



VOL. 105  
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ERIE



JULY 1  
2022

# ERIE COUNTY LEGAL JOURNAL

OPINION  
INSIDE

Pennsylvania Bar Association  
Use of Attorney IOLTA Accounts  
for Real Estate Settlement Transactions

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**CLE**, *Get a Grip! Effectively and Efficiently Manage the Demands of this Profession While Making the Most of Your Time*

**MEETING**, Defense Bar Section

## 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.

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

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## ERIE COUNTY BAR ASSOCIATION CALENDAR OF EVENTS AND SEMINARS

### MONDAY, JULY 4, 2022

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

### WEDNESDAY, JULY 6, 2022

Bench Bar Committee Meeting  
4:00 p.m.  
ECBA Headquarters in-person or via Zoom

### WEDNESDAY, JULY 13, 2022

Workers' Compensation Section Meeting and Social Hour  
4:00 p.m.  
ECBA Headquarters in-person or via Zoom

### THURSDAY, JULY 14, 2022

Roberts Scholarship Candidate Interviews  
8:30 a.m.  
ECBA Headquarters in-person or via Zoom

### THURSDAY, JULY 14, 2022

AKT Kid Konnection Event  
5:30 p.m.  
School Shopping at Millcreek Mall  
5800 Peach St., Erie

### WEDNESDAY, JULY 20, 2022

Civil Litigation Section Meeting  
Noon  
ECBA Headquarters in-person or via Zoom

### FRIDAY, JULY 22, 2022

Diversity & Inclusion Section Leadership Group Meeting  
Noon  
ECBA Headquarters in-person or via Zoom

### MONDAY, JULY 25, 2022

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

### TUESDAY, JULY 26, 2022

Young Lawyers Division Meeting  
Noon  
ECBA Headquarters in-person or via Zoom

### THURSDAY, JULY 28, 2022

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

### THURSDAY, JULY 28, 2022

AKT Kid Konnection Event  
5:30 p.m.  
Eastland Bowl  
3729 McClelland Ave., Erie

### FRIDAY, JULY 29, 2022

Diversity & Inclusion Section Meeting  
Noon  
ECBA Headquarters in-person or via Zoom

### 2022 BOARD OF DIRECTORS

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IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA  
MOTION COURT DATES FOR JUDGE THOMAS P. AGRESTI  
ERIE AND PITTSBURGH DIVISION CASES  
**JULY 2022 NOTICE**

The following is a list of **July 2022, August 2022, and September 2022** motion court dates and times to be used for the scheduling of motions pursuant to *Local Rule 9013-5(a)* before **Judge Thomas P. Agresti** in the Erie and Pittsburgh Divisions of the Court. The use of these dates for scheduling motions consistent with the requirements of *Local Rule 9013-5(a)* and Judge Agresti's *Procedure B(1)-(3)* summarized below and located on Judge Agresti's webpage at: [www.pawb.uscourts.gov](http://www.pawb.uscourts.gov).

***The motions will be heard by the Zoom Video Conference Application. When using the below self-scheduling dates to schedule a matter please include the following Zoom Meeting link in your Notice: <https://www.zoomgov.com/j/16021303488>, or alternatively, to attend and use the following Meeting ID: 160 2130 3488. To join the Zoom hearing please initiate and use the link 15 minutes prior to your scheduled hearing time. All Attorneys and Parties may only appear via the Zoom Video Conference Application and must comply with the Updated Notice of Temporary Modification of Appearance Procedures Before Judge Thomas P. Agresti, as updated on November 22, 2021.***

Counsel for a moving party shall select one of the following dates and times for matters subject to the "self-scheduling" provisions of the *Local Bankruptcy Rules* and the Judge's procedures, insert same on the notice of hearing for the motion, and serve the notice on all respondents, trustee(s) and parties in interest. Where a particular type of motion is listed at a designated time, filers shall utilize that time, *only*, for the indicated motions(s) *unless*: (a) special arrangements have been approved in advance by the Court, or, (b) another motion in the same bankruptcy case has already been set for hearing at a different time and the moving party chooses to use the same date and time as the previously scheduled matter.

**SCHEDULE CHAPTERS 13 & 12 MOTIONS ON:**

Select the following times, EXCEPT for the specific matters to be scheduled at 11:30 a.m.:

Wednesday, July 27, 2022	9:30 a.m.:	Open for all Erie & Pittsburgh Ch. 13 matters
Wednesday, August 17, 2022	10:00 a.m.:	Open for all Erie & Pittsburgh Ch. 13 matters
Wednesday, September 14, 2022	10:30 a.m.:	Open for all Erie & Pittsburgh Ch. 13 matters
	11:00 a.m.:	Open for all Erie & Pittsburgh Ch. 13 matters
	11:30 a.m.:	Ch. 13 Sale, Financing and Extend/Impose Stay & Ch. 12 matters

**SCHEDULE CHAPTERS 11 & 7 MOTIONS ON:**

Select the following times, EXCEPT for Ch. 7 Motions to Extend/Impose Stay scheduled only at 11:00 a.m., and, all sale motions only at 11:30 a.m.:

Thursday, July 14, 2022	9:30 a.m.:	Open for all Erie & Pittsburgh Ch. 11 matters
Thursday, July 28, 2022	10:00 a.m.:	Open for all Erie & Pittsburgh Ch. 11 matters
Thursday, August 18, 2022	10:30 a.m.:	Open for all Erie & Pittsburgh Ch. 7 matters
Thursday, September 8, 2022	11:00 a.m.:	Open for all Erie & Pittsburgh Ch. 7 matters,
Thursday, September 29, 2022		including all Ch. 7 Motions to Extend/Impose Stay
	11:30 a.m.:	Ch. 11 and 7 Sale Motions at this time, only

***ALL OF THE DATES ARE SUBJECT TO REVISION. Please check each month for any changes in the dates that have been published previously. THIS SCHEDULE CAN BE VIEWED ON PACER*** (Public Access to Court Electronic Records) and on the Court's Web Site ([www.pawb.uscourts.gov](http://www.pawb.uscourts.gov)).  
Michael R. Rhodes  
Clerk of Court

July 1

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June 24 and July 1

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**PENNSYLVANIA BAR ASSOCIATION**  
**COMMITTEE ON LEGAL ETHICS AND PROFESSIONAL RESPONSIBILITY**

June 22, 2022

**FORMAL OPINION 2022-200**

**USE OF ATTORNEY IOLTA ACCOUNTS**  
**FOR REAL ESTATE SETTLEMENT TRANSACTIONS**

**I. Introduction and Summary**

Many attorneys conduct real estate settlements and closings as a service of their law firms. As part of the settlement process, the attorneys deposit funds received into a bank account from which they disburse the funds to the parties involved in the transaction, as well as to realtors, taxing authorities, and numerous other entities.

