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ERIE

NOVEMBER 11
2022

ERIE COUNTY LEGAL JOURNAL

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American Bar Association
"Reply All" in Electronic Communications

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ERIE COUNTY LEGAL JOURNAL

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

Managing Editor: Megan E. Anthony

PLEASE NOTE: NOTICES MUST BE RECEIVED AT THE ERIE COUNTY BAR ASSOCIATION OFFICE BY 3:00 P.M. THE FRIDAY PRECEDING THE DATE OF PUBLICATION.

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ERIE COUNTY BAR ASSOCIATION CALENDAR OF EVENTS AND SEMINARS

TUESDAY, NOVEMBER 15, 2022

Solo/Small Firms Division Meeting
Noon * must RSVP to jskresge@eriebar.com
Erie Club, 524 Peach St., Erie

WEDNESDAY, NOVEMBER 16, 2022

Women's Division Meeting
Noon
ECBA Headquarters in-person or via Zoom

WEDNESDAY, NOVEMBER 16, 2022

AKT Thank You Reception
4:00 - 6:00 p.m.
U.S. Federal Courthouse Lobby
17 South Park Row, Erie, PA

THURSDAY, NOVEMBER 17, 2022

Defense Bar Section Meeting
Noon
ECBA Headquarters in-person or via Zoom

THURSDAY, NOVEMBER 17, 2022

Live ECBA Seminar
In-house Counsel and Private Practice Interaction
5:00 - 6:00 p.m.
The Will J. Schaaf & Mary B. Schaaf
Education Center in-person or via Zoom
Click link for details
<https://www.eriebar.com/events/public-registration/1771>

FRIDAY, NOVEMBER 18, 2022

ECBA Strategic Planning Committee Meeting
Time to be decided
ECBA Headquarters in-person or via Zoom

MONDAY, NOVEMBER 21, 2022

ECBA Board of Directors Meeting
Noon
ECBA Headquarters in-person or via Zoom

THURSDAY, NOVEMBER 24, 2022

Thanksgiving Holiday
Federal Courthouse closed

THURSDAY, NOVEMBER 24, 2022 FRIDAY, NOVEMBER 25, 2022

Thanksgiving Holiday
ECBA Office closed
Erie County Courthouse closed

THURSDAY, DECEMBER 1, 2022

Live ECBA Lunch-n-Learn Seminar
Criminal Law Update + Ethics
11:00 a.m. - 1:15 p.m.
The Will J. Schaaf & Mary B. Schaaf
Education Center in-person or via Zoom
Click link for details
<https://www.eriebar.com/events/public-registration/1750>

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Sept. 30 and Oct. 7, 14, 21, 28 and Nov. 4, 11, 18



TO REGISTER, VISIT:

<https://www.eriebar.com/events/ecba-events/1768-holiday-soiree>

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AMERICAN BAR ASSOCIATION
STANDING COMMITTEE ON ETHICS AND PROFESSIONAL RESPONSIBILITY

FORMAL OPINION 503

NOVEMBER 2, 2022

“REPLY ALL” IN ELECTRONIC COMMUNICATIONS

In the absence of special circumstances, lawyers who copy their clients on an electronic communication sent to counsel representing another person in the matter impliedly consent to receiving counsel’s “reply all” to the communication. Thus, unless that result is intended, lawyers should not copy their clients on electronic communications to such counsel; instead, lawyers should separately forward these communications to their clients. Alternatively, lawyers may communicate in advance to receiving counsel that they do not consent to receiving counsel replying all, which would override the presumption of implied consent.

I. Introduction

Lawyers now commonly use electronic communications like email and text messaging in their law practice.¹ Subject to handling, security, and maintenance considerations beyond this opinion’s scope,² the Model Rules permit these forms of electronic communication. This permissible communication extends to communications with counsel representing another person in the matter.

Under Rule 4.2 of the ABA Model Rules of Professional Conduct, in representing a client, a lawyer may not “communicate” about the subject of the representation with a represented person absent the consent of that person’s lawyer, unless the law or court order authorizes the communication.³

When a lawyer (“sending lawyer”) copies the lawyer’s client on an electronic communication to counsel representing another person in the matter (“receiving counsel”), the sending lawyer creates a group communication.⁴ This group communication raises questions under the “no contact” rule because of the possibility that the receiving counsel will reply all, which of course will be delivered to the sending lawyer’s client. This opinion addresses the question of whether sending lawyers, by copying their clients on electronic communications to receiving counsel, impliedly consent to the receiving counsel’s “reply all” response.

Several states have answered this question in the negative, concluding that sending lawyers have not impliedly consented to the reply all communication with their clients. Although these states conclude that consent may not be implied solely because the sending lawyer

¹ This opinion is based on the ABA Model Rules of Professional Conduct as amended by the ABA House of Delegates through August 2022. The laws, court rules, regulations, rules of professional conduct, and opinions promulgated in individual jurisdictions are controlling.

² See, e.g., ABA Comm. on Ethics & Prof’l Responsibility, Formal Op. 498 (2021) (discussing ethical considerations in virtual law practice); ABA Comm. on Ethics & Prof’l Responsibility, Formal Op. 483 (2018) (discussing lawyers’ obligations in response to data breaches); ABA Comm. on Ethics & Prof’l Responsibility, Formal Op. 477R (2017) (discussing reasonable security precautions when communicating through email).

³ The authorized-by-law exception is not the focus of this opinion.

⁴ Throughout this opinion, the lawyer who sends the electronic communication is referred to as the “sending lawyer.” The lawyer who represents another person in the matter and who receives the communication on which the sending lawyer’s client is copied is referred to as the “receiving counsel.”

copied the client on the email to receiving counsel, they also generally concede that consent may be implied from a variety of circumstances beyond simply having copied the client on a particular email.⁵ This variety of circumstances, however, muddies the interpretation of the Rule, making it difficult for receiving counsel to discern the proper course of action or leaving room for disputes.

II. Copying a Client on Emails and Texts Is Implied Consent to a Reply All Response

We conclude that given the nature of the lawyer-initiated group electronic communication, a sending lawyer impliedly consents to receiving counsel’s “reply all” response that includes the sending lawyer’s client, subject to certain exceptions discussed below. Several reasons support this conclusion, and we think that this interpretation will provide a brighter and fairer line for lawyers who send and receive group emails or text messages.

First, Model Rule 4.2 permits lawyers to communicate about the subject of the representation with a represented person with the “consent” of that person’s lawyer. Consent for purposes of Rule 4.2 may be implied; it need not be express.⁶ Similar to adding the client to a videoconference or telephone call with another counsel or inviting the client to an in-person meeting with another counsel, a sending lawyer who includes the client on electronic communications to receiving counsel generally impliedly consents to receiving counsel “replying all” to that communication.⁷ The sending lawyer has chosen to give receiving counsel the impression that replying to all copied on the email or text is permissible and perhaps even encouraged. Thus, this situation is not one in which the receiving counsel is overreaching or attempting to pry into confidential lawyer-client communications, the prevention of which are the primary purposes behind Model Rule 4.2.⁸

This conclusion also flows from the inclusive nature and norms of the group electronic communications at issue. It has become quite common to reply all to emails. In fact, “reply all” is the default setting in certain email platforms. The sending lawyer should be aware of this context,⁹ and if the sending lawyer nonetheless chooses to copy the client, the sending lawyer

⁵ See, e.g., Wa. State Bar Ass’n Advisory Op. 202201 (2022); S.C. Bar Advisory Op. 18-04 (2018). For a list of the factors bearing on implied consent, see Cal. Standing Comm. on Prof’l Responsibility & Conduct Formal Op. 2011-181 (“Such facts and circumstances may include the following: whether the communication is within the presence of the other attorney; prior course of conduct; the nature of the matter; how the communication is initiated and by whom; the formality of the communication; the extent to which the communication might interfere with the attorney-client relationship; whether there exists a common interest or joint defense privilege between the parties; whether the other attorney will have a reasonable opportunity to counsel the represented party with regard to the communication contemporaneously or immediately following such communication; and the instructions of the represented party’s attorney.”).

