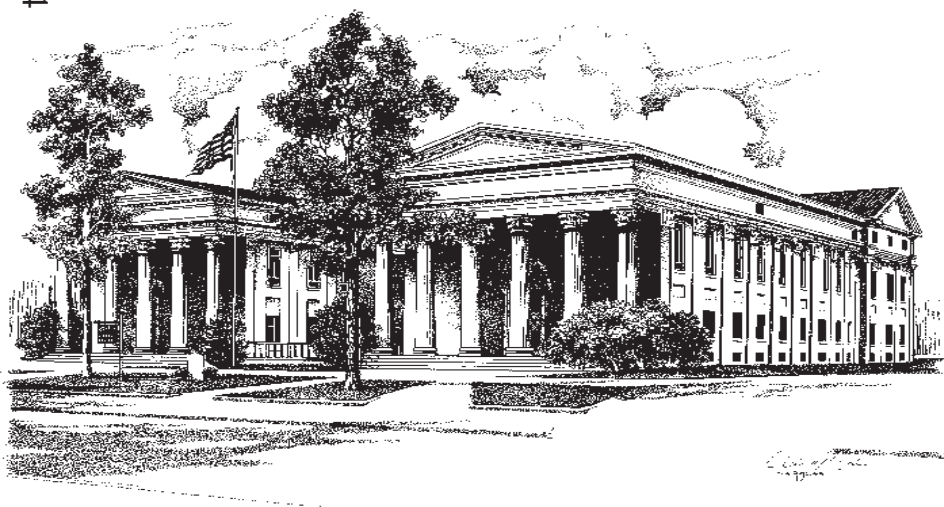


*Erie  
County  
Legal  
Journal*

February 14, 2014

Vol. 97 No. 7

USPS 178-360



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97 ERIE 1 - 7

O'Brien v. Great Lakes Oncology Hematology, Inc., et al.

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# Erie County Legal Journal

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

Managing Editor: 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

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### THURSDAY, FEBRUARY 20, 2014

Family Law Section Happy Hour  
Tap House  
4:30 - ?

Cash Bar - Appetizers will be provided by  
ECBA Family Law Section  
RSVP to Melissa L. Pagliari

### THURSDAY, FEBRUARY 27, 2014

ECBA Live Lunch-n-Learn Seminar  
Annual Criminal Law Update  
Bayfront Convention Center  
12:15-1:45 p.m. (11:45 a.m. reg./lunch)  
\$53 (ECBA member / non-attorney staff)  
\$80 (non-member) \$37 (Member Judge)  
1.5 hours substantive

### MONDAY, MARCH 24, 2014

ECBA Live Lunch-n-Learn Seminar  
PFA: After the Order  
Bayfront Convention Center  
12:15-1:45 p.m. (11:45 a.m. reg./lunch)  
\$53 (ECBA member / non-attorney staff)  
\$80 (non-member) \$37 (Member Judge)  
1.5 hours substantive

### FRIDAY, MARCH 28, 2014

ECBA Event  
An Open Forum with the Bankruptcy Judges  
The Erie Club  
12:00 - 1:30 p.m.  
\$18/person (buffet lunch)  
NO CLE

### THURSDAY, APRIL 3, 2014

ECBA Live Seminar  
Calculating New Disposable Income  
for the Business Owner  
The Erie Club  
3:30 - 5:00 p.m. (3:00 p.m. reg.)  
Seminar followed by a Happy Hour sponsored by Richard  
F. Brabender, Esq. of Brabender Mascetta Clark, LLC  
\$53 (ECBA member / non-attorney staff)  
\$80 (non-member) \$37 (Member Judge)  
1.5 hours substantive

To view PBI seminars visit the events calendar on the ECBA website  
<http://www.eriebar.com/public-calendar>



Erie County Bar  
Association



@eriepabar

### 2014 BOARD OF DIRECTORS ——— Edwin W. Smith, President

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**CHANGES TO COURT CALENDAR  
ERIE COUNTY COURT OF COMMON PLEAS**

**2014 CIVIL TRIAL TERM CERTIFICATION DATES**

February Term	December 27, 2013
April Term	February 28, 2014
June Term	MARCH 28, 2014
October Term	JULY 25, 2014
Feb. 2015 Term	NOVEMBER 28, 2014

February 14

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### ATTENTION ALL ATTORNEYS

Are you or an attorney you know dealing with personal issues related to drug or alcohol dependency, depression, anxiety, gambling, eating disorders, sexual addiction, other process addictions or other emotional and mental health issues?

— YOU ARE FAR FROM BEING ALONE! —

*You are invited and encouraged to join a small group of fellow attorneys who meet informally in Erie on a monthly basis. Please feel free to contact ECBA Executive Director Sandra Brydon Smith at 814/459-3111 for additional information. Your interest and involvement will be kept **strictly confidential**.*

**EDWARD T. O'BRIEN, M.D., Plaintiff**

**v.**

**GREAT LAKES ONCOLOGY HEMATOLOGY, INC., PHYSICIAN ONCOLOGY NETWORK, THE REGIONAL CANCER CENTER, RANJIT S. DAHLI WAL, M.D., PHILIP H. SYMES, M.D., CONRAD J. STACHELEK, M.D., and JAN M. ROTHMAN, M.D., Defendants**

*CIVIL PROCEDURE / MOTION FOR JUDGEMENT OF NON PROS*

To dismiss a case for inactivity pursuant to a defendant’s motion for non pros there must first be a lack of due diligence on the part of the plaintiff in failing to proceed with reasonable promptitude. Second, the plaintiff must have no compelling reason for the delay. Finally, the delay must cause actual prejudice to the defendant.

*CIVIL PROCEDURE / MOTION FOR JUDGEMENT OF NON PROS*

Non-docketed activity can be examined in deciding whether a compelling reason for delay exists.

*CIVIL PROCEDURE / MOTION FOR JUDGEMENT OF NON PROS*

Prejudice caused by delay is defined as any substantial diminution of a party’s ability to properly present its case at trial.

*CIVIL PROCEDURE / MOTION FOR JUDGEMENT OF NON PROS*

Prejudice can be established by the death or absence of a material witness.

*CIVIL PROCEDURE / MOTION FOR JUDGEMENT OF NON PROS*

Defendants may be prejudiced by undue delays in litigation – memories fade, witnesses disappear, and documents become lost or destroyed.

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY, PENNSYLVANIA  
CIVIL DIVISION  
No. 11327-2008

Appearances: John B. Consevage, Esq., Attorney for Plaintiff  
S.E. Riley, Jr., Esq., Attorney for Plaintiff  
James D. McDonald, Jr., Esq., Attorney for Defendants Symes, Stachelek, & Rothman  
James M. Antoun, Esq., & Lisa Smith Presta, Esq., Attorneys for Defendants Physician Oncology Network and Regional Cancer Center  
Craig A. Markham, Esq., Attorney for Defendant Great Lakes Oncology Hematology, Inc.  
Robert M. Linn, Esq. & Mark A. May, Esq., Attorneys for Ranjit Dhaliwal  
Leonard G. Ambrose, Esq., Attorney for Ranjit Dhaliwal  
Alois Lubiejewski, Esq., Attorney for Brinderjit S. Dhaliwal and Gurdeet S. Dhaliwal

**OPINION**

Connelly, J. January 23, 2014

The matter before the Court is pursuant to Motions for Judgment of Non Pros filed by Great Lakes Oncology Hematology Associates, Inc, (hereinafter "Defendant GLOHA"), and Philip H. Symes, M.D., Conrad J. Stachelek, M.D., and Jan M. Rothman, M.D., (hereinafter "M.D. Defendants"), as well as a Rule to Show Cause why the Executors

of Ranjit S. Dhaliwal, M.D.'s Estate should not be substituted for Defendant Dhaliwal. Plaintiff opposes the Motions for Judgment of Non Pros.

### **Statement of Facts**

Plaintiff asserts he is owed vacation and disability compensation pursuant to a medically related leave from his practice with Defendant GLOHA between June 6, 2003, and October 9, 2003. *Am. Compl.* ¶¶ 35-37. Plaintiff also avers Defendant GLOHA owes him the value of his shares pursuant to the termination of his employment. *Id.* at ¶ 72. Plaintiff asserts M.D. Defendants and Defendant Dhaliwal "acted fraudulently with respect to the transfer of receipt of the funds distributed by GLOHA." *Id.* at ¶ 106.

On March 3, 2013, Defendant Dhaliwal passed away. *Plaintiff's Praecipe*, ¶ 1. On July 18, 2013, Plaintiff filed a Praecipe for Rule upon Brinderjit S. Dhaliwal and Gurdeet S. Dhaliwal, the executors of Defendant Dhaliwal's estate, to show cause why they should not be substituted as Defendants. *Id.* On August 12, 2013, Brinderjit S. and Gurdeet S. Dhaliwal (hereinafter "Executors") filed an Answer and New Matter and Response contending they should not be substituted as Defendants due to Plaintiff's "unreasonably and unjustifiably delayed prosecution of this action. . . [which] would result in significant prejudice." *Executors' Ans. and New Matter and Resp.* 1-2.

On September 3, 2013, M.D. Defendants filed their Motion for Judgment of Non Pros. On September 11, 2013, Defendant GLOHA filed its Motion, for Judgment of Non Pros. Plaintiff filed Responses and a Memorandum in opposition to these motions.

### **Analysis of Law**

The issue of whether to enter judgment of non pros due to a plaintiff's failure to prosecute an action within a reasonable time rests within the discretion of the trial court. *Herb v. Snyder*, 686 A.2d 412, 415 (Pa. Super. 1996) (citation omitted). The Pennsylvania Supreme Court held:

To dismiss a case for inactivity pursuant to a defendant's motion for non pros there must first be a lack of due diligence on the part of the plaintiff in failing to proceed with reasonable promptitude. Second, the plaintiff must have no compelling reason for the delay. Finally, the delay must cause *actual* prejudice to the defendant.

*Jacobs v. Halloran*, 710 A.2d 1098, 1103 (Pa. 1998) (emphasis in original).

Defendants<sup>1</sup> assert a judgment of non pros should be entered "because Plaintiff has failed to pursue his causes of action with due diligence, Plaintiff can show no compelling explanation for his lack of due diligence and [Defendants have] sustained actual prejudice from the failure of Plaintiff to proceed with due diligence." *Def. GLOHA's Mot. for J. of Non Pros* ¶ 31, *M.D. Defs.' Mot for J. of Non Pros* ¶ 19. Plaintiff argues the Motions for Judgment of Non Pros should be denied as the Defendants have not met their burden of proof. *Pl.'s Mem. in Opp.* 2.

