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Legal
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Groenendaal v. Comm. of Pennsylvania, Dept. of Transportation, et al.

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.

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Erie County Bar Association

Calendar of Events and Seminars

FRIDAY, FEBRUARY 12, 2010

Special Needs Trust

PBI Groupcast Seminar

Erie County Bar Association

9:00 a.m. - 1:15 p.m. (8:30 a.m. reg.)

\$244 (member) \$224 (admitted after 1/1/06)

\$264 (nonmember)

Early Registration - If you register more than 2 days before this presentation you will qualify for this Early Registration Fee:

\$219 (member) \$199 (admitted after 1/1/06) \$239 (nonmember)

4 hours ethics

FRIDAY, FEBRUARY 12, 2010

ECBA's 6th Annual Evening at JR's Last Laugh

JR's Last Laugh Comedy Club

5:15 p.m.

Featuring Comedian Ralph Harris

\$22 / person

Cash Bar

TUESDAY, FEBRUARY 16, 2010

Juvenile Injustice in Luzerne County: Ethical

Consideration for Lawyers, Judges and Prosecutors

PBI Groupcast Seminar

Erie County Bar Association

9:00 a.m. - 12:15 p.m. (8:30 a.m. reg.)

\$214 (member) \$194 (admitted after 1/1/06)

\$234 (nonmember)

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 1/1/06) \$209 (nonmember)

3 hours ethics

THURSDAY, FEBRUARY 18, 2010

Family Law Update: Recent developments including the adoption of revisions to the Support Guidelines

ECBA Live Lunch-n-Learn Seminar

Bayfront Convention Center

11:45 a.m. lunch

12:15 p.m. - 1:15 p.m. seminar

\$30 (ECBA members/staff)

\$45 (nonmembers)

1 hour substantive

THURSDAY, FEBRUARY 25, 2010

Evidence for Trial Lawyers

PBI Groupcast Seminar

Bayfront Convention Center

8:30 a.m. - 3:30 p.m. (8:00 a.m. reg.)

\$344 (member) \$324 (admitted after 1/1/06)

\$364 (nonmember)

Early Registration - If you register more than 2 days before this presentation you will qualify for this Early Registration Fee:

\$319 (member) \$299 (admitted after 1/1/06) \$339 (nonmember)

6 hours substantive

THURSDAY, FEBRUARY 25, 2010

The Basics of Intellectual Property Law

PBI Video Seminar

Erie County Bar Association

9:00 a.m. - 12:30 p.m. (8:30 a.m. reg.)

\$129 (member) \$109 (admitted after 1/1/06)

\$149 (nonmember)

3 hours substantive

TUESDAY, MARCH 2, 2010

The Briefcase Open

6th Annual Pool Tournament

Andy's Gold Crown Billiards

7:00 p.m. - 10:00 p.m.

\$20/person

TUESDAY, MARCH 9, 2010

Government Intervention in Parenting Decisions

PBI Groupcast Seminar

Erie County Bar Association

12:00 p.m. - 2:00 p.m. (11:30 a.m. reg.)

Lunch included

\$154 (member) \$134 (admitted after 1/1/06)

\$174 (nonmember)

Early Registration - If you register more than 2 days before this presentation you will qualify for this Early Registration Fee:

\$129 (member) \$109 (admitted after 1/1/06) \$149 (nonmember)

2 hours substantive

2010 BOARD OF DIRECTORS

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Erie County Bar Association

6th Annual
Evening at

JR's Last Laugh Comedy Club



Friday, February 12, 2010

JR's Last Laugh Comedy Club

1402 State Street

\$22/person (drinks/food at your own expense)



Ralph Harris

*A Jr's
Special Event*



Time:

5:15 p.m. - Social Hour (cash bar); show room opens for ECBA members only to mingle, have a drink and order food directly from JR's menu (salads, sandwiches, finger foods, etc.)

6:00 p.m. - show room opens for the public; ECBA members continue to mingle, order food, cash bar

6:30 p.m. - It's Showtime!

This event is open to all ECBA members and their spouses/significant others/guest.

Reservations due to the ECBA office by Friday, February 5, 2010 (Firm Deadline!)

THE BRIEFCASE OPEN

6th Annual Pool Tournament
Benefitting Legal Aid in Erie County

TUESDAY, MARCH 2

Andy's Gold Crown Billiards - 7 to 10 p.m.

Sponsored by

Northwestern Legal Services and the Erie County Bar Association



The Format:

"Whistle-stop" eight ball, and each game is limited to 15 minutes.

The "Competition":

1. Open Division,
2. Law Office Challenge

The Cost:

The registration fee is \$20 per person.

**All proceeds benefit legal aid
for low-income residents in
Erie County.**

Reservations due to the ECBA office no later than Friday, February 19.

Family Law Update: *Recent developments including the adoption of revisions to the Support Guidelines*

THURSDAY, FEBRUARY 18, 2010

Bayfront Convention Center

12:15 p.m. - 1:15 p.m. (Lunch @ 11:45 a.m.)

\$30 (ECBA members/staff)

\$45 (nonmembers)



Presented by:
JOSEPH P. MARTONE, ESQUIRE

McCarthy, Martone & Peasley

First Vice Chair, Pennsylvania Bar Association
Family Law Section

ATTEND THIS TIMELY SEMINAR TO LEARN ABOUT THE PENNSYLVANIA SUPREME COURT'S REVISIONS TO THE SUPPORT GUIDELINES, APPROVED JANUARY 13, 2010 AND EFFECTIVE MAY 12, 2010.

OTHER SUBJECTS TO BE REVIEWED INCLUDE PENDING AND PROPOSED FAMILY LAW LEGISLATION AND RULES.

This seminar has been approved
by the Pennsylvania CLE Board for
1 hour substantive law credit.

*Reservations are due to the ECBA office
by Monday, February 15.*

You may also register online at www.eriebar.com.

*ECBA Financial Hardship Policy - any lawyer for whom the cost of an ECBA Continuing Legal Education program is a financial hardship may petition the ECBA Executive Director for a reduced fee. For more information on the policy and how to apply, please contact the ECBA office at 459-3111. All requests will be confidential.

Cancellation Policy:

Cancellations received on or before the last reservation deadline will be fully refunded. Cancellations received after the deadline or non-attendance will not be refunded. If you register for an event without payment in advance and don't attend, it will be necessary for the ECBA to send you an invoice for the event.

U.S. Senators Robert P. Casey, Jr. and Arlen Specter invite all persons interested in being considered for appointment to the position of Federal District Court Judge for the Western District of Pennsylvania to obtain and submit an application that can be found on each Senator's website, <http://casey.senate.gov/> and <http://specter.senate.gov/>. This questionnaire must be completed and returned to both Senators in Microsoft Word format by email to Judge.APP_WDPA@specter.senate.gov and Judicial_Nominations@casey.senate.gov no later than March 2, 2010. Applicants will be contacted to arrange for interviews. Senators Casey and Specter will be advised and assisted in this process by several leading members of the bar and other Pennsylvania citizens.

Feb. 5

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

2009 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. Trustees
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. 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. 5

**IN THE UNITED STATES BANKRUPTCY COURT FOR
THE WESTERN DISTRICT OF PENNSYLVANIA
MOTION COURT DATES FOR CHIEF JUDGE THOMAS P. AGRESTI
In Re: ERIE DIVISION SCHEDULING PROCEDURES**

FEBRUARY 2010 NOTICE

The following is a list of *February 2010 through April 2010* motion court dates and times to be used for the scheduling of motions pursuant to *Local Rule 9013-5(A)* before **Chief Judge Thomas P. Agresti** in the Erie Division of the Court. The use of these dates for scheduling motions consistent with the requirements of *Local Rule 9013-5(A)* is summarized below and on Chief Judge Agresti's website at: www.pawb.uscourts.gov. ***The motions will be heard in the Bankruptcy Courtroom, U.S. Courthouse, 17 South Park Row, Erie, PA 16501.***

ERIE CH. 13 AND CH. 7 CASES

Counsel for a moving party shall select one of the following dates and times for matters subject to the "self-scheduling" provisions of the *Local Rules* (See Court Website at <http://www.pawb.uscourts.gov> and *W.D. PA Local Rule 9013-5(A)*), insert same on the notice of hearing for the motion, and serve the notice on all respondents, trustee(s) and parties in interest. Where a particular type of motion is listed at a designated time, filers shall utilize that time for the indicated motions(s) *unless*: (a) special arrangements have been approved in advance by the Court, or, (b) another motion in the same bankruptcy case has already been set for hearing at a different time and the moving party chooses to use the same date and time as the previously scheduled matter.

**Scheduling of CHAPTER 13 Motions
before Chief Judge Thomas P. Agresti**

Wednesday, February 17, 2010
Wednesday, March 10, 2010
Wednesday, March 24, 2010
Wednesday, April 21, 2010

1:30 p.m.: Open for all Erie matters
2:00 p.m.: Open for all Erie matters
2:30 p.m.: Open for all Erie matters*

(Sale, Financing and Extend/Impose Stay Motions scheduled at this time)

* ALL Chapter 12 matters are to be scheduled at this time

**Scheduling of CHAPTER 7 Motions
before Chief Judge Thomas P. Agresti**

Thursday, February 4, 2010
Thursday, February 18, 2010
Thursday, March 4, 2010
Thursday, March 18, 2010
Thursday, April 8, 2010
Thursday, April 22, 2010

2:00 p.m.: Open for all Erie matters*
2:30 p.m.: Open for all Erie matters

*NOTE: 1:30 p.m. has been removed for self-scheduling Chapter 7 matters. Please use 2 p.m. and 2:30 p.m.

ERIE CHAPTER 11 CASES

The Self-scheduling Rule does not apply to Chapter 11 cases. Documents are to be electronically filed with the Clerk's Office. Thereafter, scheduling Orders will be issued from Chambers which schedule any required hearings and, where applicable, outline the specific procedures to be utilized. *Any pleadings in Chapter 11 cases which are self-scheduled will be dismissed upon filing.*

ALL OF THE ABOVE DATES ARE SUBJECT TO REVISION. Please check each month for any changes in the dates that have been published previously. THIS SCHEDULE CAN BE VIEWED ON PACER (Public Access to Court Electronic Records) and on the Court's Web Site (www.pawb.uscourts.gov).

John J. Horner
Clerk of Court

Feb. 5

**GENE GROENENDAAL, and
ANNA GROENENDAAL, Plaintiffs,**

v.

**COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF
TRANSPORTATION, DICK CORPORATION,
GAI CONSULTANTS INC., and SAFETY GROOVING AND
GRINDING, INC., Defendants**

**BOCA CONSTRUCTION, INC.,
WILLIAMS & WILLMAN LINE PAINTING INC.,
AND URBAN ENGINEERS, INC., Additional Defendants**

EVIDENCE / RELEVANCY / DEFINITION (RULE 401)

Pennsylvania Rule of Evidence 401 defines relevant evidence as evidence having any tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence.

EVIDENCE / PREJUDICE

Under Pennsylvania Rule of Evidence 403, although relevant, evidence may be excluded if its probative value is outweighed by the danger of unfair prejudice, confusion of the issues, or misleading the jury, or by considerations of undue delay, waste of time, or needless presentation of cumulative evidence.

EVIDENCE / RELEVANCY

Pursuant to 75 Pa.C.S.A. §3510(c), failure to use a pedalcycle helmet is inadmissible in the trial of any civil action.

DEMONSTRATIVE EVIDENCE / AUTHENTICATION

Under Pennsylvania Rule of Evidence 901(a), the requirement of authentication or identification of demonstrative evidence as a condition precedent to admissibility is satisfied by evidence sufficient to support a finding that the matter in question is what its proponent claims.

DEMONSTRATIVE EVIDENCE / AUTHENTICATION

Photographs may be authenticated either by the testimony of the photographer or by another person who has sufficient knowledge to state that they fairly and accurately represent the object and/or place reproduced as it existed at the time of the accident.

EVIDENCE / EXPERT TESTIMONY

Under Pennsylvania Rule of Evidence 702, if scientific, technical or other specialized knowledge beyond that possessed by a layperson will assist the trier of fact to understand the evidence or to determine a fact in issue, a witness qualified as an expert by knowledge, skill, experience, training or education may testify thereto in the form of opinion or otherwise.

EXPERT TESTIMONY / ULTIMATE ISSUE

Although Pennsylvania Rule of Evidence 704 states testimony in the

the guidelines and markers.² Urban Engineers, Inc. ("Urban") was hired by PennDot and served as a consulting company on the Project.

Plaintiffs originally filed suit against PennDot and, thereafter, amended their complaint to include Dick Corp. as a defendant. In response, Dick Corp. joined Urban, Boca, and Williams. Following discovery, on August 13, 2007, Plaintiffs filed a Second Amended Complaint, alleging negligence and loss of consortium claims against PennDot, Dick Corp., Urban, and Boca.

In its Second Amended Complaint, Plaintiffs contend that Plaintiff's accident was caused by improper installation of the rumble strips in the shoulder of the road. As to each parties' respective negligence, Plaintiffs contend that: (1) PennDot knew or should have known of the improper installation of the rumble strips and that its "design, construction and/or maintenance of the rumble strips in this improper manner and/or its failure to correct this improper design and/or construction, was the direct and proximate cause of the injuries suffered by Plaintiff. . . ." Plaintiffs' Second Amended Complaint, at ¶ 82; (2) Dick Corp, as general contractor, was negligent in allowing the rumble strips to deviate from acceptable construction standards and failed to insure and/or inspect that Boca properly installed the rumble strips *Id.* at ¶¶ 85-91; 3) Urban was negligent in its inspection of the rumble strips *Id.* at ¶¶ 94-98; and, (4) Boca was negligent in its installation of the rumble strips. *Id.* at ¶¶ 101-105.

On October 9, 2007, Dick Corp. filed a Complaint to Join Additional Defendant Williams & Willman Line Painting, Inc, alleging negligence and indemnification.

Following the close of discovery, all the defendants, with the exception of PennDot, filed their respective motions for summary, which this Court denied on September 2, 2008.

On June 29, 2009, Plaintiffs filed their Motion *in Limine*, requesting that the Court bar any and all questions, evidence, testimony of any kind relating to the use or non use of helmets by Plaintiff husband and/or Plaintiffs' son, Gene Groenendaal, II, on the day of the accident or during other bicycle rides.

Between June 25, 2009 and June 30, 2009, Defendants filed their respective motions *in limine*. Those motions are as follows: (1) PennDot's Motion *in Limine* regarding the Bachman Article and Transportation Institute Study; (2) Boca's Motion *in Limine* regarding Plaintiffs' photographs and video; (3) Dick Corp's Motions *in Limine* to partially or fully preclude the testimony of Charles D. Anderson, John F. Graham, and David L. Wagner; (4) Boca's Motions *in Limine* to preclude Plaintiffs from arguing the existence of a duty arising out of risks inherent in bicycling and criticizing the design of the rumble

² The rumble strips at issue were not installed under [sic] after Williams completed the line painting work.

strips; and, (5) Urban's Motion *in Limine* to preclude the testimony of John F. Graham.³

II. DISCUSSION

This Court's analysis is predicated upon an examination of whether the proffered evidence is relevant and admissible.

"'Relevant evidence' means evidence having any tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence." Pa.R.E. 401.

Rule 403. Exclusion of relevant evidence on grounds of prejudice, confusion, or waste of time

Although relevant, evidence may be excluded if its probative value is outweighed by the danger of unfair prejudice, confusion of the issues, or misleading the jury, or by considerations of undue delay, waste of time, or needless presentation of cumulative evidence.

Pa.R.E. 403.