⁶ See RESTATEMENT (THIRD) OF THE LAW GOVERNING LAWYERS § 99 cmt. j (2000) (“[A] lawyer . . . may communicate with a represented nonclient when that person’s lawyer has consented to or acquiesced in the communication. An opposing lawyer may acquiesce, for example, by being present at a meeting and observing the communication. Similarly, consent may be implied rather than express, such as where such direct contact occurs routinely as a matter of custom, unless the opposing lawyer affirmatively protests.”).

⁷ See, e.g., N.J. Advisory Comm. on Prof’l Ethics Op. 739 (2021) (“While under RPC 4.2 it would be improper for another lawyer to initiate communication directly with a client without consent, by email or otherwise, nevertheless when the client’s own lawyer affirmatively includes the client in an email thread by inserting the client’s email address in the ‘to’ or ‘cc’ field, we think the natural assumption by others is that the lawyer intends and consents to the client receiving subsequent communications in that thread.”); see also Va. Legal Ethics Op. 1897 (2022) (“A lawyer who includes their client in the ‘to’ or ‘cc’ field of an email has given implied consent to a reply-all response by opposing counsel.”); N.Y.C. Bar Formal Ethics Op. 2022-3 (similar).

⁸ Model Rules of Prof’l Conduct R. 4.2 cmt. [1].

⁹ See Model Rules of Prof’l Conduct R. 1.1, cmt. [8] (“To maintain the requisite level of knowledge and skill, a lawyer should keep abreast of the changes in law and its practice, including the benefits and risks of relevant technology[.]”).

is essentially inviting a reply all response. To be sure, the sending lawyer's implied consent should not be stretched past the point of reason.¹⁰ Unless otherwise explicitly agreed, the consent covers only the specific topics in the initial email; the receiving counsel cannot reasonably infer that such email opens the door to copy the sending lawyer's client on unrelated topics.¹¹

Second, we think that placing the burden on the initiator — the sending lawyer — is the fairest and most efficient allocation of any burdens. The sending lawyer should be responsible for the decision to include the sending lawyer's client in the electronic communication, rather than placing the onus on the receiving counsel to determine whether the sending lawyer has consented to a communication with the sending lawyer's client. Moreover, in a group email or text with an extensive list of recipients, the receiving counsel may not realize that one of the recipients is the sending lawyer's client.¹² We see no reason to shift the burden to the receiving counsel, when the sending lawyer decided to include the client on the group communication in the first instance.

Furthermore, resolving the issue is simpler for the sending lawyer. If the sending lawyer would like to avoid implying consent when copying the client on the electronic communication, the sending lawyer should separately forward the email or text to the client. Indeed, we think this practice is generally the better one. By copying their clients on emails and texts to receiving counsel, sending lawyers risk an imprudent reply all from their clients. Email and text messaging replies are often generated quickly, and the client may reply hastily with sensitive or compromising information.¹³ Thus, the better practice is not to copy the client on an email or text to receiving counsel; instead, the lawyer generally should separately forward any pertinent emails or texts to the client.¹⁴

III. The Presumption of Implied Consent to Reply All Communications Is Not Absolute

The presumption of implied consent to reply all communications may be overcome. We highlight several common examples to guide lawyers.

First, an express oral or written remark informing receiving counsel that the sending lawyer does not consent to a reply all communication would override the presumption of implied consent. Thus, lawyers who do not wish for their client to receive a "reply all" communication should communicate that fact in advance to receiving counsel, preferably in writing.¹⁵ This

¹⁰ Cf. Model Rules of Prof'l Conduct, Scope [14] ("The Rules of Professional Conduct are rules of reason. They should be interpreted with reference to the purposes of legal representation and of the law itself.")

¹¹ See also Va. Legal Ethics Op. 1897 (2022) ("The reply must not exceed the scope of the email to which the lawyer is responding . . . as the sending lawyer's choice to use 'cc' does not authorize the receiving lawyer to communicate beyond what is reasonably necessary to respond to the initial email."); N.Y.C. Bar Ethics Op. 2022-3 ("Where an attorney sends an email copying their client, such communication gives implied consent for other counsel to reply all on the same subject within a reasonable time thereafter.")

¹² See N.J. Advisory Comm. on Prof'l Ethics Op. 739 (2021) ("[M]any emails have numerous recipients and it is not always clear that a represented client is among the names in the 'to' and 'cc' lines. The client's email address may not reflect the client's name, making it difficult to ascertain the client's identity. Rather than burdening the replying lawyer with the task of parsing through the group email's recipients, the initiating lawyer who does not consent to a response to the client should bear the burden of omitting the client from the group email or blind copying the client.")

¹³ See, e.g., N.Y.C. Bar Ethics Op. 2022-3 (discussing the lawyer competence and client risk issues arising when lawyers copy their clients on emails to opposing counsel).

¹⁴ A separate forward is safer than "bcc'ing" the client because in certain email systems, the client's reply all to that email would still reach the receiving counsel.

¹⁵ As in many other areas of professional responsibility and the law generally, written communications are advisable because they create an accurate record and help to prevent misunderstandings. Moreover, to avoid implied consent, an oral statement of course would need to be made in advance of the email communication at issue.

communication should be prominent; lawyers who simply insert this preference in a long list of boilerplate disclaimers in their email signature area run the risk of the receiving counsel missing it. Although such disclaimers are better than nothing, a more effective approach would be to inform the receiving counsel — at the beginning of the email or in an earlier, separate communication — that including the client in the communication does not signify consent (or as noted above, not copy the client at all).

Second, the presumption applies only to emails or similar group electronic communications, such as text messaging, which the lawyer initiates. It does not apply to other forms of communication, such as a traditional letter printed on paper and mailed. Implied consent relies on the circumstances, including the group nature and other norms of the electronic communications at issue. For paper communications, a different set of norms currently exists. There is no prevailing custom indicating that by copying a client on a traditional paper letter, the sending lawyer has impliedly consented to the receiving counsel sending a copy of the responsive letter to the sending lawyer's client. Accordingly, receiving counsel generally should not infer consent and reply to the letter with a copy to the sending lawyer's client simply because the sending lawyer copied that lawyer's client on a traditional paper letter. The sending lawyer, as a matter of prudence, should consider forwarding the letter separately, instead of copying the client, but failing to do so does not itself provide implied consent to the receiving counsel to copy the sending lawyer's client on a responsive letter. In sum, although Model Rule 4.2 applies equally to electronic and paper communications, only in group emails or text messages does copying the client convey implied consent for the receiving counsel to reply all to the communication.

Finally, although the act of "replying all" is generally permitted under Model Rule 4.2, other Model Rules restrict the content of that reply.¹⁶

IV. Conclusion

Absent special circumstances, lawyers who copy their clients on emails or other forms of electronic communication to counsel representing another person in the matter impliedly consent to a "reply all" response from the receiving counsel. Accordingly, the reply all communication would not violate Model Rule 4.2. Lawyers who would like to avoid consenting to such communication should forward the email or text to the client separately or inform the receiving counsel in advance that including the client on the electronic communication does not constitute consent to a reply all communication.

