

# Northampton County Reporter

(USPS 395-280)

VOL. LIX

EASTON, PA March 24, 2016

NO. 12

**Tricia Mezzacappa, Plaintiff v. Bernie O'Hare, Defendant**

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### INSERT: Yellow: 1. 2016 Calendar

2. 2016 Bench Bar Conference

3. Law Day

4. Barristers Boast

Cream: 1. "On Your Feet!"

2. "Important New Developments in Personal Injury Law"

3. "Residential Real Estate Transactions for Non Real Estate Lawyers"

4. Charlotte Knights vs. Lehigh Valley Iron Pigs

### **NOTICE TO THE BAR...**

#### **Save the Dates**

Federal Courts Ceremonial Admissions – May 5

Quarterly Association Meeting and Malpractice Avoidance Seminar – May 19

Law Day – April 25

**NORTHAMPTON COUNTY BAR ASSOCIATION  
2016 BAR ASSOCIATION OFFICERS**

Alyssa Lopiano-Reilly ..... President  
Michael P. Shay ..... President-Elect  
Daniel M. O'Donnell ..... Vice President  
Lisa M. Spitale ..... Treasurer  
Robert Eyer ..... Secretary  
Abraham P. Kassis ..... Past President

**BOARD OF GOVERNORS**

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Joel M. Scheer

*Northampton County Reporter*  
**Attorney Referral & Information Service**  
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**Easton, PA 18042**  
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**E-mail: [ncba@norcobar.org](mailto:ncba@norcobar.org)**  
**PBA (800) 932-0311—PBI (800) 932-4637**  
**BAR ASSOCIATION STAFF**

Mary Beth Leeson .....Executive Director  
Patti A. Gober .....Accounting  
Heather Rizzotto-Stefanik ..... Legal Journal  
Christen T. Borso .....Attorney Referral  
Deborah J. Flanagan .....Attorney Referral

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The Northampton County Reporter will be published every Thursday by the Northampton County Bar Association, 155 South Ninth St., Easton, PA 18042-4399. All legal notices relating to the business of the county, are required by rule of Court, to be published in this Journal. All legal notices must be submitted in typewritten form and are published exactly as submitted by the advertiser. Neither the Law Reporter nor the printer will assume any responsibility to edit, make spelling corrections, eliminate errors in grammar or make any changes to content.

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Edward P. Shaughnessy, Esquire  
Editor

**NOTICE TO NCBA MEMBERS – BAR NEWS**

**Ceremonial Admissions – U.S. Court of Appeals for the Third Circuit and  
U.S. District Court for the Eastern District of Pennsylvania**

Thursday, May 5, 2016

U.S. Federal Courthouse – Easton

Contact the NCBA Office for Court applications and information.

**Quarterly Association Meeting and Malpractice Avoidance Seminar**

Thursday, May 19, 2016

12:00 p.m. @ Best Western Conference Center, Bethlehem.

**Iron Pigs Game**

Thursday, June 30, 2016

6:00 p.m. @ Cocoa Cola Park.

**Summer Outing**

Thursday, July 21, 2016

**2016 Bench Bar Conference**

October 6-8, 2016

Hyatt Regency, Chesapeake Bay Golf Resort, Spa and Marina

Cambridge, Maryland

Success is not final, failure is not fatal; it is the courage to continue that counts.  
~ Winston Churchill

**ESTATE AND TRUST 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. Notice is also hereby given of the existence of the trusts of the deceased settlors set forth below for whom no personal representatives have been appointed within 90 days of death. All persons having claims or demands against said estates or trusts are requested to make known the same, and all persons indebted to said estates or trusts are requested to make payment, without delay, to the executors or administrators or trustees or to their attorneys named below.

**FIRST PUBLICATION****BUSSENIUS, GERALDINE J.,**  
dec'd.

Late of the Township of Upper Mount Bethel, Northampton County, PA

Executor: David J. Ceraul, 22 Market Street, P.O. Box 19, Bangor, PA 18013-0019

Attorney: David J. Ceraul, Esquire, 22 Market Street, P.O. Box 19, Bangor, PA 18013-0019

**GATES, ELMER D.,** dec'd.

Late of Hanover Township, Northampton County, PA

Elmer D. Gates Revocable Trust dated 1/13/1999, as Amended, and the Elmer D. Gates and Betty S. Gates Joint Revocable Trust dated 1/13/1999, as Amended

Co-Trustees: Patti G. Smith and Jodi A. Key c/o Fitzpatrick, Lentz & Bubba, P.C., 4001 Schoolhouse Lane, P.O. Box 219, Center Valley, PA 18034-0219

Attorneys: Fitzpatrick, Lentz & Bubba, P.C., 4001 Schoolhouse Lane, P.O. Box 219, Center Valley, PA 18034-0219

**HEISLER, DONALD G.,** dec'd.

Late of Pen Argyl, Northampton County, PA

Executor: Gregory L. Heisler c/o Joel M. Scheer, Esquire, Fishbone & Scheer, 940 West Lafayette Street, Easton, PA 18042

