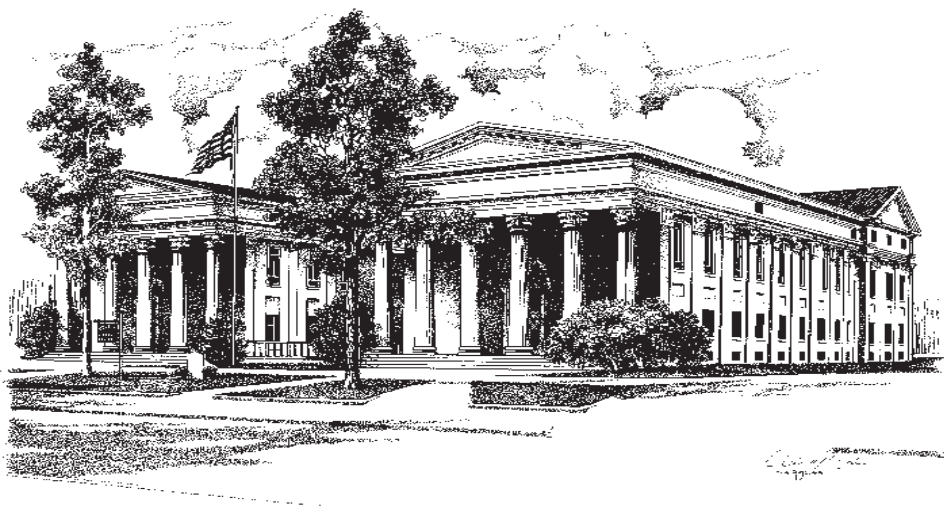


*Erie  
County  
Legal  
Journal*

July 24, 2009

Vol. 92 No. 30

USPS 178-360



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92 ERIE 164-169

Wassink v. Harwhit Brothers, Inc., et al.

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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

**PLEASE NOTE: NOTICES MUST BE RECEIVED AT THE ERIE COUNTY BAR ASSOCIATION OFFICE BY 3:00 P.M. THE FRIDAY PRECEDING THE DATE OF PUBLICATION.**

All legal notices must be submitted in typewritten form and are published exactly as submitted by the advertiser. Neither the Erie County Bar Association nor the printer will assume any responsibility to edit, make spelling corrections, eliminate errors in grammar or make any changes in content.

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ERIE COUNTY LEGAL JOURNAL (ISSN 0730-6393) is published every Friday for \$55 per year (\$1.50 single issues/\$5.00 special issues, i.e. Seated Tax Sales). Owned and published by the Erie County Bar Association (Copyright 2009©) 302 West 9th St., Erie, PA 16502 (814/459-3111). Periodical Postage paid at Erie, PA 16515. POSTMASTER: Send Address changes to THE ERIE COUNTY LEGAL JOURNAL, 302 West 9th St., Erie, PA 16502-1427.

# Erie County Bar Association

## Calendar of Events and Seminars

### TUESDAY, JULY 28, 2009

*The Basics of Consumer Bankruptcy Practice*  
 PBI Video Seminar  
 Bayfront Convention Center  
 9:00 a.m. - 4:00 p.m. (Reg. 8:30 a.m.)  
 \$129 (member) \$109 (admitted after 1/1/05)  
 \$149 (nonmember)  
 5 hours substantive / 1 hour ethics

### WEDNESDAY, JULY 29, 2009

*ECBA Annual Golf Tournament*  
 Lawrence Park Golf Club  
 1:15 p.m. shotgun start  
 \$115 members  
 \$105 Young Lawyers

### THURSDAY, JULY 30, 2009

*Technology in the Courtroom*  
 ECBA Lunch-n-Learn Seminar  
 Bayfront Convention Center  
 11:30 a.m. (Registration)  
 11:45 a.m. - 12:15 p.m. (Lunch)  
 12:15 p.m. - 1:15 p.m. (Seminar)  
 \$27 (ECBA member) \$39 (nonmember)  
 \$20 (judges)  
 1 hour substantive

### TUESDAY, AUGUST 4, 2009

*Ethics Potpourri - Attorney Discipline in Pennsylvania*  
 PBI Video Seminar  
 Bayfront Convention Center  
 9:00 a.m. - 10:00 a.m. (Reg. 8:30 a.m.)  
 \$39 (member) \$49 (nonmember)  
 1 hour ethics

### WEDNESDAY, AUGUST 5, 2009

*Business Valuation and Divorce*  
 PBI Groupcast Seminar  
 Bayfront Convention Center  
 12:00 p.m. - 4:15 p.m. (Reg. 11:30 a.m.)  
 LUNCH INCLUDED  
 \$224 (member) \$204 (admitted after 1/1/05)  
 \$244 (nonmember)  
*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)*  
 4 hours substantive

### TUESDAY, AUGUST 11, 2009

*Advanced Issues of Realty Transfer Tax*  
 PBI Video Seminar  
 Erie County Bar Association \* Note Location \*  
 9:00 a.m. - 12:30 p.m. (Reg. 8:30 a.m.)  
 \$119 (member) \$99 (admitted after 1/1/05)  
 \$139 (nonmember)  
 3 hours substantive