¹⁶ See, e.g., Model Rules of Prof'l Conduct R. 4.4(a) cmt. [1] (prohibiting "unwarranted intrusions into privileged relationships, such as the client-lawyer relationship"); Model Rules of Prof'l Conduct R. 4.4(b) cmt. [2] ("If a lawyer knows or reasonably should know that [an email] was sent inadvertently, then this Rule requires the lawyer to promptly notify the sender in order to permit that person to take protective measures."); Model Rules of Prof'l Conduct R. 8.4(c) (prohibiting counsel from making misrepresentations).

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ERIE COUNTY LEGAL JOURNAL

BANKRUPTCY COURT

LEGAL NOTICE

BANKRUPTCY COURT

BANKRUPTCY NOTICE

In re: Jeffrey Alan Tallman
Chapter 13 Bankruptcy
Case No. 21-10647 GLT
NOTICE OF A NON-EVIDENTIARY HEARING ON MOTION FOR SALE OF REAL PROPERTY FREE AND DIVESTED OF LIENS: NOTICE IS HEREBY GIVEN THAT the Debtor has filed a **Motion for Sale of Real Property Free and Divested of Liens (Doc #42)** seeking approval to sell the property located at: **10890 Old Route 99, McKean, Pennsylvania 16426** (more fully in a Deed dated September 14, 1999 and recorded September 20, 1999 in the Office of the Recorder of Deeds of Erie County, Pennsylvania in Record Book 633, Page 105 and a Quit Claim Deed dated September 8, 2009 and recorded on September 11, 2009 in Erie County Record Book 1589, Page 1264) for the sum of **\$325,000.00** according to the terms set forth in the Motion. An in-person hearing will be held on **Wednesday, November 30, 2022** at

9:30 a.m. before Chief Judge Gregory L. Taddonio in Courtroom A, 54th Floor U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219. **The Court will entertain higher and/or better offers at the hearing.** A successful bidder must deposit hand money of **\$5,000.00** at the time of the approval of the sale by the Court, with the balance due to be paid at closing of the sale. In accordance with Judge Taddonio's procedures, parties may appear for non-evidentiary matters remotely by utilizing the Zoom video conference platform. Parties seeking to appear remotely must register for the hearing by submitting a registration form via the link published on Judge Taddonio's website (which can be found at <http://www.pawb.uscourts.gov/judge-taddonios-video-conference-hearing-information>) by no later than **4 p.m. on the business day** prior to the scheduled hearing. All parties participating remotely shall comply with Judge Taddonio's General Procedures, (which can be found at <http://www.pawb.uscourts.gov/sites/default/files/pdfs/glt-proc.pdf>).

Parties who fail to timely register for remote participation will be expected to attend the hearing in person. Only a limited time of ten (10) minutes is being provided on the calendar. No witnesses will be heard. If there is an issue of fact, an evidentiary hearing will be scheduled by the Court for a later date. Examination of the property can be obtained by contacting the attorney for the Debtor, listed below. Further information regarding this sale may be found on the Court's EASI Website: <http://www.pawb.uscourts.gov/easi.htm>. Attorney for Movant/Applicant Michael S. Jan Janin, Esquire QUINN LAW FIRM 2222 West Grandview Blvd. Erie, Pennsylvania 16506 (814) 833-2222 PA ID#38880

Nov. 11

Erie County Bar Association's 2022 Annual Membership Meeting

Thursday, December 15, 2022
at the Bayfront Convention Center

- 2:15 p.m.: Registration
- 2:30 p.m.: The Business Case for DEI
- 3:30 p.m.: Break
- 3:45 p.m.: Avoiding Legal Malpractice: Steps You Can Take to Minimize Your Risks
- 4:45 p.m.: Cocktail Break
- 5:30 p.m.: 2022 ECBA Annual Membership Meeting
- 6:30 p.m.: ECBA Membership Appreciation Cocktail Reception

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Erie County Court of Common Pleas

Calendar 2023

2023 TRIAL TERMS

| | | |
|-----------|---------------|----------|
| January | 1/3/23 | 1/13/23 |
| February | 2/6/23 | 2/17/23 |
| March | 3/13/23 | 3/24/23 |
| April | 4/10/23 | 4/21/23 |
| May | 5/8/23 | 5/19/23 |
| June | 6/12/23 | 6/23/23 |
| July | 7/10/23 | 7/21/23 |
| August | No Trial Term | |
| September | 9/11/23 | 9/22/23 |
| October | 10/9/23 | 10/20/23 |
| November | 11/6/23 | 11/17/23 |
| December | No Trial Term | |

PULL-OUT

**2023 CIVIL TRIAL TERM
CERTIFICATION DATES**

| | |
|---------------|--------------------|
| January | October 28, 2022 |
| February | November 25, 2022 |
| March | December 30, 2022 |
| April | January 27, 2023 |
| May | February 24, 2023 |
| June | March 31, 2023 |
| July | April 28, 2023 |
| August | May 26, 2023 |
| September | June 30, 2023 |
| October | July 28, 2023 |
| November | August 25, 2023 |
| December | September 29, 2023 |
| January 2024* | October 27, 2023 |

PULL-OUT

2023 ARRAIGNMENTS

| | |
|-------------------|--------------------|
| January 23, 2023 | July 24, 2023 |
| February 27, 2023 | August 28, 2023 |
| March 27, 2023 | September 25, 2023 |
| April 24, 2023 | October 23, 2023 |
| May 30, 2023 | November 20, 2023 |
| June 26, 2023 | December 18, 2023 |

PULL-OUT

2023 CUSTODY TRIAL TERMS

| |
|------------------------------|
| January 23-27, 2023 |
| February 21-24, 2023 |
| March 27-31, 2023 |
| April 24-28, 2023 |
| May 22-26, 2023 |
| June 26-30, 2023 |
| July 24-28, 2023 |
| August 21-25, 2023 |
| September 25-29, 2023 |
| October 23-27, 2023 |
| November 27-December 1, 2023 |
| December 18-22, 2023 |

**ERIE COUNTY SHERIFF SALE
SCHEDULE FOR THE YEAR 2023**

| <u>LAST DATE TO FILE</u> | <u>DATE OF SALE</u> |
|---------------------------------|----------------------------|
| December 5, 2022 | February 17, 2023 |
| January 3, 2023 | March 17, 2023 |
| February 1, 2023 | April 21, 2023 |
| March 1, 2023 | May 19, 2023 |
| April 3, 2023 | June 23, 2023 |
| May 1, 2023 | July 21, 2023 |
| June 2, 2023 | August 18, 2023 |
| June 30, 2023 | September 22, 2023 |
| August 1, 2023 | October 20, 2023 |
| September 1, 2023 | November 17, 2023 |
| November 1, 2023 | January 19, 2024 |

NO SALES IN DECEMBER**FEDERAL COURT CIVIL/CRIMINAL
TRIAL CALENDAR**

| | | |
|------------------|----------------|-------------------|
| January 3, 2023 | May 1, 2023 | September 5, 2023 |
| February 6, 2023 | June 5, 2023 | October 2, 2023 |
| March 6, 2023 | July 5, 2023 | November 6, 2023 |
| April 3, 2023 | August 7, 2023 | December 4, 2023 |

