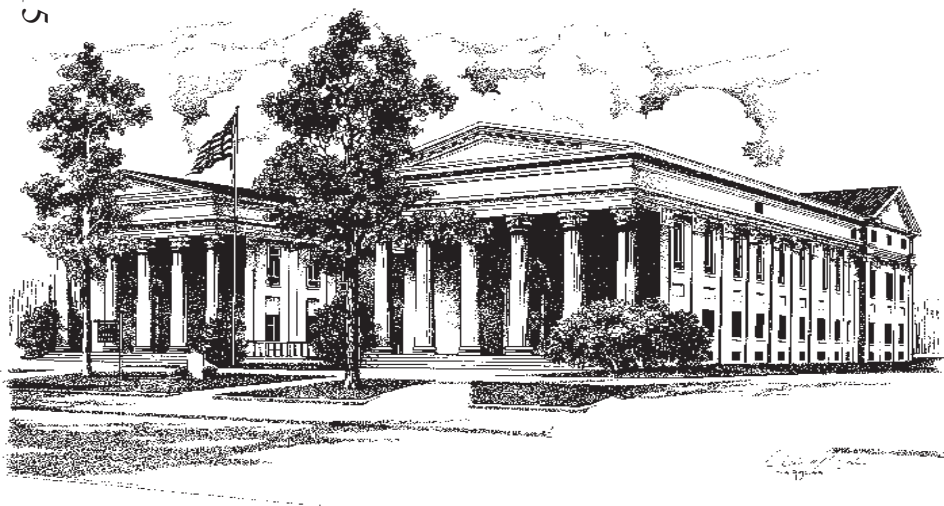


*Erie
County
Legal
Journal*

Vol. 98 No. 50

December 11, 2015



98 ERIE 88-94
Orris, now Bucksbee v. Orris

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.

All legal notices must be submitted in typewritten form and are published exactly as submitted by the advertiser. The Erie County Bar Association will not assume any responsibility to edit, make spelling corrections, eliminate errors in grammar or make any changes in content.

The *Erie County Legal Journal* makes no representation as to the quality of services offered by an advertiser in this publication. Advertisements in the *Erie County Legal Journal* do not constitute endorsements by the Erie County Bar Association of the parties placing the advertisements or of any product or service being advertised.

INDEX

IN MEMORIAM	4
NOTICE TO THE PROFESSION	5
OPINION	6
COURT OF COMMON PLEAS	
Change of Name Notice	14
Fictitious Name Notice	14
Legal Notices	14
ORPHANS' COURT	
Estate Notices	18
CHANGES IN CONTACT INFORMATION OF ECBA MEMBERS	22

ERIE COUNTY LEGAL JOURNAL (ISSN 0730-6393) is published every Friday for \$57 per year (\$1.50 single issues/\$5.00 special issues, i.e. Seated Tax Sales). Owned and published by the Erie County Bar Association (Copyright 2015©) 302 West 9th St., Erie, PA 16502 (814/459-3111). POSTMASTER: Send Address changes to THE ERIE COUNTY LEGAL JOURNAL, 302 West 9th St., Erie, PA 16502-1427.

Erie County Bar Association Calendar of Events and Seminars

WEDNESDAY, DECEMBER 16, 2015

ECBA Video Seminar (replay of the August 3 Live Seminar)

Medicare

Erie County Bar Association Headquarters

8:30 a.m. - 11:30 a.m. (registration - 8:00 a.m.)

\$135 (ECBA members/non-attorney staff) \$174 (nonmembers) \$90 (member judge not needing CLE)
3 hours substantive

FRIDAY, DECEMBER 18, 2015

Annual Holiday Dinner Party

Erie Art Museum

7:00 p.m. - 11:00 p.m.



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



Erie County Bar
Association



@eriepabar

2015 BOARD OF DIRECTORS ————— Richard A. Lanzillo, President

Melissa H. Shirey, First Vice President

Craig Murphey, Second Vice President

Edwin W. Smith, Past President

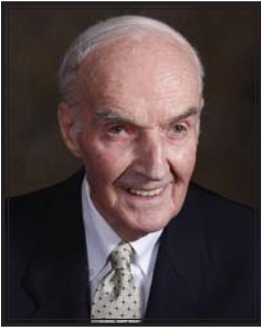
Valerie H. Kuntz, Treasurer

Steven E. George, Secretary

Lisa R. Ferrick
Tina M. Fryling
Erica L. Jenkins

John J. Mead
Thomas J. Minarcik
Michael G. Nelson
Eric J. Purchase

Christopher J. Sinnott
Gary V. Skiba
Mark T. Wassell



In Memoriam

M. Fletcher Gornall

March 25, 1923 - December 2, 2015

M. Fletcher Gornall, Esq., age 92, was born on March 25, 1923 in Erie, Pennsylvania to the late Merle F. and Madeline Kellie Gornall.

On September 11, 1943, while training as an Air Force Aviation Cadet in Union City, Tennessee, Fletcher and Elsie Offner were married. He was a graduate of East High, Gannon College, and in 1950, the Dickinson School of Law.

During World War II, he served in the United States Air Force as a single engine pilot and was discharged with the rank of First Lieutenant.

He was a lifelong member of the Erie County, Pennsylvania and American Bar Associations. He served as President of the Erie County Bar Association in 1970-71 and was elected its Chancellor in 1988. From 1981 to 1984, he served as a Zone Governor of the PBA, and for 20 years, as a member of its House of Delegates. In 1999, the Pennsylvania Bar honored him with its Gilbert A. Nurick Achievement Award for distinguished service to the bar and community. In 1980, he conceptualized and organized the Penn Attorneys Title Insurance Company for the benefit of the ECBA real estate lawyers. Instrumental in the planning and building of Methodist Towers at 160 West 8th Street in Erie, he served as its board president for many years. A life trustee of the Dickinson School of Law, he served for over a quarter of a century. In 1988, he was honored by its Alumni Association with its Distinguished Service Award.

Active throughout his life as a member of the First United Methodist Church in Erie, he served as chairman of its Board of Trustees, Administrative Board, Foundation and Schaufler Funds.

For 30 years, he served as a board member of the Union Bank and Trust Company, Northwest Bank and Mellon Bank North. He also served on the boards of the Parker White Metal Company and High Pressure Equipment Company.

In addition, he served on the boards of The Greater Erie YMCA, as both Board President and Chairman of its Board of Trustees, the Hamot Second Century Fund, the Erie Cemetery Association and the Sarah A. Reed Home.

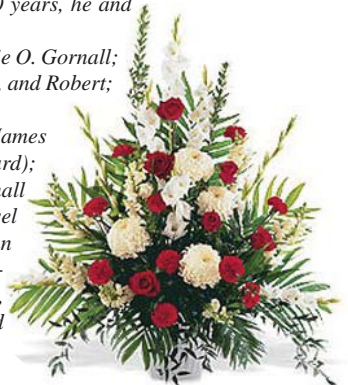
As a member of the Kakhwa Club, he served as its President, and was also a member of the Erie Yacht Club, the Erie Club and the Shrine Club.

