

**ADVANCE SHEET**

Pages 147-153

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

(USPS 810-200)

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

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No. 5724, Vol. 124

August 21, 2009

No. 60

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

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Bar Association Page

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Inside Back Cover

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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**

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

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

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**TERMS**

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

Telephone (717) 232-7536

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**Estate Notices**

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**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 RONALD W. BUCHANAN, late of Harrisburg City, Dauphin County, Pennsylvania (died June 16, 2009). Executrix: Babette A. Muzzy. Attorney: Marci S. Miller, Esq., 2000 Linglestown Road, Suite 202, Harrisburg, PA 17110. a21-s4

ESTATE OF E. VICTOR GENS, JR., late of Lower Paxton Township, Dauphin County, Pennsylvania. Executrix: Suzanne Glenn. Attorney: Michael L. Bangs, Esq., 429 South 18th Street, Camp Hill, PA 17011. a21-s4

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ESTATE OF PATRICIA L. GRUBB, late of Derry Township, Dauphin County, Pennsylvania. Executrix: Suzan L. Helms, 2210 Raleigh Road, Hummelstown, PA 17036. Attorney: Richard L. Grubb, Esq., 171 Hawthorne Drive, Hershey, PA 17033. a21-s4

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ESTATE OF DIXIE R. CUNNINGHAM, late of Dauphin County, Pennsylvania (died July 17, 2009). Administrator: Myra D. Cunningham. Attorney: Steven P. Miner, Esq., Daley Zucker Meilton Miner & Gingrich, LLC, 1035 Mumma Road, Suite 101, Wormleysburg, PA 17043. a21-s4

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ESTATE OF RITA E. HUGHES, late of the Borough of Middletown, Dauphin County, Pennsylvania (died June 3, 2009). Executor: Daniel J. Hughes, 8984 Knoll Street, Allison Park, PA 15101. Attorney: Jeffrey M. Mottern, Esq., 28 East Main Street, P.O. Box 87, Hummelstown, PA 17036. a21-s4

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ESTATE OF EUGENE SELVEY, late of Harrisburg City, Dauphin County, Pennsylvania (died April 6, 2009). Executrix: Maria T. Barboza, 4816 Sweetbrier Drive, Harrisburg, PA 17111. Attorney: Jacqueline A. Kelly, Esq., Jan L. Brown & Associates, 845 Sir Thomas Court, Suite 12, Harrisburg, PA 17109. a21-s4

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ESTATE OF EDITH M. SCHORR a/k/a EDITH MAE SCHORR, late of Upper Paxton Township, Dauphin County, Pennsylvania (died July 28, 2009). Co-Executrices: Patricia L. Schorr, 178-D Dew Drop Road, York, PA 17402 and Carol A. Shaffer, 1523 Mountain Road, Dalmatia, PA 17017. Attorney: Holly M. Kerwin, Esq., Kerwin & Kerwin, 4245 State Route 209, Elizabethtown, PA 17023. a21-s4

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environment. Instead, the defendant client maintained that control. Work place safety is clearly a matter of public concern. Under the unusual circumstances by which defendants are asserting a release of liability for their own negligence — as a third party to a contract entered between plaintiff and Visiting Angels more than three years prior to when defendants hired plaintiff — it is unclear whether such a clause would be considered violative of public policy.

In summary, the law is not clear that an exculpatory clause such as the one before this court is not violative of public policy whereby the record fails to indicate that plaintiff had requisite bargaining power with the contracting party (Visiting Angels) and where that clause is made in favor of a third party client who controls the safety of her work place environment.

Accordingly, I enter the following:

ORDER

AND NOW, this 24th day of July 2009, it is hereby directed that Defendants' Motion for Judgment on the Pleadings is hereby DENIED.

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**Walter v. McNany**

**Workers' Compensation — Subrogation — Apportionment of Settlement Proceeds — Loss of Consortium.**

CompuServices, Inc., a workers' compensation insurance provider, appealed a settlement order in this motor vehicle accident case, arguing that the settlement was structured to deliberately shelter the settlement proceeds from its subrogation lien for medical benefits and wage losses paid to the injured worker/wife. The majority of the settlement was awarded to the uninjured husband's loss of consortium claim.

1. Under the Workers' Compensation Act, an employer/insurer does not have a subrogation claim against loss of consortium settlements or awards, since loss of consortium claims are separate and independent from the injured worker's claims in the third-party tort action. *Darr Construction Co. V. Workmen's Comp. Appeal Bd.*, 715 A.2d 1075, 1080 (Pa. 1998).

2. There is no authority precluding an atypically large recovery for a loss of consortium claim derivative of the underlying third party action where unusual facts support such apportionment. *Urmann v. Rockwood Casualty Insurance Company*, 905 A.2d 513, 524 (Pa.Super. 2006).

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Pa.R.A.P. 1925(a) Opinion. C.P., Dau. Co., No. 2006 CV 394.

*Craig R. Milsten*, for Plaintiffs

*Jefferson J. Shipman*, for Defendants

*Richard D. Hollingsworth*, for CompuServices

TURGEON, J., July 31, 2009. – CompuServices, Inc. appeals from an order issued December 8, 2008, approving a settlement in favor of the plaintiffs Kathy and Robert Walter reached with defendant Donald McNany arising from injuries Kathy Walter suffered as a result of being struck by a motor vehicle. CompuServices, a workers' compensation carrier, objected to the settlement arguing that it was structured to deliberately shelter settlement proceeds from its lien against Kathy Walter's award by giving a disproportionately larger share of the settlement to her husband Robert Walter. This opinion is written in support of the order approving settlement under Pa.R.A.P. 1925(a).

#### BACKGROUND

On February 24, 2004, Kathy Walter was struck by defendant McNany's vehicle while she walked within a marked crosswalk at the intersection of Market and North Second Streets in Harrisburg. She suffered significant injuries to her brain and spine, as well as multiple lesser injuries. The spinal injuries resulted in numerous surgeries from which she is recovering. The traumatic brain injury, however, has created cognitive, functional and behavioral deficits that, combined with a depressive disorder, have resulted in significant and permanent mental disabilities affecting both Kathy and Robert Walter.<sup>1</sup>

At the time of the accident, Kathy Walter was acting within the scope of her employment with the Commonwealth of Pennsylvania,

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1. In their petition for approval of settlement, plaintiffs' appended the report of Kathy Walter's neuropsychologist who described her in November 2006, as suffering from "mild traumatic brain injury." At that time, she was able to meet basic daily living skills (e.g. dressing, grooming, simple housework), was independently mobile and could drive a car to familiar areas. She had difficulty with complex activities of daily living (e.g. cooking, more difficult housework, task initiation/organization, bill paying, multi-tasking) and her information processing speed was significantly slowed. She is no longer able to work due to persistent cognitive slowing and to a lesser degree chronic pain. Her injury has slowed her life; she reads very slowly and deliberately and relies upon a Palm Pilot to initiate basic activities. She becomes disoriented in large open spaces. As a result, she spends much of her time at home and suffers from depression. Her doctor opined that over the long-term, she will adapt to the changes in her brain and gradually accept the slowing of her mind and her life which will lessen her depression. Her prognosis for return to normal function is poor though her prognosis for gradual acceptance and adaptation is fair to good. (Plaintiffs' Petition for Approval of Settlement, Exbt. C)

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Department of General Services. Her medical benefits and wage losses have been paid by workers compensation insurance through her employer.<sup>2</sup> In June, 2006, the plaintiffs filed suit against McNany. In January 2007, the Walters accepted an offer of settlement from McNany for \$475,000 divided such that Robert Walter would receive \$275,000 for loss of consortium and Kathy Walter would receive \$200,000 for her personal injuries. Defendant CompuServices, the provider of workers' compensation insurance to state workers, asserted a lien against the settlement for \$337,723.62 to cover its payments to Kathy Walter for her medical and wage benefits.<sup>3</sup> The Walters thereafter filed a Petition for Approval of the Settlement and Distribution of Proceeds to which CompuServices objected, arguing that the apportionment of the proceeds so heavily in favor of husband's consortium claim was not reasonable.