2023 AUDIT CALENDAR

| <u>2022</u> | <u>Last Day to File Accounts and Petitions for Adjudication</u> | <u>Last Day to File Objections</u> |
|-------------|---|--|
| November | October 12, 2022 | November 23, 2022 |
| December | November 9, 2022 | December 21, 20212 |
| <u>2023</u> | | |
| January | December 7, 2022 | January 18, 2023 |
| February | January 11, 2023 | February 22, 2023 |
| March | February 8, 2023 | March 22, 2023 |
| April | March 8, 2023 | April 19, 2023 |
| May | April 5, 2023 | May 17, 2023 |
| June | May 10, 2023 | June 21, 2023 |
| July | June 7, 2023 | July 19, 2023 |
| August | July 12, 2023 | August 23, 2023 |
| September | August 9, 2023 | September 20, 2023 |
| October | September 6, 2023 | October 18, 2023 |
| November | October 11, 2023 | November 22, 2023 |
| December | November 8, 2023 | December 20, 2023 |



2022/23 Facility Rental Fees

The ECBA facility rates listed below are for spaces during normal ECBA business hours (this does not include weekends, holidays or the cost of overtime for staff). They include use of the specific space reserved, available AV equipment, parking, coffee/tea/water/soda, WiFi, and limited photocopies if needed. Breakfast and/or lunch can be ordered at an additional cost.

Room(s) available: Large Conference Room (Board Room), wheelchair accessible, accommodates 16 people
Medium Conference Room (Lawyer's Lounge), accommodates 6-8 people
Small Conference Room, accommodates 6 people
Will and Mary Schaaf Education Center, wheelchair accessible, accommodates 40 people

ECBA Member Fees – Headquarters:

Person reserving the room must be present for meeting.

- Meeting with handicapped client, no cost
- Deposition, no cost
- Arbitration (panel chair is an ECBA member), no cost
- Mediation (includes up to 3 rooms), \$125.00 – four hours or fewer
- Mediation (includes up to 3 rooms), \$175.00 – five to seven hours
- Zoom conferencing (minimum 1 hour), \$100.00/hour

ECBA Member Fees – Schaaf Education Center:

- Meeting with handicapped client, no cost
- Deposition, no cost
- Arbitration (if panel chair is an ECBA member), no cost

Non-Member Fees – Headquarters:

- Deposition, \$100.00 – four hours or fewer
- Deposition, \$175.00 – five to seven hours
- Arbitration (panel chair is non-member), \$100.00 – four hours or fewer
- Arbitration (panel chair is non-member), \$175.00 – five to seven hours
- Mediation (includes up to 3 rooms), \$125.00 – four hours or fewer
- Mediation (includes up to 3 rooms), \$175.00 – five to seven hours
- Zoom conferencing (minimum 1 hour), \$150.00/hour
- External organization meetings/events, \$100.00 – four hours or fewer
- External organization meetings/events, \$175.00 - five to seven hours

Non-Member Fees – Schaaf Education Center:

- Deposition, \$100.00 – four hours or fewer
- Deposition, \$175.00 – five to seven hours
- Arbitration (panel chair is non-member), \$100.00 – four hours or fewer
- Arbitration (panel chair is non-member), \$175.00 – five to seven hours
- Educational programming/meetings/events, \$200.00 – four hours or fewer
- Educational programming/meetings/events, \$300.00 - five to seven hours

Cancellation Policy: Members will be charged \$25 for room set-up if cancellation is less than 24 hours in advance of scheduled use. Non-members will not receive a refund if cancellation is less than 48 hours in advance of scheduled use.

Contact the ECBA office at 814-459-3111 or email capalicia@eriebar.com.

Erie County Bar Association 429 West 6th Street Erie, PA 16507 814/459-3111 www.eriebar.com

CHANGE OF NAME NOTICE

In the Court of Common Pleas of Erie County Pennsylvania

Docket No. 11951-22

In re: Messiah Bayete, a minor
Notice is hereby given that a Petition has been filed in the above named Court by Lionel Williams, requesting an Order to change the name of Messiah Bayete to Messiah Lionel Jr. Williams.

The Court has fixed the 21st day of November, 2022 at 11:30 a.m. in Courtroom D, Room 214 of the Erie County Courthouse, 140 W. 6th St., Erie, PA 16501 as the time and place for the hearing on said petition, when and where all parties may appear and show cause, if any they have, why the prayer of the petitioner should not be granted.

Nov. 11

CHANGE OF NAME NOTICE

In the Court of Common Pleas of Erie County, Pennsylvania 12530-22 Notice is hereby given that a Petition was filed in the above named court requesting an Order to change the name of Jacob Haibach to Lain Fairlight Conway.

The Court has fixed the 8th day of December, 2022 at 9:30 a.m. in Court Room D, Room 214, of the Erie County Court House, 140 West 6th Street, Erie, Pennsylvania 16501 as the time and place for the Hearing on said Petition, when and where all interested parties may appear and show cause, if any they have, why the prayer of the Petitioner should not be granted.

Nov. 11

CHANGE OF NAME NOTICE

In the Court of Common Pleas of Erie County Pennsylvania
Docket No. 12416-22

In re: Linnea Pearl Nielsen, a minor
Notice is hereby given that a Petition has been filed in the above named Court by Laura Nielsen, requesting an Order to change the name of Linnea Pearl Nielsen to Michael Henry Nielsen.

The Court has fixed the 1st day of December, 2022 at 3:30 p.m. in Courtroom D, Room 214 of the Erie County Courthouse, 140 W. 6th St.,

Erie, PA 16501 as the time and place for the hearing on said petition, when and where all parties may appear and show cause, if any they have, why the prayer of the petitioner should not be granted.

Nov. 11

CHANGE OF NAME NOTICE

In the Court of Common Pleas of Erie County, Pennsylvania 12579-22 Notice is hereby given that a Petition was filed in the above named court requesting an Order to change the name of Katie D. Shetler to Katarina Dela Shorian.

The Court has fixed the 28th day of December, 2022 at 2:30 p.m. in Court Room D, Room 214, of the Erie County Court House, 140 West 6th Street, Erie, Pennsylvania 16501 as the time and place for the Hearing on said Petition, when and where all interested parties may appear and show cause, if any they have, why the prayer of the Petitioner should not be granted.

Nov. 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 NOTICE

Notice is hereby given that an Application of Fictitious Name was filed in the Department of State of the Commonwealth of Pennsylvania on 09/29/2022 for Hometown Mortgage Funding at 360 Town Plaza Avenue, Suite 340, Ponte Vedra, FL 32081. The name and address of each individual interested in the business is Jason Kindler & Aaron Bacus. This was filed in accordance with 54 PaC.S.313-417.

Nov. 11

FICTITIOUS NAME NOTICE

1. Fictitious Name: Jodi Collado
2. Address of principal place of business, including street and

number: 502 W. 7th Steet, Ste. 100, Erie, PA 16502.

3. The real names and addresses, including street and number, of the persons who are parties to the registration: Jardiris Boyle, 135 Colket Lane, Devon, PA 19333.
4. An application for registration of a fictitious name under the Fictitious Name Act was filed on or about September 9, 2022.

Nov. 11

LEGAL NOTICE

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY, PENNSYLVANIA
CIVIL DIVISION
No. 12026 of 2022

Tax Map No. 33-099-423.0-007.00
LITTLE GIRAFFE 2020, LLC,
Plaintiff

vs.