This Opinion explains that, consistent with Pennsylvania Rule of Professional Conduct 1.15, attorneys must deposit any funds received while conducting real estate settlements and related transactions into their IOLTA (Interest on Lawyers' Trust Accounts) accounts and may not deposit those funds into non-IOLTA accounts unless the funds are Nonqualified Funds which must be deposited in non-IOLTA accounts.

**II. Discussion**

IOLTA (Interest on Lawyers' Trust Accounts) Accounts are "a method of raising money for charitable purposes, primarily the provision of civil legal services to indigent persons," with IOLTA programs currently operating in all 50 states, the District of Columbia, Puerto Rico, and the Virgin Islands.<sup>1</sup> Pennsylvania's IOLTA program was created by a July 17, 1996 Order of the Pennsylvania Supreme Court amending Pennsylvania Rule of Professional Conduct 1.15 and directing the Interest on Lawyers Trust Account ("IOLTA") Board to administer the IOLTA program. Pennsylvania's IOLTA program "makes grants annually to non-profit organizations, law school clinical programs, and administration of justice projects that provide civil legal services free of charge to the poor and disadvantaged."<sup>2</sup>

**A. Pennsylvania Rule of Professional Conduct 1.15 (Safekeeping Property)**

Pa.R.P.C. 1.15 defines the types of funds attorneys must deposit into their IOLTA accounts. The Rule states in relevant part:

- (a) The following definitions are applicable to Rule 1.15: ...  
 (5) **Interest On Lawyer Trust Account (IOLTA) Account.** An IOLTA Account is an income producing Trust Account from which funds may be withdrawn upon request as soon as permitted by law. Qualified Funds are to be held or deposited in an IOLTA Account. ...

<sup>1</sup> [https://www.americanbar.org/groups/interest\\_lawyers\\_trust\\_accounts/overview/](https://www.americanbar.org/groups/interest_lawyers_trust_accounts/overview/)

<sup>2</sup> <https://www.paiolta.org/about-pa-iolta/>

(7) **Non-IOLTA Account.** A Non-IOLTA Account is an income producing Trust Account from which funds may be withdrawn upon request as soon as permitted by law in which a lawyer deposits Rule 1.15 Funds. Only Nonqualified Funds are to be held or deposited in a Non-IOLTA Account. A Non-IOLTA Account shall be established only as:

- (i) a separate client Trust Account for the particular client or matter on which the net income will be paid to the client or third person; or
- (ii) a pooled client Trust Account with subaccounting by the Eligible Institution or by the lawyer, which will provide for computation of net income earned by each client's or third person's funds and the payment thereof to the client or third person.

(8) **Nonqualified Funds.** Nonqualified Funds are Rule 1.15 Funds, whether cash, check, money order or other negotiable instrument, which are not Qualified Funds.

(9) **Qualified Funds.** Qualified Funds are Rule 1.15 Funds which are nominal in amount or are reasonably expected to be held for such a short period of time that sufficient income will not be generated to justify the expense of administering a segregated account.

(10) **Rule 1.15 Funds.** Rule 1.15 Funds are funds which the lawyer receives from a client or third person in connection with a client-lawyer relationship, or as *an escrow agent, settlement agent* or representative payee, or as a Fiduciary, or receives as an agent, having been designated as such by a client or having been so selected as a result of a client-lawyer relationship or the lawyer's status as such. ...

(o) An account shall not be considered an IOLTA Account unless the Eligible Institution at which the account is maintained shall:

- (1) Remit at least quarterly any income earned on the account to the IOLTA Board;
- (2) Transmit to the IOLTA Board with each remittance and to the lawyer who maintains the IOLTA Account a statement showing at least the name of the account, service charges or fees deducted, if any, the amount of income remitted from the account, and the average daily balance, if available; and
- (3) Pay a rate of interest or dividends no less than the highest interest rate or dividend generally available from the Eligible Institution to its Non-IOLTA customers when the IOLTA Account meets the same minimum balance or other eligibility qualifications, and comply with the Regulations of the IOLTA Board with respect to service charges, if any. (emphasis supplied)

Comment 1 to Pa.R.P.C. 1.15 states:

- (1) A lawyer should hold property of others with the care required of a professional fiduciary. The obligations of a lawyer under this Rule apply when the lawyer has come into possession of property of clients or third persons because the lawyer is acting or has acted as a lawyer in a client-lawyer relationship, or when the lawyer is acting as a Fiduciary, or as an escrow agent, a settlement agent or a representative payee, or as an agent, having been designated as such by a client or having been so selected as a result



of a client-lawyer relationship or the lawyer's status as such. Securities should be appropriately safeguarded.

**B. Pennsylvania Rule of Professional Conduct 5.7 (Responsibilities Regarding Nonlegal Services)**

Pa.R.P.C. 5.7 states in relevant part:

- (a) A lawyer who provides nonlegal services to a recipient that are not distinct from legal services provided to that recipient is subject to the Rules of Professional Conduct with respect to the provision of both legal and nonlegal services.
- (b) A lawyer who provides nonlegal services to a recipient that are distinct from any legal services provided to the recipient is subject to the Rules of Professional Conduct with respect to the nonlegal services if the lawyer knows or reasonably should know that the recipient might believe that the recipient is receiving the protection of a client-lawyer relationship.
- (c) A lawyer who is an owner, controlling party, employee, agent, or is otherwise affiliated with an entity providing nonlegal services to a recipient is subject to the Rules of Professional Conduct with respect to the nonlegal services if the lawyer knows or reasonably should know that the recipient might believe that the recipient is receiving the protection of a client-lawyer relationship.
- (d) Paragraph (b) or (c) does not apply if the lawyer makes reasonable efforts to avoid any misunderstanding by the recipient receiving nonlegal services. Those efforts must include advising the recipient that the services are not legal services and that the protection of a client-lawyer relationship does not exist with respect to the provision of nonlegal services to the recipient.
- (e) The term "nonlegal services" denotes services that might reasonably be performed in conjunction with and in substance are related to the provision of legal services, and that are not prohibited as unauthorized practice of law when provided by a nonlawyer.
- [8] Paragraphs (b) and (c) specify that the Rules of Professional Conduct apply to a lawyer who directly provides or is otherwise involved in the provision of nonlegal services if there is a risk that the recipient might believe that the recipient is receiving the protection of a client-lawyer relationship. Neither the Rules of Professional Conduct nor paragraphs (b) or (c) will apply, however, if pursuant to paragraph (d), the lawyer takes reasonable efforts to avoid any misunderstanding by the recipient. In this respect, Rule 5.7 is analogous to Rule 4.3(c). ...