A. Plaintiffs' motion - use/nonuse of bicycle helmet.

Plaintiffs allege that evidence of Plaintiff's non-usage of a helmet should be barred under Pa.R.E. 403, as its probative value is outweighed by unfair prejudice. Moreover, Plaintiffs contend that pursuant to 75 Pa.C.S.A. § 3510 (c), evidence of the nonuse of a helmet by a bicyclist is inadmissible at trial.

§ 3510, *inter alia*, provides:

(a) GENERAL RULE. -- A person under 12 years of age shall not operate a pedalcycle or ride as a passenger on a pedalcycle unless the person is wearing a pedalcycle helmet meeting the standards of the American National Standards Institute, the American Society for Testing and Materials, the Snell Memorial Foundation's Standards for Protective Headgear for Use in Bicycling or any other nationally recognized standard for pedalcycle helmet approval. This subsection shall also apply to a person who rides . . .

(c) CIVIL ACTIONS. -- In no event shall a violation or alleged violation of subsection (a) be used as evidence in a trial of any civil action; nor shall any jury in a civil action be instructed that any conduct did constitute or could be interpreted by them to constitute a violation of subsection (a); nor shall failure to use a pedalcycle helmet be considered as contributory negligence nor shall failure to use a pedalcycle helmet be admissible as evidence in the trial of any civil action.

75 Pa.C.S.A. § 3510 (a) and (c) (emphasis added).

³ Each defendant/additional defendant filed a motion to join in either all of, or some of, the remaining co-defendants' motions *in limine*. This Court granted their requests.

Upon review, this Court finds that evidence of non-usage of bicycle helmets is irrelevant to the issues in the case. Therefore, that evidence is inadmissible at time of trial.

B. *Bachman Article and Transportation Institute Study.*

PennDot requests that the Court preclude the introduction and use of the following at trial: (1) Dave Bachman, *Rumble Strips - Finding a Design for Bicycles and Motor Vehicles*, TTR News 215, July-August 2001, at 28-29⁴; and, (2) L. Elefteriadou, et. al., *Bicycle-Tolerable Shoulder Rumble Strips - Final Report*, Pa. Transp. Inst., March 2000. PennDot claims the article and the report are irrelevant evidence as they do not tend to establish a fact of consequence in Plaintiffs' case, i.e. the negligent location of the rumble strips on the shoulder of the road. Rather, PennDot argues the materials only involve the way in which rumble stripes are designed, how to determine safe rumble strips, and how bicycles tolerate variously designed rumble strips. Alternatively, PennDot claims the material would confuse and mislead the jury as to the issues involved, and be needlessly cumulative.

In response, Plaintiffs claim that the materials would demonstrate that PennDot knew or should have known of the improper location and danger of the rumble strips on the roadway in question. Plaintiffs further claim that the challenged materials specifically address the proper location of rumble strips, together with dangers posed by rumble strips.

The Court finds that the Bachman Article and Transportation Institute Report are hearsay. However, they may be admissible if Plaintiffs can establish that: (1) they were accepted by PennDot as authoritative and as a standard of construction or installation for rumble strips at the time of the occurrence; and, (2) PennDot deviated from that standard.

C. *Criticisms concerning the design of the rumble strips.*

Boca notes that Plaintiffs refer to materials in their Pre-Trial Statement, which address rumble strip design for bicycles/cars, and the need for bicycle tolerable rumble strips.⁵ Boca further notes that during his deposition, Plaintiff referenced bicycle friendly rumble strips. Despite this, Boca claims that Plaintiffs' suit involves the location of the rumble strips, not the specific design of the rumble strips themselves. Therefore, Boca concludes that any comment/reference to the specific design would confuse and mislead the jury, and would be unfairly prejudicial.

In response, Plaintiffs claim they are not intending to criticize the design of the rumble strips, i.e., their specific dimensions. Instead, the issue centers on the location of the strips. Plaintiffs further argue that if Boca is attempting to preclude them from introducing the Bachman Report and Transportation Institute study, the motion should be denied.

⁴ Mr. Dave Bachman is PennDot's Bicycle and Pedestrian Program Manager.

⁵ The Court assumes Boca is focusing on those materials cited by PennDot.

The Court finds that any evidence related to the design of the rumble strip is irrelevant and inadmissible. However, evidence regarding the placement and location of the rumble strips is admissible. In that vein, so too is the Bachman report subject to the conditions set forth above related to its admissibility.

D. Existence of a duty arising out of risks inherent in bicycling.

Boca alleges no duty was owed to Plaintiff as a matter of law and, therefore, requests the Court to preclude Plaintiffs from arguing otherwise.⁶ In support, Boca cites Plaintiff's deposition testimony and argues, *inter alia*, that (1) Plaintiff was aware of the rumble strips and the need to stay to the right of the strips; (2) Plaintiff voluntarily chose to ride on the paved shoulder located between the rumble strips and the edge of the shoulder pavement; (3) Plaintiff was aware of the risks involved while riding his bicycle; (4) Plaintiff was aware of the need to watch for road conditions, such as drains, grates, road seams and joints, potholes, dirt and debris; (5) Plaintiff attempted to stay away from the rumble strips since he knew the danger of riding over them at high speeds; Plaintiff was aware that traveling at faster speeds reduces a bicyclist's ability to control and/or stop; and, (6) Plaintiff was an experienced cyclist and aware of risks when encountering road conditions and the risk of falling and sustaining bodily injury. Accordingly, Boca argues that under Pennsylvania law, no duty of care is owed for risks which are common, frequent, expected and inherent in an activity.

This does not appear to be a motion *in limine*. Rather, it is akin to a premature motion for nonsuit or directed verdict (unless the defendant is requesting a limitation upon Plaintiffs' opening statement). In any event, it will be denied.

E. Photographs and videotape.

There are three basic types of evidence that are admitted into court: (1) testimonial evidence; (2) documentary evidence; and (3) demonstrative evidence. 2 McCormick on Evidence § 212 (5th ed. 1999). Presently, at issue is demonstrative evidence, which is "tendered for the purpose of rendering other evidence more comprehensible to the trier of fact." *Id.* As in the admission of any other evidence, a trial court may admit demonstrative evidence whose relevance outweighs any potential prejudicial effect. The offering party must authenticate such evidence. "The requirement of authentication or identification as a condition precedent to admissibility is satisfied by evidence sufficient to support a finding that the matter in question is what its proponent claims." Pa.R.E. 901(a). Demonstrative evidence may be authenticated by

⁶ See *Howell v. Clyde*, 620 A.2d 1107 (Pa. 1983) (noting that whether a duty exists is a question of law).

testimony from a witness who has knowledge "that a matter is what it is claimed to be." Pa.R.E. 901(b)(1). Demonstrative evidence such as photographs, motion pictures, diagrams, and models have long been permitted to be entered into evidence provided that the demonstrative evidence fairly and accurately represents that which it purports to depict.

Commonwealth v. Serge, 896 A.2d 1170, 1176 (Pa. 2006) (citations omitted). Photographs are verified either by the testimony of the photographer or by another person who has sufficient knowledge to state that they fairly and accurately represent the object and/or place reproduced as it existed at the time of the accident. *Tolbert v. Gillette*, 260 A.2d 463, 465 (Pa. 1970); *Puskarich v. Trustees of Zembo Temple*, 194 A.2d 208, 211 (Pa. 1963).

Boca alleges that many of Plaintiffs' photographs are inadmissible, misleading, unfairly prejudicial, and would deprive them the opportunity to cross-examine the photographer and those who staged the scene and added comments to the photos. Those photographs include: (1) 3 photographs made from a news video plus 3 photographs by Plaintiff's son (Exhibit H of Groenendaal deposition). These photographs contain comments by plaintiffs' counsel. Boca contends the photos are staged and some contain an item to memorialize opinion or testimony, including a red towel draped over the guardrail signifying opinion regarding key facts and opinions; (2) 8 photographs (O'Brien deposition Exhibit 7). The photos were taken by counsel and contain comments. They also contain close-ups of markings on a tape measure without any way of knowing what is depicted in the photo; (3) 24 photographs taken by plaintiffs' counsel of a tape measure along with tiles of the photographs include commentary and/or conclusion on what is shown and the significance of the close-up photographs of the markings on the tape measure; and, (4) 22 photographs, some containing a red towel, taken by plaintiff's son. Boca contends these are an attempt to reconstruct the accident by staging the scene with a red towel placed in accordance with the son's opinion where plaintiff came in contact with the guardrail.

Boca contends that a video was taken from the passenger seat of a car and depicts the shoulder of the road leading to the area where plaintiff ended up after his accident. The video includes narration. Boca argues that the video is an attempt to recreate what the shoulder looked like when plaintiff rode his bike and, therefore, should be excluded.

The Court finds preliminarily that some of the photographs of the accident scene, together with those photographs depicting measurements of the relevant area, may be admissible at time of trial if properly authenticated and if they depict the condition of the area as it was at or around the time of the incident. However, the Court finds the following to

be inadmissible because they contain editorial comments: #1 (2 photos), #2 (2 photos), #3 (2 photos)⁷.

The videotape has not been provided to the Court. Therefore, the Court will not make a determination as to its admissibility. If the parties wish the Court to do so, they must submit a copy to this Court for review no later than two weeks before jury selection

F. Expert testimony.

Rule 702. Testimony by experts

If scientific, technical or other specialized knowledge beyond that possessed by a layperson will assist the trier of fact to understand the evidence or to determine a fact in issue, a witness qualified as an expert by knowledge, skill, experience, training or education may testify thereto in the form of an opinion or otherwise.

Pa.R.E. 702.

Under the Pennsylvania Rules of Evidence, "[t]estimony in the form of an opinion or inference otherwise admissible is not objectionable because it embraces an ultimate issue to be decided by the trier of fact." Pa.R.E. 704. "Nevertheless, 'the trial judge has discretion to admit or exclude expert opinion on the ultimate issue depending on the helpfulness of the testimony versus its potential to cause confusion or prejudice.'" *Houdeshell Ex. Rel. Bordas v. Rice*, 939 A.2d 981, 986 (Pa. Super. 2007), quoting *McManamon v. Washko*, 906 A.2d 1259, 1278-79 (Pa. Super. 2006).

1.) Charles D. Anderson

Mr. Anderson is being offered as a cycling expert. Anderson opines that it is legal for cyclists to ride on Pa Route 430 (the area of the accident scene). Anderson further opines, within a reasonable degree of cycling certainty, that the choice to ride this route, the lane position taken by Plaintiff and the speed at which he descended northbound Pa Route 430 were all reasonable and appropriate for the circumstances at the time of the accident.

Dick contends that Anderson gives his opinion "to a reasonable degree of cycling certainty", which is not a recognized scientific certainty. Furthermore, it argues that Anderson may not opine as to the legality of conditions, i.e. the accident site is a place where Plaintiff could legally operate his bicycle. Dick further argues that in Pennsylvania, a determination of what is reasonable under circumstances is a question of a jury when the question is within the range of ordinary experience and comprehension. Moreover, it argues that it is for a jury, not an expert, to evaluate evidence to determine credibility and

⁷ References are to Exhibit 11A of Boca's motion.

weighing of evidence. As such, Anderson is precluded from testifying to the reasonableness and/or appropriateness of Plaintiff's actions and decisions to travel the accident site.

In response, Plaintiffs contend that Anderson has other specialized knowledge beyond the knowledge of a layperson. They claim the instant case involves highly experienced riders engaging in the specialized sport of cycling that is foreign to most people." Plaintiffs' response, at 36. Furthermore, Plaintiffs contend that Anderson is not precluded from interpreting rights and responsibilities under specific law. In addition, Plaintiffs argue that Dick has embraced the "bicycling expertise" of PennDot's expert, Gerald P. Bretting, and adopted his report as its own.

This Court finds that knowledge about the risks of riding a bicycle is within that possessed by a layperson. Mr. Anderson's proffered testimony is not only unnecessary, it may confuse, mislead, waste the jury's time, and overcomplicate the case. Furthermore, Mr. Anderson is not permitted to render legal opinions regarding the duties and rights of the parties. Therefore, his proffered testimony is excluded in its entirety.

2.) David L. Wagner, Ph.D.

In his report, Dr. Wagner opines that a change in shoulder configuration in the highway represented an inherently dangerous condition for cyclists. Wagner notes that even if Plaintiff perceived the configuration change, Plaintiff would not have been able to react in time to avoid striking the rumble strips. Wagner further opines that the abrupt configuration change of the shoulder caused Plaintiff to strike the rumble strips and lose control of his bicycle. Moreover, Wagner also opines as to the location of the accident.

Dick concludes that Wagner's opinion concerning the shoulder configuration representing an "inherently dangerous condition" should be precluded because an expert cannot opine as to the legality of conditions or circumstances, legal opinion/conclusion testimony is not admissible, and determinations of legal conclusions are within the province of the court.⁸ Moreover, Dick contends Wagner's opinion that the highway was dangerous is based solely on the fact that an accident occurred.

Dick further requests the court enter an order precluding Wagner's opinion regarding the location of the accident. Dick contends that neither video news footage nor witness testimony provides an adequate foundation for Wagner's opinion as to the location of the accident. Therefore, it infers that Wagner's opinion is based upon speculation rather than an adequate factual foundation.

In response, Plaintiffs claim that Wagner's report does not attempt to render any legal conclusion, nor is the phrase a legal term of any

⁸ In support, Dick cites *Brown v. Commonwealth of Pennsylvania, Department of Transportation, et. al*, 843 A.2d 429 (Pa. Cmwlth. 2004) and *Waters v. State Employees Retirement Board*, 955 A.2d 466, 471 n.7 (Pa. Cmwlth. 2008).

significance in the instant matter. Even if the phrase is an opinion on the ultimate issue, it is admissible under Pa.R.E. 704. Plaintiffs further claim that any problems with Wagner's conclusion goes to the weight of the testimony, not its admissibility.

Furthermore, Plaintiffs argue that Dick's contention with Wagner's opinions based on his understanding of where the accident occurred, it goes to the weight of his testimony, not admissibility. Moreover, Plaintiffs argue that Plaintiff and his son had first-hand knowledge where Plaintiff went over the guardrail and lay opinion as to the area where encountered the rumble strips. Although Plaintiff or his son cannot identify the exact rumble strip that he struck, Plaintiff's son can identify the location within a couple of feet or yards.

After its review, this court finds that the portions of Dr. Wagner's proffered testimony regarding perception-reaction time and causation as it relates to the purported abrupt change in the conditions of the shoulder is admissible, assuming that a factual foundation is established before he renders any opinion.

3. John F. Graham

Plaintiffs offer Mr. Graham as an engineering expert in the area of roadway construction.

Urban argues that Graham is not offering expert opinion. Graham's report discusses contract interpretation, agency principles, legal responsibilities of the parties, and project contracts being breached. Moreover, Graham did not review the contract between Urban and PennDot. Moreover, on page 13 of report, he states that "Since the rumble strip drawings were prepared by PennDot and placed into the construction documents, PennDot could have interpreted those drawings, with the assistance of Urban Engineers as their agent." - not expert opinion because lacks certainty.

Dick argues that: (a) Graham's factual assessment is not opinion - Dick contends that Graham asserts that the line painting and rumble strips were not built according to the project contract as it existed prior to any field changes directed by PennDot. This is not the subject of expert testimony and not necessary. Dick argues no expert opinion is needed on this issue because the facts regarding placement of the lines and rumble strips as constructed can be easily understood by a jury. Furthermore, Dick contends the statements are not relevant because the majority of the facts not disputed - the issue is whether the roadway was proper, not whether the field changes directed by PennDot changed the roadway from its initial design. In effect, this would be cumulative evidence.