LORI PFADT, KURTIS E. DECKER, KENNETH SCOTT DECKER and THE UNKNOWN HEIRS, BENEFICIARIES OR PERSONAL REPRESENTATIVES OF ROY E. DECKER, JR. and IDA T. DECKER, Defendants
PUBLIC NOTICE TO THE UNKNOWN HEIRS, BENEFICIARIES OR PERSONAL REPRESENTATIVES OF DEFENDANTS ROY E. DECKER, JR., IDA T. DECKER AND KURTIS E. DECKER

NOTICE TO DEFEND

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

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT

ONCE. IF YOU DO NOT HAVE A LAWYER, TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ON AGENCIES THAT MAY

OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

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

Nov. 11

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SHERIFF SALES

Notice is hereby given that by virtue of sundry Writs of Execution, issued out of the Courts of Common Pleas of Erie County, Pennsylvania, and to me directed, the following described property will be sold at the Erie County Courthouse, Erie, Pennsylvania on

**NOVEMBER 18, 2022
AT 10 A.M.**

All parties in interest and claimants are further notified that a schedule of distribution will be on file in the Sheriff's Office no later than 30 days after the date of sale of any property sold hereunder, and distribution of the proceeds made 10 days after said filing, unless exceptions are filed with the Sheriff's Office prior thereto.

All bidders are notified prior to bidding that they **MUST** possess a cashier's or certified check in the amount of their highest bid or have a letter from their lending institution guaranteeing that funds in the amount of the bid are immediately available. If the money is not paid immediately after the property is struck off, it will be put up again and sold, and the purchaser held responsible for any loss, and in no case will a deed be delivered until money is paid.

Chris Campanelli
Sheriff of Erie County

Oct. 28 and Nov. 4, 11

SALE NO. 1

**Ex. #12326 of 2021
ROBERT A. FODOR, Plaintiff**

v.

**FREDERICK MAZZEO,
Defendant
DESCRIPTION**

By virtue of Writ of Execution filed at No. 12326-2021, Robert A. Fodor vs. Frederick Mazzeo, owner of the following property identified below:
1) Situate in the City of Erie, County of Erie, and Commonwealth of Pennsylvania at 132 East 32nd Street, Erie, Pennsylvania 16504:

Assessment Map No.: (18)5086-135
Assessed Value Figure: \$68,500.00
Improvement Thereon:
Single Family Dwelling
Michael S. Jan Janin, Esquire

Pa. I.D. No. 38880
The Quinn Law Firm
2222 West Grandview Boulevard
Erie, PA 16506
(814) 833-2222

Oct. 28 and Nov. 4, 11

SALE NO. 2

**Ex. #10096 of 2022
FIRST NATIONAL BANK OF
PENNSYLVANIA, Plaintiff**

v.

**SCOTT A. KOSACK, Defendant
DESCRIPTION**

By virtue of a Writ of Execution filed to No. 10096-22, FIRST NATIONAL BANK OF PENNSYLVANIA vs. SCOTT A. KOSACK, owner of property situated in the City of Erie, Erie County, Pennsylvania being known as 126-132 East 12th Street, Erie, Pennsylvania 16501 and 138-142 East 12th Street, Erie, Pennsylvania 16501

Total Acreage: 0.6364 (combined between Tax Index Parcel No. (15) 2007-117 and (15) 2007-116 and (15) 2007-120)

Tax Index Parcel Nos. (15) 2007-117 and (15) 2007-116 and (15) 2007-120
Combined Assessed Value figure: \$383,500 (Land & Building of combined Tax Index Parcel No. (15) 2007-117 and (15) 2007-116 and (15) 2007-120)

Improvement thereon: two story building

FIRST NATIONAL BANK
OF PENNSYLVANIA
David W. Raphael, Esquire
Attorney for First National Bank of Pennsylvania
100 Federal Street - 4th Floor
Pittsburgh, PA 15212
412-465-9718

Oct. 28 and Nov. 4, 11

SALE NO. 3

**Ex. #10573 of 2022
UMB Bank, National Association,
not in its individual capacity, but
solely as legal title trustee for
LVS Title Trust XIII, Plaintiff**

v.

**Christopher Lee Newlin
and Jennifer Lynne Newlin,
Defendants
DESCRIPTION**

By Virtue of Writ of Execution

filed to No. 2022-10573, UMB Bank, National Association, not in its individual capacity, but solely as legal title trustee for LVS Title Trust XIII vs. Christopher Lee Newlin and Jennifer Lynne Newlin, owner(s) of property situated in the 5th Ward of the City of Erie, Erie County, Pennsylvania being 2712 East Avenue, Erie, PA 16504

0.0891 acre
Assessment Map number: 18050052010400
Assessed figure: \$62,530.00
Improvement thereon:
Single Family Residential Dwelling
Hladik, Onorato & Federman, LLP
289 Wissahickon Avenue
North Wales, PA 19454
(215) 855-9521

Oct. 28 and Nov. 4, 11

SALE NO. 4

**Ex. #11330 of 2022
PENNYMAC LOAN SERVICES,
LLC, Plaintiff**

v.

**Nathan J. Kucnick, Defendant
DESCRIPTION**

ALL THAT CERTAIN piece or parcel of land situate in the Township of Millcreek, County of Erie, and State of Pennsylvania, bounded and described as follows to wit:

BEING KNOWN AS:
4917 Cherryboro Drive, Erie, Pennsylvania 16510
PARCEL NO.: 33107489203900
IMPROVEMENTS:
Residential Dwelling
Powers Kim, LLC
Harry B. Reese, Esquire
Id. No. 310501
Attorneys for Plaintiff
Eight Neshaminy Interplex,
Suite 215
Trevose, PA 19053
215-942-2090

Oct. 28 and Nov. 4, 11

SALE NO. 5

**Ex. #10534 of 2021
HDDA, LLC, Plaintiff**

v.

**KERTRA, LTD., and THE
UNITED STATES OF
AMERICA, Defendants
DESCRIPTION**

KERTRA, LTD., the owner(s) of the property situated in the Township of Millcreek, Erie County, Pennsylvania being known as 2800 West 8th Street, Erie, Pennsylvania 16505.
Being 5.3521 acres and 89263 sq. ft.
Assessment Map Number: 33-029-050.0-0-004.00
Assessed Value figure: \$5,100,000.00
Improvement thereon:
Hotel/Motel Lo Rise
BUCHANAN INGERSOLL & ROONEY PC
Christopher P. Schueller,
Pa. Id. No. 92746
Kelly M. Neal, Pa. Id. No. 306473
Erin H. Conroy, Pa. Id. No. 318291
Union Trust Building
501 Grant Street, Suite 200
Pittsburgh, PA 15219
Tel: (412) 562-8800
Fax: (412) 562-1041
Attorneys for Plaintiff

Oct. 28 and Nov. 4, 11

SALE NO. 6

**Ex. #10947 of 2022
AJAX MORTGAGE LOAN
TRUST 2020-A, MORTGAGE-
BACKED SECURITIES,
SERIES 2020-A, BY U.S. BANK**

**NATIONAL ASSOCIATION,
AS INDENTURE TRUSTEE,
Plaintiff**

v.