At the hearing on the petition for approval of settlement, the Walters were the only witnesses presented. Robert Walter testified that prior to the accident, Kathy Walter, his wife of 36 years, was very independent but had become dependent upon him after the accident. (N.T. 5, 14) Kathy Walter testified that she believed that the burdens placed upon her husband as a result of the accident have been greater on him than on her due to the energy he spends addressing issues concerning her well being. (N.T. 23)

Prior to the accident, Robert Walter considered himself the main breadwinner in his family but that since the accident, "it totally switched around to just taking care of her and seeing to her needs." (N.T. 5) As a result of his wife's injuries, he has lost a significant amount of income. He is salesperson who works out of his Harrisburg home and whose sole income is based upon commissions. (N.T. 6-8) His sales territory is in the northern half of New Jersey. Prior to the accident, he was able to take short trips to visit clients or prospects but that he can no longer do that. (N.T. 18-19) In the two years prior to the hearing, he had to give up some of his territory because he did not feel comfortable traveling away from his wife. (N.T. 6-8) He testified that because of his inability to travel, his income has decreased from about \$200,000 in 2003 to around \$100,000 as of the hearing. (N.T. 7) Kathy Walter corroborated her husband's testimony that prior to the accident,

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2. As of January 30, 2008, Kathy Walter's medical expenses totaled \$249,118.29 and her compensation benefits totaled \$88,605.33.

3. This lien is being asserted per Section 319 of the Pennsylvania Workers' Compensation Act. 77 P.S. §671.

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she took care of the parties' home which she claimed enabled her husband to succeed in his career. (N.T. 22-23) Since the accident he has been unable to travel in his job and meet new clients. (N.T. 23)

Both Walters testified that while Kathy Walter is able to bathe, groom and dress herself, he must do the vast majority of cooking, dish-washing and cleaning, though recently he has hired a housekeeper. (N.T. 11, 16, 26) Kathy Walter testified that her husband is performing work around the house that he never did before. (N.T. 24) Prior to her injury, Kathy Walter did all the couple's cooking. (N.T. 16) She is no longer able to help with house cleaning. (N.T. 16-17) She has been able to cook a meal perhaps once a week and is able to do the laundry, but she has been unable to perform other housework. (N.T. 27) Kathy Walter is able to drive but has difficulty finding her way and is completely dependent upon a GPS, even for local trips. (N.T. 10) She does attempt to grocery shop but must make the trips short since she can not handle being in a large store for very long. (N.T. 28)

Robert Walter testified that he used to perform all the lawn care, which he considered a hobby, but can no longer keep up with it so has hired a service to do that, which cost \$4,200 in 2007. (N.T. 11) In addition, he has had to give up golf and running. (N.T. 12, 18) As a couple, he and his wife have decreased their travel significantly and their opportunity to socialize has also decreased. (N.T. 12-13) The Walters have four grandchildren who visit them but Robert Walter is always present when they do so. (N.T. 20)

Due to his wife's short-term memory loss, Robert Walter must often accompany her to medical appointments or prepare a list of questions for her to ask doctors. (N.T. 8) When she does travel alone to appointments, she often will forget what the doctor has told her. (N.T. 8) He testified that he takes her to appointments all over the mid-Atlantic region to address her various medical issues. (N.T. 9-10) He testified that he otherwise has to constantly remind his wife to do things. (N.T. 13)

Robert Walter testified that his wife suffers from significant personality changes and that she can have fits of rage and that he has to "bite my tongue a lot." (N.T. 4, 14) Kathy Walter testified that one of her main limitations since her accident is an inability to initiate activities. (N.T. 29-30) She testified that her husband is supposed to push her to do things but that he is laid back and doesn't do it that often, but that when he does, she gets "very irritated" with him. (N.T. 30)

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Kathy Walter agreed that even though she suffers from some permanent memory loss (particularly from around the time of her accident), she was able to recall what her life was like before her accident and is currently aware of her limitations and changes to her life. (N.T. 26) Robert Walter similarly testified that his wife is aware of her condition and has become depressed over her situation. (N.T. 21)

Following the hearing, I found the proposed apportionment of the settlement proceeds reasonable and issued an order approving the settlement. CompuServices has appealed from that order.

#### LEGAL DISCUSSION

CompuServices argues that this court erred by approving the settlement “where the facts do not support awarding the majority of the settlement to the loss of consortium claim” and that the allotment “was merely a device to place those sums out of reach of CompuServices’s subrogation lien.” (Statement of Errors, ¶¶ 5, 6)

Our Supreme Court, in *Darr Construction Co. v. Workmen’s Comp. Appeal Bd.*, held that under the Workman’s Compensation Act, an employer/insurer, such as CompuServices, does not have a subrogation claim against loss of consortium settlements or awards since loss of consortium claims are separate and independent from the injured worker’s claims in the third-party tort action. 715 A.2d 1075, 1080 (Pa. 1998). The Court recognized, however, “the potential for abuse” whereby the apportionment of the losses in the third party settlement would be structured in such a manner “to shield his recovery from the employer’s [or insurer’s] subrogation interest by fraudulently attributing an unwarranted amount of the damages to the spouse’s claim for loss of consortium.” *Id.* at 1081. “Fear of abuse, however, is an impermissible basis upon which to require the forfeiture of a spouse’s valid recovery. In the event the settlement is unreasonably apportioned, an employer may always seek recourse in the court of common pleas.” *Id.* Thus, if the settlement is reasonably apportioned as between the spouses’ claims, the settlement is valid. *Id.*

The issue of whether the apportionment of settlement proceeds was reasonable, under circumstances similar to this case, was recently addressed by the superior court in *Urmann v. Rockwood Casualty Insurance Company*, 905 A.2d 513 (Pa.Super. 2006). There, the court

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upheld the trial court's approval of a \$250,000 recovery for wife's loss of consortium claim and a \$50,000 recovery for husband's personal injury claim. The husband's workers' compensation insurance carrier, which held a subrogation lien against husband's share, had challenged the apportionment. There, the husband had largely recovered from his physical injuries but suffered from on-going depressive and mood disorders as well as a severe cognitive disorder with impaired intellectual functioning. The evidence before the trial court revealed that his wife carried a heavy burden caring for and accommodating the behavioral changes resulting from his brain injury. *Id.* at 517. The Court held that there is no authority precluding an atypically large recovery for a loss of consortium claim derivative of the underlying third party action where the unusual facts support such apportionment. *Id.* at 524.

