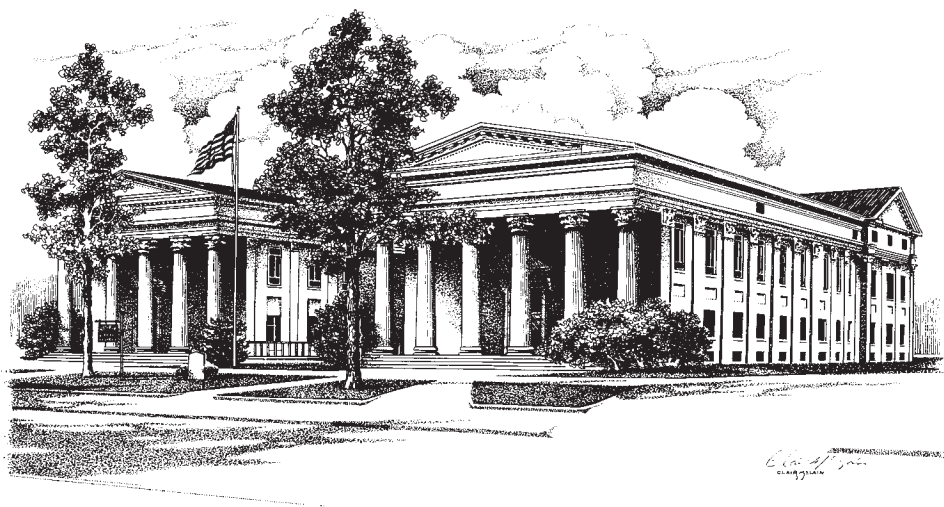


# Erie County Legal Journal

February 6, 2009

Vol. 92 No. 6

USPS 178-360



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91 ERIE 31 - 39

Pugh v. Hamot Medical Center

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# Erie County Legal Journal

*Reporting Decisions of the Courts of Erie County  
The Sixth Judicial District of Pennsylvania*

Managing Editor: Paula J. Gregory

Associate Editor: Heidi M. Weismiller

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# Erie County Bar Association

## Calendar of Events and Seminars

### TUESDAY, FEBRUARY 10, 2009

Bankruptcy Section Meeting  
Bayfront Convention Center  
12:00 p.m.  
\$15/Section member

### WEDNESDAY, FEBRUARY 11, 2009

*Auto Law Update*  
PBI Groupcast Seminar  
Bayfront Convention Center  
9:00 a.m. - 1:15 p.m.  
\$204 (member) \$184 (admitted after 1/1/05)  
\$224 (nonmember)

*Early Registration - If you register more than 2 days before this presentation you will qualify for this Early Registration Fee:*  
\$179 (member) \$159 (admitted after 1/1/05) \$199 (nonmember)  
3 hours substantive / 1 hour ethics

### THURSDAY, FEBRUARY 12, 2009

*Local, State & Federal Taxes*  
PBI Video Seminar  
Bayfront Convention Center  
9:00 a.m. - 1:30 p.m.  
\$119 (member) \$99 (admitted after 1/1/05)  
\$139 (nonmember)  
4 hours substantive

### FRIDAY FEBRUARY 13, 2009

ECBA Evening at JR's Last Laugh Comedy Club  
5:15 p.m. Social hour; Showtime 6:30 p.m.  
\$15/person for show (food/drinks at own expense)

### TUESDAY, FEBRUARY 17, 2009

*Jurors by the Generations*  
PBI Video Seminar  
Bayfront Convention Center  
9:00 a.m. - 12:30 p.m.  
\$119 (member) \$99 (admitted after 1/1/05)  
\$139 (nonmember)  
3 hours substantive

### WEDNESDAY, FEBRUARY 18, 2009

*Trial Advocacy: Making the Most of What 'Ya Got*  
ECBA Video Seminar  
Erie County Bar Association Headquarters  
9:00 a.m. - 12:00 p.m.  
\$81 (ECBA member) \$119 (nonmember)  
3 hours substantive

### FRIDAY, FEBRUARY 20, 2009

*Hot Topics in Employment Law*  
PBI Groupcast Seminar  
Bayfront Convention Center  
12:00 p.m. - 4:30 p.m.  
LUNCH INCLUDED  
\$224 (member) \$204 (admitted after 1/1/05)  
\$244 (nonmember)  
4 hours substantive

*Early Registration - If you register more than 2 days before this presentation you will qualify for this Early Registration Fee:*  
\$199 (member) \$179 (admitted after 1/1/05) \$219 (nonmember)

### WEDNESDAY, FEBRUARY 25, 2009

*LLCs, LPs, S Corps, & C Corps: Choosing the Best Business Entity for Maximum Results*  
PBI Groupcast Seminar  
Bayfront Convention Center  
8:30 a.m. - 12:15 p.m.  
\$204 (member) \$184 (admitted after 1/1/05)  
\$224 (nonmember)  
3 hours substantive

*Early Registration - If you register more than 2 days before this presentation you will qualify for this Early Registration Fee:*  
\$179 (member) \$159 (admitted after 1/1/05) \$199 (nonmember)

### THURSDAY, FEBRUARY 26, 2009

*Dealing with the Problem Employee*  
PBI Groupcast Seminar  
Bayfront Convention Center  
12:00 p.m. - 4:15 p.m.  
LUNCH INCLUDED  
\$214 (member) \$194 (admitted after 1/1/05)  
\$234 (nonmember)  
3 hours substantive

*Early Registration - If you register more than 2 days before this presentation you will qualify for this Early Registration Fee:*  
\$189 (member) \$169 (admitted after 1/1/05) \$209 (nonmember)

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**IN THE UNITED STATES BANKRUPTCY COURT FOR  
THE WESTERN DISTRICT OF PENNSYLVANIA**

**FEBRUARY 2009 NOTICE**

**In Re: SCHEDULING PROCEDURES  
MOTION COURT DATES FOR THE HON. WARREN W. BENTZ**

**SCHEDULING PROCEDURES EFFECTIVE FEBRUARY 3, 2003**

**JUDGE WARREN W. BENTZ, ERIE DIVISION CASES**

Bankruptcy Courtroom  
U.S. Courthouse  
17 South Park Row, Erie, PA 16501

All motions and adversary proceedings are electronically filed with the Court. The Court will fix a hearing.

At the option of the movant, the following motions may be self-scheduled for hearing at the same time that the motion is filed:

Relief from stay	Chapter 13 Trustee's motion to dismiss (not
Lien avoidance	including a Chapter 13 Trustee's Certificate of
Objection to claims	Default Requesting Dismissal of Case)
Abandonment	Determination of secured status
Sale	Redemption

**Chapter 7 and 11 Motions**

Monday, February 2, 2009	1:30 PM and 2:30 PM
Monday, February 9, 2009	1:30 PM and 2:30 PM
Tuesday, February 17, 2009	2:00 PM and 3:00 PM
Monday, March 2, 2009	1:30 PM and 2:30 PM
Monday, March 9, 2009	1:30 PM and 2:30 PM
Monday, March 16, 2009	1:30 PM and 2:30 PM
Monday, March 30, 2009	1:30 PM and 2:30 PM
Monday, April 6, 2009	1:30 PM and 2:30 PM
Monday, April 13, 2009	1:30 PM and 2:30 PM
Monday, April 27, 2009	1:30 PM and 2:30 PM

**Chapter 12 and 13 Motions**

Friday, February 20, 2009	11:00 AM and 1:30 PM
Friday, March 20, 2009	11:00 AM and 1:30 PM
Friday, April 17, 2009	11:00 AM and 1:30 PM

ALL OF THE ABOVE DATES ARE SUBJECT TO REVISION. Please continue to check the Court's website for schedule changes.

**PLEASE NOTE THAT THIS SCHEDULE IS AVAILABLE TO BE VIEWED ON PACER** (Public Access to Court Electronic Records) and on our Court's Web Site ([www.pawb.uscourts.gov](http://www.pawb.uscourts.gov)). For more information, call the Clerk's office.

John J. Horner  
Clerk, U.S. Bankruptcy Court

Feb. 6

**IN THE UNITED STATES BANKRUPTCY COURT FOR  
THE WESTERN DISTRICT OF PENNSYLVANIA**

**NOTICE**

**In Re: Court Closure**

Please be advised that the Clerk's Office of the United State Bankruptcy Court for the Western District of Pennsylvania will be closed on Monday, February 16, 2009, in observance of Presidents Day.

John J. Horner  
Clerk of Court

Feb. 6

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**IN THE UNITED STATES BANKRUPTCY COURT FOR  
THE WESTERN DISTRICT OF PENNSYLVANIA**

**NOTICE**

**In Re: 2008 PROFESSIONAL FEES**

The Clerk of the U.S. Bankruptcy Court maintains a public record listing fees awarded by the Court to the following individuals:

1. Trustee
2. Professionals employed by trustees, such as attorneys, accountants, appraisers and auctioneers
3. Examiners appointed by the Court

The public record includes the name and docket number of the case, the name of the individual or firm receiving the fee, and the amount of the fee awarded; the record is maintained alphabetically according to recipient.

The public is welcome to examine the Court's record at no charge either on-site at the Court or on the Court's Website at [www.pawb.uscourts.gov](http://www.pawb.uscourts.gov). To access the information on the Website, select the "General Information" link and then select the "Professional Fees that have been awarded in cases" link.

John J. Horner  
Clerk of Court

Feb. 6

**RASHEEN PUGH, a minor, by and through his parents and natural guardians, WILLIAM PUGH and CRYSTAL PUGH, and WILLIAM PUGH and CRYSTAL PUGH, individually, Plaintiffs,**

**v.**

**HAMOT MEDICAL CENTER, Defendant**

*CIVIL PROCEDURE / MOTION FOR SUMMARY JUDGMENT*

A party can move for summary judgment when there is no genuine issue of material fact that is a necessary element of the cause of action or defense that could be established through additional discovery or expert report. Pa. R.C.P. 1035.2(1).

*CIVIL PROCEDURE / MOTION FOR SUMMARY JUDGMENT*

Summary judgment is proper when the evidentiary record either shows that the material facts are undisputed or there is insufficient evidence to establish a prima facie cause of action or defense.

*CIVIL PROCEDURE / MOTION FOR SUMMARY JUDGMENT*

It is incumbent upon the adverse party to provide essential evidence to preserve the cause of action. If the non-moving party fails to provide sufficient evidence to establish or contest a material issue the moving party is entitled to judgment as a matter of law.

*CIVIL PROCEDURE / MOTION FOR SUMMARY JUDGMENT*

The court must examine the record in the light most favorable to the non-moving party and resolve all doubts against the moving party as to the existence of a triable issue in all motions for summary judgment.

*CIVIL PROCEDURE / MENTAL HEALTH PROVIDER*

A mental health provider is subject to liability for harm caused to a third party by a patient when the patient conveyed a specific threat to harm the third party. The duty of the mental health care provider is limited to warning the third party of the threat conveyed by the patient.

*CIVIL PROCEDURE / MENTAL HEALTH PROVIDER*

The courts have held that there is no common law duty to protect third parties in situations where it is alleged that the provider had a duty to control the conduct of a third party to protect another from harm, unless there is a special relationship that imposes a duty upon the actor to control the third person's conduct or unless there is a special relation between the actor and the other.

*CIVIL PROCEDURE / MENTAL HEALTH PROCEDURES ACT*

In the absence of willful misconduct or gross negligence medical providers who discharge a patient shall not be civilly or criminally liable for such decision or for any of its consequences. 50 Pa. Cons. Stat.; 7114(a).

*CIVIL PROCEDURE / GROSS NEGLIGENCE*

Gross negligence is the flagrant and gross deviation from the ordinary standard of care.

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY,  
PENNSYLVANIA CIVIL DIVISION NO. 14095-1997

Appearances: George M. Schroeck, Esq. for the Plaintiffs  
Peter W. Yoars Jr., Esq. for the Defendant

**OPINION**

Connelly, J., October 9, 2007

This matter is before the Court pursuant to Hamot Medical Center's (hereinafter "Defendant") Motion for Summary Judgment. Defendant alleges that Rasheen Pugh, a minor, by and through his parents and natural guardians, William Pugh and Crystal Pugh, and William Pugh and Crystal Pugh, individually (hereinafter, collectively, "Plaintiffs") have failed to allege gross negligence by Defendant and have failed to establish that Defendant owed a duty to Plaintiffs. Defendant also sought to have the case dismissed due to inactivity, but that request has been withdrawn.

**Statement of Facts**

This case stems from the actions of Devin Daniels (hereinafter "Daniels"), the brother of Crystal Pugh and uncle of Rasheen Pugh. *Plaintiffs' Brief in Opposition of Motion for Summary Judgment* at 1. Daniels was released from Temple University Medical Center in June of 1997, following treatment for psychological distress, and subsequently relocated to Erie. *Id.* at 2. On June 30, 1997, Daniels went to Plaintiffs' home, where it was visible to Crystal Pugh that Daniels was not well. *Id.* She took him to Defendant's emergency room. *Id.* During the visit, a behavioral nurse interviewed Daniels, Crystal Pugh, and Rasheen Pugh. *Id.* The nurse completed a Behavioral Health Emergency Service Assessment. *Id.* Daniels was discharged from the emergency room and transported to the Crisis Residential Unit at Community Integration, Inc. (hereinafter "CRU") by a CRU staff member. *Id.* An Adult Assessment was completed at the CRU and Daniels denied he was a danger to himself or others. *Defendant's Motion for Summary Judgment, Appendix 2*, p. 1. However, on July 2, 1997, the CRU transported Daniels back to Hamot because Daniels experienced paranoia and suicidal thoughts and expressed a desire to be hospitalized. *Defendant's Motion for Summary Judgment, Appendix 2*, p. 11. At this visit, Daniels was again interviewed by a behavioral nurse and indicated he was seeking help and medication for his symptoms. *Id.* He denied having any thoughts to hurt himself or others. *Id.* at 12. A doctor also conducted a behavioral health evaluation and Daniels did not meet the emergency criteria for inpatient admission. *Id.* at 14. He was referred back to the CRU. *Id.* Daniels was upset that he was not admitted. *Plaintiffs' Brief in Opposition* at 3. He returned to the CRU but left the facility later that morning. *Id.*

Daniels then went to Plaintiffs' home. *Id.* Rasheen, who was home

alone, was watching television in his bedroom around 10:00 am when he noticed someone creeping into his room. *Id.* Rasheen realized it was Daniels, who was carrying two knives in one hand. *Id.* Daniels, raising the knives, said to Rasheen, "You guys tried to kill me for some insurance money ... I'm just going to kill you." *Id.* A struggle ensued and Rasheen broke free, ran into the dining room, and tried to call 911. *Id.* Another struggle occurred, which ended in Daniels being tangled in the phone cord. *Id.* Rasheen grabbed the knives, stabbed Daniels in the leg, and ran to the neighbor's house. *Id.* Before the police arrived, Daniels started three fires in the house that, although the fire department extinguished them, caused significant damage. *Id.*

Plaintiffs seek to recover for a variety of damages they allegedly suffered. The house sustained severe fire, smoke, and water damage. *Plaintiffs' Pretrial Narrative Statement*, p. 3. The second floor of Plaintiffs' home was used as a rental property and Plaintiffs lost the rental income, plus Plaintiffs had to rent a home for their own family. *Id.* Personal belongings had to be repaired and replaced. *Id.* Rasheen Pugh was distraught, sought counseling, and missed work. *Id.* Crystal Pugh missed over nine days of work. *Id.* Plaintiffs' special damages total \$96,667.04. *Id.* at 4. Plaintiffs allege their damages and injuries were a result of the negligence and carelessness of Defendant, specifically that Defendant failed to exercise ordinary care in releasing an individual it knew or should have known to be dangerous into the population, failing to follow its internal policies and protocols for evaluating and treating an individual with mental illness that it knew or should have known to be dangerous, and failing to follow accepted and established procedures for evaluation and treatment of persons for mental illness. Defendant responds that Plaintiffs have failed to state a *prima facie* cause of action for medical malpractice in the mental health context because Plaintiffs cannot establish that Defendant engaged in willful misconduct or gross negligence, and that absence such showing, a treating entity such as Defendant is entitled to immunity from civil liability.

### **Findings of Law**

A party can move for summary judgment when there is no genuine issue of material fact that is a necessary element of the cause of action or defense that could be established through additional discovery or expert report. *Pa.R.C.P. 1035.2(1)*. Further, a motion for summary judgment may be filed if, after the close of discovery including the production of expert reports, an adverse party has failed to produce evidence of fact essential to the cause of action or defense in which a jury would need to decide the issues. *Pa.R.C.P. 1035.2(2)*.

The standard that the Court must apply when considering a motion for summary judgment is set forth in *McCarthy v. Dan Lepore & Sons Co., Inc.*, 724 A.2d 938 (Pa. Super 1998), *alloc. den.*, 743 A.2d 921 (Pa.1999).



*McCarthy* states:

A grant for summary judgment is proper when the evidentiary record either shows that the material facts are undisputed or there is insufficient evidence to establish a prima facie cause of action or defense. Furthermore, it is incumbent upon the adverse party to provide essential evidence to preserve the cause of action. If the nonmoving party fails to provide sufficient evidence to establish or contest a material issue the moving party is entitled to judgment as a matter of law. It is the non-moving party that bears the burden of providing sufficient evidence on issues that, are essential to the case such that a jury could return a verdict favorable to the non-moving party. The court must examine the record in the light most favorable to the non-moving party and resolve all doubts against the moving party as to the existence of a triable issue in all motions for summary judgment.

*Id.* at 940 (citations omitted).

This Court will first address whether Defendant owed Plaintiffs, a third party, any duty, a basic foundation requirement for any negligence claim.

The Pennsylvania Supreme Court has held that a mental health provider is subject to liability for harm caused to a third party by a patient when the patient conveyed a specific threat to harm the third party. *Emerich v. Philadelphia Center for Human Development*, 720 A.2d 1032 (Pa. 1998). *Emerich* created a carefully designed and limited cause of action based upon a failure to warn. Under the majority decision, a failure-to-warn cause of action will exist only when the mental health patient has conveyed a specific threat to harm the actual victim. In such a case, the duty of the mental health care provider is limited to warning the third party of the threat conveyed by the patient.

While the Pennsylvania Supreme Court has not specifically addressed the common-law duty to protect third parties in situations other than failure to warn, the Pennsylvania Superior Court has twice stated that there is no common-law duty to protect third parties in situations like the one presented here. In *F.D.P. v. Ferrara*, 804 A.2d 1221 (Pa. Super. 2002), the parents of a girl who was sexually assaulted by a resident of a mental health facility brought suit against the operators of that facility. They alleged, *inter alia*, that the mental health facility was negligent in failing to seek a civil commitment of the resident, who had a long history of sexual misconduct. *Id.* at 1225. The court found that there was no general duty to control the conduct of a third party to protect another from harm "unless there is a special relationship ... that imposes a duty upon the actor to control the third person's conduct or unless there is a special relation between the actor and the other ...." *Id.* at 1228. No such duty existed as to the facility. Further, the court declined to adopt Section 319

of the Restatement (Second) of Torts, which imposes a duty to prevent a third-person from doing harm on "[o]ne who takes charge of a third person whom he knows or should know to be likely to cause bodily harm to others if not controlled." *Restatement (Second) Torts* § 319. Based on the need to balance policy considerations, the court stated:

If we allow recovery against mental health and mental retardation providers for harm caused by patients except in the clearest circumstances, we would paralyze a sector of society that performs a valuable service to those in need of mental health care. Thus, we decline to impose a duty of ordinary care under Restatement (Second) of Torts § 319 on providers of mental health and mental retardation services.

*F.D.P.* at 1232.

The Pennsylvania Supreme Court has delineated the considerations that must be weighed when deciding whether to create a duty. The primary consideration is simply social policy. Our Supreme Court explained:

In determining the existence of a duty of care, it must be remembered that the concept of duty amounts to no more than "the sum total of those considerations of policy which led the law to say that the particular plaintiff is entitled to protection" from the harm suffered. To give it any greater mystique would unduly hamper our system of jurisprudence in adjusting to the changing times.

*Gardner v. Consolidated Rail Corp.*, 573 A.2d 1016 (Pa. 1990).

Finally, in a factually similar case, *Heil v. Brown*, the Court was faced with whether the plaintiff could recover from the hospital that had released a patient with known mental infirmities, rather than having him admitted on an emergency treatment basis. *Heil v. Brown*, 662 A.2d 669 (Pa. Super. 1995). A day after being released the patient ran his vehicle into the police officer's marked vehicle, resulting in the police officer's severe injuries. *Id.* The trial court granted the defendant hospital's motion for summary judgment and the plaintiff police officer appealed that decision. *Id.* The Superior Court stated:

The legal obstacle to finding liability is that there is no relationship between appellees and appellant which creates any legal obligation, a duty, from appellees to this appellant. As explained by Justice Cardozo, negligence is a matter of relation between parties, and must be founded upon the foreseeability of harm to the person in fact injured. *Palsgraf v. Long Island R. Co.*, 248 N.Y. 339, 162 N.E. 99 at 101 (1928)."

*Id.* at 671.

The Superior Court affirmed the grant of summary judgment. "To discount the important element of foreseeability would effectively overrule well-established and precedential tort law, and would extend liability ... to treating physicians vis-à-vis third party victims." *Id.* at 672.

Based upon the well-established caselaw in this Commonwealth, it is clear that Plaintiffs cannot claim Defendant owed them a duty under any common-law theory. Therefore, Defendant could not have breached any duty when it owed no duty.

In addition to common-law duties, a Plaintiff may rely on a statutory duty if one has been created by the legislature. In 1976, the Pennsylvania legislature passed the Mental Health Procedures Act (hereinafter "MHPA"). The relevant portion reads:

In the absence of willful misconduct or gross negligence, a county administrator, a director of a facility, a physician, a peace officer or any other authorized person who participates in a decision that a person be examined or treated under this act, or that a person be discharged, or placed under partial hospitalization, outpatient care or leave of absence, or that the restraint upon such person be otherwise reduced, or a county administrator or other authorized person who denies an application for voluntary treatment or for involuntary emergency examination and treatment, shall not be civilly or criminally liable for such decision or for any of its consequences.