"[T]he law is settled that it is plaintiff's burden to move a case to trial, and it is plaintiff, not defendant, who bears the risk of not acting within a reasonable time." *Pennridge Elec.*,

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<sup>1</sup> M.D. Defendants and Defendant GLOHA's Motions for Non Pros shall be addressed together for ease of disposition.

*Inc. v. Souderton Area Joint Sch. Auth.*, 615 A.2d 95, 99 (Pa. Super. 1992). In the instant case, Defendant GLOHA asserts "[s]ince March 10, 2010, there has been no substantive docket or nondocket activity in this case other than a filing of a joint stipulation for the entry of a protective order on May 24, 2013, a period in excess of three and one-half (3½) years." *Def. GLOHA's Mot for J. of Non Pros* ¶ 16. Plaintiff argues relying on "time alone in support of seeking a judgment of non pros. . . is misplaced." *Pl.'s Mem. in Opp.* 4. Plaintiff asserts non-docket activity, including drafting of the protective order, the deposition of Defendant Dhaliwal for a different case, interviews and attempted interviews of non-party witnesses, and Plaintiff's attempts to schedule party depositions demonstrate his due diligence in moving the case forward. *Pl.'s Mem. in Opp.* 8-9.

The Pennsylvania Superior Court found non-docketed discovery such as "interrogatories, requests for admissions, and requests for production of documents" to be insufficient to establish due diligence where the activity took place during only two (2) months of a four year period. *Hughes v. Fink, Fink & Assocs.*, 718 A.2d 316, 319-320 (Pa. Super. 1998) ("[I]t is Appellant's position that despite the fact that almost four years have elapsed without docket activity, a mere two months of non-docketed discovery is sufficient to establish due diligence. We are unpersuaded.") *See Madrid v. Alpine Mt. Corp.*, 24 A.3d 380, 383-384 (Pa. Super. 2011) appeal denied 2012 Pa LEXIS 599 (March 21, 2012) (Two and a half years of inactivity led to the grant of judgment of non pros.); *Luff v. Allstate Ins. Co.*, 2006 Phila. Ct. Com. Pl. LEXIS 422, \*4 (Philadelphia 2006) affirmed without opinion 929 A.2d 254 (Pa. Super. 2007) (Court granted a judgment of non pros due to Plaintiff's failure to move forward with an underlying claim for four (4) years.)

Here, Plaintiff contends non-docket activity including "an initial draft of a protective order" in March of 2010, ten depositions taken in Dhaliwal's case<sup>2</sup> between May 9, 2011 and June 1, 2012, and attempts to schedule depositions in the instant case starting in January 2013 are sufficient to establish due diligence. *Pl.'s Mem. in Opp.* 8-9. Defendant GLOHA argues Plaintiff did not identify the seven (7) potential deponents in the instant case until April 7, 2013 and those depositions could not be taken until Defendant Dhaliwal's executors are substituted in this action. *Pl.'s Mem. in Opp.* 8-9, *Def. GLOHA's Br. in Supp.* 3. Defendant GLOHA asserts "Plaintiff's 'discussions' and strategy sessions with Dr. Dhaliwal relating to Dr. Dhaliwal's lawsuit did not advance Plaintiff's lawsuit." *Def. GLOHA's Mot for J. of Non Pros*, ¶ 30.

Here, the record reflects that during the over three (3) years of inactivity on the docket depositions were taken for a different case involving Defendant Dhaliwal and the M.D. Defendants, Plaintiff drafted but did not execute a protective order, and Plaintiff attempted to schedule depositions. Plaintiff's attempts to schedule depositions began in January 2013, thus comprising only three months of activity before the death of Defendant Dhaliwal. *Pl.'s Mem. in Opp.* 8-9. The Court is unpersuaded by Plaintiff's contentions that three months, of non-docketed activity, as well as the drafting of one document and depositions taken for a separate case, are sufficient to demonstrate due diligence. Thus, the Court finds a lack of due diligence on the part of the Plaintiff in failing to proceed with reasonable promptitude.

Next, M.D. Defendants assert Plaintiff "can show no compelling reason for his delay

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<sup>2</sup> *Dhaliwal v. The Regional Cancer Center*, Docket No. 10774-2008.

in pursuing this action." *M.D. Defs.' Br. in Supp.* 8. Defendant GLOHA avers "Plaintiff's strategy to suspend all progress in our case for more than three (3) years while Dr. Dhaliwal's lawsuit proceeded through discovery, did not move our case forward at all and it is not the type nor quality of non-docket activity that is a 'compelling reason' for docket inactivity." *Def. GLOHA's Br. in Supp.* 11. Plaintiff argues Defendants have not taken into consideration "all activities and circumstances" involving the instant case. *Pl.'s Mem. in Opp.* 12.

The Pennsylvania Supreme Court has found non-docketed activity "can be examined in deciding whether a compelling reason exists." *Marino v. Hackman*, 710 A.2d 1108, 1111 (Pa. 1998). In *Marino* the Court found:

This case had an unusual amount of activity not entered on the docket: the death of Appellants' first attorney and the substitution of his partner, an attorney not known or selected by Appellants; the taking of depositions of all the parties; the replacement of Appellants' second attorney because of Appellants' perception that he was not moving their case forward, the difficulties encountered by Appellants' third attorney in obtaining the case file from Appellants' second attorney as well as difficulty in getting the second attorney to withdraw his appearance; the exchange of letters seeking a settlement of the case; and, finally, a telephone discussion of certifying the case ready for trial.

*Id.*

Plaintiff avers he attempted to schedule depositions in this case but "[s]cheduling conflicts with counsel and their clients made this process very difficult." *Pl.'s Resp. to Def. GLOHA's Mot. for Non Pros* ¶ 16 p. 6. In *Hughes v. Fink, Fink & Assocs.*, the Superior Court found unpersuasive the plaintiff's contention that defendants' "failure to respond to discovery requests caused the delay. . ." *Hughes*, 718 A.2d 320. ("We remind Appellant of the well-established rule that it is the plaintiff's responsibility to move the case forward... and the plaintiff who bears the risk of judgment of non pros if he fails to act within a reasonable time to prosecute his case.")

Plaintiff also contends "it often times is more productive and cost effective to pursue informal discovery. . ." *Pl.'s Mem. in Opp.* 13. However, "[i]t has been held many times that...financial considerations do not present compelling reasons for delay." *Mackintosh-Hemphill Int'l v. Gulf & W.*, 679 A.2d 1275, 1280 (Pa. Super. 1996) quoting *County of Erie v. Peerless Heater Co.*, 660 A.2d 238, 240 (Commwlt. 1995). See *Dorich v. DiBacco*, 656 A.2d 522, 524-525 (Pa. Super. 1995) (Finding plaintiff's claim to be "economically unable to obtain" expert witnesses to not be a compelling reason for docket inactivity.)

Plaintiff also avers the discovery in Defendant Dhaliwal's case benefited both parties as "the underlying scheme, motive, and defendants are substantially identical in both suits thus, leading to the decision that collaboration between Plaintiff and Dhaliwal made sense." *Pl.'s Resp. to Def. GLOHA's Mot. for Non Pros* ¶ 29. M.D. Defendants assert "it is outrageous to suggest that the taking of a party's deposition in one lawsuit constitutes action in a separate lawsuit. Moreover, the parties in each action are not identical." *M.D. Defs.' Br. in Supp.* 9. Defendant GLOHA asserts it is not a party in Dr. Dhaliwal's lawsuit and "the salient events allegedly supporting the Dhaliwal lawsuit and those of the O'Brien



lawsuit are separated by at least three (3) years." *Def. GLOHA's Mot. for J. of Non Pros*, ¶ 30. For example:

Dr. O'Brien's lawsuit arises from events that occurred in 2003 and early 2004 allegedly resulting in his loss of employment with GLOHA and loss of his medical privileges at RCC. Dr. Dhaliwal's suit involves events that occurred in the first six months of 2007 involving the negotiation of the 2007 Physician Services Agreement between PON and the various physician oncologists employed by PON.

*M.D. Defs.' Br. in Supp. 4.*

The Court of Common Pleas of Bucks County found no compelling reason existed for almost ten years of docket inactivity where:

Appellants counsel explains that for a period beginning in the fall of 2001, he was involved in class action litigation surrounding the diet drug 'FenPhen.' Allegedly, counsel's around-the-clock involvement with the class-action litigation made it "extremely difficult, if not altogether impossible" to pursue the present litigation. The Court certainly recognizes the efforts of Appellant's counsel in relation to the 'FenPhen' litigation. Such an obligation, however, does not excuse an attorney from performing due diligence on other cases he has willingly undertaken.

*Londergan v. Asamura*, 25 Pa. D. & C.5th 18, 24 (Bucks 2011) affirmed without opinion 48 A.3d 489 (Pa. Super. 2012).

However,

[e]xamples of situations in which there will be a per se determination that there is a compelling reason for the delay, thus, defeating dismissal, are cases where the delaying party establishes that the delay was caused by bankruptcy, liquidation, or other operation of law, or in cases awaiting significant developments in the law.

*Penn Piping, Inc. v. Insurance Co. of N. Am.*, 603 A.2d 1006, 1009 n.2 (Pa. 1992) overruled on other grounds by *Jacobs v. Halloran*, 710 A.2d 1098 (Pa. 1998).

Unlike the non-docketed activity in *Marino*, Plaintiff's non-docketed proceedings between March 1, 2010, and May 24, 2013, are not sufficient to establish a compelling reason for the over three year delay in pursuing the instant case. Here, discovery completed in the separate case, the economic benefits of Plaintiff's "informal discovery", and scheduling conflicts with other counsel do not create compelling reasons for the delay. Although the parties agree that after Defendant Dhaliwal's death depositions could not be scheduled until his executors were substituted in this case, the Court finds this is not a compelling reason for Plaintiff's delay as over three years had passed without meaningful docket or non-docketed activity before Defendant Dhaliwal's death. Thus, the Court finds Plaintiff has presented no compelling reason for the delay in pursuing this case.

Finally, M.D. Defendants assert they have been prejudiced because:

First, the testimony of Dr. Dhaliwal, the former President of GLOHA, as co-defendant on Counts XIII through XV of the Amended Complaint and a material witness, is not available to benefit the Remaining Physician Defendants' defense. Second, to the extent Dr. O'Brien would offer self-serving testimony of his

acknowledged meetings and conversations with Dr. Dhaliwal, Dr. Dhaliwal is no longer available to rebut that self-serving testimony. Third, the Remaining Physician Defendants are prejudiced by the fact that any verdict on Counts XIII through XV would be their sole responsibility without any contribution from Dr. Dhaliwal or his estate.