**C. IOLTA Board regulations generally require lawyers to deposit real estate settlement-related funds into an IOLTA Account**

Rule 104(h)(ii) (Rule 1.15 Funds) of the Rules for Interest on Lawyers Trust Accounts states:

Conveying accounts/real estate closings: Funds generated from real estate closings are Rule 1.15 Funds. Generally, these funds will be Qualified Funds, as they are held for a short period of time and are not expected to provide income for the Third Party Owner.

**D. Lawyers must normally deposit real estate settlement-related funds received by the lawyers into an IOLTA Account**

Pa.R.P.C. 1.15 defines "Rule 1.15 Funds" as "funds which the lawyer receives from a client or third person in connection with a client-lawyer relationship, or as an escrow agent, settlement agent or representative payee, or as a Fiduciary, or receives as an agent, having been designated as such by a client or having been so selected as a result of a client-lawyer relationship or the lawyer's status as such."

Consistent with Pa.R.P.C. 1.15, when lawyers receive real estate settlement funds, those monies are by definition funds of others. Pa.R.P.C. 1.15 does not distinguish between funds received by an attorney while providing legal services to clients and funds received by an attorney while providing real estate settlement services.

Pa.R.P.C. 1.15 also does not distinguish between funds received by an attorney as part of the attorney's relationship with a law firm and funds received by an attorney as part of the attorney's relationship with a separate business providing real estate settlement services although Rule 5.7 qualifies the attorney's obligations if the funds are received as part of an attorney's relationship with a separate business, such as funds handled by the attorney as a title agent or by a title agency owned by the attorney.

Real estate settlement funds fall within the plain language of Pa.R.P.C. 1.15, which applies to any funds a "lawyer receives" while acting as an escrow agent or a settlement agent. Thus, if a lawyer is an authorized signatory on a bank account into which settlement proceeds are deposited, then the attorney must designate the account as an IOLTA account.

**E. When a lawyer provides nonlegal services through a separate entity that are not distinct from legal services provided to a recipient, the lawyer must deposit real estate settlement-related funds into an IOLTA Account unless the lawyer advises the recipient that the protection of a client-lawyer relationship does not exist or reasonably believes that the recipient does not believe that they are protected by a client-lawyer relationship.**

Pa.R.P.C. 5.7 explains that a lawyer who provides nonlegal services to a recipient that are not distinct from legal services provided to a recipient is subject to the Rules of Professional Conduct with respect to the provision of both legal and nonlegal services. In that circumstance, and to avoid any confusion as to whether the recipient might believe that he or she is receiving the protection of a client-lawyer relationship, the lawyer must make a reasonable effort to avoid any misunderstanding by the recipient.

Pa.R.P.C. 5.7 also states that a lawyer who is an owner, controlling party, employee, agent, or is otherwise affiliated with an entity providing nonlegal services to a recipient is subject to the Rules of Professional Conduct with respect to the nonlegal services if the lawyer knows or reasonably should know that the recipient might believe that the recipient is receiving the

protection of a client-lawyer relationship. If the lawyer knows or reasonably should know that the recipient does not believe that the recipient is receiving the protection of a client-lawyer relationship, for example, when the potential customer or client has been carefully advised, pursuant to Rule 5.7(d), that the services of the lawyer and the entity cannot be regarded as legal services, then the settlement funds do not have to be deposited into an IOLTA account. Consequently, this Opinion does not apply to situations when a lawyer is affiliated with a third party and there is no reasonable basis for a recipient to believe or to conclude that he or she is receiving the protection of a client-lawyer relationship.

In addition, when possession of the closing costs and other expenses of the transaction have been given to the affiliated third party, and the attorney has an ownership interest in the affiliated third party, but the attorney does not have signatory authority over the affiliated third party's accounts, the IOLTA requirements are not applicable. If the attorney has signatory authority over those accounts, the IOLTA rules apply.

### III. Conclusion

As outlined above, this Committee concludes that, under the Pennsylvania Rules of Professional Conduct, in connection with a client-lawyer relationship, or as an escrow agent, settlement agent or representative payee, or as a Fiduciary, an attorney must deposit funds received when conducting real estate settlements or closings into accounts designated as IOLTA Accounts under the Rules of Professional Conduct and the IOLTA Rules, consistent with Pa.R.P.C. 1.15 and 5.7, and the Comments to those Rules.

**CAVEAT:** THE FOREGOING OPINION IS ADVISORY ONLY AND IS NOT BINDING ON THE DISCIPLINARY BOARD OF THE SUPREME COURT OF PENNSYLVANIA OR ANY COURT. THIS OPINION CARRIES ONLY SUCH WEIGHT AS AN APPROPRIATE REVIEWING AUTHORITY MAY CHOOSE TO GIVE IT.

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**CERTIFICATE OF AUTHORITY**

**2020 KENNEDY GROUP INC.** filed a Foreign Registration Statement with the Commonwealth of Pennsylvania. The address of its principal office under the laws of its jurisdiction is 10 Noel Lane Jericho, NY 11753. The Commercial Registered Office Provider is Corporate Creations Network Inc. in the county of Erie. The Corporation is filed in compliance with the requirements of the applicable provision of 15 Pa. C.S. 412.

July 1

**CHANGE OF NAME NOTICE**

In the Court of Common Pleas of Erie County Pennsylvania  
Docket No. 10649-2022

In re: Mohamed Redae Jibul, a minor Notice is hereby given that a Petition has been filed in the above named Court by Jasmarae Johnson, requesting an Order to change the name of Mohamed Redae Jibul to Ya'Sir Yamere Rivera.

The Court has fixed the 5th day of July, 2022 at 1:30 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.

July 1

**CHANGE OF NAME NOTICE**

In the Court of Common Pleas of Erie County, Pennsylvania 11388-22, notice is hereby given that a Petition was filed in the above named court requesting an Order to change the name of Sajad Peebles to Sajad Nuri Kadum Albidhawi.

The Court has fixed the 2nd day of August, 2022 at 9:00 a.m. in Courtroom D, Room 214, of the Erie County Courthouse, 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.

