**, a corporation organized under the Pennsylvania Business Corporation Law of 1988. f27

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on February 11, 2009, by **DATAMONITOR, INC.**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at c/o Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, DE 19808, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania is located at c/o Corporation Service Company, Dauphin County, Pennsylvania. f27

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on February 18, 2009, by **WORLD FINER FOODS, INC.**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at 300 Broadacres Drive, Bloomfield, NJ 07003, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania is located at c/o Corporation Service Company, Dauphin County, Pennsylvania. f27

NOTICE IS HEREBY GIVEN that **Disaster Rentals, Inc.**, a foreign business corporation incorporated under the laws of the State of Maryland, where its principal office is located at 9710 Traville Gateway Drive #115, Rockville, MD 20850 has filed an Application for Certificate of Authority in Pennsylvania on February 2, 2009. The registered office of the corporation in Pennsylvania shall be deemed for venue and official publication purposes to be located at: c/o National Registered Agents, Inc., Dauphin County, Pennsylvania. f27

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on February 20, 2009, by **DUKE OF EDINBURGH'S AWARD YOUNG AMERICANS' CHALLENGE, INC.**, a foreign nonprofit corporation formed under the laws of the State of Florida, where its principal office is located at 700 North Olive Avenue, Suite 2, West Palm Beach, FL 33401, for a Certificate of Authority to do business under the provisions of the Pennsylvania Nonprofit Corporation Law of 1988, exclusively for religious, charitable, scientific, literary or educational purposes under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended.

The registered office in Pennsylvania is located at c/o Corporation Service Company, Dauphin County, Pennsylvania. f27

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on February 4, 2009, by **THE SAFEWAY FOUNDATION**, a foreign nonprofit corporation formed under the laws of the State of California, where its principal office is located at 5918 Stoneridge Mall Road, Pleasanton, CA 94588, for a Certificate of Authority to do business under the provisions of the Pennsylvania Nonprofit Corporation Law of 1988, exclusively for religious, charitable, scientific, literary or educational purposes under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended.

The registered office in Pennsylvania is located at c/o Corporation Service Company, Dauphin County, Pennsylvania. f27

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on December 31, 2008, by **WAUKESHA STATE BANK**, a foreign business corporation formed under the laws of the State of Wisconsin, where its principal office is located at 100 Bank Street, Waukesha, WI 53187, for a Certificate of Authority to do business 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 ATA Corporate Services, LLC, Dauphin County.

SAUL EWING LLP, Solicitors
1200 Liberty Ridge, Suite 200
f27 Wayne, PA 19087-5569

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on February 10, 2009, by **STAPLES MARKETING COMMUNICATIONS, INC.**, doing business in the Commonwealth of Pennsylvania under the fictitious name of **STAPLES ENERGY AND MARKETING SERVICES**, a foreign corporation formed under the laws of the State of Wisconsin, where its principal office is located at N28 W23050 Roundy Drive, Suite 100, Pewaukee, WI 53072, 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. f27

NOTICE IS HEREBY GIVEN that **USS TUBULAR PROCESSING, INC.** with a Commercial Registered Agent Provider in c/o 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 c/o Office of the Secretary, 600 Grant Street, Pittsburgh, PA 15219-2800. This shall serve as official notice to creditors and taxing authorities. f27

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on February 12, 2009, by **AMERICAN ENERGY, INC.**, a foreign corporation formed under the laws of the State of Nevada, where its principal office is located at 6100 Neil Road, Suite 500, Reno, NV 89511, 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. f27

FIRST PUBLICATION

Fictitious Notices

NOTICE IS HEREBY GIVEN that an Application for Certificate of Authority has been transmitted to the Dept. of State on behalf of **Consumer Credit Services, Inc.**, a Florida corporation that intends to conduct business in Dauphin County under the fictitious name: **National Foreclosure Relief Services**. Accordingly, an Application for Registration of Fictitious Name has been submitted for filing on the 20th day of February, 2009, pursuant to the Act of Assembly of December 16, 1982, Act 295.