*50 Pa. Cons.Stat. § 7114(a).*

In order to recover from an institution involved in mental health decisions, a plaintiff must prove more than simple negligence. The MHPA grants immunity to such institutions unless the plaintiff can show willful conduct or gross negligence. *50 Pa. Cons.Stat. § 7114(a).*

The Supreme Court has further explained the scope of the duty created by the MHPA. *Goryeb v. Pennsylvania Department of Public Welfare*, 575 A.2d 545 (Pa.1990). The language in the MHPA states that no liability will be imposed for the decision itself "or for any of its consequences," *50 Pa. Cons.Stat. § 7114(a)* "Clearly, the words 'any of its consequences' indicate the legislative recognition that discharging a severely mentally disabled person ... is a potential serious danger not only to the patient himself but to others." *Goryeb* at 549. Therefore, whenever a plaintiff can prove that the hospital failed to meet its duty to refrain from gross negligence in decisions regarding treatment, discharge or commitment of a patient, the hospital is liable for injury "to the person or property of third parties where such injury resulted from a hospital's negligent failure to meet its responsibility." *Id.*

The Supreme Court has defined gross negligence as the flagrant and gross deviation from the ordinary standard of care. *Albright v. Abington*

*Memorial Hospital*, 696 A.2d 1159 (Pa. 1997). The *Albright* court also held that, where there is no question that gross negligence is not present, summary judgment may be granted to a mental health provider. *Id.* In *Albright*, the husband of a mental health patient filed a lawsuit against the hospital, both individually and as executrix of his wife's estate, alleging gross negligence. *Id.* Mrs. Albright had been involuntarily committed after suffering several psychotic episodes and making threats and physical attacks against her husband. *Id.* at 1161. After she no longer met the requirement for inpatient treatment, Mrs. Albright was ordered to 90 days of involuntary outpatient treatment. *Id.* Nearing the end of her treatment, Mrs. Albright failed to attend her appointments and her condition began to deteriorate. *Id.* Her husband called the medical staff, but received no response. *Id.* Upon finally reaching a case manager, Mr. Albright described his wife's changes in behavior as follows: He stated that his wife had let the dinner burn in the oven so that smoke was coming out of the oven when he arrived home from work. He explained that Mrs. Albright had been walking at night and was chain smoking. Finally, he described cigarette burns in six-month-old furniture, but was not sure when the burns were made. *Id.* at 1162.

The case manager informed Mr. Albright that this was not enough to seek further involuntary treatment. *Id.* The case manager confirmed this with his supervisor the next day and scheduled an appointment with Mrs. Albright for the first available date, which was a few days later. *Id.* The next evening, a fire erupted in the home while Mr. Albright was asleep upstairs and his wife was asleep in the den. *Id.* at 1163. Mrs. Albright died in the fire, which was determined to have originated in the den, likely from careless smoking. *Id.* Mr. Albright filed suit against the hospital. *Id.* The hospital filed a motion for summary judgment on the basis of immunity under the MHPA. *Id.* The trial court granted summary judgment and the Superior Court and Supreme Court affirmed that decision. *Id.* Specifically, the Supreme Court stated that a trial court could make a summary judgment determination because:

[t]o require mental health employees and their employers to defend jury trials on the issue of gross negligence where the trial judge finds as a matter of law that, at best, only ordinary negligence has been established, would gut the limited immunity provision of the Act of any meaning and unfairly subject such employees and facilities to protracted and expensive litigation.

*Id.* at 1165.

After looking closely at the relevant facts, the Supreme Court found that summary judgment was appropriate as Mr. Albright failed to establish that the hospital's actions were grossly negligent. *Id.* at 1167.

Likewise, in the case at bar, after a close examination of the facts it is

clear that Defendant did not act in a grossly negligent manner. In fact, Defendant acted far more prudently than the *Albright* defendant. Daniels was evaluated on two different dates at Defendant's emergency room. On both dates, a behavioral health nurse completed a thirteen page Behavioral Health Emergency Service Assessment. At the first visit, Daniels denied any self-destructive behaviors or any thoughts of hurting others, but he did feel people were after him and trying to hurt him. At one point, Daniels did admit to suicidal ideations, but had no specific plan. Daniels was also evaluated by the emergency room physician and a psychiatrist and was ultimately referred to the CRU, where he was transferred that day. At the CRU, Daniels again thought people were trying to kill him and that he heard unspecified voices. On July 2, Daniels requested that he be hospitalized so that he could receive "medication" to "take care of his sickness." Daniels was still concerned people were trying to kill him. Daniels was transported to Defendant's emergency room again. At the hospital, Daniels told the staff that he "need to get back on medications, want to come to hospital." At this visit, Daniels denied having any current thoughts of hurting himself or others. Again, a physician reviewed the Assessment and determined that Daniels did not meet the criteria for emergency inpatient admission. The physician referred him back to the CRU for further evaluation. Daniels was willing to return to the CRU, and he returned there later that day. Clearly, Defendant's staff completed a thorough evaluation of Daniels' condition each time he presented himself. Plaintiffs have also presented to the Court the written opinion of their expert, Dr. David Bawden. Dr. Bawden opines that he believes Defendant deviated from the community standards by not admitting Daniels. Specifically, Dr. Bawden states "Hamot failed to follow their own admission criteria, community standards, and EMTALA standards by not admitting Devin J. Daniels on two occasions. By referring him to outpatient treatment and failing to stabilize his emergency psychiatric condition they failed to prevent harm to others." Defendant also presents its own expert witness who opines that Defendant's actions were well within the accepted standard of care. Even in viewing all the facts in a light most favorable to Plaintiffs, this Court cannot find that Defendant's actions were grossly negligent. Daniels received far more individualized attention than the *Albright* patient. He was given two full assessments and never made any specific threats or had any specific plans to harm himself or others. The emergency room physicians and psychiatrists determined that the best method of treatment would be for Daniels to follow up with the CRU, and he was discharged from the hospital into the CRU's care. As such, Defendants cannot be held to have grossly deviated from the standard of care under the MHPA.

Plaintiffs clearly pled a breach of ordinary care by Defendant, and that allegation is all that is supported by Plaintiffs' expert. In response

to Defendant's Motion for Summary Judgment, Plaintiffs ask this court to hold that a reasonable jury could find gross negligence on the part of Defendant, thereby precluding summary judgment. However, even viewing the evidence in favor of the non-moving party, it is clear to this Court that Plaintiffs have solely relied upon a breach of the duty of ordinary care. It would be error for this Court to allow Plaintiffs to introduce a gross negligence claim after the statute of limitations has run. Furthermore, Plaintiffs' new allegations relating to the Emergency Medical Treatment and Active Labor Act (hereinafter "EMTALA") have occurred only after Plaintiffs received the report of their expert. Plaintiffs made no reference to EMTALA in their complaint and the statute of limitations has since run on this claim. It would be error for this Court to allow Plaintiffs to rely on EMTALA, if it were found to be applicable, at this stage of the proceedings.

Therefore, based on the foregoing reasons, Defendant's Motion for Summary Judgment is granted.

**ORDER**

**AND NOW, to-wit**, this 9th day of October, 2007, for the reasons set forth in the foregoing **OPINION**, it is hereby **ORDERED, ADJUDGED** and **DECREED** that Defendant Hamot Medical Center's Motion for Summary Judgment is **GRANTED**.

**BY THE COURT:**

/s/ **Shad Connelly, Judge**

**RASHEEN PUGH, A MINOR, BY AND THROUGH HIS  
PARENTS AND NATURAL GUARDIANS, WILLIAM PUGH  
AND CRYSTAL PUGH, AND WILLIAM PUGH AND  
CRYSTAL PUGH, INDIVIDUALLY, Appellants**

**v.**

**HAMOT MEDICAL CENTER, Appellee**

IN THE SUPERIOR COURT OF PENNSYLVANIA  
No. 2034 WDA 2007

Appeal from the Order entered on October 9, 2007,  
in the Court of Common Pleas of Erie County,  
Civil Division, at No(s). 14095-1997.

BEFORE: LALLY-GREEN, TAMILIA and COLVILLE\*, JJ.

MEMORANDUM:

FILED: December 15, 2008

Appellants, Rasheen Pugh ("Rasheen"), a minor by and through his parents and natural guardians, William Pugh and Crystal Pugh ("Crystal"), and William Pugh and Crystal Pugh, as individuals in their own right, appeal from the order granting summary judgment to Appellee, Hamot Medical Center ("Hamot"). We affirm.

The facts and procedural history are as follows. In June of 1997, Mr. Devin Daniels ("Daniels") was confined to Temple University Medical Center in Philadelphia for treatment regarding psychological distress. He was later released and on June 30, 1997, Daniels relocated to Erie, Pennsylvania where his sister, Crystal, and her family resided. Crystal noticed that Daniels was not well and she took him to Hamot's emergency room. There, a behavioral nurse interviewed Daniels, Crystal, and Rasheen. The nurse completed a behavioral health emergency service assessment. Daniels was discharged and transported to the Crisis Residential Unit at Community Integration, Inc. ("CRU"). At the CRU, Daniels completed another assessment and denied that he was a danger to himself or others.

On July 2, 1997, however, the CRU transported Daniels back to Hamot because Daniels demonstrated paranoia and suicidal thoughts and he expressed a desire to be hospitalized. During this visit, Daniels was interviewed by another behavioral nurse. Daniels indicated that he was seeking help and receiving medication but he again denied having thoughts of hurting himself or others. A Hamot physician also conducted a behavioral health evaluation and concluded that Daniels did not meet

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\*Retired Senior Judge assigned to the Superior Court.

the emergency criteria for inpatient admission. Daniels was referred back to the CRU. Daniels remained at the CRU but subsequently left.

At 10:00 a.m., Rasheen was in his bedroom, watching television, when he noticed someone creeping into his room. Rasheen jumped out of his bed and discovered that the person was Daniels. Rasheen observed that Daniels' face was covered in sweat and he was carrying two knives in one hand. Daniels then told Rasheen, "You all tried to kill me so now I'm going to kill y'all." N.T. (Deposition of Rasheen Pugh), 8/2/1999, at 19. Rasheen stated that he and Daniels struggled but he ran away into the dining room and tried to call 911. Daniels then came into the room and another struggle ensued. However, Daniels became tangled in the telephone cords. Rasheen then grabbed the knives, stabbed Daniels in the leg, and ran to a neighbor's house to seek help. Rasheen stated that Daniels followed him to the other house but the neighbors chased Daniels back to Appellants' house. While in Appellants' home, Daniels started three fires before the police arrived.

On December 1, 1997, Appellants filed a civil action against Hamot, alleging negligence in failing to follow internal procedures when evaluating a person with mental illness who is dangerous to himself and others. Hamot filed an Answer and New Matter on February 23, 1998, wherein it denied negligence and claimed that Appellants were barred from recovery based on immunity pursuant to the Pennsylvania Mental Health Procedures Act ("MHPA").<sup>1</sup> Both parties engaged in discovery and filed expert reports with their pretrial narrative statements. On May 15, 2007, Hamot filed a motion for summary judgment, asserting the following: (1) Appellants failed to allege gross negligence; (2) there was no evidence establishing that Hamot's conduct constituted gross negligence; and (3) the docket was inactive for an unreasonable amount of time. Appellants filed their opposition to the motion for summary judgment on June 13, 2007. Following oral argument, the trial court granted Hamot's motion on October 9, 2007.<sup>2</sup> This timely appeal followed.

<sup>1</sup> See 50 Pa.C.S.A. § 7101 *et seq.* Hamot also alleged that it was immune under the Pennsylvania Mental Health and Retardation Act of 1966, 50 Pa.C.S.A. § 4101 *et seq.*, and that Appellants' injuries and damages were caused by independent, intervening and/or superseding acts or omissions of persons other than Hamot.

<sup>2</sup> The trial court found that Hamot did not owe Appellants a duty under any common law theory and therefore, Hamot could not have breached such a duty. Trial Court Opinion, 10/9/2007, at 7. Additionally, the trial court noted that there is a statutory duty set forth in the MHPA, which requires a showing of willful misconduct or gross negligence. *Id.* However, the trial court found that Hamot did not grossly deviate from the standard of care based on the facts. *Id.* at 11. Moreover, the trial court concluded that Appellants only pled a breach of ordinary care by Hamot, which is insufficient under the MHPA. *Id.* The trial court also stated that Appellants raised new allegations relating to the Emergency Medical Treatment and Active Labor Act ("EMTALA"), which were not contained in Appellants' complaint and were barred by the statute of limitations. *Id.* at 12.



Appellants raise the following issues:

1. Whether the Lower Court erred in finding Hamot cannot be held to have grossly deviated from the standard of care under the Mental Health Procedures Act?
2. Whether the Lower Court erred in finding the Pughs have solely relied upon a breach of the duty of ordinary care?

Appellants' Brief at 5. Appellants, thus, challenge the trial court's grant of summary judgment in favor of Hamot.

We recently stated the standard of review used to evaluate the grant of summary judgment motions on appeal as follows:

Pursuant to Pa.R.C.P. 1035.2(2), a trial court shall enter judgment if, after the completion of discovery, an adverse party who will bear the burden of proof at trial fails to produce 'evidence of facts essential to the cause of action or defense which in a jury trial would require the issues to be submitted to the jury.' A motion for summary judgment is based on an evidentiary record that entitles the moving party to a judgment as a matter of law. In considering the merits of a motion for summary judgment, a court views the record in the light most favorable to the nonmoving party, and all doubts as to the existence of a genuine issue of material fact must be resolved against the moving party. The party with the burden of proof on an issue may not rely merely on the allegations in its pleadings, but rather must produce evidence of facts demonstrating a genuine issue for trial.

An appellate court may reverse the granting of a motion for summary judgment if there has been an error of law or an abuse of discretion. Notwithstanding, 'the scope of review is plenary and the appellate court shall apply the same standard for summary judgment as the trial court.'

*Phillips v. Selig*, 2008 PA Super 244, ¶¶ 15-16 (internal citations and quotations omitted).

Appellants first allege that the trial court erred in finding that Hamot did not grossly deviate from the standard of care set forth under the MHPA. Appellants' Brief at 13. Appellants assert that "Hamot acted with more than ordinary carelessness, inadvertence, laxity, and/or indifference in violating its own admission criteria, the community standards for emergency admission, and the provisions of the EMTALA for treatment and stabilization of a patient prior to discharge." *Id.* at 21.

We begin our analysis with the MHPA. In its statement of policy, the MHPA provides that it is a "policy of the Commonwealth of Pennsylvania to assure the availability of adequate treatment to persons

who are mentally ill." 50 Pa.C.S.A. § 7102. The MHPA provides limited immunity for hospitals that treat mentally ill patients.<sup>3</sup> With respect to the level of immunity, the MHPA states the following:

In the absence of willful misconduct or gross negligence, a county administrator, a director of a facility, a physician, a peace officer or any other authorized person who participates in a decision that a person be examined or treated under this act, or that a person be discharged, or placed under partial hospitalization, outpatient care or leave of absence, or that the restraint upon such person be otherwise reduced, or a county administrator or other authorized person who denies an application for voluntary treatment or for involuntary emergency examination and treatment,<sup>[4]</sup> shall not be civilly or criminally liable for such decision or for any of its consequences.<sup>[5]</sup>

50 Pa.C.S.A. § 7114(a). In other words, a party "who commits willful misconduct or gross negligence in participating in a decision to examine, treat or discharge a patient pursuant to the [MHPA] shall be 'liable for such decision or for any of its consequences.'" *Sherk v. County of Dauphin*, 614 A.2d 226, 232 (Pa. 1992), citing 50 Pa.C.S.A. § 7114(a). Here, because Appellants do not assert willful misconduct, our focus is confined to whether Hamot's conduct rises to the level of gross negligence in the instant matter.

The MHPA does not provide a definition for "gross negligence." In

<sup>3</sup> Moreover,

[t]he legislature recognized the need to balance the right of a mentally ill individual to be free from any unnecessary restraint against that individual's need for protection from doing harm to himself or others, and therefore drafted the MHPA to afford mental health care providers a "blanket of limited immunity which protects a mental health facility such as [physician and hospital]."

*Walsh v. Borczon*, 881 A.2d 1, 9 (Pa. Super. 2005), quoting *Albright v. Abington Memorial Hospital*, 696 A.2d 1159, 1164 (Pa. 1997).

<sup>4</sup> The MHPA defines "treatment" as follows:

[Treatment] may include inpatient treatment, partial hospitalization, or outpatient treatment. ... Treatment shall include diagnosis, evaluation, therapy, or rehabilitation needed to alleviate pain and distress and to facilitate the recovery of a person from mental illness and shall also include care and other services that supplement treatment and aid or promote such recovery.

50 Pa.C.S.A. § 7104.

<sup>5</sup> The Pennsylvania Supreme Court has previously stated that the words "any of its consequences" "indicate the legislative recognition that discharging a severely mentally disabled person, especially an involuntary admittee who has been classified, by statutory definition, as a clear and present danger to himself or others, is a potential serious danger not only to the patient himself but to 'others.'" *Goryeb v. Commonwealth, Dep't of Public Welfare*, 575 A.2d 545, 549 (Pa. 1990).

*Bloom v. Dubois Regional Medical Center*, 597 A.2d 671, 677 (Pa.Super. 1991), we examined the difference between ordinary negligence and gross negligence. After reviewing prior case law, we stated:

It appears that the legislature intended to require that liability be premised on facts indicating more egregiously deviant conduct than ordinary carelessness, inadvertence, laxity, or indifference. We hold that the legislature intended the term gross negligence to mean a form of negligence where the facts support substantially **more than ordinary carelessness, inadvertence, laxity, or indifference**. The behavior of the defendant must be flagrant, grossly deviating from the ordinary standard of care.

*Id.* at 679 (emphasis added). The Pennsylvania Supreme Court adopted our definition of gross negligence for purposes of the MHPA in *Albright*, 696 A.2d at 1164.<sup>6</sup>

Ruling in favor of Hamot, the trial court relied on *Albright* in its determination that Hamot did not grossly deviate from the standard of care under the MHPA. In *Albright*, the appellant was the husband of a mental health patient. The appellant's wife had been involuntarily committed after suffering several psychotic episodes. *Albright*, 696 A.2d at 1161. Thereafter, the hospital ordered the wife to 90 days of involuntary outpatient treatment after she no longer met the requirement for inpatient treatment. *Id.* Close to the end of her treatment, the wife failed to attend her psychiatric treatments and she began to relapse. *Id.* The appellant contacted a case manager and described his wife's deteriorating condition. He stated that one day, his wife let the dinner burn in the oven so that the smoke was coming out of the oven. *Id.* at 1162. He also noted that she walked at night and chain-smoked. *Id.* Lastly, the appellant stated there

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<sup>6</sup> Moreover, in *Albright*, the Pennsylvania Supreme Court also affirmed our determination in *Bloom* that the issue of whether an action establishes gross negligence may be decided at the summary judgment stage. The Court opined:

[T]he determination of whether an act or failure to act constitutes gross negligence is for a jury, but may be removed from consideration by a jury and decided as a matter of law only where the case is entirely free from doubt and there is no possibility that a reasonable jury could find gross negligence.

To require mental health employees and their employers to defend jury trials on the issue of gross negligence where the trial judge finds as a matter of law that, at best, only ordinary negligence has been established, would gut the limited immunity provision of the Act of any meaning and unfairly subject such employees and facilities to protracted and expensive litigation.

*Albright*, 696 A.2d at 1165. Additionally, we have also stated that "the limited immunity provided by section 7114 would mean little if the persons or entities covered by that provision were required to undergo trial in every case and leave it to a jury to determine if the complained of misdeeds (if there were any) rose to the level of gross negligence." *Downey v. Crozer-Chester Med. Ctr.*, 817 A.2d 517, 525 (Pa. Super. 2003), *appeal denied*, 842 A.2d 406 (Pa. 2004).

were cigarette burns in six-month old furniture but was not sure when the burns were made. *Id.* The case manager informed the appellant that this was insufficient to seek further involuntary treatment and scheduled an appointment with the wife a few days later. *Id.* However, the next evening, a fire erupted in the appellant's home and the wife died. *Id.* at 1163. The fire was determined to have originated in the den where the wife slept. *Id.* The appellant sued the hospital on the basis of gross negligence.

The Court examined the information that was provided to the hospital in the days prior to the wife's death. *Id.* at 1166. The Court stated that this information was "devoid of any evidence that [the wife] presented a clear and present danger to herself or others due to her mental condition or smoking habits." *Id.* at 1167. After reviewing this information, the Court determined that the hospital did not act in a grossly negligently manner. *Id.*

Appellants argue that the facts in *Albright* are dissimilar to the facts in the instant matter. Appellants' Brief at 14. Moreover, Appellants state that unlike the hospital in *Albright*, "Hamot was given a more specific history and detailed description of Daniels' mental condition." *Id.* The trial court addressed the issue as follows:

[I]n the case at bar, after a close examination of the facts it is clear that [Hamot] did not act in a grossly negligent manner. In fact, [Hamot] acted far more prudently than the *Albright* defendant. Daniels was evaluated on two different dates at [Hamot]'s emergency room. On both dates, a behavioral health nurse completed a [13] page Behavioral Health Emergency Service Assessment. At the first visit, Daniels denied any self-destructive behaviors or any thoughts of hurting others, but he did feel people were after him and trying to hurt him. At one point, Daniels did admit to suicidal ideations, but had no specific plan. Daniels was also evaluated by the emergency room physician and a psychiatrist and was ultimately referred to the CRU, where he was transferred that day. At the CRU, Daniels again thought people were trying to kill him and that he heard unspecified voices. On July 2, Daniels requested that he be hospitalized so that he could receive "medication" to "take care of his sickness." Daniels was still concerned people were trying to kill him. Daniels was transported to [Hamot]'s emergency room again. At the hospital, Daniels told the staff that he "need to get back on medications, want to come to hospital." At this visit, Daniels denied having any current thoughts of hurting himself or others. Again, a physician reviewed the Assessment and determined that Daniels did not meet the criteria for emergency inpatient

admission. The physician referred him back to the CRU for further evaluation. Daniels was willing to return to the CRU, and he returned there later that day. Clearly, [Hamot]'s staff completed a thorough evaluation of Daniels' condition each time he presented himself. [Appellants] have also presented to the Court the written opinion of their expert, Dr. David Bawden. Dr. Bawden opines that he believes [Hamot] deviated from the community standards by not admitting Daniels. Specifically, Dr. Bawden states, "Hamot failed to follow their own admission criteria, community standards, and EMTALA standards by not admitting Devin J. Daniels on two occasions. By referring him to outpatient treatment and failing to stabilize his emergency psychiatric condition they failed to prevent harm to others." [Hamot] also presents its own expert witness who opines that [Hamot]'s actions were well within the accepted standard of care. Even in viewing all the facts in a light most favorable to [Appellants], this Court cannot find that [Hamot]'s actions were grossly negligent. Daniels received far more individualized attention than the *Albright* patient. He was given two full assessments and never made any specific threats or had any specific plans to harm himself or others. The emergency room physicians and psychiatrists determined that the best method of treatment would be for Daniels to follow up with the CRU, and he was discharged from the hospital into the CRU's care. As such, [Hamot] cannot be held to have grossly deviated from the standard of care under the MHPA.