From 1984, with his wife Elsie, he spent the winter months in Naples, Florida where he was a member of the Royal Poinciana Golf Club and the Beacon House Club. For 40 years, he and Elsie traveled extensively worldwide.

In addition to his parents, he was preceded in death by his wife, Elsie O. Gornall; an infant son, Douglas Wesley Gornall; and brothers, William, James, and Robert; and sister, Barbara Pierce Deutsch.

He is survived by his two sons, Jack M. Gornall (Sharon) and James F. Gornall (Georgeann); a daughter, Patricia A. VanTassel (Richard); nine grandchildren, Jennifer Gornall (Timothy Zieziula), Sally Gornall Dean (Jason), Andrew Gornall (Laura), Emily VanTassel, Jill VanTassel Revell (Scott), Leslie VanTassel and her fiancé Dennis Schmidt, John VanTassel (Nicole), René Gornall and Chad Gornall; and eight great-grandchildren, Jack and Elizabeth Rouch, Will, Rachel and Julia Dean, Jane Revell, Emelia Gornall, and Lyla VanTassel. He is also survived by a sister, Patricia Allen, and many nephews and nieces.

Burial was held in Erie Cemetery with full Military Honors.



OFFICE SPACE AVAILABLE - Office space available at 2525 W. 26th St. Amenities include receptionist services, three shared conference rooms, shared kitchen, ample parking, copiers, integrated telephone system. For more information call Purchase & George, P.C. at 833-7100.

Nov. 20, 27 and Dec. 4, 11

PUBLIC NOTICE FOR APPOINTMENT OF NEW MAGISTRATE JUDGE

The Judicial Conference of the United States has authorized the appointment of a full-time United States magistrate judge for the Western District of Pennsylvania at Erie, Pennsylvania to fill the anticipated vacancy that will be created when the Senate confirms President Obama's nomination of Magistrate Judge Susan Paradise Baxter to serve as a United States District Court Judge on this court. The essential function of courts is to dispense justice. An important component of this function is the creation and maintenance of diversity in the court system. A community's belief that a court dispenses justice is heightened when the court reflects the community's racial, ethnic, and gender diversity.

The duties of the position are demanding and wide-ranging: (1) conduct of most preliminary proceedings in criminal cases; (2) trial and disposition of misdemeanor cases; (3) conduct of various pretrial matters and evidentiary proceedings on delegation from a district judge; and (4) trial and disposition of civil cases upon consent of the litigants. The basic authority of a United States magistrate judge is specified in 28 U.S.C. § 636. The current annual salary of the position is \$185,012. The term of office is eight years.

Application forms and more information on the magistrate judge position in this court may be obtained from the clerk of the district court, Robert V. Barth, Jr., 3110 U.S. Courthouse, 700 Grant Street, Pittsburgh, PA 15219. The form is also available on the court's Internet website at www.pawd.uscourts.gov under "News & Announcements." Applications must be submitted only by applicants personally and **must be received by 4:00 p.m. on January 4, 2016** in any courthouse in the Western District of Pennsylvania by mail or in person and should be marked "**MJ Applicant-Confidential.**" All applications will be kept confidential, unless the applicant consents to disclosure, and all applications will be examined only by members of the merit selection panel and the judges of the district court. The panel's deliberations will remain confidential.

Dec. 11, 18

KATHLEEN K. ORRIS, now BUCKSBEE, Appellee

v.

PAUL E. ORRIS, Appellant

CIVIL PROCEDURE / MODIFICATION OF ORDERS

Generally, except as otherwise provided or prescribed by law, a trial court upon notice to the parties may modify or rescind any order within thirty (30) days after its entry, notwithstanding the prior termination of any term of court, if no appeal from such order has been taken or allowed.

FAMILY LAW / OPENING / MODIFYING DECREE OF DIVORCE

As it pertains to modifications to Final Divorce Decrees, a motion to open a decree of divorce or annulment may be made only within the period limited by 42 Pa. C. S. § 5505 (relating to modification of orders) and not thereafter.

FAMILY LAW / OPENING / MODIFYING DECREE OF DIVORCE

A Motion to Open or Vacate Divorce Decree may lie where it is alleged that the decree was procured by intrinsic fraud or that there is new evidence relating to the cause of action which will sustain the attack upon its validity. A Motion to Vacate a Decree or Strike a Judgment alleged to be void because of extrinsic fraud, lack of jurisdiction over the subject matter or a fatal defect apparent upon the face of the record must be made within five years after entry of the final decree. Intrinsic fraud relates to a matter adjudicated by the judgment, including perjury and false testimony, whereas extrinsic fraud relates to matters collateral to the judgment which have the consequence of precluding a fair hearing or presentation of one side of the case.

CIVIL PROCEDURE / MODIFICATION OF ORDERS

Although 42 Pa. C. S. §5505 gives a trial court broad discretion, a trial court may consider a request for reconsideration only if the motion is filed within thirty (30) days of the entry of the disputed Order.

FAMILY LAW / OPENING / MODIFYING DECREE OF DIVORCE

The Pennsylvania Superior Court has held that since 42 Pa. C. S. §5505 applies to divorce decrees, after the expiration of thirty (30) days, a trial court loses its broad discretion to modify, and the divorce decree can be opened or vacated only upon a showing of extrinsic fraud, lack of jurisdiction over the subject matter, a fatal defect apparent on the face of the record or some other evidence of extraordinary cause justifying intervention by a trial court.

FAMILY LAW / OPENING / MODIFYING DECREE OF DIVORCE

It is clear that a trial court may not modify a divorce decree if more than thirty (30) days have passed after the entry of the decree, in the absence of extrinsic fraud or other extraordinary causes.

FAMILY LAW / OPENING / MODIFYING DECREE OF DIVORCE

A motion to open a decree of divorce because of a mistake of fact must be made "within thirty days after entry of the decree and not thereafter."

FAMILY LAW / MISTAKE OF FACT

An averment that a mistake was made in evaluating marital property does not present an adequate reason for opening the divorce decree. Such a mistake is not equivalent to new evidence that will sustain an attack on the validity of the decree. Any other rule would

permit repeated assaults on divorce decrees whenever a party believed a marital asset had been improperly valued. As the trial court observed, the parties "entered into an equitable agreement with the advice of counsel and that it did not predict every eventuality is no basis for modification."