(b) Graham's opinions regarding legal duties and conclusions should be precluded. - Dick contends that Graham should be precluded from testifying that project contracts were breached or give any opinion as to the legal responsibilities and duties of the defendants. Dick contends

that Graham's report provides legal conclusions that contracts were breached and discusses the legal duties of the parties. It notes that under Pennsylvania law, an expert cannot opine as to the legality of conditions/circumstances and that legal opinion/testimony is not admissible. In support, Dick cites *Brown v. Commonwealth of Pennsylvania, Department of Transportation, et. al.*, 843 A.2d 429 (Pa. Cmwlth. 2004) and *Waters v. State Employees Retirement Board*, 955 A.2d 466, 471 n.7 (Pa.Cmwlth 2008).

In response, Plaintiffs contend that Graham is more than competent to testify as to contract interpretation and the responsibilities and duties imposed on the various contractors and subcontractors. Furthermore, Plaintiffs contend that Graham will only read from the contract documents, provide his observations as to conditions of the roadway and the shoulder as compared to those documents, and opine as to how the roadway should have been constructed. Plaintiffs further contend they will not elicit testimony from Graham as to whether any party's failure constituted a "breach of contract".

(c) Opinions on subjects which Graham is not qualified to testify. Dick claims that Graham is not qualified to render opinions on the design and construction of rumble strips, and whether a bicyclist would be safe to ride a bicycle under certain roadway conditions.

(d) Graham's opinions regarding causation - Dick argues that Graham did not witness the accident, nor is he an accident reconstructionist. Therefore, Graham cannot testify and provide an opinion upon causation. Moreover, it argues that this evidence goes to the ultimate issue, thereby invading the jury's role.

In response, Plaintiffs contend that Graham is well experienced in roadway construction and administration of construction projects. Moreover, Graham made observations of the scene and is qualified to testify on those subjects. Plaintiffs further contend that under, Pa.R.E. 704, testimony as to an ultimate issue to be decided by the trier of fact, (i.e. causation) is allowed, will be helpful to the jury, and will not confuse or unfairly prejudice the jury.

This Court finds that Mr. Graham's proffered testimony is limited as follows: (1) he may not render any opinion regarding the legality of the contract and/or legal relationships of the parties (until that point is established by competent evidence); (2) he may not testify about the safety of bicycle operation; (3) he may not simply summarize other witnesses' testimony; and (4) he may not testify to those other matters redacted (crossed-out) from his report. See Exhibit A of this opinion.

III. CONCLUSION

This Court will issue an order in accordance with this opinion.

ORDER

AND NOW, this 14th day of September, 2009, for the reasons and under the conditions and/or limitations set forth in the accompanying opinion, it is hereby ORDERED that: (1) evidence regarding Plaintiffs' non-usage of a biking helmet is **inadmissible**; (2) the Bachman Article and Transportation Institute Study are **admissible**; (3) evidence concerning the design of the rumble strips is **inadmissible**; (4) evidence concerning the placement and location of the rumble strips is **admissible**; (5) evidence concerning the risks inherent in bicycling (and expert testimony in that regard) is **inadmissible**; (6) photographs reflected as Exhibits # 1, 2 and 3 of the Boca Motion *In Limine* are **inadmissible**; (7) the testimony of Charles D. Anderson is **inadmissible**; (8) the testimony of David L. Wagner is **admissible**; and (9) the testimony of John F. Graham is **admissible**.

BY THE COURT:

/s/ **Ernest J. DiSantis, Jr., Judge**

INCORPORATION NOTICE
 AUDIOAID SUPPLY CO, INC.,
 has been incorporated under the
 provisions of the Pennsylvania
 Business Corporation Law of 1988.
 John E. Gomolchak, Esq.
 3854 Walker Blvd.
 Erie, PA 16509

Feb. 5

INCORPORATION NOTICE
 Notice is hereby given that
 Northwest Pennsylvania K-9 Search
 and Rescue was incorporated under
 the provisions of the Nonprofit
 Corporation Law of 1988 on
 November 23, 2009 for the purpose
 of people search, recovery and
 rescue.
 Norman A. Stark, CPA, Esq.
 The Stark Law Firm
 100 State Street, Suite 210
 Erie, PA 16507

Feb. 5

LEGAL NOTICE
 IN THE COURT OF COMMON
 PLEAS OF ERIE COUNTY,
 PENNSYLVANIA
 ORPHANS' COURT DIVISION
 THE MATTER OF THE
 ADOPTION OF BABY BOY H.
 No. 110 In Adoption 2009
 TO: DACIA M. HAMILTON, aka
 DACIA MARIE HAMILTON
 ADOPTION BY CHOICE, the
 petitioner in the above case, has
 filed a petition asking the court to
 put an end to all rights you have to
 your child, Baby Boy H. The court
 has set a hearing to consider ending
 your rights to your child pursuant
 to the Consent of Parent you signed
 on July 14, 2009 indicating you
 consented to the termination of your
 parental rights and adoption of your
 child. A court hearing previously
 was scheduled for November 17,
 2009 at 9:45 a.m. in the Erie County
 Court House, Erie, Pennsylvania.
 Pursuant to Petitioner's Motion For
 Continuance granted by the Court
 on November 17, 2009, that hearing
 was continued to January 20, 2010
 at 3:00 p.m. Pursuant to Petitioner's
 Motion For Continuance granted
 by the Court on January 20,
 2010, that hearing again was
 continued and now will be held on

February 22, 2010 at 2:10 p.m.
 before the Honorable Daniel J.
 Brabender in the Erie County Court
 House, Court Room No. F-#220,
 City of Erie, Pennsylvania. Your
 presence is required at the hearing.
 You are warned that if you fail to
 appear at the hearing to object to
 the termination of your rights or fail
 to file a written objection to such
 termination with the court prior to
 the hearing, the hearing will go on
 without you and your rights may
 be terminated without you being
 present. You have the 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 can not afford
 one, go to or telephone the office set
 forth below to find out where you
 can get legal help.

Lawyers' Referral Service
 PO Box 1792
 Erie, Pennsylvania 16507
 (814) 459-4411
 M. Kathryn Karn, Esquire
 731 French Street
 Erie, Pennsylvania 16501
 Telephone: (814) 452-3151
 Attorney for Petitioner

Feb. 5

LEGAL NOTICE
 ATTENTION: TAMMY YEANEY
 AND RALPH CLARK
 INVOLUNTARY TERMINATION
 OF PARENTAL RIGHTS
 IN THE MATTER OF THE
 ADOPTION OF MINOR MALE
 CHILD (T.L.Y.) DOB: 06-09-99
 #94 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
 C, City of Erie on March 15, 2010,
 at 9:15 a.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's
 Court Administrator
 Room 204 - 205
 Erie County Court House
 Erie, Pennsylvania 16501
 (814) 451-6251

Feb. 5

LEGAL NOTICE
 ATTENTION: ALLEGED
 FATHER, AMIR DEMIRI
 INVOLUNTARY TERMINATION
 OF PARENTAL RIGHTS
 IN THE MATTER OF THE
 ADOPTION OF MINOR MALE
 CHILD (Z.E.M.); DOB: 05-17-08
 #111 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 Brabender, Court Room F,
 City of Erie on March 23, 2010,
 at 9:30 a.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's
Court Administrator
Room 204 - 205
Erie County Court House
Erie, Pennsylvania 16501
(814) 451-6251

Feb. 5

LEGAL NOTICE

ATTENTION: UNKNOWN
BIOLOGICAL FATHER
INVOLUNTARY TERMINATION
OF PARENTAL RIGHTS

IN THE MATTER OF THE
ADOPTION OF MINOR MALE
CHILD (C.M.L.); DOB: 01-18-08
BORN TO: FELICIA DIANE
LACOSTE
#59A 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 Brabender, Court Room F, City of Erie on March 23, 2010,

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

Feb. 5

LEGAL NOTICE

TO: LARRY SALTER

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
Box 1792
Erie, Pennsylvania 16507
814-459-4411

Mon. - Fri. 8:30 a.m. - 3:00 p.m.
Revival of Judgment filed by
SAINT VINCENT HEALTH
CENTER at Court of Common
Pleas, 2009-15244.

Lawrence C. Bolla, Esquire
Attorney for Plaintiff
2222 West Grandview
Erie, PA 16506
(814) 833-2222

Feb. 5

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 19, 2010
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. 29 and Feb. 5, 12

SALE NO. 1

Ex. #14316 of 2009
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, 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 unremarried 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.
Mark J. Udren, Esq.
Attorneys for Plaintiff
111 Woodcrest Road, Suite 200
Cherry Hill, NJ 08003-3620
856-669-5400

Jan. 29 and Feb. 5, 12

SALE NO. 2

Ex. #14636 of 2009
Bank of America, N.A., Plaintiff
v.

**Alexander S. Jackna, Jr.
Sandra L. Jackna, 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 State of Pennsylvania, bounded and described as follows, to-wit:

Beginning at a point in the south line of Thirty-first Street, three hundred eleven and eighty-four hundredths (311.84) feet east of the point of intersection of the south line of Thirty-first Street with the east line of Elmwood Avenue; thence southwardly parallel with Elmwood Avenue, one hundred thirty-five (135) feet to a point; thence eastwardly, parallel with Thirty-first Street, thirty-five (35) feet to a point; thence northwardly, parallel with Elmwood Avenue, one hundred thirty five (135) feet to a point in the south line of Thirty-first Street; thence westwardly along the south line of Thirty-first Street, thirty-five (35) to the place of beginning, being Lot No. 79 on the Rossi Addition to the City of Erie, recorded in Map Book No. 2, pages

82 and 83.

Having erected thereon a dwelling commonly known as 1165 West 31st Street, Erie, Pennsylvania, and being further identified as Erie County Tax Parcel Index No. (19) 6219-119.

BEING KNOWN AS: 1165 WEST 31ST STREET, ERIE, PA 16508
PROPERTY ID NO.: 19-6219-119
TITLE TO SAID PREMISES IS VESTED IN Alexander S. Jackna, Jr. and Sandra L. Jackna, husband and wife, as tenants by the entireties by Deed from Albina A. Palmisano, single dated 8/30/06 recorded 8/30/06 in Deed Book 1356 page 2226.

Udren Law Offices, P.C.
Mark J. Udren, Esq.
Attorneys for Plaintiff
111 Woodcrest Road, Suite 200
Cherry Hill, NJ 08003-3620
856-669-5400

Jan. 29 and Feb. 5, 12

SALE NO. 3

Ex. #14410 of 2009
Household Finance Consumer Discount Company, Plaintiff
v.

**Michael R. Lockwood
Morgan M. Lockwood (Real Owner), Defendant(s)**

LEGAL DESCRIPTION

ALL THAT CERTAIN tract, parcel or piece of land situate in the Township of Fairview, County of Erie, and Commonwealth of Pennsylvania being more particularly bounded and described as follows, to wit:

BEGINNING at an iron survey pin set in the south margin of U.S. Route 20, said pin is located North 57° 51' 00" East a distance of 418.77 feet from an iron survey pin set at the intersection of the East line of Polly Drive with the South line of U.S. Route 20; Thence, South 25° 58' 00" East, 342.20 feet to a concrete monument; Thence South 64° 50' West, a distance of 136.25 feet to an iron survey pin; Thence, North 31° 39' 08" West, a distance of 80.67 feet to iron survey pin; Thence continuing North 23° 10' 51" West, a distance of 245.86 feet to an iron survey pin set in the south margin

of U.S. Route 20; Thence, along the South line of U.S. Route 20, North 57° 51' 00" East, a distance of 134.00 feet to the point and place of beginning.

CONTAINING 1,070 total acres and having erected thereon a house and garage and being the same property shown as Lot No. 2 on a survey for Michael R. Lockwood recorded as Erie County Drawing No. 2000-110.

BEING the same premises conveyed to party of the first part by Deed dated April 28, 2000 and recorded on May 2, 2000 in Erie County Record Book 701, Page 634.

BEING KNOWN AS: 6711 WEST RIDGE ROAD, P.O. BOX 17, FAIRVIEW, PA 16415

PROPERTY ID NO. : 21-53-93-48.1
TITLE TO SAID PREMISES IS VESTED IN Michael R. Lockwood and Morgan M. Lockwood, his daughter, as joint tenants with the right of survivorship by Deed from Michael R. Lockwood, sole owner dated 12/5/06 recorded 12/6/06 in Deed Book 1381 page 314.

Udren Law Offices, P.C.

Mark J. Udren, Esq.
Attorneys for Plaintiff
111 Woodcrest Road, Suite 200
Cherry Hill, NJ 08003-3620
856-669-5400

Jan. 29 and Feb. 5, 12

SALE NO. 4

Ex. #14706 of 2009
Beneficial Consumer Discount Company d/b/a Beneficial Mortgage Co. of Pennsylvania, Plaintiff

v.

Brian M. Quimby
Miki Bito-Quimby, Defendant(s)
LEGAL DESCRIPTION

All that certain piece of parcel of land situate in the Township of Fairview, County of Erie and Commonwealth of Pennsylvania, being all of Lot No. 576 and part of Lot No. 577 of Lake Shore Club District Subdivision, part of tracts No. 283 and 284 (incorrectly stated as "part of Tract No. 284" in prior deeds) as recorded in the Office of the Recorder of Deeds of Erie County, Pennsylvania, in Map Book

3, pages 176 and 177, and more particularly bounded and described as follows:

BEGINNING at the northeast corner of the land herein described, the corner common to Lots No. 575 (incorrectly stated as No. 574 in prior deeds) and 576 of Lake Shore Club District Subdivision in the westerly line of Hardscrabble Boulevard around a curve to the right, one hundred eight and thirty four hundredths (108.34) feet to a point in said boulevard line situated twenty one and sixty six hundredths (21.66) feet northerly from the southeast corner of Lot No. 577; thence South 60° 46' West, passing through Lot No. 577, one hundred seventy and three hundredth (170.03) feet to a point in the line common to Lots No. 577 and 563 situated sixteen and sixty six hundredths (16.66) feet northerly from the southwest corner of Lot No. 577; thence North 26° 37 ½' West, eighty nine and thirty four hundredths (89.34) feet to the northwest corner of Lot No. 576; thence North 54° 13' East along (formerly referred to as "with" in prior deeds) the northerly line of Lot No. 576, one hundred sixty-five and nine hundredths (165.09) feet to the place of beginning. The beginning point in the westerly line of Hardscrabble Boulevard is four hundred twenty-five (425) feet southwardly from the southerly line of Bogey Way.

The above-described property is commonly known as 1312 Hardscrabble Boulevard, Erie, PA. Being further identified by Index No. (21) 39-47-4.

BEING KNOWN AS: 1312 HARDCRABBLE BOULEVARD, ERIE, PA 16505

PROPERTY ID NO.: 21-39-47-4
TITLE TO SAID PREMISES IS VESTED IN Brian M. Quimby and Miki Bito-Quimby, husband and wife, as tenants by the entireties with the right of survivorship by Deed from Jane A. McMaster McGinty, married dated 6/11/98 recorded 6/17/98 in Deed Book 568 page 213.
Udren Law Offices, P.C.
Mark J. Udren, Esq.

Attorneys for Plaintiff
111 Woodcrest Road, Suite 200
Cherry Hill, NJ 08003-3620
856-669-5400

Jan. 29 and Feb. 5, 12

SALE NO. 5

Ex. #11059 of 2009
Cadle of Grassy Meadows II, L.L.C., Assignee of National City Bank, Successor in interest to National City Bank of Pennsylvania, Plaintiff

v.