*M.D. Defs.' Br. in Supp. 12.*

Plaintiff argues M.D. Defendants' allegations "fall short of the burden. . .to establish a 'substantial diminution' of their ability to defend against this action. . ." *Pl.'s Resp. to M.D. Defs.' Mot. for Non Pros ¶ 19(c)(i-iii)*. Plaintiff asserts M.D. Defendants have:

a) already deposed Dhaliwal in his related action, b) cannot claim prejudice for any judgment that may have to be paid, in particular, since they did not file any cross-claim against Dhaliwal, and c) [M.D. Defendants] practiced with Dhaliwal and were in as good or a better position to testify as to any conversations with Dhaliwal.

*Pl.'s Resp. to M.D. Defs.' Mot. for Non Pros ¶ 19(c)(i-iii)*.

Defendant GLOHA asserts it has been prejudiced by Defendant Dhaliwal's death as he "was one of the shareholders and/or officers of GLOHA during the events allegedly giving rise to Plaintiff's causes of action." *Def. GLOHA's Mot. for J. of Non Pros, ¶ 21*. Defendant GLOHA avers Dhaliwal is allegedly "one of the individuals" liable for failing to pay Plaintiff's salary and violating the Fraudulent Conveyance Act. *Def. GLOHA's Mot. for J. of Non Pros, ¶¶ 21-22*. Plaintiff argues Defendant GLOHA has not "suffered the required degree of prejudice to warrant entry of a judgment of non pros. . ." *Pl.'s Resp. to Def. GLOHA's Mot. for J. of Non Pros, ¶ 21*.

"The Superior Court has further defined prejudice as 'any substantial diminution of a party's ability to properly present its case at trial.'" *Jacobs*, 710 A.2d 1103; *quoting Metz Contracting Inc. v. Riverwood Builders, Inc.*, 520 A.2d 891, 894 (Pa. Super. 1987). Importantly, the Supreme Court of Pennsylvania has held that prejudice can be established by the death or absence of a material witness. *James Brothers Co. v. Union Banking and Trust Co. of DuBois*, 247 A.2d 587, 589 (Pa. 1968).

Plaintiff avers Defendant Dhaliwal's death has not prejudiced the M.D. Defendants as they do not know what Plaintiff "is yet to testify to on this case. Nor do they even know if he will rely upon any statements made by Dhaliwal that cannot be independently verified by other sources, or for that matter, by any of the other defendants in this case." *Pl.'s Mem. in Opp. 21*. Defendant GLOHA asserts "[t]here is nothing in the record to permit us to know" that the information known by Dr. Dhaliwal "can be gathered from the [M.D. Defendants]." *Def. GLOHA's Br. in Supp. 12-13*. Defendant GLOHA also asserts as it is not a party to Dr. Dhaliwal's lawsuit it did not have the opportunity to participate in his deposition. *Def. GLOHA's Br. in Supp. 12*.

Plaintiff's allegations "occurred in 2003 and the first half of 2004, more than nine to ten years ago." *M.D. Defs.' Mot. for J. of Non Pros. ¶ 4*. "No depositions have been taken in this case, and the testimony of a critical Defendant, Dr. Dhaliwal, is no longer possible." *M.D. Defs.' Mot. for J. of Non Pros. ¶ 18*. The Pennsylvania Supreme Court has found, "[w]e recognize that defendants may be prejudiced by undue delays in litigation - - memories fade, witnesses

disappear and documents become lost or are destroyed." *Jacobs*, 710 A.2d 1102. Here, ten years have passed since the events alleged in the Amended Complaint, no depositions have ever been taken, and one party/material witness has died. Thus, the Court finds Defendant GLOHA and the M.D. Defendants have been prejudiced by Plaintiff's delay, having established a substantial diminution of their ability to properly present their case at trial.

Therefore, as Defendant GLOHA and the M.D. Defendants have established Plaintiff's lack of due diligence in proceeding with the instant case, no compelling reason for the delay, and that they have suffered actual prejudice, the Defendants' Motions for Judgment of Non Pros are granted. As the Motions for Non Pros have been granted neither the Estate of Ranjit S. Dhaliwal, M.D., or Brinderjit S. Dhaliwal and Gurdeet S. Dhaliwal, the Executors of the Estate, shall be substituted as parties.

### ORDER

**AND NOW, TO WIT**, this 23rd day of January 2014, it is hereby **ORDERED, ADJUDGED & DECREED** for the reasons set forth in the forgoing opinion that Defendant GLOHA and M.D. Defendants' Motions for Judgment of Non Pros are **GRANTED** and the Estate of Defendant Dhaliwal and his Executors **SHALL NOT** be substituted as parties in this matter.

**BY THE COURT:**

/s/ **Shad Connelly, Judge**

**CERTIFICATE OF AUTHORITY**

Notice is hereby given that Wrigley Mechanical, Inc. has filed for a Certificate of Authority to do business in the Commonwealth of Pennsylvania under the provisions of the Business Corporation Law of 1988.

This corporation is incorporated under the laws of North Dakota. The address of its principal office under the laws of the jurisdiction in which it is incorporated is 4102 15th Ave. N., Fargo, ND 58102. The address of this corporation's registered office in Pennsylvania is 330 Old Clairton Rd., Pittsburgh, PA 15236.

Feb. 14

**CHANGE OF NAME NOTICE**

In the Court of Common Pleas of Erie County, Pennsylvania  
Docket No.: 13511-13

In re: Female Glackin

Notice is hereby given that a Petition has been filed in the above named court by Cynthia Schiller (by marriage) requesting an Order to change the name on her Birth Certificate from Female Glackin to Cynthia Glackin.

The Court has fixed the 26th day of February, 2014 at 8:45 a.m. in Courtroom 213C of the Erie County Courthouse, 140 W. 6th St., Erie, PA 16501 as the time and place for the hearing on said petition, when and where all interested parties may appear and show cause, if any they have, why the prayer of the petitioner should not be granted.

Feb. 14

**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: Creative Plastic Solutions
2. Address of the principal place of business, including street and number: 2300 Powell Avenue, Erie,

PA 16506

3. The real names and addresses, including street and number, of the persons who are parties to the registration: F&S Tool, Inc., 2300 Powell Avenue, Erie, PA 16506

4. An application for registration of fictitious name under the Fictitious Names Act was filed on or about February 5, 2014 with the Pennsylvania Department of State.

Daniel M. Miller, Esq.  
MacDonald, Illig, Jones  
& Britton LLP  
100 State Street, Suite 700  
Erie, PA 16507-1459

Feb. 14

**INCORPORATION NOTICE**

Lake Erie Charities, Inc. has been incorporated under the provisions of the Pennsylvania Non-Profit Corporation Law of 1988.

Knox, McLaughlin, Gornall  
& Sennett, P.C.  
120 West 10th Street  
Erie, PA 16501

Feb. 14

**LEGAL NOTICE**

IN THE OFFICE OF THE CLERK OF RECORDS, CRAWFORD COUNTY, PENNSYLVANIA

REGISTER OF WILLS  
FILE NO. 2014-0041

IN RE: THE ESTATE OF CELIA M. BOWERSOX

**NOTICE OF HEARING**

TO: Stanley Bowersox  
PLEASE BE ADVISED that a Rule has been granted upon Stanley Bowersox, formerly of 3 Grant Street, Union City, Pennsylvania, to show cause why he should not be declared to be notified for purposes of the petition of Cornelio Ramon to be appointed as administrator of the estate of Celia M. Bowersox, deceased. The hearing on the Rule to Show Cause why Cornelio Ramon should not be appointed as administrator of said decedent's estate shall take place on Thursday, March 6, 2014, at 1:30 p.m. at the office Deborah Curry, Register of Wills, Crawford County Courthouse, Diamond Park, Meadville, Pennsylvania.

Gary V. Skiba, Esq.  
345 W. 6th Street  
Erie, PA 16507

Ph. 814/454-6345  
Fax: 814/456-6603  
Attorney for Petitioner  
[gskiba@yochim.com](mailto:gskiba@yochim.com)

Feb. 14

**LEGAL NOTICE**

NOTICE OF ACTION IN MORTGAGE FORECLOSURE In the Court of Common Pleas of Erie County, Pennsylvania Civil Division – Law Case No. 12689-13 Huntington National Bank, Plaintiff

vs.  
All Known and Unknown Heirs, Successors, Assigns, Persons, Firms, or Associations Claiming Right, Title, or Interest from or Under Laura G. Giacobello, deceased, Defendants.

TO: All Known and Unknown Heirs, Successors, Assigns, Persons, Firms, or Associations Claiming Right, Title, or Interest from or Under Laura G. Giacobello, deceased

You are hereby notified that Plaintiff Huntington National Bank has filed a Complaint in Mortgage Foreclosure in the Court of Common Pleas of Erie County, Pennsylvania, docketed at Case No. 12689-13, wherein Plaintiff seeks to foreclose on the mortgage securing the property located at 236-240 Main Street West, Girard, Pennsylvania 16417, whereupon the property would be sold by the Sheriff of Erie County.

You are hereby notified to plead to the above-referenced Complaint in Mortgage Foreclosure on or before twenty (20) days from the date of this publication or a judgment will be entered against you.

Notice to Defend: 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 of 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 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.

Lawyer Referral &  
Information Service  
P.O. Box 1792  
Erie, PA 16507  
814/459-4411

Mon – Fri 8:30 a.m. - Noon;  
1:15 p.m. - 3:00 p.m.

John R. O’Keefe, Jr. (PA I.D. No. 36633), Justin M. Tuskan (PA I.D. No. 311235), Metz Lewis Brodman Must O’Keefe, LLC, 535 Smithfield Street, 8th Floor, Pittsburgh, PA 15222, Telephone: (412) 918-1100, Attorneys for Plaintiff Huntington National Bank.

Feb. 14

**LEGAL NOTICE**

ATTENTION: ERNYS ALBERTO CUBERO  
INVOLUNTARY TERMINATION  
OF PARENTAL RIGHTS

IN THE MATTER OF THE  
ADOPTION OF MINOR MALE  
CHILD (A.J.O.) DOB: 11/02/2010  
74 IN ADOPTION 2013

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 Robert A. Sambroak, Jr., Court Room No. 217-I, City of Erie on March 28, 2014, at 9:30 a.m. 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

NOTICE REQUIRED BY ACT 101 OF 2010: 23 Pa. C.S §§2731-2742. This is to inform you of an important option that may be available to you under Pennsylvania law. Act 101 of 2010 allows for an enforceable voluntary agreement for continuing contact or communication following an adoption between an adoptive parent, a child, a birth parent and/or a birth relative of the child, if all parties agree and the voluntary agreement is approved by the court. The agreement must be signed and approved by the court to be legally binding. If you are interested in learning more about this option for a voluntary agreement, contact the Office of Children and Youth at (814) 451-7726, or contact your adoption attorney, if you have one.