July 1

**DISSOLUTION NOTICE**

NOTICE IS HEREBY GIVEN that the shareholders of LENDING TEXTILE CO., INC., a Pennsylvania corporation, with an address of c/o CORPORATE CREATIONS NETWORK INC. (Erie County), has unanimously approved a proposal that the corporation voluntarily dissolve and is now engaged in winding up and settling affairs of the corporation under the provisions of Section 1975 of the Pennsylvania Business Corporation Law of 1988, as amended.

July 1

**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**

An application for registration of the fictitious name Z Homestead and Orchards, 13211 Cambridge Springs Rd., Edinboro, PA 16412 has been filed in the Department of State at Harrisburg, PA, File Date 03/21/2022 pursuant to the Fictitious Names Act, Act 1982-295. The name and address of the person who is a party to the registration is Donald Leach, 2278 Westminster Rd., Cleveland Heights, OH 44118, Pamela Zulovich, 2278 Westminster Rd., Cleveland Heights, OH 44118.

July 1

**LEGAL NOTICE**

NOTICE OF ACTION IN MORTGAGE FORECLOSURE IN THE COURT OF COMMON PLEAS OF ERIE COUNTY, PENNSYLVANIA  
CIVIL ACTION – LAW  
NO.: 2019-13352  
U.S. BANK NATIONAL ASSOCIATION, Plaintiff  
vs.

Rhodesha Jordan, as Believed Heir and/or Administrator of the Estate of Brion Jordon, AKA Brion S. Jordon,

AKA B. S. Jordan; Unknown Heirs and/or Administrators of the Estate of Brion Jordon, AKA Brion S. Jordon, AKA B. S. Jordan (if any), Defendants

TO: Rhodesha Jordan, as Believed Heir and/or Administrator of the Estate of Brion Jordon, AKA Brion S. Jordon, AKA B. S. Jordan; Unknown Heirs and/or Administrators of the Estate of Brion Jordon, AKA Brion S. Jordon, AKA B. S. Jordan (if any) You are hereby notified that Plaintiff, U.S. Bank National Association, filed an Action in Mortgage Foreclosure endorsed with a Notice to Defend, in the Court of Common Pleas of Erie County, Pennsylvania, docketed to No. 2019-13352, seeking to foreclose the mortgage secured by the real estate located at 2214 Woodlawn Avenue, Erie, PA 16510.

A copy of the Action in Mortgage Foreclosure will be sent to you upon request to the Attorney for the Plaintiff, Manley Deas Kochalski LLC, P.O. Box 165028, Columbus, OH 43216-5028. Phone 614-220-5611.

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

YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

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

July 1

**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

**JULY 15, 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

June 24 and July 1, 8

**SALE NO. 1**

**Ex. #10560 of 2022  
MARQUETTE SAVINGS  
BANK, Plaintiff**

v.

**VALERIE ENGELLEITER,  
Defendant  
DESCRIPTION**

By virtue of a Writ of Execution filed at No. 10327-2022, Marquette Savings Bank vs. Valerie Engelleiter, owner of property situate in the City of Erie, Erie County, Pennsylvania being: 132 Moorehead Street, Erie PA 16508.

42 x 133.87 IRR 0.1524 acres  
Assessment Map Number:  
(18) 5090-144  
Assessed Value Figure: \$57,650.00

Improvement Thereon: Residence  
Eugene C. Sundberg, Jr., Esq.  
Marsh SchAAF, LLP  
300 State Street, Suite 300  
Erie, Pennsylvania 16507  
(814) 456-5301

June 24 and July 1, 8

**SALE NO. 2**

**Ex. #12657 of 2021  
PENNSYLVANIA HOUSING  
FINANCE AGENCY, Plaintiff**

v.

**GERARD HOFFMAN AND  
MARY ANN TATARA, KNOWN  
HEIRS OF MARGARET A.  
HOFFMAN, DECEASED AND  
THE UNKNOWN HEIRS OF  
MARGARET A. HOFFMAN,  
DECEASED, Defendants**

**DESCRIPTION**

By virtue of a Writ of Execution No. 12657-21, PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff vs. GERARD HOFFMAN AND MARY ANN TATARA, KNOWN HEIRS OF MARGARET A. HOFFMAN, DECEASED AND THE UNKNOWN HEIRS OF MARGARET A. HOFFMAN, DECEASED, Defendants  
Real Estate: 1541 WEST 43RD STREET, ERIE, PA 16509  
Municipality: Sixth Ward City of Erie  
Erie County, Pennsylvania  
Dimensions: 59.5 x 139.95  
Deed Book 1443, page 1614  
Tax I.D. (19) 6169-109  
Assessment: \$28,500 (Land)  
\$67,710 (Bldg)

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

June 24 and July 1, 8

**SALE NO. 3**

**Ex. #12514 of 2021  
PENNSYLVANIA HOUSING  
FINANCE AGENCY, Plaintiff**

v.

**TROY D. MIKLOVIC AND  
JEANETTE L. MIKLOVIC  
A/K/A JEANETTE LYNNE  
MIKLOVIC, Defendants**

**DESCRIPTION**

By virtue of a Writ of Execution No. 2021-12514, PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff vs. TROY D. MIKLOVIC AND JEANETTE L. MIKLOVIC A/K/A JEANETTE LYNNE MIKLOVIC, Defendants  
Real Estate: 9439 WATTSBURG ROAD, ERIE, PA 16509  
Municipality: TOWNSHIP OF GREENE

Erie County, Pennsylvania  
Dimensions: 1.5 AC  
Deed Book/Inst#: 2012-022028  
Tax I.D. (25) 7-23-36  
Assessment: \$37,800 (Land)  
\$95,260 (Bldg)

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

June 24 and July 1, 8

**SALE NO. 5**

**Ex. #13087 of 2015  
U.S. Bank Trust National  
Association, as Trustee of Chalet  
Series III Trust, Plaintiff**

v.

