

Erie County Legal Journal

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Fullmer v. Lion's Oar, et al. v. Fullmer

Erie County Legal Journal

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

Managing Editor: Paula J. Gregory
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Erie County Bar Association

Calendar of Events and Seminars

TUESDAY, MARCH 22, 2011

Slicing Up the Pie: Property Distribution in Pennsylvania

PBI Video Seminar

Erie County Bar Association

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

\$219 (member) \$199 (admitted after 1/1/07)

\$239 (nonmember)

3 hours substantive

WEDNESDAY, MARCH 23, 2011

24th Annual Civil Litigation Update

PBI Groupcast Seminar

Bayfront Convention Center - NOTE LOCATION

9:00 a.m. - 4:30 p.m. (8:30 a.m.)

Lunch Included

\$274 (member) \$254 (admitted after 1/1/07)

\$294 (nonmember)

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

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5 hours substantive / 1 hour ethics

FRIDAY, MARCH 25, 2011

Business Divorce - Shareholder Relations

PBI Groupcast Seminar

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5 hours substantive / 1 hour ethics

TUESDAY, MARCH 29, 2011

Effective Legal Negotiation Skills: 2011

PBI Groupcast Seminar

Erie County Bar Association

9:00 a.m. - 4:45 p.m. (8:30 a.m. reg.)

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\$324 (member) \$304 (admitted after 1/1/07)

\$344 (nonmember)

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

\$299 (member) \$279 (admitted after 1/1/07) \$319 (nonmember)

5 hours substantive / 1 hour ethics

WEDNESDAY, MARCH 30, 2011

Understanding the Basics of Elder Law

PBI Groupcast Seminar

Erie County Bar Association

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

Lunch Included

\$254 (member) \$234 (admitted after 1/1/07)

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\$229 (member) \$209 (admitted after 1/1/07) \$249 (nonmember)

5 hours substantive / 1 hour ethics (integrated)

FRIDAY, APRIL 1, 2011

Do's and Don'ts of Appellate Practice

ECBA Lunch-n-Learn Seminar

Bayfront Convention Center

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

\$48 (ECBA member/non-attorney staff)

\$72 (nonmember)

1.5 hours substantive

FRIDAY, APRIL 1, 2011

PBA Professionalism Committee Update

PBI Video Seminar

Erie County Bar Association

9:00 a.m. - 10:00 a.m. (8:30 a.m. reg.)

\$59 (member) \$69 (nonmember)

1 hour ethics

TUESDAY, APRIL 5, 2011

Preparing Your Trial Strategy: The Value of Conducting Mock Juries

ECBA Lunch-n-Learn Seminar

Bayfront Convention Center

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

\$32 (ECBA member/non-attorney staff)

\$45 (nonmember)

1 hour substantive

WEDNESDAY, APRIL 6, 2011

Trial Strategy with Mongeluzzi, Stern & Tanner

PBI Groupcast Seminar

Erie County Bar Association

12:30 p.m. - 4:45 p.m. (12:00 p.m. reg.)

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JERRY A. FULLMER, Plaintiff

v.

**LION'S OAR, STEPHEN C. BECKMAN, and
HOWARD NADWORN, Defendants**

v.

**JERRY A. FULLMER and MARY FULLMER, Additional
Defendants**

CIVIL PROCEDURE / MOTION FOR SUMMARY JUDGMENT

Summary judgment may be granted after the pleadings are closed when the moving party demonstrates that there is no genuine issue of material fact as to a necessary element of a cause of action or defense.

CONTRACTS / CAPACITY TO CONTRACT

A promissory note will be deemed to be the obligation of an unincorporated association where the document shows the name of the association on its face and individual officers of the association sign the note.

CONTRACTS / CAPACITY TO CONTRACT

A promissory note will be deemed an obligation of an unincorporated association if the person signing the document acted or purported to act as a representative of the association.

CIVIL PROCEDURE / SUMMARY JUDGMENT

Where promissory note was signed September 1, 2002 and Articles of Association and Board of Directors were not implemented until November 8, 2002, summary judgment will be denied because a genuine issue of material fact exists as to whether the signer of the note acted as a representative of the unincorporated association.

CONTRACTS / RATIFICATION

Members of an unincorporated association are not individually liable for obligations of the association unless they have actually authorized, assented to or ratified the obligation.

CIVIL PROCEDURE / SUMMARY JUDGMENT

Where parties did not sign a promissory note on behalf of an unincorporated association and did not participate in any discussion to initially approve or ratify the execution of a promissory note, a genuine issue of material fact exists as to whether they ratified the note, and summary judgment will be denied.

CONTRACTS / UNIFORM COMMERCIAL CODE

Where plaintiff claims a charitable deduction on his federal income tax return of a portion of the obligation he claims is owed by defendant, this constitutes a discharge of the debt to the extent of the deduction claimed, applying 13 Pa. C.S. §3604(a).

CIVIL PROCEDURE / SUMMARY JUDGMENT

Where defendant filed a motion for summary judgment and supporting brief and plaintiff failed to respond, the Court may grant summary judgment to the moving party if the relief is supported by law.

CIVIL PROCEDURE / SUMMARY JUDGMENT

Where plaintiff fails to present any facts that defendant authorized, assented to or ratified alleged obligation of unincorporated association, summary judgment will be granted in favor of defendant.

CIVIL PROCEDURE / SUMMARY JUDGMENT

When a party files a brief but fails to file a motion for summary judgment, there is no motion before the court, *Erie L.R. 1035.2(a)(1)*.

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY,
PENNSYLVANIA CIVIL DIVISION No. 13153 OF 2007

Appearances: Stephen H. Hutzelman, Esq., Attorney for Plaintiff
Philip B. Friedman, Esq., Attorney for Defendant
Howard Nadworny
Steven C. Beckman, Esq., Attorney for Defendant Steven
C. Beckman
Gregory P. Sesler, Esq. Attorney for Defendant Lion's Oar

OPINION

Connelly, J. December 10, 2010

This matter is before the Court pursuant to a Motion for Summary Judgment filed by Jerry A. Fullmer (hereinafter "Plaintiff"). Howard Nadworny (hereinafter "Defendant Nadworny") and Stephen C. Beckman (hereinafter "Defendant Beckman") oppose Plaintiff's motion and individually file their own Motions for Summary Judgment. Plaintiff opposes Defendant Nadworny's motion.