Mark L. Moore and Katherine H. Moore, Defendant
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 11059-09 Cadle of Grassy Meadows II, L.L.C., Assignee of National City Bank, Successor in interest to National City Bank of Pennsylvania vs. Mark L. Moore and Katherine H. Moore

Mark L. Moore and Katherine H. Moore, owner(s) of property situated in Greene Township, Erie County, Pennsylvania being 8141-8149 Wattsburg Road, Erie, Pennsylvania 16509

7.9500 acres
Assessment Map number: 25-2-6-42
Assessed Value figure: \$155,800.00
Improvement thereon: Auto Service Garage and Residential Family Dwelling
Christine A. Saunders, Esq.
Metz Lewis LLC
11 Stanwix Street, 18th Floor
Pittsburgh, PA 15222
412.918.1100

Jan. 29 and Feb. 5, 12

SALE NO. 7

Ex. #14146 of 2009
Wells Fargo Bank, N.A., successor by merger to Wells Fargo Bank Minnesota, N.A., as Trustee f/k/a Norwest Bank Minnesota, N.A., as Trustee for the registered holders of Renaissance Home Equity Loan Asset-Backed Certificates, Series 2004-1, by its attorney in fact, Ocwen Loan Servicing, LLC

v.

David C. Weyand and Jadie A. Weyand

LEGAL DESCRIPTION

ALL that certain piece or parcel of land situate in the Township of Harborcreek, County of Erie and State of Pennsylvania, being the East end of Lot No. 34 in the Normandale Addition. A plot of said addition being recorded in Map Book 2, page 231, Recorder's Office of Erie County, Pennsylvania, and more fully bounded and described as follows, to-wit:

COMMENCING at a pin in the southwest corner of Maple Avenue and Orchard Street; thence westerly along the south line of Orchard Street forty-five (45) feet to a pin; thence southerly parallel with the west line of Maple Avenue ninety nine and three tenths (99.3) feet to the New York Central Railroad fence and right of way; thence easterly along said New York Central right of way forty-five and five tenths (45.5) feet to an iron pin in the west line of Maple Avenue; thence northerly along the west line of Maple Avenue one hundred and five (105) feet to the place of beginning. Containing the amount of land within said enclosure.

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

BEING Lots 10 and 11 in the Allen Park Subdivision as plotted by A.J. Cobb, Robert J. O'Brien and recorded in the Recorder's Office of Erie County, Pennsylvania in Map Book 2 at page 31. Said Lot No. 10 having a frontage of fifty-two (52) feet on Orchard Avenue, with a uniform depth of one hundred sixteen and four tenths (116.4) feet; and Lot No. 11 having a frontage of fifty-six and thirty five hundredths (56.35) feet on Orchard Avenue, with a uniform depth of one hundred nine and one-tenth (109.1) feet more or less. Said lots extending from Orchard Avenue to the right of way of the L.S. and M.S. Railway. Having erected on the piece described above a one and one-half story frame cottage.

BEING the same premises which

Richard C. Cornwell, II and Bonnie M. Cornwell, his wife, by deed dated October 31, 1984, and recorded on November 6, 1984, in Book 1559 at Page 66, of the Erie County, PA Records, granted and conveyed unto, David C. Weyand and Jadie A. Weyand, his wife.

Property Address: 6961 Orchard Street, Harborcreek, PA 16421.

Attorney for Plaintiff:

Kevin P. Diskin, Esquire
Stern and Eisenberg, LLP
The Pavilion, 261 Old York Road,
Suite 410
Jenkintown, PA 19046
(215) 572-8111

Jan. 29 and Feb. 5, 12

SALE NO. 8

Ex. #13912 of 2009

Northwest Savings Bank

v.

Tod Buchanan

SHERIFF'S SALE

By virtue of a Writ of Execution filed at No. 13912-2009, Northwest Savings Bank vs. Tod Buchanan, owner of property situate in the City of Erie, Erie County, Pennsylvania being: 1541 West 42nd Street, Erie, Pennsylvania.

56' X 137.54' X 56' X 137.54'
Assessment Map Number:
(19) 6169-209

Assessed Value Figure: \$84,400.00
Improvement Thereon: Residence
Kurt L. Sundberg, Esq.
Marsh Spaeder Baur Spaeder
& Schaaf, LLP

Suite 300, 300 State Street
Erie, Pennsylvania 16507
(814) 456-5301

Jan. 29 and Feb. 5, 12

SALE NO. 9

Ex. #14846 of 2009

HSBC Bank USA, N.A., as

Indenture Trustee for the

registered Noteholders of

Renaissance Home Equity Loan

Trust 2005-4, Renaissance Home

Equity Loan Asset-Backed Notes,

Series 2005-4, Plaintiff

v.

Tammy L. Lobdell and

Steven A. Lobdell, Defendant

SHERIFF'S SALE

By virtue of a Writ of Execution

filed to No. 14846-09 HSBC Bank USA, N.A., as Indenture Trustee for the registered Noteholders of Renaissance Home Equity Loan Trust 2005-4, Renaissance Home Equity Loan Asset-Backed Notes, Series 2005-4 vs. Tammy L. Lobdell and Steven A. Lobdell, owner(s) of property situated in Borough of Elgin, Erie County, Pennsylvania being 11707 Route 6, Corry, PA 16407

.4 acres
Assessment Map number: 3-2-2-1
Assessed Value figure: \$87,460.00
Improvement thereon: a residential dwelling

Leslie J. Rase, Esquire
Shapiro & DeNardo, LLC
Attorney for Movant/Applicant
3600 Horizon Drive, Suite 150
King of Prussia, PA 19406
(610) 278-6800

Jan. 29 and Feb. 5, 12

SALE NO. 11

Ex. #14823 of 2009

U.S. Bank National Association,

as Trustee under Pooling and

Servicing Agreement dated as

of May 1, 2007 MASTR Asset-

Backed Securities Trust 2007-

HE1 Mortgage Pass-Through

Certificates, Series 2007-HE1

v.

Jeffrey M. Leech and

Robin L. Leech

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 2009-14823, U.S. Bank National Association, as Trustee under Pooling and Servicing Agreement dated as of May 1, 2007 MASTR Asset-Backed Securities Trust 2007-HE1 Mortgage Pass-Through Certificates, Series 2007-HE1 vs. Jeffrey M. Leech and Robin L. Leech, owners of property situated in Township of Harborcreek, Erie County, Pennsylvania being 6186 Redwood Drive, Harborcreek, PA 16421

Assessment Map number:
27-18-33-14

Assessed Value figure: \$103,140.00
Improvement thereon: Residential Dwelling

Mary L. Harbert-Bell, Esquire
220 Lake Drive East, Suite 301

Cherry Hill, NJ 08002
(856) 482-1400

Jan. 29 and Feb. 5, 12

SALE NO. 12

Ex. #12932 of 2009

Citibank N.A. as Trustee under Pooling and Servicing Agreement dated as of March 31, 2005 Wachovia Loan Trust 2005-SD1 Asset-Backed Certificates, Series 2005-SD1

v.

Gordon J. Pruzenski, Original Mortgagor and Real Owner and Stephanie A. Pruzenski, Original Mortgagor

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 12932-09, Citibank N.A. as Trustee under Pooling and Servicing Agreement dated as of March 31, 2005 Wachovia Loan Trust 2005-SD1 Asset-Backed Certificates, Series 2005-SD1 vs. Gordon J. Pruzenski, Original Mortgagor and Real Owner and Stephanie A. Pruzenski, Original Mortgagor, owners of property situated in 5th Ward, City of Erie, Erie County, Pennsylvania being 2914 Florence Avenue, Erie, PA 16504

Assessment Map number: 18-5105-207

Assessed Value figure: \$55,990.00
Improvement thereon: Residential Dwelling

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

Jan. 29 and Feb. 5, 12

SALE NO. 13

Ex. #14136 of 2009

The Bank of New York Mellon, as Successor Trustee under NovaStar Mortgage Funding Trust, Series 2006-3, Plaintiff

v.

**Martin J. Zapolski
Debbie A. Zapolski, Defendants**

LEGAL DESCRIPTION

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

to-wit: BEGINNING in the east line of Bird Drive at a point 214 feet southwardly from the south line of Buffalo Road; thence southwardly along the East line of Bird Drive, 47.12 feet to a point; thence eastwardly at an included angle of 90°, 166.79 feet to a point; thence northwardly, along the west line of "Wesleyville Subdivision No. 2" as recorded in the office of the Recorder of Deeds of Erie County, a distance of 47.12 feet to a point; thence westwardly 166.45 feet to a point in the east line of Bird Drive, being the place of beginning.

Subject to all restrictions, easements and rights of way of record.

Having erected thereon a two story frame residence building also being known as 2023 Bird Drive, Wesleyville, Pennsylvania.

BEING the same premises as conveyed from Martin J. Zapolski and Debbie A. Zapolski, husband and wife to Martin J. Zapolski and Debbie A. Zapolski, husband and wife by deed dated 02/18/2004 and recorded 02/27/20047 [sic] in Book 1111, Page 602.

BEING commonly known as 2023 Bird Drive, Erie, PA 16510
HAVING Tax/Parcel ID No.: 50-3-25-31

Martin S. Weisberg, Esquire
Attorney ID Number: 51520
Mattleman, Weinroth & Miller
401 South 70 East, Suite 100
Cherry Hill, NJ 08034
(856) 429-5507

Attorneys for Plaintiff

Jan. 29 and Feb. 5, 12

SALE NO. 14

Ex. #14346 of 2009

**Corry Federal Credit Union,
Plaintiff**

v.

**Robert E. Cross, Sr. and
Sherri A. Cross, Defendants**

ADVERTISING DESCRIPTION

By virtue of Writ of Execution filed at No. 14346-2009, Corry Federal Credit Union v. Robert E. Cross, Sr. and Sherri A. Cross, owner of the following properties identified below:

1) Situate in the City of Corry, County of Erie, and Commonwealth

of Pennsylvania at 54 Brook Street, Corry, PA 16407.

Assessment Map No.: (8) 33-157-8
Assessed Value Figure: \$30,820.00
Improvement Thereon: Single Family Residential Dwelling
Michael S. Jan Janin, Esq.
Pa. I.D. No. 38880
2222 West Grandview Boulevard
Erie, PA 16506-4508
Phone: (814) 833-2222
Attorneys for Plaintiff, Corry Federal Credit Union

Jan. 29 and Feb. 5, 12

SALE NO. 15

Ex. #10732 of 2008

PNC BANK, NA, Plaintiff

v.

Renee M. Hopkins, Defendant
SHERIFF'S SALE

By virtue of Writ of Execution filed to No. 10732-08 PNC Bank N.A. vs. Renee M. Hopkins, owner(s) of property situated in 1st Ward, City of Erie, Erie County, Pennsylvania being 423 East 6th St., Erie, PA, 16512.

247.6' x 41.3' x 165' x 41.3' x 165'
Assessment Map number: (14) 1013-415.

Assessed Value figure: \$50,400.00.
Improvement thereon: Single Family dwelling
Patrick Thomas Woodman, Esq.
436 Seventh Ave., 1400 Koppers Bldg.
Pittsburgh, PA 15219
(412) 434-7955

Jan. 29 and Feb. 5, 12

SALE NO. 16

Ex. #14064 of 2009

PNC Bank, NA, Plaintiff

v.

**Timothy A. Horton, Sr. and
Donna J. Horton, Defendant**

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 14064-09, PNC Bank, NA vs. Timothy A. Horton, Sr., and Donna J. Horton, owner(s) of property situated in City of Erie, Erie County, Pennsylvania being 922 East 24th Street, Erie, PA 16503
135' x 50'

Assessment Map number: 18-5038-125

Assessed Value figure: \$47,600.00
Improvement thereon: Single

family dwelling
 Patrick Thomas Woodman, Esq.
 436 Seventh Ave., 1400 Koppers Bldg.
 Pittsburgh, PA 15219
 (412) 434-7955
 Jan. 29 and Feb. 5, 12

SALE NO. 17

Ex. #15027 of 2008
U.S. Bank National Association,
as trustee, on behalf of the
holders of the Home
Equity Asset Trust 2006-5
Home Equity Pass-Through
Certificates, Series 2006-5
v.

Rodney L. Schuler
SHERIFF'S SALE

By virtue of a Writ of Execution file to No. 15027-08 U.S. Bank National Association, as trustee, on behalf of the holders of the Home Equity Asset Trust 2006-5 Home Equity Pass-Through Certificates, Series 2006-5 vs. Rodney L. Schuler, owner(s) of property situated in the Township of North East, County of Erie, Pennsylvania being 2271 North Mill Road, North East, PA 16428
 10 ACRES
 Assessment Map Number: (37) 3-53-28
 Assessed Value figure: \$96,280.00
 Improvement thereon: Single Family Dwelling
 Scott A. Dietterick, Esquire
 Zucker, Goldberg & Ackerman, LLC
 200 Sheffield Street, Suite 301
 Mountainside, NJ 07092
 (908) 233-8500
 Jan. 29 and Feb. 5, 12

SALE NO. 18

Ex. #14292 of 2009
First National Bank of
Pennsylvania, Plaintiff
v.
Matthew M. Laniewicz, Jr. and
Kelli A. Laniewicz, Defendants
SHORT DESCRIPTION

ALL that certain piece or parcel of land situate in the Borough of Wesleyville, County of Erie and Commonwealth of Pennsylvania, having erected thereon a one and one-half story brick dwelling and one-car frame garage and further identified by Erie County

Assessment Index No. (50) 4-27-25 and commonly known as 2424 Eastern Avenue, Wesleyville, Pennsylvania.
 Susan Fuhrer Reiter
 Pa. Supreme Court ID No. 43581
 MacDonald, Illig, Jones & Britton LLP
 100 State Street, Suite 700
 Erie, Pennsylvania 16507-1459
 (814) 870-7760
 Attorneys for Plaintiff
 Jan. 29 and Feb. 5, 12

SALE NO. 19

Ex. #13436 of 2009
PNC Bank, National Association,
Plaintiff
v.

Daniel L. Glass, Jr., Defendant
SHERIFF'S SALE

By Virtue of a Writ of Execution filed to No. 13436-09 PNC Bank National Association vs. Daniel L. Glass, Jr., owners of property situated in Township of Union, Erie, County, Pennsylvania being 16444 Old Valley Road, Union City, PA 16438
 1.77 Acres
 Assessment Map number: (43) 20-33-7
 Assessed Value figure: \$70,200.00
 Improvement thereon: Residential Dwelling
 Brett A. Solomon, Esq.
 Michael C. Mazack, Esq.
 1500 One PPG Place
 Pittsburgh, PA 15222
 (412) 594-5506
 Jan. 29 and Feb. 5, 12

SALE NO. 20

Ex. #14155 of 2009
CITIMORTGAGE, INC.,
Plaintiff
v.