The credible evidence in this case similarly supported a finding that an apportionment more heavily in favor of husband's consortium claim was reasonable. Notably, husband's fealty to his wife following the accident and his consequent inability to fully participate in his job, has resulted in a halving of his earning capacity, from approximately \$200,000 per year to \$100,000. In addition, husband, who over the course of his 36-year marriage performed few household chores prior to his wife's injuries, now performs almost all of them. He must also accompany his wife to many appointments and has had to act as her memory in many respects. Robert Walter also bears the brunt of the outbursts and frustrations his wife suffers while dealing with her limitations. Additionally, he has been forced to give up some of the enjoyments and hobbies of his own life, such as golf, running and taking care of the lawn, as well as social activities he and his wife used to participate in together. Kathy Walter in fact testified that she believes the burdens of her condition have fallen more heavily upon her husband than upon her.

CompuServices argued at the hearing that the *Urmann* case was distinguishable because Mr. Urmann sustained a much greater degree of mental impairment than did Kathy Walter here and as such, Mrs. Urmann had a significantly greater burden in dealing with his condition than does Mr. Walter dealing with his wife's condition. Kathy Walter in fact does suffer from less significant cognitive deficits than did Mr. Urmann and unlike him, she is not "blissfully ignorant" of what she has lost and her current limitations. Nevertheless, the apportionment in *Urmann*, providing an 83% — 17% percent split of the overall settlement in favor of the consortium claim, reflected the



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degree of Mrs. Urmann's burden there. Here, the 58% — 42% split is not nearly so disproportionate in favor of the consortium claim, reflecting the evidence presented to this court.

Accordingly, I issued an order approving the settlement reached between the Walters and Donald McNany.

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**FIRST PUBLICATION**

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**Estate Notices**

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ESTATE OF BETTYMAE F. BOWSHOT, late of Lower Paxton Township, Dauphin County, Pennsylvania (died July 24, 2009). Administratrix: Cindy L. Koser, 241 N. 67th Street, Harrisburg, PA 17111. a21-s4

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ESTATE OF MARGARET L. MATTER, late of Washington Township, Dauphin County, Pennsylvania. Executor: Jon W. Matter, Sr., 6240 Elmer Avenue, Harrisburg, PA 17112. Attorney: Gregory M. Kerwin, Esq., Kerwin & Kerwin, 4245 Route 209, Elizabethtown, PA 17023. a21-s4

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**SECOND PUBLICATION**

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ESTATE OF ERMA M. BERRY, late of the City of Harrisburg, Dauphin County, Pennsylvania (died December 19, 2008). Attorney: Diane M. Dils, Esq., 1400 North Second Street, Harrisburg, PA 17102. a14-a28

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ESTATE OF JEAN GOLDBERG, late of Harrisburg, Dauphin County, Pennsylvania (died June 12, 2009). Co-Executors: Michael A. Goldberg, Ronald S. Goldberg and Barbara G. Esmond. Attorney: Richard S. Friedman, Esq., Richard S. Friedman, P.C., 300 North Second Street, Suite 402, Harrisburg, PA 17101. a14-a28

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ESTATE OF ESTHER F. STEIN, late of Susquehanna Township, Dauphin County, Pennsylvania (died April 21, 2009). Administratrix: Marian E. Shenberger. Attorney: Nora F. Blair, Esq., 5440 Jonestown Road, P.O. Box 6216, Harrisburg, PA 17112. a14-a28

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ESTATE OF THOMAS J. MCGEEHAN, late of Swatara Township, Dauphin County, Pennsylvania (died May 9, 2008). Personal Representative: James A. McGeehan, 123 York Street, 1st Floor, Enola, PA 17025. Attorney: Robert G. Radebach, Esq., 912 North River Road, Halifax, PA 17032. a14-a28

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ESTATE OF DOROTHY M. MCGEEHAN, late of Susquehanna Township, Dauphin County, Pennsylvania. Executor: James D. McGeehan, 1619 Eldridge Drive, West Chester, PA 19380. Attorney: Charles J. Ax, Jr., Esq., 14 South Main Street, Middleburg, PA 17842. a14-a28

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ESTATE OF LEO F. WHALEY, late of Susquehanna Township, Dauphin County, Pennsylvania (died July 6, 2009). Executor: Bryan D. Whaley, 4517 Custer Terrace, Harrisburg, PA 17110. Attorney: Shelly J. Kunkel, Esq., Wion, Zulli & Seibert, 109 Locust Street, Harrisburg, PA 17101. a14-a28

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ESTATE OF ROSE M. COOLEN, late of Derry Township, Dauphin County, Pennsylvania (died July 26, 2009). Executrix: Joanne M. Coolen, 579 Windsor Court, Hummelstown, PA 17036. Attorney: Ann E. Rhoads, Esq., Cleckner and Fearen, 119 Locust Street, P.O. Box 11847, Harrisburg, PA 17108-1847. a14-a28

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ESTATE OF DAVID GRAHAM GOODFELLOW, late of Lower Swatara Township, Dauphin County, Pennsylvania (died July 17, 2009). Executrix: Anne Paden, 80 Towpath Road, Duncannon, PA 17020. Attorney: Jan P. Paden, Esq., Rhoads & Sinon LLP, One S. Market Square, P.O. Box 1146, Harrisburg, PA 17108-1146. a14-a28

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ESTATE OF THERESA L. LUCIANO, late of South Hanover Township, Dauphin County, Pennsylvania. Administrator: Charles A. Luciano, Jr., 135 North George Street, York, PA 17401. Attorney: Jon C. Countess, Esq., CGA Law Firm, PC. a14-a28

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**SECOND PUBLICATION**

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**Estate Notices**

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ESTATE OF FRANK P. MILICI, late of Derry Township, Dauphin County, Pennsylvania. Executrix: Mary Anne M. Zarefoss. Attorney: Anthony J. Nestico, Esq., Nestico, Druby & Hildabrand, LLP, 840 East Chocolate Avenue, Hershey, PA 17033. a14-a28

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**THIRD PUBLICATION**

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ESTATE OF JOSEPH V. ALLEGRINI, late of Derry Township, Dauphin County, Pennsylvania. Executrix: Jean M. Allegrini. Attorney: Anthony J. Nestico, Esq., Nestico, Druby & Hildabrand, LLP, 840 East Chocolate Avenue, Hershey, PA 17033. a7-a21

ESTATE OF FAYE W. SPONHAUER, late of Lower Paxton Township, Dauphin County, Pennsylvania. Executor: Franklin S. Sponhauer, III. Attorney: Robert P. Kline, Esq., Kline Law Office, P.O. Box 461, New Cumberland, PA 17070-0461. a7-a21

ESTATE OF PAUL J. DELLASEGA a/k/a PAUL JOSEPH DELLASEGA, late of Dauphin County, Pennsylvania (died June 2, 2009). Executrix: Cheryl Dellasega, 8 Boxwood Drive, Hershey, PA 17033. Attorney: Steven J. Schiffman, Esq., Serratelli, Schiffman, Brown & Calhoon, P.C., 2080 Linglestown Road, Suite 201, Harrisburg, PA 17110. a7-a21

ESTATE OF DOROTHY M. MESLEY, late of Lower Swatara Township, Dauphin County, Pennsylvania (died April 20, 2009). Executrix: Elizabeth E. Dwyer, 1234 Lake George Road, Oakland, MI 48363. Attorney: Kendra A. Mohr, Esq., Pannebaker & Mohr, P.C., 4000 Vine Street, Middletown, PA 17057. Telephone (717) 944-1333. a7-a21