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY, PENNSYLVANIA
CIVIL DIVISION No. 14281 - 2009

APPEARANCES: Andrea G. L. Amicangelo, Esq., on behalf of Kathleen K. Bucksbee,
Appellee
Daniel P. Marnen, Esq., on behalf of Paul E. Orris, Appellant

OPINION

Domitrovich, J.,

April 27, 2015

This matter is currently before the Pennsylvania Superior Court on the appeal of Paul E. Orris (hereafter referred to as "Appellant") from this Trial Court's Memorandum Opinion and Order dated January 26th, 2015. In its Memorandum Opinion and Order dated January 26th, 2015, after consideration of oral argument held January 5th, 2015 and Memoranda of Law provided by the parties' counsel after oral argument and review of statutory and case law, this Trial Court dismissed Appellant's Motion for Special Relief Pursuant to Pa. R. Civ. P. 1920.43 and Request for Preliminary Injunction as this Trial Court concluded it did not have jurisdiction to open, modify or vacate the parties' Final Divorce Decree and Marital Settlement Agreement as more than thirty (30) days had passed since the entry of the Final Divorce Decree and Marital Settlement Agreement and Appellant did not definitively plead extrinsic fraud, lack of jurisdiction over the subject matter or a fatal defect apparent on the face of the record, pursuant to 42 Pa. C. S. §5505, which would have allowed this Trial Court to open, modify or vacate the parties' Final Divorce Decree and Marital Settlement Agreement.

A. Procedural History

Kathleen K. Orris, now Bucksbee (hereafter referred to as "Appellee") filed a Complaint for Divorce, which included one count of divorce pursuant to §3301(c) or (d) of the Pennsylvania Divorce Code and one count of equitable distribution, by and through her counsel, Joseph P. Conti, Esq., on September 22nd, 2009. A copy of Appellee's Complaint for Divorce was personally served on Appellant via hand delivery on September 25th, 2009, and an Affidavit of Service was filed on September 29th, 2009.

Appellee filed a Motion for Special Relief on October 14th, 2009. By Order of Court dated October 14th, 2009, Judge William R. Cunningham granted Appellee's Motion for Special Relief and prohibited Appellant from removing, transferring, selling, pledging, encumbering, withdrawing, dissipating or otherwise using assets, monies and benefits Appellant may have.

Appellee filed a Motion for Special Relief on May 26th, 2011. By Order of Court dated May 26th, 2011, this Trial Court granted Appellee's Motion for Special Relief and restrained Appellant from severing the timber from the land of the marital residence and selling the timber on the open market and authorized Scott W. Seibert, Certified Forester ACF, to enter upon the land of the marital residence for the purpose of conducting a timber appraisal on behalf of Appellee.

Appellee filed a Motion for Appointment of a Master on May 22nd, 2014. By Order of Court

dated May 23rd, 2014, Ralph R. Riehl III, Esq., was appointed as Divorce Master. Appellee filed her Income and Expenses statements and Inventory on June 20th, 2014. Appellant filed his Income and Expense Statement and Inventory and Appraisal on June 30th, 2014. A settlement conference took place on July 22nd, 2014, at which the parties entered into a mutually agreed-upon Marital Settlement Agreement. The Final Divorce Decree, including the incorporated Marital Settlement Agreement, was entered by Judge Elizabeth K. Kelly on August 6th, 2014.

On November 25th, 2014, Appellant, by and through his counsel, Daniel P. Marnen, Esq., filed a Motion for Special Relief Pursuant to Pa. R. Civ. P. 1920.43 and Request for Preliminary Injunction. Appellee filed her Answer/New Matter to Appellant's Motion for Special Relief Pursuant to Pa. R. Civ. P. 1920.43 and Request for Preliminary Injunction on December 1st, 2014. Appellant filed a Reply to Appellee's New Matter on December 12th, 2014. A hearing on Appellant's Motion for Special Relief Pursuant to Pa. R. Civ. P. 1920.43 and Request for Preliminary Injunction was held on January 5th, 2015, at which Appellee's counsel, Andrea G. L. Amicangelo, Esq., raised the issue of whether this Trial Court has jurisdiction to hear and exercise authority on Appellant's Motion for Special Relief Pursuant to Pa. R. Civ. P. 1920.43 and Request for Preliminary Injunction. By Order of Court dated January 5th, 2015, the parties' respective counsel filed Memoranda of Law regarding whether this Trial Court has jurisdiction to hear and exercise authority on Appellant's Motion for Special Relief Pursuant to Pa. R. Civ. P. 1920.43 and Request for Preliminary Injunction. After reviewing the parties' Memoranda of Law and relevant statutory and case law, this Trial Court entered its Memorandum Opinion and Order dismissing Appellant's Motion for Special Relief Pursuant to Pa. R. Civ. P. 1920.43 and Request for Preliminary Injunction as this Trial Court concluded it did not have jurisdiction to open, modify or vacate the parties' Final Divorce Decree and Marital Settlement Agreement.

Appellant filed his Notice of Appeal to the Pennsylvania Superior Court on February 25th, 2015, appealing this Trial Court's Memorandum Opinion and Order dated January 26th, 2015. This Trial Court filed its 1925(b) Order on February 26th, 2015. Appellant filed his Statement of Matters Complained of on Appeal on March 15th, 2015.

B. Issues Raised by Appellant

In his Statement of Matters Complained of on Appeal, Appellant raises one (1) issue: whether this Trial Court erred as a matter of law in dismissing Appellant's Motion for Special Relief Pursuant to Pa. R. Civ. P. 1920.43 and Request for Preliminary Injunction, pursuant to 42 Pa. C. S. §5505, where Appellant alleges "possible new evidence or proof of extraordinary circumstances due to a mistake of fact presented during the divorce settlement negotiations."

After a thorough review of relevant statutory and case law, this Trial Court finds Appellant's argument is without merit and will address said argument as follows:

- 1. This Trial Court properly dismissed Appellant's Motion for Special Relief Pursuant to Pa. R. Civ. P. 1920.43 and Request for Preliminary Injunction as this Trial Court concluded it did not have jurisdiction to open, modify or vacate the parties' Final Divorce Decree and Marital Settlement Agreement.**

Generally, except as otherwise provided or prescribed by law, a trial court upon notice to the parties may modify or rescind any order within thirty (30) days after its entry, notwithstanding

the prior termination of any term of court, if no appeal from such order has been taken or allowed. *See* 42 Pa. C. S. §5505. As it pertains to modifications to Final Divorce Decrees, a motion to open a decree of divorce or annulment may be made only within the period limited by 42 Pa. C. S. § 5505 (relating to modification of orders) and not thereafter. *See* 23 Pa. C. S. §3332. Furthermore,

The Motion to Open or Vacate Divorce Decree may lie where it is alleged that the decree was procured by intrinsic fraud or that there is new evidence relating to the cause of action which will sustain the attack upon its validity. A Motion to Vacate a Decree or Strike a Judgment alleged to be void because of extrinsic fraud, lack of jurisdiction over the subject matter or a fatal defect apparent upon the face of the record must be made within five years after entry of the final decree. Intrinsic fraud relates to a matter adjudicated by the judgment, including perjury and false testimony, whereas extrinsic fraud relates to matters collateral to the judgment which have the consequence of precluding a fair hearing or presentation of one side of the case.