Attorneys: Joel M. Scheer, Esquire, Fishbone and Scheer, 940 West Lafayette Street, Easton, PA 18042

**KINYON, CONSTANCE F.,** dec'd.

Late of Palmer Township, Northampton County, PA

Executor: Steven Kinyon, 3804 W. Greenwood Dr., Bethlehem, PA 18020

Attorney: Steven B. Molder, Esquire, 904 Lehigh Street, Easton, PA 18042

**SCHEER, BARBARA I.,** dec'd.

Late of the Borough of Nazareth, Northampton County, PA

Executor: Robert L. Irwine, 19506 Encino Bow, San Antonio, TX 78259

Attorneys: Peters, Moritz, Peischl, Zulick, Landes & Brienza, LLP, 1 South Main Street, Nazareth, PA 18064

**SMALTZ, FRANK M., JR.,** dec'd.

Late of Pen Argyl, Northampton County, PA

Administratrix: Janine F. Smaltz c/o Larry R. Roth, Esquire, The Roth Law Firm, 123 North Fifth Street, Allentown, PA 18102

Attorneys: Larry R. Roth, Esquire, The Roth Law Firm, 123 North Fifth Street, Allentown, PA 18102

**WOOLEVER, ELAINE**, dec'd.

Late of Upper Mount Bethel Township, Northampton County, PA

Executrix: Jennifer Febbo c/o April L. Cordts, Esquire, 391 Nazareth Pike, Bethlehem, PA 18020

Attorney: April L. Cordts, Esquire, 391 Nazareth Pike, Bethlehem, PA 18020

**SECOND PUBLICATION****BORST, JOSEPH**, dec'd.

Late of Bethlehem, Northampton County, PA

Executor: Roy A. Borst c/o Larry R. Roth, Esquire, The Roth Law Firm, 123 North Fifth Street, Allentown, PA 18102

Attorneys: Larry R. Roth, Esquire, The Roth Law Firm, 123 North Fifth Street, Allentown, PA 18102

**DIETERLY, MARY E.**, dec'd.

Late of Bethlehem, Northampton County, PA

Executors: Linda S. Dieterly and Cory Dieterly c/o Michael E. Riskin, Esquire, Riskin and Riskin, 18 E. Market St., P.O. Box 1446, Bethlehem, PA 18016-1446

Attorneys: Michael E. Riskin, Esquire, Riskin and Riskin, 18 East Market Street, P.O. Box 1446, Bethlehem, PA 18016-1446

**DiGIACOMO, CONSTANCE M.**, dec'd.

Late of Bethlehem, Northampton County, PA

Executrix: Arlene K. Andrews c/o Karl H. Kline, Esquire, Fitzpatrick, Lentz & Bubba, P.C., 4001 Schoolhouse Lane, P.O. Box 219, Center Valley, PA 18034-0219

Attorneys: Karl H. Kline, Esquire, Fitzpatrick, Lentz & Bubba, P.C., 4001 Schoolhouse Lane, P.O. Box 219, Center Valley, PA 18034-0219

**FLOOD, MICHAEL K.**, dec'd.

Late of the Borough of Wind Gap, Northampton County, PA

Executrix: Mary Flood, 184 N. Lehigh Avenue, Wind Gap, PA 18091

**KEARNEY, JOSEPH W., JR.**, dec'd.

Late of the Township of Palmer, Northampton County, PA

Executor: Robert V. Littner, Littner, Deschler & Littner, 512 North New Street, Bethlehem, PA 18018

Attorneys: Robert V. Littner, Esquire, Littner, Deschler & Littner, 512 North New Street, Bethlehem, PA 18018

**KRAUS, GRACE D.**, dec'd.

Late of the City of Easton, Northampton County, PA

Executrix: Lynne E. Berger c/o Theresa Hogan, Esquire, Attorney-at-Law, 340 Spring Garden Street, Easton, PA 18042  
Attorney: Theresa Hogan, Esquire, Attorney-at-Law, 340 Spring Garden Street, Easton, PA 18042

**LIPPEY, JEANNETTE E.**, dec'd.

Late of the Township of Forks, Northampton County, PA

Executrix: Sharon K. Wilson c/o Steven N. Goudsouzian, Esquire, 2925 William Penn Highway, Suite 301, Easton, PA 18045-5283

Attorney: Steven N. Goudsouzian, Esquire, 2925 William Penn Highway, Suite 301, Easton, PA 18045-5283

**LOMBARDO, DORIS J.,** dec'd.

Late of Northampton County, PA  
Executrix: Regina Sharpe, P.O.  
Box 67, Walnutport, PA 18088

**LOUGHRAN, ELEANOR a/k/a  
ELEANOR MAE LOUGHRAN  
a / k / a ELEANOR M.  
LOUGHRAN,** dec'd.

Late of the Borough of Hellertown, Northampton County, PA  
Executrix: Tracy L. Roman c/o  
David M. Backenstoe, Esquire,  
148 Main Street, Hellertown, PA  
18055