Statement of Facts

The instant action pertains to monetary support provided by Plaintiff to Defendant Lion's Oar, an unincorporated association. Plaintiff purportedly executed a Promissory Note dated September 1, 2002 on behalf of Defendant Lion's Oar. *Plaintiff's Motion for Summary Judgment, p. 2*. Plaintiff signed the Promissory Note in favor of himself. *Id.* On November 8, 2002, Defendant Lion's Oar established its initial Board of Directors, including Plaintiff and Additional Defendant Mary Fullmer. *Defendant Nadworny's Motion for Summary Judgment, Exhibit 1 - Deposition of Jerry A. Fullmer, p. 4*. Neither Defendant Nadworny nor Defendant Beckman were members of the original Board. *Id. at p. 3*.

Defendant Beckman became President of Defendant Lion's Oar in 2004. *Defendant Beckman's Motion for Summary Judgment, p. 2*. In

2005, Defendant Nadworny succeeded Defendant Beckman as President. *Defendant Nadworny's Motion*, p. 2.

During their terms, Defendant Nadworny and Defendant Beckman made numerous efforts to raise money to reimburse Plaintiff. *Plaintiff's Motion*, p. 2. Defendant Lion's Oar made several payments to Plaintiff during the course of Defendant Beckman and Defendant Nadworny's terms as president. *Plaintiff's Motion, Exhibit 22(a) - Deposition of Howard Nadworny, Deposition Exhibit A*. The alleged remaining balance on the Promissory Note is \$18,060.25. *Plaintiff's Complaint*, p. 2.

Plaintiff deducted \$13,896.00 of the remaining balance as a charitable contribution on his 2005 federal income tax return. *Plaintiff's Motion*, pp. 3-4. Plaintiff reported no subsequent payments from Defendant Lion's Oar as income on future tax returns. *Fullmer Deposition*, pp. 39-40.

Plaintiff seeks damages in the amount of \$18,060.25. *Plaintiff's Complaint*, p. 2. On June 22, 2010, Plaintiff filed a Motion for Summary Judgment and supporting brief.¹ Plaintiff avers he and Defendant Lion's Oar executed a valid Promissory Note on September 1, 2002. *Plaintiff's Motion*, p. 2. Additionally, Plaintiff asserts Defendant Nadworny and Defendant Beckman, as former Presidents, are personally liable for the debts of Defendant Lion's Oar.² *Id.* at p. 6.

On July 7, 2010, Defendant Nadworny filed opposition to Plaintiff's Motion for Summary Judgment. *Defendant Nadworny's Motion*, p. 3. Additionally, Defendant Nadworny submitted his own Motion for Summary Judgment against Plaintiff. In his motion, Defendant Nadworny challenges whether the money was made as a charitable contribution to Defendant Lion's Oar according to Plaintiff's 2005 federal tax return. *Id.* at p. 2. Additionally, Defendant Nadworny contends he cannot be held personally liable for the debts of Defendant Lion's Oar because he did not assent to the obligation. *Id.*

On July 16, 2010, Defendant Beckman also filed opposition to Plaintiff's motion and submitted his own Motion for Summary Judgment asserting the same reasoning set forth by Defendant Nadworny. *Defendant Beckman's Motion*, pp. 1-3. On the same day, Defendant Lion's Oar filed a Brief in Support of Defendant Lion's Oar's Motion for Summary Judgment and Reply to Plaintiff's Motion for Summary Judgment. No motion accompanied Defendant Lion's Oar's brief.

Plaintiff filed a reply in opposition to Defendant Nadworny's Motion for Summary Judgment. *Answer to Defendant Howard Nadworny's*

¹ Plaintiff's Motion for Summary Judgment was filed against Defendant Nadworny and Defendant Beckman. The motion was not filed against Defendant Lion's Oar.

² Where an action is brought against an individual member of an unincorporated association for acts the member individually committed, the association itself is not an indispensable party. *Underwood v. Maloney*, 256 F.2d 334, 339 (3rd Cir. 1958).

Motion for Summary Judgment, p. 2. Plaintiff failed to respond to Defendant Beckman's motion.

Analysis of Law

According to the Pennsylvania Rules of Civil Procedure, summary judgment may be granted when: the record³ demonstrates there exists "no genuine issue of material fact as to a necessary element of the cause of action or defense that could be established by additional discovery or expert report;" or "an adverse party who will bear the burden of proof at trial has failed to produce evidence of facts essential to the cause of action or defense in which a jury trial would require the issues be submitted to a jury." *Pa.R.C.P. 1035.2*.

Any party may move for summary judgment after the relevant pleadings are closed. *Ertel v. The Patriot-News Co.*, 674 A.2d 1038, 1041 (Pa. 1996) cert. *denied*, 519 U.S. 1008 (1996). The moving party has the burden of demonstrating that no genuine issue of material fact exists. *Id.* Consequently, the Court must consider the record in the light most favorable to the non-moving party. *Borden, Inc. v. Advent Ink Co.*, 701 A.2d 255, 258 (Pa.Super. 1997). All doubts as to the existence of a genuine issue of material fact are to be resolved against the moving party. *Id.*

The non-moving party may not rest upon the mere allegations or denials of its pleadings. *Ertel*, 674 A.2d at 1041. The non-moving party must set forth, either by affidavit or otherwise, specific facts showing there is a genuine issue for trial. *Id.* at 1042. After assessing the relevant facts, the non-moving party is entitled to judgment as a matter of law if it is clear to the Court that no reasonable jury could find in favor of the moving party. *Washington v. Baxter*, 719 A.2d 733, 737 (Pa. 1998).