Trial Court Opinion, 10/9/2007, at 10-11.

After a thorough review of the record, we determine that there is no merit to Appellants' issue raised on appeal. Hamot nurses completed two extensive behavior health emergency services assessment forms. R.R. 70-82, 94-107. Both nurses contacted emergency physicians who determined that Daniels did not meet the criteria for inpatient treatment. *Id.* at 80, 106. Instead of returning to the community, Daniels was referred to the CRU for further evaluation, which Daniels accepted. *Id.* at 82, 106. We agree with the trial court that Daniels received greater medical attention than the *Albright* patient.

Additionally, while Daniels stated that he had suicidal ideations, he did not have a specific plan for carrying out these actions. *Id.* at 79-80. During the July 30, 1997 evaluation, the nurse noted that Daniels' family had related that Daniels "got violent" in the past and prior to his commitment at Temple. *Id.* at 77. However, both Crystal and Rasheen testified that Daniels never made threats toward himself or others. *Id.* at 26, 152. Thus, the record does not establish that Daniels made any

specific threats or had any specific plans to harm himself or others prior to the incident at Appellants' house, which would warrant psychiatric attention.

With respect to the report of Dr. David Bawden that Hamot was negligent in deviating from the standard of care in failing to follow their own admission criteria by not admitting Daniels on two occasions, we conclude that this evidence does not establish that Hamot acted with gross negligence. In his report, Dr. Bawden stated the following:

Daniels met the hospital's criteria for psychiatric admission, but he was inappropriately referred to outpatient follow-up to be scheduled almost one week later! This inappropriate referral violated not only the hospital's admission criteria, but also violated generally accepted community standards regarding psychiatric admissions. The delay in further assessment and treatment, given the severity of symptoms was also clinically ill[-]advised.

...

By referring him to outpatient treatment and failing to stabilize his emergency psychiatric condition they failed to prevent harm to others.

*Id.* at 31-32. While Hamot's actions may or may not have been "inappropriate" or "ill-advised," we conclude that Dr. Bawden's report does not allege "a form of negligence where the facts support substantially more than ordinary carelessness, inadvertence, laxity, or indifference." *Albright*, 696 A.2d at 1164, 1167 (holding that the hospital staff exercised poor judgment but that did not amount to gross negligence).<sup>7</sup> Accordingly, Hamot did not grossly deviate from the standard of care established under the MHPA.

Appellants also argue that the trial court erred in finding that they

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<sup>7</sup> A case in which the evidence was sufficient to deny a motion for summary judgment based upon a finding of gross negligence is distinguishable from the instant case. *See Goryeb*, 575 A.2d at 546 (finding of gross negligence where the appellee-hospital was informed that a mentally ill patient posed a clear and present danger to himself and others but released him from voluntary treatment with no certification for extended emergency treatment and he then shot his former girlfriend, her current boyfriend, and another male). *Compare Walsh*, 881 A.2d at 8-9 (holding that appellant-patient's allegation did not demonstrate more than ordinary carelessness, inadvertence, laxity, or indifference where a physician recommended that she go off her medication after she found out she was pregnant and then she had abortion as a result of being non-medicated) and *Murphy v. C.W.*, 2004 U.S. Dist. LEXIS 22567, 21-22 (E.D. Pa. Nov. 4, 2004) (finding that a reasonable fact-finder could not conclude that a facility acted with gross negligence in preparing a minor for a plane trip, where the minor, who was retarded and suffered from attention deficit disorder, spit in the face of plaintiff-flight attendant during a flight).

solely relied upon a breach of the duty of ordinary care. Appellants' Brief at 22. Appellants assert that their complaint could be construed to plead facts sufficient to give rise to a finding of gross negligence. *Id.* at 23. We need not reach the merits of this argument. Because the court did not err in granting summary judgment based on the evidence, it is of no consequence whether Appellants did or did not plead gross negligence in their complaint.

Order affirmed.

Judgment Entered:

/s/ **Eleanor R. Valecko**

Deputy Prothonotary

**BANKRUPTCY NOTICE**

IN THE UNITED STATES  
BANKRUPTCY COURT FOR  
THE WESTERN DISTRICT OF  
PENNSYLVANIA

IN RE: JULIE A. CASHORE,  
Debtor

Case No. 05-13645-WWB

Chapter 13

Judge Warren W. Bentz

NOTICE OF SALE HEARING

You are hereby notified that the above Debtor seeks court authorization to sell the real estate located at 921 East Grandview Blvd., Erie, Pennsylvania 16504-2620 for \$103,880.00 (a cash deposit of \$2,000.00 is required at the time of hearing with the balance due at closing).

A hearing will be held on **February 20, 2009 at 11:00 A.M.** before Judge Warren W. Bentz in the United States Bankruptcy Court, United States Courthouse, 17 South Park Row, Erie, PA 16501. The Bankruptcy Court will entertain higher offers at the hearing.

Closing shall take place within thirty (30) days of the date of the Order Confirming Sale. "As Is". Examination of the property or further information can be obtained from the undersigned.

Michael J. Graml, Esq.

Attorney for Debtor

714 Sassafras Street

Erie, PA 16501

(814) 459-8288

PA I.D. No. 50220

Feb. 6



**CHANGE OF NAME NOTICE**

In the Court of Common Pleas of Erie County, Pennsylvania  
In Re: Farida Veysalova and Amina Veysalova  
No. 10228-09 and 10229-09

Notice is hereby given that on January 21, 2009 the Petitions of Amina Veysalova and Farida Veysalova were filed in the above Court requesting a Decree to change their names to Amina Dzhabarov and Farida Dzhabarov.

The Court has fixed April 2, 2009, at 9:00 A.M. in Courtroom No. F on the 2nd floor at the Erie County Court House, 140 West Sixth Street, Erie, Pennsylvania, as the time and place for the hearing on said Petitions, when and where all interested parties may appear and show cause, if any, why the request of the petitioners should not be granted.

Feb. 6

**FICTITIOUS NAME NOTICE**

Pursuant to Act 295 of December 16, 1982 notice is hereby given of the intention to file with the Secretary of the Commonwealth of Pennsylvania a "Certificate of Carrying On or Conducting Business Under an Assumed of Fictitious Name." Said Certificate contains the following information:

**FICTITIOUS NAME NOTICE**

1. Fictitious Name: Family First Academy
  2. Principal business office: 8155 Oliver Road, Erie, PA 16509
  3. Names and addresses of the persons party to the registration: Family First Academy LLC, 8155 Oliver Road, Erie, PA 16509
  4. An application for registration of the fictitious name was filed with the Department of State of the Commonwealth of Pennsylvania on October 23, 2008.
- David F. Dieteman, Esq.  
Manufacturer & Business  
Association Legal Services, Inc.  
2171 West 38th Street  
Erie PA 16508

Feb. 6

**FICTITIOUS NAME NOTICE**

1. Fictitious Name: Imperial Point Manufactured Home Sales
  2. Address of the principal place of business, including street and number: 7950 Palmer Drive, Fairview, PA 16415
  3. The real name(s) and address, including street and number, of the persons who are parties to the registration: Paul Luciano, 7950 Palmer Drive, Fairview, PA 16415
  4. An application for registration of a fictitious name under the Fictitious Name Act was filed on January 16, 2009 with the Department of State.
- Marsh, Spaeder, Baur, Spaeder  
& Schaaf, LLP  
300 State Street, Suite 300  
Erie, PA 16507

Feb. 6

**INCORPORATION NOTICE**

Notice is hereby given that Diamond Design Construction, Inc. has been incorporated under the Business Corporation Law of 1988.  
Gery T. Nietupski, Esquire  
Law Offices of Gery T. Nietupski,  
Esquire, LLC  
818 State Street, Suite A  
Erie, Pennsylvania 16501

Feb. 6

**INCORPORATION NOTICE**

Notice is hereby given that The Energy Center, LLC, has been incorporated under the provisions of the Business Corporation Law of 1988.  
Talarico & Niebauer  
Edward J. Niebauer, Esquire  
558 West 6th Street  
Erie, Pennsylvania 16507  
814-459-4472

Feb. 6

**INCORPORATION NOTICE**

Notice is hereby given that Read to Rebound has been incorporated under the Nonprofit Corporation Law of 1988 for the purpose of providing children with a meaningful outlet designed to enable them to meet life's challenging situations.  
Gery T. Nietupski, Esquire  
Law Offices of Gery T. Nietupski,  
Esquire, LLC  
818 State Street, Suite A  
Erie, Pennsylvania 16501

Feb. 6

**INCORPORATION NOTICE**

Notice is hereby given that Russell Concrete, Inc. has been incorporated under the provisions of the Business Corporation Law of 1988, as amended.

James R. Steadman, Esquire  
24 Main Street East  
PO Box 87  
Girard, PA 16417

Feb. 6

**INCORPORATION NOTICE**

Notice is hereby given that Sharp Estate Services, LLC has been incorporated under the provisions of the Business Corporation Law of 1988.

Gery T. Nietupski, Esquire  
Law Offices of Gery T. Nietupski,  
Esquire, LLC  
818 State Street, Suite A  
Erie, Pennsylvania 16501

Feb. 6

**LEGAL NOTICE**

NOTICE OF ACTION IN  
MORTGAGE FORECLOSURE  
IN THE COURT OF COMMON  
PLEAS OF ERIE COUNTY,  
PENNSYLVANIA  
CIVIL ACTION - LAW

PHH MORTGAGE  
CORPORATION, F/K/A  
CENDANT MORTGAGE  
CORPORATION

v.

ESTATE OF DONALD E. SAMPLES  
DONNA SNYDER,  
ADMINISTRATRIX DBN OF THE  
ESTATE OF DONALD E. SAMPLES  
AND HEIR OF  
PATRICIA MAE BROWN,  
DECEASED HEIR OF THE  
ESTATE OF  
DONALD E. SAMPLES  
DONALD E. SAMPLES, SR.,  
HEIR OF THE ESTATE OF  
DONALD E. SAMPLES  
CHARLES L. BROWN, HEIR OF  
PATRICIA MAE BROWN,  
DECEASED HEIR OF THE  
ESTATE OF DONALD E. SAMPLES  
WILLIAM BROWN, HEIR OF  
PATRICIA MAE BROWN,  
DECEASED HEIR OF THE  
ESTATE OF DONALD E. SAMPLES  
RUTH ORTIZ, HEIR OF  
PATRICIA MAE BROWN,

DECEASED HEIR OF THE  
ESTATE OF DONALD E. SAMPLES  
DOLORES ROSENBERG  
A/K/A DOLLY ANN SAMPLES-  
ROSENBERG, HEIR OF  
PATRICIA MAE BROWN,  
DECEASED HEIR OF THE  
ESTATE OF DONALD E. SAMPLES  
UNKNOWN HEIRS,  
SUCCESSORS, ASSIGNS, AND  
ALL PERSONS, FIRMS, OR  
ASSOCIATIONS CLAIMING  
RIGHT, TITLE OR INTEREST  
FROM OR UNDER  
DONALD E. SAMPLES,  
DECEASED  
UNKNOWN HEIRS,  
SUCCESSORS, ASSIGNS, AND  
ALL PERSONS, FIRMS, OR  
ASSOCIATIONS CLAIMING  
RIGHT, TITLE OR INTEREST  
FROM OR UNDER PATRICIA  
MAE BROWN, DECEASED  
HEIR OF THE ESTATE OF  
DONALD E. SAMPLES

Court of Common Pleas

Civil Division

Erie County

No. 18155-08

**NOTICE**

TO UNKNOWN HEIRS,  
SUCCESSORS, ASSIGNS, AND  
ALL PERSONS, FIRMS, OR  
ASSOCIATIONS CLAIMING  
RIGHT, TITLE OR INTEREST  
FROM OR UNDER DONALD E.  
SAMPLES, DECEASED and  
UNKNOWN HEIRS,  
SUCCESSORS, ASSIGNS,  
AND ALL PERSONS,  
FIRMS, OR ASSOCIATIONS  
CLAIMING RIGHT, TITLE OR  
INTEREST FROM OR UNDER  
PATRICIA MAE BROWN,  
DECEASED HEIR OF THE  
ESTATE OF DONALD E.  
SAMPLES:

You are hereby notified that  
on DECEMBER 23, 2009,  
Plaintiff, PHH MORTGAGE  
CORPORATION, F/K/A  
CENDANT MORTGAGE  
CORPORATION, filed a Mortgage  
Foreclosure Complaint endorsed  
with a Notice to Defend, against  
you in the Court of Common Pleas  
of ERIE County Pennsylvania,  
docketed to No. 18155-08. Wherein  
Plaintiff seeks to foreclose on

the mortgage secured on your  
property located at 1746 WEST  
25TH STREET, ERIE, PA 16502  
whereupon your property would be  
sold by the Sheriff of ERIE County.  
You are hereby notified to plead to  
the above referenced Complaint on  
or before 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.

Erie County

Lawyer Referral Service

Erie County Bar Association

PO Box 1792

Erie, Pa 16507

814-459-4411

Feb. 6

**LEGAL NOTICE**

In the Court of Common Pleas of  
Erie County, Pennsylvania  
Civil Division

JOHN B. LAIRD, d/b/a

DAVID LAIRD ASSOCIATES,

PLAINTIFF

v.

VLADIMIR SOLOP and

SOLOP DEVELOPMENT

CORPORATION, DEFENDANTS  
Civil Action No. 13255 - 2008

**COMPLAINT AND NOTICE**

**TO DEFEND**

TO: VLADIMIR SOLOP and  
SOLOP DEVELOPMENT

**CORPORATION**

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 paper 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.

Lawyers Referral Service

PO Box 1792

Erie, Pennsylvania 16507

(814) 459-4411

Mon.-Fri. 3:30 a.m. - noon;

1:15 p.m. - 3:00 p.m.

David J. Rhodes, Esq.

Attorney for Plaintiff

150 East 8th Street

Erie, PA 16501

(814) 456-4000

Feb. 6

**LEGAL NOTICE**

ATTENTION: UNKNOWN  
FATHER

INVOLUNTARY TERMINATION  
OF PARENTAL RIGHTS

IN THE MATTER OF THE  
ADOPTION OF MINOR MALE  
CHILD (J.T.W.); DOB: 05-15-08  
BORN TO: MICHELLE WOOD  
#4 IN ADOPTION, 2009

If you could be the parent of the  
above mentioned child, at the  
instance of Erie County Office of  
Children and Youth you, laying  
aside all business and excuses  
whatsoever, are hereby cited to be  
and appear before the Orphan's  
Court of Erie County, Pennsylvania,  
at the Erie County Court House,  
Judge Cunningham, Court Room  
No. C, City of Erie on February 23,

2009, at 1:30 p.m. and then and there show cause, if any you have, why your parental rights to the above child should not be terminated, in accordance with a Petition and Order of Court filed by the Erie County Office of Children and Youth. A copy of these documents can be obtained by contacting the Erie County Office of Children and Youth at (814) 451- 7740.

Your presence is required at the Hearing. If you do not appear at this Hearing, the Court may decide that you are not interested in retaining your rights to your child and your failure to appear may affect the Court's decision on whether to end your rights to your child. 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 may be ended by the Court without your being present.

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

Family/Orphan'  
Court Administrator  
Room 204-205  
Erie County Court House  
Erie, Pennsylvania 16501  
(814) 451-6251

Feb. 6

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**www.sas-rea.com      rsam@sas-rea.com**

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- ✦ SURVEILLANCE
- ✦ WIRETAP/"BUG" DETECTION
- ✦ POLYGRAPH

**814-455-7007**  
ERIE, PENNSYLVANIA

**877-99-LAGAN**  
(TOLL-FREE)

Dennis Lagan  
27 Years- PSP

Gerald Nichols  
30 Years - FBI

Benjamin Suchocki  
30 Years - FBI/IRS

Jennifer Mazur  
Investigator

**NORTHWEST PENNSYLVANIA'S PREMIER INVESTIGATIVE TEAM**

**SHERIFF SALES**

Notice is hereby given that by virtue of sundry Writs of Execution, issued out of the Courts of Common Pleas of Erie County, Pennsylvania, and to me directed, the following described property will be sold at the Erie County Courthouse, Erie, Pennsylvania on

**February 20, 2009**

**at 10:00 AM**

All parties in interest and claimants are further notified that a schedule of distribution will be on file in the Sheriff's Office no later than 30 days after the date of sale of any property sold hereunder, and distribution of the proceeds made 10 days after said filing, unless exceptions are filed with the Sheriff's Office prior thereto.

All bidders are notified prior to bidding that they MUST possess a cashier's or certified check in the amount of their highest bid or have a letter from their lending institution guaranteeing that funds in the amount of the bid are immediately available. If the money is not paid immediately after the property is struck off, it will be put up again and sold, and the purchaser held responsible for any loss, and in no case will a deed be delivered until money is paid.

Bob Merski

Sheriff of Erie County

Jan. 30 and Feb. 6, 13

**SALE NO. 1**

**Ex. #14660 of 2008**

**Marquette Savings Bank**

**v.**

**Gregory Alan Rekitt and**

**Jean E. Rosenthal**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed at No. 14660-2008, Marquette Savings Bank vs. Gregory Alan Rekitt and Jean E. Rosenthal, owners of property situate in Girard Township, Erie County, Pennsylvania being: 217 Chestnut Street, Girard, Pennsylvania.

66.07 x 140

Assessment Map Number:

(23) 16-53-28

Assessed Value Figure: \$53,790

Improvement Thereon: Dwelling

house and lot  
Will J. Schaaf, Esq.  
Marsh Spaeder Baur Spaeder  
& Schaaf, LLP  
Suite 300, 300 State Street  
Erie, Pennsylvania 16507  
(814) 456-5301

Jan. 30 and Feb. 6, 13

**SALE NO. 2**

**Ex. #14743 of 2008**

**Beneficial Consumer Discount**

**Company d/b/a Beneficial**

**Mortgage Co. of Pennsylvania,**

**Plaintiff**

**v.**

**James F. Hammerman**

**Lisa L. Hammerman,**

**Defendant(s)**

**LEGAL DESCRIPTION**

ALL that certain piece or parcel of land situate in the City of Erie, County of Erie, and State of Pennsylvania, being Lot No. 5, Block "C" of the WILLOW WAY HEIGHTS SUBDIVISION NO. 3 in Tract No. 251 of the City of Erie and State of Pennsylvania, as the same is more particularly described in Erie County Map Book 9 at page 35, having erected thereon a one story frame dwelling house commonly known as 4227 Bird Drive, Erie, Pennsylvania, City of Erie Index No. (18) 5260-502.

BEING KNOWN AS: 4227 BIRD DRIVE, ERIE, PA 16511

PROPERTY ID NO.: 18-5260-502  
TITLE TO SAID PREMISES IS VESTED IN James F. Hammerman and Lisa L. Hammerman, husband and wife, as tenants by the entireties by Deed from Lucille J. Grutkowski, an unmarried widow and Charles T. Grutkowski, single dated 3/28/02 recorded 4/1/02 in Deed Book 866 page 2314.

Udren Law Offices, P.C.

Chandra M. Arkema, Esquire

Woodcrest Corporate Center

111 Woodcrest Road, Suite 200

Cherry Hill, NJ 08003-3620

856-669-5400

Jan. 30 and Feb. 6, 13

**SALE NO. 3**

**Ex. #13120 of 2006**

**JPMorgan Chase Bank, as**

**Trustee under the Pooling and**

**Servicing Agreement dated as of October 1, 2003, ABFS Mortgage Loan Trust 2003-2, Plaintiff,**

**v.**

**Lane M. Steigmeyer a/k/a**

**Lane Steigmeyer and**

**Tina Steigmeyer, Defendants**

**LONG FORM DESCRIPTION**

ALL that certain piece or parcel of land situate in the City of Erie, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

COMMENCING at a point in the north line of Eighth Street, seventy and one-half (70 ½) feet west of the west line of Pennsylvania Avenue; thence west along the north line of Eighth Street, thirty-five and one-half (35 ½) feet; thence north, parallel to Pennsylvania Avenue, seventy (70) feet; thence east, parallel to Eighth Street, thirty-five and one-half (35 ½) feet; thence south, parallel to Pennsylvania Avenue, seventy (70) feet to the place of beginning.

BEING commonly known as 1046 East 8th Street, Erie, Pennsylvania, 16503, and bearing Erie County Index No. (14) 1035-129.

BEING the same premises which Lane M. Steigmeyer and Tina Steigmeyer, his wife, granted and conveyed unto Lane M. Steigmeyer and Tina Steigmeyer, his wife, by Deed dated May 19, 2003 and recorded May 23, 2003 at Deed Book Volume 1015, Page 474 in the Recorder's Office of Erie County, Pennsylvania.

Grenen & Birsic, P.C.

Kristine M. Anthon, Esquire

Attorney for Plaintiff

One Gateway Center, Ninth Floor

Pittsburgh, PA 15222

(412) 281-7650

Jan. 30 and Feb. 6, 13

**SALE NO. 4**

**Ex. #13983 of 2008**

**Citizens Bank of Pennsylvania,**

**Plaintiff,**

**v.**

**Christine K. Ford, Defendant**

**LEGAL DESCRIPTION**

ALL that certain piece or parcel of land situate in the City of Erie, County of Erie and State of

Pennsylvania, of part of Tract No. 249, and being Lots Nos. 158 and 159 of the Industrial Home Site Company Subdivision, recorded in Erie County Map Book 2, pages 330 and 331, now Lot No. five (5) of a plot of survey for Emily A. Brook, being a resubdivision of Lots 118-127 and 158-167, Industrial Home Site Company Subdivision recorded in Erie County Map Book 37, page 128, on January 16, 1991.

Bearing Erie County Index No. 18-51-49-311

**ADDENDUM**

ALL of the property located at 2741 27th Street, in the City/Town/Village of Erie, County of Erie, State of PA, in which the borrower has an ownership, leasehold or other legal interest having a tax identification number of 18-5149-0-311.00 and being the same property more fully described in Book 1187 page 1657, et seq. dated 10-26-2004, recorded on 11/5/2004, and further described as 1995, 28 x 48 Four Seasons, Serial Number FS200733AB.