Feb. 14



DISPUTE RESOLUTION ALTERNATIVES

Seeking creative answers to seemingly difficult problems?

*Constructive Solutions*

**Mediation can be productive in conjunction with attorney representation. Let a seasoned businessman aid you in the mediation process.**

Business Disputes                      Work Place Disputes  
Product Disputes                        Settling Claims

**WALTER O. HARF**

3123 STATE STREET, ERIE, PA 16508

(814) 456-6620

consol3123@verizon.net

**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 21, 2014  
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.

John T. Loomis

Sheriff of Erie County

Jan. 31 and Feb. 7, 14

**SALE NO. 1**

**Ex. #11609 of 2013**

**FIRST NATIONAL BANK OF PENNSYLVANIA, Plaintiff**

v.

**THOMAS G. MARINO,  
CLAUDETTE L. MARINO,  
and THE UNITED STATES OF AMERICA, Defendants**

**SHORT DESCRIPTION**

All that certain piece or parcel of land situate in the Township of Washington, County of Erie, and Commonwealth of Pennsylvania known and numbered as 3301 Leacock Road, sometimes referred to as 3301 Laycock Road, Edinboro, PA 16412.

HAVING ERECTED THEREON a one-and-a-half story single family

dwelling and outbuildings.

BEING the same premises conveyed to Thomas G. Marino and Claudette L. Marino by deed dated July 12, 1977 and recorded on July 13, 1977 in Erie County Deed Book 1271, page 0212.

Erie County Tax Parcel Number (45) 9-15-4.

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

Jan. 31 and Feb. 7, 14

**SALE NO. 2**

**Ex. #13688 of 2012**

**FIRST NATIONAL BANK OF PENNSYLVANIA, Plaintiff**

v.

**DONALD D. SCARVEL  
and DEBORAH E. BISHOP,  
Defendants**

**SHORT DESCRIPTION**

ALL that certain piece or parcel of land situate in the Borough of Platea, County of Erie, and Commonwealth of Pennsylvania with an address of 9846 Peach Street, Girard, Pennsylvania 16417, having erected thereon a single family dwelling of frame construction, with detached garage and outbuilding, containing approximately 12 acres, more or less.

BEING the same premises conveyed to Donald D. Scarvel and Deborah E. Bishop by deed dated March 6, 1996 and recorded in Erie County Deed Book 0427, page 0494.

Erie County Tax Index No. (38) 8-6-13.03.

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

Jan. 31 and Feb. 7, 14

**SALE NO. 3**

**Ex. #12035 of 2013**

**Walter G. Howard, Plaintiff**

v.

**Anne C. Sunde, Defendant**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 12035 of 2013 Walter G. Howard vs. Anne C. Sunde, owner(s) or property situated in City of Erie, Erie County, Pennsylvania being 1052 West 4th Street, Erie, PA 16507

165 x 40 x 165 x 40

Assessment Map number: 17-040-0.330-128-00

Assessed Value figure: \$70,580.00

Improvement thereon: Two-story frame fixed dwelling house.

Jason R. Owen, Esquire

345 West Sixth Street

Erie, PA 16507

814-454-6345

Jan. 31 and Feb. 7, 14

**SALE NO. 4**

**Ex. #12242 of 2013**

**PNC Bank, National Association,  
Plaintiff**

v.

**Joel Schwartz a/k/a**

**Joel S. Schwartz**

**Michelle Schwartz a/k/a**

**Michelle R. Schwartz**

**SHORT DESCRIPTION FOR**

**ADVERTISING**

ALL THAT CERTAIN LOT OF LAND SITUATE IN CITY OF ERIE, ERIE COUNTY, PENNSYLVANIA:

BEING KNOWN AS 126 East 31st Street, Erie, PA 16504

PARCEL NUMBER: 18-5086-234

IMPROVEMENTS: Residential Property

Nicole LaBletta, Esq.

PA ID 202194

Attorney for Plaintiff

Udren Law Offices, P.C.

Woodcrest Corporate Center

111 Woodcrest Road, Suite 200

Cherry Hill, NJ 08003-3620

856-669-5400

pleadings@udren.com

Jan. 31 and Feb. 7, 14

**SALE NO. 5**

**Ex. #12777 of 2013**

**MARQUETTE SAVINGS BANK, Plaintiff**

v.

**LAWRENCE A. D'AMBROSIO,  
Defendant**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed at No. 2013-12777, Marquette Savings Bank vs. Lawrence A. D'Ambrosio, owner of property situate in the City of Erie, Erie County, Pennsylvania being: 1867 East Seventh Street, Erie, Pennsylvania.

58' X 120' containing 0.1598 acres  
Assessment Map Number: 1109.0-200.00

Assessed Value Figure: \$58,920.00  
Improvement Thereon: Residence  
Eugene C. Sundberg, Jr., Esq.  
Marsh Spaeder Baur Spaeder & Schaaf, LLP

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

Jan. 31 and Feb. 7, 14

**SALE NO. 6**

Ex. #12776 of 2013

**MARQUETTE SAVINGS BANK, Plaintiff**

v.

**LAWRENCE A. D'AMBROSIO and SEAN PEACE (Occupant), Defendants**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed at No. 2013-12776, Marquette Savings Bank vs. Lawrence A. D'Ambrosio, owner of property situate in the City of Erie, Erie County, Pennsylvania being: 1034 East Fifth Street, Erie, Pennsylvania.

30' X 120.5' containing 0.0830 acres  
Assessment Map Number: (14) 10-36-230

Assessed Value Figure: \$42,090.00  
Improvement Thereon: Residence  
Eugene C. Sundberg, Jr., Esq.  
Marsh Spaeder Baur Spaeder & Schaaf, LLP

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

Jan. 31 and Feb. 7, 14

**SALE NO. 7**

Ex. #12775 of 2013

**MARQUETTE SAVINGS BANK, Plaintiff**

v.

**LAWRENCE A. D'AMBROSIO and MICHAEL SOPP (Occupant), Defendants**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed at No. 2013-12775, Marquette Savings Bank vs. Lawrence A. D'Ambrosio, owner of property situate in the City of Erie, Erie County, Pennsylvania being: 438 West 32nd Street, Erie, Pennsylvania.

64' X 133.75' containing 0.1965 acres  
Assessment Map Number: (19) 60-49-121

Assessed Value Figure: \$82,300.00 [sic]  
Improvement Thereon: Residence  
Eugene C. Sundberg, Jr., Esq.  
Marsh Spaeder Baur Spaeder & Schaaf, LLP

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

Jan. 31 and Feb. 7, 14

**SALE NO. 8**

Ex. #12774 of 2013

**MARQUETTE SAVINGS BANK, Plaintiff**

v.

**LAWRENCE A. D'AMBROSIO and CHARLES BLACK (Occupant), Defendants**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed at No. 2013-12774, Marquette Savings Bank vs. Lawrence A. D'Ambrosio, owner of property situate in the City of Erie, Erie County, Pennsylvania being: 81 Race Avenue, Erie, Pennsylvania.

80' X 120' containing 0.2204 acres  
Assessment Map Number: 40-10-57.1  
Assessed Value Figure: \$68,600.00

Improvement Thereon: Residence  
Eugene C. Sundberg, Jr., Esq.  
Marsh Spaeder Baur Spaeder & Schaaf, LLP

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

Jan. 31 and Feb. 7, 14

**SALE NO. 10**

Ex. #12518 of 2013

**PNC BANK, NATIONAL ASSOCIATION, Plaintiff**

v.

**KEITH A. PIERCE, Defendant**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed at No. 12518-2013, PNC BANK,

NATIONAL ASSOCIATION vs. KEITH A. PIERCE, owner(s) of property situated in THIRD WARD CITY OF ERIE, Erie County, Pennsylvania being 1350 WEST TENTH STREET, ERIE, PA 16502

Assessment Map number: (16) 30-61-132  
Assessed Value figure:\$52,390.00  
Improvement thereon: two-family flat

Brett A. Solomon, Esquire  
Michael C. Mazack, Esquire  
1500 One PPG Place  
Pittsburgh, PA 15222  
(412) 566-1212

Jan. 31 and Feb. 7, 14

**SALE NO. 11**

Ex. #13495 of 2006

**Washington Mutual Bank f/k/a Washington Mutual Bank, FA, Plaintiff**

v.

**Jeffrey D. Hemenger and Sandra L. Hemenger, Defendant**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 13495-06, Washington Mutual Bank f/k/a Washington Mutual Bank, FA vs. Jeffrey D. Hemenger and Sandra L. Hemenger, owner(s) of property situated in City of Erie, Erie County, Pennsylvania being 935 West 32nd Street, Erie, PA 16508

0.0922  
Assessment Map number: 19-61-12-206

Assessed Value figure: \$86,900.00  
Improvement thereon: a residential dwelling

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

Jan. 31 and Feb. 7, 14

**SALE NO. 13**

Ex. #13309 of 2012

**JPMORGAN CHASE BANK, N.A., Plaintiff**

v.

**DOUGLAS M. DAVIS, SR and YOLANDA V. DAVIS, Defendant(s)**

**SHERIFF'S SALE**

By virtue of a Writ of Execution

filed to No. 13309-12, JPMORGAN CHASE BANK, N.A. vs. DOUGLAS M. DAVIS, SR, YOLANDA V. DAVIS  
 Amount Due: \$83,978.43  
 DOUGLAS M. DAVIS, SR, YOLANDA V. DAVIS, owner(s) of property situated in ERIE CITY, Erie County, Pennsylvania being 630 LIBERTY STREET, ERIE, PA 16502-1229  
 Dimensions: 30x52.6  
 Acreage: 0.0362  
 Assessment Map number: 17-040-0250-20100  
 Assessed Value: 65,170.00  
 Improvement thereon: residential Phelan Hallinan, LLP  
 One Penn Center at Suburban Station, Suite 1400  
 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814  
 (215) 563-7000

Jan. 31 and Feb. 7, 14

**SALE NO. 14**

**Ex. #11132 of 2013**

**FANNIE MAE ("FEDERAL NATIONAL MORTGAGE ASSOCIATION"), Plaintiff**

v.