The name and address of the only person and/or corporation owning or interested in the said business is: Consumer Credit Services, Inc., James J. Hammond, 4417 Beach Boulevard, Building 1100, Suite 304, Jacksonville, FL 32207. f27

IN THE COURT OF COMMON PLEAS

FIRST PUBLICATION

Miscellaneous Notices

**OF DAUPHIN COUNTY
PENNSYLVANIA**

CIVIL ACTION – LAW

No. 2008-CV-13944-MF

**NOTICE OF ACTION IN
MORTGAGE FORECLOSURE**

**HSBC BANK USA, N.A. AS TRUSTEE
FOR NOMURA ASSET ACCEPTANCE
CORPORATION MORTGAGE
PASS THROUGH CERTIFICATES
SERIES 2006-API, Plaintiff**

vs.

**ESTATE OF BRIAN JOSEPH GARVEY
ANNA GARVEY, ADMINISTRATRIX
AND HEIR OF THE ESTATE OF
BRIAN JOSPEH GARVEY and
UNKNOWN HEIRS, SUCCESSORS,
ASSIGNS, AND ALL PERSON, FIRMS,
OR ASSOCIATIONS CLAIMING RIGHT,
TITLE OR INTEREST FROM OR
UNDER BRIAN JOSPEH GARVEY,
DECEASED, Defendants**

NOTICE

**TO: UNKNOWN HEIRS, SUCCESSORS,
ASSIGNS, AND ALL PERSON,
FIRMS, OR ASSOCIATIONS
CLAIMING RIGHT, TITLE OR
INTEREST FROM OR UNDER
BRIAN JOSPEH GARVEY,
DECEASED**

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

ALL THAT following described lot of ground situate, lying and being in Susquehanna Township, County of Dauphin, Commonwealth of Pennsylvania, bounded and limited as follows, to wit:

FIRST PUBLICATION

Miscellaneous Notices

NOTICE IS HEREBY GIVEN that your house (real estate) at 1927 BRIGGS STREET, HARRISBURG, PA 17103-1612 is scheduled to be sold at the Sheriff's Sale on APRIL 9, 2009 at 10:00 AM at the DAUPHIN County Courthouse, FRONT AND MARKET STREETS to enforce the Court Judgment of \$58,965.93 obtained by HSBC BANK USA, N.A. AS TRUSTEE FOR NOMURA ASSET ACCEPTANCE CORPORATION MORTGAGE PASS THROUGH CERTIFICATES SERIES 2006-AP1 (the mortgagee), against your Prop. sit. in the City of HARRISBURG, County of DAUPHIN and State of Pennsylvania.

BEING PREMISES: 1927 BRIGGS STREET, HARRISBURG, PA 17103-1612.

IMPROVEMENTS consist of residential property.

SOLD as the property of ESTATE OF BRIAN JOSEPH GARVEY ANNA GARVEY, ADMINISTRATRIX AND HEIR OF THE ESTATE OF BRIAN JOSPEH GARVEY and UNKNOWN HEIRS, SUCCESSORS, ASSIGNS, AND ALL PERSON, FIRMS, OR ASSOCIATIONS CLAIMING RIGHT, TITLE OR INTEREST FROM OR UNDER BRIAN JOSPEH GARVEY, DECEASED.

TERMS OF SALE: The purchaser at the sale must take ten (10%) percent down payment of the bid price or of the Sheriff's cost, whichever is higher, at the time of the sale in the form of cash, money order or bank check. The balance must be paid within ten (10) days of the sale or the purchaser will lose the down money.

**THE HIGHEST AND BEST BIDDER
SHALL BE THE BUYER**

ALL THAT CERTAIN lot of ground situate in the Fifteenth Ward of the City of Harrisburg, formerly part of Susquehanna Township, Dauphin County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the South side of Briggs Street said point being twenty (20) feet east from the southeast corner of Briggs and

Linden Street, said Linden Street being now known as Linn Street; thence South through the center of a frame partition dividing the property herein described from property No. 1925 Briggs Street, and beyond, one hundred ten (110) feet to a twenty (20) feet wide alley; thence eastwardly along the northern side of a twenty (20) feet wide alley twenty (20) feet to the western line of Lot No. 139 on the hereinafter mentioned plan; thence northwardly along the western line of said Lot N. 139, one hundred ten (110) feet to Briggs Street, and thence westwardly along said Briggs Street, twenty (20) feet to a point the place of BEGINNING.

