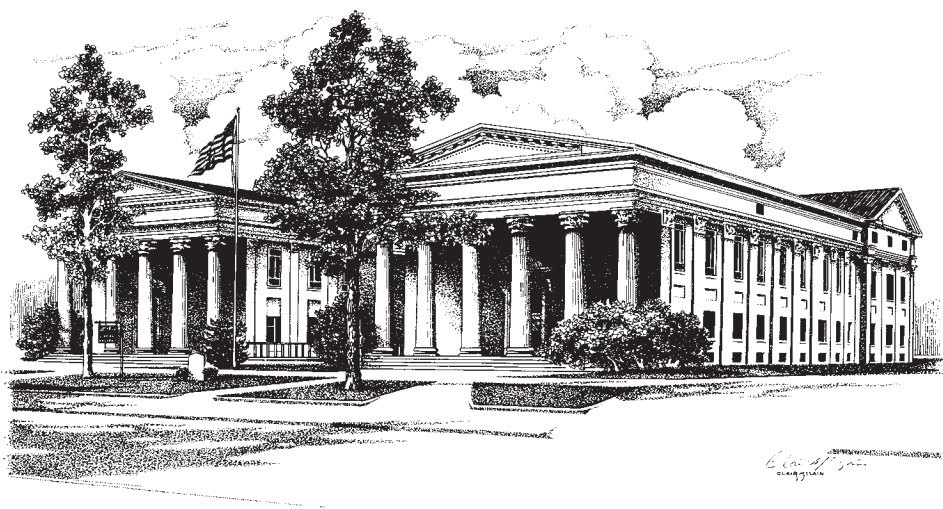


Erie
County
Legal
Journal

June 22, 2018

Vol. 101 No. 25



101 ERIE 77 - 82
Katz v. Grazioli

Erie County Legal Journal

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

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Erie County Bar Association Calendar of Events and Seminars

MONDAY, JUNE 25, 2018

ECBA Board of Directors Meeting
4:00 p.m.
ECBA Headquarters

TUESDAY, JUNE 26, 2018

ECBA Live Seminar
*Powers of Attorney: Review the Recent Cases
(2014 to the present)*
The Will J. & Mary B. Schaaf Education Center
12:15 p.m. - 1:15 p.m.
(11:45 a.m. registration/lunch)
\$47 (ECBA members/their non-attorney staff)
\$60 (non-members)
1 hour substantive CLE/CJE credit

WEDNESDAY, JUNE 27, 2018

Women's Division Leadership Committee Meeting
Noon
ECBA Headquarters

THURSDAY, JUNE 28, 2018

Criminal Defense Meeting
4 p.m.
ECBA Headquarters

WEDNESDAY, JULY 4, 2018

Fourth of July Holiday
ECBA Office Closed
Erie County and Federal Courthouses Closed

TUESDAY, JULY 10, 2018

ECBA Lunch-n-Learn Seminar
Sorting Out SORNA
The Will J. Schaaf & Mary B. Schaaf Education Center
12:15 p.m. - 1:15 p.m.
(11:30 a.m. registration/lunch)
\$47 (ECBA members/their non-attorney staff)
\$60 (non-members)
1 hour substantive CLE/CJE credit



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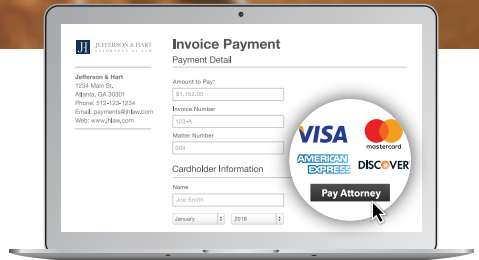
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**DENISE KATZ, Individually and as Administratrix
of the Estate of AMANDA GRAZIOLI, Plaintiffs**

v.

JOHN GRAZIOLI, Defendant

EVIDENCE / PRIVILEGES / SELF-INCRIMINATION

The Fifth Amendment of the United States Constitution and Article I, Section 9 of the Pennsylvania Constitution protects an individual against self-incrimination. In particular, the privilege protects an individual from testifying against himself in both criminal and civil proceedings where responses to questions could incriminate the individual in future criminal proceedings.

EVIDENCE / PRIVILEGES / SELF-INCRIMINATION

The privilege against self-incrimination may only be asserted where the witness is being asked to testify to self-incriminating facts or when a witness is asked a question which requires an incriminating answer.

CIVIL PROCEDURE / STAY OF PROCEEDINGS

The federal Constitution does not require a stay of a civil proceeding pending the outcome of a related criminal case.

CIVIL PROCEDURE / STAY OF PROCEEDINGS

A trial court has broad discretion to stay a proceeding or place a matter in abeyance where the interests of justice require such an action as trial courts possess the inherent power to stay a case during the pendency of another matter.

CIVIL PROCEDURE / STAY OF PROCEEDINGS

In determining whether a stay of proceedings pending the resolution of a related criminal case is appropriate, trial courts apply six factors, including: (1) the extent to which the issues in the civil and criminal cases overlap; (2) the status of the criminal proceedings, including whether any defendants have been indicted; (3) the plaintiff's interests in expeditious civil proceedings weighed against the prejudice to the plaintiff caused by the delay; (4) the burden on the defendants; (5) the interests of the court; and (6) the public interest.

CIVIL PROCEDURE / STAY OF PROCEEDINGS

Simultaneous criminal and civil cases involving the same or closely related facts may give rise to Fifth Amendment concerns sufficient to warrant a stay of the civil proceedings.

CIVIL PROCEDURE / STAY OF PROCEEDINGS

A court is most likely to grant a stay of civil proceedings where formal criminal charges have been levied against the defendant since the potential for self-incrimination is the greatest at this stage. On the other hand, because the risk of self-incrimination is reduced before formal charges are brought against a defendant, and because of the uncertainty surrounding when, if ever, criminal charges will be issued, as well as the effect of the delay on the civil trial, requests for a stay before criminal charges are levied are typically denied.

CIVIL PROCEDURE / STAY OF PROCEEDINGS

While placing a defendant in a position where he must choose between waiving his Fifth Amendment right during the civil proceeding or asserting his Fifth Amendment privilege and risking an adverse judgment against him is not unconstitutional, a trial court may consider such a conflict in deciding whether to stay a civil case.

CIVIL PROCEDURE / STAY OF PROCEEDINGS

Resolution of a parallel criminal case can encourage settlement in the civil proceeding or at least eliminate the necessity of litigating certain issues, thereby promoting judicial economy.

CIVIL PROCEDURE / STAY OF PROCEEDINGS

While a civil litigant with a private dispute has an interest in the prompt disposition of his civil claims, the public has a greater interest in the enforcement of the criminal law.

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY, PENNSYLVANIA
CIVIL DIVISION
NO. 10717 – 2018

Appearances: Paul D. Svirbel, Esq., Thomas A. McDonnell, Esq., Patrick W. Kelley, Esq., & Brian D. Arrowsmith, Esq., for Defendant John Grazioli
Christopher J. Sinnott, Esq., & Adam S. Barrist, Esq., for Plaintiffs

OPINION

Domitrovich, J.