NANCY R. ADAMS
ROY R. ADAMS, Defendant(s)
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 14155-09
 CITIMORTGAGE, INC. vs. NANCY R. ADAMS and ROY R. ADAMS
 Amount Due: \$98,613.86
 NANCY R. ADAMS and ROY R. ADAMS, owner(s) of property situated in the TOWNSHIP OF

MILLCREEK, Erie County, Pennsylvania being 2220 GATESMILL DRIVE, ERIE, PA 16510-6410
 Dimensions: 60 x 125
 Acreage: 0.1722
 Assessment Map number: 33108480801700
 Assessed Value: \$131,400.00
 Improvement thereon: Residential Phelan Hallinan & Schmiegl, LLP
 One Penn Center at Suburban Station, Suite 1400
 1617 John F. Kennedy Boulevard
 Philadelphia, PA 19103-1814
 (215) 563-7000
 Jan. 29 and Feb. 5, 12

SALE NO. 21

Ex. #13759 of 2009
THE HUNTINGTON
NATIONAL BANK S/B/M SKY
BANK, Plaintiff
v.
SARA M. AHL A/K/A
SARA AHL
JOHN JEFFREY AHL, JR.,
Defendant(s)
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 13759-09
 THE HUNTINGTON NATIONAL BANK S/B/M SKY BANK vs. SARA M. AHL A/K/A SARA AHL and JOHN JEFFREY AHL, JR
 Amount Due: \$115,368.92
 SARA M. AHL A/K/A SARA AHL and JOHN JEFFREY AHL, JR, owner(s) of property situated in the TOWNSHIP OF GIRARD, Erie County, Pennsylvania being 7155 GENEVA MARIE LANE A/K/A, 7210 GENEVA MARIE LANE, GIRARD, PA 16417-7853
 Acreage: 1.1940
 Assessment Map number: 24013036007104
 Assessed Value: \$86,100.00
 Improvement thereon: Residential Phelan Hallinan & Schmiegl, LLP
 One Penn Center at Suburban Station, Suite 1400
 1617 John F. Kennedy Boulevard
 Philadelphia, PA 19103-1814
 (215) 563-7000
 Jan. 29 and Feb. 5, 12

SALE NO. 22
Ex. #13702 of 2005
US BANK, Plaintiff
 v.
SCOTT A. BJORK
LINDA E. BJORK, Defendant(s)
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 13702-05
 US BANK vs. SCOTT A. BJORK and LINDA E. BJORK
 Amount Due: \$219,810.55
 SCOTT A. BJORK and LINDA E. BJORK, owner(s) of property situated in Erie County, Pennsylvania being 4526 CEDARWOOD COURT, ERIE, PA 16506.
 Dimensions: 90 x 162.67
 Acreage: 0.3361
 Assessment Map number: 33-062-235-0-056-14
 Assessed Value: 160,950.00
 Improvement thereon: residential Phelan Hallinan & Schmieg, LLP One Penn Center at Suburban Station, Suite 1400
 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814
 (215) 563-7000

Jan. 29 and Feb. 5, 12

SALE NO. 23
Ex. #13922 of 2009
WELLS FARGO BANK, N.A., Plaintiff
 v.
ROGER S. CHENEY
Defendant(s)
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 13922-09
 WELLS FARGO BANK, N.A. vs. ROGER S. CHENEY
 Amount Due: \$51,096.04
 ROGER S. CHENEY, owner(s) of property situated in the 2ND WARD OF THE CITY OF ERIE, Erie County, Pennsylvania being 330 EAST 9TH STREET, ERIE, PA 16503-1108
 Dimensions: 41.25 X 165
 Acreage: 0.1562
 Assessment Map number: 15020016023800
 Assessed Value: \$57,700.00
 Improvement thereon: Residential Phelan Hallinan & Schmieg, LLP One Penn Center at Suburban

Station, Suite 1400
 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814
 (215) 563-7000
 Jan. 29 and Feb. 5, 12

SALE NO. 24
Ex. #12047 of 2009
TAYLOR, BEAN & WHITAKER MORTGAGE CORPORATION, Plaintiff
 v.
RANDY L. DINGLE,
Defendant(s)
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 2009-12047
 TAYLOR, BEAN & WHITAKER MORTGAGE CORPORATION vs. RANDY L. DINGLE
 Amount Due: \$124,408.63
 RANDY L. DINGLE, owner(s) of property situated in BOROUGH OF UNION CITY BOROUGH, 1ST WARD OF THE BOROUGH OF UNION CITY, Erie County, Pennsylvania being 52 1/2 WARDEN STREET, A/K/A 52 WARDEN STREET, UNION CITY, PA 16438-1041
 Dimensions: 4.6 AC
 Acreage: 4.6000
 Assessment Map number: 41-003-004.0-002.00
 Assessed Value: \$91,440.00
 Improvement thereon: residential Phelan Hallinan & Schmieg, LLP One Penn Center at Suburban Station, Suite 1400
 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814
 (215) 563-7000

Jan. 29 and Feb. 5, 12

SALE NO. 26
Ex. #13998 of 2009
WELLS FARGO BANK, N.A., Plaintiff
 v.
LATORY W. FELDER A/K/A LETORY W. FELDER, Defendant(s)
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 13998-09
 WELLS FARGO BANK, N.A. vs. LATORY W. FELDER A/K/A LETORY W. FELDER
 Amount Due: \$74,946.62

LATORY W. FELDER A/K/A LETORY W. FELDER, owner(s) of property situated in the 3RD WARD OF THE CITY OF ERIE, Erie County, Pennsylvania being 354 WEST 9TH STREET, ERIE, PA 16502-1427
 Dimensions: 47.5 X 132 IRREGULAR
 Acreage: 0.1439
 Assessment Map number: 16030020022900
 Assessed Value: \$49,730.00
 Improvement thereon: residential Phelan Hallinan & Schmieg, LLP One Penn Center at Suburban Station, Suite 1400
 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814
 (215) 563-7000
 Jan. 29 and Feb. 5, 12

SALE NO. 27
Ex. #12279 of 2009
US BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR CERTIFICATEHOLDERS OF BEAR STEARNS ASSET BACKED SECURITIES I LLC, ASSET BACKED CERTIFICATES, SERIES 2004-AC7, Plaintiff
 v.
JOSEPH FENDONE,
Defendant(s)
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 12279-09
 US BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR CERTIFICATEHOLDERS OF BEAR STEARNS ASSET BACKED SECURITIES I LLC, ASSET BACKED CERTIFICATES, SERIES 2004-AC7 vs. JOSEPH FENDONE
 Amount Due: \$101,272.10
 JOSEPH FENDONE, owner(s) of property situated in BOROUGH OF EDINBORO, Erie County, Pennsylvania being 206 HIGH STREET, EDINBORO, PA 16412-2553.
 Dimensions: 80 X 260
 Acreage: 0.4775
 Assessment Map number: 11010044000400
 Assessed Value: 83,920.00
 Improvement thereon: residential Phelan Hallinan & Schmieg, LLP

One Penn Center at Suburban
Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000
Jan. 29 and Feb. 5, 12

SALE NO. 28

Ex. #14423 of 2007
FLAGSTAR BANK, FSB,
Plaintiff
v.
KRISTOFFER S. FILSON
DARCIE L. FILSON,
Defendant(s)

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 14423-07
FLAGSTAR BANK, FSB vs. KRISTOFFER S. FILSON and DARCIE L. FILSON
Amount Due: \$159,753.36
KRISTOFFER S. FILSON and DARCIE L. FILSON, owner(s) of property situated in Erie County, Pennsylvania being 10386 HALL AVENUE, LAKE CITY, PA 16423
Dimensions: 65 X 140
Acreage: 0.2089
Assessment Map number: 28009009003600
Assessed Value: 93,590.00
Improvement thereon: Residential Phelan Hallinan & Schmieg, LLP
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000
Jan. 29 and Feb. 5, 12

SALE NO. 30

Ex. #14441 of 2009
BAC HOME LOANS
SERVICING, LP, Plaintiff
v.
ROBIN R. GALBRAITH,
Defendant(s)

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 14441-09
BAC HOME LOANS SERVICING, LP vs. ROBIN R. GALBRAITH
Amount Due: \$109,500.57
ROBIN R. GALBRAITH, owner(s) of property situated in the TOWNSHIP OF NORTH EAST, Erie County, Pennsylvania being 11078 WEST LAW ROAD,

NORTH EAST, PA 16428-3873
Dimensions: 100 X 175
Acreage: 0.4017
Assessment Map number: 37023092003200
Assessed Value: \$63,230.00
Improvement thereon: residential Phelan Hallinan & Schmieg, LLP
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000
Jan. 29 and Feb. 5, 12

SALE NO. 31

Ex. #11755 of 2008
PHH MORTGAGE
CORPORATION, F/K/A
CENDANT MORTGAGE
CORPORATION, Plaintiff
v.
DEREK E. GATES, Defendant(s)

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 11755-08
PHH MORTGAGE CORPORATION, F/K/A CENDANT MORTGAGE CORPORATION vs. DEREK E. GATES
Amount Due: \$76,295.56
DEREK E. GATES, owner(s) of property situated in the CITY OF ERIE, Erie County, Pennsylvania being 1338 WEST 30TH STREET, ERIE, PA 16508.
Dimensions: 40 X 95
Acreage: 0.0872
Assessment Map number: 19062023042300
Assessed Value: 65,300.00
Improvement thereon: residential Phelan Hallinan & Schmieg, LLP
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000
Jan. 29 and Feb. 5, 12

SALE NO. 32

Ex. #12685 of 2009
AURORA LOAN SERVICES
LLC, Plaintiff
v.
KATHRYN HARPER
ANTHONY HARPER,
Defendant(s)

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 12685-09
AURORA LOAN SERVICES LLC vs. KATHRYN HARPER and ANTHONY HARPER
Amount Due: \$90,465.94
KATHRYN HARPER and ANTHONY HARPER, owner(s) of property situated in CITY OF ERIE, Erie County, Pennsylvania being 1128 WEST 28th STREET, ERIE, PA 16508-1530
Dimensions: 40X135
Acreage: 0.1240
Assessment Map number: 19-062-018.0-231.00
Assessed Value: \$75,500.00
Improvement thereon: residential Phelan Hallinan & Schmieg, LLP
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000
Jan. 29 and Feb. 5, 12

SALE NO. 33

Ex. #13431 of 2009
CITIMORTGAGE, INC.,
Plaintiff
v.
PEARL L. HILL
JAMES HENDERSON,
Defendant(s)

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 13431-09
CITIMORTGAGE, INC. vs. PEARL L. HILL and JAMES HENDERSON
PEARL L. HILL and JAMES HENDERSON, owner(s) of property situated in TOWNSHIP OF ERIE CITY, CITY OF ERIE, Erie County, Pennsylvania being 635 EAST 24TH STREET, ERIE, PA 16503-2111
Dimensions: 32.5 X 128
Acreage: 0.0955
Assessment Map number: 18-050-027.0-210.00
Assessed Value: \$25,170.00
Improvement thereon: Residential Phelan Hallinan & Schmieg, LLP
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000
Jan. 29 and Feb. 5, 12

SALE NO. 35
Ex. #13999 of 2009
DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR SOUNDVIEW HOME LOAN TRUST 2006-WF2, Plaintiff
 v.
SULEMAN HUCIC, A/K/A SULEJMAN HUCIC RAZA MANJIC, Defendant(s)
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 13999-09 DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR SOUNDVIEW HOME LOAN TRUST 2006-WF2 vs. SULEMAN HUCIC A/K/A SULEJMAN HUCIC and RAZA MANJIC Amount Due: \$88,343.32 SULEMAN HUCIC A/K/A SULEJMAN HUCIC and RAZA MANJIC, owner(s) of property situated in the 5TH WARD OF THE CITY OF ERIE, Erie County, Pennsylvania being 737 EAST 30TH STREET, ERIE, PA 16504-1214
 Dimensions: 70 x 130
 Acreage: 0.2089
 Assessment Map number: 18050062020800
 Assessed Value: \$70,720.00
 Improvement thereon: residential Phelan Hallinan & Schmiegl, LLP One Penn Center at Suburban Station, Suite 1400
 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814
 (215) 563-7000
 Jan. 29 and Feb. 5, 12

SALE NO. 36
Ex. #10404 of 2009
DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR FFMLT TRUST 2006-FF6, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-FF6, Plaintiff
 v.
JAMES S. KLOBUSNIK, JR., Defendant(s)
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 10404-09 DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR FFMLT TRUST 2006-FF6,

MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-FF6 vs. JAMES S. KLOBUSNIK, JR
 Amount Due: \$118,859.60
 JAMES S. KLOBUSNIK, JR, owner(s) of property situated in TOWNSHIP OF SPRINGFIELD, Erie County, Pennsylvania being 631 ELLIS ROAD, EAST SPRINGFIELD, PA 16411-9736
 Dimensions: TR 590 1.25 AC
 Acreage: 1.2500
 Assessment Map number: 39-003-013.0-019.00
 Assessed Value: \$64,310.00
 Improvement thereon: residential Phelan Hallinan & Schmiegl, LLP One Penn Center at Suburban Station, Suite 1400
 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814
 (215) 563-7000

Jan. 29 and Feb. 5, 12

SALE NO. 37
Ex. #11482 of 2009
CITIMORTGAGE, INC., Plaintiff
 v.
DAVID J. LANAGAN JACQUELINE M. LANAGAN, Defendant(s)
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 11482-09 CITIMORTGAGE, INC. vs. DAVID J. LANAGAN and JACQUELINE M. LANAGAN Amount Due: \$87,923.79
 DAVID J. LANAGAN and JACQUELINE M. LANAGAN, owner(s) of property situated in BOROUGH OF WATTSBURG, Erie County, Pennsylvania being 14451 LOWVILLE STREET, WATTSBURG, PA 16442
 Dimensions: 110 X 200
 Acreage: 0.5051
 Assessment Map number: 48-002-012.0-017.03
 Assessed Value: 90,620.00
 Improvement thereon: Residential Phelan Hallinan & Schmiegl, LLP One Penn Center at Suburban Station, Suite 1400
 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814
 (215) 563-7000

Jan. 29 and Feb. 5, 12

SALE NO. 38
Ex. #10852 of 2008
FLAGSTAR BANK, FSB, Plaintiff
 v.
DALE L. MATHA A/K/A DALE L. MATHA, JR MELISSA A. MATHA, Defendant(s)
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 10852-08 FLAGSTAR BANK, FSB vs. DALE L. MATHA A/K/A DALE L. MATHA, JR and MELISSA A. MATHA
 Amount Due: \$96,920.13
 DALE L. MATHA A/K/A DALE L. MATHA, JR and MELISSA A. MATHA, owner(s) of property situated in the TOWNSHIP OF MILLCREEK, Erie County, Pennsylvania being 1642 BIEBEL AVENUE, ERIE, PA 16509
 Dimensions: 100 x 165
 Acreage: 0.3788
 Assessment Map number: 33165609001100
 Assessed Value: \$70,610.00
 Improvement thereon: residential Phelan Hallinan & Schmiegl, LLP One Penn Center at Suburban Station, Suite 1400
 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814
 (215) 563-7000
 Jan. 29 and Feb. 5, 12

SALE NO. 39
Ex. #10064 of 2009
U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE STRUCTURED ASSET INVESTMENT LOAN TRUST, 2006-4, Plaintiff
 v.
JAMES PARENT MICHELLE PARENT, Defendant(s)
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 10064-09 U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE STRUCTURED ASSET INVESTMENT LOAN TRUST, 2006-4 vs. JAMES PARENT and MICHELLE PARENT
 Amount Due: \$70,718.41

JAMES PARENT and MICHELLE PARENT, owner(s) of property situated in the CITY OF ERIE, Erie County, Pennsylvania being 254 SCOTT STREET, ERIE, PA 16508-1836

Dimensions: 35 X 120
Acreage: .0964
Assessment Map number: 19-060-053.0-337.00

Assessed Value: 42,630.00
Improvement thereon: residential Phelan Hallinan & Schmieg, LLP One Penn Center at Suburban Station, Suite 1400 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814 (215) 563-7000

Jan. 29 and Feb. 5, 12

SALE NO. 40

Ex. #13210 of 2009
NATIONAL CITY BANK,
Plaintiff

v.

ALICE A. RICE
KEITH A. RICE, Defendant(s)
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 13210-09
NATIONAL CITY BANK vs. ALICE A. RICE and KEITH A. RICE

Amount Due: \$103,303.44
ALICE A. RICE and KEITH A. RICE, owner(s) of property situated in TOWNSHIP OF HARBORCREEK, Erie County, Pennsylvania being 1429 DAVISON ROAD, HARBORCREEK, PA 16421

Dimensions: 218 x 150
Acreage: 0.7507
Assessment Map number: 27-021-118.0-006.00

Assessed Value: \$77,610.00
Improvement thereon: residential Phelan Hallinan & Schmieg, LLP One Penn Center at Suburban Station, Suite 1400 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814 (215) 563-7000

Jan. 29 and Feb. 5, 12

SALE NO. 41

Ex. #13981 of 2009
BANK OF AMERICA, N.A.,
Plaintiff

v.