See id. Although 42 Pa. C. S. §5505 gives a trial court broad discretion, a trial court may consider a request for reconsideration only if the motion is filed within thirty (30) days of the entry of the disputed Order. *Hayward v. Hayward*, 808 A.2d 232, 235 (Pa. Super. 2002).

The Pennsylvania Superior Court has held that since 42 Pa. C. S. §5505 applies to divorce decrees, after the expiration of thirty (30) days, a trial court loses its broad discretion to modify, and the divorce decree can be opened or vacated only upon a showing of extrinsic fraud, lack of jurisdiction over the subject matter, a fatal defect apparent on the face of the record or some other evidence of extraordinary cause justifying intervention by a trial court. *Egan v. Egan*, 759 A.2d 405, 407 (Pa. Super. 2000). Therefore, it is clear that a trial court may not modify a divorce decree if more than thirty (30) days have passed after the entry or the decree, in the absence of **extrinsic fraud** or **other extraordinary causes**. *See id.*

Appellant's Motion for Special Relief Pursuant to Pa. R. Civ. P. 1920.43 and Request for Preliminary Injunction concerns the value of several acres of timber on the parties' marital property. During the parties' divorce settlement negotiations before the Divorce Master, Ralph R. Riehl III, Esq., the timber was assessed an estimated value of \$130,000.00, based upon the walk-through appraisal of Scott W. Seibert, Certified Forester ACF. *See Letter to Appellee from Scott W. Seibert, C.F., dated June 20th, 2011.* The value of the timber, as estimated by Mr. Seibert and accepted by both parties, was incorporated into the parties' Marital Settlement Agreement, which in turn was incorporated into the parties' Final Divorce Decree, as follows:

There's presently timber on the property, and you have received through discovery an expert report as prepared by Scott Seibert, and that has been listed as having a marital value of \$130,000. The understanding is that [Appellee] will receive the value of that timber and that she will have the opportunity to do so by hiring Mr. Seibert or anyone else to make the arrangements necessary to market and to ultimately hire someone to clear it and sell it and receive the fee for it...

See Transcript of Settlement Conference, July 22, 2014, pg. 10, line 24 – pg. 11, line 9. In his Motion for Special Relief Pursuant to Pa. R. Civ. P. 1920.43 and Request for Preliminary

Injunction, Appellant alleges that, several months after the settlement conference before Divorce Master Ralph R. Riehl III, Esq., Appellant discovered the timber allegedly had a new value in excess of \$500,000.00, and further argued if Appellee was allowed to remove and sell the timber on the marital property, she would receive a windfall and, therefore, would allegedly be unjustly enriched in the amount of \$370,000.00.

However, Appellant did not plead extrinsic fraud or other extraordinary cause in his Motion for Special Relief Pursuant to Pa. R. Civ. P. 1920.43 and Request for Preliminary Injunction, nor did Appellant definitively raise extrinsic fraud or other extraordinary cause during the hearing on January 5th, 2015. There were no additional pleadings claiming fraud or misrepresentation on the part of Appellee or the timber appraiser, Scott W. Seibert, C.F., nor were there are no pleadings claiming other extraordinary causes resulting from the after-acquired information; rather, Appellant only conveys his “surprise” in discovering the current value of the timber and his displeasure with Appellee receiving more than he believed the parties had settled on prior to the entry of the Final Divorce Decree.

Furthermore, although Appellant’s counsel did argue some misrepresentations regarding the value of the timber at the January 5th, 2015 hearing, *see Transcript of Motion for Special Relief Hearing, January 5th, 2015, pg. 7, lines 16-23*; Appellant’s claim of mistake of fact or fraud fails for three significant reasons. First, Appellant had every opportunity to review and act upon the appraisal letter from Scott W. Seibert, C.F., as it was provided to Appellant. *See id., pg. 8, lines 2-3*. According to the appraisal letter, Scott W. Seibert, C.F., clearly stated he was only conducting a walk-through appraisal, taking into consideration total acreage of the marital property, concentration of timber in certain areas, and types of timber located within those concentrations, and ultimately concluded the value of the timber to be estimated at \$130,000.00. *See Letter to Appellee from Scott W. Seibert, C.F., dated June 20th, 2011*. Appellant and his counsel had the opportunity to inquire as to Mr. Seibert’s methodology in conducting the appraisal during the three (3) years Appellant had control of the marital property or employ his own appraisal expert in those three (3) years, yet failed to take either action. *See Transcript of Motion for Special Relief Hearing, pg. 16, lines 5-13*. Furthermore, the testimony provided at the January 5th, 2015 hearing indicated Appellant was in control of the marital property and had three (3) years prior to the settlement conference to acquire his own independent appraisal of the timber, and, again, Appellant failed to do so. *See id., pg. 8, lines 2-11; pg. 9, lines 3-9, 14-16; pg. 10, lines 8-12*. Finally, Appellant’s counsel wavered on the issue of fraud or mistake of fact after questioning by this Trial Court:

THE COURT: But what you would call [Mr. Seibert] for is for him to say things have changed? He didn’t lie, right, you’re all agreeing?

MR. MARNEN: I agree he didn’t lie.

THE COURT: He did not lie. He did not present any false reporting?

MR. MARNEN: No.

THE COURT: So you’re not saying he’s not competent.

MR. MARNEN: No, I’m not saying that.

THE COURT: And you’re not attacking his methodology in the sense that what he did was not what’s generally accepted before all foresters in regular appraising, because he is a certified forester.

MR. MARNEN: Well, the methodology might be under attack, Your Honor, because this appraisal – I don't know what a walk-through appraisal is.

THE COURT: So that's what this is all about. I'm just trying to figure out. It's all about the methodology, right?

MR. MARNEN: Yeah.

See id., pg. 25, line 25 – pg. 26, line 21. Therefore, there were no definitive pleadings of extrinsic fraud or other extraordinary circumstances in Appellant's Motion for Special Relief Pursuant to Pa. R. Civ. P. 1920.43 and Request for Preliminary Injunction or during the January 5th, 2015 hearing. In the absence of a definitive pleading of extrinsic fraud or other extraordinary circumstances, this Trial Court did not have jurisdiction to open, modify or vacate the parties' Final Divorce Decree and Marital Settlement Agreement and properly dismissed Appellant's Motion for Special Relief Pursuant to Pa. R. Civ. P. 1920.43 and Request for Preliminary Injunction.