June 7, 2018

The matter before this Trial Court is the Motion for Stay of Civil Proceedings filed by Defendant John Grazioli (“Defendant”), wherein Defendant requests this Trial Court stay this civil proceeding until Defendant’s parallel criminal case has concluded. Thus, the issue is whether this Trial Court should exercise its discretion in staying the instant civil proceeding until the Defendant’s criminal trial has concluded. This Trial Court provides the following analysis:

On March 8, 2018, Defendant allegedly shot and killed his wife Amanda Grazioli at their home located at 5843 Forest Crossing in Millcreek Township. On the same day, March 8, 2018, the Millcreek Police Department filed a Police Criminal Complaint against Defendant. On May 29, 2018, the District Attorney’s office filed a Criminal Information at Docket No. 1341 of 2018, charging Defendant with Criminal Homicide/Murder, Aggravated Assault, Recklessly Endangering Another Person, Possessing Instruments of a Crime, and Firearms Not to be Carried Without a License. As of the date of this Opinion, Defendant has been formally arraigned before the Honorable Daniel J. Brabender, Jr. Also, pursuant to Judge Brabender’s Order dated May 30, 2018, jury selection and the trial for *Commonwealth v. John P. Grazioli* at Docket No. 1341 of 2018 are scheduled to commence on October 15, 2018.

On March 19, 2018, Plaintiff Denise Kaz, individually and as Administratrix of the Estate of Amanda Grazioli (collectively “Plaintiff”), through her counsel, filed a Civil Complaint against Defendant wherein Plaintiff asserted multiple claims, including two counts of negligence, wrongful death, one cause of action under the Survival Act, 42 Pa.C.S. § 8302, and battery. Before filing an Answer to Plaintiff’s Civil Complaint, Defendant’s counsel filed the instant Motion for Stay of Civil Proceedings. By Order dated April 25, 2018, this Trial Court issued a Rule to Show Cause, and on June 5, 2018, Argument was held before the undersigned judge. At said proceeding, Christopher J. Sinnott, Esq., appeared on behalf of Plaintiff. In addition, Paul D. Svirbel, Esq., and Patrick W. Kelley, Esq., appeared as

Defendant's counsel for the instant civil proceeding, and Brian D. Arrowsmith, Esq., appeared to represent Defendant's interests regarding Defendant's criminal case at Docket No. 1341 of 2018. Defendant's counsel contend this instant civil proceeding should be stayed until the conclusion of Defendant's criminal case since Defendant's participation in discovery in this civil proceeding entails admissions or denials that can irreparably impact Defendant's ongoing criminal case and violate his Fifth Amendment right against self-incrimination.

The Fifth Amendment of the United States Constitution and Article I, Section 9 of the Pennsylvania Constitution protects an individual against self-incrimination. In particular, "[t]he privilege against self-incrimination protects an individual from being called as a witness against himself or herself in both criminal and civil proceedings, formal or informal, where the answers to questions might incriminate the individual in future criminal proceedings." *McDonough v. Commonwealth, Bureau of Driver Licensing*, 618 A.2d 1258, 1260–61 (Pa. Cmwlth. 1992) (citing *Caloric Corporation v. Unemployment Compensation Board of Review*, 452 A.2d 907 (Pa. Cmwlth. 1982)). However, the privilege against self-incrimination may only be asserted where the witness is being asked to testify to self-incriminating facts or when a witness is asked a question which requires an incriminating answer. *Commonwealth, Dep't of Transp., Bureau of Driver Licensing v. Vogt*, 535 A.2d 750, 753 (Pa. Cmwlth. 1988). Furthermore, the witness has the burden of demonstrating that he has a reasonable ground for asserting the privilege. *Id.*

Importantly, the United States Constitution does not require a stay of civil proceedings pending the outcome of related criminal proceedings. *Arden Way Associates v. Boesky*, 660 F.Supp. 1494 (S.D.N.Y.1987); *see also Paine, Webber, Jackson & Curtis Incorporated v. Malon S. Andrus*, 486 F.Supp. 1118 (S.D.N.Y.1980). Nevertheless, a trial court has broad discretion to stay a proceeding or place a matter in abeyance where the interests of justice require such an action as trial courts possess the inherent power to stay a case during the pendency of another matter. *In re Estate of Hartman*, 582 A.2d 648, 653 (Pa. Super. 1990); *In re Penn-Delco Sch. Dist.*, 903 A.2d 600, 606 (Pa.Cmwlth. 2006).

Although not binding upon this Trial Court, other Pennsylvania state courts have applied the factors adopted by the federal district courts of Pennsylvania in determining whether a stay of proceedings pending the resolution of a related criminal case is appropriate. In particular, trial courts apply six factors, including: "(1) the extent to which the issues in the civil and criminal cases overlap; (2) the status of the criminal proceedings, including whether any defendants have been indicted; (3) the plaintiff's interests in expeditious civil proceedings weighed against the prejudice to the plaintiff caused by the delay; (4) the burden on the defendants; (5) the interests of the court; and (6) the public interest." *In re Adelphia Commc'ns Securities Litig.*, 02-1781, 2003 WL 22358819, at *3 (E.D. Pa. May 13, 2003); *see also Spanier v. Freeh*, 95 A.3d 342, 345 (Pa. Super. 2014) (noting the trial court applied the above six factors adopted by the Eastern District of Pennsylvania); *Anderson v. Scott*, 2011 WL 10795429 (Lawrence C.P.P., Sept. 15, 2011) (applying the same six factors). When applying these factors, "[a] trial court must carefully balance the interests of the party claiming protection against self-incrimination and the adversary's entitlement to equitable treatment." *S.E.C. v. Graystone Nash, Inc.*, 25 F.3d 187, 192 (3d Cir. 1994); *see also Spanier v. Freeh*, 2014 WL 6389500 (Centre C.P.P, Feb. 25, 2014). "Because the privilege is constitutionally based, the detriment to the party asserting it should be no more than is necessary to prevent

unfair and unnecessary prejudice to the other side.” *Id.*

First, this Trial Court must consider the extent to which the issues in the instant civil and criminal cases overlap. “[S]imultaneous criminal and civil cases involving the same or closely related facts may give rise to Fifth Amendment concerns sufficient to warrant a stay of the civil proceedings.” *Coley v. Lucas Cty., Ohio*, 3:09 CV 0008, 2011 WL 5838190, at *2 (N.D. Ohio Nov. 18, 2011). In the instant civil proceeding, Plaintiff’s claims for negligence, wrongful death, survivorship, and battery asserted in Plaintiff’s Civil Complaint are based on facts identical to those facts upon which the criminal charges against Defendant in the Criminal Information are based. Indeed, both this civil proceeding and Defendant’s criminal case arise from the same alleged event. Specifically, Plaintiff’s Civil Complaint alleges that “[o]n or about March 8, 2018, Defendant murdered Ms. Grazioli via a gunshot to the head.” (See Complaint at ¶ 5). Similarly, the Criminal Information alleges that “on or about March 8, 2018 . . . did cause the death of Amanda Grazioli by inflicting a single gun shot wound to the head of the victim.” (See Criminal Information). The language of Plaintiff’s Civil Complaint is almost verbatim the same language from the Criminal Information, and as such, any evidence offered against Defendant in this civil proceeding would undoubtedly be relevant in the criminal case against Defendant. Thus, this factor weighs in favor of granting a stay of this civil proceeding.

Second, this Trial Court must consider the current status of the criminal case against Defendant, including whether Defendant has been indicted. The Eastern District of Pennsylvania has stated that “[a] court is most likely to grant a stay of civil proceedings where an indictment has been returned [since the] potential for self-incrimination is the greatest at this stage. . . . Conversely, because the risk of self-incrimination is reduced at the pre-indictment stage, and because of the uncertainty surrounding when, if ever, indictments will be issued, as well as the effect of the delay on the civil trial, pre-indictment requests for a stay are typically denied.” *State Farm Mut. Auto. Ins. Co. v. Beckham-Easley, CIV.A.* 01-5530, 2002 WL 3111766, at *2 (E.D. Pa. Sept. 18, 2002). In Defendant’s criminal case, Defendant has already been arraigned before the Honorable Daniel J. Brabender, Jr., and by Judge Brabender’s Order dated May 30, 2018, jury selection and the trial for Defendant’s criminal case are scheduled to begin on the firm date of October 15, 2018. However, counsel for Defendant notes the District Attorney’s Office of Erie County has yet to provide discovery to-date. Thus, Defendant’s criminal case has passed the “pre-indictment stage” since formal criminal charges have been levied against Defendant by the District Attorney’s Office of Erie County by the filing of a Criminal Information. Moreover, as counsel for Defendant has indicated, Defendant’s criminal case will likely be resolved sometime in late-October or early-November of 2018, approximately five months from the date of this Opinion. A stay of this civil proceeding pending resolution of Defendant’s criminal case therefore imposes minimal delay of the instant civil proceeding to-date. Thus, this factor also weighs in favor of granting a stay of this civil proceeding.