**Charles R. Caskey, Deceased;  
Christine A. Caskey, Defendants**

**DESCRIPTION**

PROPERTY OF: Charles R. Caskey, deceased and Christine A. Caskey  
EXECUTION NO: 13087-15  
JUDGMENT AMT: \$127,030.03  
ALL the right, title, interest and claim of: Charles R. Caskey, deceased, and Christine A. Caskey  
Of in and to:  
ADDRESS: 2939 Zimmerman Road, Erie, PA 16510  
MUNICIPALITY: City of Erie  
All that certain piece or parcel of land situate in the City of Erie, County of Erie and Commonwealth of Pennsylvania  
Tax ID: 18051022010300  
Commonly known as 2939 Zimmerman Road, Erie PA 16510  
PARKER McCAY P.A.  
By: Patrick J. Wesner, Esquire  
Attorney ID # 203145

9000 Midlantic Drive, Suite 300  
P.O. Box 5054  
Mount Laurel, NJ 08054-1539  
(856) 810-5815

June 24 and July 1, 8

**SALE NO. 6**

**Ex. #10826 of 2021**

**COMMONWEALTH  
OF PENNSYLVANIA by  
the COMMONWEALTH  
FINANCING AUTHORITY,  
400 North Street, Fourth Floor  
Harrisburg, PA 17120, Plaintiff**

**v.**

**GREATER ERIE INDUSTRIAL  
DEVELOPMENT  
CORPORATION,  
5240 Knowledge Parkway,  
Erie, PA 16510, Defendant**

**DESCRIPTION**

By virtue of a Writ of Execution filed to No. 10826-2021, Commonwealth of Pennsylvania by the Commonwealth Financing Authority vs. Greater Erie Industrial Development Corporation, owner of property situated in the Township of Elk Creek, Erie County, Pennsylvania being:

**1.** 9330 ROUTE 18 LOT A & C  
34.84 AC | MB 2002-92 - 9330  
Route 18, Cranesville, PA 16410

a. Erie County Tax Index Number  
(13) 1-12-7 - 34.84 acres  
b. Assessed Value - \$168,230.00

c. Improvement Thereon:  
Residential Property

**2.** 9330 ROUTE 18 31.82 AC - 9330  
Route 18, Cranesville, PA 16410

a. Erie County Tax Number  
(13) 1-13-4 - 31.82 acres  
b. Assessed Value - \$36,600.00

c. Improvement Thereon:  
Residential Property

**3.** 9262 ROUTE 18 27.90 AC - 9262  
Route 18, Cranesville, Pennsylvania  
16410

a. Erie County Tax Index Number  
(13) 1-12-6 - 27.9 acres  
b. Assessed Value - \$71,600.00

c. Improvement Thereon: Garage

**4.** ROUTE 18 34.40 AC - 9162  
Route 18, Cranesville, Pennsylvania  
16410

a. Erie County Tax Index Number  
(13) 1-13-3 - 34.4 acres

b. Assessed Value: \$39,600.00  
c. Improvement Thereon: None

**5.** ROUTE 18 14.637 AC NET -

9196 Route 18, Cranesville, PA  
16410

a. Erie County Tax Index Number  
(13) 1-12-6.01 - 14.637 acres

b. Assessed Value: \$46,500.00  
c. Improvement Thereon: None

**6.** 9170 ROUTE 1814.30 AC - 9170  
Route 18, Cranesville, PA 16410

a. Erie County Tax Index Number  
(13) 1-12-5 - 14.30 acres

b. Assessed Value: \$113,800.00  
c. Improvement Thereon:

Residential Dwelling  
Sean Christopher Campbell  
Supreme Court No. 321246  
Governor's Office of General Counsel  
Commonwealth Financing Authority  
400 North Street, 4th Floor  
Harrisburg, PA 17120-0225  
(717) 720-1345  
seancampbe@pa.gov

June 24 and July 1, 8

**SALE NO. 7**

**Ex. #12876 of 2017**

**Wells Fargo Bank, National  
Association as Trustee for Option  
One Mortgage Loan Trust 2007-4,  
Asset-Backed Certificates, Series  
2007-4, Plaintiff**

**v.**

**Michelle M. Prozan and  
Troy C. Prozan, Defendants**  
**DESCRIPTION**

By virtue of a Writ of Execution filed to No. 12876-17, Wells Fargo Bank, National Association as Trustee for Option One Mortgage Loan Trust 2007-4, Asset-Backed Certificates, Series 2007-4 v. Michelle M. Prozan and Troy C. Prozan, owner(s) of property situated in Township of Millcreek, Erie County, Pennsylvania being 2862 West 33rd Street, Erie, PA 16506

2862 W 33 ST 60 X 140

Assessment Map number:  
33072331004200

Assessed Value figure: \$114,200

Improvement thereon: N/A

STERN & EISENBERG, PC

ANDREW J. MARLEY, ESQUIRE  
1581 MAIN STREET, SUITE 200

THE SHOPS AT VALLEY SQUARE  
WARRINGTON, PA 18976

(215) 572-8111

June 24 and July 1, 8

**SALE NO. 8**

**Ex. #12746 of 2019**

**Lakeview Loan Servicing, LLC,  
Plaintiff**

**v.**

**Keith C. Struchen and  
Diedra A. Struchen, Defendants**  
**DESCRIPTION**

By virtue of a Writ of Execution filed to No. 2019-12746, Lakeview Loan Servicing, LLC vs. Keith C. Struchen and Diedra A. Struchen, owner(s) of property situated in the Borough of Lake City, Erie County, Pennsylvania being 10077 Eagle Street, Lake City, PA 16423

Single Family 110 X 183

Assessment Map number:

39014041001201

Assessed Value figure: \$74,800

Improvement thereon: Residential  
Single Dwelling

Stern & Eisenberg, P.C

Andrew J. Marley, Esquire

1581 Main Street, Suite 200

Warrington, PA 18976

June 24 and July 1, 8

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Joseph P. Maloney, CPA, CFE

Rick L. Clayton, CPA • Christopher A. Elwell, CPA • Ryan Garofalo, CPA

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



**ESTATE NOTICES**

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

**FIRST PUBLICATION****AGOSTINE, THERESA G., deceased**

Late of the Township of Harborcreek, County of Erie and Commonwealth of Pennsylvania  
*Executrix:* Pamela Agostine Lewis, 591 Stanhope Kelloggsville Rd., Dorset, OH 44032  
*Attorney:* None

**BENSUR, DOLORES A., a/k/a DOLORES BENSUR, deceased**

Late of the City of Erie, County of Erie, Commonwealth of Pennsylvania  
*Executor:* Daniel J. Bensur, 529 Lindsay Court, Erie, PA 16509  
*Attorney:* None

**DAHLSTRAND-DANIEL, ANNE B., a/k/a ANNE DAHLSTRAND-DANIEL, a/k/a ANNA B. DANIEL, deceased**

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania  
*Co-executors:* Eric C. Dahlstrand, 1044 West Sixth Street, Erie, PA 16507 and Christiane Figurski, 4628 Village Street, Erie, PA 16506  
*Attorneys:* MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