I. Plaintiff's Motion for Summary Judgment

Plaintiff first alleges the Promissory Note was validly executed between Plaintiff and Defendant Lion's Oar. An entity cannot be held liable on an instrument unless the person signed the instrument; or the person is represented by an agent or representative who signed the instrument and the signature is binding on the person under 13 Pa.C.S.A § 3402. *13 Pa.C.S.A § 3401*. Pursuant to 13 Pa.C.S.A § 3402(a), "[I]f a person **acting, or purporting to act**, as a representative signs an instrument by signing either the name of the represented person or the name of the signer, the represented person is bound by the signature to the same extent the represented person would be bound if the signature

³ The record, for purposes of a summary judgment, includes: pleadings, depositions, answers to interrogatories, admissions, affidavits, and reports signed by an expert witness that would, if filed, comply with Pennsylvania Rule of Civil Procedure 4003.5(a)(1), whether or not the reports have been produced in response to interrogatories. *Pa.R.C.P. 1035.1*.

were on a simple contract." 13 Pa.C.S.A § 3402(a) (emphasis added). A promissory note will be deemed to be an obligation of an association where the document shows the name of the association on its face and individual officers of the association sign the note. *Chatham Nat'l Bank v. Gardner*, 35 Pa. Super. 135, 139 (1906). Thus, the promissory note will be the obligation of Defendant Lion's Oar if Plaintiff signed the document while acting or purporting to act as a representative of the unincorporated association.

On September 1, 2002, Plaintiff signed the Promissory Note purportedly on behalf of Defendant Lion's Oar as President. *Defendant Beckham's Response to Plaintiff's Motion for Summary Judgment*, p. 1. However, the Articles of Association and Board of Directors of Defendant Lion's Oar were not implemented until November 8, 2002. *Fullmer Deposition*, pp. 11, 14.

The Court finds that a genuine issue of material fact exists as to whether Plaintiff signed the Promissory Note while acting as a representative for Defendant Lion's Oar. Therefore, Summary Judgment on this issue is denied.

Plaintiff also contends Defendant Nadworny and Defendant Beckman are personally liable for Defendant Lion's Oar's obligations. Members of an unincorporated association are not individually liable for the obligations of the association unless those members provide "actual authorization, assent, or ratification" of the obligation.⁴ *Duquesne Litho, Inc. v. Roberts & Jaworski, Inc.*, 661 A.2d 9, 11 (Pa.Super. 1995). In *Rove & Co. v. Thornburgh*, the Court stated:

To manifest tacit assent to a contract through conduct, one must "intend to engage in the conduct and know[] or ha[ve] reason to know that the other party may infer from his conduct that he assents. A person has reason to know a fact... if he has information from which a person of ordinary intelligence would infer that the fact in question does or will exist. Absent more, however, a member's mere knowledge that his association entered into a contract is insufficient to establish that he tacitly assented to the contract. **Whether a principal assented to a transaction is a question of fact**, a finding of which will be reversed only if clearly erroneous.

Rove & Co. v. Thornburgh, 39 F.3d 1273, 1291 (5th Cir. 1994) (emphasis added).

⁴ No case law supports a limitation on the *Duquesne Litho* standard to purely political unincorporated associations as suggested in Plaintiff's Brief. Courts have applied the standard to non-political organizations in the past. *See, e.g., Ash v. Guie*, 97 Pa. 493 (1881) (Masonic Lodge members); *Ridgeley v. Dobson*, 1842 WL 4672 (Pa. 1842) (reading room members). Thus, Plaintiff's attempt to distinguish political unincorporated associations from application of the *Duquesne Litho* standard is flawed.

Defendant Nadworny and Defendant Beckman did not sign the Promissory Note. *Defendant Nadworny's Motion*, p. 2. Additionally, neither Defendant Nadworny nor Defendant Beckman participated in any discussion to initially approve or ratify the execution of the Promissory Note. *Id.*

The Court finds a genuine issue of material fact exists as to whether Defendant Nadworny or Defendant Beckman assented to Defendant Lion's Oar's obligation. Thus, the question of whether Defendant Nadworny or Defendant Beckman assented to the obligation is a question of fact in dispute that must be presented to a jury. Plaintiff's Motion for Summary Judgment is denied.

II. Defendant Nadworny's Motion for Summary Judgment

Defendant first asserts Plaintiff made a charitable contribution to Defendant Lion's Oar upon submission of his 2005 federal tax return because the return listed a charitable contribution to Erie School Foundation of \$13,896.00. *Defendant Nadworny's Motion at p. 2.* Defendant avers the contribution would act as forgiveness of Defendant Lion's Oar's debt for the amount deducted by Plaintiff. *Id. at p. 2.* According to the Uniform Commercial Code (hereinafter "UCC"):

(a) Methods of Discharge. - A person entitled to enforce an instrument, with or without consideration, may discharge the obligation of a party to pay the instrument:

(1) by an intentional voluntary act, such as surrender of the instrument to the party, destruction, mutilation or cancellation of the instrument, cancellation or striking out of the party's signature or the addition of words to the instrument indicating discharge...

13 Pa.C.S. § 3604(a). Thus, an individual must intentionally and voluntarily act to discharge a valid obligation. The UCC lists examples of what qualifies as an intentional voluntary act to forgive an obligation. The filing of a tax return does not fit within one of the intentional voluntary act examples listed in the UCC. However, the UCC does not suggest the listed examples are exhaustive. Accordingly, the Court must focus on whether Plaintiff made an intentional and voluntary act to forgive Defendant Lion's Oar's obligation.

Plaintiff took a deduction on his 2005 federal tax return in the amount of \$13,896.00 as a charitable contribution to Erie School Foundation. *Plaintiff's Motion*, pp. 3-4. Plaintiff sent a letter on April 22, 2006 to Defendant Nadworny stating he did not want to "absolve [Defendant] Lion's Oar from what I consider a moral duty to repay." *Fullmer Deposition, Exhibit 7.* Plaintiff further explained he would amend his 2005 federal tax return to reflect future payments from Defendant Lion's Oar on the loan. *Id.* Plaintiff has failed to amend his 2005 federal tax

return despite receiving payments from Defendant Lion's Oar and has stated he has no future plans to do so. *Fullmer Deposition*, pp. 39-40.