### TUESDAY, AUGUST 18, 2009

*Trial Tactics, Tips and Techniques*  
 PBI Video Seminar  
 Bayfront Convention Center  
 9:00 a.m. - 4:00 p.m.  
 \$129 (members) \$109 (admitted after 1/1/05)  
 \$149 (nonmember)  
 6 hours substantive

### TUESDAY, AUGUST 25, 2009

*Overcoming Depression*  
 PBI Video Seminar  
 Bayfront Convention Center  
 9:00 a.m. - 10:00 a.m. (8:30 a.m. reg.)  
 \$39 (members) \$49 (nonmembers)  
 1 hour ethics

### 2009 BOARD OF DIRECTORS

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- 12:45 pm - Arrive at the Club and Register
- 1:15 pm - Shotgun Start
- 6:00 pm - Hors d'oeuvres & refreshments
- 6:45 pm - Dinner, brief awards ceremony



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**JAMES R. WASSINK, Plaintiff**

**v.**

**HARWHIT BROTHERS, INC., And COMPRESSOR & PUMP  
COMPONENTS CO., INC., d/b/a PETRO-CHEM, INC.,  
Successor Corporation to MASTER BLASTER CORPORATION  
d/b/a TEXTILE ENGINEERING ASSOCIATES, INC. d/b/a  
TEXTILE ENGINEERING ASSOCIATES, PRESS TECH  
ENVIRONMENTAL SERVICES, INC., and TEXTILE  
ENGINEERING, INC., d/b/a TEXTILE ENGINEERING,  
Defendants**

*JURISDICTION / CORPORATIONS*

Pennsylvania long-arm statute controls exercise of in personam jurisdiction over nonresident corporate defendants.

*CIVIL PROCEDURE / COMMENCEMENT OF ACTION*

Exercising jurisdiction over an out of state defendant depends on several factors, including the forum state's interest in resolving the dispute, plaintiff's interest in obtaining convenient and effective relief, the interstate judicial system's interest in the most efficient resolution of controversy, and the interest of several states in furthering substantive social policies.

*JURISDICTION / CORPORATIONS*

Jurisdiction under the Pennsylvania long arm state can be exercised when foreign corporations and manufacturers sell deficient equipment that causes injury or harm to plaintiffs.

*JURISDICTION / CORPORATIONS CIVIL PROCEDURE /  
DISCOVERY*

A defendant corporation may be subject to discovery unrelated to underlying cause of action in order to determine if defendant is indeed "doing business" in Pennsylvania.

*JURISDICTION / CORPORATIONS*

Having a continuous interest in the sale and use of equipment (via a Pennsylvania distributor) also constitutes "doing business" within Pennsylvania.

*JURISDICTION / CORPORATIONS*

A defendant company may also be considered a "successor" based on allegations that successor continued in same line of business, took over predecessor's accounts, employees, and clients, and did business under same name as predecessor.

*JURISDICTION / CORPORATIONS*

A predecessor corporation's activities may be attributed to a successor for jurisdictional purposes without violating this section or due process, even though new corporate entity was not result of statutory merger or consolidation.

*JURISDICTION / CORPORATIONS*

In order to determine whether a subsidiary is the alter ego of its parent, the court should consider: (1) ownership of all or most stock of subsidiary; (2) common officers and directors; (3) common marketing image; (4) common use of trademark or logo; (5) common use of employees; (6) integrated sales system; (7) interchange of managerial and supervisory personnel; (8) performance of business functions by subsidiary that principal corporation would normally conduct through its own agents or departments; (9) marketing by subsidiary on behalf of principal corporation, or as principal's exclusive distributor; and (10) receipt by officers of subsidiary corporation of instruction from principal corporation.

*CIVIL PROCEDURE / PLEADINGS / GENERAL REQUIREMENTS*

A plaintiff may commence a cause of action against any additional defendant by filing a praecipe for writ of summons, a complaint, or an agreement for amicable action.

*CIVIL PROCEDURE / PLEADINGS / GENERAL REQUIREMENTS*

Amendments to the caption may be permitted after the expiration of the statute of limitations to reflect the correct name of a defendant.

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY,  
PENNSYLVANIA                      CIVIL DIVISION                      NO. 11514-2007

Appearances:     James Stuczynski, Esquire, Attorney for Plaintiff  
                               Edwin Smith, Esquire, Attorney for Defendant

**MEMORANDUM OPINION**

**Procedural History**

Dunlavey, Michael E., J., April 24, 2009

Plaintiff filed a products liability action against Defendants on April 10, 2007, arising from an industrial accident that occurred in May 2005. After several attempts to conduct discovery and serve interrogatories on Defendants in the State of Texas, Plaintiff filed a Motion to Amend the Caption on March 25, 2008. Oral argument was held before this Court on August 7, 2008. The Court subsequently granted Plaintiff's Motion and denied Defendant Compressor & Pump Components, Co., Inc.'s Preliminary Objections. Defendant Compressor & Pump Components, Co., Inc. (hereinafter CPC) filed a timely Notice of Appeal. On March 11, 2009, CPC filed a Concise Statement of Errors Complained of on Appeal (hereinafter Concise Statement), raising three allegations of error.