Attorney: David M. Backenstoe,  
Esquire, 148 Main Street, Hellertown, PA 18055

**MACSI, LORETTA a/k/a  
LORETTA A. MACSI,** dec'd.

Late of Bethlehem Township, Northampton County, PA  
Executors: Richard G. Macsi and Robert M. Macsi c/o Matthew C. Samley, Esquire, Reese, Samley, Wagenseller, Mecum & Longer, P.C., 120 North Shippen Street, Lancaster, PA 17602

Attorneys: Matthew C. Samley, Esquire, Reese, Samley, Wagenseller, Mecum & Longer, P.C., 120 North Shippen Street, Lancaster, PA 17602

**McCONNELL, ALICE V.,** dec'd.

Late of the City of Bethlehem, Northampton County, PA  
Executor: William A. McConnell c/o Robert V. Littner, Esquire, Littner, Deschler & Littner, 512 North New Street, Bethlehem, PA 18018

Attorneys: Robert V. Littner, Esquire, Littner, Deschler & Littner, 512 North New Street, Bethlehem, PA 18018

**OSWALD, ANN S.,** dec'd.

Late of Northampton, Northampton County, PA

Co-Executors: Richard D. Oswald, Jr. and Stacey A. O. Smith c/o Thomas J. Turczyn, Esquire, 1711 W. Hamilton Street, Allentown, PA 18104  
Attorney: Thomas J. Turczyn, Esquire, 1711 W. Hamilton Street, Allentown, PA 18104

**REED, ERMA L. a/k/a ERMA A. REED,** dec'd.

Late of Bethlehem Township, Northampton County, PA  
Co-Executrices: Jennifer Wunderler and Elizabeth Morgan c/o Judith A. Harris, Esquire, Norris, McLaughlin & Marcus, P.A., 515 West Hamilton Street, Suite 502, Allentown, PA 18101  
Attorneys: Judith A. Harris, Esquire, Norris, McLaughlin & Marcus, P.A., 515 West Hamilton Street, Suite 502, Allentown, PA 18101

**SCALA, GRACE M.,** dec'd.

Late of the Township of Lower Saucon, Northampton County, PA  
Executrix: Linda C. Finkbeiner c/o Bradford D. Wagner, Esquire, 662 Main Street, Hellertown, PA 18055-1726

Attorney: Bradford D. Wagner, Esquire, 662 Main Street, Hellertown, PA 18055-1726

**SCHATZ, VIRGINIA F.,** dec'd.

Late of the City of Bethlehem, Northampton County, PA  
Executor: Samuel P. Schatz c/o Robert V. Littner, Esquire, Littner, Deschler & Littner, 512 North New Street, Bethlehem, PA 18018

Attorneys: Robert V. Littner, Esquire, Littner, Deschler & Littner, 512 North New Street, Bethlehem, PA 18018

**SMOCK, GILBERT A., JR.**, dec'd.

Late of Bethlehem, Northampton County, PA

Executrix: Janie M. Beil c/o David M. Roth, Esquire, The Roth Law Firm, 123 North Fifth Street, Allentown, PA 18102

Attorneys: David M. Roth, Esquire, The Roth Law Firm, 123 North Fifth Street, Allentown, PA 18102

**TRONZIGER, JOAN A. a/k/a**

**JOAN TRONZIGER**, dec'd.

Late of the Borough of Pen Argyl, Northampton County, PA

Executrix: Cheryl Kolodziej a/k/a Cheryl DeLucas-Kolodziej c/o Beth A. Dobis Beers, Esquire, 315 E. Main Street, Bath, PA 18014

Attorney: Beth A. Dobis Beers, Esquire, 315 E. Main Street, Bath, PA 18014

**VanSYCKLE, MALINDA M. a/k/a**

**MALINDA MAY VanSYCKLE**, dec'd.

Late of the Borough of Nazareth, Northampton County, PA

Administratrix: Bertha Mammana c/o Steven N. Goudsouzian, Esquire, 2925 William Penn Highway, Suite 301, Easton, PA 18045-5283

Attorney: Steven N. Goudsouzian, Esquire, 2925 William Penn Highway, Suite 301, Easton, PA 18045-5283

**THIRD PUBLICATION****ADAMS, FRANK a/k/a FRANK W.**

**ADAMS**, dec'd.

Late of the Township of Bethlehem, Northampton County, PA

Executrix: Francine Kovacs c/o Theresa Hogan, Esquire, Attorney-at-Law, 340 Spring Garden Street, Easton, PA 18042

Attorney: Theresa Hogan, Esquire, Attorney-at-Law, 340 Spring Garden Street, Easton, PA 18042

**BLUM, ROBERT C.**, dec'd.

Late of the Township of Hanover, Northampton County, PA

Co-Executors: Marsha C. Kashner and Michael H. Kashner c/o Richard J. Haber, Esquire, 150 West Macada Road, Bethlehem, PA 18017

Attorney: Richard J. Haber, Esquire, 150 West Macada Road, Bethlehem, PA 18017

**BOOK, HELEN JANE a/k/a HELEN J. BOOK a/k/a H. JANE BOOK a/k/a JANE BOOK**, dec'd.

Late of the City of Bethlehem, Northampton County, PA

Executrix: JoAnne B. Turcotte c/o Edward H. Butz, Esquire, Lesavoy Butz & Seitz LLC, 7535 Windsor Drive, Suite 200, Allentown, PA 18195