**CARLIE A. CHAMBERLAIN,
Administratrix of the Estate of
Robin R. Cowher, Deceased,
KIMMY THOMPSON,
Known Heir of the Estate of
Robin R. Cowher, Deceased,
BUMMER FIALA, Known
Heir of the Estate of Robin R.
Cowher, Deceased, owner(s) of
property situated in the Township
of Springfield, Erie County,
Pennsylvania being 13192 West
Ridge Road, Springfield, PA 16443
1144 Sq. Feet Acreage 1.1400
Assessment Map number:
39016051004304
Assessed Value figure: \$111,170
Improvement thereon:
Single Family Residential
JACQUELINE F. McNALLY,
ESQUIRE (201332)
ATTORNEYS FOR PLAINTIFF
18 Campus Boulevard, Suite 100
Newtown Square, PA 19073
TELEPHONE: (850) 422-2520
FACSIMILE: (850) 422-2567
E-mail:
jackie.mcnally@padgettlawgroup.com**

By virtue of a Writ of Execution filed to No. 2022-10947, AJAX MORTGAGE LOAN TRUST 2020-A, MORTGAGE-BACKED SECURITIES, SERIES 2020-A, BY U.S. BANK NATIONAL ASSOCIATION, AS INDENTURE TRUSTEE vs. CARLIE A. CHAMBERLAIN, Administratrix of the Estate of Robin R. Cowher, Deceased, KIMMY THOMPSON, Known

Heir of the Estate of Robin R. Cowher, Deceased, BUMMER FIALA, Known Heir of the Estate of Robin R. Cowher, Deceased, BRANDY HENDERSON, Known Heir of the Estate of Robin R. Cowher, Deceased, TABITHA HENDERSON, Known Heir of the Estate of Robin R. Cowher, Deceased, owner(s) of property situated in the Township of Springfield, Erie County, Pennsylvania being 13192 West Ridge Road, Springfield, PA 16443 1144 Sq. Feet Acreage 1.1400
Assessment Map number: 39016051004304
Assessed Value figure: \$111,170
Improvement thereon:
Single Family Residential
JACQUELINE F. McNALLY,
ESQUIRE (201332)
ATTORNEYS FOR PLAINTIFF
18 Campus Boulevard, Suite 100
Newtown Square, PA 19073
TELEPHONE: (850) 422-2520
FACSIMILE: (850) 422-2567
E-mail:
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Oct. 28 and Nov. 4, 11



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ESTATE NOTICES

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

FIRST PUBLICATION

FLANAGAN, PATRICK WILLIAM, a/k/a PATRICK W. FLANAGAN, deceased

Late of the City of Erie, County of Erie, Pennsylvania
Administratrix: Caitlyn Elizabeth McCarthy, c/o Jerome C. Wegley, Esq., 120 West Tenth Street, Erie, PA 16501
Attorney: Jerome C. Wegley, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

JOHNSON, M. ELAINE, a/k/a MILLICENT E. JOHNSON, a/k/a MILLICENT ELAINE JOHNSON, deceased

Late of the Township of Harborcreek, County of Erie, Commonwealth of Pennsylvania
Executrix: Jacqueline Sue Zukowski, c/o Leigh Ann Orton, Esquire, Orton & Orton, 68 East Main Street, North East, PA 16428
Attorney: Leigh Ann Orton, Esquire, Orton & Orton, 68 East Main Street, North East, PA 16428

MATHEWS, ROBERT L., a/k/a ROBERT MATHEWS, deceased

Late of the Borough of Girard, County of Erie, Commonwealth of Pennsylvania
Executrix: Kathleen J. Swanseger, 5745 Cherry Street, Erie, PA 16509
Attorney: Grant M. Yochim, Esq., 24 Main St. E., P.O. Box 87, Girard, PA 16417

OVERBERG, DOROTHY Y., a/k/a DOROTHY E. OVERBERG, a/k/a DOROTHY E. YERNBERG OVERBERG, deceased

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

ROMANOWICZ, DAVID J., a/k/a DAVID JOSEPH ROMANOWIZ, deceased

Late of the Township of Harborcreek, County of Erie, Commonwealth of Pennsylvania
Executrix: Leigh Ann Orton, Esquire, Orton & Orton, 68 East Main Street, North East, PA 16428
Attorney: Leigh Ann Orton, Esquire, Orton & Orton, 68 East Main Street, North East, PA 16428

SKARZENSKI, SARAH, deceased

Late of the City of Erie, County of Erie, Pennsylvania
Executrix: Becky Faulhaber, c/o Barbara J. Welton, Esquire, 2530 Village Common Drive, Suite B, Erie, PA 16506
Attorney: Barbara J. Welton, Esquire, 2530 Village Common Drive, Suite B, Erie, PA 16506

WEARY, ANTHONY JUSTIN, a/k/a ANTHONY J. WEARY, deceased

Late of Millcreek Township, County of Erie and Commonwealth of Pennsylvania
Co-executors: Anthony C. Weary & Deborah L. Weary, c/o Hopkins Law, 333 State Street, Suite 203, Erie, PA 16507
Attorney: Damon C. Hopkins, Esquire, 333 State Street, Suite 203, Erie, PA 16507

WOLOZANSKI, PATRICK STEVEN, a/k/a PATRICK S. WOLOZANSKI, a/k/a PATRICK WOLOZANSKI, deceased

Late of Millcreek Township, County of Erie and Commonwealth of Pennsylvania
Administratrix: Diane M. Woloanski, c/o 3952 Avonia Road, P.O. Box 9, Fairview, PA 16415
Attorney: Alan Natalie, Esquire, 3952 Avonia Road, P.O. Box 9, Fairview, PA 16415

SECOND PUBLICATION

BRITTON, CYNTHIA A., a/k/a CYNTHIA BRITTON, a/k/a CINDY BRITTON, deceased

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania
Executor: Jeffrey J. Taylor, c/o 2409 State Street, Suite A, Erie, PA 16503
Attorney: Michael J. Nies, Esquire, 2409 State Street, Suite A, Erie, PA 16503

CHIARELLO, SHIRLEY A., deceased

Late of the City of Erie, Erie County, Pennsylvania
Executor: Ralph Shipp, c/o Jerome C. Wegley, Esq., 120 West Tenth Street, Erie, PA 16501
Attorney: Jerome C. Wegley, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

ELDER, BREANNA LYNN, deceased

Late of Edinboro Borough, County of Erie, Commonwealth of Pennsylvania
Co-administrators: Timothy Elder and Darla Elder, 12580 Forrest Drive, Edinboro, PA 16412
Attorney: None

HAWLEY, PATRICIA, a/k/a PATRICIA A. HAWLEY, deceased

Late of the City of Erie, County of Erie, and State of Pennsylvania
Executor: Edward Hawley, c/o Justin L. Magill, Esq., 2820 W. 23rd Street, Erie, PA 16506
Attorney: Justin L. Magill, Esquire, 2820 W. 23rd Street, Erie, PA 16506

McARDLE, CECELIA A., deceased

Late of the City of Corry, County of Erie, Pennsylvania
Executor: Justin T. McArdle, c/o Thomas J. Ruth, Esq., 224 Maple Avenue, Corry, PA 16407
Attorney: Thomas J. Ruth, Esq., 224 Maple Avenue, Corry, PA 16407

MILLER, EARNESTINE, a/k/a EARNESTINE T. MILLER, a/k/a ERNESTINE MILLER, deceased

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania
Co-executrices: Hattie Stagg, Nancy Ann Ligon and Carolyn Mason, c/o Michael A. Agresti, Esq., Suite 300, 300 State Street, Erie, PA 16507
Attorney: Michael A. Agresti, Esq., MARSH SCHAAF, LLP., Suite 300, 300 State Street, Erie, PA 16507