**Argument**

CPC first alleges that the Court erred in overruling its Preliminary Objections related to Pennsylvania's long-arm statute 42 Pa.C.S.A. §5301 and §5322.

### Long-Arm Jurisdiction

Pennsylvania long-arm statute controls exercise of in personam jurisdiction over nonresident corporate defendants. *Rogers v. Icelandair/Flugleider International*, 522 F.Supp. 670 (E.D.Pa., 1981). Exercising jurisdiction over an out of state defendant depends on several factors, including the forum state's interest in resolving the dispute, plaintiff's interest in obtaining convenient and effective relief, the interstate judicial system's interest in the most efficient resolution of controversy, and the interest of several states in furthering substantive social policies. *Kingsley and Keith (Canada) Ltd. v. Mercer Intern. Corp.*, 435 A.2d 585, 291 Pa.Super. 96, Super.1981, *affirmed* 456 A.2d 1333, 500 Pa. 371, *certiorari denied* 104 S.Ct. 423, 464 U.S. 982, 78 L.Ed.2d 358. Here, it is undisputed that CPC is a nonresident corporation. Pennsylvania has an interest in resolution of the matter because its citizen resides here, was injured here, and is seeking relief (i.e. damages) here.

Further, jurisdiction under the Pennsylvania long arm state can be exercised when foreign corporations and manufacturers sell deficient equipment that causes injury or harm to plaintiffs. *See Saccamani v. Robert Reiser & Co., Inc.*, 348 F.Supp. 514 (W.D.Pa., 1972) (German manufacturer who sold machinery through Pennsylvania distributor where meat packer's employee was injured by rotor), *PPG Industries, Inc. v. Systonetics, Inc.*, 614 F.Supp. 1161 (W.D.Pa., 1985) (California corporation which sold computer equipment and technology to Pennsylvania buyer where software was installed in Pennsylvania by the seller's employees) and *Heller v. Centrax Products Corp.*, 543 F.Supp. 318 (E.D.Pa., 1982) (Massachusetts manufacturer who shipped defective machine to Pennsylvania that caused injuries to plaintiff's right hand). Here, it is clear that Plaintiff was injured by equipment sold by CPC and its successors to Pennsylvania, thus long-arm jurisdiction is appropriate.

### Personal Jurisdiction

CPC also argues that the Court lacked personal jurisdiction over it because it was not "doing business" here, nor was an "alter ego" or "successor corporation".

A defendant corporation may be subject to discovery unrelated to underlying cause of action in order to determine if defendant is indeed "doing business" in Pennsylvania. *Superior Coal Co. v. Ruhrkohle, A.G.*, 83 F.R.D. (414 E.D.Pa., 1979). Having a continuous interest in the sale and use of equipment (via a Pennsylvania distributor) also constitutes "doing business" within Pennsylvania. *Kelly v. U. S. Steel Corp.*, 198 F.Supp. 640 (W.D.Pa., 1960).

A defendant company may also be considered a "successor" based on allegations that successor continued in same line of business, took over predecessor's accounts, employees, and clients, and did business under

same name as predecessor. *Huth v. Hillsboro Ins. Management, Inc.*, E.D.Pa.1999, 72 F.Supp.2d 506. A predecessor corporation's activities may be attributed to a successor for jurisdictional purposes without violating this section or due process, even though new corporate entity was not result of statutory merger or consolidation. *Simmers v. American Cyanamid Corp.*, 394 Pa.Super. 464, 576 A.2d 376 (1990)

In order to determine whether a subsidiary is the alter ego of its parent, the court should consider: (1) ownership of all or most of stock of subsidiary; (2) common officers and directors; (3) common marketing image; (4) common use of trademark or logo; (5) common use of employees; (6) integrated sales system; (7) interchange of managerial and supervisory personnel; (8) performance of business functions by subsidiary that principal corporation would normally conduct through its own agents or departments; (9) marketing by subsidiary on behalf of principal corporation, or as principal's exclusive distributor; and (10) receipt by officers of subsidiary corporation of instruction from principal corporation. *Simeone ex rel. Estate Of Albert Francis Simeone, Jr. v. Bombardier-Rotax GmbH*. 360 F.Supp.2d 665 (E.D.Pa., 2005).

Here, the Court found that CPC was doing business in Pennsylvania as a successor to Master Blaster, *et al.* The Court accepts Plaintiff's contention that Defendants' name was "all over the documents received from North East Municipal Authority pertaining to Plaintiff's accident. *N.T. Plaintiff's Motion to Amend Caption Hearing*, August 7, 2008, p. 12. Further, the Court found nothing to indicate that CPC was not in the same line of business as Master Blaster, *at al.*, even though no merger or consolidation had taken place.