ESTATE OF JILL B. WHITING, late of East Hanover Township, Dauphin County, Pennsylvania (died July 13, 2009). Executor: Kent L. Whiting, 8820 Mountain Road, Grantville, PA 17028. Attorney: Stanley A. Smith, Esq., Rhoads & Sinon LLP, One S. Market Square, P.O. Box 1146, Harrisburg, PA 17108-1146. a7-a21

ESTATE OF KIM RONALD WILHELM, late of the Borough of Halifax, Dauphin County, Pennsylvania (died May 24, 2009). Co-Administrators: Tiffany M. Wilhelm, 119 Lakepoint Drive, Harrisburg, PA 17111 and Michael Wilhelm, 37 South Elmer Avenue, Halifax, PA 17032. Attorney: Joseph D. Kerwin, Esq., Kerwin & Kerwin, 4245 Route 209, Elizabethville, PA 17023. a7-a21

ESTATE OF JOHN K. HASSINGER, JR., late of Jackson Township, Dauphin County, Pennsylvania (died April 18, 2009). Personal Representative: Jerry D. Hassinger, 105 Adams Lane, Millersburg, PA 17061. Attorney: Robert G. Radebach, Esq., 912 North River Road, Halifax, PA 17032. a7-a21

ESTATE OF MERLE K. BAIR, JR., late of the Borough of Steelton, Dauphin County, Pennsylvania (died November 21, 2008). Administratrix: Rita Bair. Attorney: The Law Office of John M. Glace, 132-134 Walnut Street, Harrisburg, PA 17101. a7-a21

ESTATE OF ELMA S. SCHIEFER, late of Highspire, Dauphin County, Pennsylvania (died May 27, 2009). Personal Representative: Rebecca L. Schiefer, 40 Race Street, Highspire, PA 17034. Attorney: L. Rex Bickley, Esq., 114 South Street, Harrisburg, PA 17034. a7-a21

ESTATE OF HAROLD C. SHARTZER, late of Derry Township, Dauphin County, Pennsylvania (died July 19, 2009). Executrix: Suzanne Shirey, 1009 N. Fairville Avenue, Harrisburg, PA 17112. Attorney: John S. Picconi, Esq., 310 West Chocolate Avenue, P.O. Box 252, Hershey, PA 17033. a7-a21

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**THIRD PUBLICATION**

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**Estate Notices**

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ESTATE OF JOAN C. HIRSH, late of Susquehanna Township, Dauphin County, Pennsylvania. Executor: Laurence A. Hirsh, 2213 Forest Hills Drive, Harrisburg, PA 17112. Attorney: Butler Law Firm, 500 North Third Street, P.O. Box 1004, Harrisburg, PA 17108.

a7-a21

ESTATE OF ARLEEN E. EXUM, late of West Hanover Township, Dauphin County, Pennsylvania (died July 21, 2009). Executor: Harold C. Exum, Jr., 4913 Cumberland Street, Harrisburg, PA 17111. Attorney: James D. Cameron, Esq., 1325 North Front Street, Harrisburg, PA 17102.

a7-a21

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**FIRST PUBLICATION**

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**Corporate Notices**

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NOTICE IS HEREBY GIVEN that a Certificate of Authority for a foreign business corporation was filed in the Department of State of the Commonwealth of Pennsylvania for **Addison Bay Insurance Brokers, Inc.** on 07/17/2009. The address of its principal office under the laws of the jurisdiction in which it is incorporated is 1318 Redwood Way, Suite 250, Petaluma, CA 94954. The registered office for this business is: Nauman, Smith, Shissler & Hall, LLP, Dauphin County, PA. The corporation is filed in compliance with the requirements of the applicable provision of 15 Pa.C.S. 4124. a21

NOTICE IS HEREBY GIVEN that **POWDER HORNE HUNTING CLUB CORP.** has been incorporated under the provisions of the Pennsylvania Business Corporation Law of 1988, approved December 21, 1988, P.L. 1444, No. 177, effective October 1, 1989, as amended. a21

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania on August 12, 2009, with respect to a proposed non-profit corporation, **Professional Health Services Plan Corporation**, which has been incorporated under the nonprofit Corporation Law of 1988. A brief summary of the purposes for which said corporation is organized is to establish, maintain and operate a nonprofit professional health service plan and to engage in, and to do any lawful act concerning any or all lawful business which may be done by a corporation organized for such purposes under the laws of the Commonwealth of Pennsylvania.

PATRICIA WONG, Esq.  
2500 Elmerton Avenue  
Harrisburg, PA 17177-9799  
a21

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 **HealthiNation Inc.** on August 6, 2009. The address of its principal office under the laws of its jurisdiction is 35 East 21st Street, Suite 6E, New York, New York 10010. The commercial registered office provider for this United Corporate Services, in the county of Dauphin. The Corporation is filed in compliance with the requirements of the applicable provision of 15 Pa. C.S. 4124. a21

NOTICE IS HEREBY GIVEN that an Application for Certificate of Authority has been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on or about July 15, 2009, for a foreign corporation with a registered address in the state of Pennsylvania as follows: **R M Aggregates Corp., c/o AAAgent Services, LLC.**

This corporation is incorporated under the laws of the State of Michigan.

The address of its principal office under the laws of its jurisdiction in which it is incorporated is 4240 County Line Road, Lenox, MI 48050.

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

a21

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FIRST PUBLICATION

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Corporate Notices

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NOTICE IS HEREBY GIVEN that **The Alliance for Climate Protection**, a foreign non-profit corporation incorporated under the laws of the District of Columbia, where its principal office is located at 901 E Street, NW, Suite 610, Washington, DC 20004, has applied for a Certificate of Authority in Pennsylvania, where its registered office provider is National Registered Agents, Inc., in the County of Dauphin. The registered office of the corporation shall be deemed for venue and official publication purposes to be located in Dauphin County, Pennsylvania. The corporation is filed in compliance with the requirements of the applicable provisions of 15 Pa.C.S. 6124. a21

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NOTICE IS HEREBY GIVEN that **Lubriquip Inc.**, a foreign business corporation incorporated under the laws of the State of Delaware, with a Commercial Registered Agent Provider in c/o Corporation Service Company, 2704 Commerce Drive, Harrisburg, Pennsylvania 17110, does hereby give notice of its intention to withdraw from doing business in this Commonwealth of Pennsylvania pursuant to 15 Pa.C.S. 4129(b). The corporation has no place of business in the Commonwealth nor is a principal office required under the laws of Delaware. This notice shall serve as official notice to creditors and taxing authorities. a21

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NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State, Corporation Bureau of the Commonwealth of Pennsylvania, in Harrisburg, Pennsylvania, on August 3, 2009 for **M J & G, Inc.**, organized under the provisions of the Business Corporation Law of 1988.

SHAUN E. O'TOOLE, Esq.  
403 North Second Street  
Suite 201  
Harrisburg, PA 17101  
a21

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, on May 18, 2006, for the purpose of obtaining a Certificate of Incorporation for a business corporation organized under the Business Corporation Law of 1988, Act of December 21, 1988, P.L. 1444, No. 177, as amended.

The name of the corporation is: **Union Deposit Anesthesia, PC**, 4760 Union Deposit Road, Harrisburg, PA 17111.