PARCEL/TAX ID # 18-5149-311  
COMMONLY KNOWN AS: 2741 EAST 27TH STREET, ERIE, PA 16510

Lauren Berschler Karl, Esquire  
Wilentz Goldman & Spitzer  
Park Building  
355 Fifth Avenue, Suite 400  
Pittsburgh, PA 15222  
412-232-0808

Jan. 30 and Feb. 6, 13

**SALE NO. 5**

**Ex. #14669 of 2008**

**Nationstar Mortgage, LLC  
f/k/a Centex Home Equity  
Company, LLC**

**v.**

**Patricia V. Conboy  
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 14669-08 Nationstar Mortgage, LLC f/k/a Centex Home Equity Company, LLC vs. Patricia V. Conboy, owners of property situated in City of Erie, Erie County, Pennsylvania being 4615 Cherry Street, Erie, PA 16509  
Assessment Map number: 18-5316.0-212.00  
Assessed Value figure: \$81,647.00

Improvement thereon: Residential Dwelling

Mary L. Harbert-Bell, Esquire  
220 Lake Drive East, Suite 301  
Cherry Hill, NJ 08002  
(856) 482-1400

Jan. 30 and Feb. 6, 13

**SALE NO. 6**

**Ex. #12851 of 2008**

**The Bank of New York Mellon  
as Trustee for Popular Financial  
Services Mortgage/pass Through  
Certificate Series # 2006-C**

**v.**

**Sandra K. Gordon and  
James Gordon  
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 12851-08 The Bank of New York Mellon as Trustee for Popular Financial Services Mortgage/pass Through Certificate Series # 2006-C vs. Sandra K. Gordon and James Gordon, owners of property situated in City of Erie, Erie County, Pennsylvania being 1244 West 21st Street, Erie, PA 16502

Assessment Map number: 16-031-029.0-126.00  
Assessed Value figure: \$42,230.00  
Improvement thereon: Residential Dwelling  
Mary L. Harbert-Bell, Esquire  
220 Lake Drive East, Suite 301  
Cherry Hill, NJ 08002  
(856) 482-1400

Jan. 30 and Feb. 6, 13

**SALE NO. 7**

**Ex. #12499 of 2008**

**Deutsche Bank National Trust  
Company, as Trustee Pooling and  
Servicing Agreement Dated as of  
March 1, 2006**

**v.**

**Jena J. Jimerson and  
Alester Jimerson  
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 12499-08 Deutsche Bank National Trust Company, as Trustee Pooling and Servicing Agreement Dated as of March 1, 2006 vs. Jena J. Jimerson and Alester Jimerson, owners of property situated in City of Erie, Erie County, Pennsylvania being 3815 Sassafra

Street, Erie, PA 16508

Assessment Map number: 18053041011500

Assessed Value figure: \$72,000.00  
Improvement thereon: Residential Dwelling

Mary L. Harbert-Bell, Esquire  
220 Lake Drive East, Suite 301  
Cherry Hill, NJ 08002  
(856) 482-1400

Jan. 30 and Feb. 6, 13

**SALE NO. 8**

**Ex. #14540 of 2008**

**Wells Fargo Bank, NA as  
Trustee under Pooling and  
Servicing Agreement dated as of  
January 1, 2004 Merrill Lynch  
Mortgage Investors Trust  
Mortgage Loan Asset-Backed  
Certificates, Series 2004-WMC1**

**v.**

**Tiffany T. Martin  
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 14540-08 Wells Fargo Bank, NA as Trustee under Pooling and Servicing Agreement dated as of January 1, 2004 Merrill Lynch Mortgage Investors Trust Mortgage Loan Asset-Backed Certificates, Series 2004-WMC1 vs. Tiffany T. Martin, owners of property situated in City of Erie, Erie County, Pennsylvania being 1118 West 6th Street, Erie, PA 16507

Assessment Map number: 17-4035-132

Assessed Value figure: \$63,798.00  
Improvement thereon: Residential Dwelling

Mary L. Harbert-Bell, Esquire  
220 Lake Drive East, Suite 301  
Cherry Hill, NJ 08002  
(856) 482-1400

Jan. 30 and Feb. 6, 13

**SALE NO. 9**

**Ex. #14488 of 2008**

**HSBC Bank USA National  
Association, as Indenture Trustee  
under the Indenture relating  
to People's Choice Home Loan  
Securities Trust Series 2006-1**

**v.**

**Jon A. Mason and  
The United States of America  
c/o U.S. Attorney  
SHERIFF'S SALE**



By virtue of a Writ of Execution filed to No. 14488-08 HSBC Bank USA National Association, as Indenture Trustee under the Indenture relating to People's Choice Home Loan Securities Trust Series 2006-1 vs. Jon A. Mason and The United States of America c/o U.S. Attorney, owners of property situated in Township of Millcreek, Erie County, Pennsylvania being 3118 West 42nd Street, Erie, PA 16506  
Assessment Map number: 33-82-414.6-11

Assessed Value figure: \$167,860.00  
Improvement thereon: Residential Dwelling  
Mary L. Harbert-Bell, Esquire  
220 Lake Drive East, Suite 301  
Cherry Hill, NJ 08002  
(856) 482-1400

Jan. 30 and Feb. 6, 13

**SALE NO. 10**

**Ex. #11985 of 2008**

**Consumer Solutions REO, LLC**

**v.**

**Frank A. Kartesz II a/k/a**

**Frank A. Kartesz**

**SHERIFF'S SALE**

By virtue of a Writ of Execution file to No. 11985-08 Consumer Solutions REO, LLC vs. Frank A. Kartesz II a/k/a Frank A. Kartesz owner(s) of property situated in the City of Erie, County of Erie, Pennsylvania being 725 Plum Street, Erie, PA 16502  
Assessment Map Number: 17-40-25-120

Assessed Value figure: \$49,010.00  
Improvement thereon: Single Family Dwelling  
Scott A. Dietterick, Esquire  
Kimberly A. Bonner, Esquire  
Richard P. Haber, Esquire  
Eric Santos, Esquire  
Joel Ackerman, Esquire  
Zucker, Goldberg & Ackerman, LLC  
200 Sheffield Street, Suite 301  
Mountainside, NJ 07092  
(908) 233-8500

Jan. 30 and Feb. 6, 13

**SALE NO. 11**

**Ex. #14018 of 2006**

**Kenneth R. Haibach, Plaintiff**

**v.**

**Dean J. Bagnoni, Defendant**

**v.**

**Lillian L. Bagnoni, Additional Defendant**

**ADVERTISING DESCRIPTION**

By virtue of a Writ of Execution filed to No. 14018-2006, Kenneth R. Haibach vs. Dean J. Bagnoni, owner of the property situated in VENANGO TWP., ERIE CO, PA as follows:

ADDRESS: The undivided one-half interest as tenants in common to that real estate situate in Venango Township, Erie County and being 231 acres of vacant land, more or less, on Colt Station Road and bearing Erie County Tax Index Nos. (44) 7-15-9 and (44) 7-15-10.01  
ASSESSMENT MAP NO.: (44) 7-15-9 and (44) 7-15-10.01  
ASSESSED VALUE FIGURE: \$26,400.00 and \$274,100.00 respectively

IMPROVEMENT THEREON: None

Stephen H. Hutzelman, Esq.

305 West Sixth Street

Erie, PA 16507

(814) 452-6800

PA ID# 06541

Jan. 30 and Feb. 6, 13

**SALE NO. 12**

**Ex. #14787 of 2008**

**Northwest Consumer Discount Company, d/b/a Erie Consumer Discount Company, Plaintiff**

**v.**

**Mark C. Hooks and**

**Vasiliki J. Hooks, Defendant**

**ADVERTISING DESCRIPTION**

By virtue of Writ of Execution filed to No. 14787-2008, Northwest Consumer Discount Company, d/b/a Erie Consumer Discount Company vs. Mark C. Hooks and Vasiliki J. Hooks owners of the property situate in City of Erie, Erie County, as follows:

Address: 818 EAST AVENUE, ERIE, PA

Assessment Map No.: (15) 2043-204

Assessed Value Figure: \$39,000.00  
Improvement Thereon: Two Story Frame Building and Frame Garage  
Stephen H. Hutzelman, Esq.

305 West Sixth Street

Erie, PA 16507

(814) 452-6800

PA ID# 06541

Jan. 30 and Feb. 6, 13

**SALE NO. 13**

**Ex. #14210 of 2008**

**Wells Fargo Bank, N.A., Plaintiff,**  
**v.**

**Estate of William C. Aquillono**

**a/k/a William Aquillono**

**Michelle M. Gualtieri Donovan,**

**Executrix and Devisee of the**

**Estate of William C. Aquillono**

**a/k/a William Aquillono,**

**Defendant(s)**

**LEGAL DESCRIPTION**

ALL that certain piece or parcel of land situate in the Sixth Ward of the City of Erie, County of Erie and Commonwealth of Pennsylvania, and being a lot thirty-eight (38) feet by seventy-four and 34/100 (74.34) feet located on the southeast corner of Twenty-first Street and Baur Avenue, known as City of Erie Tax Index Number 6203-318, and having erected thereon a dwelling house commonly known as 2103 Baur Avenue, Erie, Pennsylvania.

Being the same premises conveyed to Peter J. Richards and Esther Richards, his wife, by Deed dated September 9, 1977 and recorded in Erie County Deed Book 1279 page 510. The said Peter J. Richards died testate at Erie, Pa. on January 30, 1986, for which see Proof of Death intended to be filed forthwith in the Office of the Register of Wills of Erie County, Pennsylvania.

In accordance with Section 405 of Act 97 of 1980, House Bill 1840, July 7, 1980, the Grantor states that, to the actual knowledge of the Grantor, solid waste, including hazardous waste, has never been disposed on said property and is not presently being disposed.

Party of the First Part further conveys any right, title and interest she has in and to additional frontage along West 21st Street, as prior deeds refer to frontage of 48 feet along West 21st Street.

Also, all that certain piece or parcel of land situate in the Sixth Ward, Index 6203-317, being Lot 38 feet x 74.34 feet, in the Baur Subdivision, City of Erie, County of Erie and State of Pennsylvania;



sold to the County Commissioners December 21, 1937 for 1932 taxes; assessed and returned in the name of James E. Speed, and recorded in County Treasurer's Deed Book 'F', page 150.

Being the same premises conveyed to Peter J. Richards and Esther Richards, his wife, by Deed dated May 20, 1960 and recorded in Erie County Deed Book 819 page 429, the said Deed being a Commissioners' Deed.

The above described parcel 6203-317 is more particularly bounded and described as follows: All that certain piece or parcel of land situate in the Township of Millcreek (now Sixth Ward of the City of Erie) County of Erie and State of Pennsylvania, bounded and described as follows, to-wit:

Beginning at a point in the south line of Twenty-first Street forty-eight (48) feet east of the east line of a twenty foot lane; thence eastwardly along the south line of Twenty-first Street, thirty-eight (38) feet to a point; thence southwardly on a line parallel to said twenty foot lane, seventy-four and 40/100 (74.40) feet more or less to a point in the north line of land now or formerly of Bauer Brothers; thence westwardly along said Bauers Brothers' land thirty-eight (38) feet to a point; and thence northwardly on the line parallel to said twenty foot lane seventy-four and 40/100 (74.40) feet, more or less to the place of beginning.

TITLE TO SAID PREMISES IS VESTED IN William C. Aquilono, by Deed from Esther Richards, Unmarried widow, dated 05/10/1996, recorded 05/13/1996 in Book 0439, Page 1085.

Tax Parcel #: 19-062-003.0-318.00 19-062-003.0-317.00

Premises being: 2103 BAUR LANE, ERIE, PA 16502-2217  
Daniel G. Schmieg, Esquire  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

Jan. 30 and Feb. 6, 13

**SALE NO. 15**

**Ex. #14574 of 2008**

**Lasalle Bank National  
Association, as Trustee for  
Structured Asset Securities  
Corporation Trust 2005-WF1,  
Plaintiff,  
v.**

**David Bostaph Jr., Defendant(s)**

**LEGAL DESCRIPTION**

ALL that certain piece or parcel of land situate in the City of Erie, County of Erie and State of Pennsylvania, being Lot No. 19 in Block 'C' as shown on that certain plat entitled 'East Tract Subdivision United States Housing Corporation's Project Number 10' as duly recorded in Erie County Map Book Number 2, page 317 in the Office of the Recorder of Deeds of Erie County, Pennsylvania, having a frontage of Thirty-six (36) feet on Euclid Avenue, and a depth of one hundred thirteen and six tenths (113.6) feet more or less, and having a dwelling known as 645 Euclid Avenue, Erie, Pennsylvania and bearing Erie County Tax Index No. (14) 1116-106 BEING KNOWN AS PARCEL NUMBER: 14-1116-106.

TOGETHER with all and singular the rights, liberties, privileges, hereditaments, improvements, and appurtenances, whatsoever thereto belonging, and the reversions and remainders, rents, issues and profits thereon; and also, all the estates and interest whatsoever of the said Party of the First Part, in law or equity, of, in to or out of the same.

TITLE TO SAID PREMISES IS VESTED IN David Bostaph, Jr., unmarried, by Deed from Oscar K. Eck and Virginia K. Eck, h/w, as tenants by the entireties with the right of survivorship, dated 12/29/2003, recorded 01/12/2004 in Book 100, Page 1082.

Tax Parcel #: 14011016010600  
Premises being: 645 EUCLID AVENUE, ERIE, PA 16511-1828  
Daniel G. Schmieg, Esquire  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

Jan. 30 and Feb. 6, 13

**SALE NO. 16**

**Ex. #15498 of 2007**

**JP Morgan Mortgage Acquisition  
Corporation, Plaintiff,  
v.**

**John P. Carrick  
Brittany L. Mathers,  
Defendant(s)**

**LEGAL DESCRIPTION**

All that certain piece or parcel of land situate in the City of Erie, County of Erie and Commonwealth of Pennsylvania, and known as Lots Nos. 286, 287 and 288 of CONRAD HEIGHTS SUBDIVISION, a plan of the same being recorded in Erie County Map Book 3, at pages 222 and 223, to which plan reference is made for a further description of said lots.

Said premises are commonly known as 3922 Fargo Street, Erie, Pennsylvania, and being further identified as Erie County Tax Parcel Index No. (18) 5228-208.

Being the same premises as conveyed to the mortgagor(s) herein by deed recorded this date.

John P. Carrick and Brittany L. Mathers, husband and wife, as tenants by the entirety with right of survivorship to the survivor thereof, by Deed from James R. Wright and Julie A. Wright, husband and wife, dated 02/12/2007, recorded 02/14/2007, in Deed Book 1395, page 455.

Tax Parcel #: 18052028020800  
Premises being: 3922 FARGO STREET, ERIE, PA 16510  
Daniel G. Schmieg, Esquire  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

Jan. 30 and Feb. 6, 13

**SALE NO. 17**

**Ex. #14416 of 2008**

**Citimortgage, Inc. s/b/m to ABN  
AMRO Mortgage Group, Inc.,  
Plaintiff,  
v.**

**Gary A. Casey  
Paula A. Casey, Defendant(s)**

**LEGAL DESCRIPTION**

All that certain piece or parcel of land situate in the Township

of Fairview, County of Erie and Commonwealth of Pennsylvania, being Lots Nos. 317 and 318 of the LAKE SHORE CLUB DISTRICT SUBDIVISION, as appears in Erie County Map Book 3, pages 176 and 177.

Said property being more commonly known as 1005 Webster Road, Erie, Pennsylvania and bearing Erie County Tax Index Number (21) 35-16-92

TITLE TO SAID PREMISES IS VESTED IN Gary A. Casey and Paula A. Casey, his wife, as tenants by the entireties, by Deed from Carolyn R. Heltman, nbm, Carolyn R. Carr and Michael L. Carr, her husband, dated 11/14/2003, recorded 11/14/2003 in Book 1086, Page 1418.

Tax Parcel #: 21-035-016.0-092.00  
Premises being: 1005 WEBSTER DRIVE, ERIE, PA 16505

Daniel G. Schmieg, Esquire  
One Penn Center at Suburban Station, Suite 1400

1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

Jan. 30 and Feb. 6, 13

**SALE NO. 18**

**Ex. #15557 of 2007**

**Citigroup Global Markets Realty Corporation, Plaintiff,**  
**v.**

**Dawn Crystal, Defendant(s)**

**LEGAL DESCRIPTION**

All that certain unit located in the Township of Millcreek, County of Erie, and Commonwealth of Pennsylvania, being Unite No. 29 of the Oak Hill Phase Two, a Planned Community, as shown on the Plat recorded in Erie County as Map No. 2005-22 titled Phase Two, Oak Hill Subdivision, together with a percentage interest in the common elements of Oak Hill, a Planned Community, as described in the Declaration recorded in Erie County, Pennsylvania Record Book 1069, at page 0017 as amended in the First Amendment to Declaration of Oak Hill, a Planned Community, recorded in Erie County Record Book 1208 page 418. The Oak Hill, a Planned Community,

was created pursuant to the Pennsylvania Uniform Planned Community Act. The Unit has an address of 6129 Inverness Terrace, Fairview, Pennsylvania 16415. The index number of the Unit is (33) 177-573-222.

TITLE TO SAID PREMISES IS VESTED IN Dawn Crystal, by Deed from Dawn M. King, now known as Dawn Crystal, single, dated 05/24/2006, recorded 05/25/2006, in Deed Book 1330, page 1168.

Tax Parcel #: 33-177-573.0-222.00  
Premises being: 6129 INVERNESS TERRACE, FAIRVIEW, PA 16415-3279

Daniel G. Schmieg, Esquire  
One Penn Center at Suburban Station, Suite 1400

1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

Jan. 30 and Feb. 6, 13

**SALE NO. 19**

**Ex. #11353 of 2008**

**GMAC Mortgage, LLC, Plaintiff,**  
**v.**

**Charles L. Dunlap**  
**Pearl Dunlap, Defendant(s)**

**LEGAL DESCRIPTION**

Parcel 1:

ALL that certain piece or parcel of land situate in the Borough of Albion, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a point or stake in the northwest corner of the lot formerly owned by Thos Hurst in the South line of State Street;

THENCE, south along the west line of the said Hurst lot one hundred thirty (130) feet to a point or stake; THENCE, west sixty (60) feet to a stake;

THENCE, north one hundred thirty (130) feet to the south line of West State Street;

THENCE, east along the south line of West State Street sixty (60) feet to the place of beginning.

ALSO, all that certain piece or parcel of land situate in the Borough, County and Commonwealth aforesaid; bounded and described as follows, to-wit:

COMMENCING at the northwest corner of State Street and West Avenue;

THENCE, southwardly one hundred thirty (130) feet to the land now or formerly of Dora Kennedy;

THENCE, eastwardly fifty-five and one-half (55.5) feet to land now or formerly of J.L. O'Connor;

THENCE northwardly one hundred thirty (130) feet to State Street;

THENCE, westwardly fifty-five and one-half (55.5) feet to the point of beginning.

HAVING erected thereon a two-story frame dwelling.

SAID premises are further identified by Erie County Assessment Index No. (1) 5-47-1 and are commonly known as 94 West State Street, Albion, Pennsylvania.

PARCEL 2:

ALSO, all that certain piece or parcel of land situate in the Borough of Albion, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a point on the south side of West State Street, said beginning point being one hundred fifteen and five tenths (115.5) feet, more or less, from the south line of West State Street and east line of West Avenue, said beginning point one hundred fifteen and five tenths (115.5) feet east of the intersecting line of the south side of West State Street and the east side of West Avenue;

THENCE, eastwardly along the south side of West State Street one hundred thirty-two (132) feet to a point;

THENCE, southerly one hundred forty-eight (148) feet, to a point;

THENCE, westwardly one hundred thirty-two (132) feet, parallel with West State Street, to a point;

THENCE, northwardly one hundred forty-eight (148) feet, parallel with West Avenue, to the place of beginning.

HAVING erected thereon a two-car garage.

SAID premises are further identified by Erie County Assessment Index No. (1) 5-47-2.

TITLE TO SAID PREMISES IS

VESTED IN Charles L. Dunlap and Pearl Dunlap, h/w, by Deed from Roland R. Shumate and Sherrie Shumate, aka Sherry L. Shumate, h/w, dated 05/15/2000, recorded 05/16/2000, in Deed Book 703, page 1768.

Tax Parcel #: 01-005-047-2

Premises being: 94 WEST STATE STREET, ALBION, PA 16401.

Daniel G. Schmieg, Esquire  
One Penn Center at Suburban Station, Suite 1400

1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

Jan. 30 and Feb. 6, 13

**SALE NO. 20**

**Ex. #14754 of 2008**

**Deutsche Bank Trust Company  
Americas as Trustee for 2007QS5  
RALI, Plaintiff,**

**v.**

**Debra A. Euliano a/k/a**

**Debra A. Euliano, Defendant(s)**

**LEGAL DESCRIPTION**

ALL THAT CERTAIN lot or piece of ground situate in the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania described as follows:

Unit No. 36 (the 'Unit') of Whispering Woods Estates, a Planned Community as depicted on the Plat of Whispering Woods Estates, A Planned Community (the 'Plat'), recorded on August 18, 1999 in the office of the recorder of Deeds of Erie County, Pennsylvania in Map Book 1999 at page 259.

TITLE TO SAID PREMISES IS VESTED IN Debra A. Euliano, by Deed from Debra A. Euliano, aka, Debra A. Euliano, dated 12/22/2006, recorded 12/29/2006 in Book 1386, Page 0297

Tax Parcel #: 33-174-565.1-116.00  
Premises being: 5820 FOREST CROSSING, ERIE, PA 16506-7004  
Daniel G. Schmieg, Esquire  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

Jan. 30 and Feb. 6, 13

**SALE NO. 21**

**Ex. #12581 of 2008**

**US Bank National Association,  
as Trustee for Asset-Backed  
Pass-Through Certificates Series  
2006-WFHE3, Plaintiff,**

**v.**

**Theresa A. Finke**

**Stephen T. Proper, Defendant(s)**

**LEGAL DESCRIPTION**

ALL that certain piece or parcel of land situate in the Borough of Wesleyville (formerly the Township of Harborcreek), County of Erie and State of Pennsylvania, being Subdivision Number (Lot No.) eighty-seven (87) in what is known as the Bird Real Estate and Improvement Company's Subdivision, as shown upon a plot of said Subdivision recorded in the Recorder's Office of Erie County, Pa., in Map Book 2, pages 112 and 113, and being further bounded and described as follows, to-wit:

Beginning at the point of intersection of the West line of the Shannon Road with the south line of East 27th Street (formerly Walter Place prior to that known as Davie Place); thence westwardly, along the south line of East 27th Street, one hundred twenty-nine and five-tenths (129.5) feet to a point; thence southwardly, nearly parallel with Shannon Road, forty-eight (48) feet to a point; thence eastwardly parallel with East 27th Street, about one hundred thirty-three (133) feet to the West line of the Shannon Road; thence northwardly, along the west line of the Shannon Road, forty-eight (48) feet to the place of beginning.