**JASON R. HARNED, Defendant(s)**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 11132-13 FANNIE MAE ("FEDERAL NATIONAL MORTGAGE ASSOCIATION") vs. JASON R. HARNED  
 Amount Due: \$102,163.50  
 JASON R. HARNED, owner(s) of property situated in MILLCREEK TOWNSHIP, Erie County, Pennsylvania being 2640 WEST 24TH STREET, ERIE, PA 16506-3004  
 Dimensions: 80 X 135.14  
 Acreage: 0.2482  
 Assessment Map number: 33051198001600  
 Assessed Value: 90,700.00  
 Improvement thereon: Residential Phelan Hallinan, LLP  
 One Penn Center at Suburban Station, Suite 1400  
 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814  
 (215) 563-7000

Jan. 31 and Feb. 7, 14

**SALE NO. 15**

**Ex. #10081 of 2012**

**DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE ON BEHALF OF THE CERTIFICATEHOLDERS OF THE MORGAN STANLEY ABS CAPITAL I INC. TRUST 2006-HE5, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-HE5, Plaintiff**

v.

**KELLY C. O'LEARY DESMOND THOMPSON, Defendant(s)**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 10081-12, DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE ON BEHALF OF THE CERTIFICATEHOLDERS OF THE MORGAN STANLEY ABS CAPITAL I INC. TRUST 2006-HE5, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-HE5 vs. KELLY C. O'LEARY, DESMOND THOMPSON  
 Amount Due: \$72,653.79  
 KELLY C. O'LEARY, DESMOND THOMPSON, owner(s) of property situated in TOWNSHIP OF ERIE CITY, 4TH, Erie County, Pennsylvania being 810 WEST 5TH STREET, ERIE, PA 16507-1108  
 Dimensions: 27.5

Acreage: 165  
 Assessment Map number: 17040026022200  
 Assessed Value: 62,000  
 Improvement thereon: residential Phelan Hallinan, LLP  
 One Penn Center at Suburban Station, Suite 1400  
 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814  
 (215) 563-7000

Jan. 31 and Feb. 7, 14

**SALE NO. 16**

**Ex. #12983 of 2012**

**DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR J.P. MORGAN MORTGAGE ACQUISITION TRUST 2007-CH4, ASSET BACKED PASS-THROUGH**

**CERTIFICATES, SERIES 2007-CH4, Plaintiff**

v.

**KIMBERLEY RAUP VAUGHN RAUP, Defendant(s)**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 12983-2012  
 DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR J.P. MORGAN MORTGAGE ACQUISITION TRUST 2007-CH4, ASSET BACKED PASS-THROUGH CERTIFICATES, SERIES 2007-CH4 vs. KIMBERLEY RAUP, VAUGHN RAUP  
 Amount Due: \$107,168.38  
 KIMBERLEY RAUP, VAUGHN RAUP, owner(s) of property situated in TOWNSHIP OF WASHINGTON, Erie County, Pennsylvania being 12240 RIDGE AVENUE, EDINBORO, PA 16412-1420  
 Dimensions: 90 X 100  
 Acreage: 0.2066  
 Assessment Map number: 45016029000400  
 Assessed Value: \$ 102,600.00  
 Improvement thereon: residential Phelan Hallinan, LLP  
 One Penn Center at Suburban Station, Suite 1400  
 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814  
 (215) 563-7000

Jan. 31 and Feb. 7, 14

**SALE NO. 17**

**Ex. #13265 of 2012**

**NATIONSTAR MORTGAGE, LLC, F/K/A CENTEX HOME EQUITY COMPANY, LLC, Plaintiff**

v.

**STEPHEN R. WAGNER, Defendant(s)**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 13265-12  
 NATIONSTAR MORTGAGE, LLC, F/K/A CENTEX HOME EQUITY COMPANY, LLC vs. STEPHEN R. WAGNER  
 Amount Due: \$28,804.40  
 STEPHEN R. WAGNER, owner(s) of property situated in ERIE CITY, Erie County, Pennsylvania being



731 EAST 23RD STREET, ERIE, PA 16503-2212  
 Assessment Map number: 18050030010700  
 Assessed Value: \$40,200.00  
 Improvement thereon: residential  
 Phelan Hallinan, LLP  
 One Penn Center at Suburban Station, Suite 1400  
 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814  
 (215) 563-7000

Jan. 31 and Feb. 7, 14

**SALE NO. 18**

**Ex. #31354 of 2013**  
**First Niagara Funding, Inc.**  
 v.  
**Eric Acquisitions, LLC**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 2013-31354, First Niagara Funding, Inc. vs. Eric Acquisitions, LLC  
 Eric Acquisitions LLC, owner of the property situated in City of Erie, Erie County, Pennsylvania being 514-516 West 16th Street, Erie, PA 16502  
 Dimensions 40 x 66.5;  
 Square Footage 7200;  
 Acreage 0.0611  
 Assessment Map No.: (16) 3027-124 and (16) 3026-212  
 Assessed Value Figure: \$98,000  
 Improvements Thereon: Apartments  
 Eric D. Rosenberg, Esquire  
 Metz Lewis Brodman Must O'Keefe LLC  
 535 Smithfield Street, Suite 800  
 Pittsburgh, PA 15222  
 412.918.1100

Jan. 31 and Feb. 7, 14

**SALE NO. 19**

**Ex. #11209 of 2012**  
**U.S. Bank National Association**  
**Trustee for the Pennsylvania**  
**Housing Finance Agency,**  
**Plaintiff**  
 v.

**Kathy Busi, Nancy Kirclich,**  
**Thomas Kirclich, and Heidi**  
**Ladow, known heirs of**  
**Olive V. DaSilva, Deceased and**  
**the unknown heirs of Olive V.**  
**DaSilva, Deceased, Defendants**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution No.

11209-12 U.S. BANK NATIONAL ASSOCIATION TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff vs. KATHY BUSI, NANCY KIRCLICH, THOMAS KIRCLICH, AND HEIDI LaDOW, KNOWN HEIRS OF OLIVE V. DaSILVA, DECEASED AND THE UNKNOWN HEIRS OF OLIVE V. DaSILVA, DECEASED, Defendants

Real Estate: 310 LIGHTHOUSE STREET, ERIE, PA 16507  
 Municipality: City of Erie, Erie County, Pennsylvania  
 See Deed Book 0272, Page 0743.  
 Tax I.D. (14) 1040-419  
 Assessment: \$ 6,700. (Land)  
 \$37,410. (Bldg)

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

Jan. 31 and Feb. 7, 14

**SALE NO. 20**

**Ex. #10851 of 2013**  
**U.S. Bank National Association,**  
**as Trustee for the Pennsylvania**  
**Housing Finance Agency,**  
**Plaintiff**  
 v.

**Kimberly A. Johnson**  
**Nathaniel D. Johnson,**  
**Defendants**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution No. 2013-10851 U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff vs. KIMBERLY A. JOHNSON, NATHANIEL D. JOHNSON, Defendants  
 Real Estate: 2642 CHERRY STREET, ERIE, PA 16508  
 Municipality: City of Erie, Erie County, Pennsylvania  
 Dimensions: 71.76 ft. x 40 ft.  
 See Deed Book 0506, Page 2176.  
 Tax I.D. (19) 6043-114  
 Assessment: \$ 9,700. (Land)  
 \$42,900. (Bldg)

Improvement thereon: a residential

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

Jan. 31 and Feb. 7, 14

**SALE NO. 21**

**Ex. #11420 of 2013**  
**U.S. Bank National Association,**  
**as Trustee for the Pennsylvania**  
**Housing Finance Agency,**  
**Plaintiff**  
 v.

**Delma Kercado, Defendant**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution No. 2013-11420 U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff vs. DELMA KERCADO, Defendant  
 Real Estate: 505 EAST AVENUE, ERIE, PA 16507  
 Municipality: City of Erie, Erie County, Pennsylvania  
 Dimensions: 40 1/6 ft. x 112 ft.  
 See Deed Book 1169, Page 2168  
 Tax I.D. (14) 1036-117  
 Assessment: \$ 8,700. (Land)  
 \$46,500. (Bldg)  
 Improvement thereon: a residential dwelling house as identified above  
 Leon P. Haller, Esquire  
 Purcell, Krug & Haller  
 1719 North Front Street  
 Harrisburg, PA 17104  
 (717) 234-4178

Jan. 31 and Feb. 7, 14

**SALE NO. 22**

**Ex. #11693 of 2013**  
**U.S. Bank National Association,**  
**as Trustee for the Pennsylvania**  
**Housing Finance Agency,**  
**Plaintiff**  
 v.

**Jamie L. Scott and Michael L.**  
**Scott, Defendants**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution No. 2013-11693 U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff vs. JAMIE L. SCOTT AND MICHAEL

L. SCOTT, Defendants  
 Real Estate: 62 FRANKLIN STREET, ALBION, PA 16401  
 Municipality: Borough of Albion, Erie County, Pennsylvania  
 Lot 9, Block 17, Plat of Albion Borough  
 See Deed Book 1107, Page 847  
 Tax I.D. (1) 4-18-4  
 Assessment: \$29,200. (Land)  
 \$65,200. (Bldg)  
 Improvement thereon: a residential dwelling house as identified above  
 Leon P. Haller, Esquire  
 Purcell, Krug & Haller  
 1719 North Front Street  
 Harrisburg, PA 17104  
 (717) 234-4178  
 Jan. 31 and Feb. 7, 14

**SALE NO. 23**

**Ex. #12758 of 2013**  
**U.S. Bank National Association,**  
**as Trustee for the Pennsylvania**  
**Housing Finance Agency,**  
**Plaintiff**  
**v.**

**Roxina Cass Snyder and Douglas**  
**W. Snyder, Defendants**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution No. 2013-12758 U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff vs. ROXINA CASS SNYDER and DOUGLAS W. SNYDER, Defendants  
 Real Estate: 7308 BUFFALO ROAD, HARBORCREEK, PA 16421  
 Municipality: Township of Harborcreek, Erie County, Pennsylvania  
 See Deed Book 387, Page 2375.  
 Tax I.D. (27) 21-32-42  
 Assessment: \$32,600. (Land)  
 \$33,400. (Bldg)  
 Improvement thereon: a residential dwelling house as identified above  
 Leon P. Haller, Esquire  
 Purcell, Krug & Haller  
 1719 North Front Street  
 Harrisburg, PA 17104  
 (717) 234-4178  
 Jan. 31 and Feb. 7, 14