STUART S. SACKS, Esq.  
Smigel, Anderson & Sacks, LLP  
4431 North Front Street  
Harrisburg, PA 17110  
a21

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NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on August 14, 2009, by **National Service Source, Inc.**, a foreign corporation formed under the laws of the State of Florida, where its principal office is located at c/o National Service Source, Inc., 9145 Ellis Road, Melbourne, FL 32904, 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. a21

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NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on August 3, 2009, by **The CSM Group, Inc.**, a foreign corporation formed under the laws of the State of Michigan, where its principal office is located at 100 West Michigan Ave., Suite 200, Kalamazoo, MI 49007, 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. a21

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FIRST PUBLICATION

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Corporate Notices

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NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on August 7, 2009, by **World Color (USA) Corp.**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at 1209 Orange Street, Wilmington, DE 19801, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania shall be deemed for venue and official publication purposes to be located at c/o CT Corporation System, Dauphin County. a21

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NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on August 6, 2009, by **SunPower Corporation**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at 3939 North First Street, San Jose, CA 95134, 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. a21

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NOTICE IS HEREBY GIVEN that pursuant to the provisions of Section 4129 of the Business Corporation Law of 1988, that **PFIC Securities Corporation**, a corporation incorporated under the laws of the State of Tennessee, with principal office at 810 Crescent Centre Drive, Suite 400, Franklin, TN 37067, and registered office in Pennsylvania at 2704 Commerce Drive, Harrisburg, PA 17110, which on January 27, 1998, was granted a Certificate of Authority to transact business in the Commonwealth of Pennsylvania, intends to file an Application for Termination of Authority with the Department of State. a21

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on April 29, 2009, for the purpose of obtaining a charter of a Nonprofit Corporation organized under the Nonprofit Corporation Law of 1988 of the Commonwealth of Pennsylvania. The name of the corporation is: **Each One for US All**.

The purpose or purposes for which it was organized are: for one or more of the purposes as specified in Section 501(c)(3) of the Internal Revenue Code.

DECHERT LLP, Solicitors  
Cira Centre  
2929 Arch Street

a21 Philadelphia, PA 19104-2808

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NOTICE IS HEREBY GIVEN to all creditors and claimants of **SAND DOLLAR CRUISES, INC.**, a Pennsylvania corporation, that a proposal that the corporation dissolve voluntarily has been approved and that the board of directors is now engaged in winding up and settling the affairs of the corporation under the provisions of Section 1975 of the Pennsylvania Business Corporation Law of 1988. a21

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NOTICE IS HEREBY GIVEN to all creditors and claimants of **SLIFER'S TRUCK SERVICE, INC.**, a Pennsylvania corporation, that a proposal that the corporation dissolve voluntarily has been approved and that the board of directors is now engaged in winding up and settling the affairs of the corporation under the provisions of Section 1975 of the Pennsylvania Business Corporation Law of 1988. a21

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NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State for **NVA Oley Valley Veterinary Management, Inc.**, a corporation organized under the Pennsylvania Business Corporation Law of 1988. a21

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FIRST PUBLICATION

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Corporate Notices

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NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on 5/14/2009, by **U.S. Asset Corp.**, a foreign corporation formed under the laws of the state of Maine, where its principal office is located at 51 Mill Street, Hanover, MA 02339, 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 c/o Dauphin County, Pennsylvania. a21

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NOTICE IS HEREBY GIVEN that **FIRST COAST SYSTEMS, INC.**, a Florida Corporation, intends to file an Application for Termination of Authority, and the registered office in Pennsylvania is located at InCorp Services, Inc. a21

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NOTICE IS HEREBY GIVEN that **Prommis Homeownership Solutions, Inc.**, a foreign business corporation incorporated under the laws of the State of California, where its principal office is located at 1544 Old Alabama Road, Roswell, GA 30076, has applied for a Certificate of Authority in Pennsylvania, where its registered office is located at c/o National Registered Agents, Inc., Dauphin County, Pennsylvania.

The registered office of the corporation shall be deemed for venue and official publication purposes to be located in Dauphin County, Pennsylvania. a21

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NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State for **Buterbaugh Superior Installations, Inc.**, a corporation organized under the Pennsylvania Business Corporation Law of 1988. a21

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on August 11, 2009, by **Intel Capital Wireless Investment Corporation 2008A**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at 1209 Orange Street, Wilmington, DE 19801, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania shall be deemed for venue and official publication purposes to be located at c/o CT Corporation System, Dauphin County. a21

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NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on August 11, 2009, by **Intel Capital Wireless Investment Corporation 2008B**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at 1209 Orange Street, Wilmington, DE 19801, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania shall be deemed for venue and official publication purposes to be located at c/o CT Corporation System, Dauphin County. a21

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NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on August 11, 2009, by **Intel Capital Wireless Investment Corporation 2008C**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at 1209 Orange Street, Wilmington, DE 19801, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania shall be deemed for venue and official publication purposes to be located at c/o CT Corporation System, Dauphin County. a21

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FIRST PUBLICATION

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**Corporate Notices**

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NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on August 13, 2009, by **Symmes, Maini & McKee Associates, Inc.**, a foreign corporation formed under the laws of the Commonwealth of Massachusetts, where its principal office is located at 1000 Massachusetts Avenue, Cambridge, MA 02138, 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. a21

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NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State for **Specialty Hardware, Inc.**, a corporation organized under the Pennsylvania Business Corporation Law of 1988. a21

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FIRST PUBLICATION

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**Fictitious Notices**

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NOTICE IS HEREBY GIVEN, pursuant to the provisions of Act of Assembly, No. 295, effective March 16, 1983, of the filing in the office of the Department of State, of the Commonwealth of Pennsylvania, at Harrisburg, PA on August 4, 2009, for an Application for the conduct of business in Dauphin County, Pennsylvania, under the assumed or fictitious name, style or designation of **LIBERTY HOMES, A DIVISION OF WILLIAMSBURG HOMES**, with the principal place of business at 5485 Harpers Farm Road, Suite 200, Columbia, MD 21044.

The name and address of the individual and entity interested in said business are: Harry L. Lundy, Jr., 5485 Harpers Farm Road, Suite 200, Columbia, MD 21044 and Williamsburg Group, L.L.C., 5485 Harpers Farm Road, Suite 200 Columbia, MD 21044. a21

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FIRST PUBLICATION

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**Miscellaneous Notices**

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

**CIVIL ACTION – LAW**

**No. 2009 CV 06191 QT**

**ACTION TO QUIET TITLE**

**JAMES ROXBURY, Plaintiff**

**vs.**

**KENNETH W. ORTIZ,  
DANIEL S. ORTIZ and  
DELIA N. ORTIZ, n/k/a  
DELIA N. THOMPSON, their  
heirs successors and assigns,  
Defendants**

**TO: KENNETH W. ORTIZ,  
DANIEL S. ORTIZ and  
DELIA N. ORTIZ, n/k/a  
DELIA N. THOMPSON, and  
their respective heirs, and  
their respective heirs,  
successors and assigns.**

NOTICE IS HEREBY GIVEN that on the 12th day of May, 2009, the above named Plaintiff filed a Complaint to Quiet Title as above noted against you seeking a Court Order decreeing that he owns the premises below described in fee simple, free and clear of any and all right, title, interest, claim or demand which you may have in and to said premises. Plaintiff claims to be the owner of said premises by virtue of a Dauphin County Upset Tax Sale conducted on September 28, 2006, and Plaintiff further seeks to clear and remove any cloud of title which may exist by reason of questions regarding the apparent lack of notice to the record owner prior to the said tax sale for the premises which are described as follows:

ALL THAT certain lot or piece of ground with the buildings and improvements thereon erected, situate in the 10th Ward of the City of Harrisburg, Dauphin County, Pennsylvania, described according to a survey made by Ronald S. Raffensperger, Registered Surveyor, dated March 12, 1974, as follows, to wit:



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**FIRST PUBLICATION**

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**Miscellaneous Notices**

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BEGINNING at a point on the North side of Woodbine Street, said point being 16 feet East of Logan Street; thence extending along premises known as 330 Woodbine Street and passing through the center of a partition wall the three following courses and distances:

- (1) North 10 degrees West, 88 feet to a point;
- (2) North 80 degrees East, 2 feet to a point;
- (3) North 10 degrees West, 18 feet to a point on the South side of a 33 foot wide alley; thence extending along said alley, North 80 degrees East, 16 feet to a point; thence extending along the premises known as 334 Woodbine Street and passing through the center of a partition wall, South 10 degrees East, 80 feet to a point on the North side of Woodbine Street; thence along the North side of said street South 90 degrees West, 16 feet to the first mentioned point and place of BEGINNING.