Also, all that certain piece or parcel of land situate in the Borough of Wesleyville (formerly the Township of Harborcreek), County of Erie and State of Pennsylvania, being the northerly ten feet of Subdivision number (lot number) eighty-six (86) in what is known as the Bird Real Estate and Improvement Company Subdivision, as shown upon a plot of said Subdivision recorded in the Office of the Recorder of Deeds, Erie, Pennsylvania, in Map Book 2, at pages 112 and 113, and being more fully described as follows:

Beginning at a point on the Shannon

Road at the northeast corner of Subdivision number eighty-six (86); thence westwardly along the north line of Subdivision number eighty-six (86) to the east boundary line of Subdivision number eighty-four (84); thence southwardly along the west lot line of Subdivision eighty-six (86), ten (10) feet to a point; thence eastwardly parallel with the north lot line of Subdivision eighty-six (86) to the west line of the Shannon Road; and thence northwardly along the west line of the Shannon Road, ten (10) feet to the place of beginning.

Bearing Erie County Tax Index Number (50) 5-57-5 and being more commonly known as 2716 Shannon Road, Erie, Pennsylvania 16510.

Being the same premises conveyed to ERNEST FINKE, JR. and PATRICIA FINKE, his wife, by CORINNE R. DAHLBERG, now by marriage, CORINNE R. HARVEY, by deed dated December 29, 1983, and recorded February 24, 1984 in the Office of the Recorder of Deeds of Erie County, Pennsylvania in Deed Book 1526 at Page 471.

TITLE TO SAID PREMISES IS VESTED IN Theresa A. Finke and Stephen T. Proper, her husband, as tenants by the entireties, by Deed from Ernest Finke, Jr. and Patricia Finke, his wife, dated 07/29/2006, recorded 08/02/2006, in Deed Book 1349, page 1856.

Tax Parcel #: 50-005-057.0-005.00  
Premises being: 2716 SHANNON ROAD, ERIE, PA 16510

Jan. 30 and Feb. 6, 13

**SALE NO. 22**

**Ex. #12976 of 2008**

**The Bank of New York Trust  
Company, N.A. as Successor to  
JPMorgan Chase Bank, N.A. as  
Trustee, Plaintiff,**

**v.**

**Ella C. Flick**

**Edward L. Flick, Defendant(s)**

**LEGAL DESCRIPTION**

All that certain piece or parcel of land situate in the City of Erie, County of Erie and Commonwealth of Pennsylvania, and being Lot No. 21 of Block 'F' of the 'Scenery Hill' Subdivision No. 2, Part of Reserve

Tract No. 72, Sixth Ward of the City of Erie, Pennsylvania as more fully bounded and described in Erie County Map Book 5, Page 283, in the Recorder of Deeds Office of Erie County, Pennsylvania, to which reference is made.

Having erected thereon a one story single family dwelling with one and one half car detached garage and being more commonly known as 1650 West 41st Street, Erie, PA 16509. Also bearing Erie County Index No. (19) 6172-122.

Subject to restrictions of record.

TITLE TO SAID PREMISES IS VESTED IN Edward L. Flick and Ella C. Flick, his wife, as tenants by the entireties with the right of survivorship in the survivor thereof, by Deed from Daniel W. Barone and Kathleen D. Barone, his wife, dated 02/19/1992, recorded 02/21/1992, in Deed Book 196, page 475.

Tax Parcel #: 19-061-072.0-122.00  
Premises being: 1650 WEST 41ST STREET, ERIE, PA 16509

Daniel G. Schmieg, Esquire  
One Penn Center at Suburban Station, Suite 1400

1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

Jan. 30 and Feb. 6, 13

**SALE NO. 23**

**Ex. #13954 of 2008**

**Lasalle Bank National  
Association, as Trustee for ARC  
2004-1, Plaintiff,**

**v.**

**Julian C. Flowers  
Michelle L. Flowers,  
Defendant(s)**

**LEGAL DESCRIPTION**

All that certain piece or parcel of land situate in the First Ward of the City of Corry, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows: COMMENCING at a point on the westerly line of Railroad Street, said point being situate South 00 degrees 09 minutes East a distance of 255 feet from the point of intersection of the southerly line of Liberty Street and the westerly line of Railroad Street; thence North 78 degrees 36 minutes 24 seconds West a distance

of 129.93 feet to a set iron pipe; thence North 00 degrees 09 minutes West a distance of 104 feet to a set iron pipe; thence South 89 degrees 51 minutes West a distance of 96.16 feet to a set iron pipe; thence South 00 degrees 09 minutes East a distance of 134.23 feet to a set iron pipe on the northerly line of lands now or formerly of the P & E Railroad; thence South 66 degrees 39 minutes 12 seconds East a distance of 243.66 feet to a set iron pipe on the westerly line of Railroad Street; thence North 00 degrees 09 minutes West a distance of 101.38 feet to the point of beginning.

Commonly known as 233 Railroad Street, Corry, Pennsylvania, bearing Erie County Tax Index No. (5) 28-111-1.04.

Being the same premises conveyed to party of the first part by deed dated April 23, 2004, and recorded April 30, 2004, in Erie County Record Book 1130 at Page 287.

TITLE TO SAID PREMISES IS VESTED IN Julian C. Flowers and Michelle L. Flowers, his wife, as tenants by the entireties with the right of survivorship, by Deed from Beneficial Consumer Discount Company, dba, Beneficial Mortgage Company of Pennsylvania, dated 07/21/2004, recorded 07/27/2004 in Book 1157, Page 2139.

Tax Parcel #: 05-028-111.0-001.04  
Premises being: 233 RAILROAD STREET, CORRY, PA 16407

Daniel G. Schmieg, Esquire  
One Penn Center at Suburban Station, Suite 1400

1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

Jan. 30 and Feb. 6, 13

**SALE NO. 24**

**Ex. #14088 of 2008**

**Greenpoint Mortgage Funding,  
Inc., Plaintiff,**

**v.**

**David B. Getz, Defendant(s)**

**LEGAL DESCRIPTION**

ALL that certain piece or parcel of land situate in the Sixth Ward of the City of Erie, County of Erie, and Commonwealth of Pennsylvania, bounded and described as follows,

to-wit:

COMMENCING at a point in the north line of Twenty-second Street, 67.77 feet east of the east line of an alley running from the north line of Twenty-second Street, to the south line of Twenty-first Street, which east line of said alley is 195 feet or more east of the east line of the Sassafras Street; thence north along the west line of land now or formerly of Joseph F. and Eva Holland, eighty-five (85) feet to a point; thence west and parallel with the north line of Twenty-second Street, thirty-four and twenty-seven hundredths (34.27) feet to a point; thence south parallel with Sassafras Street, eighty-five (85) feet to an iron pin in the north line of Twenty-second Street; thence east along the north line of Twenty-second Street, thirty-four and twenty-seven hundredths (34.27) feet to the point of beginning.

This premises is commonly known as 142 West 22nd Street, Erie, Pennsylvania and bears Erie County Tax Index No. (19) 6002-116.

Being the same premises conveyed to mortgagors herein by Deed to be recorded herewith, which description is hereby incorporated by reference.

TITLE TO SAID PREMISES IS VESTED IN David B. Getz, by Deed from Nancy Ann Foster, Executrix of the Estate of Margaret Ann Haas, aka, Margaret A. Haas, dated 07/27/2004, recorded 07/28/2004 in Book 1158, Page 1606.

Tax Parcel #: 19-60-02-116  
Premises being: 142 WEST 22ND STREET, ERIE, PA 16502-2803

Daniel G. Schmieg, Esquire  
One Penn Center at Suburban Station, Suite 1400

1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

Jan. 30 and Feb. 6, 13

**SALE NO. 25**

**Ex. #13765 of 2008**

**US Bank National Association, as  
Trustee for Citigroup Mortgage  
Loan Trust 2006-WFHE4,  
Plaintiff,**

**v.**

**Jennifer Grant, Defendant(s)**  
**LEGAL DESCRIPTION**

ALL that certain piece or parcel of land situate in the Fourth (4th) Ward of the City of Erie, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit: Beginning at a point in the north line of Seventh Street one hundred sixty-five (165) feet west from the point of intersection of the north line of Seventh Street with the west line of Plum Street; thence northwardly, parallel with Plum Street, 165 feet; thence westwardly 29 feet; thence southwardly, parallel with Plum Street, 165 feet; thence eastwardly, along the north line of Seventh Street 29 feet to the place of beginning.

SAID premises have erected thereon a two story stucco dwelling commonly known as 918 West 7th Street, Erie, Pennsylvania, 16502, and being further identified by Erie County Assessment Index Number (17) 4028-238.

TITLE TO SAID PREMISES IS VESTED IN Jennifer Grant, single, by Deed from Edward M. Luper, single, dated 08/21/2006, recorded 08/22/2006 in Book 1354, Page 1521.

Tax Parcel #: 17-040-028.0238.00  
Premises being: 918 WEST 7TH STREET, ERIE, PA 16502-1101  
Daniel G. Schmieg, Esquire  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

Jan. 30 and Feb. 6, 13

**SALE NO. 26**

**Ex. #10057 of 2008**

**U.S. Bank National Association,  
as Trustee for SG Mortgage  
Securities Asset Backed  
Certificates, Series 2006- FRE2,  
Plaintiff,**  
**v.**

**Frank J. Gresh, Jr  
Melinda H. Gresh, Defendant(s)**

**LEGAL DESCRIPTION**

All that certain piece or parcel of land situated in the Township of Fairview, County of Erie and State of Pennsylvania, bounded and

described as follows: BEGINNING at a point of the center of a public road, Pennsylvania Legislative Road, Route 25022, leading from Fairview to Sterrettania, said beginning point also being the North West corner of Land of William M. Pender, described in Deed Book 405, Page 278; thence Southeastwardly along the center of said road; and the North line of Pender, a distance of sixteen point sixty-seven (275.0 feet) rods to a point; thence South twenty-five degrees, forty-five minutes East (25 degrees-45 minutes) by residue of land of William Pender and parallel with the west line of Tract 361, a distance of twenty-eight point seven (473.5 feet) rods to a point; thence South sixty-four degrees fifteen minutes (64 degrees-15 minutes) West by land of William Pender a distance of seven point fifty-seven rods (125 feet) to a point in the west line of Tract 361, thence north twenty-five degrees, forty-five minutes (25 degrees-45 minutes) West along the west line of Tract 361, a distance of twenty rods (330 feet) to a point, a stone post; thence South fifty-two degrees, fifteen minutes West (52 degrees-15 minutes) a distance of two point fifty-six rods (42.24 feet) to a stone; thence North sixty-six degrees thirty minutes West (66 degrees-30 minutes) thirteen rods (214.5 feet) to a point; thence North sixteen degrees (16 degrees) East a distance of six point sixty-seven rods (110.05 feet) to a point in the center of the public road, the place of beginning and containing two acres, more or less, and being the North westwardly portion of the William Pender property, and part of Tract 361 and a small portion of Tract 362, described in Deed Book 405 Page 278, aforesaid.

EXCEPTING AND RESERVING THEREFROM, all that certain piece or parcel of land conveyed to Wilbur R. Knarr and Susan I. Knarr his wife, by deed dated June 7, 1967 and recorded June 7, 1967 in the Office of the Recorder of Deeds for Erie County, Pennsylvania in Erie County Deed Book 962 at page 388, and bearing Erie County Tax

Assessment No. (21) 64-117-2.01. The parcel herein conveyed is also described as the 'residue of Land of Dominic B. and Joan M. Perseo' on a survey dated September 22, 1966 by Robert F. Bille, a copy of which is recorded at Erie County Deed Book 16, Page 805, as follows: 'Beginning at a point in the centerline of East Water Street a distance of 65.98 feet southeasterly from an iron bolt located in the Tract line between Tracts 361 and 362 and also located in the centerline of East Water Street, said point also being the northeasterly corner of lands conveyed to Wilbur R. Knarr and Susan I. Knarr by Deed recorded on June 7, 1967 in Erie County Deed Book 962 at Page 388; thence South 74 degrees 12 minutes 30 seconds East a distance of 100.00 feet to a point; said point also being designated on such survey as the northwesterly corner of lands of Boyd A. McKean; thence South 25 degrees 25 minutes 10 seconds East a distance of 473.55 feet to a point; thence South 64 degrees 34 minutes 50 seconds West a distance of 124.91 feet to a point; thence North 25 degrees 25 minutes 10 seconds West a distance of 440.35 feet to an old stone monument, said monument also being designated on such survey as being the northeasterly corner of lands of George and Mary Waisley; thence North 01 degree 11 minutes 40 seconds East a distance of 110.83 feet to the place of beginning. Containing 1.433 acres of land, more or less.

The parcel herein conveyed bears Erie County Tax Assessment No. (21) 64-117-2.00.

ALSO all that certain piece or parcel of land situate in the Township of Fairview, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit: BEING Lot No. 1 of TROUT RUN ESTATES, a plot of which is recorded in the Recorder of Deeds' Office of Erie County, Pennsylvania, On June 12, 1981, in Map Book 22 at page 165.

The above described premises are further identified by Erie County Assessment Index No. (21) 64-117-



3.01.  
TITLE TO SAID PREMISES IS VESTED IN Frank J. Gresh, Jr. and Melinda M. Gresh, his wife, by Deed from Melinda M. Gresh and Frank J. Gresh, Jr., her husband, dated 02/28/1989, recorded 03/01/1989, in Deed Book 79, page 645.

Tax Parcel #: 21-064-117.0-002.00  
Premises being: 7121 WATER STREET, FAIRVIEW, PA 16415  
Daniel G. Schmieg, Esquire  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

Jan. 30 and Feb. 6, 13

**SALE NO. 27**

**Ex. #12718 of 2008**

**Deutsche Bank National Trust Company, as Trustee For GSAA Home Equity Trust 2006-18, Plaintiff,**

**v.**

**David R. Hess, Defendant(s)**

**LEGAL DESCRIPTION**

All that certain piece or parcel of land situate in the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania, being part of Original Tract Number 81, and bounded and described as follows, to-wit: COMMENCING in the south line of Thirty-second Street at a point therein which is 773.32 feet east of the intersection of the east line of the east line of Grubb Road with the south line of said Thirty-second Street; thence South 26 degrees 26 minutes East, two hundred seventy-five (275) feet to a point; thence North 63 degrees 34 minutes East, one hundred four and ninety-eight hundredths (104.98) feet to a point; thence North 25 degrees 41 minutes West, two hundred seventy-five (275) feet to a point in the south line of Thirty-second Street; thence westerly on and along the south line of said Thirty-second Street, one hundred eight and seven tenths (108.7) feet to the place of beginning, being all of Lot Number Sixty-three of the Minniglyn Subdivision. This parcel is commonly known as 3051 West

32nd Street, Erie, Pennsylvania 16506 and bears Erie County Tax Index Number (33) 76-339-9.

TITLE TO SAID PREMISES IS VESTED IN David R. Hess, by Deed from Hewitt Associates, LLC., a Limited Liability Company formed in the State of Illinois, dated 05/30/2006, recorded 06/02/2006, in Deed Book 1333, page 786.

Tax Parcel #: 33-076-339.0-009.00  
Premises being: 3051 WEST 32ND STREET, ERIE, PA 16506  
Daniel G. Schmieg, Esquire  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

Jan. 30 and Feb. 6, 13

**SALE NO. 28**

**Ex. #14468 of 2008**

**Lasalle Bank National Association as Trustee for Merrill Lynch First Franklin Mortgage Loan Trust 2007-H1, Mortgage Loan Asset-Backed Certificates, Series 2007-H1, Plaintiff,**

**v.**

**Stephon M. Holman**

**Trista M. Holman, Defendant(s)**

**LEGAL DESCRIPTION**

Commonly known as: 1243 Brown Avenue, Erie, PA 16502. All that certain piece or parcel of land situate in the City of Erie (formerly Township of Millcreek), County of Erie and Commonwealth of Pennsylvania, being Lot Number Eleven (11) of Joseph M. Schabacker's Subdivision of Block forty-two (42) of the subdivision of the Conrad Brown farm, as per plot recorded in Map Book 1, page 225, having a frontage on Brown Avenue forty (40) feet by a depth of one hundred twenty (120) feet, bearing Erie County Index No. (19) 6202-116 and more commonly known as 1243 Brown Avenue, Erie, PA 16502.

TITLE TO SAID PREMISES IS VESTED IN Stephon M. Holman and Trista M. Holman, by Deed from US Bank National Association, as Trustee, dated 05/18/2007, recorded 07/09/2007 in Book 1430, Page 168.

Tax Parcel #: 19-062-002.00-116.00  
Premises being: 1243 BROWN AVENUE, ERIE, PA 16502  
Daniel G. Schmieg, Esquire  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

Jan. 30 and Feb. 6, 13

**SALE NO. 30**

**Ex. #14003 of 2008**

**Huntington National Bank, s/b/m to Sky Bank, Plaintiff,**

**v.**

**Laura M. Huff**

**Burnel J. Huff, Defendant(s)**

**LEGAL DESCRIPTION**

ALL that certain piece or parcel of land situate in the Township of Union, County of Erie and State of Pennsylvania, more particularly bounded and described as follows, to-wit:

BEGINNING at a point at the intersection of the South line of the new right-of-way of the Erie Railroad Company with the East line of the O'Neil Road;

Thence, in a southerly direction along the East line of the O'Neil Road to a stake, a distance of one hundred (100) feet more or less;

Thence, in an easterly direction parallel with the South line of the new right-of-way of the Erie Railroad Company to a stake, a distance of one hundred seventy-five (175) feet, be the same more or less;

Thence, in a northerly direction parallel to the first course to a point in the South line of the right-of-way of the Erie Railroad Company, a distance of one hundred (100) feet, be the same more or less;

Thence, in a westerly direction along the South line of the right-of-way of the Erie Railroad Company to the place of beginning, a distance of one hundred seventy-five (175) feet, be the same more or less.

Having erected thereon a cement block building and other improvements.

SAID premises are further identified by Erie County Assessment Index No. (43) 15-45-1.01 and are

commonly known as 17629 O'Neil Road, Union City, Pennsylvania. ALSO, ALL that certain piece or parcel of land situate in Township of Union, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a point in the East line of O'Neil Road, located at the southwest corner of land of the first parcel described herein, said beginning point being South 18 degrees 00 minute 00 second West, 100 feet from a railroad spike set on the East line of said Road and on the South line of a 220 foot wide railroad right-of-way;

Thence, South 72 degrees 18 minutes 00 second East, 175 feet along said land of the first parcel described herein, to a point;

Thence, North 18 degrees 00 minute 00 second East, 100 feet along said land of the first parcel described herein, to a point in the South line of the aforesaid railroad right-of-way;

Thence, South 72 degrees 18 minutes 00 second East, 190 feet along the South line of said railroad right-of-way to a 1-inch iron pipe; Thence, South 18 degrees 00 minute 00 second West, 128.40 feet along land now or formerly of Glenn L. Elder, et ux, to a 1-inch iron pipe;

Thence, North 72 degrees 00 minute 00 second West, 365 feet, still along said land of Glenn L. Elder, et ux, to a 1-inch iron pipe set on the East line of O'Neil Road;

Thence, North 18 degrees 00 minute 00 second East, 26.50 feet along the East line of O'Neil Road, to the place of beginning.

TITLE TO SAID PREMISES IS VESTED IN Burnel J. Huff and Laura M. Huff, h/w, as tenants by the entirety with the right of survivorship, by Deed from David A. Keep and Sara S. Keep, h/w, dated 10/08/2003, recorded 10/09/2003 in Book 1074, Page 1026.

Tax Parcel #: 43-015-045.0-001.01 Premises being: 17629 ONEIL ROAD, UNION CITY, PA 16438-7913

Daniel G. Schmieg, Esquire  
One Penn Center at Suburban  
Station, Suite 1400

1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

Jan. 30 and Feb. 6, 13

**SALE NO. 31**

**Ex. #13853 of 2008**

**Wells Fargo Bank, N.A., Plaintiff,**  
**v.**

**Chad Klimow**

**Jessica Klimow, Defendant(s)**

**LEGAL DESCRIPTION**

All that certain piece or parcel of land situate in the Borough of Girard, County of Erie and Commonwealth of Pennsylvania being Lot Number Fifteen (15) of a Replot of LAWRENCE COURT SUBDIVISION, SECTION NUMBER 2, recorded on July 19, 1990 in Erie County Map Book 36, page 151 to which reference is made for a further description of said lot. Having erected thereon a single-family dwelling commonly known as 1102 Lawrence Court, Girard Pennsylvania and bearing Erie County Tax Index No. (23) 3-16-1.18.

Being the same premises conveyed to the mortgagors herein by deed to be recorded herewith which description is hereby incorporated by reference.

TITLE TO SAID PREMISES IS VESTED IN Chad Edward Klimow and Jessica Barbara Klimow, h/w, by Deed from Eric J. Schuette and Susan M. Schuette, h/w, dated 09/23/2005, recorded 09/26/2005 in Book 1272, Page 2050.