By providing Plaintiff's 2005 federal tax return and Fullmer's deposition testimony, the Court is satisfied Defendant Nadworny has shown Plaintiff acted voluntarily and with the requisite intent to discharge the debt of Defendant Lion's Oar as a matter of law. The Court is not concerned with the "moral duty" of repayment by Defendant Lion's Oar to Plaintiff. Therefore, the Court grants Defendant Nadworny's Motion for Summary Judgment and finds Plaintiff discharged \$13,896.00 of the purported loan. After discharge, Defendant Nadworny still faces possible liability on \$4,164.25, the remaining balance of the Promissory Note.

Additionally, Defendant Nadworny contends he did not personally acknowledge or assent to Defendant Lion's Oar's obligation and, accordingly, cannot be held personally liable for the loan. *Defendant Nadworny's Motion at p. 3*. Individual members are not personally liable for the obligations of an unincorporated association, unless the individual authorizes, assents to, or ratifies the obligation. *Duquesne Litho*, 661 A.2d at 11. The question of assent to a transaction is a question of fact that must be presented to a jury. *Rove & Co.*, 39 F.3d at 1291.

Defendant Nadworny was not a member of the Board when Plaintiff and Defendant Lion's Oar executed the Promissory Note. *Plaintiff's Answer, p. 1*. Defendant Nadworny became President of Defendant Lion's Oar in 2005. *Id. at p. 2*. During his term, Defendant Nadworny acknowledged the validity of the Promissory Note in writing and made numerous attempts to raise money for the repayment of Plaintiff. *Nadworny Deposition, Exhibits 8-13*. Plaintiff also received a number of payments from Defendant Lion's Oar during Defendant Nadworny's presidency. *Plaintiff's Motion, Exhibit 22(c)-4*.

The Court finds a genuine issue of material fact exists as to whether Defendant Nadworny assented to Defendant Lion's Oar's obligation. Therefore, Defendant Nadworny's Motion for Summary Judgment on this issue is denied.

III. Defendant Beckman's Motion for Summary Judgment

The Local Rules of the Court of Common Pleas of Erie County control the filing procedure for summary judgment and appropriate responses to the Court. *Pa.R.C.P. 239*. Specifically, Local Rule 1035.2(a)(1)(B) states:

(B) If the brief of either the moving party or non-moving party is not filed within the periods stated above, [...] the Court may then, or any time subsequent thereto:

(ii) Grant the requested relief where the responding party has failed to comply and where the requested relief is supported by law...

Erie L.R. 1035.2(a)(1)(B). The Rules provide the non-moving party with 30 days from receipt of the moving party's supporting brief to file their own brief and deliver a copy to the assigned judge. *Erie L.R. 1035.2(a)(1)(A)*.

Defendant Beckman filed a Motion for Summary Judgment on July 16, 2010. *Defendant Beckman's Motion, p. 1*. Plaintiff had 30 days to respond to Defendant Beckman's motion, but failed to do so. Therefore, the Court may grant Defendant Beckman's Motion for Summary Judgment if the requested relief is supported by law.

Duquesne Litho holds individual members are not personally liable for the obligations of an unincorporated association, unless they personally authorize, assent to, or ratify the obligation. *Duquesne Litho*, 661 A.2d at 11. Here, Plaintiff failed to present any facts or evidence to dispute Defendant Beckman's contention that he did not authorize, assent to, or ratify the obligation as required by law. Therefore, Defendant Beckman cannot be found personally liable for the debts of Defendant Lion's Oar.

Defendant Beckman's Motion for Summary Judgment is granted.

IV. Defendant Lion's Oar's Supporting Brief

Erie County Local Rule of Civil Procedure 1035.2(a)(1) states "[t]he moving party **shall** file a Motion for Summary Judgment, together with a supporting brief, with the Prothonotary[...]" *Erie L.R. 1035.2(a)(1)* (emphasis added). Accordingly, a party must file both a motion and a supporting brief to obtain a summary judgment from the Court.

In the instant action, Defendant Lion's Oar filed a supporting brief with the Court, but failed to file a Motion for Summary Judgment. Thus, pursuant to Erie County Local Rules of Civil Procedure 1035.2(a)(1), there is no Motion for Summary Judgment before the court on behalf of Defendant Lion's Oar.

ORDER

AND NOW, TO-WIT, this 10th day of December, 2010, for the reasons set forth in the foregoing OPINION, it is hereby **ORDERED, ADJUDGED and DECREED** that:

- 1.) Plaintiff Fullmer's Motion for Summary Judgment is **DENIED**; and
- 2.) Defendant Nadworny's Motion for Summary Judgment is **GRANTED IN PART**, as to Plaintiff's charitable contribution of \$13,896 to Defendant Lion's Oar, and **DENIED IN PART**, as to the ratification of the Promissory Note; and
- 3.) Defendant Beckman's Motion for Summary Judgment is **GRANTED**.

BY THE COURT:

/s/ **Shad Connelly, Judge**

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- ✓ Understand what emotions, feelings, and possibly hidden motives influence the “jurors”
- ✓ Determine what type of “jurors” are most likely to be favorable to your client’s case
- ✓ Gain insights into the opposition’s potential strategies

Tuesday, April 5, 2011

Bayfront Convention Center

Lunch - 11:45 a.m. - 12:15 p.m.

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

\$32 (ECBA member/non-attorney staff)

\$48 (nonmember)

1 hour substantive law credit

Presenter:

Colleen Moore Mezler

President & CEO of Moore Research Services, Inc.

Ms. Mezler is a second generation researcher and seasoned professional with 23 years in the market research industry. She has significant experience in both quantitative and qualitative research and has grown Moore Research into a reputable company that is “ahead of the curve”.