**SALE NO. 24**  
**Ex. #12311 of 2013**  
**Federal National Mortgage**  
**Association, Plaintiff**  
**v.**  
**Christopher P. Crawford,**  
**Defendant**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 12311-13 Federal National Mortgage Association v. Christopher P. Crawford, Owner(s) of property situated in City of Erie, Erie County, Pennsylvania, being 1329 Lynn Street, Erie, PA 16503  
 ALL THAT CERTAIN piece or parcel of land situate in the City of Erie, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:  
 Beginning at a point in the south line of Lynn Street, Two hundred ninety and seventy-eight one hundredths (290.78) feet east of the east line of Hess Avenue; Thence southwardly parallel with Hess Avenue, One hundred (100) feet; Thence eastwardly parallel with Lynn Street, Thirty (30 feet) feet; Thence northerly parallel with Hess Avenue, One hundred (100) feet to the south line of Lynn Street; and thence westwardly along the south line of Lynn Street, Thirty (30) feet to the place of beginning.  
 This parcel has erected thereon a dwelling commonly known as 1329 Lynn Street, Erie, Pennsylvania 16503, and bears Erie County Tax Index No. (14) 1101-212.  
 Assessment Map number: 14-011-001.0-212.00  
 Assessed Value figure: \$43,670.00  
 Improvement thereon: Residential Dwelling  
 Martha E. Von Rosenstiel, Esquire  
 No. 52634  
 Heather Riloff, Esquire  
 No. 309906  
 649 South Avenue, Unit #6  
 PO Box 822  
 Secane, PA 19018  
 610-328-2887  
 Jan. 31 and Feb. 7, 14

**SALE NO. 25**  
**Ex. #12577 of 2013**  
**M&T BANK, Plaintiff**

**v.**  
**GREGORY K. MANLEY,**  
**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 Lot No. 567 in the Southlands Plan of Lots as recorded in the Recorder's Office of Erie County in Map Book 3, pages 82 and 83;  
 SAID property commonly known as 1717 West 32nd Street, Erie, Pennsylvania 16508 and bearing Erie County Tax Index No.: (19) 6147-212.  
 PROPERTY ADDRESS: 1717 West 32nd Street, Erie, PA 16508  
 KML Law Group, P.C.  
 Attorney for Plaintiff  
 Suite 5000 - BNY Independence Center, 701 Market Street Philadelphia, PA 19106  
 (215) 627-1322  
 Jan. 31 and Feb. 7, 14

**SALE NO. 27**

**Ex. #12675 of 2013**  
**CitiMortgage, Inc.**  
**v.**  
**Jamar E. Gregory**  
**SHERIFF'S SALE**  
 By virtue of a Writ of Execution filed to No. 12675-13, CitiMortgage, Inc. vs. Jamar E. Gregory, owners of property situated in Erie County, Pennsylvania being 1937 East 40th Street, Erie, PA 16510  
 Assessment Map number: (18) 5236-610  
 Assessed Value figure: \$118,810.00  
 Improvement thereon: Residential Dwelling  
 Robert W. Williams, Esquire  
 220 Lake Drive East, Suite 301  
 Cherry Hill, NJ 08002  
 (856) 482-1400  
 Jan. 31 and Feb. 7, 14

**SALE NO. 28**

**Ex. #12676 of 2013**  
**CitiMortgage, Inc.**  
**v.**  
**Regis P. Mabie and Rita E. Mabie**  
**SHERIFF'S SALE**  
 By virtue of a Writ of Execution filed to No. 12676-13, CitiMortgage, Inc. vs. Regis P. Mabie and Rita E.

Mabie, owners of property situated in Erie County, Pennsylvania being 806 E. Grandview Blvd, Erie, PA 16504  
 Assessment Map number: 18-5372.0.900.00  
 Assessed Value figure: \$119,700.00  
 Improvement thereon: Residential Dwelling  
 Robert W. Williams, Esquire  
 220 Lake Drive East, Suite 301  
 Cherry Hill, NJ 08002  
 (856) 482-1400  
 Jan. 31 and Feb. 7, 14

**SALE NO. 29**

**Ex. #12135 of 2012**  
**HSBC Bank USA, National Association, as Trustee for Wells Fargo Home Equity Asset Backed Certificates, Series 2005-4**

v.

**Richard D. Hess, Sheila M. Hess**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution file to No. 12135-12, HSBC Bank USA, National Association, Trustee for Wells Fargo Home Equity Asset Backed Certificates, Series 2005-4 vs. Richard D. Hess; Sheila M. Hess, owner(s) of property situated in the Township of Fairview, County of Erie, Pennsylvania being 8090 West Ridge Road, Fairview, PA 16415-1806  
 2323 square feet  
 Assessment Map Number: 21067102001100  
 Assessed Value figure: 245,300.00  
 Improvement thereon: Single Family Dwelling  
 Zucker, Goldberg & Ackerman, LLC  
 200 Sheffield Street, Suite 101  
 Mountainside, NJ 07092  
 (908) 233-8500

Jan. 31 and Feb. 7, 14

**SALE NO. 30**

**Ex. #12536 of 2012**  
**Wells Fargo Bank, N.A.**

v.

**Edward J. McConnell as Co-Administrator of the Estate of Mary M. McConnell; Terrence J. McConnell as Co-Administrator of the Estate of Mary McConnell**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution file to No. 2012-12536 Wells Fargo Bank, N.A. vs. Edward J.

McConnell as Co-Administrator of the Estate of Mary M. McConnell; Terrence J. McConnell as Co-Administrator of the Estate of Mary McConnell; owner(s) of property situated in the City of Erie, County of Erie, Pennsylvania being 1805 West 29th Street, Erie, PA 16508-1104  
 1568 square feet  
 Assessment Map Number: 19062037010600  
 Assessed Value figure: 112,840.00  
 Improvement thereon: Single family Dwelling  
 Zucker, Goldberg & Ackerman, LLC  
 200 Sheffield Street, Suite 101  
 Mountainside, NJ 07092  
 (908) 233-8500

Jan. 31 and Feb. 7, 14

**SALE NO. 31**

**Ex. #12433 of 2013**  
**HSBC Mortgage Services, Inc.**

v.

**John A. Gieza**

**LEGAL DESCRIPTION**

ALL THAT CERTAIN piece or parcel of land, situate in the Township of Girard, County of Erie and State of Pennsylvania; being part of Tract 293, bounded and described as follows, to wit: BEGINNING at the southwesterly corner of the piece at an iron pin in the center line of the Fairplain Road and westerly line of Tract 293, distant thereon North 25° 53' West, 932.93 feet from an iron pin at the original southwesterly corner of the whole piece and northwesterly corner of land of Julius G. A. Herhold, said point also being the northwesterly corner of a 26.513 acre parcel of land heretofore conveyed to Andrew and Anna Pacansky; thence North 250° 53' West, along the center line of Fairplain Road and westerly line of Tract 293, two hundred eighty-one and seven hundredths (281.07) feet to an iron pin; thence by the residue of the piece North 63° 56' East, passing over an iron pipe at distance of 25.00 feet, seven hundred fourteen and five hundredths (714.05) feet to an iron pin at a northwesterly corner of land heretofore conveyed to Andrew and Anna Pacansky aforesaid;

thence along said land South 25° 53' East, two hundred eighty-one and seven hundredths (281.07) feet to an iron pipe; thence by the same south 63° 56' West, passing over an iron pipe at distance of 689.05 feet, seven-hundred fourteen and five hundredths (714.05) feet to the place of beginning and containing a 4.608 Acres of land.

UNDER AND SUBJECT to and together with the rights, privileges, agreements, rights-of-way, easements, conditions, exceptions, restrictions and reservations as exist by virtue of prior recorded instruments, deeds or conveyances. BEING the same premises which Mary A. Geiza, Trustee of The Mary A. Geiza Revocable Living Trust, by Deed dated September 26, 2003, and recorded October 1, 2003 in the Office of the Recorder of Deeds for the County of Erie in Book 1070, Page 2228, granted and conveyed unto John A. Geiza, in fee.  
 PROPERTY ADDRESS: 1443 Fairplain Road, Lake City, PA 16423  
 PARCEL ID #24003011000901  
 Christina C. Viola, Esquire  
 Stern and Eisenberg, PC  
 1581 Main Street, Suite 200  
 The Shops at Valley Square  
 Warrington, PA 18976  
 (215) 572-8111

Jan. 31 and Feb. 7, 14

**SALE NO. 32**

**Ex. #12988 of 2013**  
**Master Participation Trust**  
 v.

**The Unknown Heirs, Executors, Administrators and devisees of the Estate of Dorothy M. Liebel, Deceased and Raymond W. Liebel, III**

**LEGAL DESCRIPTION**

ALL THE CERTAIN piece or parcel of land situate in the Township of Fairview, County of Erie and State of Pennsylvania, being part of Tract No. 357 and being Lot No. 2 of Princess Anne Subdivision No. 1, as the same is set forth on a plat of the same intended to be recorded in the office of the Recorder of Deeds of Erie County, Pennsylvania, more particularly bounded and described as follows, to wit:

BEGINNING at a point on the south line of Valley Drive 200 feet west of the intersection with the east line of Millfair Road; thence south 25 degrees 57 minutes 30 seconds east along the west line of Frederick Deutsch, et ux. One hundred thirty five and nine hundredths (135.09) feet to a point; thence south 05 degrees 07 minutes 10 seconds west twenty nine and seventy eight hundredths (29.78) feet to a point; thence south 63 degrees 38 minutes 30 seconds west one hundred eight and forty one hundredths (108.41) feet to a point; thence north 26 degrees east one hundred sixty two and forty four hundredths (162.44) feet to a point in the south line of Valley Drive aforesaid; thence north 64 degrees 18 minutes 30 seconds east, one hundred twenty three (123.00) feet to the place of beginning.  
 SUBJECT to certain restrictions as set forth in Deed Book 759, Page 68.