MILLER, JAMES F., deceased

Late of Millcreek Township, County of Erie and Commonwealth of Pennsylvania
Executrix: Mary Alice Miller, c/o James E. Marsh, Jr., Esq., Suite 300, 300 State Street, Erie, PA 16507
Attorney: James E. Marsh, Jr., Esq., MARSH SCHAAF, LLP., Suite 300, 300 State Street, Erie, PA 16507

PRZYBYSZEWSKI, ROBERT J., a/k/a ROBERT J. PRZYBYSZEWSKI, SR., deceased

Late of the City of Erie, Erie County, Pennsylvania
Co-executors: Robert J. Przybyszewski, Jr., 4225 Greengarden Road, Erie, PA 16509 and Beth Ann Wagatsuma, 572 Viewmont Court, Harrisonburg, VA 22802
Attorney: Gary J. Shapira, Esquire, 118 West Forty-Second Street, Erie, PA 16508

REIGEL, AUDREY C., a/k/a AUDREY CASEY REIGEL, a/k/a AUDREY REIGEL, deceased

Late of the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania
Executor: Patrick T. Reigel, c/o 2409 State Street, Suite A, Erie, PA 16503
Attorney: Michael J. Nies, Esquire, 2409 State Street, Suite A, Erie, PA 16503

SLATZER, RITA M., a/k/a RITA MARIE SLATZER, a/k/a RITA SLATZER, deceased

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania
Executor: Christopher S. Slatzer, c/o 3952 Avonia Road, P.O. Box 9, Fairview, PA 16415
Attorney: Alan Natalie, Esquire, 3952 Avonia Road, P.O. Box 9, Fairview, PA 16415

SUSCHECK, JOHN L., a/k/a JOHN LEE SUSCHECK, a/k/a JOHN SUSCHECK, deceased

Late of Fairview Township, County of Erie and Commonwealth of Pennsylvania
Co-executors: Dennis M. Suscheck and Robert F. Suscheck, c/o 3952 Avonia Road, P.O. Box 9, Fairview, PA 16415
Attorney: Alan Natalie, Esquire, 3952 Avonia Road, P.O. Box 9, Fairview, PA 16415

WEAVER, RICHARD D., deceased

Late of the Township of Fairview, County of Erie and Commonwealth of Pennsylvania
Executrix: Pamela M. Weaver, c/o James E. Marsh, Jr., Esq., Suite 300, 300 State Street, Erie, PA 16507
Attorney: James E. Marsh, Jr., Esq., MARSH SCHAAF, LLP., Suite 300, 300 State Street, Erie, PA 16507

TRUST NOTICE

Notice is hereby given of the administration of the Estate and 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 executor, trustee or attorney named below:

LANTZY, MARY LEA, deceased

Late of North East Borough, Erie County, North East, Pennsylvania
Executrix/Successor Trustee: Betty Joanne Bucholtz, 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

THIRD PUBLICATION

BOWERSOX, MADALYNN SUE, deceased

Late of the Borough of Waterford, County of Erie, Commonwealth of Pennsylvania
Administratrix: Mary McCarthy, c/o MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459
Attorneys: MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

BROWN, STEPHEN ORMAL, a/k/a STEPHEN O. BROWN, a/k/a STEPHEN BROWN, deceased

Late of the Township of Greenfield, County of Erie, Commonwealth of Pennsylvania
Executrix: Melissa A. Brown, 2279 Hare Road, Waterford, PA 16441
Attorney: Grant M. Yochim, Esq., 24 Main St. E., P.O. Box 87, Girard, PA 16417

DURFEE, JULIA ANN, a/k/a JULIA A. DURFEE, deceased

Late of Waterford Township, County of Erie and Commonwealth of Pennsylvania
Executor: Jeffrey M. Durfee, 4515 Loop Road, Waterford, PA 16441
Attorney: None

FARMER, RONALD B., a/k/a RONALD FARMER, deceased

Late of the Township of Franklin, County of Erie, Commonwealth of Pennsylvania
Administratrix c.t.a.: Cynthia A. Farmer, 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

FINKE, JULIE M., deceased

Late of the Township of Harborcreek, County of Erie, Commonwealth of Pennsylvania
Co-administrators: Richard Finke and Christina Powell, 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

FRASCA, ROBERT J., a/k/a ROBERT JOSEPH FRASCA, deceased

Late of the City of Erie, County of Erie, Commonwealth of Pennsylvania
Administratrix: Heather J. Conrad
Attorney: Edwin W. Smith, Esq., Marsh Schaaf, LLP, 300 State Street, Suite 300, Erie, PA 16507

MARTIN, WILLIAM J., III, deceased

Late of the City of Erie, County of Erie, Commonwealth of Pennsylvania
Executrix: Annette Martin, 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

MCDONALD, DONNA M., deceased

Late of the City of Corry, County of Erie and Commonwealth of Pennsylvania
Administratrix: Darcy L. McDonald, c/o Crandall G. Nyweide, Esq., P.O. Box 369, Clymer, NY 14724
Attorney: Crandall G. Nyweide, Esq., P.O. Box 369, Clymer, NY 14724

McINTIRE, RHODA D., a/k/a RHODA DORCAS McINTIRE, deceased

Late of Summit Township, County of Erie, Commonwealth of Pennsylvania
Executor: Joseph T. McIntire, 392 Circuit Street, Waterford, PA 16441
Attorneys: The Travis Law Firm, P.C., 100 State Street, Suite 210, Erie, Pennsylvania 16507

RILLING, SHIRLEY R., a/k/a SHIRLEY RILLING, deceased

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania
Executrix: Kimberly A. Brown, 9878 Amador Ranch Avenue, Las Vegas, NV 89149
Attorney: Grant M. Yochim, Esq., 24 Main St. E., P.O. Box 87, Girard, PA 16417

ROBASKY, JAMES J., a/k/a JAMES JOSEPH ROBASKY, a/k/a JAMES ROBASKY, deceased

Late of the Township of Lawrence Park, County of Erie and Commonwealth of Pennsylvania
Executrix: Susan Dombrowski, c/o Crandall G. Nyweide, Esq., P.O. Box 369, Clymer, NY 14724
Attorney: Crandall G. Nyweide, Esq., P.O. Box 369, Clymer, NY 14724

SHIREY, LYNDIA M., a/k/a LYNDIA M. PETERSON, a/k/a LINDAY MAUREEN SHIREY, deceased

Late of Greenfield Township, County of Erie and Commonwealth of Pennsylvania
Executrix: Keith G. Peterson
Attorney: Craig A. Zonna, Esquire, ELDERKIN LAW FIRM, 456 West 5th Street, Erie, PA 16507

SPAEDER, RICHARD E., deceased

Late of the City of Erie, Erie County, PA
Executor: Donald J. Spaeder, 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

SPINKS, GREGORY J., deceased

Late of the Township of Venango, County of Erie, Commonwealth of Pennsylvania
Administrator: Donald Spinks, c/o MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459
Attorneys: MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

YOUNG, RUTH F., a/k/a RUTH FRANCIS YOUNG, deceased

Late of the City of Erie, County, Pennsylvania
Executor: Brian A. Young, c/o Adam E. Barnett, Esq., 234 West Sixth Street, Erie, PA 16507
Attorney: Adam E. Barnett, Esq., Bernard Stuczynski Barnett & Lager, PLLC, 234 West Sixth Street, Erie, PA 16507

LIVE
SEMINAR

ECBA

ERIE COUNTY BAR ASSOCIATION

In-house Counsel and Private Practice Interaction

Thursday, November 17, 2022

The Will J. Schaaf & Mary B. Schaaf
 Education Center at the ECBA,
 429 West 6th Street, Erie, PA 16507
 or via Zoom



1 Hour Ethics CLE Credit

Registration: 4:45 p.m.
Seminar: 5:00 - 6:00 p.m.
 (Happy Hour to follow)
Cost: \$47 - ECBA Members
 (Judges & Attorneys) and
 their Paraprofessional Staff
 \$60 - Non-members

Seminar:

The seminar will discuss the differences and interactions between in-house counsels, and private attorneys. Including: how to drum up business, networking, pitfalls, and ethical concerns.