Mezler serves as Past President of the Marketing Research Association and is certified by the MRA as an expert in market research. She received the 2009 Distinguished Service Award from the MRA and is the 2009 Athena Powerlink recipient.



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Reservations due to the ECBA office by April 1, 2011.

LEGAL NOTICE

**ACTION TO QUIET TITLE
IN THE COURT OF COMMON
PLEAS OF ERIE COUNTY,
PENNSYLVANIA
CIVIL DIVISION
NO. 10655-2011**

**RICHARD R. LOLL and
CAROL J. LOLL, his wife,
Plaintiffs**

v.

**GUILA W. PURSELL, her
Executors, Administrators, Heirs,
and Assigns, Defendants**

NOTICE

To: The heirs, administrators and personal representatives and all persons claiming by, through, and under GUILA W. PURSELL Please take notice that Richard R. Loll and Carol J. Loll, his wife, plaintiffs, have filed a complaint to quiet title against the heirs, administrators and personal representatives and all persons claiming by, through, and under GUILA W. PURSELL, defendants, in the Court of Common Pleas of Erie County, Pennsylvania, Civil Division, No. 10655-2011. Plaintiffs are the owners of the described property situate in the City of Erie, County of Erie and Commonwealth of Pennsylvania, bearing Tax Index Number (19) 6046-204, more commonly known as 503 Stafford Avenue, Erie, Pennsylvania 16508. The defendants may have some interest in the above described property. Plaintiffs have filed this action to quiet title to the property and seek to bar the defendants from ever asserting any right, title, interest, lien or claim against the property.

NOTICE

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against

you by the Court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiffs. You may lose money or property or other rights important to you. You should take this notice to a 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.

**Lawyer Referral &
Information Service
P.O. Box 1792
Erie, PA 16507**

Phone: (814) 459-4411

Mon. - Fri. 8:30 a.m. to 3:00 p.m.
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.

**David E. Holland, Esquire
MacDonald, Illig, Jones
& Britton LLP
100 State Street, Suite 700
Erie, PA 16507-1459
(814) 870-7755**

**Attorneys for Richard R. Loll
and Carol J. Loll**

Mar. 18

FICTITIOUS NAME NOTICE

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

FICTITIOUS NAME NOTICE

1. Fictitious Name: Elegant Landscaping Design & Maintenance
2. Address of the principal place of business, including street and number: 2636 Vandalia Avenue, Erie, PA 16511
3. The real names and addresses, including street and number, of the persons who are parties to the registration: Max Davis, 2636 Vandalia Avenue, Erie, PA 16511
4. An application for registration of a fictitious name under the

Fictitious Names Act was filed with the Department of State on March 4, 2011.

Mar. 18

INCORPORATION NOTICE

Notice is hereby given that JDK Investment Group, Inc. has been incorporated under the provisions of the Pennsylvania Business Corporation Law of 1988. Michael A. Agresti, Esquire
4934 Peach Street
Erie, PA 16509

Mar. 18

LEGAL NOTICE

**County of Erie
Department of Finance/Bureau
of Tax Claims, Bureau of
Purchasing
Notice**

The Erie County Manager of Facilities and Procurement, Bureau of Purchasing, Room #106, Erie County Courthouse, Erie, PA 16501, will receive and open sealed bids on April 1, 2011 at 10:30 am at the Office of the Erie County Controller, Erie County Courthouse, 140 West 6th Street, Room #107, Erie, PA 16501, for the legal services required for conducting Lien Free Judicial Sales of Real Estate for Delinquent Taxes. Specification and bid requirements are available at the Erie County Purchasing Department, Room #106, Erie County Courthouse, Erie, PA 16501.

**Luigi Pasquale
Manager of Facilities
and Procurement**

Mar. 18

LEGAL NOTICE

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

**CITIFINANCIAL SERVICES,
INC.**

vs.

**JASON R. FOSTER, IN
HIS CAPACITY AS HEIR
OF PATRICIA B. FOSTER,
DECEASED**

CINDY WALTERS, IN HER
CAPACITY AS HEIR OF
PATRICIA B. FOSTER,
DECEASED
TOM FOSTER, IN HIS
CAPACITY AS HEIR OF
PATRICIA B. FOSTER,
DECEASED
JOHN FOSTER, IN HIS
CAPACITY AS HEIR OF
PATRICIA B. FOSTER,
DECEASED
UNKNOWN HEIRS,
SUCCESSORS, ASSIGNS, AND
ALL PERSONS, FIRMS, OR
ASSOCIATIONS CLAIMING
RIGHT, TITLE, OR INTEREST
FROM OR UNDER PATRICIA B.
FOSTER, DECEASED
COURT OF COMMON PLEAS
CIVIL DIVISION
ERIE COUNTY
NO. 14613-10

NOTICE

TO UNKNOWN HEIRS,
SUCCESSORS, ASSIGNS, AND
ALL PERSONS, FIRMS, OR
ASSOCIATIONS CLAIMING
RIGHT, TITLE, OR INTEREST
FROM OR UNDER PATRICIA B.
FOSTER, DECEASED:

You are hereby notified that on
OCTOBER 11, 2010, Plaintiff,
CITIFINANCIAL SERVICES,
INC., filed a Mortgage Foreclosure
Complaint endorsed with a Notice
to Defend, against you in the
Court of Common Pleas of ERIE
County Pennsylvania, docketed to
No. 14613-10. Wherein Plaintiff
seeks to foreclose on the mortgage
secured on your property located
at 3606 PITTSBURGH AVENUE,
ERIE, PA 16508 whereupon your
property would be sold by the
Sheriff of ERIE County.

You are hereby notified to plead to
the above referenced Complaint on
or before 20 days from the date of
this publication or a Judgment will
be entered against you.

NOTICE

If you wish to defend, you must enter
a written appearance personally or
by attorney and file your defenses
or objections in writing with the
court. You are warned that if you
fail to do so the case may proceed
without you and a judgment may be

entered against you without further
notice for the relief requested by the
plaintiff. You may lose money or
property or other rights important
to you.