BEING LOT NO. 140 ON PLAN OF LOTS LOCATED IN PLAN BOOK B, PAGE 1.

HAVING THEREON ERECTED the eastern half of a double frame dwelling housing known as, and numbered, 1927 Briggs Street.

BEING HOUSE NO. 1927 Briggs Street, Harrisburg, Pennsylvania.

TITLE TO SAID PREMISES IS VESTED IN Brian J. Garvey, single man, by Deed from Redmond Investment Group, LLC, a Pa. Corporation, dated 07/14/2005, recorded 07/22/2005 in Book 6102, Page 621.

DANIEL SCHMIEG, Esq.
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103
(215) 563-7000

f27

NOTICE

NOTICE IS HEREBY GIVEN that the annual meeting of the **Liberty Mutual Mid-Atlantic Insurance Company** will be held at the Home Office of the Company, 275 Grandview Avenue, Suite 300, Camp Hill, Pennsylvania on Wednesday, April 22, 2009 at 9:00 o'clock a.m. for the purpose of electing directors and for the transaction of such other business as may properly be brought before the meeting, at which time and place all policyholders are invited to be present.

f27-m13

BRENDA W. RADLE
ASSISTANT SECRETARY

FIRST PUBLICATION

Miscellaneous Notices

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

CIVIL ACTION – LAW

CIVIL DIVISION

No. 2008-CV-13547-MF

**NOTICE OF ACTION IN
MORTGAGE FORECLOSURE**

**SUNTRUST MORTGAGE, INC.,
f/k/a CRESTAR MORTGAGE
CORPORATION, Plaintiff**

vs.

**ESTATE OF LORI SPICER LAVIGNE
a/k/a LORI S. MULLEN and
ROBERT M. SPICER, JR.,
ADMINISTRATOR OF THE
ESTATE OF LORI SPICER LAVIGNE
a/k/a LORI S. MULLEN**

**RICHARD W. MULLEN, HEIR
OF THE ESTATE OF
LORI SPICER LAVIGNE a/k/a
LORI S. MULLEN**

**SEAN R. MULLEN, HEIR OF
THE ESTATE OF
LORI SPICER LAVIGNE
a/k/a LORI S. MULLEN**

**UNKNOWN HEIRS, SUCCESSORS,
ASSIGNS, AND ALL PERSONS,
FIRMS, OR ASSOCIATIONS
CLAIMING RIGHT, TITLE OR
INTEREST FROM OR UNDER
LORI SPICER LAVIGNE
a/k/a LORI S. MULLEN, DECEASED,
Defendants**

NOTICE

**TO: UNKNOWN HEIRS, SUCCESSORS,
ASSIGNS, AND ALL PERSONS,
FIRMS, OR ASSOCIATIONS
CLAIMING RIGHT, TITLE OR
INTEREST FROM OR UNDER
LORI SPICER LAVIGNE
a/k/a LORI S. MULLEN, DECEASED**

YOU ARE HEREBY NOTIFIED that on OCTOBER 16, 2008, Plaintiff, SUNTRUST MORTGAGE, INC., f/k/a CRESTAR MORTGAGE CORPORATION, filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of DAUPHIN County, Pennsylvania, docketed to No. 2008-CV-13547-MF. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 3208 BROOKFIELD ROAD, HARRISBURG, PA 17109 whereupon your property would be sold by the Sheriff of DAUPHIN County.

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

NOTICE

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

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

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

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

FIRST PUBLICATION

Miscellaneous Notices

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

CIVIL ACTION – LAW

No. 2007-CV-13458-MF

**NOTICE OF ACTION IN
MORTGAGE FORECLOSURE**

**U.S. BANK NATIONAL ASSOCIATION
AS TRUSTEE, Plaintiff**

vs.