Attorneys: Edward H. Butz, Esquire, Lesavoy Butz & Seitz LLC, 7535 Windsor Drive, Suite 200, Allentown, PA 18195

**CASCIANO, PASQUALE**, dec'd.

Late of the Borough of Bangor, Northampton County, PA

Executor: Vito Trigiani, 304 Martino Avenue, Roseto, PA 18013

Attorneys: Ronold J. Karasek, Esquire, Karasek Law Offices, LLC, 641 Market Street, Bangor, PA 18013

**CURRAN, HELEN E.**, dec'd.

Late of the Township of Bethlehem, Northampton County, PA

Executrix: Joan A. Kohut c/o Richard P. Kovacs, Esquire, Noel,



Kovacs & McGuire, P.C., 2505 Newburg Road, Easton, PA 18045-1963

Attorneys: Richard P. Kovacs, Esquire, Noel, Kovacs & McGuire, P.C., 2505 Newburg Road, Easton, PA 18045-1963

**DEVEREAUX, CHARLES W., JR.,** dec'd.

Late of Easton, Northampton County, PA

Personal Representative: Jo-Ann Devereaux

Attorneys: Avery E. Smith, Esquire, King Spry Herman Freund & Faul LLC, One West Broad Street, Suite 700, Bethlehem, PA 18018

**FLAHERTY, JEANNE E.,** dec'd.

Late of Bethlehem, Northampton County, PA

Executrix: Gayle F. Deck, 6703 Flint Hill Road, New Tripoli, PA 18066

Attorneys: Charles W. Stopp, Esquire, Steckel and Stopp, 125 S. Walnut Street, Slatington, PA 18080

**HART, SEAN MICHAEL,** dec'd.

Late of the Township of Lower Saucon, Northampton County, PA

Administratrix: Sherry A. Doyle c/o Vaughn A. Terrinoni, Esquire, 3976 Township Line Road, Bethlehem, PA 18020

Attorney: Vaughn A. Terrinoni, Esquire, 3976 Township Line Road, Bethlehem, PA 18020

**HOGAN, PATRICIA A.,** dec'd.

Late of the City of Bethlehem, Northampton County, PA

Administratrix: Jennifer Ann Hogan c/o Lucas J. Repka, Esquire, 108 East Center Street, Nazareth, PA 18064

Attorney: Lucas J. Repka, Esquire, 108 East Center Street, Nazareth, PA 18064

**HOWER, RACHEL R. a/k/a RACHEL HOWER,** dec'd.

Late of Allen Township, Northampton, Northampton County, PA

Executor: Ned P. Hower c/o Eric R. Strauss, Esquire, Worth, Magee & Fisher, P.C., 2610 Walbert Avenue, Allentown, PA 18104

Attorneys: Eric R. Strauss, Esquire, Worth, Magee & Fisher, P.C., 2610 Walbert Avenue, Allentown, PA 18104

**KUNSMAN, CHARLES R., SR. a/k/a CHARLES KUNSMAN, SR. a/k/a CHARLES R. KUNSMAN,** dec'd.

Late of Hanover Township, Northampton County, PA

Executrix: Sherry L. Flanagan, 1381 Puggy Lane, Bethlehem, PA 18015

**LAMPROS, GEORGE,** dec'd.

Late of the City of Bethlehem, Northampton County, PA

Executrix: Mary Lampros

Attorney: Nicholas M. Zumas, Esquire, 5540 Memorial Road, Allentown, PA 18104

**MEIXELL, ROBERT W.,** dec'd.

Late of the Township of Hanover, Northampton County, PA

Executrix: Stephanie Kay Crabtree, 420 W. Shadow Lane, State College, PA 16803

Attorney: James J. Holzinger, Esquire, 1216 Linden Street, P.O. Box 1409, Bethlehem, PA 18016

**NEWHARDT, PAUL E.,** dec'd.

Late of the City of Bethlehem, Northampton County, PA



Executrices: Maryann Gehringer and Jill Garger c/o Robert A. Pinel, Esquire, Law Offices of Robert A. Pinel, LLC, 1502 Center Street, Suite 201, Bethlehem, PA 18018

Attorneys: Robert A. Pinel, Esquire, Law Offices of Robert A. Pinel, LLC, 1502 Center Street, Suite 201, Bethlehem, PA 18018

**PATTERSON, BRUCE D. a/k/a  
BRUCE PATTERSON**, dec'd.

Late of the Township of Lehigh, Northampton County, PA

Administrator: Dwight Michael Patterson c/o Robert H. Littner, Esquire, Littner, Deschler & Littner, 512 North New Street, Bethlehem, PA 18018

Attorneys: Robert H. Littner, Esquire, Littner, Deschler & Littner, 512 North New Street, Bethlehem, PA 18018