You should take this notice to your
lawyer at once. If you do not have a
lawyer, go to or telephone the office
set forth below. This office can
provide you with information about
hiring a lawyer.

If you cannot afford to hire a
lawyer, this office may be able
to provide you with information
about agencies that may offer legal
services to eligible persons at a
reduced fee or no fee.

Erie County
Lawyer Referral Service
P.O. Box 1792
ERIE, PA 16507
814-459-4411

Mar. 18

LEGAL NOTICE

ATTENTION: SHON JOHNSON/
UNKNOWN BIOLOGICAL
FATHER
INVOLUNTARY TERMINATION
OF PARENTAL RIGHTS

IN THE MATTER OF THE
ADOPTION OF MINOR MALE
CHILD (D.J.R.) DOB: 5-11-09
BORN TO: ASHLEY NICHOLE
RABEY

#99 IN ADOPTION 2010

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 Daniel Brabender, Court
Room No. F, City of Erie on
May 24, 2011, 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 children 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

Mar. 18

LEGAL NOTICE

ATTENTION: MATTHEW
LINDMUTH/MILTON LEE
WARD A/K/A LEONNE
TIGIER WARD/UNKNOWN
BIOLOGICAL FATHER
INVOLUNTARY TERMINATION
OF PARENTAL RIGHTS

IN THE MATTER OF THE
ADOPTION OF MINOR MALE
CHILD (J.T.R.) DOB: 5-21-10
BORN TO: ASHLEY NICHOLE
RABEY

#99A IN ADOPTION 2010

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 Daniel
Brabender, Court Room No. F, City
of Erie on May 24, 2011, 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 children 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
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Mar. 18

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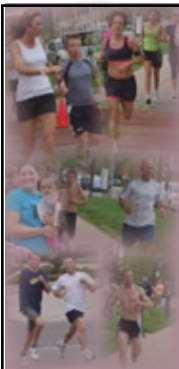
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Bruce G. Sandmeyer, Esq.



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8th Annual Law Day 5K Run/Walk

SATURDAY, APRIL 30, 2011

9:00 a.m. - **Erie County Courthouse**
140 West Sixth Street
Entry Fees: **\$20.00 (adults)**
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Race Premium: Top-quality long-sleeved t-shirt.
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POSTMARK DEADLINE TO PRE-REGISTER
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Benjamin Suchocki
30 Years - FBI/IRS

Jennifer Mazur
Investigator

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ESTATE NOTICES

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

FIRST PUBLICATION**BAKER, GARY ALLEN,
deceased**

Late of the County of Erie, Commonwealth of Pennsylvania
Administrator: Melissa A. Baker, 1121 Avis Drive, Erie, PA 16505
Attorney: Thomas S. Talarico, Esquire, Talarico & Niebauer, 558 West Sixth St., Erie, PA 16507

**BARRETT, JOHN D.,
deceased**

Late of Erie, PA, Erie County, PA
Executor: Terence L. Barrett, c/o Gregory A. Karle, Esquire, 900 State Street, Suite 103, Erie, PA 16501
Attorney: Gregory A. Karle, Esquire, 900 State Street, Suite 103, Erie, PA 16501

**BEATON, AARON DANIEL,
a/k/a AARON D. BEATON,
deceased**

Late of the City of Erie, County of Erie, Pennsylvania
Administrator: David Beaton and Scott E. Miller, c/o 246 West 10th Street, Erie, PA 16501
Attorney: Scott E. Miller, Esquire, 246 West 10th Street, Erie, PA 16501

**BORKOWSKI, GERALDINE M.,
deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania
Administrator: James A. Borkowski, c/o Stephen H. Hutzelman, Esq., 305 West Sixth Street, Erie, PA 16507
Attorney: Stephen H. Hutzelman, Esq., 305 West Sixth Street, Erie, PA 16507

**CROSBY, CORINNE,
deceased**

Late of the City of Erie, County of Erie
Administrator: Cynthia R. Kuhn, 1056 West 9th Street, Erie, PA 16502
Attorney: Donald J. Rogala, Esq., 246 West Tenth Street, Erie, PA 16501

**EBERT, MILTON R.,
deceased**

Late of the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania
Executor: Karl E. Ebert, c/o 3305 Pittsburgh Avenue, Erie, PA 16508
Attorney: Darlene M. Vlahos, Esquire, 3305 Pittsburgh Avenue, Erie, PA 16508

**HATHAWAY WILLIAM
WARREN, a/k/a WILLIAM W.
HATHAWAY, a/k/a WILLIAM
HATHAWAY,
deceased**

Late of the Borough of Girard, County of Erie, State of Pennsylvania
Executor: John Eric Hathaway, 8018 172 St W, Lakeville, MN 55044
Attorney: Grant M. Yochim, Esq., Steadman Law Office, 24 Main St. E., Girard, Pennsylvania 16417

**HENNEOUS, MARY H., a/k/a
MARY H. KEEP HENNEOUS,
deceased**

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania
Executrix: Mary Beth Armes, 1677 Bryant Street, Erie, PA 16509-1873
Attorneys: MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

**MALZEWSKI, ALEX,
deceased**

Late of the City of Erie, County of Erie, Pennsylvania
Executor: Val Malzewski, c/o 150 West Fifth St., Erie, PA 16507
Attorney: Colleen C. McCarthy, Esq., McCarthy, Martone & Peasley, 150 West Fifth St., Erie, PA 16507

**McCALL, BARBARA M., a/k/a
BARBARA McCALL, a/k/a
BARBARA M. ROZENЕК,
deceased**

Late of Summit Township, County of Erie and State of Pennsylvania
Co-Executors: Robert McCall, 1703 W. 38th Street, Erie, PA 16508 and Christopher McCall, 4819 West Street, Erie, PA 16509
Attorney: Ronald J. Susmarski, Esq., 4030-36 West Lake Road, Erie, PA 16505