**NATHAN A. WINTERGRASS and
ERICA A. WINTERGRASS, Defendants**

NOTICE

TO: ERICA A. WINTERGRASS

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

ALL THAT following described lot of ground situate, lying and being in MIDDLETOWN TOWNSHIP, County of DAUPHIN, Commonwealth of Pennsylvania, bounded and limited as follows, to wit:

NOTICE IS HEREBY GIVEN that your house (real estate) at 484 ASPEN STREET, MIDDLETOWN, PA 17057 is scheduled to be sold at the Sheriff's Sale on MAY 28, 2009 at 10:00 A.M., at the DAUPHIN County Courthouse, to enforce the Court Judgment of \$91,922.53 obtained by U.S. BANK NATIONAL ASSOCIATION AS TRUSTEE, (the mortgagee), against your Prop. sit. in the City of MIDDLETOWN, County of DAUPHIN, and State of Pennsylvania.

BEING PREMISES: 484 ASPEN STREET, MIDDLETOWN, PA 17057.

IMPROVEMENTS consist of residential property.

SOLD as the property of NATHAN A. WINTERGRASS, ERICA A. WINTERGRASS.

TERMS OF SALE: The purchaser at the sale must take ten (10%) percent down payment of the bid price or of the Sheriff's cost, whichever is higher, at the time of the sale in the form of cash, money order or bank check. The balance must be paid within ten (10) days of the sale or the purchaser will lose the down money.

**THE HIGHEST AND BEST BIDDER
SHALL BE THE BUYER**

ALL THAT CERTAIN unexpired leasehold or term of years in and to land with improvements thereon situate in the Borough of Middletown, Dauphin County, Pennsylvania, more fully bounded and described as follows, to wit:

BEGINNING at a point at the southwest intersection of Aspen Street and Vine Street (L.R. 22016); thence along the western side of Vine Street South seventeen (17 degrees) degrees one (1 minute) minute thirty (30 seconds) seconds West a distance of eighty-four (84 feet) feet to a point on the western side of Vine Street; thence North seventy-two (72 degrees) degrees fifty-eight (58 minutes) minutes thirty (30 seconds) seconds West a distance of fifty-six and eighty-nine hundredths (56.89 feet) feet to a point; thence passing through the partition wall of a two-story brick dwelling house and beyond, North seventeen (17 degrees) degrees one (1 minute) minute thirty (30 seconds) seconds East a distance of eighty-four (84 feet) feet to a steel rebar on the southern right-of-way line of Aspen Street; thence along the same South seventy-two (72 degrees) degrees fifty-eight (58 minutes) minutes thirty (30 seconds) seconds East a distance of fifty-six and eighty-nine hundredths (56.89 feet) feet to a point, the place of BEGINNING.

UNDER AND SUBJECT to the reservations, restrictions and easements as the same appear in prior agreements and covenants on the Records of the Recorder of Deeds in and for the County of Dauphin. See also reservations, restrictions, easements and covenants of record in Dauphin County Deed Book P, Volume 37, Page 457, and Dauphin County Miscellaneous Book X, Volume 6, Page 371.

FIRST PUBLICATION

Miscellaneous Notices

AND FURTHER SUBJECT to the terms and conditions of the original leases from The Principal and Trustees of the Emaus Orphan House as the same remain of record in Dauphin County Recorder's Office at Miscellaneous Book T, Volume 5, Page 465, and Miscellaneous Book X, Volume 6, Page 363, including the annual lease rents reserved in said leases payable to The Principal and Trustees of the Emaus Orphan House, Middletown, PA.

SEE also revision of Ground Rent Agreement as recorded to Dauphin County Recorder of Deeds Office.

HAVING THEREON ERECTED the eastern half of a two-story attached brick dwelling house known as 484 Aspen Street.

UNDER AND SUBJECT, nevertheless, to easements, restrictions, reservations, conditions and rights of way of record or visible upon inspection of premises.