**GAUTHIER, JUDITH A., deceased**

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania  
*Executrix:* Angela C. Antolik, c/o Blakely & Blakely, LLC, 2701 Evanston Avenue, Suite 100, Erie, PA 16506-3171  
*Attorney:* Richard A. Blakely, Esq., Blakely & Blakely, LLC, 2701 Evanston Avenue, Suite 100, Erie, PA 16506-3171

**GOLD, MAYER, a/k/a MAYER W. GOLD, deceased**

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania  
*Administrator:* Jonathan T. Gold  
*Attorney:* Thomas S. Talarico, Esquire, Talarico & Associates, 230 West 6th Street, Suite 202, Erie, PA 16507

**GRONNETT, NANCY J., deceased**

Late of the City of Erie, County of Erie, Commonwealth of Pennsylvania  
*Executor:* Carmel J. Moore, c/o Jeffrey D. Scibetta, Esq., 120 West Tenth Street, Erie, PA 16501  
*Attorney:* Jeffrey D. Scibetta, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**HELSLEY, RICHARD T., deceased**

Late of Greene Township, Erie County, PA  
*Executrix:* Joan L. Vallimont  
*Attorney:* Norman A. Stark, Esq., Marsh Schaaf, LLP, 300 State Street, Suite 300, Erie, PA 16507

**HUDACKY, DANIEL J., deceased**

Late of the City of Erie, County of Erie, PA  
*Executor:* Jay R. Stranahan, Esquire, Carney & Good, 254 West Sixth Street, Erie, Pennsylvania 16507  
*Attorney:* Jay R. Stranahan, Esquire, Carney & Good, 254 West Sixth Street, Erie, Pennsylvania 16507

**KOLAKOWSKI, LEONARD J., deceased**

Late of Millcreek Township, County of Erie, PA  
*Executor:* Timothy A. Kolakowski, 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

**MOORE-FOX, DEBRA, a/k/a DEBRA FOX, deceased**

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania  
*Administratrix:* Liana Walczak, 668 Euclid Ave., Unit 425, Cleveland, OH 44114  
*Attorney:* None

**NELSON, EDWIN R., JR., deceased**

Late of Millcreek Township, City of Erie, Pennsylvania  
*Executrix:* Rose Nelson, c/o Martone & Peasley, 150 West Fifth Street, Erie, Pennsylvania 16507  
*Attorney:* Joseph P. Martone, Esquire, Martone & Peasley, 150 West Fifth Street, Erie, Pennsylvania 16507

**NELSON, MARTHA A., a/k/a MARTY NELSON, deceased**

Late of Waterford Township, Erie County, Commonwealth of Pennsylvania  
*Executrix:* Margaret A. Hofmann, c/o Jeffrey D. Scibetta, Esq., 120 West Tenth Street, Erie, PA 16501  
*Attorney:* Jeffrey D. Scibetta, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**PARTSCH, TINA MARIE, a/k/a TINA M. PARTSCH, a/k/a TINA PARTSCH, deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania  
*Administratrix:* Jennifer L. Gannoe, c/o 3952 Avonia Road, Fairview, PA 16415  
*Attorney:* Alan Natalie, Esquire, 3952 Avonia Road, Fairview, PA 16415

**PHILLIPS, WAYNE, SR., a/k/a WAYNE G. PHILLIPS, SR., a/k/a WAYNE G. PHILLIPS, a/k/a WAYNE PHILLIPS, deceased**

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania  
*Executor:* W. Gordon Phillips, Jr., 11250 Ridge Road, Girard, PA 16417  
*Attorney:* Grant M. Yochim, Esq., 24 Main St. E., P.O. Box 87, Girard, PA 16417

**SELIGSON, PATRICIA L., a/k/a PATRICIA D. SELIGSON, deceased**

Late of Millcreek Township, Erie County, Commonwealth of Pennsylvania  
*Executor:* Thomas F. Seligson, c/o Jeffrey D. Scibetta, Esq., 120 West Tenth Street, Erie, PA 16501  
*Attorney:* Jeffrey D. Scibetta, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**SMITH, BETTY D., deceased**

Late of the City of Erie, Erie County, PA  
*Co-executors:* David Smith and Sharon Ann Kubeja  
*Attorney:* Edwin W. Smith, Esq., Marsh Schaaf, LLP, 300 State Street, Suite 300, Erie, PA 16507

**SECOND PUBLICATION****BYERS-PERSON, SHARON L., a/k/a SHARON PERSON, deceased**

Late of Lawrence Park, PA  
*Executor:* Jeffery H. Hollenbeck  
*Attorney:* Andrew J. Sisinni, Esquire, 1314 Griswold Plaza, Erie, PA 16501

**DUDZINSKI, WILLIAM, deceased**

Late of Erie, PA  
*Executrix:* Dawn Sauter, 86 Waterfront Drive, Pittsburgh, PA 15222  
*Attorney:* None

**GABUTTI, GARY R., a/k/a GARY GABUTTI, deceased**

Late of the Borough of Lake City, County of Erie, Commonwealth of Pennsylvania  
*Administratrix:* Judith A. Gabutti, 9579 Allegheny Avenue, Lake City, PA 16423  
*Attorney:* Valerie H. Kuntz, Esq., 24 Main St. E., P.O. Box 87, Girard, PA 16417

**HAMMERMAN, WILLIAM J., SR., a/k/a WILLIAM J. HAMMERMAN, deceased**

Late of the City of Erie, County of Erie, Commonwealth of Pennsylvania  
*Co-administrator:* Beth A. Hammerman, 3708 Oakwood Street, Erie, PA 16508  
*Attorney:* Valerie H. Kuntz, Esq., 24 Main St. E., P.O. Box 87, Girard, PA 16417  
*Co-administrator:* William J. Hammerman, Jr., 1420 West 36th Street, Erie, PA 16508  
*Attorney:* Gregory L. Heidt, Esq., 502 Parade Street, Erie, PA 16507

**KRAMER, JOSEPH C., deceased**

Late of Millcreek Township, Erie County, PA  
*Executor:* Roger L. Kramer  
*Attorney:* Norman A. Stark, Esq., Marsh Schaaf, LLP, 300 State Street, Suite 300, Erie, PA 16507

**LEWIS, ELLA B., deceased**

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania  
*Executor:* David A. Lewis, 4128 Wayne Street, Erie, PA 16504  
*Attorneys:* MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