Third, this Trial Court must weigh Plaintiff’s desires to proceed forward with this civil matter as expeditiously as possible against the prejudice to the plaintiff caused by a stay of this civil proceeding. In this case, as noted above, Defendant’s criminal trial is imminent as the trial is scheduled to commence on October 15, 2018. Pennsylvania Rule of Criminal Procedure 600 places limitations on the timing of criminal trials. As such, resolution of Defendant’s criminal case likely obviates Plaintiff’s need to expend significant resources

in litigating this instant civil proceeding. For example, Plaintiffs will benefit in this civil proceeding from the admissions and/or denials of Defendant in his criminal case, which will dispose of Plaintiff's need for extensive/duplicative oral and written discovery. Similarly, resolution of Defendant's criminal case will clarify the issues for which Plaintiff is claiming relief in this civil proceeding. Moreover, the likelihood that evidence will become unavailable is lessened since considerable evidence is likely to be adduced at Defendant's criminal trial, and the testimony presented therein will be preserved for use by Plaintiff in this civil proceeding. Thus, this factor weighs in favor of granting a stay of this civil proceeding.

Fourth, this Trial Court must consider the burden on Defendant. If this civil proceeding were to move forward, Defendant would presumably be required to choose between waiving his Fifth Amendment right during the civil proceeding or asserting his Fifth Amendment privilege and risking an adverse judgment against him. "While it is not unconstitutional to place a defendant in [such a] position . . . courts may consider these conflicts when deciding whether to stay a civil case." *In re Adelpia Commc'ns Securities Litig.*, 02-1781, 2003 WL 22358819, at *3 (E.D. Pa. May 13, 2003). Here, requiring Defendant to proceed forward with discovery in this civil proceeding will impose a significant burden on Defendant since, as defense counsel suggest, even filing an Answer with admissions and/or denials potentially irreparably impacts Defendant's criminal case. Further, if the instant civil proceeding moves forward, the papers and various filings by the parties will potentially "taint" the jury pool in Defendant's criminal case due to the prejudicial assertions alleged therein. Moreover, counsel for Defendant argues that while Defendant is entitled to assert his Fifth Amendment rights during the instant civil proceeding, an adverse inference potentially can be drawn following such an assertion. *See e.g. Baxter v. Palmigiano*, 425 U.S. 308, 318, 96 S.Ct. 1551, 1558 (1976). Finally, "delaying a . . . civil matter is appropriate when the criminal trial is imminent." *See Anderson v. Scott*, 2011 WL 10795429, at *2 (Lawrence C.P.P., Sept. 15, 2011) (citing *Sterling National Bank v. A-1 Hotels International, Inc.*, 175 F. Supp 2d. 573, 577 (2nd Cir. 2001)). As Defendant's criminal trial is scheduled to commence October 15, 2018, this Court finds this factor also weighs in favor of granting a stay of this civil proceeding.

Fifth, this Trial Court must consider the management of this Trial Court's cases and the efficient use of its judicial resources. As noted by defense counsel, if this Trial Court grants a stay of proceedings in this instant civil case, questions of law in this civil proceeding will be answered by the findings of a judge or jury in Defendant's criminal trial. Additionally, as noted above, the instant civil proceeding will benefit from the admissions and/or denials of Defendant in his criminal case, which will dispose of the need for extensive/duplicative oral and written discovery in this civil proceeding. With all of these considerations in mind, resolution of the criminal action can encourage settlement or at least eliminate the necessity of litigating certain issues in this civil proceeding, thereby promoting judicial economy. *See Ivy v. Craig*, CV 17-42, 2017 WL 3951932, at *4 (W.D. Pa. July 27, 2017) (quoting *Estes-El v. Long Island Jewish Med. Ctr.*, 916 F.Supp. 268 (S.D.N.Y. 1995)). As such, this factor also weighs in favor of staying this civil proceeding.

Finally, this Court must consider the public's interest in either granting or denying Defendant's Motion for Stay of Civil Proceedings. The Eastern District of Pennsylvania has noted that "[w]hile a civil litigant with a private dispute has an interest in the prompt disposition of his or her claims, the public has a greater interest in enforcement of the criminal

law.” *Kaiser v. Stewart*, CIV. A. 96-6643, 1997 WL 66186, at *4 (E.D. Pa. Feb. 6, 1997). “This interest alone may be enough to stay the entire civil proceeding, or at least to narrow the range of civil discovery.” *Id.* In contrast to a situation where a civil defendant is also defending against a lesser crime, such as driving under the influence of alcohol, in this case the criminal charges levied against Defendant are particularly egregious, including two-first degree felonies of Criminal Homicide/Murder and Aggravated Assault. As the public has a compelling interest in enforcement of the criminal law for such serious charges, including first-degree Murder, this sixth factor also weighs in favor of granting a stay of this civil proceeding.

Accordingly, this Trial Court finds and concludes all of the above six factors weigh in favor of granting a stay of this civil proceeding. As such, consistent with the foregoing analysis, this Trial Court hereby enters the following Order of Court:

TEMPORARY ORDER

AND NOW, to-wit, this 7th day of June, 2018, after oral argument on the Motion for Stay of Civil Proceedings filed by Defendant John Grazioli, by and through his counsel, Thomas A. McDonnell; at which Paul D. Svirbel, Esq., and Patrick W. Kelley, Esq., appeared as Defendant’s counsel for the instant civil proceeding, and Brian D. Arrowsmith, Esq., appeared to represent Defendant’s interests regarding Defendant’s criminal case at Docket No. 1341 of 2018; and Christopher J. Sinnott, Esq., appeared on behalf of Plaintiff Denise Katz, individually and as Administratrix of the Estate of Amanda Grazioli (collectively “Plaintiff”); and upon consideration of Defendant’s Brief in Support as well as Plaintiff’s Response to Defendant’s Motion for Stay of Civil Proceedings and accompanying Brief in Opposition; and in view of the relevant constitutional law, statutory law, and case law; and after oral argument from civil and criminal counsel for Defendant as well as counsel for Plaintiff; and as this Trial Court has found and concluded all of the six factors set forth in the foregoing analysis weigh in favor of granting a stay of the instant civil proceeding, it is hereby **ORDERED, ADJUDGED AND DECREED** that Defendant’s Motion for Stay of Civil Proceedings is **GRANTED** to the extent that this instant civil proceeding is hereby **TEMPORARILY STAYED** until Monday, November 19, 2018, at which time a Status Conference will be held to review the status of Defendant’s criminal case at Docket No. 1341 of 2018. Therefore, a Status Conference is hereby scheduled for **Monday, November 19, 2018 at 1:30 p.m. in Courtroom G, Room 222, Erie County Courthouse before the undersigned judge.**

BY THE COURT

/s/ **Stephanie Domitrovich, Judge**

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BANKRUPTCY NOTICE

Notice of Proposed Private Sale and Hearing July 19, 2018 at 11:30 a.m. at Bankruptcy Courtroom, U.S. Courthouse, 17 S. Park Row, Erie PA to approve Motion to Sell Real Property Free and Divested of Liens and accept offer of \$65,000.00 on the terms of the Agreement for Sale subject to higher offers. Objections due July 9, 2018. In Re: MATTOCKS FIVE INC. BKY# 18-10201-TPA. Asset is Real Estate located at 220 E. Third St., Waterford, Erie County, PA, Map No. 46-007-031.0-0011.00 "AS IS, WHERE IS". The Court will entertain higher offers at the hearing. Bidders must be pre-qualified to bid with the Trustee prior to the date of the hearing, and must make a 10% down payment at the hearing on their successful bid. Terms and information available from trothschild@gmx.com or www.pawb.uscourts.gov/easi.htm.