**MIKRUT, KATARZYNA, a/k/a
KATARZYNA OSLOWSKI
MIKRUT,
deceased**

Late of the Township of North East, Erie County, PA
Executor: Nathan E. Barnett, c/o Bernard & Stuczynski, 234 West Sixth Street, Erie, PA 16507-1319
Attorney: Adam E. Barnett, Esquire, Bernard & Stuczynski, 234 West Sixth Street, Erie, PA 16507-1319

**MILLER, GARY F., a/k/a
GARY FRANK MILLER,
deceased**

Late of the Borough of Union City, County of Erie, and Commonwealth of Pennsylvania
Executrix: Kimberle Thomas, 9970 Elgin Road, Union City, Pennsylvania 16438
Attorney: Robert E. McBride, Esquire, 32 West Eighth Street, Suite 600, Erie, Pennsylvania 16501

**SEDLER, ALBERT L., a/k/a
BUD SEDLER, a/k/a
ALBERT LOUIS SEDLER,
deceased**

Late of the Borough of Lake City, County of Erie, State of Pennsylvania
Executor: Bradley A. Sedler, 9932 Martin Avenue, Lake City, Pennsylvania 16423
Attorney: James R. Steadman, Esq., 24 Main St. E., Girard, Pennsylvania 16417

**SKELTON, GERDAA.,
deceased**

Late of the Town of Cranesville, Erie County, Pennsylvania
Executor: Ervin E. Skelton Jr., c/o Leigh Ann Orton, Esq., 11 Park Street, North East, PA 16428
Attorney: Leigh Ann Orton, Esq., Knox McLaughlin Gornall & Sennett, P.C., 11 Park Street, North East, PA 16428

**TRUBY, WILLIAM B.,
deceased**

Late of the Township of Summit, County of Erie, State of Pennsylvania
Administratrix: Stephanie A. Kartesz, c/o 78 East Main Street, North East, PA 16428
Attorney: Brydon Law Office, Attorney John C. Brydon, 78 East Main Street, North East, PA 16428

SECOND PUBLICATION

**BIELAK, LUCILE H.,
deceased**

Late of the City of Erie, County of Erie
Executor: Michael J. Bielak, 9701 Beechwood Drive, North Royalton, OH 44133
Attorney: W. Richard Cowell, Esq., Carney & Good, 254 West Sixth Street, Erie, Pennsylvania 16507

**CARNEY, MELVIN E.,
deceased**

Late of Millcreek Twp., Erie, Pennsylvania
Executor: Patrick B. Carney, c/o Thomas C. Hoffman II, Esq., 120 West 10th Street, Erie, PA 16501
Attorney: Thomas C. Hoffman II, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**HART, BARBARA J.,
deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania
Executor: Michael L. Hart, c/o 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508
Attorney: Darlene M. Vlahos, Esquire, 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508

**HARTMAN, RUTH E.,
deceased**

Late of the City of Erie
Executor: John H. Hartman, Jr.
Attorney: Joseph M. Walsh, III, Shapira, Hutzelman, Berlin, Ely, Smith and Walsh, 305 West 6th Street, Erie, PA 16507

**HEBERLEIN, ARTHUR F., JR.,
deceased**

Late of the City of Erie, County of Erie
Administrator: Lisa A. Batkiewicz
Attorney: Stephen J. Bushinski, Esquire, Office of Chief Counsel, Commonwealth of Pennsylvania, Department of Military and Veterans Affairs, Building 7-36, Fort Indiantown Gap, Annville, PA 17003-5002

**JONES, MARY JANE,
deceased**

Late of Summit Township
Executrix: Gayle Lichtinger, c/o Jerome C. Wegley, Esq., 120 West Tenth Street, Erie, PA 16501
Attorney: Jerome C. Wegley, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**KLINGER, GEORGE W.,
deceased**

Late of the City of Corry, Erie County, Pennsylvania
Administratrix c.t.a.: Betty L. Klinger, 754 Wright Street, Corry, PA 16407
Attorney: William E. Barney, Esq., Attorney at Law, 200 N. Center St., P.O. Box 148, Corry, PA 16407

**KORWEK, MARY,
deceased**

Late of the Township of Millcreek, County of Erie, and Commonwealth of Pennsylvania
Executor: Edward L. Korwek, c/o 900 State Street, Suite 104, Erie, PA 16501
Attorney: Thomas V. Myers, Esquire, Nichols & Myers, P.C., 900 State Street, Suite 104, Erie, PA 16501

**MacLEOD, ROBERT A.,
deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania
Executor: Andrew R. MacLeod, 653 Newton Square, Coraopolis, PA 15108
Attorney: None

**MALLORY, JANE O., a/k/a
JANE ELLEN MALLORY, a/k/a
JANE E. MALLORY, a/k/a
JANE MALLORY,
deceased**

Late of the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania
Executor: Sean Mallory, 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

**OTTENI, ANTON C.,
deceased**

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

Executrix: Winifred H. Nickell, c/o 900 State Street, Suite 104, Erie, PA 16501

Attorney: Thomas V. Myers, Esquire, Nichols & Myers, P.C., 900 State Street, Suite 104, Erie, PA 16501

**SACHAR, ANASTAZIA,
deceased**

Late of the Township of Franklin, County of Erie and State of Pennsylvania

Executor: Paul P. Sachar, c/o David R. Devine, Esq., 201 Erie Street, Edinboro, PA 16412

Attorney: David R. Devine, Esq., 201 Erie Street, Edinboro, PA 16412

**SEYMOUR, MYRTLE C.,
deceased**

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

Executrix: Ruth D. Grant, c/o Paul J. Carney, Jr., Esq., 224 Maple Avenue, Corry, PA 16407

Attorney: Paul J. Carney, Jr., Esq., 224 Maple Avenue, Corry, PA 16407

**SIRY, IRENE, a/k/a
IRENE M. SIRY,
deceased**

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

Executrix: Karen J. Soliwoda, c/o 3305 Pittsburgh Avenue, Erie, PA 16508

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

**TUJETSCH, LOIS M.,
deceased**

Late of Harborcreek Township, Erie County, Harborcreek, Pennsylvania

Executrix: Carolyn J. Bryant, c/o Robert J. Jeffery, 33 East Main Street, North East, Pennsylvania 16428