DAVID L. SLIDER
MELINDA S. SLIDER,
Defendant(s)
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 13981-2009
BANK OF AMERICA, N.A. vs. DAVID L. SLIDER and MELINDA S. SLIDER

Amount Due: \$67,305.24
DAVID L. SLIDER and MELINDA S. SLIDER, owner(s) of property situated in the CITY OF ERIE, Erie County, Pennsylvania being 2926 HOLLAND STREET, ERIE, PA 16504-1044

Dimensions: 35 X 110
Acreage: 0.0884
Assessment Map number: 18050085010000

Assessed Value: 55,510.00
Improvement thereon: residential Phelan Hallinan & Schmieg, LLP One Penn Center at Suburban Station, Suite 1400 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814 (215) 563-7000

Jan. 29 and Feb. 5, 12

SALE NO. 42

Ex. #13866 of 2009
CITIMORTGAGE, INC.,
Plaintiff

v.

MICHAEL R. SMITH
MARTINA M. SMITH,
Defendant(s)
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 13866-09
CITIMORTGAGE, INC. vs. MICHAEL R. SMITH and MARTINA M. SMITH

Amount Due: \$227,900.71
MICHAEL R. SMITH and MARTINA M. SMITH, owner(s) of property situated in the TOWNSHIP OF SUMMIT, Erie County, Pennsylvania being 8600 HONEYSUCKLE DRIVE, ERIE, PA 16509-5069

Dimensions: 55.32 X 167.13
IRREGULAR
Acreage: 0.3491

Assessment Map number: 40030084000700
Assessed Value: \$187,100.00

Improvement thereon: residential Phelan Hallinan & Schmieg, LLP One Penn Center at Suburban Station, Suite 1400 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814 (215) 563-7000

Jan. 29 and Feb. 5, 12

SALE NO. 43

Ex. #11871 of 2009
JPMORGAN CHASE BANK,
N.A. SUCCESSOR IN
INTEREST TO WASHINGTON
MUTUAL BANK, Plaintiff

v.

WILLIAM TAIT
SANDRA J. TAIT, Defendant(s)
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 11871-09
JPMORGAN CHASE BANK, N.A. SUCCESSOR IN INTEREST TO WASHINGTON MUTUAL BANK vs. WILLIAM TAIT and SANDRA J. TAIT

Amount Due: \$54,445.68
WILLIAM TAIT and SANDRA J. TAIT, owner(s) of property situated in Township of Erie City, Erie County, Pennsylvania being 1308 WEST 24TH STREET, ERIE, PA 16502-2336

Dimensions: 64 X 128.5
Acreage: 0.1888
Assessment Map number: 19062003010000

Assessed Value: 39,030.00
Improvement thereon: Residential Phelan Hallinan & Schmieg, LLP One Penn Center at Suburban Station, Suite 1400 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814 (215) 563-7000

Jan. 29 and Feb. 5, 12

SALE NO. 44

Ex. #15388 of 2008
BANK OF NEW YORK
AS TRUSTEE FOR THE
CERTIFICATEHOLDERS
CWABS ASSET-BACKED
CERTIFICATES TRUST 2005-
BC4, Plaintiff

v.

SANDRA J. WITOSKY,
Defendant(s)
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 15388-08 BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS CWABS ASSET-BACKED CERTIFICATES TRUST 2005-BC4 vs. SANDRA J. WITOSKY Amount Due: \$74,036.93 SANDRA J. WITOSKY, owner(s) of property situated in Erie County, Pennsylvania being 956 WEST 35TH STREET, ERIE, PA 16508-2514

Dimensions: 45.5 x 135
Acreage: 0.1410
Assessment Map number: 19-6113-214
Assessed Value: \$44,120.00
Improvement thereon: residential Phelan Hallinan & Schmiegl, LLP One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814
(215) 563-7000

Jan. 29 and Feb. 5, 12

SALE NO. 45

**Ex. #11391 of 2004
CITIFINANCIAL MORTGAGE COMPANY, INC., Plaintiff**

v.

**DAVID J. WROBLEWSKI
MARGARET L.
WROBLEWSKI,
Defendant(s)**

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 11391-04

CITIFINANCIAL MORTGAGE COMPANY, INC. vs. DAVID J. WROBLEWSKI and MARGARET L. WROBLEWSKI
Amount Due: \$174,120.67
DAVID J. WROBLEWSKI and MARGARET L. WROBLEWSKI, owner(s) of property situated in the TOWNSHIP OF VENANGO, Erie County, Pennsylvania being 11595 ROUTE 89, WATTSBURG, PA 16442

Parcel: 44003008000103
Acreage: 5.0350
Parcel: 26011031003200
Dimensions: 181.50 x 90
Acreage: 0.3750
Assessment Map number: 44003008000103 & 26011031003200

Parcel: 44003008000103
Assessed Value: \$101,740.00
Parcel: 26011031003200
Assessed Value: \$42,700.00
Improvement thereon: residential Phelan Hallinan & Schmiegl, LLP One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814
(215) 563-7000

Jan. 29 and Feb. 5, 12

SALE NO. 46

**Ex. #10244 of 2008
THE BANK OF NEW YORK AS SUCCESSOR TO JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, F/K/A THE CHASE MANHATTAN BANK, AS TRUSTEE UNDER THE POOLING AND SERVICING**

AGREEMENT DATED AS OF AUGUST 1, 2001, AMONG CREDIT-BASED ASSET SERVICING AND SECURITIZATION LLC, RESIDENTIAL ASSET FUNDING CORPORATION, LITTON LOAN SERVICING LP AND THE CHASE MANHATTAN BANK, C-BASS MORTGAGE LOAN ASSET-BACKED CERTIFICATES, SERIES 2001- CB3, Plaintiff

v.

**GRANT E. ZELLEFROW,
Defendant(s)**

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 10244-08

THE BANK OF NEW YORK AS SUCCESSOR TO JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, F/K/A THE CHASE MANHATTAN BANK, AS TRUSTEE UNDER THE POOLING AND SERVICING AGREEMENT DATED AS OF AUGUST 1, 2001, AMONG CREDIT-BASED ASSET SERVICING AND SECURITIZATION LLC, RESIDENTIAL ASSET FUNDING CORPORATION, LITTON LOAN SERVICING LP AND THE CHASE MANHATTAN BANK, C-BASS MORTGAGE LOAN ASSET-BACKED CERTIFICATES,

SERIES 2001-CB3 vs. GRANT E. ZELLEFROW
Amount Due: \$31,206.03
GRANT E. ZELLEFROW, owner(s) of property situated in Erie County, Pennsylvania being 816 CHERRY STREET, ERIE, PA 16502
Dimensions: 35 X 100
Acreage: .0803
Assessment Map number: 16030035020400
Assessed Value: 33,720.00
Improvement thereon: residential Phelan Hallinan & Schmiegl, LLP One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814
(215) 563-7000

Jan. 29 and Feb. 5, 12

SALE NO. 47

**Ex. #14731 of 2006
CHASE HOME FINANCE LLC,
Plaintiff**

v.

**ANTHONY P. ZEUS, JR.
MARY LOU ZEUS
(DECEASED), Defendant(s)**

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 14731-06

CHASE HOME FINANCE LLC vs. ANTHONY P. ZEUS, JR. AND MARY LOU ZEUS (DECEASED)
Amount Due: \$145,920.43
ANTHONY P. ZEUS, JR., owner(s) of property situated in TOWNSHIP OF HARBORCREEK, Erie County, Pennsylvania being 4331 AARON ROAD, ERIE, PA 16511
Dimensions: 80 X 130
Acreage: 0.2388

Assessment Map number: 27001003002601
Assessed Value: 164,960.00
Improvement thereon: Residential Phelan Hallinan & Schmiegl, LLP One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814
(215) 563-7000

Jan. 29 and Feb. 5, 12

SALE NO. 48

**Ex. #12829 of 2009
RBS CITIZENS, N.A., F/K/A**

**CITIZENS BANK, N.A., S/B/M
CCO MORTGAGE CORP.**

v.

DONNA DAMON

ADVERTISING DESCRIPTION

ATC piece or parcel of land sit. in the City of Erie, Co. of Erie, PA, being part of in Lot No. 495 of Square No. 75 in the Second Section of the City of Erie, Co. COMMENCING at a point in the W. line of Plum St., 42 ½ ft. southerly from the point of intersection of the W. line of Plum St. with the S. line of 10th St.; thence westerly, parallel with 10th St., 41 ¼ ft. to a point; thence southerly, parallel with Plum St., 40 ft. to a point; thence easterly, parallel with 10th St., 41 ¼ ft. to the W. line of Plum St.; thence northerly along the W. line of Plum St., 40 ft. to the place of beg.

SAID piece or parcel of land has erected thereon a two-story frame dwelling house known as 1006 Plum St., Erie, PA 16502 PARCEL No. 16030046020700 Gregory Javardian, Esquire Attorney for Plaintiff 1310 Industrial Boulevard 1st Floor, Suite 101 Southampton, PA 18966 (215) 942-9690

Jan. 29 and Feb. 5, 12

SALE NO. 49

Ex. #13952 of 2009

**WELLS FARGO BANK, N.A.,
AS TRUSTEE FOR HOLDERS
OF BANK OF AMERICA
ALTERNATIVE LOAN TRUST
2006-6 MORTGAGE PASS-
THROUGH CERTIFICATES
SERIES 2006-6**

v.

JAMES L. GRILL, A/K/A

JAMES LEO GRILL

ADVERTISING DESCRIPTION

ATC piece or parcel of land sit. in the City of Erie, Co. of Erie, PA. BEG. at a point in the S. line of 20th St. 99 ft. easterly from the intersection of the S. line of 20th St. with the E. line of Myrtle St.; thence easterly along the S. line of 20th St. 49 ½ ft. to a post; thence, southwardly parallel with Myrtle St. 52.05 ft. to the N. line of Crandall St., thence westerly along

the N. line of Crandall St. 49 ½ ft. to a post; and thence northwardly parallel with Myrtle St. 52.05 ft. to the place of beg.

Having erected thereon a frame dwelling house and garage known as 253 W. 20th St., Erie, PA 16502 PARCEL No. 19060006021500 Gregory Javardian, Esquire Attorney for Plaintiff 1310 Industrial Boulevard 1st Floor, Suite 101 Southampton, PA 18966 (215) 942-9690

Jan. 29 and Feb. 5, 12

SALE NO. 50

Ex. #14154 of 2009

**WELLS FARGO BANK, N.A.,
AS TRUSTEE FOR THE
HOLDERS OF BANK OF
AMERICA ALTERNATIVE
LOAN TRUST 2006-6
MORTGAGE PASS-THROUGH
CERTIFICATES SERIES 2006-6**

v.

JAMES L. GRILL A/K/A

JAMES LEO GRILL

ADVERTISING DESCRIPTION

ATC piece or parcel of land sit. in the City of Erie, Co. of Erie, PA. BEG. at a point in the S. line of 16th St., 85 ft. westwardly from the W. line of Poplar St.; thence southwardly parallel with Poplar St., 55 ft.; thence westwardly parallel with 16th St., 35 ft.; thence northwardly parallel with Poplar St., 55 ft. to the S. line of 16th St.; and thence eastwardly along the S. line of 16th St., 35 ft.

HAVING erected thereon a two-story brick dwelling known as 709 W. 16th St., Erie, PA 16502 PARCEL NO. 16030036021700 Gregory Javardian, Esquire Attorney for Plaintiff 1310 Industrial Boulevard 1st Floor, Suite 101 Southampton, PA 18966 (215) 942-9690

Jan. 29 and Feb. 5, 12

SALE NO. 52

Ex. #13106 of 2009

**U.S. BANK, NATIONAL
ASSOCIATION, AS
SUCCESSOR TRUSTEE
TO BANK OF AMERICA,**

**N.A., AS SUCCESSOR BY
MERGER TO LASALLE
BANK, N.A., AS TRUSTEE
FOR FIRST FRANKLIN
MORTGAGE LOAN TRUST,
MORTGAGE LOAN ASSET-
BACKED CERTIFICATES,
SERIES 2006-FF18, assignee of
MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS,
INC., (MERS) AS NOMINEE
FOR FIRST FRANKLIN, A
DIVISION OF NATIONAL
CITY BANK, Plaintiff,**

v.

**Aimee L. Farley, Defendant
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 2009-13106, U.S. Bank, et al vs. Aimee L. Farley, owner of property situated in Waterford Borough, Erie County, Pennsylvania being 129 East 1st Street, Waterford, PA 16441.

Dimensions: 13,974 Sq. Ft. Assessment Map Number: 46-009.059.0.003.00

Assess Value figure: \$61,200.00

Improvement thereon: Dwelling

Louis P. Vitti, Esquire

Attorney for Plaintiff

916 Fifth Avenue

Pittsburgh, PA 15219

(412) 281-1725

Jan. 29 and Feb. 5, 12

SALE NO. 53

Ex. #14427 of 2009

**WELLS FARGO BANK, N.A. IN
TRUST FOR THE BENEFIT OF
THE CERTIFICATEHOLDERS
OF ASSET BACKED
SECURITIES CORPORATION
HOME EQUITY LOAN TRUST,
SERIES OOMC 2005-HE6,
Plaintiff**

v.

**TADD B. BURCH
ALLISON R. BURCH,
Defendant(s)
DESCRIPTION**

ALL that certain piece or parcel of land lying and being situate in the Township of North East, County of Erie and State of Pennsylvania, being a part of tract No. 146, bounded and described as follows, to wit: BEGINNING in the center of a road leading from Moorheadville

to Greenfield Townline Road (said road is known as Moorheadville Road) at a distance southerly along the centerline of said road of eight hundred sixty-one and four tenths (861.4) feet from the Sheridan-Burch property line; thence along the centerline of said road in southeasterly direction to a point which is South 19° 0' East, two hundred forty six and three tenths (246.3) feet from the North property line of this description; thence South 71° 0' West, three hundred sixty eight and five tenths (368.5) feet to a point; thence north 19° 0' West, two hundred forty six and three tenths (246.3) feet to a point; thence North 71° 0' East, three hundred thirty nine and five tenths (339.5) feet to the place of beginning, containing two (2) acres of land being the same more or less.

SAID premises have erected thereon a dwelling commonly known as 6860 Moorheadville Road, North East, Pennsylvania, 16428 and are further identified by Erie County Assessment Index Number (37) 32-125-3.

PROPERTY ADDRESS: 6860 Mooreheadville Road, North East, PA 16428

Michael T. McKeever, Esq.
Suite 5000 - Mellon Independence Center, 701 Market Street Philadelphia, PA 19106
(215) 627-1322

Jan. 29 and Feb. 5, 12

SALE NO. 54

Ex. #14545 of 2009

**WELLS FARGO BANK,
NATIONAL ASSOCIATION AS
TRUSTEE FOR SECURITIZED
ASSET BACKED
RECEIVABLES LLC 2005-OP1
MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-
OPI, Plaintiff**

v.