June 22

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ARTICLES OF AMENDMENT

Notice is hereby given of the intention to file with the Secretary of the Commonwealth of Pennsylvania, Articles of Amendment to the Articles of Incorporation of the Erie County Community Services Financing Authority. The current registered office of the Authority is 5240 Knowledge Parkway, Erie, PA 16510 (however the actual offices of the Authority are 1524 Enterprise Road, Corry, PA 16407). The Articles of Amendment are filed pursuant to the Municipality Authorities Act, Act of May 2, 1945, P. L. 382 as amended, supplemented, and restated by Act of June 19, 2001, P. L. 287, as amended. The nature and character of the proposed Amendments are (i) to change the registered office of the Authority to 1524 Enterprise Road, Corry, PA 16407, and (ii) to extend the term of existence of the Authority to a date which is 50 years from the filing of the Articles of Amendment with the Secretary of the Commonwealth.

The Articles of Amendment will be filed with the Secretary of the Commonwealth on or before July 6, 2018.

June 22

ARTICLES OF AMENDMENT

Notice is hereby given of the intention to file with the Secretary of the Commonwealth of Pennsylvania, Articles of Amendment to the Articles of Incorporation of the Erie County General Authority. The current registered office of the Authority is 5240 Knowledge Parkway, Erie, PA 16510 (however the actual offices of the Authority are 1524 Enterprise Road, Corry, PA 16407). The Articles of Amendment are filed pursuant to the Municipality Authorities Act, Act of May 2, 1945, P. L. 382 as amended, supplemented, and restated by Act of June 19, 2001, P. L. 287, as amended.

The nature and character of the proposed Amendments are (i) to change the registered office of the Authority to 1524 Enterprise Road, Corry, PA 16407, and (ii) to extend the term of existence of the Authority to a date which is 50

years from the filing of the Articles of Amendment with the Secretary of the Commonwealth.

The Articles of Amendment will be filed with the Secretary of the Commonwealth on or before July 6, 2018.

June 22

ARTICLES OF AMENDMENT

Notice is hereby given of the intention to file with the Secretary of the Commonwealth of Pennsylvania, Articles of Amendment to the Articles of Incorporation of the Erie County Hospital Authority. The current registered office of the Authority is 100 State Street, Suite 700, Erie, PA 16507. The Articles of Amendment are filed pursuant to the Municipality Authorities Act, Act of May 2, 1945, P. L. 382 as amended, supplemented, and restated by Act of June 19, 2001, P. L. 287, as amended. The nature and character of the proposed Amendment is to extend the term of existence of the Authority to a date which is 50 years from the filing of the Articles of Amendment with the Secretary of the Commonwealth. The Articles of Amendment will be filed with the Secretary of the Commonwealth on or before July 6, 2018.

June 22

ARTICLES OF AMENDMENT

Notice is hereby given of the intention to file with the Secretary of the Commonwealth of Pennsylvania, Articles of Amendment to the Articles of Incorporation of the Erie County Industrial Development Authority. The current registered office of the Authority is 5240 Knowledge Parkway, Erie, PA 16510 (however the actual offices of the Authority are 1524 Enterprise Road, Corry, PA 16407). The Articles of Amendment are filed pursuant to the Economic Development Financing Law, Act of August 23, 1967, P. L. 251, as amended.

The nature and character of the proposed Amendments are (i) to change the registered office of the Authority to 1524 Enterprise Road, Corry, PA 16407, and (ii) to extend the term of existence of

the Authority to a date which is 50 years from the filing of the Articles of Amendment with the Secretary of the Commonwealth.

The Articles of Amendment will be filed with the Secretary of the Commonwealth on or before July 6, 2018.

June 22

CHANGE OF NAME NOTICE

Notice is hereby given that on June 4, 2018, the Petition of Kiara Nicole Baginski was presented to the Court of Common Pleas of Erie County, Pennsylvania requesting that her name be changed to KIARA NICOLE BROOKS. The Court has set the 9th day of July, 2018 at 11:00 o'clock a.m., Court Room G, Room 222, Erie County Court House, 140 West 6th Street, Erie, Pennsylvania, as the time and date for hearing on said Petition. All interested parties may attend said hearing.

David J. Mack, Esquire
510 Parade Street
Erie, PA 16507
(814) 456-4712
Attorney for Petitioner

June 22

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: AllStreet
2. Address of the principal place of business: 1303 Hemingway Dr., Erie, PA 16505
3. The real names and addresses, including street and number of the persons who are parties to the registration: AllStreet Financial, LLC, 1303 Hemingway Dr., Erie, PA 16505
4. An application for registration of a fictitious name under the Fictitious Names Act was filed on April 25, 2018.

June 22

FICTITIOUS NAME NOTICE

1. Fictitious Name: Evident Financial
2. Address of the principal place of business: 1303 Hemingway Dr., Erie, PA 16505
3. The real names and addresses, including street and number of the persons who are parties to the registration: AllStreet Financial, LLC, 1303 Hemingway Dr., Erie, PA 16505
4. An application for registration of a fictitious name under the Fictitious Names Act was filed on April 13, 2018.

June 22

FICTITIOUS NAME NOTICE

1. Fictitious Name: Quick Clean Laundry & Dry-Cleaning
2. The real name and address, including street and number, of the entity to the registration: Cory Clean Clothes, Inc., 13445 Carter Hill Road, Corry, PA 16407
An application for registration of a fictitious name under the Fictitious Names Act was filed on May 31st, 2018

Paul J. Carney, Jr., Esq.
224 Maple Ave.
Corry, PA 16407

June 22

INCORPORATION NOTICE

Notice is hereby given Salem Investments, Inc., has been incorporated under Business Corporation Law of 1988.

Gery T. Nietupski, Esquire
LAW OFFICES OF GERY T. NIETUPSKI, ESQUIRE, LLC
818 State Street, Suite A
Erie, Pennsylvania 16501

June 22

LEGAL NOTICE

Court of Common Pleas
Erie County, Pennsylvania
Civil Action-Law
No. 2018-10966
Notice of Action in
Mortgage Foreclosure
Bayview Loan Servicing, LLC, a Delaware Limited Liability Company, Plaintiff vs. Unknown Heirs, Successors, Assigns and All Persons, Firms or Associations Claiming Right, Title or Interest From or Under Ann Marie Smith

a/k/a Anna Marie Smith, deceased and Jason P. Smith, Known Heir of Ann Marie Smith a/k/a Anna Marie Smith, deceased, Defendant(s)
To the Defendant(s), Unknown Heirs, Successors, Assigns and All Persons, Firms or Associations Claiming Right, Title or Interest From or Under Ann Marie Smith a/k/a Anna Marie Smith, deceased and Jason P. Smith, Known Heir of Ann Marie Smith a/k/a Anna Marie Smith, deceased: TAKE NOTICE THAT THE Plaintiff, Bayview Loan Servicing, LLC, a Delaware Limited Liability Company has filed an action Mortgage Foreclosure, as captioned above. NOTICE: IF YOU WISH TO DEFEND, YOU MUST ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE YOUR DEFENSES OR OBJECTIONS WITH THE COURT. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT FURTHER NOTICE FOR THE RELIEF REQUESTED BY THE PLAINTIFF. YOU MAY LOSE MONEY OR PROPERTY OR OTHER RIGHTS IMPORTANT TO YOU. YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE. Erie County Lawyer Referral & Info. Service, P.O. Box 1792, Erie, PA 16507. Christopher A. DeNardo, Kristen D. Little, Kevin S. Frankel, Samantha Gable, Daniel T. Lutz, Leslie J. Rase, Alison H. Tulio, Stephanie A. Walczak & Katherine M. Wolf, Attys. for Plaintiff, Shapiro & DeNardo, LLC, 3600 Horizon Dr., Ste. 150, King of Prussia, PA 19406, 610.278.6800.