Particularly, the Court found that Clifton Wolf and Alan Scott were central figures of the corporation, appearing on tax returns and other corporate documents, and serving as corporate officers and/or registered agents for Textile Engineering, Inc., Compressor & Pump Components Co., Inc., and Petro-Chem, Inc. The similarity of corporate names, common stock ownership, and interchangeable personnel strongly indicated an "alter ego" relationship. For example, at the hearing, Plaintiff argued that even Mr. Wolf was often confused about who owned what stock in which corporation. *N.T. Plaintiff's Motion to Amend Caption Hearing*, August 7, 2008, p. 3, lines 15-22. The Court also accepts Plaintiff's argument that the corporate names were deceptively similar names, leading to possible confusion and difficulty in effectuating proper service.

### **Expiration of Statute of Limitations**

CPC next alleges that the Court erred in overruling its Preliminary Objections because the applicable statute of limitations had expired on the underlying personal injury claims.



A plaintiff may commence a cause of action against any additional defendant by filing a praecipe for writ of summons, a complaint, or an agreement for amicable action. *Aivazoglou v. Drever Furnaces, et al.*, 418 Pa. Super. 111, 613 A.2d 595 (1992). Amendments to the caption may be permitted after the expiration of the statute of limitations to reflect the correct name of a defendant. *Zimmer v. Benchmark Management Corporation*, 20 Pa. D. & C. 4th 1 (Erie County Court of Common Pleas, 1993). See also *Waugh v. Steelton Taxi Co.*, 371 Pa. 436, 89 A.2d 527 (1995). "When the plaintiff... uses the name of the entity supplied by defendant, the defendant should not be heard to complain that the name was wrong, and amendment of the complaint should be permitted." *Clark v. Wakefern Food Corp. t/a Shop Rite # 411*, 2006 Pa. Super. 298, 910 A.2d 715, at 719.

After review of the record, the Court notes the repeated entry of several Praecipe to Reinstate Complaint filed within the statute of limitations by Plaintiff against CPC and the other captioned defendants. The Court also acknowledges Plaintiff's efforts to identify the correct defendant by searching the Texas Corporation Bureau of Records and conducting Internet searches as well. *N.T. Plaintiff's Motion to Amend Caption Hearing*, August 7, 2008, pp. 10-11. Thus, the Court finds CPC's allegation as to the statute of limitations to be without merit.

### **Proper Service**

Lastly, CPC alleges the trial court erred in finding that Plaintiff properly served CPC and claims that no proofs of service were ever filed. Again, the Court points to the docketed multiple attempts at service by Plaintiff and the difficulties in effectuating proper service as explained by Plaintiff and unrefuted by CPC.

Further, the Court notes that counsel has consistently appeared on behalf of CPC at all stages of the proceedings thus far. See *McCullough v. Clark*, 784 A.2d 156, (2001) where attorney entered his appearance on behalf of two defendants on the docket, giving the court personal jurisdiction over both in negligence action, even though one of them was not served with process.

### **Conclusion**

CPC ultimately seems to argue that the Court should assume that the similar names and players involved in this case are nothing more than mere coincidences.<sup>1</sup> However, the Court found several which could not be ignored. Plaintiff is simply asking for the opportunity to conduct further discovery into a foreign corporation, which the Court has broad power to grant. See Pa.R.C.P. 4001, *et seq.* Defendant is not without remedy

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<sup>1</sup>. As Yogi Berra once said, "That's too coincidental to be coincidence."

as discovery progresses. CPC could seek further discovery, requests for admissions, summary judgment or judgment on the pleadings.

Based on the foregoing reasons and case law, Defendant CPC's claims should be dismissed as having no merit in fact or law.

**BY THE COURT:**

**/s/ MICHAEL E. DUNLAVEY, JUDGE**

Date: April 24, 2009



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*Contact the Erie County Bar Association for further details or to schedule a demonstration. (814) 459-3111 or [admin@eriebar.com](mailto:admin@eriebar.com)*

**CHANGE OF NAME NOTICE**

In the Court of Common Pleas of Erie County, Pennsylvania  
No. 13130-09

In Re: Gregory Alan Orlando  
Notice is hereby given that on July 13, 2009, the Petition of Gregory Alan Orlando was filed in the above named Court, requesting to change his name to Gregor Alan Orlando.

The Court has fixed August 17, 2009, at 9:00 o'clock A.M. in Courtroom No. H on the 2nd floor at the Erie County Courthouse, 140 W. 6th St., Erie, PA 16501 as the time and place for the hearing on said Petition, when and where all interested parties may appear and show cause, if any, why the request of the petitioner should not be granted.

Jul. 24

**INCORPORATION NOTICE**

Notice is hereby given that Phillip J. Rewers, Inc. has been incorporated under the provisions of the Pennsylvania Business Corporation Law of 1988.