Tax Parcel #: 23-003-016.0-001.18 Premises being: 1102 LAWRENCE COURT, GIRARD, PA 16417

Daniel G. Schmieg, Esquire  
One Penn Center at Suburban  
Station, Suite 1400

1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

Jan. 30 and Feb. 6, 13

**SALE NO. 32**

**Ex. #16504-2240**

**Flagstar Bank, FSB, Plaintiff,**  
**v.**

**Michael J. Kohlmler**

**Mary Ann Kohlmler,**  
**Defendant(s)**

**LEGAL DESCRIPTION**

All that certain piece or parcel of land situate in the City of Erie, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit: Beginning at a point in the East line of Wayne Street, as the same is presently laid out as per ordinance #8227 of the City of Erie, approved on October 23, 1945, one hundred five (105) feet Southwardly from the intersection of the Easterly line of Wayne Street with the Southerly line of East 43rd Street in the City of Erie aforesaid; thence Eastwardly on a line parallel to the Southerly line of East 43rd Street, sixty-five (65) feet to a point; thence Northwardly and parallel with the East line of Wayne Street, one hundred five (105) feet to a point in the South line of East 43rd Street; thence Westwardly and along South line of East 43rd Street sixty-five (65) feet to the point of intersection of the Easterly line of Wayne Street with the Southerly line of East 43rd Street; thence Southwardly and along the Easterly line of Wayne Street one hundred five (105) feet to the place of beginning.

Being the same premises conveyed to Elmer F. Kohlmler and Margaret C. Kohlmler by deed dated August 10, 1957 and recorded in Erie County Deed Book 763, page 125, and subject to restrictions as set forth in Erie County Deed Book 718, page 555, and further subject to the restrictions in deed in Erie County Deed Book 763, page 125.

And further being the same premises conveyed to Michael J. Kohlmler, Mary R. Kohlmler, Christopher K. Kohlmler and Paul H. Kohlmler by decree of Erie County Orphans' Court dated March 11, 1985 and recorded March 22, 1985 in Erie County Deed Book 1572, page 413. TITLE TO SAID PREMISES IS VESTED IN Michael J. Kohlmler and Mary Ann Kohlmler, his wife, as tenants by the entirety with the right of survivorship, by Deed from Michael J. Kohlmler and Mary Ann Kohlmler, his wife and Mary R. Kohlmler, nbm, Mary R. Vollentine and Gerry R. Vollentine,

her husband and Christopher K. Kohlmitter and Barbara Kohlmitter, his wife and Paul M. Kohlmitter, single, dated 03/21/1985, recorded 03/22/1985 in Book 1572, Page 542, rerecorded 03/22/1985 in Book 176, Page 412.  
Tax Parcel #: (18) 5372-906  
Premises being: 4305 WAYNE STREET, ERIE, PA 16504  
Daniel G. Schmieg, Esquire  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

Jan. 30 and Feb. 6, 13

**SALE NO. 33**

**Ex. #11814 of 2008**

**Greenpoint Mortgage Funding, Inc., Plaintiff,**

**v.**

**Daniel A. Lehr, Defendant(s)**

**LEGAL DESCRIPTION**

ALL that certain piece or parcel of land situate in the Second Ward of the City of Erie, County of Erie, and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

Beginning at a point in the South line of Eleventh Street, thirty-four (34) feet Westwardly from the West line of Wallace Street;

Thence Westwardly parallel with Eleventh Street, forty (40) feet;

Thence Northwardly parallel with Wallace Street, ninety-nine (99) feet to the South line of Eleventh Street; Thence Eastwardly along the South line of Eleventh Street, forty (40) feet to the place of beginning.

Being known and designated as Parcel No. 15-2022-106 in the Deed Registry Office of Erie County, more commonly known as 455 East 11th Street.

TITLE TO SAID PREMISES IS VESTED IN Daniel A. Lehr, by Deed from Mel Martinez, Secretary of Housing and Urban Development of Washington D.C. By Lew Carison, their attorney in fact, dated 07/22/2003, recorded 08/21/2003, in Deed Book 1054, page 315.

NOTE: This is a re-recording of the prior deed. It has been re-recorded to correct the date of

acknowledgment.

Tax Parcel #: 15-2022-106  
Premises being: 455 EAST 11TH STREET, ERIE, PA 16503  
Daniel G. Schmieg, Esquire  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

Jan. 30 and Feb. 6, 13

**SALE NO. 34**

**Ex. #14483 of 2008**

**Countrywide Home Loans, Inc., Plaintiff,**

**v.**

**Travis M. Lockwood**

**Katie A. Lockwood, Defendant(s)**

**LEGAL DESCRIPTION**

PARCEL I: All that certain piece or parcel of land situate in the Borough of Lake City, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a stake in the south line of Dunn Avenue at the northeast corner of the piece, said point also being the northwest corner of lot now or formerly of Mrs. C. Grimshaw; thence, south along the west line of said Grimshaw lot and west line of Lots No. 33, 34 and 35, about one hundred fifty-four (154) feet to an iron pipe; thence westerly along land now or formerly of M.F. Gossman and parallel with Dunn Avenue, twenty-six (26) feet and seven and one-half (7 1/2) inches to a stake; thence, northerly one hundred forty (140) feet to a stake in the south line of Dunn Avenue; Thence easterly along south line of said Dunn Avenue, about eighty-nine (89) feet to the place of beginning. BEING Lot No. 62 and easterly one-half of Lot No. 63 of the Mrs. John Dunn Subdivision.

PARCEL II: All that certain piece or parcel of land situate in the Borough of Lake City, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a point in the southerly line of Dunn Avenue, about 232 feet 6/12 inches westerly from the point of intersection of said

southerly line of Dunn Avenue with the west line of Union Street;

Thence southerly along the west line of land now or formerly of Lorena M. Sargent, one hundred forty (140) feet to a marker;

Thence westerly along the north line of land now or formerly of M.F. Cossman, three (3) feet top a marker;

Thence, northerly along the east line of land now or formerly of Harry L. and Anna I. Daggett, one hundred forty (140) feet to the south line of Dunn Avenue;

Thence, easterly along the south line of Dunn Avenue, three (3) feet to the place of beginning.

BEING a piece of land three (3) feet wide from the east side of land deeded to Harry L. Daggett and Anna I. Daggett by Frank Hopkins and Ruby Hopkins December 30, 1926 and recorded in the Recorder's Office of Erie County in Deed Book 312, page 92.

PARCEL III: All that certain piece or parcel of land situate in the Borough of Lake City, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a point in the southerly line of Dunn Avenue, about two hundred thirty-five (235) feet and six and one-half (6 1/2) inches westerly from the point of intersection of said southerly line of Dunn Avenue with west line of Union Street;

Thence southerly along the west line of land now or formerly of Lorena M. Sargent, one hundred forty (140) feet to a marker;

Thence, westerly along the north line of land now or formerly of M.F. Gossman, twenty-two (22) feet to a marker;

Thence, northerly along the east line of land now or formerly of Harry L. and Anna I. Daggett, one hundred forty (140) feet to the south line of Dunn Avenue;

Thence easterly along the south line of Dunn Avenue, twenty-two (22) feet to the place of beginning.

Vested by Quitclaim Deed, dated 7/29/2004, given by Donald A. Reinke, Jr. husband and Renee G.



Peyton now known as Renee G. Reinke to Travis M. Lockwood and Katie Lockwood, husband and wife, as tenants by the entireties with the right of survivorship and recorded 8/10/2004 in Book 1162 Page 1657. Tax Parcel #: 28-014-031.0-008.00 Premises being: 10223 DUNN AVENUE, LAKE CITY, PA 16423-1303

Daniel G. Schmieg, Esquire  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

Jan. 30 and Feb. 6, 13

**SALE NO. 35**

**Ex. #13118 of 2008**

**U.S. Bank National Association  
as Trustee for Asset Backed Pass  
Through Certificates Series 2006-  
HE1, Plaintiff,**

**v.**

**John L. Malone**

**Kelly S. Malone, Defendant(s)**

**LEGAL DESCRIPTION**

All that certain piece or parcel of land situate in the City of Erie, County of Erie, and Commonwealth of Pennsylvania, being Lot No. 3 in Block 7 in C.K. Riblets Subdivision of part of Reserve Tract No. 53, a plot of which is recorded in Erie County Map Book No. 1, pages 96 and 97, being commonly known as 2611 Pear Street, Erie, Pennsylvania, Erie County Index No. (18) 5121-215.

TITLE TO SAID PREMISES IS VESTED IN John L. Malone and Kelly S. Malone, h/w, as joint tenants with the right of survivorship, by Deed from Alpha One Investors Corporation, a Pennsylvania corporation, dated 10/07/2005, recorded 10/13/2005, in Deed Book 1278, page 146.

Tax Parcel #: 18-051-021.0-215.00 Premises being: 2611 PEAR STREET, ERIE, PA 16507

Daniel G. Schmieg, Esquire  
One Penn Center at Suburban Station, Suite 1400

1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

Jan. 30 and Feb. 6, 13

**SALE NO. 36**

**Ex. #12477 of 2005**

**Wells Fargo Bank, N.A., s/b/m  
to Wells Fargo Home Mortgage,  
Inc., f/k/a Norwest Mortgage,  
Inc., d/b/a Directors Acceptance,  
Plaintiff,**

**v.**

**Donald H. McAdoo**

**Nancy L. McAdoo, Defendant(s)**

**LEGAL DESCRIPTION**

ALL that certain piece or parcel of land situate in the City of Erie, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit: Being Lot No. eighty-one (81) of the Andrews Land Company subdivision, known as Hillside Boulevards, part of Tract No. 67 as shown upon a map of said subdivision recorded in the Office of the Recorder of Deeds for Erie County in Map Book No. 2, Pages 224-225; said lot having a frontage of sixty (60) feet and a common depth of one hundred fifty (150) feet. Having erected thereon a frame dwelling house commonly known as 4212 Parade Boulevard, Erie, Pennsylvania 16504 and being further identified in the assessment records of Erie County as Index (18) 53-68-209.

TITLE TO SAID PREMISES IS VESTED IN Donald H. McAdoo and Nancy L. McAdoo, his wife, by Deed from David Simon, also known as, David Szymanski, Executor of the Estate of Roman M. Szymanski, deceased, dated 4-13-99, recorded 4-13-99, in Deed Book 629, page 1140.

Tax Parcel #: (18) 53-68-209  
Premises being: 4212 PARADE STREET, ERIE, PA 16504

Daniel G. Schmieg, Esquire  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

Jan. 30 and Feb. 6, 13

**SALE NO. 37**

**Ex. #10760 of 2006**

**Mortgage Electronic Registration  
Systems, Inc., Plaintiff,**

**v.**

**Stephen M. Mitchell, Sr.,**

**Defendant(s)**

**LEGAL DESCRIPTION**

ALL THAT CERTAIN piece or parcel of land situate in the Township of LeBoeuf, County of Erie and State of Pennsylvania, beginning at the northeast corner of the piece at a point in the center line of Township Road 572 as shown on Map of the Roscoe L. and Marilyn C. Mitchell Subdivision recorded in the Office of the Recorder of Deeds in and for Erie County, Pennsylvania, in Map Book 34, page 109, said point being also situate in the northern boundary line of LeBoeuf Township with the southern boundary line of Waterford Township; thence north 88 degrees 03 minutes 55 seconds west along the northern boundary line of LeBoeuf Township a distance of 1,275.00 feet to a point; thence south 01 degree 47 minutes 35 seconds west a distance of 350.00 feet to a point; thence south 88 degrees 03 minutes 55 seconds east a distance of 1,275.00 feet to a point in the center line of Township Road 572; thence north 01 degree 47 minutes 35 seconds east along the center line of Township Road 572 a distance of 350.00 feet to the place of beginning. Containing 10.04 acres of land and being parcel (1) as shown on the Roscoe L. and Marilyn C. Mitchell Subdivision recorded in Erie County Map Book 34 at page 109. Being part of the premises conveyed to party of the first part by Deed recorded in Erie County Record Book 118, at page 834. Bearing Index Nos. (30) 1-3-3.01.

Tax. Parcel #: 30-001-003.0-003.01  
Premises being: 13150 KINTER ROAD, WATERFORD, PA 16444

Daniel G. Schmieg, Esquire  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

Jan. 30 and Feb. 6, 13

**SALE NO. 40**

**Ex. #12447 of 2008**

**GMAC Mortgage, LLC, Plaintiff,**

**v.**

**Richard A. Parrett**

**Juliana E. Beraducci a/k/a/  
Juliana E. Beraducci a/k/a  
Juliana W. Ward, Defendant(s)**  
**LEGAL DESCRIPTION**

ALL that certain piece or parcel of land situate in the City of Erie, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a point in the West line of Ash Street, one hundred forty-six and one-half (146 1/2) feet (plus .08 foot pro-rated surplusage in block) South of the South line of East Fifth Street;

Thence, westwardly and parallel with East Fifth Street, ninety (90) feet to a point;

Thence, northwardly and parallel with Ash Street, thirty-four and one-half (34 1/2) feet (plus .02 foot pro-rated surplusage in block) to a point;

Thence, eastwardly and parallel with East Fifth Street, ninety (90) feet to the West line of Ash Street;

Thence, southwardly, along the West line of Ash Street, thirty-four and one-half (34 1/2) feet (plus .02 foot pro-rated surplusage in block) to the place of beginning.

SAID premises are further identified by Erie County Assessment Index No. (14) 1017-104 and are commonly known as 516 Ash Street, Erie, Pennsylvania.

TITLE TO SAID PREMISES IS VESTED IN Richard A. Parrett and Juliana B. Beraducci, as joint tenants with the right of survivorship, by Deed from Dale L. Matha, Jr. and Melissa A. Matha, h/w, dated 08/09/2007, recorded 08/10/2007, in Deed Book 1438, page 2046.

NOTE: According to a prior marriage and subsequent divorce, Juliana E. Beraducci was at one time also known as Juliana E. Ward.

Tax Parcel #: 14-010-017.0-104.00  
Premises being: 516 ASH STREET, ERIE, PA 16507

Daniel G. Schmieg, Esquire  
One Penn Center at Suburban  
Station, Suite 1400

1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

Jan. 30 and Feb. 6, 13

**SALE NO. 41  
Ex. #13650 of 2008  
PHH Mortgage Corporation,  
Plaintiff,**

**v.**

**Debra Peters  
Frank Ferraro, Defendant(s)**  
**LEGAL DESCRIPTION**

ALL THAT CERTAIN piece or parcel of land situate in the First Ward of the City of Corry, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit:

COMMENCING at a point in the north line of Pleasant Street at the southwest corner of a lot recently conveyed by Evalgeline E. Lawrence to Mrs. Kate Lutz, such point being about one hundred and twenty-five (125) feet distant westerly from the intersection of the north line of Pleasant Street with the west line of Summer Street, running THENCE west along the north line of Pleasant Street about one hundred and twenty-five (125) feet to land now or formerly of one Fray; THENCE northerly along said Fray's land one hundred and eighty (180) feet or thereabouts, to the northeast corner of said Fray's land; THENCE east on a line parallel with Pleasant Street one hundred twenty-five (125) feet or thereabouts to the northwest corner of land Lutz's land; THENCE south along the west line of said Lutz's land one hundred and eighty (180) feet to the north line of Pleasant Street, the PLACE OF BEGINNING, be the same more or less, and having erected thereon a frame dwelling house.

TITLE TO SAID PREMISES IS VESTED IN Debra Peters and Frank Ferraro, as joint tenants with the right of survivorship, by Deed from Otto W. Disselhoff and Bernadine L. Eccles, now by marriage, Bernadine L. Disselhoff, dated 07/06/2005, recorded 07/07/2005 in Book 1249, Page 940.

Tax Parcel #: 05-028-189.0-016.00  
Premises being: 457 EAST PLEASANT STREET, CORRY, PA 16407

Daniel G. Schmieg, Esquire  
One Penn Center at Suburban

Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

Jan. 30 and Feb. 6, 13

**SALE NO. 42  
Ex. #13230 of 2006  
Wells Fargo Bank, N.A., Plaintiff,**

**v.**

**Germal A. Smith a/k/a  
Germal Armon Smith,  
Defendant(s)**  
**LEGAL DESCRIPTION**

ALL that certain piece or parcel of land situate in the Fifth Ward of the City of Erie, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a point in the north line of Twenty-sixth Street, sixty-five (65) feet westwardly from the point of intersection of the said north line of Twenty-sixth Street with the west line of German Street; thence northwardly in a line parallel with German Street, ninety (90) feet to a point; thence westwardly in a line parallel with Twenty-sixth Street, thirty two and one-half (32 1/2) feet to a point; thence southwardly in a line parallel with German Street, ninety (90) feet to the north line of Twenty-sixth Street, thence eastwardly along the north line of Twenty-sixth Street, thirty-two and one-half (32 1/2) feet to the place of beginning, having erected thereon a two-story frame dwelling and garage commonly known as 258 East Twenty-sixth Street, Erie, Pennsylvania and bearing Erie County Tax Parcel Index No. (18) 5011-135.

TITLE TO SAID PREMISES IS VESTED IN Germal A. Smith, by Deed from Major Williams and Barbara Williams, his wife, 06/06/2005, recorded 06/06/2005, in Deed Book 1239, page 2327.

Tax Parcel #: 18-050-011.0-135.00  
Premises being: 258 EAST 26TH STREET, ERIE, PA 16504

Daniel G. Schmieg, Esquire  
One Penn Center at Suburban  
Station, Suite 1400

1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

Jan. 30 and Feb. 6, 13

**SALE NO. 43****Ex. #14417 of 2008****Countrywide Home Loans, Inc.,  
Plaintiff,****v.****Karen L. Smith****Adrian W. Smith, Defendant(s)****LEGAL DESCRIPTION**

ALL THAT CERTAIN piece or parcel of land situate in Fairview Township, Erie County, Pennsylvania, being part of Tract #286 lying West of Walnut Creek, bounded and described as follows: BEGINNING at a point South 17 degrees 21 minutes 30 seconds West, 255.2 feet from a point in the center line of one 30-foot private road leading to the public road from the intersection of the center lines of four private roads at the corner of Blocks A, B, and C as shown upon the recorded 'Manchester Beach' re-plot, Map Book 3, Page 105, which is South 72 degrees 37 minutes East, 647.78 feet from the intersection of the center lines of four private roads. This point of beginning also being the South East corner of the first parcel of land described in the Deed from P. Maley to Alice H. Gunnison, dated August 22, 1952; Thence South 17 degrees 21 minutes 30 seconds West along the West line of the private roadway 312.13 feet to a point; Thence North 72 degrees 38 minutes 30 seconds West, 454.18 feet to an old iron pipe; Thence North 46 degrees 54 minutes East along the now or formerly Hoffstatter lands, 147 feet to a stake; Thence North 38 degrees 32 minutes West along now or formerly Hoffstatter lands, 50.45 feet to an iron pipe; Thence North 18 degrees 22 minutes East, 109.7 feet to an iron pipe; Thence South 73 degrees 24 minutes East, 168.25 feet to an iron pipe; Thence South 82 degrees 28 minutes East, 257.12 feet to the place of beginning. Commonly known as 170 West Gateway Drive, Manchester Beach, Fairview, Pennsylvania. Bearing Erie County Tax Index Number (21) 24-11-168.

ALSO, AN UNDIVIDED ONE-THIRD INTEREST in all that certain piece or parcel of land situate in Fairview Township, Erie County, Pennsylvania, being part of Tract # 286 lying West of Walnut Creek, being further bound and described as follows:

Beginning at an old iron pipe in the center of the 30-foot private road leading to the public road from the intersection of the center lines of four private roads at the corner of Blocks A, B, and C as shown upon the recorded 'Manchester Beach' plot, which is South 72 degrees 37 minutes East, 677.78 feet from the center line intersections of the four private roads:

Thence South 17 degrees 21 minutes 30 seconds West, 567.33 feet to a stake;

Thence North 72 degrees 38 minutes 30 seconds West, 30 feet to a point;

Thence North 17 degrees 21 minutes 30 seconds East, 567.33 feet to a point in the center line of the private road;

Thence South 72 degrees 37 minutes East, 30 feet to the place of beginning.

Bearing Erie County Tax Index Number (21) 24-11-167.01. This parcel is conveyed for use as a Roadway, for vehicles and on foot, by all owners, their heirs, and assigns of lands adjoining the West and South lines thereof.

It is a condition that Grantees, their heirs and assigns shall pay one-third of reasonable costs and expenses of roadway maintenance for its entire length.

TITLE TO SAID PREMISES IS VESTED IN Adrian W. Smith and Karen L. Smith, his wife, as tenants by the entireties with the right of survivorship, by Deed from Michael P. Faulkner and Jill J. Faulkner, his wife, dated 10/19/2007, recorded 10/22/2007 in Book 1455, Page 294.

Tax Parcel #: 21-024-011.0-168.00 2 21-024-011.0-167.01

Premises being: 170 WEST GATEWAY DRIVE, FAIRVIEW, PA 16415

Daniel G. Schmieg, Esquire  
One Penn Center at Suburban

Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

Jan. 30 and Feb. 6, 13

**SALE NO. 44****Ex. #12752 of 2008**

**U.S. Bank National Association,  
as Trustee for Lehman Brothers-  
Structured Asset Securities  
Corporation SASCO 2006-AM1,**

**Plaintiff,****v.****Timothy W. Smith, Defendant(s)****LEGAL DESCRIPTION**

All that certain piece or parcel of land situate in the City of Erie, County of Erie and State of Pennsylvania, and BEING Lot No. Seven (7) of Block 'G' of the 'SCENERY HILL' SUBDIVISION No. 2, Part of Reserve Tract No. 72, Sixth Ward of the City of Erie, Pennsylvania, as more fully bounded and described in Erie County Map Book 5, Pages 120 and 121 in the Recorder of Deed's Office of Erie County, Pennsylvania, to which reference is made. Being More Commonly Known as 1653 W. 41st St Erie PA.

BEING PARCEL NO. (19) 61-76-106 TITLE TO SAID PREMISES IS VESTED IN Timothy W. Smith, by Deed from Anthony M. Letizio and Caroline A. Letizio, his wife, dated 12/02/2005, recorded 12/08/2005, in Deed Book 1292, page 1847.

Tax Parcel #: 19-061-076.0-106.00 Premises being: 1653 WEST 41ST STREET, ERIE, PA 16509

Daniel G. Schmieg, Esquire  
One Penn Center at Suburban  
Station, Suite 1400

1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

Jan. 30 and Feb. 6, 13

**SALE NO. 45****Ex. #10002 of 2008**

**U.S. Bank National Association,  
as Trustee for Credit Suisse First  
Boston Heat 2004-6, Plaintiff,**

**v.****Dawnita R. Sterling****Preston E. Sterling, Defendant(s)****LEGAL DESCRIPTION**

All that certain piece or parcel

of land situate in the Borough of Cranesville, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit: BEGINNING at a post in the east margin of Reed Street at the southwest corner of land now or late of Earl Freeman; thence east along land now or late of Earl Freeman, one hundred twenty-eight (128) feet to a post to the land now or late of Antha R. Bowman; thence south along land now or late of Antha R. Bowman, sixty (60) feet to a post; thence west along land now or late of Antha R. Bowman, one hundred twenty-eight (128) feet to the east margin of Reed Street; thence north along margin of said Reed Street, sixty (60) feet to the place of beginning.