CYNTHIA L. COLE,

Defendant(s)

DESCRIPTION

All those parcels situate in the Township of Girard, County of Erie and State of Pennsylvania, and more particularly described as follows:

Parcel No. 1. All that certain piece

or parcel of land situate in the Township, County, and State aforesaid, bounded and described as follows, to-wit: BEGINNING at a point in the South line of Smith Street, 523.25 feet measured Southwesterly along said South line of Smith Street from the center of the cross road leading from the Lake Road at Cranes School House to the Village of Girard; thence in a Southeasterly direction parallel to said cross road about three hundred sixteen and five tenths (316.5) feet to a point in the Northerly property line of F.H. Coates estate; thence in a southwesterly direction and along said Northerly property line of C.A. Coates about five hundred twenty three and twenty-five hundredths (523.25) feet to a stake which is on the Southeast corner of a two acre lot conveyed to E.A. Coates by E. Smith by deed dated August 8, 1918; thence Northwesterly along the Easterly line of said two acre lot about three hundred seventeen and seven tenths (317.7) feet to a stake on the South line of Smith Street; thence in a Northeasterly direction and along the South line of Smith Street about five hundred twenty-three and twenty-five hundredths (523.25) feet to the place beginning, containing three and seven tenths (3.7) acres of land, be the same more or less; ALSO,

Parcel No. 2. All that Certain piece or parcel of land situate in the Township, County, and State aforesaid, bounded and described as follows, to-wit: BEGINNING at a point where the South line of Smith Street intersects the centerline of the cross road leading from Cranes School House on Lake Road to the Village of Girard; thence in a Southeasterly direction and along the centerline of said cross road, three hundred fourteen and five tenths (314.5) feet to the Northeast corner of the Premises of Coates; thence in a Southeasterly direction and along the Northerly line of said Coates property about five hundred twenty-three and twenty-five hundredths (523.25) feet; thence in a Northwesterly direction about three hundred sixteen and five-

tenths (316.5) feet to the South line of Smith Street; thence along the South line of Smith Street about five hundred twenty-three and twenty-five hundredths (523.25) feet to the place beginning, containing three and seven tenths (3.7) acres of land, be the same more or less.

Excepting and reserving from this deed, one hundred (100) feet of land taken from the Southerly part of Parcel No. 2 hereinbefore described, said one hundred (100) feet being more specifically described in a deed from George Hubert Golden and Marian Alice Golden, his wife, to Ronald Golden, said deed being recorded in the Recorder of Deeds Office of Erie County, Pennsylvania, in Deed Book 797, at page 257.

PROPERTY ADDRESS: 2034 Nursery Road, Lake City, PA 16423
Michael T. McKeever, Esq.
Suite 5000 - Mellon Independence Center, 701 Market Street Philadelphia, PA 19106
(215) 627-1322

Jan. 29 and Feb. 5, 12

SALE NO. 55

Ex. #12772 of 2009

**CITIFINANCIAL SERVICES,
INC, Plaintiff**

v.

KIMBERLY A. KABASINSKI,

Defendant(s)

DESCRIPTION

ALL that certain parcel of land situate in the City of Erie, County of Erie and State of Pennsylvania, beginning at an iron survey point at the Northeast corner of the intersection of East 32nd street with Pennsylvania Avenue, thence Northerly along Pennsylvania Avenue forty-five (45) feet to a point; thence Easterly parallel to East 32nd Street for a distance of One Hundred Thirty-four (134) feet to a point, thence southerly parallel to Pennsylvania Avenue for a distance of Forty-five (45) feet to a point; thence Westerly along the Northern line of East 32nd Street for a distance of One Hundred Thirty-four (134) feet to the starting point, being part of Lot Nos. 109, 112, 113, 116 in what is known as No.

10 Subdivision by Andrews Land Company, part of a reserve Tract No. 34 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 104-105. Part of Erie County Index No. 5047-222. Having erected thereon a dwelling house commonly known as 3123 Pennsylvania Avenue, Erie, Pennsylvania, being part of the same premises conveyed to Leonard Kabasinski and Kimberly A. Kabasinski by deed dated August 5, 1977 and recorded in Erie County Deed Book 1274, page 556.

BEING the same premises which Duane Kreger and Susan Kreger, husband and wife, by Deed dated 08/05/77 and recorded 08/05/77 in the Office of the Recorder of Deeds in and for Erie County, in Deed Book 1274 Page 556, granted and conveyed unto Leonard and Kimberly Kabasinski, husband and wife.

PARCEL #: 5047-222

PROPERTY ADDRESS: 3123 Penna Avenue, Erie, PA 16404
 Michael T. McKeever, Esq.
 Suite 5000 - Mellon Independence Center, 701 Market Street Philadelphia, PA 19106
 (215) 627-1322

Jan. 29 and Feb. 5, 12

SALE NO. 56

Ex. #14257 of 2009

**BAC HOME LOANS
 SERVICING, LP FKA
 COUNTRYWIDE HOME
 LOANS SERVICING LP,
 Plaintiff**

v.

**CHRISTOPHER J.
 KAVANAGH, Defendant(s)**

DESCRIPTION

ALL THAT CERTAIN piece or parcel of land situate in the City of Erie, County of Erie and Commonwealth of Pennsylvania, being the eastwardly one-half of In Lot No. 3114 in Square No. 11, bounded and described as follows, to-wit: BEGINNING at a point in the northerly line of Third Street, distant along the same eighty-two and one-half (82 ½) feet Westerly

from the intersection of said line with the westerly line of Poplar Street; thence Northwardly parallel with Poplar Street, one hundred sixty-five (165) feet; thence Westwardly parallel with Third Street, forty-one and one-fourth (41 ¼) feet; thence Southwardly parallel with Poplar Street one hundred sixty-five (165) feet to the north line of Third Street; thence Eastwardly along the North line of Third Street, forty-one and one-fourth (41 ¼) feet to the place of beginning; having erected thereon a dwelling commonly known as 712 West 3rd Street, Erie, Pennsylvania and being further identified as Index No. (17) 4024-226

TAX PARCEL NO.: (17) 4024-226
 PROPERTY ADDRESS: 712 West 3rd Street, Erie, PA 16507
 Michael T. McKeever, Esq.
 Suite 5000 - Mellon Independence Center, 701 Market Street Philadelphia, PA 19106
 (215) 627-1322

Jan. 29 and Feb. 5, 12

SALE NO. 57

Ex. #13915 of 2009

**MIDFIRST BANK, Plaintiff
 v.**

**ELIZABETH J. LUNGER
 DENNIS L. LUNGER JR.,
 Defendant(s)**

DESCRIPTION

All that certain piece or parcel of land situate in the Fourth Ward of the City of Corry, County of Erie, Commonwealth of Pennsylvania, bounded and described as follows; Beginning at a point in the center of West Church Street, such point being the southeast corner of land formerly owned by Hannah P. Brown; Thence northerly along the land of Hannah P. Brown 159 feet to land now or formerly of Raymond C. Ecklund; Thence easterly along land now or formerly to said Ecklund 59-1/2 feet to a point; Thence southerly along land now or formerly of Edward P. Rossbacher and Elsie Rossbacher, 159 feet to the center of West Church Street; Thence westerly along the center of West Church Street 59-1/2 to the place of beginning. Commonly known

as 555 West Church Street, Corry, Pennsylvania bearing Erie County Tax Index Number (8) 34-137-17. Under and Subject to all easements, restrictions and rights of way of record and/or those that are visible to the physical inspection.

Together with all and singular the rights, liberties, privileges, hereditaments, improvements and appurtenances, whatsoever thereto belonging, and reversions and remainders, rent, issues and profits thereof; and also, all the estate and interest whatsoever of the said Grantors, in law or equity, of, in, to or out of the same.

PROPERTY ADDRESS: 555 West Church Street, Corry, PA 16407
 Michael T. McKeever, Esq.
 Suite 5000 - Mellon Independence Center, 701 Market Street Philadelphia, PA 19106
 (215) 627-1322

Jan. 29 and Feb. 5, 12

SALE NO. 58

Ex. #10694 of 2009

**COUNTRYWIDE HOME
 LOANS SERVICING, L.P.,
 Plaintiff**

v.

**JON A. MASON, Defendant(s)
DESCRIPTION**

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

BEGINNING at a point in the north line of east Twenty-fourth Street, two hundred ten (210) feet west of the west line of Wayne Street as now laid out and open on the ground as fifty (50) foot wide street; Thence north, parallel with Wayne Street, One hundred thirty-five (135) feet; thence West, parallel with East Twenty-fourth Street, thirty-six (36) feet, eight (8) inches; thence south parallel with Wayne Street, one hundred thirty-five (135) feet to the North line of East Twenty-fourth Street; thence East, along the North line of East Twenty-fourth Street, thirty-six (36) feet, eight (8) inches to the place of beginning. Having erected thereon a two-

family dwelling commonly known as 740 East 24th Street, Erie, Pennsylvania and being further identified by Erie County Tax Index No. (18) 5030-129.
 TAX PARCEL NO.: (18) 5030-129
 PROPERTY ADDRESS: 740 East 24th Street, Erie, PA 16503
 Michael T. McKeever, Esq.
 Suite 5000 - Mellon Independence Center, 701 Market Street Philadelphia, PA 19106
 (215) 627-1322

Jan. 29 and Feb. 5, 12

SALE NO. 59

Ex. #14399 of 2009
JP MORGAN CHASE, N.A.,
AS ACQUIRER OF CERTAIN
ASSETS AND LIABILITIES
OF WASHINGTON
MUTUAL BANK FROM
THE FEDERAL DEPOSIT
INSURANCE CORPORATION
ACTING AS RECEIVER
F/K/A WASHINGTON
MUTUAL BANK S/B/M PNC
MORTGAGE CORPORATION
OF AMERICA, Plaintiff
 v.
MARIA L. REYES, Defendant(s)
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: Commencing at the intersection of the westerly line of Pennsylvania Avenue with the Northerly line of Twenty Fourth Street; thence Westwardly along the Northerly line of Twenty Fourth Street, fifty (50) feet; thence Northerly parallel with Pennsylvania Avenue, One hundred thirty five (135) feet; thence Easterly parallel with Twenty Fourth Street fifty (50) feet to the West line of Pennsylvania Avenue; and thence Southerly along the West line of Pennsylvania Avenue, One Hundred Thirty five (135) feet to the place of beginning, being Lot Number thirty (30) in Block C in the plot of Warfel Subdivision as shown in Map Book 3, page 41. Having erected thereon a one and one-half story frame dwelling known and numbered as No. 1060 East Twenty

Fourth Street, Erie, Pennsylvania. Said property bearing Erie County Tax Index No. (18) 50-41-100.
 TAX PARCEL: (18) 50-41-100
 Being the same premises conveyed to Mortgagor by deed intended to be recorded forthwith.
 PROPERTY ADDRESS: 1060 East 24th Street, Erie, PA 16504
 Michael T. McKeever, Esq.
 Suite 5000 - Mellon Independence Center, 701 Market Street Philadelphia, PA 19106
 (215) 627-1322

Jan. 29 and Feb. 5, 12

SALE NO. 60

Ex. #11395 of 2009
CITIMORTGAGE, INC. S/B/M
CITIFINANCIAL MORTGAGE
COMPANY, INC, Plaintiff
 v.
EDUARDO SANTIAGO
SILVIA SANTIAGO A/K/A
SILVIA R. SANTIAGO,
Defendant(s)
DESCRIPTION

All that certain piece or parcel of land situate in the 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 East line of Poplar (formerly Laurel) Street, 294 feet South of the South line of Twenty-ninth Street; thence Eastwardly and parallel with Twenty-ninth Street, 125.67 feet to an Alley; thence Southwardly and parallel with Poplar (formerly Laurel) Street, 38 feet; thence Westwardly and parallel with Twenty-ninth Street, 125.67 feet to the East line of Poplar (formerly Laurel) Street, thence Northwardly 38 feet to the place of beginning, being Subdivision No. 53 of the Froess Subdivision of part of Purpart No. 7. Reserve Tract No. 29 as recorded in the Recorder's Office, Erie County Map Book 2, Page 9. Partial Plot of Froess Subdivision of Part of Purpart No. 7, of Tract No. 29, Erie Pennsylvania, as recorded October 30, 1912 in Map Book 2, Page 9. Having erected thereon a two story dwelling with detached one car garage being more commonly

known as 2931 Poplar Street, Erie, Pennsylvania and bearing Erie County
 PROPERTY ADDRESS: 2931 Poplar Street, Erie, PA 16508
 Michael T. McKeever, Esq.
 Suite 5000 - Mellon Independence Center, 701 Market Street Philadelphia, PA 19106
 (215) 627-7734

Jan. 29 and Feb. 5, 12

SALE NO. 61

Ex. #14021 of 2009
CITIMORTGAGE, INC.,
Plaintiff
 v.
BEVERLY A. YOKOFF
MICHAEL K. YOKOFF,
Defendant(s)
DESCRIPTION

ALL the certain tract, parcel or piece of land situate in the Borough of Wesleyville (formerly Township of Harborcreek), County of Erie and Commonwealth of Pennsylvania, being Lots Numbers 33 and 34 of College Heights Subdivision on the Shannon Road, as appears in Map Book Number 2, at pages 4 and 5. HAVING erected thereon a 1 1/2 story aluminum sided dwelling commonly known as 2935 East 30th Street, Erie, Pennsylvania 16510 and bearing Erie County Tax Index No. (50) 5-64-3 for the Borough of Wesleyville.
 TAX PARCEL NO.: (50) 5-64-3
 PROPERTY ADDRESS: 2935 East 30th Street, Erie, PA 16510
 Michael T. McKeever, Esq.
 Suite 5000 - Mellon Independence Center, 701 Market Street Philadelphia, PA 19106
 (215) 627-1322

Jan. 29 and Feb. 5, 12

SALE NO. 62

Ex. #14323 of 2007
Beneficial Consumer Discount
Company d/b/a Beneficial
Mortgage Company of
Pennsylvania
 v.
Marcus DeSantis a/k/a
Marcus L. DeSantis and
Elizetta DeSantis a/k/a
Elizetta L. DeSantis
SHORT DESCRIPTION

By virtue of a Writ of Execution filed to No. 14323-07 Beneficial Consumer Discount Company d/b/a Beneficial Mortgage Company of Pennsylvania v. Marcus DeSantis a/k/a Marcus L. DeSantis and Elizetta DeSantis a/k/a Elizetta L. DeSantis, owners of property situated in the Township of Hillcreek [sic], Erie County, Pennsylvania being 3654 W. Lake Road, Erie, Pennsylvania 16505. Tax I.D. No. 33-006-022.0-014.00 Assessment: \$ 106,051.13 Improvements: Residential Dwelling McCabe, Weisberg and Conway, P.C. 123 South Broad Street, Suite 2080 Philadelphia, PA 19109 Jan. 29 and Feb. 5, 12

SALE NO. 63

Ex. #13793 of 2009
Everhome Mortgage Company
 v.

Timothy C. Morgan and
Janie E. Morgan
SHORT DESCRIPTION

By virtue of a Writ of Execution filed to No. 13793-2009, Everhome Mortgage Company v. Timothy C. Morgan and Janie E. Morgan, owners of property situated in the Township of Lawrence Park, Erie County, Pennsylvania being 1053 Priestley Avenue, Erie, Pennsylvania 16511. Tax I.D. No. (29) 018-05600-4200 Assessment: \$ 54,637.18 Improvements: Residential Dwelling McCabe, Weisberg and Conway, P.C. 123 South Broad Street, Suite 2080 Philadelphia, PA 19109 Jan. 29 and Feb. 5, 12

SALE NO. 64

Ex. #13917 of 2009
BAC Home Loans Servicing, LP
fka Countrywide Home Loans
Servicing LP
 v.

Jaimie Schaff and
Brian R. Schaff

SHORT DESCRIPTION

By virtue of a Writ of Execution filed to No. 13917-09, BAC Home Loans Servicing, LP fka Countrywide Home Loans Servicing LP v. Jaimie

Schaff and Brian R. Schaff, owners of property situated in the Township of North East, Erie County, Pennsylvania being 4137 Route 89, North East, Pennsylvania 16428. Tax I.D. No. 37-23-91-32 Assessment: \$ 122,810.26 Improvements: Residential Dwelling McCabe, Weisberg and Conway, P.C. 123 South Broad Street, Suite 2080 Philadelphia, PA 19109 Jan. 29 and Feb. 5, 12

SALE NO. 65

Ex. #13683 of 2009
HSBC Mortgage Services, Inc.
 v.