The instant divorce action bears striking resemblance to the case of *Holteen v. Holteen*, 605 A.2d 1275 (Pa. Super. 1992). In *Holteen*, the parties agreed, as part of a Property Settlement Agreement, that Appellant husband would convey the parties' marital residence to Appellee wife. Appellee wife offered an appraisal value of the marital residence in the amount of \$150,000.00, while Appellant husband offered appraisals between \$117,500.00 and \$162,500.00. Six months after the entry of a Final Divorce Decree, Appellee wife sold the marital residence for \$300,000.00. Appellant husband filed a petition to open the decree on grounds that the agreement to convey the home to the wife was based on a mutual mistake of fact. Appellee wife filed a petition for summary judgment, which the trial court granted. Appellant husband appealed the trial court's grant of summary judgment. The Pennsylvania Superior Court affirmed the trial court's grant of summary judgment, stating a motion to open a decree of divorce because of a **mistake of fact** must be made "within thirty days after entry of the decree and not thereafter." *See id.* at 605 A.2d at 1276. The Superior Court also concluded the motion lacked any substantive merit, holding:

[The] averment that a mistake was made in evaluating the marital home does not present an adequate reason for opening the divorce decree. Such a mistake is not equivalent to new evidence that will sustain an attack on the validity of the decree. Any other rule would permit repeated assaults on divorce decrees whenever a party believed a marital asset had been improperly valued. As the trial court observed, the parties "entered into an equitable agreement with the advice of counsel and that it did not predict every eventuality is no basis for modification."

Id. In the instant divorce action, the parties, Kathleen K. Orris, now Bucksbee, and Paul E. Orris, entered into a Marital Settlement Agreement with the sound advice of counsel and in the presence of the Divorce Master Ralph R. Riehl III, Esq. At the time of the settlement conference, the parties relied upon the valuation of the timber as estimated by Scott W. Seibert, C.F. Appellant's current argument, i.e. a mistake of fact concerning the valuation of the timber that occurred during the settlement conference, does not provide an adequate reasoning for opening, modifying or vacating the parties' Final Divorce Decree and Marital Settlement Agreement, nor is it equivalent to new evidence that would allow this Trial Court to open, modify or vacate the parties' Final Divorce Decree and Marital Settlement

Agreement. *See id.* Finally, as stated in *Holteen*, a motion to open, modify or vacate a Final Divorce Decree based upon mutual mistake of fact must be presented within thirty (30) days of the entry of said divorce decree. *See id.* As the parties' Final Divorce Decree was entered on August 6th, 2014 and Appellant's Motion for Special Relief Pursuant to Pa. R. Civ. P. 1920.43 and Request for Preliminary Injunction was filed on November 25th, 2014, almost four (4) months after the entry of the Final Divorce Decree, said Motion was untimely and this Trial Court properly dismissed the Motion as this Trial Court lacked jurisdiction to hear or exercise authority on said Motion.

C. Conclusion

For the foregoing reasons, this Trial Court finds the instant Appeal is without merit.

Respectfully submitted by the Court:
/s/ Stephanie Domitrovich, Judge

The USI Affinity Insurance Program

We go beyond professional liability to offer a complete range of insurance solutions covering all of your needs.

USI Affinity's extensive experience and strong relationships with the country's most respected insurance companies give us the ability to design customized coverage at competitive prices.

- Lawyers Professional Liability
- Business Insurance
- Medical & Dental
- Life Insurance
- Disability Insurance



AFFINITY

www.usiaffinity.com

Call 1.800.327.1550 for your FREE quote.

Who's helping you build your financial future?

Wealth Management Advisor

John M. Bongiovanni
CFP®, CLU®, ChFC®
john.bongiovanni@nm.com



*Providing expert guidance for a
lifetime of financial security.*

100 State St., Ste 300
Erie, PA 16507-1452

814-455-2718
johnbongiovanni.com



Bishop & Company

Investment Management, LLC

Michael W. Bishop, CFA

814-314-0344

1250 Tower Lane, Suite 101, Erie, PA 16505

www.bishopinvestmentmanagement.com

Fee Only Registered Investment Advisor

MANAGING YOUR WEALTH WISELY

CHANGE OF NAME NOTICE

In the Court of Common Pleas of Erie County, Pennsylvania
Docket No.: 13405-15

In re: Nant Mercy San Htay Sann Htay and S Blessing Sann Htay, minor children

Notice is hereby given that a petition has been filed in the above named court, by Nant Moe Sanhtay, requesting an order to change the names of Nant Mercy San Htay Sann Htay and S Blessing Sann Htay to Nant Mercy Sanhtay and S Blessing Sanhtay, respectively.

The Court has fixed the 22nd day of January 2016, at 3:00 p.m. in Courtroom G, Room 222 of the Erie County Courthouse, 140 W. 6th Street, 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 petitioners should not be granted.

Dec. 11

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

1. Fictitious Name: Sanders Bookkeeping
2. Name and address of the principle place of business: 7920 Cole Spring Rd., Girard, PA 16417
3. Name and address of the person who is party to the registration: Cheryl Sanders, 7920 Cole Spring Rd., Girard, PA 16417
4. The Application for Registration of the Fictitious Name was filed in the Department of State of the Commonwealth of Pennsylvania on November 10, 2015.

Dec. 12

LEGAL NOTICE

COURT OF COMMON PLEAS
ERIE COUNTY
Number 11330-15
Urban Financial of America, LLC

v.

Bruce Edward Hetrick, Known Surviving Heir of Patricia R. Hetrick, Deceased Mortgageor and Real Owner,

Unknown Surviving Heirs of Patricia R. Hetrick, Deceased Mortgageor and Real Owner, Dawnne D. Foland, Known Surviving Heir of Patricia R. Hetrick, Deceased Mortgageor and Real Owner, and Brian D. Hetrick, Known Surviving Heir of Patricia R. Hetrick, Deceased Mortgageor and Real Owner

NOTICE OF SHERIFF'S SALE OF REAL PROPERTY

TO: Unknown Surviving Heirs of Patricia R. Hetrick, Deceased Mortgageor and Real Owner
Your house (real estate) at **6946 West Lake Road, Fairview, Pennsylvania 16415** is scheduled to be sold at Sheriff's Sale on **January 22, 2016 at 10:00 a.m.** in the County Counsel Chambers of the Erie County Courthouse, 140 West 6th Street, Erie, Pennsylvania 16501 to enforce the court judgment of \$79,627.11 obtained by Urban Financial of America, LLC against you.

NOTICE OF OWNER'S RIGHTS YOU MAY BE ABLE TO PREVENT THIS SHERIFF'S SALE

To prevent this Sheriff's Sale you must take immediate action:

1. The sale will be canceled if you pay to Urban Financial of America, LLC the back payments, late charges, costs, and reasonable attorney's fees due. To find out how much you must pay, you may call McCabe, Weisberg and Conway, P.C., Esquire at (215) 790-1010.
2. You may be able to stop the sale by filing a petition asking the Court to strike or open the judgment, if the judgment was improperly entered. You may also ask the Court to postpone the sale for good cause.
3. You may also be able to stop the sale through other legal proceedings.