BEING a three story brick dwelling house known as 332 Woodbine Street.

BEING identified as Dauphin County UPI: 10-046-070-000-0000.

YOU ARE FURTHER NOTIFIED that the Court of Common Pleas of Dauphin County, Pennsylvania, has ordered that service of the Complaint be made upon KENNETH W. ORTIZ, DANIEL S. ORTIZ and DELIA N. ORTIZ, n/k/a DELIA N. THOMPSON, and their respective heirs, successors and assigns, by an Order dated August 12, 2009, which requires that this notice be published one time in the Dauphin County Reporter and also in one newspaper of general circulation in Dauphin County, Pennsylvania.

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 IN THE COMPLAINT. 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

Se usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha del la demanda y la notificacion. Usted debe presentar una apariciencia escrita o en persona o por abogado y archiver en la corte en forma escrita sus defenasa o sus objeciones a las demandas en contra de su persona. Sae avisado que si usted no se defiende, la corte tomara medidas y puede entrar una orden contra usted sin previo aviso o notificacion y por cualquier gueja o alivio que es pedido en law peticion de demando. Usted puede perder dinero o sus propiedades o otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAMA POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

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

ROBERT G. RADEBACH, Esq.  
912 North River Road  
Halifax, PA 17032  
(717) 896-2666

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**FIRST PUBLICATION**

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**Miscellaneous Notices**

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

**CIVIL ACTION – LAW**

**No. 2009 CV 06192 QT**

**ACTION TO QUIET TITLE**

**GENEX PROPERTIES, Plaintiff**

**vs.**

**JOHN W. LOWE, heir of  
DeWitt A. LOWE and  
HSIU T. LOWE, n/k/a  
HSIU HUA SEMONES, their  
heirs, successors and assigns,  
Defendants**

**TO: JOHN W. LOWE, heir of  
DeWitt A. LOWE and  
HSIU T. LOWE, n/k/a  
HSIU HUA SEMONES, and  
their respective heirs,  
successors and assigns.**

NOTICE IS HEREBY GIVEN that on the 12th day of May, 2009, the above named Plaintiff filed a Complaint to Quiet Title as above noted against you seeking a Court Order decreeing that it owns the premises below described in fee simple, free and clear of any and all right, title, interest, claim or demand which you may have in and to said premises. Plaintiffs claim to be the owner of said premises by virtue of a Dauphin County Judicial Tax Sale, conducted on March 31, 2000, and Plaintiff further seeks to clear and remove any cloud of title which may exist by reason of questions regarding the service of notices of both Upset Sale and Judicial Sale upon named Defendants for the premises which are described as follows:

ALL THAT CERTAIN tract of land situate in the City of Harrisburg, Dauphin County, Pennsylvania, described as follows:

BEGINNING at a point on the western line of North Third Street about thirty-six (36) feet six (6) inches more or less south from the southerly line of Liberty Street at line of land formerly of

J. H. Shopp, deceased; thence westwardly along the line of property of the late J. H. Shopp fifty-three (53) feet to line of land now or late of Eliza Cunkle; thence along said Eliza Cunkle land toward Liberty Street twelve (12) feet two (2) inches; thence along the rear of an alley three (3) feet wide running to Liberty Street and along Tract No. 2 herein fifty-three (53) feet to Third Street; thence southwardly along Third Street twelve (12) feet two inches to a point, the place of BEGINNING.

HAVING thereon erected a building known as number 512 North Third Street, Harrisburg, Pennsylvania, together with the use of the aforesaid alley in common with owners and occupiers of other lands along said alley.

YOU ARE FURTHER NOTIFIED that the Court of Common Pleas of Dauphin County, Pennsylvania, has ordered that service of the Complaint be made upon JOHN W. LOWE, heir of DeWitt A. LOWE and HSIU T. LOWE, n/k/a HSIU HUA SEMONES, and their respective heirs, successors and assigns, by an Order dated August 12, 2009, which requires that this notice be published one time in the Dauphin County Reporter and also in one newspaper of general circulation in Dauphin County, Pennsylvania.

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 IN THE COMPLAINT. 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

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**FIRST PUBLICATION**

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**Miscellaneous Notices**

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Se usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha del la demanda y la notificacion. Usted debe presentar una apariciencia escrita o en persona o por abogado y archiver en la corte en forma escrita sus defenasa o sus objeciones a las demandas en contra de su persona. Sae avisado que si usted no se defiende, la corte tomara medidas y puede entrar una orden contra usted sin previo aviso o notificacion y por cualquier gueja o alivio que es pedido en law peticion de demando. Usted puede perder dinero o sus propiedades o otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAMA POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

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

ROBERT G. RADEBACH, Esq.  
912 North River Road  
Halifax, PA 17032  
(717) 896-2666

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

**CIVIL ACTION – LAW**

**No. 2009-CV-07135-MF**

**NOTICE OF ACTION IN  
MORTGAGE FORECLOSURE**

**BAC HOME LOANS SERVICING, L.P.  
f/k/a COUNTRYWIDE HOME LOANS  
SERVICING, L.P., Plaintiff**

**vs.**

**ALLEN RUIZ, Defendant**

**TO: Bridget Christine Carter,  
Executrix of the Estate of  
Frank Carter, Deceased  
Mortgagor and Real Owner**

**PREMISES SUBJECT  
TO FORECLOSURE:  
1035 SOUTH 18th STREET  
HARRISBURG, PA 17104**

**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

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

a21

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FIRST PUBLICATION  
Miscellaneous Notices

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IN THE COURT OF COMMON PLEAS  
OF DAUPHIN COUNTY  
PENNSYLVANIA

No. 2009-CV-6999 QT

QUIET TITLE ACTION

**DOBSON FAMILY PARTNERSHIP, LLP**  
**Plaintiff**

vs.

**WILLIAM C. NEEPER, Defendant**

**NOTICE TO DEFEND**  
**PURSUANT TO PA RCP**  
**No. 1018.1 AND 403(B)**

YOU HAVE BEEN SUED IN COURT. If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or 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 PERSON AT A REDUCED FEE OR NO FEE.