BEING THE SAME PREMISES WHICH EDWARD P. WINTERGRASS and JOANNE Z. WINTERGRASS, husband and wife, by deed dated MAY 9, 2005 and to be recorded simultaneously herewith and immediately prior hereto in the Dauphin County Recorder of Deeds Office granted and conveyed unto NATHAN A. WINTERGRASS, the Mortgagor herein.

DANIEL SCHMIEG, Esq.
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103
(215) 563-7000

f27

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

CIVIL ACTION – LAW

No. 2008-CV-08721-MF

**NOTICE OF ACTION IN
MORTGAGE FORECLOSURE**

**CITIMORTGAGE, INC.
S/B/M TO ABN AMRO MORTGAGE
GROUP, INC., Plaintiff**

vs.

**NATHAN A. MCLAUGHLIN and
HEIDI J. MCLAUGHLIN, Defendants**

NOTICE

TO: HEIDI J. MCLAUGHLIN

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

ALL THAT following described lot of ground situate, lying and being in BERRYSBURG BOROUGH, County of DAUPHIN, Commonwealth of Pennsylvania, bounded and limited as follows, to wit:

YOU ARE HEREBY NOTIFIED that your house (real estate) at 149 EAST MARKET STREET, BERRYSBURG, PA 17005 is scheduled to be sold at the Sheriff's Sale on APRIL 9, 2009 at 10:00 A.M., at the DAUPHIN County Courthouse, to enforce the Court Judgment of \$74,140.75 obtained by CITIMORTGAGE, INC. S/B/M TO ABN AMRO MORTGAGE GROUP, INC., (the mortgagee), against your Prop. sit. in the City of BERRYSBURG, County of DAUPHIN, and State of Pennsylvania.

BEING PREMISES: 149 EAST MARKET STREET, BERRYSBURG, PA 17005.

IMPROVEMENTS consist of residential property.

SOLD as the property of NATHAN A. MCLAUGHLIN, HEIDI J. MCLAUGHLIN.

TERMS OF SALE: The purchaser at the sale must take ten (10%) percent down payment of the bid price or of the Sheriff's cost, whichever is higher, at the time of the sale in the form of cash, money order or bank check. The balance must be paid within ten (10) days of the sale or the purchaser will lose the down money.

FIRST PUBLICATION

Miscellaneous Notices

**THE HIGHEST AND BEST BIDDER
SHALL BE THE BUYER**

LEGAL DESCRIPTION

ALL THAT CERTAIN house and lot of ground situate in the Borough of Berrysburg, County of Dauphin and Commonwealth of Pennsylvania, and being the western portion of Lot No. 55 in the general plot of said Borough, as recorded in Plan Book 'H', Page 25, bounded and described as follows, to wit:

BEGINNING at a post on North First Street at property now or late of Chas. R. Strawhecker; thence along said Street North 75-1/4 degrees East 2 perches and 10 feet to a post; thence by lot formerly owned by William Shartzter, now Marlin G. Warner, South 14-3/4 degrees East 10 perches to a post on Market Street; thence along the same South 75-1/4 degrees West 2 perches and 10 feet to property of Dean C. Harner, known as Lot No. 54; thence along said lot North 14-3/4 degrees West 10 perches to the place of BEGINNING.

CONTAINING twenty-six (26) perches and sixteen and one-half (16-1/2) square feet of land.

TITLE TO SAID PREMISES IS VESTED IN Nathan A. McLaughlin and Heidi J. McLaughlin, h/w, by Deed from David G. Esch and Sylvia S. Esch, his wife, dated 05/30/2007, recorded 06/01/2007 in Instrument Number 20070021709.

PREMISES BEING: 149 EAST MARKET STREET, BERRYSBURG, PA 17005.

Tax Parcel No. 21-005-010.

DANIEL SCHMIEG, Esq.
One Penn Center at Suburban Station
1617 John F. Kennedy Boulevard
Suite 1400
Philadelphia, PA 19103
(215) 563-7000

f27

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

CIVIL ACTION – LAW

No. 2008-CV-15754-MF

**NOTICE OF ACTION IN
MORTGAGE FORECLOSURE**

**HOUSEHOLD FINANCE CONSUMER
DISCOUNT COMPANY, Plaintiff**

vs.