**YOO, JESSICA F.**, dec'd.

Late of the Township of Bushkill, Northampton County, PA

Administrator: Keaton Yoo c/o Steven N. Goudsouzian, Esquire, 2925 William Penn Highway, Suite 301, Easton, PA 18045-5283

Attorney: Steven N. Goudsouzian, Esquire, 2925 William Penn Highway, Suite 301, Easton, PA 18045-5283

**YURISH, JOSEPH J.**, dec'd.

Late of the Borough of Northampton, Northampton County, PA

Executrix: Sara Jane Krex c/o Karl F. Longenbach, Esquire, 425 West Broad St., P.O. Box 1920, Bethlehem, PA 18016-1920

Attorney: Karl F. Longenbach, Esquire, 425 West Broad St., P.O. Box 1920, Bethlehem, PA 18016-1920

**NOTICE OF INCORPORATION**

LEGAL NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed and approved with the Department of State of the Commonwealth of Pennsylvania at Harrisburg on February 11, 2016 pursuant to the provisions of the Pennsylvania Business Corporation Law of 1988. The name of the incorporation is:

**EKBALLO HARVEST**

The purpose for which it was organized is to facilitate Christian religious services of continuous prayer and worship, biblical teaching, and practical outreach opportunities. Founder: Jeremy Lau. Registered Office: 811 Evans St. #2, Bethlehem, PA 18018. Mailing Address: P.O. Box 582, Bethlehem, PA 18016. Web: [www.ekballoharvest.org](http://www.ekballoharvest.org). E-mail: [ekballoharvest@gmail.com](mailto:ekballoharvest@gmail.com).

Mar. 24

**NOTICE OF NONPROFIT  
INCORPORATION**

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed and approved on February 29, 2016, with the Department of State of the Commonwealth of Pennsylvania, Harrisburg, Pennsylvania, for the purpose of incorporating a nonprofit corporation pursuant to the provisions of the Nonprofit Corporation Law of the Commonwealth, December 21, 1988, P.L. 1444, No. 177, Section 103, as amended.

The name of the corporation is:

**THE RESERVE AT  
SAND SPRINGS**

**CONDOMINIUM ASSOCIATION**

The purpose for which this corporation has been organized is as follows: To do any lawful act concerning any and all business for which corporations may be incorporated under the Non-Profit Corporation Law of Pennsylvania including the

management and maintenance of common areas within 30 West Twins Homeowners' Association and the imposition and collection of assessments to further that purpose.

JOSEPH J. PIPERATO, III,  
ESQUIRE

PIPERATO LAW OFFICE, LLC  
3894 Courtney Street  
Suite 105  
Bethlehem, PA 18017  
(610) 625-3891

Mar. 24

### **NOTICE OF PROFESSIONAL INCORPORATION**

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with and approved by the Department of State of the Commonwealth of Pennsylvania at Harrisburg, PA, on February 11, 2016, for the purpose of obtaining a Certificate of Incorporation pursuant to the provisions of the Professional Corporation Act of the Commonwealth of Pennsylvania. The name of the corporation is:

**ELIZABETH SKELLY, DMD PC**

Mar. 24

### **LIMITED LIABILITY COMPANY NOTICE**

NOTICE IS HEREBY GIVEN that on February 26, 2016, Certificate of Organization was filed in the Department of State of the Commonwealth of Pennsylvania for:

**320 W. PUMPING STATION, LLC**  
in accordance with the provisions of the Limited Liability Act of 1994.

JAMES L. BROUGHAL, ESQUIRE  
BROUGHAL & DeVITO, L.L.P.  
38 West Market Street  
Bethlehem, PA 18018

Mar. 24

### **NOTICE FOR CHANGE OF NAME**

NOTICE IS HEREBY GIVEN that on March 14, 2016, the Petition of

Brian Swarat was filed in Northampton County Court of Common Pleas at No. CV-2016-2019 seeking to change the name of Petitioner's minor daughter from Skye Elizabeth Dejong to Skye Elizabeth Swarat. The Court has fixed May 12, 2016 in Courtroom #4 at the Northampton County Courthouse as the date for the hearing of the Petition. All persons interested in the proposed change of name may appear and show cause, if any they have, why the prayer of the Petitioner should not be granted.

Mar. 24

### **IN THE COURT OF COMMON PLEAS OF NORTHAMPTON COUNTY, PENNSYLVANIA ORPHANS' COURT**

IN RE: TERMINATION OF  
PARENTAL RIGHTS OF  
L.A.C.T. and K.L.L.T.

**NOS.: 2016-0024 and 2016-0025**

NOTICE TO NATURAL FATHER  
NOTICE TO: NATURAL FATHER  
DANNY LEE TEEHEE

A Petition has been filed to TERMINATE your Parental Rights of Lillie Ann Carol Teehee and Kyndra Lee Lyniel Teehee.

The Court has set a hearing to consider ending your rights to your children on April 26, 2016 at 10:00 a.m., in Courtroom No. 4 of the Northampton County Government Center at 669 Washington Street, Easton, Pennsylvania. Your presence is required at the hearing.