LAWYER REFERRAL SERVICE  
OF THE YORK COUNTY  
BAR ASSOCIATION  
DAUPHIN COUNTY BAR ASSOCIATION  
213 North Front Street  
Harrisburg, PA 17101  
(717) 232-7536

NOTICE  
CONCERNING MEDIATION  
OF ACTIONS PENDING BEFORE

THE COURT OF COMMON PLEAS  
OF DAUPHIN COUNTY

The Judges of the Court of Common Pleas of Dauphin County believe that mediation of lawsuits is a very important component of dispute resolution. Virtually all lawsuits can benefit in some manner from mediation. The Court has adopted Dauphin County Local Rule 1001 to encourage the use of mediation. This early alert enables litigants to determine the best time during the life of their lawsuit for a mediation session. The intent of this early alert is to help the parties act upon the requirement to consider good faith mediation at the optimal time.

The Dauphin County Bar Association provides mediation services and can be reached at 717-232-7536. Free mediation sessions for pro bono cases referred by MidPenn Legal Services are available through the DCBA.

USTED HA SIDO DEMANDADO/A EN CORTE. USTED DEBE LLEVAR ESTE DOCUMENTO A SU ABOGADO INMEDIATAMENTE. a21

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IN THE COURT OF COMMON PLEAS  
OF DAUPHIN COUNTY  
PENNSYLVANIA

No. 2009-CV-8233-NC

PETITION FOR CHANGE OF NAME

NOTICE

NOTICE IS HEREBY GIVEN that on July 23, 2009, the Petition of **Evelyn M. Speck** was filed in the above named court, requesting a decree to change her minor son's name from **Christopher James Blake** to **Christopher James Fontanez**.

The Court has fixed August 31, 2009 in Courtroom No. 7, at 3:30 p.m., Dauphin County Courthouse, Front and Market Streets, Harrisburg, PA as the time and place for the hearing on said Petition, when and where all persons interested may appear and show cause if any they have, why the prayer of the said Petition should not be granted. a21

**NOTICE**

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the following, you must take action within twenty (20) days after the Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claim in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, 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.

CENTRAL PENNSYLVANIA  
LEGAL SERVICES  
213-A North Front Street  
Harrisburg, PA 17101  
(717) 232-0581

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

MICHAEL T. McKEEVER, Esq.  
Goldbeck McCafferty & McKeever, P.C.  
Suite 5000, Mellon Independence Center  
701 Market Street  
Philadelphia, PA 19106-1532  
(215) 627-1322

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**FIRST PUBLICATION**

**Miscellaneous Notices**

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

**CIVIL ACTION – LAW**

**No. 2009-CV-6379-MF**

**NOTICE OF ACTION IN  
MORTGAGE FORECLOSURE**

**BAC HOME LOANS SERVICING, L.P.  
F/K/A COUNTRYWIDE HOME  
LOANS SERVICING, L.P., Plaintiff**  
vs.

**TODD HAWTHORNE, Mortgagor  
and Real Owner, Defendant**

**TO: TODD HAWTHORNE,  
MORTGAGOR AND REAL  
OWNER, DEFENDANT,  
whose last known address is  
356 Hummel Street  
Harrisburg, PA 17104**

**THIS FIRM IS A DEBT COLLECTOR  
AND WE ARE ATTEMPTING  
TO COLLECT A DEBT OWED  
TO OUR CLIENT.  
ANY INFORMATION OBTAINED  
FROM YOU WILL BE USED  
FOR THE PURPOSE OF  
COLLECTING THE DEBT.**

YOU ARE HEREBY NOTIFIED that Plaintiff, BAC HOME LOANS SERVICING, L.P. F/K/A COUNTRYWIDE HOME LOANS SERVICING, L.P., has 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. 2009-CV-6379-MF, wherein Plaintiff seeks to foreclose on the mortgage secured on your property located, 356 Hummel Street, Harrisburg, PA 17104, whereupon your property will be sold by the Sheriff of Dauphin County.

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**FIRST PUBLICATION**

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**Miscellaneous Notices**

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

**CIVIL ACTION – LAW**

**CIVIL DIVISION**

**LANCASTER COUNTY**

**No. 09-08846**

**NOTICE OF ACTION IN  
MORTGAGE FORECLOSURE**

**SOVEREIGN BANK, S/B/M TO  
WAYPOINT BANK, Plaintiff**

**vs.**

**DIANA SANCHEZ, Defendant**

**NOTICE**

**TO: DIANA SANCHEZ:**

YOU ARE HEREBY NOTIFIED that on JUNE 5, 2009, Plaintiff, SOVEREIGN BANK, S/B/M TO WAYPOINT BANK, filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of LANCASTER County Pennsylvania, docketed to No. 09-08846. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 39 WEST FREDERICK STREET, LANCASTER, PA 17603 whereupon your property would be sold by the Sheriff of LANCASTER 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.

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LAWYER REFERRAL SERVICE  
LANCASTER BAR ASSOCIATION  
28 EAST ORANGE STREET  
LANCASTER, PA 17602  
717-393-0737

NOTICE TO DEFEND  
DISTRICT COURT ADMINISTRATOR  
LANCASTER COUNTY COURTHOUSE  
50 NORTH DUKE STREET  
P.O. BOX 3480  
LANCASTER, PA 17603  
717-299-8041

a21

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

**CIVIL ACTION – LAW**

**No. 2009-CV-05106**

**NOTICE OF ACTION IN  
MORTGAGE FORECLOSURE**

**AMERICAN HOME MORTGAGE  
SERVICING, INC., Plaintiff**

**vs.**

**SCOTT E. SHANABROUGH and  
BETH A. SHANABROUGH, Defendants**

**NOTICE OF SALE  
OF REAL PROPERTY**

**TO: Beth A. Shanabrough, Defendant  
6635 Evelyn Street, Apt. 8  
Harrisburg, PA 17111**

**and**

**917 High Street  
Bressler, PA 17113**

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**FIRST PUBLICATION**

**Miscellaneous Notices**

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NOTICE IS HEREBY GIVEN that your house (real estate) at 917 High Street, Bressler, PA 17113 is scheduled to be sold at the Sheriff's Sale on October 8, 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 \$125,252.48, obtained by Plaintiff (the mortgagee) against you. If the sale is postponed, the property will be relisted for the Next Available Sale.

**PROPERTY DESCRIPTION**

ALL THAT CERTAIN tract or parcel of land with the buildings and improvements thereon erected situate in Swatara Township, Dauphin County, Pennsylvania, more particularly bounded and described as follows, to wit:

BEGINNING at the northwesterly corner of High Street and at a 20 feet unnamed alley; thence along same, North 65 degrees 00 minutes West, 120 feet to a point at the northeasterly corner of Cherry Street; thence along same, North 25 degrees 00 minutes East, 50 feet to a point at the dividing line between Lots Nos. 274 and 275 on the hereinafter mentioned plan of lots; thence along same, South 65 degrees 00 minutes East, 120 feet to a point at the westerly line of High Street, which point is 150 feet southwardly of the southerly line of James Street; thence along same, South 25 degrees 00 minutes West, 50 feet to a point, the Place of BEGINNING.

BEING Lots Nos. 273 and 274 on Plan of Lots recorded in Plan Book "H", Page 24, Dauphin County Records.

HAVING THEREON ERECTED a dwelling house known and numbered as 917 High Street, Bressler, Pennsylvania.

BEING the same premises which Robert A. Zalek, Donna J. Park and Darrel A. Park, wife and husband, and Scott K. Zalek and Cynthia J. Zalek, husband and wife, by deed dated May 30, 2006, and intended to be recorded herewith, granted and conveyed unto Scott E. Shanabrough and Beth A. Shanabrough, Mortgagors herein.