SAID premises having erected a dwelling house commonly known as 6023 Valley Drive, Fairview, Pennsylvania.  
 BEING the same premises which Dorothy M. Liebel, widower and single, by Deed dated May 27, 2005, and recorded June 6, 2005 in the Office of the Recorder of Deeds for the County of Erie in Book 1239, Page 2358, granted and conveyed unto Dorothy M. Liebel and Raymond W. Liebel, III, as Joint Tenants with Right of Survivorship, in fee.  
 PROPERTY ADDRESS: 6023 Valley Drive, Fairview, PA 16415  
 PARCEL ID # 21061088000101  
 Christina C. Viola, Esquire  
 Stern and Eisenberg, PC  
 1581 Main Street, Suite 200  
 The Shops at Valley Square  
 Warrington, PA 18976  
 (215) 572-8111

Jan. 31 and Feb. 7, 14

**SALE NO. 33**  
**Ex. #13016 of 2013**  
**Tommy R. Mills Training & Transport, Plaintiff**  
 v.  
**Bush Family Trust, LLC and Carol Clapp, Defendant**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 13016-13, Tommy R. Mills Training & Transport vs. Bush Family Trust, LLC and Carol Clapp, owner(s) of property situated in City of Corry, Erie County, Pennsylvania being 920 E. Main Street, Corry, PA 16407  
 Assessment Map number: 100 x 369; 1412 sq.ft.; 0.8402 acres  
 (05) 029-108.0-016.00  
 Assessed Value figure: 71,300  
 Improvement thereon: 61,500  
 Alaine Generelli  
 512 Market Street  
 P.O. Box 309  
 Freeport, PA 16229  
 (724) 295-0013

Jan. 31 and Feb. 7, 14

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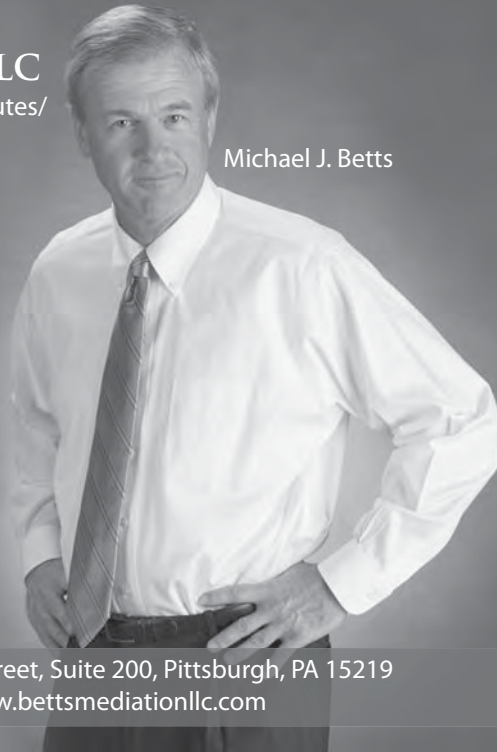
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RVM’s Director of Forensics, Greg Cancilla, was recently named Best Individual Expert Witness in Technology for Litigation Support by the *New York Law Journal* Reader Rankings Survey. Greg has performed countless digital forensic investigations and has been called to offer expert testimonies in numerous cases, one of which rendered the largest single plaintiff verdict in the State of Ohio’s history - *Ronald Luri v. Republic Services, Inc., et al.*



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

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

The following Executors, Administrators, Guardians and Trustees have filed their Accounts in the Office of the Clerk of Records, Register of Wills and Orphans' Court Division and the same will be presented to the Orphans' Court of Erie County at the Court House, City of Erie, on **Monday, February 24, 2014** and confirmed Nisi.

**March 20, 2014** is the last day on which Objections may be filed to any of these accounts.

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

**2014 ESTATE**

**ACCOUNTANT**

**ATTORNEY**

- |     |  |   |                           |
|-----|--|---|---------------------------|
| 26. | John D. Mysnyk, Jr. ....                           | Mike M. Mysnyk, Administrator .....       | David J. Rhodes, Esq.     |
| 27. | Helen B. Cagara, a/k/a<br>Helen Cagara .....       | Gary K. Schonthaler, Esq., Executor ..... | Gary K. Schonthaler, Esq. |
| 28. | Doris J. Henderson .....                           | DoraLee Miller, Executrix .....           | Pro Se                    |
| 29. | LaRae Jean Cullers<br>a/k/a LaRae J. Cullers ..... | Emily J. Pacansky, Administratrix .....   | James R. Steadman, Esq.   |

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

Feb. 14, 21



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Joseph P. Maloney, CPA, CFE**

Joseph P. Maloney, CPA, CFE • Michael J. Reed, CPA • James R. Scarpitti, CPA • Rick L. Clayton, CPA

*Confidential inquiries by phone or email to [mrsinfo@mrs-co.com](mailto:mrsinfo@mrs-co.com).*

**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****AGOSTINI, ROSE,  
deceased**

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

*Executrix:* Dennis Agostini, c/o 17 W. 10th Street, Erie, Pennsylvania 16501

*Attorneys:* Conner Riley Friedman & Weichler, 17 West 10th Street, Erie, Pennsylvania 16501

**ARLINGTON, GREGORY A.,  
deceased**

Late of the City of Erie, Erie County

*Executrix:* Jennifer J. Koehler  
*Attorney:* William J. Kelly, Jr., Esquire, 100 State Street, Ste. 440, Erie, PA 16507

**BOJARSKI, IRENE C.,  
deceased**

Late of the Township of Lawrence Park, County of Erie, Commonwealth of Pennsylvania

*Co-Executors:* Margaret A. Cottrell and Robert S. Bojarski, c/o Sterrett Mott Breski & Shimek, 1001 State Street, Suite 1400, Erie, PA 16501

*Attorney:* John J. Shimek, III, Esq., Sterrett Mott Breski & Shimek, 1001 State Street, Suite 1400, Erie, PA 16501

**CASHIN, ROBERT P.,  
deceased**

Late of the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania  
*Executrix:* Tejbans Kohli, c/o Norman A. Stark, Esq., Suite 300, 300 State Street, Erie, PA 16507

*Attorneys:* Marsh, Spaeder, Baur, Spaeder & SchAAF, LLP, Suite 300, 300 State Street, Erie, PA 16507

**DAMICO, ROSE V., a/k/a  
ROSE DAMICO, a/k/a  
ROSE VENTURE DAMICO,  
deceased**

Late of the City of Erie, Erie County, Pennsylvania

*Executrix:* Cheryl A. Sornberger, c/o Jeffrey J. Cole, Esq., 2014 West 8th Street, Erie, PA 16505

*Attorney:* Jeffrey J. Cole, Esq., 2014 West 8th Street, Erie, PA 16505

**DeFAZIO, ANTHONY J.,  
deceased**

Late of the Township of Millcreek, Erie County, Pennsylvania

*Executrix:* Barbara Cacchione, c/o Raymond A. Pagliari, Esq., 510 Cranberry Street, Suite 301, Erie, Pennsylvania 16507

*Attorney:* Raymond A. Pagliari, Esq., 510 Cranberry Street, Suite 301, Erie, Pennsylvania 16507

**FERKO, JANE J.,  
deceased**

Late of the Township of Harborcreek, County of Erie

*Executor:* Michael A. Ferko, Jr., c/o Thomas A. Testi, Esq., 3952 Avonia Road, PO Box 413, Fairview, PA 16415

*Attorney:* Thomas A. Testi, Esq., 3952 Avonia Road, PO Box 413, Fairview, PA 16415

**GUSE, JOHN C., a/k/a  
JOHN CHARLES GUSE, a/k/a  
JOHN C. GUSE, JR.,  
deceased**

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania  
*Executrix:* Karen E. Peters, c/o Sterrett Mott Breski & Shimek, 1001 State Street, Suite 1400, Erie, PA 16501

*Attorney:* John J. Shimek, III, Esq., Sterrett Mott Breski & Shimek, 1001 State Street, Suite 1400, Erie, PA 16501

**HEINTZL, VIRGINIA M.,  
deceased**

Late of the City of Erie

*Executrix:* Dorothy Hodapp, 9287 Kuhl Road, Erie, PA 16510

*Attorney:* Kevin W. Barron, Esquire, 821 State Street, Erie, PA 16501

**HERHOLD, MARILYN A.,  
deceased**

Late of the Borough of Fairview, County of Erie

*Co-Executors:* Ronald C. Herhold and Denise R. Anselment, c/o Thomas A. Testi, Esq., PO Box 413, Fairview, PA 16415

*Attorney:* Thomas A. Testi, Esq., 3952 Avonia Road., PO Box 413, Fairview, PA 16415

**KWIAT, KEVIN B., a/k/a  
KEVIN KIWAT,  
deceased**

Late of Erie County, Pennsylvania

*Executor:* William T. Morton, Esq., 3213 West 26th Street, Erie, PA 16506

**LAMPKIN, JOHN O., a/k/a  
JOHN O. LAMPKIN, JR.,  
deceased**

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

*Executrix:* Lee F. Lampkin, c/o Thomas C. Hoffman II, Esq., 120 West Tenth Street, Erie, PA 16501

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

**LAZENBY, MARILYN A.,  
deceased**

Late of the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania  
*Co-Executors:* Matthew Francis Lazenby and Lynn Ann Lazenby Douds, c/o James E. Marsh, Jr., Esq., Suite 300, 300 State Street, Erie, PA 16507

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

**NEELY, JEAN L.,  
deceased**

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania  
*Executor:* John J. Shimek, III, c/o Sterrett Mott Breski & Shimek, 1001 State Street, Suite 1400, Erie, PA 16501

*Attorney:* John J. Shimek, III, Esq., Sterrett Mott Breski & Shimek, 1001 State Street, Suite 1400, Erie, PA 16501

**SMULIK, ELIZABETH E.,  
deceased**

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

*Executor:* Tina Ferraro, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506  
*Attorney:* Valerie H. Kuntz, Esq., Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

**STEWART, FRANKLIN JEWELL,  
deceased**

Late of North East Township, Erie County, North East, Pennsylvania  
*Executrix:* Dawn Marie Stewart, c/o Edward Orton, 33 East Main Street, North East, Pennsylvania 16428

*Attorneys:* Orton & Jeffery, P.C., 33 East Main Street, North East, Pennsylvania 16428

**SECOND PUBLICATION****ALLEN, ROSA C.,  
deceased**

Late of the Township of Millcreek, County of Erie and State of Pennsylvania  
*Executrix:* Karen Dey Book, c/o David R. Devine, Esq., 201 Erie Street, Edinboro, PA 16412

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

**AMORIELLO, DAVID S., a/k/a  
DAVID SAMUEL AMORIELLO,  
deceased**

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

*Executrix:* Sally A. Mott, 215 Susan Drive, Jefferson, OH 44047

*Attorney:* Peter W. Bailey, Esquire, 336 East Sixth Street, Erie, Pennsylvania 16507

**BARBALE, LAURA L.,  
deceased**

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

*Executor:* Frank M. Quagliana, Jr., c/o 78 East Main Street, North East, PA 16428

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

**BLOUNT, MARION C., a/k/a  
MARION CHAUNCEY  
BLOUNT, a/k/a****MARION BLOUNT,  
deceased**

Late of Erie County, Pennsylvania  
*Executor:* Elmer A. LeSuer, III, 10887 Edinboro Road, McKean, PA 16426

*Attorney:* William T. Morton, Esquire, 3213 West 26th Street, Erie, Pennsylvania 16506

**BOVEE, HOWARD P.,  
deceased**

Late of the Township of Millcreek, County of Erie, and Commonwealth of Pennsylvania  
*Executor:* David G. Smitti

*Attorney:* Thomas J. Buseck, Esquire, The McDonald Group, L.L.P., 456 West Sixth Street, Erie, PA 16507-1216