**PALMER, DAVID G., SR., a/k/a DAVID GEORGE PALMER, SR., a/k/a DAVID PALMER, SR., a/k/a DAVID GEORGE PALMER, a/k/a DAVID G. PALMER, a/k/a DAVID PALMER, deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania  
*Administratrix:* Samantha A. Brown, 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

**PALO, JACK R., a/k/a  
JACOB R. PALO, a/k/a  
JACK RAY PALO, a/k/a  
JACOB RAYMOND PALO, a/k/a  
JACK RAYMOND PALO, a/k/a  
JACOB PALO,  
deceased**

Late of West Springfield, County of Erie and Commonwealth of Pennsylvania

*Administrator:* David Palo, 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

**SAMPSON, CHARLES,  
deceased**

Late of the Borough of Union City, County of Erie, Pennsylvania  
*Executrix:* Janet Sampson, c/o Thomas J. Ruth, Esq., 224 Maple Avenue, Corry, PA 16407

*Attorney:* Thomas J. Ruth, Esq., 224 Maple Avenue, Corry, PA 16407

**SHUFRAN, ANDY,  
deceased**

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

*Executor:* Andrew Shufuran, 6015 Estate Court, Erie, PA 16509  
*Attorney:* John E. Gomolchak, Esq., 3854 Walker Blvd., Erie, PA 16509

**SMITH, MARGARET A., a/k/a  
MARGARET AGNES SMITH,  
a/k/a MARGE SMITH,  
deceased**

Late of Greene Township, Erie County, PA

*Co-executrices:* Mary Beth Pacolay and Lisa Marie Smith  
*Attorney:* Steven E. George, Esq., Marsh Schaaf, LLP, 300 State Street, Suite 300, Erie, PA 16507

**WAGNER, DONALD E., a/k/a  
DONALD EDSON WAGNER,  
deceased**

Late of the City of Erie, Erie County, Pennsylvania  
*Administratrix:* Karen Jubé Wagner, c/o Jeffrey D. Scibetta, Esq., 120 West Tenth Street, Erie, PA 16501

*Attorney:* Jeffrey D. Scibetta, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**WEST, HARRY J.,  
deceased**

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

*Executrix:* Cynthia J. Bogniak, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506  
*Attorney:* Colleen R. Stumpf, Esq., Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

**WRIGHT, JODY LYNN, a/k/a  
JODY L. WRIGHT, a/k/a  
JODY WRIGHT,  
deceased**

Late of the Township of Springfield, County of Erie, Commonwealth of Pennsylvania  
*Executor:* Scott Oliveria, 5550 Pony Drive, West Springfield, PA 16443  
*Attorney:* Grant M. Yochim, Esq., 24 Main St. E., P.O. Box 87, Girard, PA 16417

**THIRD PUBLICATION**

**ADIUTORI, FRANK  
CHARLES, SR., a/k/a  
FRANK CHARLES ADIUTORI,  
a/k/a FRANK ADIUTORI, a/k/a  
FRANK C. ADIUTORI, SR., a/k/a  
FRANK C. ADIUTORI,  
deceased**

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

*Administrator:* Frank C. Adiutori, Jr., 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

**BISH, PAUL K., a/k/a  
PAUL KENNETH BISH, a/k/a  
PAUL BISH,  
deceased**

Late of the Township of Harborscreek, County of Erie, Commonwealth of Pennsylvania  
*Executor:* John C. Brydon, c/o 337 West 10th Street, Erie, PA 16502

*Attorneys:* THE FAMILY LAW GROUP, LLC, 337 West 10th Street, Erie, PA 16502

**BLENNER, EDWARD JOSEPH,  
a/k/a EDWARD J. BLENNER,  
deceased**

Late of the Township of Washington, County of Erie, Commonwealth of Pennsylvania  
*Executor:* Stephen Staruch, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506  
*Attorney:* Colleen R. Stumpf, Esq., Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

**BOWER, TAMMY MARIE,  
a/k/a TAMMY M. BOWER, a/k/a  
TAMMY BOWER,  
deceased**

Late of Washington Township, County of Erie, PA  
*Executor:* Anthony R. Kestle, c/o Mary Alfieri Richmond, Esq., 502 Parade Street, Erie, PA 16507  
*Attorney:* Mary Alfieri Richmond, Esq., 502 Parade Street, Erie, PA 16507

**CAHOON, VIVIENNE R., a/k/a  
VIVIENNE CAHOON, a/k/a  
VIVIENNE ROSE CAHOON,  
deceased**

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

*Executrix:* Deborah A. Tonkin, 1404 Pasadena Drive, Erie, PA 16505  
*Attorney:* Grant M. Yochim, Esq., 24 Main St. E., P.O. Box 87, Girard, PA 16417

**COBB, JANE MARIE, a/k/a  
JANE M. COBB,  
deceased**

Late of the Township of Wayne, County of Erie, Pennsylvania  
*Executrix:* Jennifer Britton, 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

**DiNICOLA, PHILIP, a/k/a  
PHILIP FRANCIS DiNICOLA,  
a/k/a PHILIP DiNICOLA,  
deceased**

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

*Executor:* David E. Briggs, 2022 Enfield Lane, Erie, PA 16509  
*Attorney:* Grant M. Yochim, Esq., 24 Main St. E., P.O. Box 87, Girard, PA 16417

**FUNK, VELMA, W.,  
deceased**

Late of the City of Corry, County of Erie, Pennsylvania  
*Co-executors:* Wanda L. Johnson and John E. Funk, 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

**GADUSKI, AUDREY E.,  
deceased**

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

*Executrix:* Karen L. Ferrara, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506  
*Attorney:* Colleen R. Stumpf, Esq., Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

**GOLLMER, RUTH VIRGINIA,  
a/k/a RUTH V. GOLLMER, a/k/a  
RUTH GOLLMER,  
deceased**

Late of Elk Creek Township, County of Erie and Commonwealth of Pennsylvania

*Testator:* Michael L. Gollmer, 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

**GUTOWSKI, CYNTHIA J., a/k/a  
CYNTHIA JEAN GUTOWSKI,  
a/k/a CINDY GUTOWSKI,  
deceased**

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

*Administratrix:* Deanna Marie Kacar, 2323 E. Grandview Blvd., Erie, PA 16510  
*Attorney:* None

**HOGAN, PATRICK JOSEPH,  
a/k/a PATRICK J. HOGAN,  
deceased**

Late of the City of Erie, Erie County, Pennsylvania  
*Administratrix:* Carrie C. Redden, c/o 502 Parade Street, Erie, PA 16507