BEING KNOWN AS: 917 High Street, Bressler, PA 17113.

PROPERTY ID NO. 63-059-044.

TITLE TO SAID PREMISES IS VESTED IN SCOTT E. SHANABROUGH AND BETH A. SHANABROUGH BY DEED FROM ROBERT A. ZALEK, A SINGLE MAN, AS TO ONE PART, DONNA J. PARK AND DARREL A. PARK, WIFE AND HUSBAND, AS TO ONE PART, AND SCOTT K. ZALEK AND CYNTHIA J. ZALEK, HUSBAND AND WIFE, AS TO ONE PART DATED 5/30/2006 RECORDED 5/30/2006 INSTRUMENT No. 20060020926.

MARK J. UDREN, Esq.  
STUART WINNEG, Esq.  
LOUIS A. SIMONI, Esq.  
LORRAINE DOYLE, Esq.  
ALAN M. MINATO, Esq.  
CHANDRA M. ARKEMA, Esq.  
ADAM L. KAYES, Esq.  
MARGUERITE L. THOMAS, Esq.  
Udren Law Offices, P.C.  
111 Woodcrest Road, Suite 200  
Cherry Hill, NJ 08003  
(856) 482-6900

a21

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

**CIVIL ACTION – LAW**

**CIVIL DIVISION**

**DAUPHIN COUNTY**

**No. 2009 CV 6276 MF**

**NOTICE OF ACTION IN  
MORTGAGE FORECLOSURE**

**SFJV 2005, LLC, Plaintiff**

**vs.**

**ANTHONY M. MAULFAIR and  
NICOLE MARIA MAULFAIR  
a/k/a NICOLE M. HILINSKI, Defendants**

**NOTICE**

**TO: Anthony M. Maulfair and  
Nicole Maria Maulfair  
a/k/a Nicole M. Hilinski**

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**FIRST PUBLICATION**

**Miscellaneous Notices**

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YOU ARE HEREBY NOTIFIED that on May 13, 2009, Plaintiff, SFJV 2005, LLC, 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. 2009 CV 6276 MF. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 538 Spruce Street, Steelton, PA 17113 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

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**SECOND PUBLICATION**

**Miscellaneous Notices**

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**NOTICE OF AUDIT**

**TO LEGATEES, NEXT OF KIN,  
CREDITORS AND ALL  
OTHER PERSONS CONCERNED**

NOTICE IS HEREBY GIVEN that the following accounts have been filed by the respective accountants in the Office of the Register of Wills or with the Clerk of the Orphans' Court Division of the Common Pleas of Dauphin County, as the case may be, and that the same shall be duly presented to the said Orphans' Court Division at the Office of the Court Administrator for Audit, Confirmation and Distribution of the said ascertained balances to and among those legally entitled there to *on Tuesday, September 22, 2009*. 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, September 15, 2009*.

1. MOULFAIR, ALBERT JOHN, Deceased, First and Final Account of William A. Moulfair, Administrator.
2. SHOEMAKER, MARY S., Deceased, Sixth and Partial Account of Manufacturers and Traders Trust Company, Successor to Allfirst Trust Company of Pennsylvania, N.A., Successor to Dauphin Deposit Bank and Trust Company, Surviving Trustee, (Trust Under Will, Memorial Fund).
3. TROUTMAN, ANNA R. a/k/a ANNA R. LEBO, Deceased, First and Final Account of James J. Lebo, Executor.

Dated: August 7, 2009

/s/ SANDRA C. SNYDER  
Register of Wills and  
a14-a21 Clerk of the Orphans' Court Division



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**THIRD PUBLICATION**

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**Miscellaneous Notices**

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

**NOTICE OF HEARING**

**TO: Ronald Jenkins**

**RE: Adoption of Brianna Emerson  
and Ronshea Emerson  
Luzerne County Court  
of Common Pleas  
Wilkes-Barre, Pennsylvania**

YOU ARE HEREBY NOTIFIED that a petition has been filed asking the Court to put an end to all rights you have to your children, Brianna Emerson and Ronshea Emerson. The Court has set a hearing to consider ending your rights to your children. That hearing will be held as set forth below:

**PLACE:** Luzerne County Court House  
Bernard C. Brominski Building  
Orphans' Courtroom, 3rd Floor  
113 West North Street  
Wilkes-Barre, Pennsylvania

**DATE:** September 22, 2009

**TIME:** 9:00 A.M.

YOU ARE HEREBY NOTIFIED that you are warned that even if you fail to appear at the scheduled hearing the hearing will go on without you and your rights to your child(ren) may be ended by the Court without you being present. You have a right to be represented at the hearing by a lawyer.

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 ONE OF THE OFFICES SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

LEGAL SERVICES OF  
NORTHEASTERN, PA, INC.  
410 BiCentennial Building  
15 Public Square  
Wilkes-Barre, Pennsylvania 18701  
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LUZERNE COUNTY PUBLIC  
DEFENDER'S OFFICE  
Luzerne County Courthouse  
Wilkes-Barre, Pennsylvania 18711  
(570) 825-1754

ANTHONY J. LUMBIS, Esq.  
Luzerne County Children and Youth Services  
111 North Pennsylvania Avenue  
Wilkes-Barre, Pennsylvania 18701  
Telephone No. (570) 826-8700  
a7-a21 Extension 4139

---

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

**NOTICE OF HEARING**

**TO: Clifford Jackson**

**RE: Adoption of Kiara Emerson  
Luzerne County Court  
of Common Pleas  
Wilkes-Barre, Pennsylvania**

YOU ARE HEREBY NOTIFIED that a petition has been filed asking the Court to put an end to all rights you have to your child, Kiara Emerson. The Court has set a hearing to consider ending your rights to your child. That hearing will be held as set forth below:

**PLACE:** Luzerne County Court House  
Bernard C. Brominski Building  
Orphans' Courtroom, 3rd Floor  
113 West North Street  
Wilkes-Barre, Pennsylvania

**DATE:** September 22, 2009

**TIME:** 9:00 A.M.

YOU ARE HEREBY NOTIFIED that you are warned that even if you fail to appear at the scheduled hearing the hearing will go on without you and your rights to your child(ren) may be ended by the Court without you being present. You have a right to be represented at the hearing by a lawyer.

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 ONE OF THE OFFICES SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

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**THIRD PUBLICATION**

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**Miscellaneous Notices**

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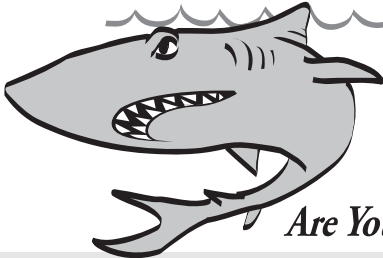
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The Board of Directors of the Bar Association meets on the third Thursday of the month at the Bar Association headquarters. Anyone wishing to attend or have matters brought before the Board should contact the Bar Association office in advance.

**REPORTING OF ERRORS IN ADVANCE SHEET**

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

**DAUPHIN COUNTY COURT SECTION**

*Motion Judge of the Month*

AUGUST 2009

Judge Lawrence F. CLARK, JR.

SEPTEMBER 2009

Judge John F. CHERRY

*Opinions Not Yet Reported*

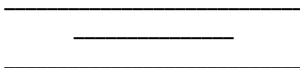
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**MISCELLANEOUS SECTION**

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