YOU ARE WARNED THAT EVEN IF YOU FAIL TO APPEAR AT THE SCHEDULED HEARING, THE HEARING WILL GO ON WITHOUT YOU AND YOUR RIGHTS TO YOUR CHILDREN MAY BE ENDED BY THE COURT WITHOUT YOU BEING PRESENT.

YOU HAVE A RIGHT TO BE REPRESENTED AT THE HEARING

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

LAWYER REFERRAL SERVICE  
Northampton County  
Bar Association  
P.O. Box 4733  
Easton, PA 18043-4733  
Telephone: (610) 258-6333

A copy of the Petition to Terminate your Parental Rights may be obtained from the Northampton County Orphans' Court at Case Nos.: 2016-0024; 2016-0025 located at 669 Washington Street in Easton, Pennsylvania at a charge not greater than the cost of copying said Petition and/or at no charge by contacting Attorney Michael F. Corriere at the below stated address and telephone number.

MICHAEL F. CORRIERE, ESQUIRE  
I.D. No. 62255  
Attorney for Plaintiffs  
433 East Broad Street  
Bethlehem, PA 18018  
(610) 865-5566

Mar. 24

**IN THE COURT OF COMMON  
PLEAS OF NORTHAMPTON  
COUNTY, PENNSYLVANIA  
ORPHANS' COURT**

IN RE: TERMINATION OF  
PARENTAL RIGHTS OF  
L.A.C.T. and K.L.L.T.

**NOS.: 2016-0024 and 2016-0025**

NOTICE TO NATURAL MOTHER  
NOTICE TO: NATURAL MOTHER  
BOBI JO TEEHEE

A Petition has been filed to TERMINATE your Parental Rights of Lillie Ann Carol Teehee and Kyndra Lee Lyniel Teehee.

The Court has set a hearing to consider ending your rights to your

children on April 26, 2016 at 10:00 a.m., in Courtroom No. 4 of the Northampton County Government Center at 669 Washington Street, Easton, Pennsylvania. Your presence is required at the hearing.

YOU ARE WARNED THAT EVEN IF YOU FAIL TO APPEAR AT THE SCHEDULED HEARING, THE HEARING WILL GO ON WITHOUT YOU AND YOUR RIGHTS TO YOUR CHILDREN MAY BE ENDED BY THE COURT WITHOUT YOU BEING PRESENT.

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

LAWYER REFERRAL SERVICE  
Northampton County  
Bar Association  
P.O. Box 4733  
Easton, PA 18043-4733  
Telephone: (610) 258-6333

A copy of the Petition to Terminate your Parental Rights may be obtained from the Northampton County Orphans' Court at Case Nos.: 2016-0024; 2016-0025 located at 669 Washington Street in Easton, Pennsylvania at a charge not greater than the cost of copying said Petition and/or at no charge by contacting Attorney Michael F. Corriere at the below stated address and telephone number.

MICHAEL F. CORRIERE, ESQUIRE  
I.D. No. 62255  
Attorney for Plaintiffs  
433 East Broad Street  
Bethlehem, PA 18018  
(610) 865-5566

Mar. 24

**IN THE COURT OF COMMON  
PLEAS OF NORTHAMPTON  
COUNTY, PENNSYLVANIA  
CIVIL ACTION—LAW**

NOTICE OF ACTION IN  
MORTGAGE FORECLOSURE  
Green Tree Servicing LLC c/o  
Ditech Financial LLC,

Plaintiff

vs.

The Estate of Gary Cook a/k/a  
Gary L. Cook, the Estate of Maria  
M. Cook c/o Kimberly A. Hanson  
i/w/a Kimberly A. Cook, Executrix,  
Kimberly A. Hanson i/w/a Kimberly  
A. Cook, Known Heir and Executrix  
of the Estate of Maria M. Cook and  
Known Heir of Gary Cook a/k/a  
Gary L. Cook, Christina Cook,  
Known Heir of Maria M. Cook and  
Gary Cook a/k/a Gary L. Cook,  
Shawn Cook, Individually and As a  
Known Heir of Maria M. Cook and  
Gary Cook a/k/a Gary L. Cook,  
Tamara Cook, Unknown Heirs,  
Successors, Assigns and All  
Persons, Firms or Associations  
Claiming Right, Title or Interest  
From or Under Maria M. Cook, Last  
Record Owner and Unknown Heirs,  
Successors, Assigns and All  
Persons, Firms or Associations  
Claiming Right, Title or Interest  
From or Under Gary Cook a/k/a  
Gary L. Cook, Last Record Owner,  
Defendants

**NO. C-48-CV-2013-3650**

SECOND AMENDED COMPLAINT  
IN MORTGAGE FORECLOSURE

TO: Unknown Heirs, Successors,  
Assigns and All Persons, Firms or  
Associations Claiming Right, Title  
or Interest From or Under Maria  
M. Cook, Last Record Owner,  
Defendant(s), whose last known  
addresses are 938 Accent Court  
(Lehigh Township), Walnutport,  
PA 18088; 160 New Bedford