Joseph A. Yochim, Esq.  
Yochim & Nash  
345 West 6th Street  
Erie, Pennsylvania 16507  
(814) 454-6345

Jul. 24

**INCORPORATION NOTICE**

Notice is hereby given that Seelinger Law Corporation has been incorporated under the provisions of the Pennsylvania Business Corporation Law of 1988.

Rebeka Seelinger, Esq.  
814-824-6670

Jul. 24

**LEGAL NOTICE**

**NOTICE OF DISBARMENT**

Notice is hereby given that by Order of the Supreme Court of Pennsylvania dated July 15, 2009, James Gregory Moore has been **DISBARRED ON CONSENT** from the Bar of this Commonwealth, to be effective August 14, 2009.

Elaine M. Bixler  
Secretary of the Board  
The Disciplinary Board of the  
Supreme Court of Pennsylvania

Jul. 24

**LEGAL NOTICE**

Edward C. Sidelinger  
v.

David E. Sidelinger

Civil Action - Equity - Court of Common Pleas - NO. 10450-2009  
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 for the below. This office can provide you with information about hiring a lawyer.

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(814) 454-7854

Jul. 24

**LEGAL NOTICE**

THE SCHOOL DISTRICT  
CITY OF ERIE, PA

Administration Office Building  
148 West 21st Street  
Erie, PA 16502

**NOTICE TO BIDDERS**

The School District of the City of Erie, 148 West 21st Street, Erie, PA

16502 will receive SEALED BIDS for a Refrigerated Food Transport Vehicle, Thursday, August 6, 2009 at 1:30 p.m., Daylight Savings Time, and will be opened in the Board Room in accordance with the bid forms and specifications to be obtained from the Purchasing Department.

Robin Smith  
Secretary

Jul. 17, 24, 31

**LEGAL NOTICE**

THE SCHOOL DISTRICT  
CITY OF ERIE, PA

Administration Office Building  
148 West 21st Street  
Erie, PA 16502

**NOTICE TO BIDDERS**

The School District of the City of Erie, 148 West 21st Street, Erie, PA 16502 will receive SEALED BIDS for Pre-Engineering Equipment & (2) Vehicles: (One Eight Passenger Wagon & One Crew Cab 4 X 4) Thursday, August 6, 2009 at 1:30 p.m., Daylight Savings Times, and will be opened in the Board Room in accordance with the bid forms and specifications to be obtained from the Purchasing Department.

Robin Smith  
Secretary

Jul. 10, 17, 24

**LEGAL NOTICE**

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY  
ORPHAN'S COURT DIVISION  
No. 176-2009

In Re: Sabrina Mae Kahler, a presumed decedent.

To Sabrina Mae Kahler, late of 1203 East Third Street, Erie, Pennsylvania, and to her heirs, next of kin, and all persons interested in her estate:

Notice is hereby given that a petition was filed with the above-named Court to establish the legal presumption of the death of Sabrina Mae Kahler. The Court will hear evidence concerning the alleged absence of Sabrina Mae Kahler and its circumstances and duration on September 15, 2009 at 1:30 P.M., in Room G-222, Erie County Court House, Erie, Pennsylvania, so that

her absence may be determined as presumed death. All persons having any knowledge of the whereabouts of Sabrina Mae Kahler are requested to attend the hearing or contact the undersigned.

Elliott J. Ehrenreich, Esquire  
Knox McLaughlin Gornall & Sennett, P.C.

120 West Tenth Street  
Erie, PA 16501  
(814) 459-2800

Jul. 17, 24, 31 and Aug. 7

**LEGAL NOTICE**

**MARSHAL'S SALE:** By virtue of a Writ of Execution issued out of the United States Court for the Western District of Pennsylvania and to me directed, I shall expose to property located at 10888 Station Road, North East, PA 16428 being more fully described at Erie County Deed Book 1054, Page 1472.

**SAID SALE** to be held at the ERIE COUNTY COURTHOUSE,

ROOM 209, ERIE, PA at 9:00 a.m. prevailing, standard time, on AUGUST 3, 2009.

All those certain tracts of land, together with the buildings, and improvements erected thereon described as Erie County Tax Index Number (26)7-19-16. Seized and taken in execution as the property of Matthew R. Barnett at the suit of the United States of America, acting through the Under Secretary of Rural Development, on behalf of Rural Housing Service, United States Department of Agriculture, to be sold on Writ of Execution as Civil Number 07-158Erie. **TERMS OF SALE:** Successful bidder will pay ten percent (10%) by certified check or money order and the remainder of the bid within thirty (30) days from the date of the sale and in the event bidder cannot pay the remainder, the property will be resold and all monies paid in at the original sale will be applied to any

deficiency in the price at which the property is resold. The successful bidder must send payment of the balance of the bid directly to the U.S. Marshal's Office c/o Sheila Blessing, Room 241, U.S. Post Office & Courthouse, Pittsburgh, PA 15219. Notice is hereby given that a Schedule of Distribution will be filed by me on the thirtieth day after the date of sale, and that distribution will be made in accordance with the Schedule unless exemptions are filed thereto within ten (10) days thereafter. Purchaser must furnish State Realty Transfer Tax Stamps, and stamps required by the local taxing authority. Marshal's costs, fees and commissions are to be borne by seller. Thomas M. Fitzgerald, United States Marshal. For additional information visit [www.resales.usda.gov](http://www.resales.usda.gov) or contact Kimberly Williamson at 800-349-5097 Ext. 4500.