June 22

LEGAL NOTICE

NOTICE OF ACTION IN
MORTGAGE FORECLOSURE
IN THE COURT OF COMMON
PLEAS OF ERIE COUNTY,
PENNSYLVANIA
CIVIL ACTION – LAW
No. 10662-18

MID AMERICA MORTGAGE,
INC., Plaintiff
vs.

UNKNOWN EXECUTOR OF
THE ESTATE OF JAMES E.
WEAVER, JAMES PATRICK
WEAVER, in his capacity as
Devisee of the Estate of JAMES
E. WEAVER, PATRICIA J.
WEAVER, in her capacity as
Devisee of the Estate of JAMES E.
WEAVER, Defendants

NOTICE

To UNKNOWN EXECUTOR OF
THE ESTATE OF JAMES E.
WEAVER

You are hereby notified that on March 15, 2018, Plaintiff, MID AMERICA MORTGAGE, INC., filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of Erie County Pennsylvania, docketed to No. 10662-18. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 8211 MIDDLE ROAD, FAIRVIEW, PA 16415-1852 whereupon your property would be sold by the Sheriff of ERIE County.

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

NOTICE

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS
NOTICE TO YOUR LAWYER
AT ONCE. IF YOU DO NOT
HAVE A LAWYER, GO TO OR

TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Notice to Defend:
Lawyer Referral & Information Service
P.O. Box 1792
Erie, PA 16507

Telephone (814) 459-4411

June 22

LEGAL NOTICE

**NOTICE OF SHERIFF'S SALE
IN THE COURT OF COMMON
PLEAS OF ERIE COUNTY,
PENNSYLVANIA**

NO. 12814-17

NATIONSTAR MORTGAGE LLC
D/B/A CHAMPION MORTGAGE
COMPANY

v.

KEVIN M. CARTER, in His Capacity as Heir of Rose A. Carter, Deceased, LINDSAY COCCARELLI, in Her Capacity as Heir of Rose A. Carter, Deceased, LYNN MARIE SCHEFFNER, in Her Capacity as Heir of Rose A. Carter, Deceased and UNKNOWN HEIRS, SUCCESSORS, ASSIGNS, AND ALL PERSONS, FIRMS, OR ASSOCIATIONS CLAIMING RIGHT, TITLE OR INTEREST FROM OR UNDER ROSE A. CARTER A/K/A ROSE ORLANDO CARTER, DECEASED

NOTICE TO: UNKNOWN HEIRS, SUCCESSORS, ASSIGNS, AND ALL PERSONS, FIRMS, OR ASSOCIATIONS CLAIMING RIGHT, TITLE OR INTEREST FROM OR UNDER ROSE A. CARTER A/K/A ROSE ORLANDO CARTER, DECEASED
NOTICE OF SHERIFF'S SALE OF REAL PROPERTY

Being Premises: 3412 GREENGARDEN BOULEVARD, ERIE, PA 16508-2241

Being in ERIE CITY, County

of ERIE, Commonwealth of Pennsylvania, 19061044020700
Improvements consist of residential property.

Sold as the property of KEVIN M. CARTER, in His Capacity as Heir of Rose A. Carter, Deceased, LINDSAY COCCARELLI, in Her Capacity as Heir of Rose A. Carter, Deceased, LYNN MARIE SCHEFFNER, in Her Capacity as Heir of Rose A. Carter, Deceased and UNKNOWN HEIRS, SUCCESSORS, ASSIGNS, AND ALL PERSONS, FIRMS, OR ASSOCIATIONS CLAIMING RIGHT, TITLE OR INTEREST FROM OR UNDER ROSE A. CARTER A/K/A ROSE ORLANDO CARTER, DECEASED

Your house (real estate) at 3412 GREENGARDEN BOULEVARD, ERIE, PA 16508-2241 is scheduled to be sold at the Sheriff's Sale on 9/21/2018 at 10:00 AM at the ERIE County Courthouse, 140 west 6th Street, Room 18, Erie, PA 16501-1077 to enforce the Court Judgment of \$97,715.94 obtained by, NATIONSTAR MORTGAGE LLC D/B/A CHAMPION MORTGAGE COMPANY (the mortgagee) against the above premises.

PHELAN HALLINAN DIAMOND & JONES, LLP

Attorney for Plaintiff

June 22

LEGAL NOTICE

**THE SCHOOL DISTRICT
CITY OF ERIE, PA**

Dr. James E. Barker Leadership Center, 148 West 21st Street, Erie, PA 16502

The School District of the City of Erie, PA, 148 West 21st Street, Erie, PA 16502 will receive SEALED BIDS for up to Thirty (30) Gasoline, Diesel or Propane Powered Conventional School Buses or approved equals up to Tuesday, June 26, 2018, at 10:00 a.m., at which time they will be opened in the Board Room, in accordance with the bid forms and specifications to be obtained from the Purchasing Department. The Board reserves the right to inspect and approve each bus prior to purchase.

Angela G. Jones
Board Secretary

June 22

**LEGAL NOTICE
THE SCHOOL DISTRICT
CITY OF ERIE, PA**

Dr. James E. Barker Leadership Center, 148 West 21st Street, Erie, PA 16502

The School District of the City of Erie, PA, 148 West 21st Street, Erie, PA 16502 will receive SEALED BIDS for the following up to Tuesday, June 26, 2018, at 10:00 a.m., at which time they will be opened in the Board Room, in accordance with the bid forms and specifications to be obtained from the Purchasing Department:

2018-2019 ART SUPPLIES
2018-2019 FALL/WINTER ATHLETICS

PORTABLE METROLOGY DEVICE

2018-2019 SCHOOL AND OFFICE SUPPLIES

WELDING SUPPLIES FOR ERIE HIGH

2018-2019 SCIENCE KITS
TWO (2) VIRTUAL REALITY ARC WELDING TRAINERS

Angela G. Jones
Board Secretary

June 22

LEGAL NOTICE

MARSHAL'S SALE: By virtue of a Writ of Execution issued out of the United States District Court for the Western District of Pennsylvania and to me directed, I shall expose to public sale the real property located at 339 Woodcock Drive, Girard, PA 16417 more particularly described in Erie County Deed Book 71, Page 1451. SAID SALE to be held in the Erie County Courthouse, Room 209, 140 West Sixth Street, Erie, PA 16501 at 10:00 a.m. prevailing, standard time, on July 10, 2018. All that certain tract of land, together with the buildings, and improvements erected thereon described as Tax Parcel No. 23013041002207 recorded in Erie County, Pennsylvania. Seized and taken in execution as the property of Karen R. Albrew, at the suit of the United States of America, acting through the Rural Housing Service, on behalf of United States Department of Agriculture, to be sold on Writ of Execution as Civil

Action No. 1:18-CV-00049. **TERMS OF SALE:** Successful bidder will pay ten percent (10%) by certified check or money order upon the property being struck down to such bidder, and the remainder of the bid within thirty (30) days from the date of the sale and in the event the bidder cannot pay the remainder, the property will be resold and all monies paid in at the original sale will be applied to any deficiency in the price at which the property is resold. The successful bidder must send payment of the balance of the bid directly to the U.S. Marshal's Office c/o Sheila Blessing, 700 Grant Street, Suite 2360, Pittsburgh, PA 15219. Bidder must have deposit funds immediately available and on his person in order to bid, bidder will not be permitted to leave the sale and return with deposit funds. Notice is hereby given that a Schedule of Distribution will be filed by me on the thirtieth day after the date of sale, and that distribution will be made in accordance with the Schedule unless exemptions are filed thereto within ten (10) days thereafter. Purchaser must furnish State Realty Transfer Tax Stamps, and stamps required by the local taxing authority. Marshal's costs, fees and commissions are to be borne by seller. Michael Baughman, Acting United States Marshal. For additional information, please contact Cathy Diederich at 314-457-5514 or the USDA foreclosure website at www.resales.usda.gov.