Circle, Pinehurst, NC 28374; 4635  
Templeton Park Circle, Apt. 118,  
Colorado Springs, CO 80917; 402  
Mansfield St., Belvidere, NJ 07823  
and 112 Asher Court, Brodheads-  
ville, PA 18322

You are hereby notified that  
Plaintiff, Green Tree Servicing LLC  
c/o Ditech Financial LLC, has filed a  
Second Amended Mortgage Foreclo-  
sure Complaint endorsed with a  
Notice to Defend, against you in the  
Court of Common Pleas of Northamp-  
ton County, Pennsylvania, docketed  
to NO. C-48-CV-2013-3650, wherein  
Plaintiff seeks to foreclose on the  
mortgage secured on your property  
located, 938 Accent Court (Lehigh  
Township), Walnutport, PA 18088,  
whereupon your property would be  
sold by the Sheriff of Northampton  
County.

**NOTICE**

**YOU HAVE BEEN SUED IN  
COURT.** If you wish to defend against  
the claims set forth in the notice  
above, 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 other claim or  
relief requested by the Plaintiff. You  
may lose money or property or other  
rights important to you. **YOU  
SHOULD TAKE THIS PAPER TO  
YOUR LAWYER AT ONCE. IF YOU  
DO NOT HAVE A LAWYER GO TO  
OR TELEPHONE THE OFFICE SET  
FORTH BELOW. THIS OFFICE CAN  
PROVIDE YOU WITH THE INFORMA-**

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

Northampton County  
Lawyers Referral Service  
P.O. Box 4733  
Easton, PA 18043-4733  
(610) 258-6333

UDREN LAW OFFICES, P.C.  
Attys. for Plaintiff

111 Woodcrest Rd.  
Ste. 200  
Cherry Hill, NJ 08003  
(856) 669-5400

Mar. 24

**BLIGHTED PROPERTY REVIEW  
COMMITTEE c/o  
REDEVELOPMENT AUTHORITY  
OF CITY OF BETHLEHEM  
10 EAST CHURCH STREET;  
BETHLEHEM, PA 18018  
(610) 865-7055**

This shall serve as official notice that the City of Bethlehem Blighted Property Review Committee met on Tuesday, December 15, 2015 and determined that the property located at 1137 East Fourth Street, Bethlehem, Pennsylvania is blighted under the definitions set forth in section 149.05 of the City of Bethlehem Ordinance No. 3418, as amended in City of Bethlehem Ordinance No. 4203. This property has been inspected by the City of Bethlehem and it is the City's position that the property does not comply with the City Ordinance.

This notice is to notify the owner or party responsible for 1137 East Fourth Street that they are hereby ordered to eliminate these conditions causing the blight. Failure to eliminate

these conditions may render the property subject to condemnation by the Redevelopment Authority of the City of Bethlehem under the Urban Redevelopment Blighted Property Acquisition Act (35 P.S. 1712.1) and Article 149 of the Codified Ordinances of the City of Bethlehem.

The owner, responsible party or agent has the right to request a full hearing on this matter before the Blighted Property Review Committee. Such request must be made in writing to the committee on or before April 29, 2016 so that such appeal hearing can be heard at the Blighted Property Review Committee meeting scheduled for June 21, 2016.

The owner, responsible party or agent shall have the opportunity to present all relevant evidence, to present witnesses, to cross-examine any witnesses, to be represented by counsel, and to receive a written opinion from the Blighted Property Review Committee as to their findings and basis of decision within forty-five (45) days of the hearing date.

The owner, responsible party or agent shall have the right of appeal from the determination of the Blighted Property Review Committee to the Court of Common Pleas. This right to appeal applies regardless of whether or not the owner, responsible party or agent requests a hearing before the Committee.

The owner, responsible party or agent will be given thirty (30) days from the date of final publication of this notice in the Northampton County Reporter and The Express-Times on March 25, 2016, if no hearing before the Blighted Property Review Committee is requested, or thirty (30) days from the receipt of the Committee's final written opinion, if a hearing is requested, to file a written

appeal with the Court of Common Pleas of the county within which the subject property is located.

Any correspondence on this matter should be addressed to: Earl Bethel, Chairman; Blighted Property Review Committee c/o Redevelopment Authority of the City of Bethlehem; 10 East Church Street; Bethlehem, PA 18018.

Mar. 17, 24

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**PARALEGAL/ADMINISTRATIVE ASSISTANT**

Full-time for Bethlehem law office. Experience in trusts and estates and with Lackner, QuickBooks, Amicus and Excel software a plus. Candidate must be proficient in Word and able to work independently in a fast-paced environment. Salary and benefits commensurate with experience. Send resume to legalstaffresumes@gmail.com.

Mar. 17, 24, 31

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**SHERIFF'S SALE OF VALUABLE REAL ESTATE**

The following real estate will be sold by the Sheriff of Northampton County, Pennsylvania, on April 8, 2016, at ten o'clock a.m. in the COUNCIL CHAMBERS, THIRD FLOOR, of the Northampton County Government Center, within the City of Easton, County of Northampton and State of Pennsylvania, to wit:

PLEASE TAKE NOTICE that the sale price will include only the delinquent taxes certified to the Sheriff's Office. Any current taxes are the responsibility of the purchaser.