Speakers:

Atty. Neal R. Devlin focuses his practice on litigating complex disputes. He has litigated such disputes in state and federal courts throughout the country. He is also experienced in addressing all manner of disputes in arbitration and other forms of alternative dispute resolution. Atty. Devlin's practice includes litigating contract, business and intellectual property disputes, as well as white collar crime matters. After law school and working for Knox Law for one year, he clerked for the Honorable Richard L. Nygaard on the U.S. Court of Appeals for the Third Circuit. He serves as a Board member and General Counsel of Knox Law.

Atty. Daniel A. Rowley grew up in Beaver County and went to college at Wittenberg University. He attended law school at UVA, and served as Executive Editor of the *Virginia Law Review*. After graduation in 1979, he clerked for Chief Judge Seitz in the Third Circuit. Then for 12 years Atty. Rowley practiced law in DC at Covington & Burling and as a partner at Nixon, Hargrave, specializing in regulatory and corporate/M&A.

In 1992, he came to GE in Erie. Because of the size of the department, He had responsibility for all substantive legal areas. Starting in 1998, Dan served as general counsel of over 10 GE businesses, along with several corporate assignments until retiring at the beginning of 2019.

TO REGISTER, VISIT:

<https://www.eriebar.com/events/public-registration/1771>

CHANGES IN CONTACT INFORMATION OF ECBA MEMBERS

BETHANY A. BLOOD814-871-3180
PNC Private Bank(f) 814-871-9314
901 State Street, 2nd Floor
Erie, PA 16501bethany.blood@pnc.com

JOANNA K. BUDDE.....814-333-7300, ext. 3728
Crawford County Human Services/CYS
18282 Technology Drive, Suite 101
Meadville, PA 16335.....jbudde@co.crawford.pa.us

LIVE
LUNCH-N-LEARN
SEMINAR | **ECBA**
ERIE COUNTY BAR ASSOCIATION
presented in cooperation with its Criminal Law Section

Criminal Law Update + Ethics



SPEAKER:
NICOLE D. SLOANE KONDRLIK, ESQ.

Our knowledgeable speaker, Attorney Nicole D. Sloane Kondrlik, Chief Public Defender, is an experienced trial attorney who focuses on criminal defense work, is an Army Veteran and has an Industrial engineering background. She has represented clients in numerous jury trials since 2006, including capital homicide cases. Attorney Nicole Sloane Kondrlik has been the lead attorney for almost 4,600 cases. She is a published author of articles on topics including correcting illegal sentences and in 2017 was the recipient of The Public Defender Association of Pennsylvania's Gideon Award for indigent defense work.



**THURSDAY,
DECEMBER 1, 2022**

The Will J. Schaaf & Mary B. Schaaf
Education Center, 429 W. 6th St., Erie, PA
16507 or via Zoom

Note Times:

Seminar begins: 11:00 a.m.

Noon: Brief break

(Lunch provided for in-person attendees)

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

Cost:

\$94 - ECBA members (Judges & Attorneys)
and their Non-Attorney Staff

\$120 - Non-Members

*This seminar has been approved for
1 hour Substantive & 1 hour Ethics
CLE credit.*

Attorneys practicing in the criminal law area won't want to miss this much-anticipated annual update.

Those attending will benefit from a comprehensive review of the latest case law developments as well as valuable materials.

Here are comments following Attorney Sloane's presentation last year: "This was very informative. Nicole is the perfect presenter for the topic." "Very good CLE." "Fantastic seminar." "Great!" "Nicole is wonderful as always." "Nicole was outstanding."

TO REGISTER, VISIT:

<https://www.eriebar.com/events/public-registration/1750>

WEEKLY
WRAP-UP

November 11, 2022

An updated federal overtime rule: when's it coming? - Twice a year (in the spring and the fall), each federal agency publishes a "Regulatory Agenda" that discloses the proposal and final rules it has recently issued, together with those that it plans to issue. Back in the fall of 2021, the U.S. Department of Labor's Wage and Hour Division noted in the agenda that it was reviewing the regulations for exemption of executive, administrative, and professional ("EAP") employees from the Fair Labor Standards Act's minimum wage and overtime requirements codified in 29 C.F.R. Part 541. Read more ... <https://www.natlawreview.com/article/updated-federal-overtime-rule-when-s-it-coming>

Florida court puts default judgment in reverse on case gridlocked after lawyer was stuck in traffic - The Florida Fourth District Court of Appeal reversed and remanded a Broward County Court case after the trial judge entered a default followed by a default final judgment because the defendant's attorney arrived 25 minutes late for an in-person case management conference. Fedia Chariscar wrote a personal check to Off Lease Only Inc. for a down payment on a car. After it allegedly bounced, Off Lease Only sued the customer. Chariscar then countersued Off Lease Only, claiming that the car dealer allegedly violated the Florida Consumer Protection Act and the Florida Deceptive and Unfair Trade Practices Act by knowingly overcharging her by \$7,200, and that Off Lease Only didn't amend its complaint seeking triple the damages and attorney fees. Read more ... <https://www.abajournal.com/news/article/florida-court-puts-default-judgment-in-reverse-on-case-gridlocked-after-lawyer-was-stuck-in-traffic>

Former accountant's counsel wants discovery docs in slander case involving fitness nonprofit - Counsel for a Delaware County-based accountant alleging that her former employer, a fitness nonprofit group for kids and a for-profit company, slandered her when publicly and falsely accusing her of embezzlement and payroll fraud, now claims the defendants have not cooperated with their discovery requests. Read more ... <https://pennrecord.com/stories/635063262-former-accountant-s-counsel-wants-discovery-docs-in-slander-case-involving-fitness-nonprofit>

Bicyclist injured on campus of Carnegie Mellon University reiterates negligence claims - A Western Pennsylvania woman maintains her claims that a hidden speed bump she encountered during a bicycle ride on the Carnegie Mellon University campus caused her to be thrown from her bike and seriously injured. "Defendant knew or should have known that permitting the disguised or otherwise concealed speed bump to remain on their commonly-traveled road created a risk of injuries like those sustained by the plaintiff were likely to occur. The defendant knew or should have known that this speed bump or hump was non-compliant with applicable local and state regulations pertaining to the safe use of the same. Defendant failed to provide plaintiff with any warning of the hazardous and dangerous condition present in the road at the time of the accident." Read more ... <https://pennrecord.com/stories/635063229-bicyclist-injured-on-campus-of-carnegie-mellon-university-reiterates-negligence-claims>

BUSINESS
PARTNERS



LAWPAY:

<https://lawpay.com/member-programs/erie-county-bar>



Velocity Network:

<https://www.velocity.net/>



NFP Structured Settlements:

<https://nfpstructures.com/pdf/nfp-brochure.pdf>



Northwest Bank:

<https://www.northwest.bank/>



Maloney, Reed, Scarpitti & Co.:

<https://www.maloneyreedscarpittiandco.com/>



Thomson Reuters:

<https://www.thomsonreuters.com/en.html>