June 15, 22, 29 and July 6

LEGAL NOTICE

MARSHAL'S SALE: By virtue of a Writ of Execution issued out of the United States District Court for the Western District of Pennsylvania and to me directed, I shall expose to public sale the real property located at 325 Main Street, Girard, PA 16417 more particularly described in Erie County Deed Book 1580, Page 2374. SAID SALE to be held in the Erie County Courthouse, Room 209, 140 West Sixth Street, Erie, PA 16501 at 10:00 a.m. prevailing, standard time, on July 10, 2018. All that certain tract of land, together with the buildings, and improvements erected thereon described as Tax Parcel No.

23015048002000 recorded in Erie County, Pennsylvania. Seized and taken in execution as the property of Tammy-Rae M. Faraj, at the suit of the United States of America, acting through the Rural Housing Service, on behalf of United States Department of Agriculture, to be sold on Writ of Execution as Civil Action No. 1:17-CV-00296. **TERMS OF SALE:** Successful bidder will pay ten percent (10%) by certified check or money order upon the property being struck down to such bidder, and the remainder of the bid within thirty (30) days from the date of the sale and in the event the bidder cannot pay the remainder, the property will be resold and all monies paid in at the original sale will be applied to any deficiency in the price at which the property is resold. The successful bidder must send payment of the balance of the bid directly to the U.S. Marshal's Office c/o Sheila Blessing, 700 Grant Street, Suite 2360, Pittsburgh, PA 15219. Bidder must have deposit funds immediately available and on his person in order to bid, bidder will not be permitted to leave the sale and return with deposit funds. Notice is hereby given that a Schedule of Distribution will be filed by me on the thirtieth day after the date of sale, and that distribution will be made in accordance with the Schedule unless exemptions are filed thereto within ten (10) days thereafter. Purchaser must furnish State Realty Transfer Tax Stamps, and stamps required by the local taxing authority. Marshal's costs, fees and commissions are to be borne by seller. Michael Baughman, Acting United States Marshal. For additional information, please contact Cathy Diederich at 314-457-5514 or the USDA foreclosure website at www.resales.usda.gov.

June 15, 22, 29 and July 6

LEGAL NOTICE

MARSHAL'S SALE: By virtue of a Writ of Execution issued out of the United States District Court for the Western District of Pennsylvania and to me directed, I shall expose to public sale the real property located at 835 Tilden Drive, Girard, PA 16417 more particularly described

in Erie County Deed Book 93, Page 1771.

SAID SALE to be held in the Erie County Courthouse, Room 209, 140 West Sixth Street, Erie, PA 16501 at 10:00 a.m. prevailing, standard time, on July 10, 2018. All that certain tract of land, together with the buildings, and improvements erected thereon described as Tax Parcel No. 23013042001300 recorded in Erie County, Pennsylvania. Seized and taken in execution as the property of Colleen A. Long, at the suit of the United States of America, acting through the Rural Housing Service, on behalf of United States Department of Agriculture, to be sold on Writ of Execution as Civil Action No. 1:18-CV-00023. **TERMS OF SALE:** Successful bidder will pay ten percent (10%) by certified check or money order upon the property being struck down to such bidder, and the remainder of the bid within thirty (30) days from the date of the sale and in the event the bidder cannot pay the remainder, the property will be resold and all monies paid in at the original sale will be applied to any deficiency in the price at which the property is resold. The successful bidder must send payment of the balance of the bid directly to the U.S. Marshal's Office c/o Sheila Blessing, 700 Grant Street, Suite 2360, Pittsburgh, PA 15219. Bidder must have deposit funds immediately available and on his person in order to bid, bidder will not be permitted to leave the sale and return with deposit funds. Notice is hereby given that a Schedule of Distribution will be filed by me on the thirtieth day after the date of sale, and that distribution will be made in accordance with the Schedule unless exemptions are filed thereto within ten (10) days thereafter. Purchaser must furnish State Realty Transfer Tax Stamps, and stamps required by the local taxing authority. Marshal's costs, fees and commissions are to be borne by seller. Michael Baughman, Acting United States Marshal. For additional information, please contact Cathy Diederich at 314-457-5514 or the USDA foreclosure website at www.resales.usda.gov.

June 15, 22, 29 and July 6

LEGAL NOTICE

IN THE UNITED STATES
DISTRICT COURT FOR THE
WESTERN DISTRICT OF
PENNSYLVANIA
CIVIL NO. 1:17-CV-00304-CB
UNITED STATES OF AMERICA,
Plaintiff

vs.

ROBERT L. BROOKS and
DEBRA L. BROOKS, Defendants
MARSHAL'S SALE: By virtue of

a Writ of Execution issued out of the United States District Court for the Western District of Pennsylvania and to me directed, I shall expose to public sale the real property located at and being more fully described at Erie County Deed Book Volume 89, Page 2147.

SAID SALE to be held at the Erie County Courthouse, 140 West Sixth Street, Room 209, Erie, PA 16501 at 10:00 a.m. prevailing standard time, on July 10, 2018.

ALL that certain tract of land, together with the buildings, and improvements erected thereon described as Tax Parcel Nos. (07) 034-0590-001.01 and (07) 034-0590-003.00 recorded in Erie County, Pennsylvania, commonly known as: 708 West Washington Street, Corry, Pennsylvania 16407. IDENTIFIED as Tax/Parcel Nos.: (07) 034-0590-001.01 and (07) 034-0590-003.00 in the Deed Registry Office of Erie County, Pennsylvania. HAVING erected a dwelling thereon known as 708 WEST WASHINGTON STREET, CORRY, PA 16407. BEING the same premises conveyed to Robert L. Brooks and Debra L. Brooks, dated June 15, 1989, and recorded on June 19, 1989 in the office of the Recorder of Deeds in and for Erie County, Pennsylvania. Seized and taken in execution as the property of Robert L. Brooks and Debra L. Brooks at the suit of the United States of America, acting through the Under Secretary of Rural Development on behalf of Rural Housing Service, United States Department of Agriculture, to be sold on Writ of Execution as Civil Action No. 1:17-cv-00304.

TERMS OF SALE: Successful bidder will pay ten percent (10%) by

certified check or money order upon the property being struck down to such bidder, and the remainder of the bid within thirty (30) days from the date of the sale and in the event the bidder cannot pay the remainder, the property will be resold and all monies paid in at the original sale will be applied to any deficiency in the price at which the property is resold. The successful bidder must send payment of the balance of the bid directly to the U.S. Marshal's Office c/o Sheila Blessing, 700 Grant Street, Suite 2360, Pittsburgh, PA 15219. Bidder must have deposit funds immediately available and on his person in order to bid, bidder will not be permitted to leave the sale and return with deposit funds. Notice is hereby given that a Schedule of Distribution will be filed by me on the thirtieth (30th) day after the date of sale, and that distribution will be made in accordance with the Schedule unless exemptions are filed thereto within ten (10) days thereafter. Purchaser must furnish State Realty Transfer Tax Stamps, and stamps required by the local taxing authority. Marshal's costs, fees and commissions are to be borne by seller. Michael Baughman, Acting United States Marshal. For additional information, please contact Cathy Diederich at 314-457-5514 or the USDA foreclosure website at www.resales.usda.gov.