*Attorney:* Gregory L. Heidt, Esquire, 502 Parade Street, Erie, PA 16507

**HOLTON, RICHARD P., a/k/a  
RICHARD PAUL HOLTON,  
deceased**

Late of Wayne Township, Erie County, Pennsylvania

*Executrix:* Janice Marie Baker, 14299 Simmons Road, Corry, PA 16407

*Attorney:* None

**HULINGS, MARK VINCENT,  
a/k/a MARK V. HULINGS, a/k/a  
MARK HULINGS,  
deceased**

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

*Administratrix:* Robin J. Kieklak, 3952 Avonia Road, P.O. Box 9, Fairview, PA 16415

*Attorney:* Alan Natalie, Esquire, 3952 Avonia Road, P.O. Box 9, Fairview, PA 16415

**KURCZEWSKI, LUCINDA L.,  
a/k/a LUCINDA KURCZEWSKI,  
deceased**

Late of the Boro of Wesleyville, County of Erie, Commonwealth of Pennsylvania

*Executor:* James Thompson, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506  
*Attorney:* Colleen R. Stumpf, Esq., Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

**McMASTER, KATE M., a/k/a  
KATE McMASTER,  
deceased**

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

*Executor:* Chris B. McMaster, 5449 Old Ranch Road, Park City, UT 84098

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

**NIEDZIEMSKI, MICHAEL JOHN, deceased**

Late of Harborcreek Township, Erie County  
*Administratrix:* Laura Roberson, Harborcreek Township, Erie County  
*Attorney:* John Mizner, Esquire, 311 West Sixth Street, Erie, PA 16507

**PRESOGNA, JOSEPH ANTHONY, a/k/a JOSEPH A. PRESOGNA, a/k/a JOSEPH PRESOGNA, a/k/a JOE PRESOGNA, deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania  
*Executrix:* Jennifer R. Herman, c/o 504 State Street, Suite 300, Erie, PA 16501  
*Attorney:* Alan Natalie, Esquire, 504 State Street, Suite 300, Erie, PA 16501

**PROSS, DAVID PAUL, a/k/a DAVID P. PROSS, deceased**

Late of the City of Erie, County of Erie, Commonwealth of Pennsylvania  
*Co-administrators:* John Pross and Donald Pross, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506  
*Attorney:* Colleen R. Stumpf, Esq., Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

**VARGO, VINCENT JOHN, a/k/a VINCENT J. VARGO, deceased**

Late of Harborcreek Township, Erie County, Commonwealth of Pennsylvania  
*Executrix:* Amy Beblo, c/o Jeffrey D. Scibetta, Esq., 120 West Tenth Street, Erie, PA 16501  
*Attorney:* Jeffrey D. Scibetta, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**ZACZYK, GEORGE WILLIAM, deceased**

Late of Millcreek Township, Erie County, PA  
*Executrix:* Christine O'Leary, 4040 Zimmerman Road, Erie, PA 16510  
*Attorney:* Stephen Hutzelman, Esquire, 333 State Street, Ste. 203, Erie, PA 16507

**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 at below:

**STAGER, JoANN, STAGER FAMILY TRUST dated FEBRUARY 13, 2022, deceased**

Late of 3906 E. Lake Road, Lawrence Park Township, Erie County, Pennsylvania  
*Trustee:* Jill A. Caspar, Stager Family Trust, 453 Howe Avenue, Erie, PA 16511  
*Attorney:* Michael S. Butler, Esq., Heritage Elder Law, 318 South Main Street, Butler, PA 16001

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## CHANGES IN CONTACT INFORMATION OF ECBA MEMBERS

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BRENDAN P. SALA .....814-451-6490  
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## WEEKLY WRAP-UP

July 1, 2022

**The Supreme Court denies Petition challenging CMS's Overpayment Rule** - This past week, the Supreme Court of the United States (Supreme Court) denied UnitedHealthcare Insurance Company's (UnitedHealthcare) petition for a writ of certiorari (Petition) challenging, in part, the Centers for Medicare & Medicaid Services's (CMS) Overpayment Rule, which requires Medicare Advantage (MA) plans, such as UnitedHealthcare, to return identified "overpayments" to CMS within 60 days. With this denial, the Overpayment Rule remains in full force and effect, and UnitedHealthcare, among other MA plans, must comply or potentially face False Claims Act (FCA) liability. Read more ... <https://www.natlawreview.com/article/supreme-court-denies-petition-challenging-cms-s-overpayment-rule>

**Ohio trucking company and driver oppose plaintiffs' attempt at obtaining new trial** - An Ohio trucking firm and one of its drivers, after being found not negligent in an accident with a Meadville man, are opposing the plaintiffs' attempt to motion for a new trial on the grounds of improper jury instruction. Read more ... <https://pennrecord.com/stories/627913192-ohio-trucking-company-and-driver-oppose-plaintiffs-attempt-at-obtaining-new-trial>

**Woman alleges unsecure coffee cup lid at McDonald's drive-thru caused her to suffer burns** - Dunn alleges the defendant's negligence for failing to safely handle the coffee, failing to secure the lid and for failing to inspect the coffee before handing it to her when it was prone to spillage. She further alleges the defendant failed to correct a dangerous and hazardous condition. Dunn claims as a result of her injuries she suffered scarring, cosmetic disfigurements and incurred medical expenses. Dunn seeks monetary relief of more than \$50,000 and all other just relief. She is represented by Swartz Culleton PC in Pittsburgh. Read more ... <https://pennrecord.com/stories/627002142-woman-alleges-unsecure-coffee-cup-lid-at-mcdonald-s-drive-thru-caused-her-to-suffer-burns>

**On the radar** - Amazon.com, Jeffrey P. Bezos and other executives were hit with a securities class action Tuesday in Washington Western District Court stemming from June 2019 U.S. House Committee hearings which concluded that the e-commerce giant made misleading statements and withheld evidence regarding allegations of antitrust activity in the retail market. The complaint, filed by Barrack, Rodos & Bacine and other counsel, contends that Amazon identifies the best-selling third-party merchandise on its platform, then mimics the products under its 'Amazon Basic' brand. The suit further contends that the House committee requested in March that the Department of Justice conduct an investigation into Amazon's alleged practices, and that the Securities and Exchange Commission is currently investigating Amazon's use of third-party seller data. Counsel have not yet appeared for the defendants. The case is 2:22-cv-00907, *CWA Local 1180 Members' Annuity Fund et al v. Amazon.com Inc et al*.



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Velocity Network:

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NFP Structured Settlements:

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