Jul. 10, 17, 24, 31

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**AUDIT LIST  
NOTICE BY  
PATRICK L. FETZNER**

**Clerk of Records,  
Register of Wills and Ex-Officio Clerk of  
the Orphans' Court Division, of the  
Court of Common Pleas of Erie County, Pennsylvania**

The following Executors, Administrators, Guardians and Trustees have filed their Accounts in the Office of the Clerk of Records, Register of Wills and Orphans' Court Division and the same will be presented to the Orphans' Court of Erie County at the Court House, City of Erie, on **Monday, July 27, 2009** and confirmed Nisi.

**August 20, 2009** is the last day on which Objections may be filed to any of these accounts.

Accounts in proper form and to which no Objections are filed will be audited and confirmed absolutely. A time will be fixed for auditing and taking of testimony where necessary in all other accounts.

<u>2009</u>	<u>ESTATE</u>	<u>ACCOUNTANT</u>	<u>ATTORNEY</u>
183.	Richard Pointer, III.....	Northwest Savings Bank, Tr. ....	Richard E. Filippi & Associates, P.C.
184.	Ruth D. Kersnick.....	Sandra Rand, Admr. CTA .....	Knox McLaughlin Gornall & Sennett PC
185.	Virginia L. Sprague .....	Gary Ronald Sprague, Exr. ....	" " " "
186.	Theresa R. Verga .....	James P. Bancroft, Exr. ....	Carol Morehouse, SSJ, Esq.
187.	Robert J. Nedreski .....	Stephen J. Lagner, Admr. CTA .....	Stephen J. Lagner
188.	Robert W. Knaf .....	Benjamin F. Lydic, Jr., Exr. ....	Vendetti & Vendetti
189.	Barney J. Skladanowski .....	Dennis Skladanowski & Cynthia Forne, Exrs. ....	Darlene M. Vlahos
190.	Herbert J. Johnson, Jr. ....	Ronald E. Johnson, Exr. ....	Andrew & Johnson

PATRICK L. FETZNER  
Clerk of Records  
Register of Wills & Orphans' Court Division

Jul. 24, 31

**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****ALBERICO, ANGELINE M.,  
deceased**

Late of the City of Erie, Erie County, Pennsylvania

*Executor:* Michael Alberico, Tino Alberico, Karen Heaps, Lisa Alberico, c/o McCarthy, Martone & Peasley, 150 West Fifth Street, Erie, Pennsylvania 16507

*Attorney:* Joseph P. Martone, Esq., McCarthy, Martone & Peasley, 150 West Fifth Street, Erie, Pennsylvania 16507

**AYERS, ALLAN L.,  
deceased**

Late of the City of Corry, Erie County, Pennsylvania

*Administrator:* Jeffery J. Davis, 201 Blakeslee Street, Spartansburg, PA 16434

*Attorney:* William E. Barney, Esq., 200 North Center Street, Corry, Pennsylvania 16407

**BANDECCA, JOSEPHINE S.,  
deceased**

Late of Millcreek Township, County of Erie, Pennsylvania

*Executrix:* Mary Jo Wojcik, c/o 150 West Fifth St., Erie, PA 16507

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

**BASILE, TINA M., a/k/a  
TINA MARIE BASILE, a/k/a  
TINA BASILE,  
deceased**

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

*Executor:* Vincent J. Harris, 624 Cascade Street, Erie, PA 16502

*Attorney:* Stephen A. Tetuan, Esquire, 558 West Sixth Street, Erie, PA 16507

**CHRISTOPH, ROBERT C.,  
deceased**

Late of Pittsburgh, Allegheny County, PA

*Executrix:* Dorothy Christoph, c/o Attorney Elizabeth Brew Walbridge, 900 State Street, Suite 103, Erie, PA 16501

*Attorney:* Elizabeth Brew Walbridge, Esq., 900 State Street, Suite 103, Erie, PA 16501

**COMPTON, STELLA D.,  
deceased**

Late of North East Borough, Erie County, North East, Pennsylvania

*Executrix:* Rosemarie Million, c/o Robert J. Jeffery, 33 East Main Street, North East, Pennsylvania 16428

*Attorney:* Robert J. Jeffery, Esq., Orton & Jeffery, P.C., 33 East Main Street, North East, Pennsylvania 16428

**EATON, ROBERT BARTON,  
a/k/a ROBERT B. EATON,  
deceased**

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

*Co-Executors:* William C. Bendig and Kevin M. Monahan, Esq., Suite 300, 300 State Street, Erie, PA 16507

*Attorneys:* Marsh, Spaeder, Baur, Spaeder & Schaaf, LLP., Attorneys-at-Law, Suite 300, 300 State Street, Erie, PA 16507