Timothy W. Smith
SHORT DESCRIPTION

By virtue of a Writ of Execution filed to No. 13683-09, HSBC Mortgage Services, Inc. v. Timothy W. Smith, owners of property situated in the Township of City of Erie, Erie County, Pennsylvania being 938 Colony Drive, Erie, Pennsylvania 16505. Tax I.D. No. 16-031-039.0-304.00 Assessment: \$117,021.50 Improvements: Residential Dwelling McCabe, Weisberg and Conway, P.C. 123 South Broad Street, Suite 2080 Philadelphia. PA 19109 Jan. 29 and Feb. 5, 12

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**ADAMS, VESTA L., a/k/a
VESTA LOUISE ADAMS,
deceased**

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

Executor: Galen E. Adams, 2662 Hazel Street, Erie, PA 16508

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

**BEEZUB, JOHN,
deceased**

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

Executor: Rose Lewis, c/o 504 State Street, 3rd Floor, Erie, PA 16501

Attorney: Michael J. Nies, Esquire, 504 State Street, 3rd Floor, Erie, PA 16501

**BLAIR, JEAN J.,
deceased**

Late of Fairview Township

Executor: Robert T. Blair, 5545 West Sebago Road, Fairview, PA 16415

Attorney: Brian Glowacki, Esquire, Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**DeHAAS, GARY GRANT, a/k/a
GARY G. DeHAAS,
deceased**

Late of the City of Erie, Pennsylvania

Executor: Jamie J. DeHaas, c/o Jeffrey D. Scibetta, Esq., 120 West 10th Street, Erie, PA 16501

Attorney: Jeffrey D. Scibetta, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**GARVER, CLARENCE E., a/k/a
CLARENCE EARLE GARVER,
deceased**

Late of the City of Erie

Administrator: Debra D. DeWalt, 1545 Taki Drive, Erie, PA 16505

Attorney: None

**GROTTERS, ROBERTA A.,
deceased**

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

Administrator: Claude G. Grotters, Jr., 253 West 20th Street, 1st Floor, Erie, Pennsylvania 16502

Attorney: Robert E. McBride, Esquire, 32 West Eighth Street, Suite 600, Erie, Pennsylvania 16501

**HARRINGTON, KATHRYN A.,
deceased**

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

Executors: Julie Harrington and Patricia Omniewski, c/o John P. Eppinger, 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

**MARKIEVICH, MARY M.,
a/k/a MARGARET M.
MARKIEVICH,
deceased**

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

Executor: Gregory J. Markievich, c/o 150 West Fifth St., Erie, PA 16507

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

**MATHUR, NAVIN P., a/k/a
NAVIN PRAKASH MATHUR,
deceased**

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

Executrix: Andrea E. Mathur, c/o 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508

Attorney: Darlene M. Vlahos, Esquire, 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508

**SIMON, ROSEMARY H.,
deceased**

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

Executrix: Susan M. Simon, c/o 150 West Fifth St., Erie, PA 16507

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

**TAYLOR, WILLIAM R.,
deceased**

Late of the Township of Millcreek

Executor: John M. Taylor
Attorney: Norman A. Stark, Esquire, The Stark Law Firm, 100 State Street, Suite 210, Erie, PA 16507

**TIMKO, ANNE MARIE, a/k/a
ANNA M. TIMKO,
deceased**

Late of the City of Erie, Commonwealth of Pennsylvania

Executor: Michael J. Timko, 3614 Hazel Street, Erie, Pennsylvania 16508

Attorney: None

**WEAVER, MADALENE L.,
deceased**

Late of the City of Erie
Executor: Larry B. Weaver, 120
 Long Acre Ave., Erie, PA 16509
Attorney: None

**WILLIAMS, EVELYN,
deceased**

Late of the City of Erie, County
 of Erie, PA
Administrator: Arthur Williams
 III, c/o Elizabeth Brew Walbridge,
 Esq., 900 State Street, Suite 103,
 Erie, PA 16501
Attorney: Elizabeth Brew
 Walbridge, Esq., 900 State Street,
 Suite 103, Erie, PA 16501

**VAN RIPER, ALBERT F.,
deceased**

Late of the Township of Millcreek
Executor: Charles A. Van Riper
Attorney: Joseph M. Walsh, III,
 Esq., Shapira, Hutzelman, Berlin,
 Ely, Smith and Walsh, 305 West
 6th Street, Erie, PA 16507

SECOND PUBLICATION**BATEMAN, LILLIAN M.,
a/k/a LILLIAN BATEMAN,
deceased**

Late of Elk Creek Township, Erie
 County, Pennsylvania
Co-Executors: James R. Davis,
 394 Westchester Drive SE,
 Warren, OH 44484 and Janet R.
 Davis Rodney, 3186 Rohl Road,
 North East, PA 16428
Attorney: Scales Law Office,
 LLC, 115 South Washington
 Street, Room 206, P.O. Box 346,
 Titusville, PA 16354

**BIFULCO, MARGARET N., a/k/a
MARGARET P. BIFULCO,
deceased**

Late of the City of Erie, County
 of Erie and Commonwealth of
 Pennsylvania
Executrix: Barbara A. Skonieczki,
 c/o 3305 Pittsburgh Avenue, Erie,
 Pennsylvania 16508
Attorney: Darlene M. Vlahos,
 Esquire, 3305 Pittsburgh Avenue,
 Erie, Pennsylvania 16508

**BIGWOOD, ALBERTA E.,
a/k/a ALBERTA ELIZABETH
BIGWOOD, a/k/a
ALBERTA BIGWOOD,
deceased**

Late of the City of Erie, County
 of Erie, State of Pennsylvania
Executor: Gary E. Bigwood,
 3128 West 25th Street, Erie,
 Pennsylvania 16506
Attorney: James R. Steadman,
 Esq., 24 Main St. E., Girard,
 Pennsylvania 16417

**BUZANOWSKI, SUSAN S.,
a/k/a SUSAN ROMANCE
BUZANOWSKI,
deceased**

Late of the City of Erie, County
 of Erie, Commonwealth of
 Pennsylvania
Executor: Carolyn S. Cullen,
 3226 NE 92nd St., Seattle, WA
 98115
Attorney: Brian M. McGowan,
 Esq., 425 West 10th St., Ste. 201,
 Erie, PA 16502

**CALKINS, LUCY P., a/k/a
LUCY PARADISE CALKINS,
deceased**

Late of the Township of
 Harborcreek, County of Erie, and
 Commonwealth of Pennsylvania
Executor: Veryl J. Calkins, 7037
 Station Road, Erie, Pennsylvania
 16510
Attorney: Robert E. McBride,
 Esquire, 32 West Eighth Street,
 Suite 600, Erie, Pennsylvania
 16501

**FULGENZIO, ARTURO, a/k/a
ARTHUR FULGENZIO,
deceased**

Late of Erie City, Erie County,
 Pennsylvania
Executrix: Teresa P. Giammaro,
 1314 West 30th Street, Erie,
 Pennsylvania 16508
Attorney: John R. Falcone, Esq.,
 The Gideon Ball House, 135 East
 6th Street, Erie, Pennsylvania
 16501

**KERNER, VIRGINIA T., a/k/a
VIRGINIA C. KERNER,
deceased**

Late of Harborcreek
 Township, County of Erie and
 Commonwealth of Pennsylvania
Co-Executors: Linda Milton and
 Rebecca Kathman
Attorney: David J. Rhodes,
 Esquire, Elderkin, Martin, Kelly
 & Messina, 150 East 8th Street,
 Erie, PA 16501

**MANROSS, MARIE E.,
deceased**

Late of Union City Borough, Erie
 County, Pennsylvania
Executrix: Carol Fielding c/o
 Paul J. Carney, Jr., Esquire, 43
 North Main Street, Union City,
 Pennsylvania 16438
Attorney: Paul J. Carney, Jr.,
 Esquire, 43 North Main Street,
 Union City, Pennsylvania 16438

**MILLS, GEORGE M., a/k/a
GEORGE MERRITT,
deceased**

Late of the Township of
 Millcreek, County of Erie, and
 Commonwealth of Pennsylvania
Executrix: Cynthia Freligh, 721
 Mineo Drive, Erie, Pennsylvania
 16509
Attorney: Robert E. McBride,
 Esquire, 32 West Eighth Street,
 Suite 600, Erie, Pennsylvania
 16501

**NAGLE, WILMA D.,
deceased**

Late of the Township of
 Millcreek, County of Erie,
 Commonwealth of Pennsylvania
Executors: Douglas B. Nagle
 III, 17813 Hibiscus Cove Court,
 Punta Gorda, FL 33955-4678 and
 Richard W. Nagle, 250 Collman
 Road, Fairview, PA 16415-1642
Attorneys: MacDonald, Illig,
 Jones & Britton LLP, 100
 State Street, Suite 700, Erie,
 Pennsylvania 16507-1459

**SLATER, BRODERICK E.,
deceased**

Late of Fairview, PA
Executor: Mark A. Slater, 1716
 Campus Dr., Vestal, NY 13850
Attorney: None

THIRD PUBLICATION

**BAYHURST, ELIZABETH M.,
a/k/a ELIZABETH BAYHURST,
deceased**

Late of Millcreek Township, County of Erie and State of Pennsylvania
Executrix: Wendy A. Block, 14404 Serfass Road, Doylestown, OH 44104
Attorney: Ronald J. Susmarski, Esq., 4030-36 West Lake Road, Erie, PA 16505

**BURROWS, WALTER, a/k/a
WALTER R. BURROWS, JR.,
deceased**

Late of the City of Erie, County of Erie
Executrix: Ronald Burrows, P.O. Box 141, Elgin, Pennsylvania 16413
Attorney: W. Richard Cowell, Esquire, Carney & Good, 254 West Sixth Street, Erie, Pennsylvania 16507

**CASHMAN, ELLA H.,
deceased**

Late of the Township of Millcreek
Executor: Michael Cashman, 11 Pheasant Lane, Bedford, Massachusetts 01730
Attorney: None

**CHERRY, KATHERINE,
deceased**

Late of the Township of Millcreek
Executor: William L. Cherry
Attorney: Norman A. Stark, Esquire, The Stark Law Firm, 100 State Street, Suite 210, Erie, PA 16507

**DIBBLE, JOHN F.,
deceased**

Late of Greene Township, County of Erie and Commonwealth of Pennsylvania
Executrix: Dorothea A. Dibble, c/o Gary H. Nash, Esq., 345 West Sixth Street, Erie, PA 16507
Attorney: Gary H. Nash, Esquire, Yochim & Nash, 345 West Sixth Street, Erie, PA 16507

**FREEMAN, CATHERINE M.,
deceased**

Late of the Township of Summit, County of Erie, Commonwealth of Pennsylvania
Executrix: Ericka M. Freeman, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506
Attorney: John J. Shimek, III, Esq., Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

**GOTTSCHLING, ROBERT J.,
deceased**

Late of the Township of Greene, County of Erie and Commonwealth of Pennsylvania
Executrix: Roberta K. Gottschling, c/o William J. Schaaf, 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

**McCLIMANS, DIXIE LEE,
deceased**

Late of the City of Erie, Erie County, Pennsylvania
Executrix: Cherokee A. Holewski, 13584 Old Route 19 N., Waterford, PA 16441-3608
Attorney: Christine Hall McClure, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**MOFFATT, JAMES E.,
deceased**

Late of the City of Erie, County of Erie, Pennsylvania
Executor: Craig C. Moffatt, 5227 Amherst Road, Erie, PA 16506
Attorney: None

**NEVEL, MINNIE K., a/k/a
MINNIE KOECK NEVEL, a/k/a
MINNIE NEVEL,
deceased**

Late of Millcreek Township, County of Erie and State of Pennsylvania
Executor: Richard Koeck, 3820 Chapel Hill Drive, Erie, PA 16506
Attorney: Ronald J. Susmarski, Esq., 4030-36 West Lake Road, Erie, PA 16505

**SHAEFFER, ANDREW, a/k/a
ANDREW E. SHAEFFER,
deceased**

Late of Millcreek Township, County of Erie and State of Pennsylvania
Executrix: Suzanne Meyer, 5606 Chilton Lane, Erie, PA 16505
Attorney: Ronald J. Susmarski, Esq., 4030-36 West Lake Road, Erie, PA 16505

**SHUMAC, BERNADETTE M.,
deceased**

Late of the Township of Lawrence Park
Executrix: Julie M. Finke, 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

**SIMMONS, SANDRA S.,
deceased**

Late of the City of Erie, County of Erie, Pennsylvania
Executrix: Mary S. MacDonald, c/o 150 West Fifth St., Erie, PA 16507
Attorney: Colleen C. McCarthy, Esq., McCarthy, Martone & Peasley, 150 West Fifth Street, Erie, PA 16507

**SONNENBERG, SHIRLEY A.,
deceased**

Late of Millcreek Township, County of Erie and Commonwealth of Pennsylvania
Executor: Robert C. Sonnenberg
Attorney: Craig A. Zonna, Esquire, Elderkin, Martin, Kelly & Messina, 150 East 8th Street, Erie, PA 16501

**TROCKI, JOHN ROBERT, a/k/a
JOHN R. TROCKI,
deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania
Administrator: Sandra Z. Trocki, c/o 504 State Street, Suite 300, Erie, PA 16501
Attorney: Alan Natalie, Esquire, 504 State Street, Suite 300, Erie, PA 16501

**URRARO, FRANK C.,
deceased**

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

Executrix: Marianne V. Urraro,
c/o Quinn, Buseck, Leemhuis,
Toohey & Kroto, Inc., 2222
West Grandview Blvd., Erie, PA
16506-4508

Attorney: Colleen R. Stumpf,
Esq., Quinn, Buseck, Leemhuis,
Toohey & Kroto, Inc., 2222
West Grandview Blvd., Erie, PA
16506-4508

**VOGT, HELEN T.,
deceased**

Late of the Township of Lawrence
Park, County of Erie and
Commonwealth of Pennsylvania
Executor: James Vogt, c/o 504
State Street, Suite 300, Erie, PA
16501

Attorney: Alan Natalie, Esquire,
504 State Street, Suite 300, Erie,
PA 16501

**WARLEY, REITA M.,
deceased**

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

Executor: Russell L. Warley,
796 Pasadena Drive, Erie,
Pennsylvania 16505

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

**ZECH, JOAN I., a/k/a
JOAN M. ZECH, a/k/a
JOAN ZECH,
deceased**

Late of the Township of
Millcreek, County of Erie

Executrix: Karen Z. Nuber
Attorney: Michael G. Nelson,
Esquire, Marsh, Spaeder, Baur,
Spaeder & Schaaf, LLP, 300
State Street, Suite 300, Erie,
Pennsylvania 16507

RICHARD N. LETTIERI, ESQ.
E-DISCOVERY COUNSEL

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412-364-7255 (Office)
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RICHARD N. LETTIERI, ESQ.

CHANGES IN CONTACT INFORMATION OF ECBA MEMBERS

Mark A. Goldstein, Esq. ----- (412) 258-8080
Goldstein and Associates ----- (f) (412) 258-8088
1125 Penn Avenue, 3rd Floor
Pittsburgh, PA 15222 ----- mgoldstein@mglaw.com

Honorable Daniel J. Brabender, Jr. ----- (814) 451-6294
Erie County Court House
140 West Sixth Street, Room 221
Erie, PA 16501 ----- dbrabender@eriecountygov.org

New Email

Timothy D. McNair ----- tmcnair@mcnairlaw.com

Effective February 1, 2010

Raquel L. Taylor, Esq. ----- (814) 835-1111
Taylor & Taylor ----- (f) (814) 835-0401
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Dennis Lagan
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Gerald Nichols
30 Years - FBI

Benjamin Suchocki
30 Years - FBI/IRS

Jennifer Mazur
Investigator

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