You may need an attorney to assert your rights. The sooner you contact one, the more chance you will have of stopping the sale. (See the following

notice on how to obtain an attorney.)

YOU MAY STILL BE ABLE TO SAVE YOUR PROPERTY AND YOU HAVE OTHER RIGHTS' EVEN IF THE SHERIFF'S SALE DOES TAKE PLACE

1. If the Sheriff's Sale is not stopped, your property will be sold to the highest bidder. You may find out the price bid by calling McCabe, Weisberg and Conway, P.C., Esquire at (215) 790-1010.
 2. You may be able to petition the Court to set aside the sale if the bid price was grossly inadequate compared to the value of your property.
 3. The sale will go through only if the buyer pays the Sheriff the full amount due on the sale. To find out if this has happened, you may call McCabe, Weisberg and Conway, P.C. at (215) 790-1010.
 4. If the amount due from the buyer is not paid to the Sheriff, you will remain the owner of the property as if the sale never happened.
 5. You have a right to remain in the property until the full amount due is paid to the Sheriff and the Sheriff gives a deed to the buyer. At that time, the buyer may bring legal proceedings to evict you.
 6. You may be entitled to a share of the money which was paid for your real estate. A schedule of distribution of the money bid for your real estate will be filed by the Sheriff within thirty (30) days of the sale. This schedule will state who will be receiving that money. The money will be paid out in accordance with this schedule unless exceptions (reasons why the proposed schedule of distribution is wrong) are filed with the Sheriff within ten (10) days after the posting of the schedule of distribution.
 7. You may also have other rights and defenses, or ways of getting your real estate back, if you act immediately after the sale.
- 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 SERVICE
ASSOCIATION DE
LICENCIADOS
Lawyer Referral Service
PO Box 1792
Erie, Pennsylvania 16507
(814) 459-4411

McCabe, Weisberg & Conway, P.C.
Attorneys for Plaintiff
123 S. Broad St., Ste. 1400, Phila.,
PA 19109, 215-790-1010

Dec. 11

LEGAL NOTICE

ATTENTION: ZACK CLARK
INVOLUNTARY TERMINATION
OF PARENTAL RIGHTS
IN THE MATTER OF THE
ADOPTION OF MINOR MALE
CHILD T.A.K.A/K/A T.A.H
DOB: JANUARY 22, 2015
BORN TO: ISABELL MARIE
HARCLEROAD
73 IN ADOPTION 2015

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 Sambroak, Jr. Court Room No. 217-1, City of Erie on January 28, 2016, at 1:30 p.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.

Dec. 11

LEGAL NOTICE

ATTENTION: KEVIN PATRICK
DONIKOWSKI
INVOLUNTARY TERMINATION
OF PARENTAL RIGHTS
IN THE MATTER OF THE
ADOPTION OF MINOR MALE
CHILD D.M.D
DOB: MAY 9, 2011
MINOR FEMALE CHILD K.A.D.
DOB: MARCH 14, 2012
BORN TO: SALLY ANN
BLAYLOCK HELVESTON
54 & 54A IN ADOPTION 2015
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 J. Brabender, Jr., Court Room No. 220-F, City of Erie on January 7, 2016, 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.

Dec. 11

LEGAL NOTICE

ATTENTION: SALLY ANN BLAYLOCK HELVESTON INVOLUNTARY TERMINATION OF PARENTAL RIGHTS IN THE MATTER OF THE ADOPTION OF MINOR MALE CHILD D.M.D
 DOB: MAY 9, 2011
 MINOR FEMALE CHILD K.A.D.
 DOB: MARCH 14, 2012
 54 & 54A IN ADOPTION 2015

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 J. Brabender, Jr., Court Room No. 220-F, City of Erie on January 7, 2016, 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.

Dec. 11

LEGAL NOTICE

ATTENTION: FLOYD NELSON INVOLUNTARY TERMINATION OF PARENTAL RIGHTS IN THE MATTER OF THE ADOPTION OF MINOR MALE CHILD T.A.K A/K/A T.A.H
 DOB: JANUARY 22, 2015
 BORN TO: ISABELL MARIE HARCLEROAD
 73 IN ADOPTION 2015

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 Sambroak, Jr. Court Room No. 217-I, City of Erie on January 28, 2016, at 1:30 p.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.

Dec. 11



Hubbard-Bert provides a total array of employee benefit services including Group Health, Dental and Vision Plans, Individual Health, Group and Individual Life and Disability Insurance, Dental and Vision Claims Administration, Flexible Spending Plans, Payroll Life and Disability, 401(k) Plans, Retirement Planning Services and Corporate Owned Life Insurance (COLI)

HUBBARD-BERT, INC.

1250 Tower Lane
Erie, PA 16505
Phone: 814-453-3633
Fax: 814-461-9402
Toll Free: 800-777-2524
www.hubbardbert.net



Our Third-Party Administration company, BAI, provides complete management services for:

- Medical
- Dental
- Vision
- Customer Service
- Disability
- COBRA and Mini COBRA
- Large Claims Management
- Section 125 and 105 Plans

Dennis Lagan & Associates, Inc.

INVESTIGATORS AND CONSULTANTS

**NORTHWEST PENNSYLVANIA'S
PREMIER INVESTIGATIVE TEAM**

Over 100 years combined PSP, FBI and CIA experience

Dennis Lagan | Gerald Nichols
Jennifer Mazur
Mark Noce | David J. Peck

- ⊕ DOMESTIC, CIVIL, CRIMINAL
- ⊕ WRITTEN STATEMENTS
- ⊕ SURVEILLANCE
- ⊕ WIRETAP/"BUG" DETECTION
- ⊕ POLYGRAPH

814-455-7007
877-99-LAGAN
www.laganpi.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**CORNISH, REBECCA L.,
deceased**

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

Executor: Thomas S. Kubinski, 502 Parade Street, Erie, PA 16507
Attorney: Thomas S. Kubinski, Esq. 502 Parade Street, Erie, PA 16507

**KENNEDY, EVELYN J.,
deceased**

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

Executrix: Michele Myer-Knauer, c/o 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508
Attorney: Darlene M. Vlahos, Esquire, 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508

**McGEARY, HOPE A.,
deceased**

Late of the Township of Millcreek, Erie County, PA

Executor: Charles P. McGeary, c/o 120 West 10th Street, Erie, PA 16501
Attorney: Thomas C. Hoffman II, Esquire, Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**MUSGRAVE, JOYCE, a/k/a
JOYCE HILLIARD,
deceased**

Late of Erie, PA, Erie County
Executor: Aaron DeMatteis, c/o 3618 W. 12th Street, Erie, PA 16505
Attorney: None