June 8, 15, 22, 29

**AUDIT LIST
NOTICE BY
KENNETH J. GAMBLE**

**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 **Wednesday, June 6, 2018** and confirmed Nisi.

July 18, 2018 is the last day on which Objections may be filed to any of these accounts.

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

<u>2018</u>	<u>ESTATE</u>	<u>ACCOUNTANT</u>	<u>ATTORNEY</u>
178.	Virginia Winnie	S. Craig Shamburg,	S. Craig Shamburg, Esq.
		Administrator D.B.N.	
179.	William H. Johnson	Roger E. Johnson, Executor	Gary H. Nash, Esq.
180.	Virginia E. Stull	Lisa A. Bair, Power of Attorney	Robert J. Jeffery, Esq.
181.	Harriette Polchlopek	Rose Mary Nouri, Executrix	John E. Gomolchak, Esq.
182.	Erie County Memorial Park	PNC Bank, Trustee	Nina B. Stryker, Esq.

KENNETH J. GAMBLE
Clerk of Records
Register of Wills &
Orphans' Court Division

June 15, 22

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**BAER, ANNA MARIA,
deceased**

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

Executor: Barry Baer, c/o 210 West Sixth Street, Erie, PA 16507
Attorney: Joseph T. Messina, Esquire, 210 West Sixth Street, Erie, PA 16507

**BROWN, MARY ANN,
deceased**

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

Co-Executors: Eugene A. Brown, Jr. and Marianne G. Schneider, c/o Vlahos Law Firm, P.C., 3305 Pittsburgh Avenue, Erie, PA 16508
Attorney: Darlene M. Vlahos, Esq., Vlahos Law Firm, P.C., 3305 Pittsburgh Avenue, Erie, PA 16508

**CALAO, RAE B.,
deceased**

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

Administratrix: Melinda Calao-Koeth, 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

**DeCECCO, LAWRENCE R.,
deceased**

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

Executor: Ronald Cuzzola, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506-4508

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

**DELAVERN, JACK EDWARD,
a/k/a JACK E. DELAVERN, a/k/a
JACK DELAVERN,
deceased**

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

Executrix: Joan R. Delavern, 8951 Francis Road, Girard, PA 16417
Attorney: James R. Steadman, Esq., 24 Main St. E., P.O. Box 87, Girard, PA 16417

**DOMBROWSKI, BERNARD C.,
deceased**

Late of Millcreek Township, Erie County, Pennsylvania

Administrator: David Dombrowski, c/o Mary Alfieri Richmond, Esq., Jones School Square, First Floor, 150 East 8th Street, Erie, PA 16501

Attorney: Mary Alfieri Richmond, Esq., Jones School Square, First Floor, 150 East 8th Street, Erie, PA 16501

**HEISLER, VICTORIA,
deceased**

Late of the City of Erie

Executor: Raymond C. Heisler, 504 Hillcrest Ave., Erie, PA 16509
Attorney: Michael A. Fetzner, Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**HOOKS, MICHAEL A.,
deceased**

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

Co-Executors: Mary I. Bello and Virginia A. Bello
Attorney: Thomas J. Minarcik, Esquire, ELDERKIN LAW FIRM, 150 East 8th Street, Erie, PA 16501

**JAKUBOWSKI, JOSEPH, a/k/a
JOSEPH A. JAKUBOWSKI,
deceased**

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

Executor: Ronald J. Jakubowski, c/o 120 W. 10th Street, Erie, PA 16501

Attorney: Christine Hall McClure, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West 10th Street, Erie, PA 16501

**MILES, FRANCES J.,
deceased**

Late of Harborcreek Township, Erie County, Harborcreek, PA

Executor: David M. Schreckengost, c/o 33 East Main Street, North East, Pennsylvania 16428

Attorney: Robert J. Jeffery, Esq., Knox, McLaughlin, Gornall & Sennett, P.C., 33 East Main Street, North East, Pennsylvania 16428

**NEHREBECKI, JASON,
deceased**

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

Executor: Michael Nehrebecki
Attorney: David J. Rhodes, Esquire, ELDERKIN LAW FIRM, 150 East 8th Street, Erie, PA 16501

**SHUFESKY, MYRON T.,
a/k/a MYRON THEODORE
SHUFESKY,
deceased**

Late of the Township of Millcreek,
County of Erie, Pennsylvania
Executor: Thomas J. Shufesky, c/o
6350 Meadowrue Lane, Erie, PA
16505-1027
Attorney: Scott E. Miller, Esquire,
6350 Meadowrue Lane, Erie, PA
16505-1027

**SMITH, JOAN S.,
deceased**

Late of North East Borough
Co-Executors: Gregory Potthoff
and Dayle Weidle, c/o Leigh Ann
Orton, Esq., 68 E. Main St., North
East, PA 16428
Attorney: Leigh Ann Orton, Esq.,
68 E. Main St., North East, PA
16428

**SRNKA, RICHARD W., a/k/a
RICHARD SRNKA,
deceased**

Late of the City of Erie, County
of Erie, Commonwealth of
Pennsylvania
Administrator: Mark Srnka, 3720
Kane Hill Rd., Erie, PA 16510
Attorney: Natalie M. Ruschell,
Esq., Ruschell & Associates, LLC,
P.O. Box 577, Midway, PA 15060

**STEINER, KENNETH C.,
deceased**

Late of the Township of Millcreek,
County of Erie, Commonwealth of
Pennsylvania
Executor: Scott L. Steiner,
c/o Quinn, Buseck, Leemhuis,
Toohey & Kroto, Inc., 2222 West
Grandview Blvd., Erie, PA 16506
Attorney: Melissa L. Larese,
Esq., Quinn, Buseck, Leemhuis,
Toohey & Kroto, Inc., 2222 West
Grandview Blvd., Erie, PA 16506

**TRONETTI, MARGARET E.,
deceased**

Late of Erie, PA
Administratrix: Ann Williams, c/o
William T. Krzton, Esq., PO Box
5, Tarentum, PA 15084
Attorney: William T. Krzton, Esq.,
PO Box 5, Tarentum, PA 15084

**WISER, GEORGE V.,
deceased**

Late of the Borough of Girard,
County of Erie, Commonwealth
of Pennsylvania
Administrator: Christopher Hetz,
1700 Ewing Circle, Pittsburgh,
PA 15241
Attorney: Matthew T. Logue,
Esq., Quinn Logue LLC, 200 First
Avenue, Pittsburgh, PA 15222

TRUST NOTICES

Notice is hereby given of the
administration of the Trust set forth
below. All persons having claims
or demands against the decedent
are requested to make known the
same and all persons indebted to
said decedent are required to make
payment without delay to the trustees
or attorneys named below:

**GILDERSLEEVE, ELLA
H., a/k/a ELLA HALLORAN
GILDERSLEEVE,
deceased**

Late of North East Township, Erie
County, North East, Pennsylvania
*Co-Executors and Successor
Trustees:* Frank L. Gildersleeve
and Fred D. Gildersleeve, c/o
33 East Main Street, North East,
Pennsylvania 16428
Attorney: Robert J. Jeffery, Esq.,
Knox, McLaughlin, Gornall &
Sennett, P.C., 33 East Main Street,
North East, Pennsylvania 16428

SECOND PUBLICATION

**DEDINSKY, LAURENCE J.,
a/k/a LAWRENCE J. DEDINSKY,
a/k/a LAURENCE JOSEPH
DEDINSKY,
deceased**

Late of the Township of Millcreek,
County of Erie, Commonwealth of
Pennsylvania
Executor: Thomas Dedinsky, 9492
Sprague Dr., Ripley, NY 14775
Attorney: John E. Gomolchak,
Esq., 3854 Walker Blvd., Erie,
PA 16509