JOAN L. GIPE, Defendant

**NOTICE OF SALE
OF REAL PROPERTY**

**TO: Joan L. Gipe, Defendant
502 2nd Street
Highspire, PA 17034**

YOU ARE HEREBY NOTIFIED that your house (real estate) at 502 2nd Street, Highspire, 17034 is schedule to be sold at the Sheriff's Sale on April 9, 2009 at 10:00 a.m. in the Dauphin County Administration Building, 4th Floor, Second and Market Streets, Commissioners Hearing Room, Harrisburg, PA to enforce the court judgment of \$132,712.33, obtained by Plaintiff above (the mortgagee) against you. If the sale is postponed, the property will be relisted for the Next Available Sale.

PROPERTY DESCRIPTION

ALL THOSE TWO CERTAIN lots of land, with the improvements thereon erected, situate in the Borough of Highspire, Dauphin County, Pennsylvania, bounded and described as follows, to wit:

BEING lots numbered three hundred (300) and three hundred one (301) in a Plan of Lots known as Plan No. 1, George W. Cumbler's Addition to Highspire, which said Plan is duly recorded in the Recorder's Office at Harrisburg, Pennsylvania in Plan Book "C", Page 30. Each of said lots numbered 300 and 301 adjoining each other in said plan, and each lot fronting twenty-five (25) feet on the Northeast side of Second Street eight (8) feet from the Middletown and Harrisburg Turnpike Road, and each extending back the same width, one hundred twenty (120) feet to Rhoada Alley and Lot No. 300 running along and adjoining Franklin Street, in said plan, on its Southeast Side.

FIRST PUBLICATION

Miscellaneous Notices

BEING premises known and numbered as 502 Second Street, Highspire, Pennsylvania.
BEING KNOWN AS: 502 2nd Street, Highspire, PA 17034.

PROPERTY ID No. 30-027-007.

TITLE TO SAID PREMISES IS VESTED IN JOAN L. GIPE BY DEED FROM GLENN L. GIPE DATED 8/24/1999 RECORDED 9/27/1999 IN DEED BOOK 3517 PAGE 143.

MARK J. UDREN, Esq.
STUART WINNEG, Esq.
LORRAINE DOYLE, Esq.
ALAN M. MINATO, Esq.
CHANDRA M. ARKEMA, Esq.
Udren Law Offices, P.C.
Woodcrest Corporate Center
111 Woodcrest Road, Suite 200
Cherry Hill, NJ 08003
(856) 482-6900

f27

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

Date: February 20, 2009

BRIAN K. ZELLNER, Esq.
Hynum Law
2608 North 3rd Street
Harrisburg, PA 17110
(717) 774-1357

f27

THIRD PUBLICATION

Miscellaneous Notices

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing regarding **Middletown Area School District's Petition for Approval of Private Sale** of Real Estate under Section 707 of the Public School Code has been scheduled for Friday, March 27, 2009 at 9:15 a.m., to be held before the Honorable John F. Cherry at the Dauphin County Courthouse, Court Room Number 8, Fifth Floor, Front and Market Streets, Harrisburg, PA 17101.

The property subject to the private sale is an approximately 1.017 acre tract located at 232 Ann Street, Middletown, Pennsylvania and having property ID number 40-002-001-000-0000. The property is the site of the George D. Mansberger Elementary School, which is no longer in service.

Additional information regarding this property and the hearing may be obtained by contacting the Middletown Area School District.

MIDDLETOWN AREA
SCHOOL DISTRICT
DAVID FRANKLIN

f13-f27

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

CIVIL ACTION – LAW

No. 2006-CV-1275-CV

**CAPOZZI & ASSOCIATES,
Plaintiff**

vs.