**CARR, HAROLD F., a/k/a  
HAROLD CARR,  
deceased**

Late of the City of Erie, Erie County

*Administrator:* Adam J. Williams  
*Attorney:* Adam J. Williams, Esquire, Shapira, Hutzelman, Berlin, Ely, Smith and Walsh, 305 West Sixth Street, Erie, PA 16507

**CARRARA, RICHARD L.,  
deceased**

Late of the City of Fairview, County of Erie and Commonwealth of Pennsylvania  
*Co-Executors:* Joseph E. Sadler and Harry D. Martin, 1741 West 26th Street, Erie, PA 16508

*Attorney:* Joseph T. Messina, Esquire, 210 West 6th Street, Erie, PA 16507

**DAUB, MARY ELLEN, a/k/a  
MARY E. DAUB, a/k/a  
MARY DAUB,  
deceased**

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

*Administrator:* Richard R. Daub, Jr., 1930 Parker Drive, Erie, Pennsylvania 16510

*Attorney:* Peter W. Bailey, Esquire, 336 East Sixth Street, Erie, Pennsylvania 16507

**DiLUZIO, JENNIE,  
deceased**

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

*Executrix:* Karen Shaner  
*Attorney:* Thomas J. Minarcik, Esquire, Elderkin Law Firm, 150 East 8th Street, Erie, PA 16501



**ECKERT, WILLIAM H.,  
deceased**

Late of the City of Erie  
*Administrator:* Charles H. Eckert,  
118 Bryan Drive, Greensburg, PA  
15601  
*Attorney:* Matthew J. Parini,  
Esquire, Law Offices of Matthew  
J. Parini, 502 West Seventh Street,  
Suite 301, Erie, Pennsylvania  
16502

**FIDDLER, WILLARD L.,  
deceased**

Late of the City of Erie, County  
of Erie  
*Executor:* Jacqueline A. Garnon,  
4160 Feidler Drive, Erie,  
Pennsylvania 16506  
*Attorney:* W. Richard Cowell,  
Esquire, Carney & Good,  
254 West Sixth Street, Erie,  
Pennsylvania 16507

**HESS, MARY ANN, a/k/a  
MARY A. HESS,  
deceased**

Late of the Township of  
Summit, County of Erie, State of  
Pennsylvania  
*Executrix:* Patricia A. Burbules,  
1047 East 26th Street, Erie, PA  
16504  
*Attorney:* James R. Steadman,  
Esq., 24 Main St. E., PO Box 87,  
Girard, PA 16417

**LITZ, DAVID A., a/k/a  
DAVID A. LITZ, SR.,  
deceased**

Late of the City of Erie, Erie  
County, Commonwealth of  
Pennsylvania  
*Executor:* David A. Litz, Jr., c/o P.  
Bowman Root IV, Esq., 120 West  
Tenth Street, Erie, PA 16501  
*Attorney:* P. Bowman Root IV,  
Esq., Knox McLaughlin Gornall  
& Sennett, P.C., 120 West Tenth  
Street, Erie, PA 16501

**McKENZIE, SANDRA L.,  
deceased**

Late of the City of Erie  
*Executor:* Michael R. McKenzie,  
3711 Oakwood Street, Erie, PA  
16508  
*Attorney:* Michael A. Fetzner,  
Esquire, Knox McLaughlin  
Gornall & Sennett, P.C., 120 West  
Tenth Street, Erie, PA 16501

**MILFORD, JOHN R.,  
deceased**

Late of the Borough of Millcreek,  
County of Erie  
*Executrix:* Sherrie-Jo Christ, c/o  
Thomas A. Testi, Esq., PO Box  
413, Fairview, PA 16415  
*Attorney:* Thomas A. Testi, Esq.,  
3952 Avonia Road, PO Box 413,  
Fairview, PA 16415

**NAWROCKI, MAXINE E.,  
deceased**

Late of Fairview Township, Erie  
County, PA  
*Administrator:* Mary Alfieri  
Richmond, Esquire, 900 State  
Street, Suite 215, Erie, PA 16501  
*Attorney:* Mary Alfieri Richmond,  
Esquire, 900 State Street, Suite  
215, Erie, PA 16501

**NUBER, RITA M.,  
deceased**

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

**PRICHARD, KENNETH R.,  
deceased**

Late of North East Township,  
Erie County, Commonwealth of  
Pennsylvania  
*Executrix:* Marilyn L. Orton, c/o  
Leigh Ann Orton, Esquire, 11  
Park Street, North East, PA 16428  
*Attorney:* Leigh Ann Orton, Esq.,  
Knox McLaughlin Gornall &  
Sennett, P.C., North East Office,  
11 Park Street, North East, PA  
16428

**SWEENEY, MICHAEL L., SR.,  
deceased**

*Executor:* Michael L. Sweeney, Jr.,  
*Attorney:* Charbel G. Latouf,  
Esquire, Ridge, McLaughlin &  
Latouf, 246 West 10th Street,  
Erie, PA 16501

**TAYLOR, PHYLLIS JANE,  
a/k/a PHYLLIS J. TAYLOR,  
a/k/a PHYLLIS TAYLOR,  
deceased**

Late of the Township of Lawrence  
Park, County of Erie and  
Commonwealth of Pennsylvania  
*Co-Administratrices:* Leona M.  
Easley, 559 West Fifth Street, Erie,  
PA 16507 and Nancy Eberhart,  
PO Box 542, Linesville, PA  
16424  
*Attorney:* Robert E. McBride,  
Esquire, 32 West Eighth Street,  
Suite 600, Erie, Pennsylvania  
16501

**TURK, CARLYSLE E.,  
deceased**

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

**VARGULICH, PAUL E.,  
deceased**

Late of the City of Erie, County  
of Erie and Commonwealth of  
Pennsylvania  
*Executor:* Darlene M. Zeiber, c/o  
James E. Marsh Jr., Esq., Suite  
300, 300 State Street, Erie, PA  
16507  
*Attorneys:* Marsh, Spaeder, Baur,  
Spaeder & Schaaf, LLP, Suite  
300, 300 State Street, Erie, PA  
16507

**WOOD, MARIE C.,  
deceased**

Late of the Borough of Edinboro,  
County of Erie and State of  
Pennsylvania  
*Executor:* James A. Nedresky, c/o  
Elizabeth Brew Walbridge, Esq.,  
1001 State Street, Suite 1400,  
Erie, PA 16501  
*Attorney:* Elizabeth Brew  
Walbridge, Esq., 1001 State  
Street, Suite 1400, Erie, PA 16501

**THIRD PUBLICATION**

**AMANN, NORBERT P.,  
deceased**

Late of Greene Township  
*Executrix:* Lisa J. Miller, c/o 246 West 10th Street, Erie, PA 16501  
*Attorney:* Evan E. Adair, Esq., 246 West 10th Street, Erie, PA 16501

**BLAKLEY, JUDITH A.,  
deceased**

Late of the Township of Union, County of Erie and Commonwealth of Pennsylvania  
*Administrator:* Richard J. Nuhfer, c/o 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508  
*Attorney:* Darlene M. Vlahos, Esquire, 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508

**BRYANT, PEGGY JOYCE,  
deceased**

Late of Wayne Township, Erie County, Pennsylvania  
*Executor:* Scott Haynes Bryant, c/o William E. Barney, Esq., 200 N. Center St., Corry, PA 16407  
*Attorney:* William E. Barney, Esq., 200 N. Center St., Corry, PA 16407

**LEVESQUE, MAURICE J.,  
deceased**

Late of Millcreek Township  
*Administrators:* John T. Levesque and Michelle R. Tefft, c/o 246 West 10th Street, Erie, PA 16501  
*Attorney:* Evan E. Adair, Esq., 246 West 10th Street, Erie, PA 16501

**MCCRAY, MARIE W.,  
deceased**

Late of the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania  
*Executor:* Carol A. McCray, 915 St. Clair Avenue, Erie, PA 16505  
*Attorney:* Gary K. Schonhaler, Esquire, The Conrad - F.A. Brevillier House, 502 Parade Street, Erie, PA 16507

**PARR, MILDRED,  
deceased**

Late of the Borough of Girard, County of Erie, State of Pennsylvania  
*Executrix:* Cynthia Ann Bowser, 125 Circle Drive, Girard, PA 16417  
*Attorney:* Grant M. Yochim, Esq., 24 Main St. E., PO Box 87, Girard, PA 16417

**RENNER, CARL NICHOLAS,  
deceased**

Late of the Township of Harborcreek, County of Erie, State of Pennsylvania  
*Administratrix:* Susan D. Bartlett, c/o 78 East Main Street, North East, PA 16428  
*Attorney:* John C. Brydon, Esq., Brydon Law Office, 78 East Main Street, North East, PA 16428

**ROUCH, JEFFREY D.,  
deceased**

Late of the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania  
*Administratrix:* Sally Rouch, c/o Norman A. Stark, Esq., Suite 300, 300 State Street, Erie, PA 16507  
*Attorneys:* Marsh, Spaeder, Baur, Spaeder & Schaaf, LLP, Suite 300, 300 State Street, Erie, PA 16507

**RUST, CHRISTOPHER G.,  
deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania  
*Administratrix:* Heidi L. Rust, c/o 900 State Street, Suite 104, Erie, PA 16501  
*Attorney:* Sumner E. Nichols, II, Esquire, Nichols & Myers, P.C., 900 State Street, Suite 104, Erie, PA 16501

**SPAMPANI, TITO J., JR.,  
deceased**

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania  
*Executor:* Robert J. Spampani, 1525 East Horizon Drive, Mukilteo, Washington 98275  
*Attorneys:* MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

**STEEN, SAMUEL D., a/k/a  
SANUEL STEEN,  
deceased**

Late of the City of Erie, Erie County, PA  
*Administratrix:* Audrey M. Steen, c/o 120 West 10th Street, Erie, PA 16501  
*Attorney:* Christine Hall McClure, Esquire, Knox McLaughlin Gornall & Sennett, P.C., 120 West 10th Street, Erie, PA 16501

**TAYLOR, CLIFFORD W.,  
deceased**

Late of the City of Erie  
*Executor:* Michael J. Taylor, c/o 246 West 10th Street, Erie, PA 16501  
*Attorney:* Evan E. Adair, Esq., 246 West 10th Street, Erie, PA 16501

**TERRY, SANDRA L., a/k/a  
SANDRA TERRY,  
deceased**

Late of the Township of Lawrence Park, County of Erie, Pennsylvania  
*Executrix:* Erin M. Terry, c/o 900 State Street, Suite 215, Erie, PA 16501  
*Attorney:* Gregory L. Heidt, Esquire, 900 State Street, Suite 215, Erie, PA 16501

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