**PAGE, KENNETH W., a/k/a
KENNETH PAGE,
deceased**

Late of the Township of North East, Erie County, PA
Executrix: Sharon L. Chesley, c/o 120 West 10th Street, Erie, PA 16501
Attorney: Christine Hall McClure, Esquire, Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**RIDGWAY, HOPE D.,
deceased**

Late of the City of Erie, Commonwealth of Pennsylvania
Co-Executors: Patricia R. Luffe and John C. Ridgway, Jr., c/o Joseph B. Spero, Esquire, 3213 West 26th Street, Erie, Pennsylvania 16506
Attorney: Joseph B. Spero, Esquire, 3213 West 26th Street, Erie, Pennsylvania 16506

**ROPSKI, IRENE S., a/k/a
IRENE STEFANIA ROPSKI,
a/k/a IRENE M. ROPSKI,
a/k/a IRENE ROPSKI,
deceased**

Late of the City of Erie, County of Erie, State of Pennsylvania
Executor: Steven J. Ropski, 4411 Perkins Street, Erie, PA 16509
Attorney: James R. Steadman, Esq., 24 Main St. E., PO Box 87, Girard, PA 16417

**SMITH, M. IRENE,
deceased**

Late of Millcreek Township, Erie County, Pennsylvania
Executor: Dennis W. Smith, 2152 North Manor Drive, Erie, PA 16505
Attorney: Christine Hall McClure, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

SECOND PUBLICATION**BAMBAUER, TRESSA M.,
deceased**

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

**BRZOWSKI, DENNIS M.,
deceased**

Late of the City of Erie, County of Erie
Executor: Joseph M. Bolash, Jr., 912 McConnell Avenue, Erie, Pennsylvania 16505
Attorney: Kari A. Froess, Esquire, Carney & Good, 254 West Sixth Street, Erie, Pennsylvania 16507

**CIRINO, GEORGE E.,
deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania
Administrator: PA Soldiers' & Sailors' Home, c/o Stephen J. Bushinski, Esquire
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

**CONLEY, THERESA N., a/k/a
THERESA CONLEY,
deceased**

Late of the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania
Executor: Daniel Conley, c/o Yochim, Skiba & Nash, 345 West Sixth Street, Erie, PA 16507
Attorney: Gary H. Nash, Esq., Yochim, Skiba & Nash, 345 West Sixth Street, Erie, PA 16507

**DOYLE, MARY ANN,
deceased**

Late of the Borough of North East, County of Erie, State of Pennsylvania
Administrator: Gregory A. Doyle, 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

**ESPOSITO, DOMINICK F., SR.,
a/k/a DOMINICK F. ESPOSITO,
deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania
Executor: Dominick F. Esposito, Jr., c/o 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508
Attorney: Darlene M. Vlahos, Esquire, 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508

**FILER, KENT T.,
deceased**

Late of the City of Erie, County of Erie and State of Pennsylvania
Executor: Carol L. Wiercinski, c/o Denis W. Krill, P.C., 309 French Street, Erie, Pennsylvania 16507
Attorney: Denis W. Krill, Esquire, 309 French Street, Erie, Pennsylvania 16507

**MUCK, WILLIAM F.,
deceased**

Late of the Township of Fairview, County of Erie, Commonwealth of Pennsylvania
Executor: Margaret J. Muck, 6120 Bridlewood Drive, Fairview, PA 16415
Attorneys: MacDonald, Illig, Jones & Britton, LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

**PAKELA, THOMAS E.,
deceased**

Late of the City of Erie
Executor: Joyce M. Edwards, c/o 246 West 10th Street, Erie, PA 16501
Attorney: Evan E. Adair, Esq., 246 West 10th Street, Erie, PA 16501

**POST, VENNETTE, a/k/a
VENETTE POST
deceased**

Late of the City of Erie, County of Erie, Commonwealth of Pennsylvania
Executrix: Paula Demeter, c/o Sterrett Mott Breski & Shimek, 345 West 6th Street, Erie, PA 16507
Attorney: John J. Shimek, III, Esq., Sterrett Mott Breski & Shimek, 345 West 6th Street, Erie, PA 16507

**SCALZITTI, THOMAS J.,
deceased**

Late of the County of Erie, Commonwealth of Pennsylvania
Administrator: Thomas J. Scalzitti, 228 Irwin Avenue, Apartment 3, Pittsburgh, PA 15205
Attorney: Thomas S. Talarico, Esquire, Talarico & Niebauer, 510 Cranberry Street, Suite 301, Erie, PA 16507

THIRD PUBLICATION

**ENGELLEITER, PATRICIA M.,
deceased**

Late of the City of Erie, County of Erie and State of Pennsylvania
Executrix: Valerie Engelleiter, 132 Moorehead Street, Erie, Pennsylvania 16508
Attorney: John M. Bartlett, Esq., Vendetti & Vendetti, 3820 Liberty Street, Erie, PA 16509

**GLEICHSNER, JEAN G., a/k/a
JEAN GLADYS GLEICHSNER,
deceased**

Late of the Township of Harborcreek, Erie County, Pennsylvania
Executor: Richard E. Gleichsner, c/o Raymond A. Pagliari, Esq., 510 Cranberry St., Suite 301, Erie, Pennsylvania 16507
Attorney: Raymond A. Pagliari, Esq., 510 Cranberry St., Suite 301, Erie, Pennsylvania 16507

**JEWELL, CHARLES A., SR.,
deceased**

Late of the City of Corry, Erie County, Pennsylvania
Administrator: Steven L. Jewell, 238 Mound St., Corry, PA 16407
Attorney: William A. Barney, Esq., 200 North Center Street, Corry, Pennsylvania 16407

**JOHNSTON, JOAN M., a/k/a
LYNNE COTTRELL,
deceased**

Late of the City of Erie, County of Erie, Commonwealth of Pennsylvania
Administrator: Arthur D. Martinucci, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Boulevard, Erie, PA 16506-4508
Attorney: Colleen R. Stumpf, Esq., Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Boulevard, Erie, PA 16506-4508

**LEEHAN, THOMAS E.,
deceased**

Late of the Borough of Albion, County of Erie, Commonwealth of Pennsylvania
Administrator: Patrick T. Leehan, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Boulevard, Erie, PA 16506-4508
Attorney: Colleen R. Stumpf, Esq., Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Boulevard, Erie, PA 16506-4508

**LEEHAN, WILLIAM T., a/k/a
WILLIAM T. LEEHAN, SR., a/k/a
WILLIAM TERRANCE
LEEHAN,
deceased**

Late of the Township of Washington, County of Erie and State of Pennsylvania
Executor: William J. Leehan, c/o David R. Devine, Esq., 201 Erie Street, Edinboro, PA 16412
Attorney: David R. Devine, Esq., 201 Erie Street, Edinboro, PA 16412