**JOSEPH SCIARRINO,
Defendant**

NOTICE

IF YOU WISH TO DEFEND, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court within twenty (20) days of the date of this notice. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

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

KURZENKNABE PRESS

*Printing The Dauphin County Reporter every
week for nearly 100 years*

Graphic Design • Electronic Pre-Press • Invitations

Announcements • Legal Briefs • Legal Backers

Newsletters • Business Cards • Business Forms

Envelopes • Multi Color Printing • Flyers

Questionnaires • Posters

Tickets • Photo Copies

Labels • Brochures

Bindery



**1424 HERR STREET
HARRISBURG, PA 17103**

TOLL FREE 1-888-883-2598

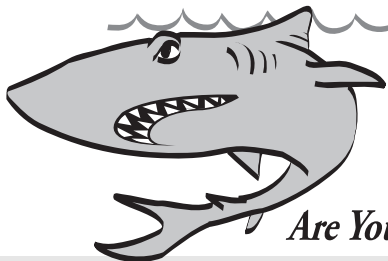
PHONE 232-0541 • FAX 232-7458

EMAIL: KURZENKNABEPRESS@COMCAST.NET

Quality Printing Since 1893



Tri-State Shredding



“Your
Document
Shredding
Specialist”

Are You HIPAA Compliant??

**On-Site and Off-Site
Document Shredding**

Bonded Personnel with 10 years experience
“DON'T THROW YOUR BUSINESS OUT
WITH YOUR TRASH”

CALL 717-233-5606 TODAY
www.tristateshredding.com

ATTORNEY DISCIPLINARY/ETHICS MATTERS

Representation, consultation and expert testimony in matters
involving ethical issues and the Rules of Professional Conduct

James C. Schwartzman, Esq.

Former Chairman, Disciplinary Board of the Supreme Court of Pennsylvania • Former Chairman,
Continuing Legal Education Board of the Supreme Court of Pennsylvania • Former Federal Prosecutor

Dana Pirone Garrity, Esq.

Representing attorneys in disciplinary/ethics matters for 12 years • Author/Speaker on ethics matters

17 North Second Street, 16th Floor • Harrisburg, PA 17101

(717) 255-7388

CUMULATIVE TABLE OF CASES

Cameron Real Estate, LP, et al., Pennsy Supply, Inc. v.	99
Centric Bank, Schmitt v.	1
Commonwealth v. Fernsler	64
Commonwealth v. Hosby	32
Commonwealth v. Montelione	10
Commonwealth v. Wingus	82
Cox, Wilson, et al. v.	57
Daniels, et al., v. Norfolk Southern Corporation, et al., Wallett's Flooring Services, Inc. v.	
	94
Estrada v. Olt, et al.	42
Fernsler, Commonwealth v.	64
Hershey Medical Center, et al., Lopresti v.	48
Hosby, Commonwealth v.	32
Kelly Systems, Inc. v. Koda	21
Keystone Service Systems, Inc., Pennswood Apartments L.P. v.	27
Koda, Kelly Systems, Inc. v.	21
Lopresti v. Hershey Medical Center, et al.	48
McAfee v. Quantum Imaging and Therapeutic Associates, Inc.	70
McGarrie v. Short	90
Montelione, Commonwealth v.	10

Cumulative Table of Cases

Norfolk Southern Corporation, et al. v.
 Wallett’s Flooring Services, Inc. v. Daniels, et al. 94

Olt, et al., Estrada v. 42

Pennswood Apartments L.P. v. Keystone Service Systems, Inc. . . 27
 Pennsy Supply, Inc. v. Cameron Real Estate, LP, et al. 99

Quantum Imaging and Therapeutic Associates, Inc.,
 McAfee v. 70

Schmitt v. Centric Bank 1
 Short, McGarrie v. 90

Wallett’s Flooring Services, Inc. v. Daniels, et al.,
 v. Norfolk Southern Corporation, et al. 94

Wilson, et al. v. Cox 57
 Wingus, Commonwealth v. 82

<p>Sales and Leasing of Business Property</p>	<ul style="list-style-type: none"> • Office • Industrial • Retail • Land 		
<p>Central PA’s #1 ranked commercial real estate firm Ranked by transaction volume CPBJ February 2008</p>			
<p>NAICIR</p>		<p>www.naicir.com 717 761 5070</p>	
<p>Commercial Real Estate Services, Worldwide.</p>			

Backed by over 35 years of
Title Work and Research Resources

IONNI ABSTRACT COMPANY

Est. 1968

Is equipped to meet Your Title
Search needs on Residential and
Commercial Properties in
Dauphin, Cumberland and Perry
Counties.