**FITCH, DOROTHY J.,
deceased**

Late of the City of Corry, County
of Erie, Commonwealth of
Pennsylvania
Executor: William A. Fitch, c/o
Paul J. Carney, Jr., Esq., 224 Maple
Avenue, Corry, PA 16407
Attorney: Paul J. Carney, Jr.,
Esq., 224 Maple Avenue, Corry,
PA 16407

**GILSON, CLARENCE E.,
deceased**

Late of the City of Erie, County of
Erie, State of Pennsylvania
Executor: William L. Gilson, 756
East 43rd Street, Erie, PA 16504
Attorney: Grant M. Yochim, Esq.,
24 Main St. E., P.O. Box 87,
Girard, PA 16417

**HARMAN, ALLEN W.,
deceased**

Late of the Township of Greene,
County of Erie, Pennsylvania
Executor: Christopher A. Harman,
c/o 3939 West Ridge Road, Suite
B-27, Erie, PA 16506
Attorney: James L. Moran,
Esquire, 3939 West Ridge Road,
Suite B-27, Erie, PA 16506

**LOZIER, NORMA G.,
deceased**

Late of the Township of Amity,
County of Erie, Commonwealth
of Pennsylvania
Executor: Darrell L. Lozier, c/o
Paul J. Carney, Jr., Esq., 224 Maple
Avenue, Corry, PA 16407
Attorney: Paul J. Carney, Jr.,
Esq., 224 Maple Avenue, Corry,
PA 16407

**MEYER, RUTH G.,
deceased**

Late of the City of Erie, County
of Erie, and Commonwealth of
Pennsylvania
Executrix: Rose McLaren, c/o
Quinn, Buseck, Leemhuis,
Toohey & Kroto, Inc., 2222 West
Grandview Blvd., Erie, PA 16506
Attorney: Melissa L. Larese,
Esq., Quinn, Buseck, Leemhuis,
Toohey & Kroto, Inc., 2222 West
Grandview Blvd., Erie, PA 16506

OSIECKI, SOPHIE, a/k/a SOPHIE C. OSIECKI, a/k/a SOPHIA OSIECKI, a/k/a SOPHIA C. OSIECKI,

deceased

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

Administrator: Rebecca Piasecki, 1823 West 33rd Street, Erie, PA 16508

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

OTT, EMMA M.,

deceased

Late of Waterford, County of Erie, Commonwealth of Pennsylvania

Executor: Jeffrey M. Ott, c/o Paul J. Carney, Jr., Esq., 224 Maple Avenue, Corry, PA 16407

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

REJZER, ANNA,

deceased

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

Executrix: Arlene Washick, c/o Paul J. Carney, Jr., Esq., 224 Maple Avenue, Corry, PA 16407

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

SHAFFER, DAVID WILLIAM,

deceased

Late of McKean, County of Erie and Commonwealth of Pennsylvania

Administrator: Daniel Miano, c/o Eugene C. Sundberg, Jr., Esq., Suite 300, 300 State Street, Erie, PA 16507

Attorney: Eugene C. Sundberg, Jr., Esq., MARSH, SPAEDER, BAUR, SPAEDER & SCHAAF, LLP, Suite 300, 300 State Street, Erie, PA 16507

SPENCER, TANYA L., a/k/a TANYA LYNN SPENCER,

deceased

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

Executor: Joshua J. Cornman, c/o 3939 West Ridge Road, Suite B-27, Erie, PA 16506

Attorney: James L. Moran, Esquire, 3939 West Ridge Road, Suite B-27, Erie, PA 16506

THIRD PUBLICATION

DUSKA, DONNA M.,

deceased

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

Executrix: Margaret M. Bach, c/o 2222 West Grandview Blvd., Erie, PA 16506

Attorney: Thomas E. Kuhn, Esquire, QUINN, BUSECK, LEEMHUIS, TOOHEY & KROTO, INC., 2222 West Grandview Blvd., Erie, PA 16506

FELDMAN, RICHARD E., a/k/a RICHARD EDWARD FELDMAN,

deceased

Late of the Borough of Waterford, County of Erie and Commonwealth of Pennsylvania

Executrix: Marjorie Ann McWilliams

Attorney: Craig A. Zonna, Esquire, ELDERKIN LAW FIRM, 150 East 8th Street, Erie, PA 16501

FINCH, RONALD J., a/k/a RONALD JEFFERSON FINCH,

deceased

Late of the Waterford Township, County of Erie, Pennsylvania

Co-Executors: Kimberly D. Finch and Sherri L. Porter, c/o 3939 West Ridge Road, Suite B-27, Erie, PA 16506

Attorney: James L. Moran, Esquire, 3939 West Ridge Road, Suite B-27, Erie, PA 16506

GABER, KARL C.,

deceased

Late of the Borough of Waterford, County of Erie, Commonwealth of Pennsylvania

Executrix: Deborah J. Woods, 8519 Oliver Road, Erie, PA 16509-4629

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

HAYES, CHRISTINE M.,

deceased

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

Executor: Thomas R. Hayes

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

HENRY, MARIA E.,

deceased

Late of Harborcreek Township, County of Erie

Co-Executors: Frank Ferko and Christine Tolon, c/o Thomas A. Testi, Esq., 3952 Avonia Road, P.O. Box 413, Fairview, PA 16415

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

HOLLAND, LEONA A., a/k/a LEONA HOLLAND,

deceased

Late of the Borough of Girard, County of Erie, State of Pennsylvania

Executrix: Judith E. Sargent, 2598 Elk Street, Lake City, PA 16423

Attorney: Grant M. Yochim, Esq., 24 Main St. E., P.O. Box 87, Girard, PA 16417

**HOWARD, TRACY D.,
deceased**

Late of the Township of Springfield, County of Erie and Commonwealth of Pennsylvania
Administratrix: Roxanne L. Howard, 4141 Route 215, East Springfield, PA 16411-8515
Attorneys: MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

**McDANNIELS, SUZANNE M.,
deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania
Co-Executors: Nora L. Fuchs, 1319 8th Street, Columbus, NE 68601-7045 and Emily S. Tuttle, 621 Nobel Avenue, Erie, PA 16511-2044
Attorneys: MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

**MOWERY, EVELYN E., a/k/a
EVELYN MOWERY,
deceased**

Late of the Summit Township, County of Erie, Pennsylvania
Executor: John G. Mowery, c/o 3939 West Ridge Road, Suite B-27, Erie, PA 16506
Attorney: James L. Moran, Esquire, 3939 West Ridge Road, Suite B-27, Erie, PA 16506

**ORZECHOWSKI, WANITA, a/k/a
WANITA M. ORZECHOWSKI,
deceased**

Late of the City of Erie, County of Erie
Executor: David DiSanti, 3420 Davison Avenue, Erie, Pennsylvania 16504
Attorney: Kari A. Froess, Esquire, CARNEY & GOOD, 254 West Sixth Street, Erie, Pennsylvania 16507

**SMITH, EVELYN J.,
deceased**

Late of the City of Erie
Executor: Robert Stroup, 32 Summit Street, Erie, PA 16508
Attorney: David J. Mack, Esquire, 510 Parade Street, Erie, PA 16507



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CHANGES IN CONTACT INFORMATION OF ECBA MEMBERS

EFFECTIVE JULY 1, 2018

CATHERINE M. DOYLE814-870-1238
Assistant City Solicitor(f) 814-455-9438
626 State Street, Room 505
Erie, PA 16501*cdoyle@erie.pa.us*

NEW E-MAIL

KENNETH A. ZAK.....*knzak@roadrunner.com*

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