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

**URCH, LYLE, a/k/a
LYLE H. URCH,
deceased**

Late of the County of Erie and State of Pennsylvania

Executrix: Lydia Lasher, 93 N. Summit Road, Greenville, PA 16125

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

THIRD PUBLICATION

**BRICKER, JOSEPH R.,
deceased**

Late of the Township of Millcreek
Co-Executors: Sandra K. Peter and Peter W. Bricker, c/o 332 East 6th Street, Erie, PA 16507-1610

Attorney: Evan E. Adair, Esq., Williams & Adair, 332 East 6th Street, Erie, PA 16507-1610

**BURTON, RUTH H.,
deceased**

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

Executrix: Karen Burton Horstman, 448 Shawnee Drive, Erie, Pennsylvania 16505

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

**CARLSON, MARTIN E.,
deceased**

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

Executor: Martin C. Carlson, 6202 Whitehill Drive, Mechanicsburg, Pennsylvania 17050

Attorneys: MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

**CHRISTIENSEN, ERIC A.,
deceased**

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

Administratrix: Beatrice C. Christiansen, c/o 78 East Main Street, North East, PA 16428

Attorney: Brydon Law Office, Attorney John C. Brydon, 78 East Main Street, North East, PA 16428

**ELWELL, HOWARD, a/k/a
BUD ELWELL,
deceased**

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

Executrix: Nancy Eisenman-Elwell, 4646 Wynburne Ave., Erie, PA 16509

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

**FORD, INEZ MABLE, a/k/a
INEZ M. FORD,
deceased**

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania
Executor: Daniel J. Ford, 4115 Ellsworth Ave., Erie, PA 16509
Attorney: John E. Gomolchak, Esq., 3854 Walker Blvd., Erie, PA 16509

**HEUBEL, KURT HEINRICH,
deceased**

Late of the City of Erie, County of Erie
Executor: Stephen R. Heubel, 10069 Lake Pleasant Road, Waterford, Pennsylvania 16441
Attorney: W. Richard Cowell, Esquire, Carney & Good, 254 West Sixth Street, Erie, Pennsylvania 16507

**JAVON, CAROLA.,
deceased**

Late of the City of Erie
Executrix: Bonita McGraw, c/o Jerome C. Wegley, Esq., 120 West Tenth Street, Erie, PA 16501
Attorney: Jerome C. Wegley, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**KARUBA, NANCY S., a/k/a
NANCY KARUBA, a/k/a
NANCY SIMON KARUBA,
deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania
Co-Executors: Mark K. Karuba and Marcia L. Karuba, c/o 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508
Attorney: Darlene M. Vlahos, Esquire, 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508

**LANE, EARL E.,
deceased**

Late of the Township of Millcreek, Erie County, Pennsylvania
Executor: Frederick E. Lane, 503 Dunn Blvd., Erie, PA 16507
Attorney: Christine Hall McClure, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**MAHONEY, THERESA,
deceased**

Late of the Township of Millcreek, Erie County, Pennsylvania
Executor: James J. Mahoney, c/o Raymond A. Pagliari, Esq., 558 West Sixth Street, Erie, Pennsylvania 16507-1129
Attorney: Raymond A. Pagliari, Esq., 558 West Sixth Street, Erie, Pennsylvania 16507-1129

**MARKS, VERN A.,
deceased**

Late of the City of Erie, County of Erie, Pennsylvania
Executrix: Katrina Marks, c/o 246 West Tenth Street, Erie, PA 16501
Attorney: Scott E. Miller, Esquire, 246 West Tenth Street, Erie, PA 16501

**MENGES, AUDREY, a/k/a
AUDREY A. MENGES,
deceased**

Late of Harborcreek Township, County of Erie and Commonwealth of Pennsylvania
Executrix: Jennifer Menges-Dorsch, c/o 5992 Steubenville Pike Ste. C., Robinson Township, PA 15136
Attorney: Aaron M. Tomczak, Esq., West Hills Law, LLC., 5992 Steubenville Pike Ste. C., Robinson Township, PA 15136

**STRONG, PAULA A.,
deceased**

Late of Fairview Township, County of Erie, Commonwealth of Pennsylvania
Administrator: David W. Strong
Attorney: Jessica A. Fiscus, Esq., 337 West Sixth Street, Erie, PA 16507

CHANGES IN CONTACT INFORMATION OF ECBA MEMBERS

DONALD F. FESSLER, JR. ----- (814) 874-3460 ext. 113
Marnen Mioduszewski, et al ----- (f) (814) 874-3476
516 West Tenth Street
Erie, PA 16502 ----- dfessler@mmbwslaw.com

JOSEPH J. MAY ----- (814) 454-1800
Passport Realty, LLC ----- (f) (814) 464-8930
240 West 11th Street, Suite 402
Erie, PA 16501 ----- jmay@passport-companies.com

New Email

DENISE M. CUNEO ----- dcuneo@npsslaws.com
ANDREW C. HAZI ----- ahazi@npsslaws.com
MICHAEL J. KOEHLER ----- mkoehler@npsslaws.com
PATRICK SULLIVAN ----- psullivan@npsslaws.com
THOMAS P. WALL, II ----- twall@npsslaws.com

ATTENTION ALL ATTORNEYS

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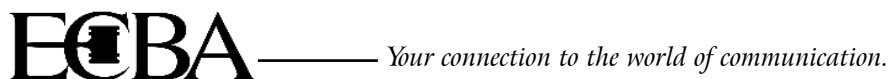
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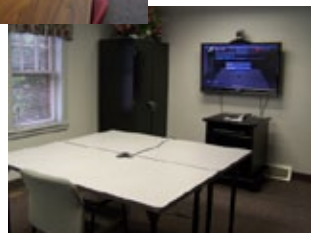
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