*** 60 Year Title Searches
*** Present Owner Searches

For Information or Fee Schedule
Contact us at:
104 Walnut Street
Harrisburg, PA 17101
Or
P: 717-232-6739
F: 717-232-0124

Chuck Hinson, President and Title Abstractor

TRIAL AHEAD?

**CONSIDER
AN ALTERNATE ROUTE:**

Dauphin County Bar Association
Civil Dispute Resolution Program

Call (717) 232-7536 for details

BAR ASSOCIATION PAGE
Dauphin County Bar Association
213 North Front Street • Harrisburg, PA 17101-1493
Phone: 232-7536 • Fax: 234-4582

Board of Directors

Renee Mattei Myers <i>President</i>	James P. DeAngelo <i>President-Elect</i>
Elizabeth “Liesl” Beckley <i>Vice President</i>	John D. Sheridan <i>Treasurer</i>
Brett M. Woodburn <i>Secretary</i>	Craig A. Longyear <i>Past President</i>
Pamela L. Purdy <i>Young Lawyers’ Chair</i>	Courtney Kishel Powell <i>Young Lawyers’ Vice Chair</i>
William L. Adler	Jonathan W. Kunkel
C. Grainger Bowman	Theresa B. Male
Robert E. Chernicoff	Tracy L. McCurdy
Scott B. Cooper	Richard A. Sadlock
S. Barton Gephart	J. Michael Sheldon
Herbert Corky Goldstein	Adam M. Shienvold
Stephen M. Greecher, Jr.	Jason M. Weinstock
Jacqueline Jackson-DeGarcia	

Directors

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

FEBRUARY 2009
MARCH 2009

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

Opinions Not Yet Reported

February 3, 2009 – Kleinfelter, J., **Commonwealth v. Carroll**, No. 4862, 4863, 4864 CR 2007

BAR ASSOCIATION PAGE – Continued

MISCELLANEOUS SECTION

Opinions Not Yet Reported

February 4, 2009 – Kleinfelter, J., **Dock v. Harrisburg Hospital, et al.**, No. 2004 CV
2532 CV

—o—

LEGAL SECRETARY — Large civil defense firm is seeking a legal secretary with at least 2 years of workers' comp and/or general liability exp. Excellent opportunity, benefits and salary. Send resume to: Personnel, P.O. Box 999, Harrisburg, PA 17108 or fax to 717-237-7105. f13-f27

***Alcohol or Other Drugs
a Problem?***

*Help is Only
a Phone Call Away*

LAWYERS CONFIDENTIAL HELP-LINE

1-888-999-1941

24 Hours Confidential

*A Service Provided by
Lawyers Concerned for
Lawyers of Pennsylvania, Inc.*

**INCORPORATION AND
LIMITED LIABILITY COMPANY
FORMATION**

CONVENIENT, COURTEOUS SAME DAY SERVICE

PREPARATION AND FILING SERVICES IN ALL STATES

**CORPORATION OUTFITS AND
LIMITED LIABILITY COMPANY OUTFITS**

SAME DAY SHIPMENT OF YOUR ORDER

**CORPORATION, LIMITED LIABILITY COMPANY
AND UCC FORMS**

**CORPORATE AND UCC, LIEN AND
JUDGMENT SERVICES**

M. BURRKEIM COMPANY

SERVING THE LEGAL PROFESSIONAL SINCE 1931

PHONE: (800) 533-8113 FAX: (888) 977-9386

2021 ARCH STREET, PHILADELPHIA, PA 19103

WWW.MBURRKEIM.COM

ECONOMIC EXPERTS

**THE CENTER FOR
FORENSIC ECONOMIC STUDIES**

Damages analysis and testimony in injury, employment
and commercial matters.

Call to discuss your case.

www.cfes.com

800-966-6099

cfes@cfes.com