**GALVIN, RICHARD C., SR.,  
deceased**

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

*Co-Executors:* Richard C. Galvin Jr., c/o Kevin M. Monahan, Esq., Suite 300, 300 State Street, Erie, PA 16507

*Attorneys:* Marsh, Spaeder, Baur, Spaeder & Schaaf, LLP., Attorneys-at-Law, Suite 300, 300 State Street, Erie, PA 16507

**KNAPPENBERGER, MARTHA A.,  
deceased**

Late of the City of Erie, County of Erie

*Executrix:* Dorothy J. Magoon, 1917 Ottawa Drive, Erie, PA 16505

*Attorney:* None

**SMALLEY, LUKE JOHN, a/k/a  
JOHN ROBERT SMALLEY,  
a/k/a JOHN LUKE SMALLEY,  
deceased**

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

*Administrator:* Michael J. Smalley, 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

**STETSON, ERNEST T.,  
deceased**

Late of North East Township, Erie County, North East, Pennsylvania

*Executrix:* Margaret A. Beers, c/o Robert J. Jeffery, 33 East Main Street, North East, Pennsylvania 16428

*Attorney:* Robert J. Jeffery, Esq., Orton & Jeffery, P.C., 33 East Main Street, North East, Pennsylvania 16428



**TITUS, SIDNEY M., a/k/a  
SIDNEY MAURICE TITUS,  
deceased**

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

*Executrix:* Tammy Roche, c/o Joseph A. Yochim, Esq., Yochim & Nash, 345 West 6th Street, Erie, PA 16507

*Attorney:* Joseph A. Yochim, Esq., Yochim & Nash, 345 West 6th Street, Erie, PA 16507

**SECOND PUBLICATION**

**BOWEN, EDITH M.,  
deceased**

Late of Harborcreek Township, Erie County, Pennsylvania

*Executrix:* Diane J. Ebert, 4725 Loop Rd., Waterford, PA 16441

*Attorney:* None

**GEDDIS, JEAN R.,  
deceased**

Late of Millcreek Township

*Executrix:* Jennifer Traut, 3603 Court Avenue, Erie, PA 16506

*Attorney:* Jerome C. Wegley, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**MASCHARKA, EDWARD  
PAUL, JR., a/k/a  
EDWARD P. MASCHARKA, JR.,  
deceased**

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

*Co-Executors:* Edward P. Mascharka, III, Thomas E. Mascharka, Jill D. Mascharka-Robinson, c/o James E. Marsh, Jr., Esq., Suite 300, 300 State Street, Erie, PA 16507

*Attorney:* James E. Marsh, Jr., Esq., Marsh, Spaeder, Baur, Spaeder & Schaaf, LLP, Attorneys-at-Law, Suite 300, 300 State Street, Erie, PA 16507

**ROHDE, ROBERT PAUL,  
deceased**

Late of Erie County

*Executor:* Douglas E. Rohde, 864 Bryn Mawr Ave., Wickliffe, OH 44092

*Attorney:* Eric B. Rohde, Esq., Rohde & Jennings, Inc., 1926 Peach Street, Suite 300, Erie, Pennsylvania 16502

**ROLAND, ADELAIDE H., a/k/a  
ADELAIDE HENRY ROLAND,  
a/k/a ADELAIDE S. ROLAND,  
a/k/a ADELAIDE ROLAND,  
deceased**

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

*Executor:* David Henry Roland, c/o Wayne G. Johnson, Sr., Esq., Estate Attorney, 1301 West Ninth Street, Erie, PA 16502

*Attorney:* Wayne G. Johnson, Sr., Esq., 1301 West Ninth Street, Erie, PA 16502

**TAYLOR, DOROTHY P., a/k/a  
DOROTHY TAYLOR,  
deceased**

Late of Union Township, County of Erie and State of Pennsylvania  
*Executrix:* Danielle Hart, 16762 Wager Road, Union City, PA 16438

*Attorney:* Ronald J. Susmarski, Esq., 4030-36 West Lake Road, Erie, PA 16505

**WEBER, VIRGINIA M.,  
deceased**

Late of the Township of Millcreek, County of Erie, and Commonwealth of Pennsylvania

*Executrix:* Linda M. Duffin, c/o Wayne G. Johnson, Sr., Esq., Estate Attorney, 1301 West Ninth Street, Erie, PA 16502

*Attorney:* Wayne G. Johnson, Sr., Esq., 1301 West Ninth Street, Erie, PA 16502

**ZIELINSKI, THERESA MARY,  
deceased**

Late of Harborcreek Township

*Executor:* John Mark Zielinski, 3411 Pine Avenue, Erie, PA 16504

*Attorney:* Jerome C. Wegley, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**THIRD PUBLICATION**

**ABBOTT, ESTHER ADRIAN,  
deceased**

Late of the City of Erie

*Administratrix:* Debbie Wagner, 313 East 22nd Street, Erie, PA 16503

*Attorney:* Elliott J. Ehrenreich, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**BRANSON, JERRLYN J.,  
deceased**