Having erected thereon a dwelling known as 10024 Reed Street, Cranesville, Pennsylvania 16410.

**RECORD OWNER**

TITLE TO SAID PREMISES IS VESTED IN Preston E. Sterling and Dawnita R. Sterling, his wife, by Deed from Ricky L. Rash and Darlene K. Rash, his wife, dated 12/10/1993, recorded 12/13/1993, in Deed Book 309, page 070.

Tax Parcel #: 09-005-006.0-015.00  
Premises being: 10024 REED STREET, CRANESVILLE, PA 16410

Daniel G. Schmieg, Esquire  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

Jan. 30 and Feb. 6, 13

**SALE NO. 46**

**Ex. #14641 of 2008**

**Taylor, Bean & Whitaker  
Mortgage Corporation, Plaintiff,**  
**v.**

**John Tersigni  
Sarah Tersigni, Defendant(s)**  
**LEGAL DESCRIPTION**

ALL that certain piece or parcel of land situate in the Township of Millcreek, County of Erie, and Commonwealth of Pennsylvania, bounded and described as follows: BEING Lot No. 30 and the east sixteen (16) feet of Lot 31, in Lot

31, in Block 8 in what is known as Nicholson Heights Addition to the City of Erie, being part of Reserve Tract No. 346 and a part of the South Gore Tract, as shown upon a Map of said Subdivision recorded in the Office of the Recorder of Deeds of Erie County, Pennsylvania, in Map Book No. 1, pages 416-417.

HAVING erected thereon a two-story frame dwelling with attached garage known as: 1440 High Street, Erie, Pennsylvania 16509.

HAVING Been Designated as Parcel ID # 33-100-432-14

TITLE TO SAID PREMISES IS VESTED IN John Tersigni and Sarah Tersigni, h/w, by Deed from Barbara L. Zimmer, a single person, dated 09/26/2002, recorded 10/07/2002 in Book 929, Page 1874.

Tax Parcel #: 33-100-432.0-014.00  
Premises being: 1440 HIGH STREET, ERIE, PA 16509-2017

Daniel G. Schmieg, Esquire  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

Jan. 30 and Feb. 6, 13

**SALE NO. 47**

**Ex. #14570 of 2008**

**Citifinancial Services, Inc.,  
Plaintiff,**  
**v.**

**Heather K. Tuholski a/k/a  
Heather K. Tucholski,  
Defendant(s)**

**LEGAL DESCRIPTION**

All that certain piece or parcel of land situate in the Township of Greene, County of Erie and Commonwealth of Pennsylvania, bounded and described as Parcel 'B-1' of the John H. and Dorothy M. Craft subdivision, as recorded in the Green Township Planning Commission and as a part of the subdivision known as Parcel 'B' of the John H. and Dorothy M. Craft subdivision as recorded in Erie County Courthouse as map number Book 1997, Page 80, recorded March 21, 1997.

Said premises containing 2.27 acres and identified as Parcel 'B-1' as

evidenced by exhibit 'A' attached hereto

TITLE TO SAID PREMISES IS VESTED IN Heather K. Toholski, by Deed from John H. Craft and Dorothy M. Craft, his wife, dated 03/13/2003, recorded 03/13/2003 in Book 0985, Page 1626.

Tax Parcel #: 25-25-65-4.05  
Premises being: 3087 HASKINS ROAD, WATERFORD, PA 16441-2323

Daniel G. Schmieg, Esquire  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

Jan. 30 and Feb. 6, 13

**SALE NO. 48**

**Ex. #14397 of 2008**

**HSBC Bank USA National  
Association as Trustee for PHH  
2007-1, Plaintiff,**  
**v.**

**Leona M. Varasso  
Joy Booth, Defendant(s)**  
**LEGAL DESCRIPTION**

ALL THAT CERTAIN piece or parcel of land situate in the City of Corry, County of Erie and State of Pennsylvania, bounded and described as follows;

COMMENCING at a point in the east line of North Center Street at the intersection of the east line of North Center Street with the north line of Raymond Avenue; thence northerly along the east line of said Center Street, Fifty-five (55) feet to a post in the south line of land recently conveyed to one Barnes; thence easterly along said Barnes' south line, one hundred forty (140) feet to the west line of a fifteen (15) foot alley; thence southerly along said alley, fifty-five (55) feet to the north line of Raymond Avenue; thence westerly along the north line of Raymond Avenue, one hundred forty (140) feet to the place of beginning, being Lot No. 7, on the Raymond Subdivision plan of lots. Prior deed reference: Erie County Deed Book 1510 at page 360. Bearing Erie County Assessment Index No. (6) 10-20-16. Being known generally as 974 North

Center Street, Corry, PA 16407.  
TITLE TO SAID PREMISES IS VESTED IN Leona M. Varasso and Joy Booth, joint tenants with the right of survivorship and not as tenants in common, by Deed from Michael K. Kowalski and Cindy L. Kowalski, h/w, dated 10/27/2006, recorded 11/13/2006 in Book 1375, Page 1425.

Tax parcel #: 06-010-020-0-016.00  
Premises being: 974 NORTH CENTER STREET, CORRY, PA 16407

Daniel G. Schmieg, Esquire  
One Penn Center at Suburban Station, Suite 1400

1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

Jan. 30 and Feb. 6, 13

**SALE NO. 50**

**Ex. #14746 of 2008**

**GMAC Mortgage, LLC, Plaintiff,**  
**v.**

**Martin D. Yori, Defendant(s)**

**LEGAL DESCRIPTION**

ALL that certain piece or parcel of land situate in North East Borough, County of Erie, Pennsylvania, being Lot No. 14 of the Donlar Subdivision, recorded in Erie County Map Book 9 at page 69.

SAID property is known as 75 Skellie Drive, North East, Pennsylvania 16428 and bearing Erie County Tax Index No. (35) 1-1-1-4.

BEING the same premises conveyed to United Companies Lending Corporation by deed dated September 14, 2001 and recorded September 25, 2001 in Erie County Record Book 811 at page 1641

TITLE TO SAID PREMISES IS VESTED IN Martin D. Yori, unmarried, by Deed from EMC Mortgage Corporation, as successor to United Companies Lending Corporation by Matrix Asset Management It's Attorney in Fact, dated 10/17/2002, recorded 10/29/2002 in Book 938, Page 1932.

Tax Parcel #: 35-001-001-1-004.00  
Premises being: 75 SKELLIE DRIVE, NORTH EAST, PA 16428  
Daniel G. Schmieg, Esquire

One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000

Jan. 30 and Feb. 6, 13

**SALE NO. 51**

**Ex. #14195 of 2008**

**U.S. Bank National Association  
Trustee for the Pennsylvania  
Housing Finance Agency,  
Plaintiff**  
**v.**

**Stanley C. Bayer and  
Penny L. Bayer, Defendants**

**SHERIFF'S SALE**

By virtue of a Writ of Execution No. 2008-14195 U.S. Bank National Association Trustee for the Pennsylvania Housing Finance Agency, Plaintiff vs. Stanley C. Bayer and Penny L. Bayer, Defendants

Real Estate: 28 GROVE STREET, CORRY, PA

Municipality: City of Corry

Erie County, Pennsylvania

See Deed Book 1202, Page 147

Tax I.D. (5) 32-1653

Assessment: \$ 5,000. (Land)

\$39,700. (Bldg)

Improvement thereon: a residential dwelling house as identified above

Leon P. Haller, Esquire

Purcell, Krug & Haller

1719 North Front Street

Harrisburg, PA 17104

(717) 234-4178

Jan. 30 and Feb. 6, 13

**SALE NO. 52**

**Ex. #10170 of 2008**

**U.S. Bank National Association  
Trustee for the Pennsylvania  
Housing Finance Agency,  
Plaintiff**  
**v.**

**Diann M. Buterbaugh,  
Defendants**

**SHERIFF'S SALE**

By virtue of a Writ of Execution No. 10170-08 U.S. Bank National Association Trustee for the Pennsylvania Housing Finance Agency, Plaintiff vs. Diann M. Buterbaugh, Defendants

Real Estate: 909 EAST 24TH STREET, ERIE, PA

Municipality: CITY OF ERIE  
Erie County, Pennsylvania  
Dimensions: 24 x 57  
See Deed Book 1342 Page 1276  
Tax: I.D. (18) 5039-220  
Assessment: \$5200 (Land)

\$38010 (Bldg)

Improvement thereon: a residential dwelling house as identified above  
Leon P. Haller, Esquire  
Purcell, Krug & Haller  
1719 North Front Street  
Harrisburg, PA 17104  
(717) 234-4178

Jan. 30 and Feb. 6, 13

**SALE NO. 53**

**Ex. #10828 of 2008**

**Lasalle Bank National  
Association, as Trustee for First  
Franklin Mortgage Loan Trust  
2006-FF18, Mortgage Loan  
Asset-Backed Certificates, Series  
2006-FF18, Plaintiff,**  
**v.**

**Phyllis A. Zimmer, Defendant**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 10828-08, Lasalle Bank National Association, et al vs. Phyllis A. Zimmer, owner(s) of property situated in Erie City, Erie County, Pennsylvania being 956 West 21st Street, Erie, PA 16502.

Dimensions: 4,400 square footage  
Assessment Map Number: 19-6026-222

Assess Value figure: \$49,800.00

Improvement thereon: Dwelling

Louis P. Vitti, Esquire

Attorney for Plaintiff

916 Fifth Avenue

Pittsburgh, PA 15219

(412) 281-1725

Jan. 30 and Feb. 6, 13

**SALE NO. 54**

**Ex. #14774 of 2008**

**Deutsche Bank National Trust  
Company, as Trustee, in Trust for  
the Registered Holders of Argent  
Securities Inc., Asset-Backed  
Pass-Through Certificates Series  
2006-M1, Plaintiff**  
**v.**

**Rayshawn Alberico, Defendant(s)**  
**DESCRIPTION**

ALL THAT certain piece or parcel of land situate in the City of Erie,



County of Erie and Commonwealth of Pennsylvania, bounded and described as follows to-wit:

BEGINNING at a point in the south line of Twenty first Street, three hundred and one (301) feet and ten and one half (10 ½) inches west of the west line of Cascade Street;

Thence southwardly parallel with Cascade Street one hundred and thirty-five (135) feet to the centerline of an alley which was vacated by City Ordinance No. 131-1957, Dated October 29, 1957; thence westwardly parallel with Twenty-first street thirty three (33) feet to a point; thence northwardly parallel with Cascade Street one hundred thirty-five (135) feet to the south line of Twenty-first Street; thence eastwardly along the south line of Twenty-first Street; thence thirty-three (33) feet to the place of beginning.

Having erected thereon a two-story frame dwelling house, commonly known as 1031 West 21st Street in the City of Erie, Pennsylvania and bearing Erie County Index No. (19) 6030,111.

PROPERTY ADDRESS: 1031 West 21st Street, Erie, PA 16502

Michael T. McKeever, Esquire  
Attorney for Plaintiff

Suite 500 - Mellon Independence Center, 701 Market Street  
Philadelphia, PA 19106  
(215) 627-1322

Jan. 30 and Feb. 6, 13

**SALE NO. 55**

**Ex. #14509 of 2008**

**Financial Freedom Senior  
Funding Corporation, A  
Subsidiary of Indymac Bank,  
FSB, Plaintiff**

v.

**John P. Altenberger, Defendant(s)**

**DESCRIPTION**

ALL that certain piece or parcel of land situate in the 5th Ward of the City of Erie, County of Erie and Commonwealth of Pennsylvania, being Lot No. 123 in the Eastholm Subdivision, being part of Tract 62 as shown in Map of said subdivision recorded in Map Book 1, page 401, bounded and described as follows: BEGINNING at a point in the East

line of East Avenue, 137 feet South of the intersection of the East line of East Avenue and the South line of Thirty-Fourth Street now Thirty-Third Street; thence East, parallel with Thirty-Fourth Street, now Thirty-Third Street, 120 feet to a point; thence South parallel with East Avenue, 34 feet to a point; thence West, parallel with Thirty-Fourth Street, now Thirty-Third Street, 120 feet to the east line of East Avenue, thence North along the East line of the East Avenue, 34 feet to the place of beginning.

Also, all that certain piece or parcel of land situate in the Township of Millcreek, now City of Erie, County of Erie and Commonwealth of Pennsylvania, being the southerly two (2) feet in width by 120 feet in depth of Lot No. 124 in the Eastholm Subdivision, being part of Tract No. 62, as shown upon a map of said subdivision recorded in the Office of the Recorder of Deeds for Erie County, in Map Book No. 1, page 401.

HAVING erected thereon a dwelling known as 3415 East Avenue.

PROPERTY ADDRESS: 3315 East Avenue, Erie, PA 16504

Michael T. McKeever, Esquire  
Attorney for Plaintiff

Suite 500 - Mellon Independence Center, 701 Market Street  
Philadelphia, PA 19106  
(215) 627-1322

Jan. 30 and Feb. 6, 13

**SALE NO. 56**

**Ex. #14463 of 2008**

**National City Mortgage Inc.,  
f/k/a National City Mortgage  
Company, Plaintiff**

v.

**Ronald A. Ames**

**Diana L. Ames a/k/a**

**Diane L. Ames, Defendant(s)**

**DESCRIPTION**

ALL that certain piece or parcel of land situate in the City of Erie, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point in the south line of Sixth Street, one hundred sixty-five (165) feet eastwardly from the east line of Cascade Street;

thence eastwardly, along the south line of Sixth Street, thirty (30) feet, eleven and one-fourth (11 ¼) inches to a point; thence southwardly, parallel with Cascade Street, one hundred sixty-five (165) feet to a point; thence westwardly; parallel with Sixth Street, thirty (30) feet, eleven and one-fourth (11 ¼) inches to a point; thence northwardly, parallel with Cascade Street, One hundred sixty-five (165) feet to the place of beginning. Said premises are more commonly known as 947 West Sixth Street, Erie, Pennsylvania and further identified by Erie County Assessment Index Number (17) 4028-216.

PROPERTY ADDRESS: 947 West 6th Street Erie, PA 16507

Michael T. McKeever, Esquire  
Attorney for Plaintiff

Suite 5000 - Mellon Independence Center, 701 Market Street  
Philadelphia, PA 19106  
(215) 627-1322

Jan. 30 and Feb. 6, 13

**SALE NO. 57**

**Ex. #14843 of 2008**

**JPMorgan Chase Bank, National  
Association, as Purchaser of  
the Loans and other Assets of  
Washington Mutual Bank, f/k/a  
Washington Mutual Bank, FA,  
Plaintiff**

v.

**John C. Emhoff, Defendant(s)**

**DESCRIPTION**

ALL that certain piece or parcel of land situate in the Fifth Ward of the City of Erie, County of Erie and State of Pennsylvania, Being Lot No. 81 in what is known as No. 10 Subdivision of Andrews Land Company of part of Reserve Tract No. 34 as shown upon a map of said Subdivision recorded in the Office of the Recorder of Deeds of Erie County, Pennsylvania, in Map Book 2, pages 104 and 105.

PROPERTY ADDRESS: 3109 East Avenue Erie, PA 16504

Michael T. McKeever, Esquire  
Attorney for Plaintiff

Suite 5000 - Mellon Independence Center, 701 Market Street  
Philadelphia, PA 19106  
(215) 627-1322

Jan. 30 and Feb. 6, 13

**SALE NO. 58**  
**Ex. #14757 of 2008**  
**Greenpoint Mortgage Funding,**  
**Inc., Plaintiff**

v.

**Albert W. Kirkpatrick**  
**Sheila A. Mingoy, Defendant(s)**  
**DESCRIPTION**

All that certain piece or parcel of land situate in the Township of Girard, County of Erie and Commonwealth of Pennsylvania, being part of Tract No. 525, bounded and described as follows, to-wit:

Beginning at the northwesterly corner of the piece at a spike in the centerline of the Lexington Road leading from Girard Borough to Albion Borough, distant thereon South 41 degrees 30 minutes West, five hundred fourteen and thirty hundredths (514.30) feet from the northwesterly corner of the whole piece and the southwesterly corner of land now or formerly of Maurice Gabel;

Thence by the residue of the piece South 50 degrees 20 minutes East passing over a stake at a distance of 25.01 feet, two hundred four (204) feet to a point;

Thence, in a southerly direction on a line parallel to the centerline of the Lexington Road, to a point in the centerline of the Lockport Road;

Thence, North 62 degrees 11 minutes West, along the centerline of the Lockport Road to a spike at its intersection with the centerline of the Lexington Road;

Thence, North 41 degrees 30 minutes East, along the centerline of the Lexington Road, one hundred thirty-five and ninety-five hundredths (135.95) feet to the place of beginning.

Containing one-half acre of land, more or less and having erected thereon a one-story cement block dwelling.

Said premises are further identified by Erie County Assessment Index No. (24) 19-80-6, and are commonly known as 10990 Springfield Road, Girard, Pennsylvania.

Being the same premises conveyed to the mortgagor(s) herein by deed recorded this date.

TAX PARCEL # (24) 19-80-6

PROPERTY ADDRESS: 10990 Springfield Road, Girard, PA 16417  
 Michael T. McKeever, Esquire  
 Attorney for Plaintiff  
 Suite 5000 - Mellon Independence Center, 701 Market Street  
 Philadelphia, PA 19106  
 (215) 627-1322

Jan. 30 and Feb. 6, 13

**SALE NO. 59**  
**Ex. #11713 of 2008**

**Deutsche Bank National Trust**  
**Company, as Trustee, in Trust for**  
**the Registered Holders of Argent**  
**Securities Inc., Asset-Backed**  
**Pass-Through Certificates, Series**  
**2005-W3, Plaintiff**

v.

**Cheryl L. McLaughlin**  
**Joseph P. McLaughlin,**  
**Defendant(s)**  
**DESCRIPTION**

All that certain piece or parcel of land situate in the Township of McKean, County of Erie and State of Pennsylvania, being a part of Tract No. 260, bounded and described as follows, to-wit: BEGINNING at a point in the centerline of Dunn Valley Road six hundred ninety three (693) feet easterly (incorrectly set forth as "westerly" in the Deed immediately prior to this Deed due to a scrivener's error) from the intersection of Dunn Valley Road and Reichert Road; thence South one (1) degree, thirty-five (35) minutes West (incorrectly set forth as "East" in the Deed immediately prior to this Deed due to a scrivener's error) two hundred sixty eight (268) feet to an iron pin; thence North eighty-three (83) degree East (incorrectly set forth as "West" in the Deed immediately prior to this Deed due to a scrivener's error) three hundred thirty-one and forty six hundredths (331.46) feet to an iron pin; thence North zero (0) degrees fifty (50) minutes East two hundred seventeen and nine tenths (217.9) feet to the centerline of Dunn Valley Road; thence North eighty-eight (88) degrees, twenty-five (25) minutes West three hundred twenty-five (325) feet to the point and place of beginning; having erected thereon a two (2)

story frame with aluminum siding dwelling with attached breezeway and one (1) car garage.

The above described property is more commonly known as 3915 Dunn Valley Road, Erie, Pennsylvania 16509, and is further identified by Erie County Tax Index Number (31) 8-45-11.

PROPERTY ADDRESS: 3915 Dunn Valley Road, Erie, PA 16509  
 Michael T. McKeever, Esquire  
 Attorney for Plaintiff  
 Suite 5000 - Mellon Independence Center, 701 Market Street  
 Philadelphia, PA 19106  
 (215) 627-1322

Jan. 30 and Feb. 6, 13

**SALE NO. 60**  
**Ex. #14727 of 2008**  
**Citifinancial Services, Inc.,**  
**Plaintiff**

v.

**Peggy Bea Pierson**  
**Douglas W. Pierson, Defendant(s)**  
**DESCRIPTION**

ALL THAT CERTAIN piece of parcel of land situate in the City of Erie, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit: Commencing at a point in the East line of Wallace Street, one hundred twenty-seven and one-half (127.1/2) feet South of the point where the South line of Seventh Street intersects the East line of Wallace Street; thence Eastwardly parallel with Seventh Street, sixty (60) feet to a point; thence Southwardly parallel with Wallace Street, thirty (30) feet to a point in the North line of an alley; thence Westwardly along the North line of said alley and parallel with Seventh Street; sixty (60) feet to a point in the East line of Wallace Street; thence Northwardly along the East line of Wallace Street, thirty (30) feet to the place of beginning, and being part of Subdivision Nos. 34 and 35 of Erie Out Lot 581.

PROPERTY ADDRESS: 713 Wallace Street, Erie, PA 16503  
 Michael T. McKeever, Esquire  
 Attorney for Plaintiff  
 Suite 5000 - Mellon Independence Center, 701 Market Street

Philadelphia, PA 19106  
(215) 627-1322

Jan. 30 and Feb. 6, 13

**SALE NO. 62**

**Ex. #10608 of 2008**

**Countrywide Home Loans, Inc.  
v.**

**Carolyn A. Cox a/k/a  
Carolyn Cox and Charles L. Cox  
a/k/a Charles Cox**

**SHORT DESCRIPTION**

By virtue of a Writ of Execution filed to No. 10608-08 Countrywide Home Loans, Inc. v. Carolyn A. Cox a/k/a Carolyn Cox and Charles L. Cox a/k/a Charles Cox

Premises: 835 East Main Street, Corry, Pennsylvania 16407  
Carolyn A. Cox a/k/a Carolyn Cox and Charles L. Cox a/k/a Charles Cox, owners of property situated in the First Ward of the City of Corry, Erie County, Pennsylvania being 835 E Main St., Corry, Pennsylvania 16407.

Tax I.D. No. (5) 29-104-27

Assessment: \$ 51,773.92

Improvements: Residential Dwelling

McCabe, Weisberg and Conway, P.C.  
123 South Broad Street, Suite 2080  
Philadelphia, PA 19109

Jan. 30 and Feb. 6, 13

**SALE NO. 63**

**Ex. #11407 of 2008**

**Beneficial Consumer Discount  
Company d/b/a Beneficial  
Mortgage Company of  
Pennsylvania  
v.**

**Henrietta Gore**

**SHORT DESCRIPTION**

By virtue of a Writ of Execution filed to No. 11407-08 Beneficial Consumer Discount Company d/b/a Beneficial Mortgage Company of Pennsylvania v. Henrietta Gore

Henrietta Gore, owners of property situated in the City of Erie, Erie County, Pennsylvania being 2219 Harrison Street, Erie, Pennsylvania 16510.