**McBRIDE, MARGARET, a/k/a
MARGARET G. McBRIDE,
deceased**

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

Executor: Richard McBride, 423 E. 22nd Street, Erie, PA 16503

Attorney: Thomas S. Kubinski, Esquire, The Conrad - F.A. Brevillier House, 502 Parade Street, Erie, PA 16507

**MICHALAK, MARION E.,
deceased**

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

Executor: Henry J. Michalak, c/o 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508

Attorney: Vlahos Law Firm, P.C., 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508

**RESKE, BERNARD R.,
deceased**

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

Executor: Michael B. Reske, 5596 Northview Drive, Erie, PA 16511-1549

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

**ROSSMAN, CINDY J.,
deceased**

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

Administrator: Ronald Lester, c/o David M. Keck, Esq., PO Box 399, Fairview, PA 16415

Attorney: David M. Keck, Esq., PO Box 399, Fairview, PA 16415

**WIECZOREK, ANTHONY D.,
deceased**

Late of the City of Erie, Commonwealth of Pennsylvania
Executrix: Anna M. Wieczorek, c/o James J. Bruno, Esquire, 3820 Liberty Street, Erie, Pennsylvania 16509

Attorney: James J. Bruno, Esq., Vendetti & Vendetti, 3820 Liberty Street, Erie, PA 16509

**WITKOWSKI, CHESTER P.,
deceased**

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

Co-Administrators: Mark Witkowski and Rev. Joseph V. Wardanski, c/o 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508

Attorney: Vlahos Law Firm, P.C., 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508



Is new *technology* a blur to you?

**...CMIT WILL HELP BRING IT ALL INTO
FOCUS FOR YOUR BUSINESS.**

- Preventative maintenance and monitoring programs
- Data backup and business continuity services
- Help Desk and troubleshooting services
- Network design and administration
- Anti-spam and email archiving
- Consulting services

*Proud to be a local woman-owned business
serving clients in the Erie area.*

cmIT Solutions[®]
Your Technology Team

814.806.2637 | www.cmitsolutions.com/erie

Your financial world is changing...

Good thing you have choices.

N NORTHWEST

20 offices to serve you in Erie County

Northwest Direct: 1-877-672-5678 • www.northwest.com

Member FDIC

CHANGES IN CONTACT INFORMATION OF ECBA MEMBERS

BRIAN P. HENNESSY ----- 814-520-6754
Blakely and Blakely ----- (f) (814) 923-4129
2701 Evanston Avenue, Suite 100
Erie, PA 16506 ----- *bhennessy@blakelyandblakely.com*

NEW EMAIL ADDRESS

ALL COUNTY EMPLOYEES (ATTORNEYS AND NON-ATTORNEYS) email addresses have changed. The domain name is now ----- *eriecountypa.gov*

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

Have you made your tax deductible contribution yet?

If not, you can find information about the scholarship and make an online contribution at www.eriebar.com or contact the ECBF at 459-3111.

INTERESTED IN JOINING THE ERIE COUNTY BAR ASSOCIATION?

GO TO OUR WEBSITE AT WWW.ERIEBAR.COM AND COMPLETE THE ONLINE APPLICATION OR CALL (814) 459-3111 AND AN APPLICATION WILL BE MAILED TO YOU

ADDRESS CHANGE?

PLEASE CONTACT THE LEGAL JOURNAL OFFICE AT (814) 459-3111
OR ADMIN@ERIEBAR.COM. THANK YOU.

LOOKING FOR A LEGAL AD PUBLISHED IN ONE OF PENNSYLVANIA'S LEGAL JOURNALS?

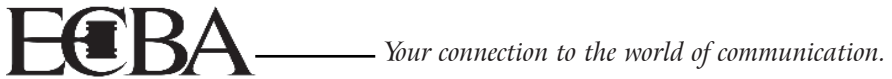


- ▶ Look for this logo on the Erie County Bar Association website as well as Bar Association and Legal Journal websites across the state.
- ▶ It will take you to THE website for locating legal ads published in counties throughout Pennsylvania, a service of the Conference of County Legal Journals.

LOGIN DIRECTLY AT WWW.PALEGALADS.ORG. IT'S EASY. IT'S FREE.

Erie County Bar Association

Videoconferencing Services



WHAT IS VIDEOCONFERENCING?

Videoconferencing, sometimes called teleconferencing, brings together people at different locations around the country and around the world. Our videoconferencing site can connect with one location or with multiple locations, providing an instantaneous connection to facilitate meetings, interviews, depositions and much more.

WHY USE VIDEOCONFERENCING?

Business can be conducted without the expense and inconvenience of travel, overnight accommodations and time out of the office.

WHAT ARE SOME OF THE COMMON USES OF VIDEOCONFERENCING?

Depositions, employment interviews, seminars, training sessions - the list of possibilities is endless.

I'M NOT FAMILIAR WITH VIDEOCONFERENCING.

CAN I SEE HOW IT WORKS?

Certainly. Call us for a free demonstration.

HOW DO I SCHEDULE THE USE OF THE ECBA'S VIDEOCONFERENCING SERVICES?

It's very easy. Just call the ECBA at 814-459-3111 or email sbsmith@eriebar.com. We will check availability of our space and handle all of the details for you, including locating convenient sites in the other location(s) you wish to connect with - all included in our hourly rate.

WHAT DOES IT COST?

RATES:

Non-ECBA Members:

\$185/hour - M-F, 8:30 a.m. - 5:00 p.m.

\$235/hour - M-F, All other times; weekends

ECBA Members:

\$150/hour - M-F, 8:30 a.m. - 5:00 p.m.

\$200/hour - M-F, all other times, weekends



We provide Financial Balance.

Our Commercial Bankers are experienced, dedicated, and committed to providing exceptional service. Working in partnership with legal professionals, we provide financial insight and flexible solutions to fulfill your needs and the needs of your clients.

ERIEBANK offers an array of financial products and services. We pride ourselves on consistent customer satisfaction and are driven by the relationships we continually build. Contact us today, to learn more.

ERIEBANK[®]
A division of CNB Bank

The way banking should be.

Commercial Banking Division

Main Office • 2035 Edinboro Road • Erie, PA 16509

Phone (814) 868-7523 • Fax (814) 868-7524

www.ERIEBANK.net

MEMBER
FDIC



World Class Service for World Class Clients

Schaffner & Knight Minnaugh Company, P.C.

 McGladrey

Erie Headquarters
1545 West 38th Street
Erie, PA 16509
814-454-1997
www.skmco.com

Erie's largest locally owned CPA firm specializing in providing services to privately held, for-profit, owner-operated businesses

- * Accounting & Auditing
- * Tax Consulting
- * Estate & Succession Planning
- * Business Consulting
- * Business Valuation
- * Litigation Support
- * Small Business Services

Jamestown Office
716-483-0071

Warren Office
814-728-8509