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

*Executor:* Robert Howell, 2207 Easthill Ave., Cincinnati, OH 45208

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

**CROSS, ELEANOR H.,  
deceased**

Late of Millcreek Township, County of Erie, Commonwealth of Pennsylvania

*Executrix:* Martha Jean Agostino, 4042 Chilton Court, Erie, PA 16505

*Attorney:* None

**DEDINSKY, WANDA C.,  
deceased**

Late of the Township of Washington, County of Erie, Commonwealth of Pennsylvania

*Executrix:* Patricia A. McAndrew, 11640 Maple Lawn Drive, Edinboro, PA 16412

*Attorney:* John E. Gomolchak, Esq., 3854 Walker Blvd., Erie, PA 16509

**HARRISON, LOIS A.,  
deceased**

Late of Wesleyville, County of Erie, Commonwealth of Pennsylvania  
*Administrator CTA:* Charles R. Harrison, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506  
*Attorney:* James F. Toohey, Esq., Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

**LANGER, DOLORES ANN,  
a/k/a DOLORES A. LANGER,  
deceased**

Late of the City of Erie, Commonwealth of Pennsylvania  
*Executrix:* Sheila Lee Spellenberg, 2122 Cook Avenue, Erie, Pennsylvania 16510  
*Attorney:* C. James Vendetti, Esq., Vendetti & Vendetti, 3820 Liberty Street, Erie, Pennsylvania 16509

**LETKIEWICZ, EDWARD A.,  
deceased**

Late of the City of Erie, County of Erie, and Commonwealth of Pennsylvania  
*Executor:* Denise McCracken, 4418 Greystone Village Drive, Columbus, OH 43228  
*Attorney:* Thomas S. Kubinski, Esquire, The Gideon Ball House, 135 East 6th Street, Erie, PA 16501

**NIGBOR, VERONICA J.,  
deceased**

Late of the City of Erie, County of Erie, and Commonwealth of Pennsylvania  
*Executor:* Donald Nigbor, 9 Harvest Way, Angleton, TX 77515  
*Attorney:* Thomas S. Kubinski, Esquire, The Gideon Ball House, 135 East 6th Street, Erie, PA 16501

**WALBRIDGE, DONALD G., SR.,  
deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania  
*Administratrix c.t.a.:* Mary Beth Trostle  
*Attorney:* Edward P. Wittmann, Esquire, Elderkin, Martin, Kelly & Messina, 150 East 8th Street, Erie, PA 16501

**WEINHEIMER, RICHARD J.,  
a/k/a RICHARD WEINHEIMER,  
deceased**

Late of the Borough of Wesleyville, County of Erie, State of Pennsylvania  
*Executrix:* Leigh W. Kostis, 818 Michigan Blvd., Erie, Pennsylvania 16505  
*Attorney:* James R. Steadman, Esq., 24 Main St. E., Girard, Pennsylvania 16417

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## CHANGES IN CONTACT INFORMATION OF ECBA MEMBERS

**John H. Moore** ----- (814) 798-4866  
5748 Schultz Road  
Erie, PA 16509 ----- *jhmcdam@yahoo.com*

**William T. Morton** ----- (814) 836-1011  
3213 West 26th Street ----- (f) (814) 836-1140  
Erie, PA 16506 ----- *wtmorton@erie.net*

### FIRM NAME CHANGE

Agresti Morton & Moore is now known as **The Agresti Law Firm.**

### NEW EMAIL ADDRESS

**Rebeka Seelinger** ----- *rebeka.seelinger@gmail.com*  
**Wayne G. Johnson, Jr.** ----- *wgjohnsonjr@hotmail.com*  
**Tina M. Fryling** ----- *tina.fryling@frylingatlaw.com*  
**William T. Jordan** ----- *jordenandwhite@windstream.net*

### NEW PHONE NUMBER

**Rebeka Seelinger** ----- (814) 528-2921

The Erie County Bar Foundation and its Justice Samuel J. Roberts Scholarship Fund continue to be in need of contributions to support this scholarship program.

Have you made your contribution yet?

If not, you can find information about the scholarship and make an online contribution at [www.eriebar.com](http://www.eriebar.com) or contact the ECBF at 459-3111.

IF THERE ARE ANY NEW ATTORNEYS IN ERIE INTERESTED IN JOINING  
THE ERIE COUNTY BAR ASSOCIATION, PLEASE  
CALL 459-3111 AND AN APPLICATION WILL BE MAILED TO YOU OR GO TO OUR  
WEBSITE AT [WWW.ERIEBAR.COM](http://WWW.ERIEBAR.COM) AND FILL OUT THE ONLINE APPLICATION.

IF YOU KNOW OF ANY ADDRESS CHANGES  
PLEASE CONTACT THE LEGAL JOURNAL OFFICE AT 459-3111  
OR [ADMIN@ERIEBAR.COM](mailto:ADMIN@ERIEBAR.COM). THANK YOU.

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