Premises: 2219 Harrison Street, Erie, PA 16510

Tax I.D. No. 18-5140-317

Assessment: \$ 97,134.39

Improvements: Residential

Dwelling  
McCabe, Weisberg and Conway, P.C.  
123 South Broad Street, Suite 2080  
Philadelphia, PA 19109

Jan. 30 and Feb. 6, 13

**SALE NO. 64**

**Ex. #14393 of 2008**

**Beneficial Consumer Discount  
Company, d/b/a Beneficial  
Mortgage Company of  
Pennsylvania  
v.**

**Judith K. Krahnke and  
Harry Krahnke**

**SHORT DESCRIPTION**

By virtue of a Writ of Execution filed to No. 14393-2008 Beneficial Consumer Discount Company d/b/a Beneficial Mortgage Company of Pennsylvania v. Judith K. Krahnke and Harry Krahnke

Premises: 1319 West 30th Street, Erie, Pennsylvania 16508

Judith K. Krahnke and Harry Krahnke, owners of property situated in the City of Erie, Erie County, Pennsylvania being 1319 West 30th Street, Erie, Pennsylvania 16508.

Tax I.D. No. (19) 6223-307

Assessment: \$ 82,918.99

Improvements: Residential  
McCabe, Weisberg and Conway, P.C.  
123 South Broad Street, Suite 2080  
Philadelphia, PA 19109

Jan. 30 and Feb. 6, 13

**SALE NO. 65**

**Ex. #14670 of 2008**

**Beneficial Consumer Discount  
Company, d/b/a Beneficial  
Mortgage Company of  
Pennsylvania  
v.**

**United States of America and  
Sarah G. Lander, Administratrix  
CTA of the Estate of  
Michael N. Guzzardo, Deceased  
Mortgagor and Real Owner**

**SHORT DESCRIPTION**

By virtue of a Writ of Execution filed to No. 14670-08 Beneficial Consumer Discount Company d/b/a Beneficial Mortgage Company of Pennsylvania v. United States of America and Sarah G. Lander, Administratrix CTA of the Estate of Michael N. Guzzardo, Deceased

Mortgagor and Real Owner  
Premises: 1013 Brooks Bay, Erie, Pennsylvania 16505

Sarah G. Lander, Administratrix CTA of the Estate of Michael N. Guzzardo, Deceased Mortgagor and Real Owner, owners of property situated in the Township of Millcreek, Erie County, Pennsylvania being 1013 Brooks Bay, Erie, Pennsylvania 16505.

Tax I.D. No. 33-020-001.3-002.00

Assessment: \$ 279,709.72

Improvements: Residential Dwelling

McCabe, Weisberg and Conway, P.C.  
123 South Broad Street, Suite 2080  
Philadelphia, PA 19109

Jan. 30 and Feb. 6, 13

**SALE NO. 66**

**Ex. #14859 of 2008**

**The Bank of New York Mellon,  
as Successor Trustee Under  
Novastar Mortgage Funding  
Trust 2005-2  
v.**

**Stephanie Parent**

**SHORT DESCRIPTION**

By virtue of a Writ of Execution filed to No. 14859-08 The Bank of New York Mellon, as Successor Trustee Under Novastar Mortgage Funding Trust 2005-2 v. Stephanie Parent

Premises: 1250 West 20th Street, Erie, Pennsylvania 16502

Stephanie Parent, owners of property situated in the City of Erie, Erie County, Pennsylvania being 1250 West 20th Street, Erie, Pennsylvania 16502.

Tax I.D. No. (16) 3129-208

Assessment: \$ 79,617.19

Improvements: Residential Dwelling

McCabe, Weisberg and Conway, P.C.  
123 South Broad Street, Suite 2080  
Philadelphia, PA 19109

Jan. 30 and Feb. 6, 13

**SALE NO. 67**

**Ex. #14606 of 2007**

**Beneficial Consumer Discount  
Company d/b/a Beneficial  
Mortgage Company of  
Pennsylvania  
v.**

**Bernard J. Zomcik a/k/a**



**Bernard James Zomcik a/k/a  
Bernard Zomcik and  
Wanda F. Zomcik a/k/a  
Wanda Frances Zomcik  
SHORT DESCRIPTION**

By virtue of a Writ of Execution filed to No. 14606-07 Beneficial Consumer Discount Company d/b/a Beneficial Mortgage Company of Pennsylvania v. Bernard J. Zomcik a/k/a Bernard James Zomcik a/k/a Bernard Zomcik and Wanda F. Zomcik a/k/a Wanda Frances Zomcik

Premises: 5430 Lucky Lane, Erie, Pennsylvania 16509

Bernard J. Zomcik a/k/a Bernard James Zomcik a/k/a Bernard Zomcik and Wanda F. Zomcik a/k/a Wanda Frances Zomcik, owners of property situated in the Township of Millcreek, Erie County, Pennsylvania being 5430 Lucky Lane, Erie, Pennsylvania 16509.

Tax I.D. No. 33-145-619.3-004.00

Assessment: \$ 141,032.06

Improvements: Residential Dwelling

McCabe, Weisberg and Conway, P.C.  
123 South Broad Street, Suite 2080  
Philadelphia, PA 19109

Jan. 30 and Feb. 6, 13

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**ESTATE NOTICES**

Notice is hereby given that in the estates of the decedents set forth below the Register of Wills has granted letters, testamentary or of administration, to the persons named. All persons having claims or demands against said estates are requested to make known the same and all persons indebted to said estates are requested to make payment without delay to the executors or their attorneys named below.

**FIRST PUBLICATION**

**BROWN, JOHN J.,  
deceased**

Late of the City of Erie, County of Erie, and Commonwealth of Pennsylvania  
*Executor:* Stephen W. Brown, 159 Bethany Bend Drive, The Woodlands, TX 77382  
*Attorneys:* MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

**CARDOT, GERTRUDE W.,  
deceased**

Late of the Township of Lawrence Park, County of Erie, State of Pennsylvania  
*Administratrix:* Martha Greiner, 762 Copperhead Circle, St. Augustine, FL 32092  
*Attorney:* None

**FLEGER, JUDITH A., a/k/a  
JUDITH FLEGER, a/k/a  
JUDITH ANNE FLEGER,  
deceased**

Late of the Township of Summit, County of Erie and Commonwealth of Pennsylvania  
*Executrix:* Holly M. Waychoff, c/o 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508  
*Attorney:* Darlene M. Vlahos, Esquire, 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508

**KACZMAREK, CAROLYN M.,  
deceased**

Late of the City of Erie, County of Erie, Commonwealth of Pennsylvania  
*Administrator:* Kathleen A. Banister, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506-4508  
*Attorney:* Scott L. Wallen, Esquire, Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506-4508

**KERNER, MARIE A.,  
deceased**

Late of the Township of Millcreek, County of Erie and State of Pennsylvania  
*Executor:* Lewis C. Hamilton, c/o Dennis W. Krill, Esquire, 309 French Street, Erie, Pennsylvania 16507  
*Attorney:* Dennis W. Krill, Esquire, 309 French Street, Erie, Pennsylvania 16507

**LIPINSKI, JOSEPHINE A.,  
deceased**

Late of the Township of Fairview, County of Erie, and Commonwealth of Pennsylvania  
*Executrix:* Mary Ann Urbaniak, 8127 Station Road, Erie, PA 16510  
*Attorney:* Thomas S. Kubinski, Esquire, The Gideon Ball House, 135 East 6th Street, Erie, PA 16501

**MCCULLOUGH, MARY JANE,  
deceased**

Late of the City of Erie  
*Executor:* David J. McCullough, c/o 332 East 6th Street, Erie, PA 16507-1610  
*Attorney:* Evan E. Adair, Esq., Williams & Adair, 332 East 6th Street, Erie, PA 16507-1610

**MEABON, RONALD R.,  
deceased**

Late of the Township of Venango, Erie County, Pennsylvania  
*Executor:* Olive E. Meabon, c/o F. J. Constantine, Esq., 306 Masonic Temple, 32 West 8th Street, Erie, PA 16501  
*Attorney:* Francis J. Constantine, Esq., 306 Masonic Temple, 32 West 8th Street, Erie, PA 16501

**MITTAL, AMARNATH,  
deceased**

Late of Millcreek Township, County of Erie and Commonwealth of Pennsylvania  
*Executrix:* Patricia E. Mittal, c/o Yochim & Nash, 345 West Sixth Street, Erie, PA 16507  
*Attorney:* Gary H. Nash, Esquire, Yochim & Nash, 345 West Sixth Street, Erie, PA 16507

**OSBORNE, PHYLLISS L.,  
deceased**

Late of Wesleyville Borough, Erie County, Erie, Pennsylvania  
*Executrix:* Leticia Alward, c/o Attorney Edward Orton, 33 East Main Street, North East, Pennsylvania 16428  
*Attorney:* Edward Orton, Esquire, Orton & Jeffery, P.C., 33 East Main Street, North East, Pennsylvania 16428

**RODGERS, WALTER W.,  
deceased**

Late of Millcreek Township, Erie County, Pennsylvania  
*Executor:* Douglas L. Rodgers, c/o McCarthy, Martone & Peasley, 150 West Fifth Street, Erie, Pennsylvania 16507  
*Attorneys:* Joseph P. Martone, Esquire, McCarthy, Martone & Peasley, 150 West Fifth Street, Erie, Pennsylvania 16507

**SCIARRONE, ANGELO F.,  
deceased**

Late of Greene Township  
*Executrix:* Victoria Mankowski, c/o 332 East 6th Street, Erie, PA 16507-1610  
*Attorney:* Evan E. Adair, Esq., Williams and Adair, 332 East 6th Street, Erie, PA 16507-1610

**SIEGMUND, ESTELLE,  
deceased**

Late of the Township of Millcreek,  
County of Erie, Pennsylvania  
*Executrix:* Nancy A. Burlingame,  
9357 N. E. Sherman Road, Ripley,  
NY 14775  
*Attorney:* None

**VANICEK, VINCENT J.,  
deceased**

Late of Erie County  
*Executrix:* Nancy J. Schaaf  
*Attorney:* Stanley G. Berlin,  
Esquire, Shapira, Hutzelman,  
Berlin, Ely, Smith and Walsh, 305  
West 6th Street, Erie, PA 16507

**ZIELINSKI, LAURA M.,  
deceased**

Late of the Borough of North East,  
County of Erie, Commonwealth  
of Pennsylvania  
*Executrix:* Patricia P. Minnig,  
c/o Quinn, Buseck, Leemhuis,  
Toohey & Kroto, Inc., 2222 West  
Grandview Blvd., Erie, PA 16506  
*Attorney:* James F. Toohey,  
Esquire, Quinn, Buseck,  
Leemhuis, Toohey & Kroto, Inc.,  
2222 West Grandview Blvd.,  
Erie, PA 16506

**SECOND PUBLICATION**

**BISHOP, HELEN MAXINE,  
a/k/a HELEN BISHOP,  
deceased**

Late of the City of Erie, County  
of Erie and Commonwealth of  
Pennsylvania  
*Executrix:* June Elaine Peacock  
*Attorney:* Edward P. Wittmann,  
Esquire, Elderkin, Martin, Kelly  
& Messina, 150 East 8th Street,  
Erie, PA 16501

**CHIAPETTA, CAROLINE E.,  
deceased**

Late of the Millcreek Township,  
County of Erie, State of  
Pennsylvania  
*Executrix:* Linda S. Didion,  
120 West Tenth Street, Erie, PA  
16501  
*Attorney:* Jerome C. Wegley,  
Esquire, Knox McLaughlin  
Gornall & Sennett, P.C., 120 West  
Tenth Street, Erie, PA 16501

**CHIAPETTA, LOUIS S.,  
deceased**

Late of the Millcreek Township,  
County of Erie, State of  
Pennsylvania  
*Executrix:* Linda S. Didion,  
120 West Tenth Street, Erie, PA  
16501  
*Attorney:* Jerome C. Wegley,  
Esquire, Knox McLaughlin  
Gornall & Sennett, P.C., 120 West  
Tenth Street, Erie, PA 16501

**COFINI, ANN S.,  
deceased**

Late of the Township of  
Summit, County of Erie and  
Commonwealth of Pennsylvania  
*Executrix:* Kaye L. Cofini, c/o  
3305 Pittsburgh Avenue, Erie,  
Pennsylvania 16508  
*Attorney:* Darlene M. Vlahos,  
Esquire, 3305 Pittsburgh Avenue,  
Erie, PA 16508

**FITZGERALD BARBARA A.,  
deceased**

Late of Harborcreek Township  
*Executrix:* Nicole M. Scavo, c/o  
Attorney Terrence P. Cavanaugh,  
3336 Buffalo Road, Wesleyville,  
PA 16510  
*Attorney:* Terrence P. Cavanaugh,  
Esquire, 3336 Buffalo Road,  
Wesleyville, PA 16510

**FREY, L. LEORA, a/k/a  
L. LEORA COCHRAN FREY,  
deceased**

Late of the Township of  
Fairview, County of Erie, State of  
Pennsylvania  
*Executrix:* Deborah A. Pieper,  
3585 Shauna Drive, Fairview,  
Pennsylvania 16415  
*Attorney:* James R. Steadman,  
Esq., 24 Main St. E., Girard,  
Pennsylvania 16417

**GLOSSER, MARIE G.,  
deceased**

Late of the City of Corry, County  
of Erie, Commonwealth of  
Pennsylvania  
*Executrix:* Linda A. Sherred, c/o  
Paul J. Carney, Jr., Esq., 224  
Maple Avenue, Corry, PA 16407  
*Attorney:* Paul J. Carney, Jr.,  
Esq., 224 Maple Avenue, Corry,  
PA 16407

**HARAS, EDMUND JOHN,  
a/k/a EDMUND J. HARAS,  
deceased**

Late of the City of Erie,  
Commonwealth of Pennsylvania  
*Administrator:* Richard A.  
Vendetti, Esquire, Vendetti &  
Vendetti, 3820 Liberty Street,  
Erie, Pennsylvania 16509  
*Attorney:* Richard A. Vendetti,  
Vendetti & Vendetti, 3820 Liberty  
Street, Erie, Pennsylvania 16509

**KIENHOLZ, ETHELDA C.,  
deceased**

Late of the City of Erie  
*Executor:* Mark A. Kienholz, c/o  
James S. Bryan, Esq., 11 Park  
Street, North East, PA 16428  
*Attorney:* James S. Bryan, Esq.,  
Knox McLaughlin Gornall &  
Sennett, P.C., 11 Park Street,  
North East, PA 16428

**LUKE, JEANNE M.,  
deceased**

Late of North East Township  
*Co-Executors:* Frederick C.  
Luke and Douglas G. Luke, c/o  
James S. Bryan, Esq., 11 Park  
Street, North East, PA 16428  
*Attorney:* James S. Bryan, Esq.,  
Knox McLaughlin Gornall &  
Sennett, P.C., 11 Park Street,  
North East, PA 16428

**MILLER, FRANK,  
deceased**

Late of Union City Boro, County of Erie and Commonwealth of Pennsylvania

*Executrix:* Rose Marie Miller

*Attorney:* Thomas J. Minarcik, Esquire, Elderkin, Martin, Kelly & Messina, 150 East 8th Street, Erie, PA 16501

**MILLER, JULIA  
deceased**

Late of Union City Boro, County of Erie and Commonwealth of Pennsylvania

*Executrix:* Rose Marie Miller

*Attorney:* Thomas J. Minarcik, Esquire, Elderkin, Martin, Kelly & Messina, 150 East 8th Street, Erie, PA 16501

**VALENTINE, FLOYD L.,  
deceased**

Late of the Borough of Albion  
*Co-Executors:* Larry L. Valentine and Sally S. Valentine Kemling, c/o James S. Bryan, Esq., 11 Park Street, North East, PA 16428

*Attorney:* James S. Bryan, Esq., Knox McLaughlin Gornall & Sennett, P.C., 11 Park Street, North East, PA 16428

**THIRD PUBLICATION**

**ADAMS, VIRGINIA W.,  
a/k/a DOROTHY V. ADAMS,  
a/k/a VIRGINIA ADAMS,  
deceased**

Late of the City of Erie, County of Erie, Pennsylvania

*Executor:* Richard Skinner, c/o 150 West Fifth St., Erie, PA 16507

*Attorney:* Colleen C. McCarthy, Esq., McCarthy, Martone & Peasley, 150 West Fifth St., Erie, PA 16507

**BERARDUCCI, ANN MARIE,  
a/k/a ANN M. BERARDUCCI  
and ANN BERARDUCCI,  
deceased**

Late of the City of Erie, County of Erie and State of Pennsylvania  
*Administrators:* Jacqueline S. Bongiorno and Joann Campanella, c/o 305 West Sixth Street, Erie, PA 16507

*Attorney:* Randy L. Shapira, Esq., 305 West Sixth Street, Erie, PA 16507

**BORGIA, JOSEPH J.,  
deceased**

Late of the City of Erie, County of Erie, Commonwealth of Pennsylvania

*Executor:* Joseph A. Borgia, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506-4508

*Attorney:* Scott L. Wallen, Esq., Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506-4508

**CARTER, HELEN A.,  
a/k/a HELEN CARTER,  
deceased**

Late of Millcreek Township, County of Erie and Commonwealth of Pennsylvania  
*Administratrix:* Terri L. Toy  
*Attorney:* David J. Rhodes, Esquire, Elderkin, Martin, Kelly & Messina, 150 East 8th Street, Erie, PA 16501

**DEAK, HARRIET MELISSA,  
deceased**

Late of Summit Township, County of Erie, and Commonwealth of Pennsylvania

*Executor:* David P. Milk, 8690 Perry Hwy., Erie, PA 16509

*Attorney:* Thomas S. Kubinski, Esquire, The Gideon Ball House, 135 East 6th Street, Erie, PA 16501

**FRANCIS, JUNE M.,  
deceased**

Late of Millcreek Township, Erie County, Pennsylvania

*Executrix:* Anita M. Wilson, c/o 2580 West 8th Street, Erie, Pennsylvania 16505

*Attorney:* Ralph R. Riehl, III, 2580 West 8th Street, Erie, Pennsylvania 16505

**HUDY, JEANNA L., a/k/a  
JEAN HUDY a/k/a GINA HUDY,  
deceased**

Late of the Township of Summit, Erie County, PA

*Co-Executors:* Kelly M. Hudy-Boyles and William P. Boyles, 104 Chasbrier Court, Cary, NC 27518.

*Attorney:* None

**KNAF, ROBERT W.,  
deceased**

Late of the City of Erie, Commonwealth of Pennsylvania  
*Executor:* Benjamin F. Lydic, Jr., c/o Anthony Angelone, Esquire, 3820 Liberty Street, Erie, PA 16509

*Attorney:* Anthony Angelone, Esquire, Vendetti & Vendetti, 3820 Liberty Street, Erie, PA 16509

**KORYNOSKI, VIOLET M., a/k/a  
VIOLET MECCI KORYNOSKI,  
deceased**

Late of the Township of Fairview, County of Erie, State of Pennsylvania

*Executor:* William N. Korynoski, PO Box 112, Lake City, Pennsylvania 16423

*Attorney:* James R. Steadman, Esq., 24 Main St. E., Girard, Pennsylvania 16417

**LOSCALZO, VINCENT J.,  
deceased**

Late of Millcreek Township, County of Erie, Pennsylvania  
*Executor:* Michael B. Loscalzo, c/o 150 West Fifth Street, Erie, PA 16507

*Attorney:* Colleen C. McCarthy, Esq., McCarthy, Martone & Peasley, 150 West Fifth St., Erie, PA 16507

**MARKIEWICZ, FRANK J.,  
deceased**

Late of the City of Erie  
*Administrators:* Karen Couse and Christine Simu  
*Attorneys:* Marsh Spaeder Baur Spaeder & Schaaf, LLP, Will J. Schaaf, Esquire, Attorneys at Law, Suite 300, 300 State Street, Erie, PA 16507

**MEYER, ROBERT J.,  
deceased**

Late of the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania  
*Administratrix:* Christine E. Tombaugh, c/o 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508  
*Attorney:* Darlene M. Vlahos, Esquire, 3305 Pittsburgh Avenue, Erie, PA 16508

**RODNEY, JAMES P.,  
deceased**

Late of the Township of Harborcreek, County of Erie, and Commonwealth of Pennsylvania  
*Executrix:* Susan M. Stroz, c/o Joseph A. Yochim, Esq., 345 West 6th Street, Erie, PA 16507  
*Attorney:* Joseph A. Yochim, Esq., Yochim & Nash, 345 West 6th Street, Erie, PA 16507

**SCHWARTZ, MILDRED J.,  
deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania  
*Executor:* Frank R. Schwartz, Jr., c/o William J. Schaaf, Esq., Suite 300, 300 State Street, Erie, PA 16507  
*Attorneys:* Marsh, Spaeder, Baur, Spaeder & Schaaf, LLP, William J. Schaaf, Esq., Suite 300, 300 State Street, Erie, PA 16507

**SIITERSON, MARY E.,  
a/k/a MARY LUCHANSKY  
SIITERSON,  
deceased**

Late of Lawrence Park Township, County of Erie and Commonwealth of Pennsylvania  
*Executor:* PNC Bank National Association  
*Attorney:* Thomas J. Minarcik, Esquire, Elderkin, Martin, Kelly & Messina, 150 East 8th Street, Erie, PA 16501

**TEIXEIRA, IDA MAY,  
deceased**

Late of the City of Erie, County of Erie, Commonwealth of Pennsylvania  
*Executrix:* Denise DiGiacomo, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506  
*Attorney:* Colleen R. Stumpf, Esquire, Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

**WATKINS, ROGER,  
deceased**

Late of Erie County  
*Co-Administrators:* Melissa A. Watkins and Roger J. Watkins  
*Attorney:* Stanley G. Berlin, Esquire, Shapira, Hutzelman, Berlin, Ely, Smith and Walsh, 305 West 6th Street, Erie, PA 16507

## CHANGES IN CONTACT INFORMATION OF ECBA MEMBERS

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Erie, PA 16507-1244

**Rebecca Wolford** ----- (814) 403-8546  
PO Box 1530 ----- (f) (814) 240-1022  
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**Kristin L. Prechtel** ----- (814) 833-2222  
Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc. ----- (f) (814) 833-6753  
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