**No. 1**

**BY VIRTUE OF A CERTAIN WRIT OF EXECUTION  
CV-2015-04559**

**Location:**

2845 Charlotte Avenue, Easton, PA 18045

**Parcel ID:**

L8SE3 10 6A 0324

**Reputed Owner:**

Robin Rodriguez

All that certain three lots of land with the improvements thereon erected situate in the Township of Palmer, County of Northampton and State of Pennsylvania.

Title to said Premises vested in Robin Rodriguez, as sole owner by Deed from Mohamed F. Ibrahim and Debra Ibrahim, husband and wife dated 09/26/2008 and recorded 10/03/2008 in the Northampton County Recorder of Deeds in Book 2008-1, Page 273710.

**Improvements:**

Thereon being erected a bi-level single style dwelling with vinyl and brick exterior and shingle roof; attached one-car garage.

**Attorney:**

Robert W. Williams, Esquire

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**No. 2**

**BY VIRTUE OF A CERTAIN WRIT OF EXECUTION  
CV-2015-05428**

**Location:**

834 West Milton Street, Easton, PA 18042

**Parcel ID:**

M9NE1A 18 6 0310

**Reputed Owners:**

Michael Grassia and Stephanie Grassia

ALL THAT CERTAIN tract of land and dwelling house thereon erected known as No. 834 Milton Avenue, being the Western half of a double brick dwelling house, situated on the South side of said Milton Avenue in the said City of Easton.

BEING the same premises which Grantors: William K. Rambo and Robert W. Rambo, Co-Executors



under the Last Will and Testament of Peter W. Rambo, Deceased, by Deed dated October 4, 2002 and recorded October 11, 2002 in the Office of the Recorder of Deeds in and for Northampton County in Deed Book/ Page or Instrument # 2002-1/277662, granted and conveyed unto Michael Grassia and Stephanie Grassia, husband and wife.

**Improvements:**

Thereon being erected a two-story half-of-double style dwelling with brick exterior and shingle roof; detached one-car garage.

**Attorney:**

M. Troy Freedman, Esquire

**No. 3**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2014-11819**

**Location:**

2048 Glen View Drive, Bethlehem, PA 18015

**Parcel ID:**

Q6 6 1A-16 0719

**Reputed Owners:**

Deanna Miller and Terry Miller

ALL THAT CERTAIN tract of land situate in Lower Saucon Township, Northampton County, Pennsylvania, being Lot 16 as shown on and described in accordance with the Record Plan for Roeder's Glen prepared by Martin, Bradbury, and Griffith, Incorporated, Allentown, Pennsylvania, dated February 9, 1990, and last revised December 14, 1994.

BEING the same premises which is vested in Terry Miller and Deanna Miller, husband and wife, by Deed from Roeder's Glen Development Company, dated 08/16/2002 and recorded 08/22/2002, in Deed Volume 2002-1 Page 221785.

**Improvements:**

Thereon being erected a two-story single style dwelling with vinyl siding and shingle roof; attached one-car garage.

**Attorney:**

Victoria W. Chen, Esquire

**No. 4**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2013-10773**

**Location:**

2239 Freemansburg Avenue, Easton, PA 18042

**Parcel ID:**

L9SW4C 16 32 0837

**Reputed Owners:**

John Barr and Cindy S. Barr

ALL THAT PARCEL OF LAND IN NORTHAMPTON COUNTY, COMMONWEALTH OF PENNSYLVANIA, AS MORE FULLY DESCRIBED IN DEED BOOK 2000-1, PAGE 113022.

Vested by QuitClaim Deed, dated 04/24/2006, given by Cindy S Skinner, a married woman to Cindy S Skinner and John Barr, wife and husband, as joint tenants with right of survivorship, and not as tenants in common and recorded 5/10/2006 in Book 2006-1 Page 186876 Instrument # 2006028906.

**Improvements:**

Thereon being erected a two-story half-of-double style dwelling with brick exterior and shingle roof; detached one-car garage.

**Attorney:**

Matthew K. Fissel, Esquire

**No. 5**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2014-10222**

**Location:**

403 Gallery Lane, Mount Bethel, PA 18343

**Parcel ID:**

B11 5 5 0131



**Reputed Owner:**

Patricia P. Pazda

ALL THAT CERTAIN lot, parcel or piece of land situate in the Township of Upper Mount Bethel, County of Northampton, and Commonwealth of Pennsylvania.

BEING THE SAME PREMISES which Andrzej Madej and Teresa Madej, husband and wife, by deed dated 09/28/2007 herewith and intended to be forthwith recorded in the Office for the Recording of Deeds on 09/28/2007 in book 2007-1 and page 357615 for Northampton County, granted and conveyed unto Patricia P. Pazda.

**Improvements:**

Thereon being erected a bi-level single style dwelling with vinyl and brick exterior and shingle roof.

**Attorney:**

Victoria W. Chen, Esquire

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**No. 6****BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2015-02485****Location:**

208 N. New Street, Nazareth, PA 18064

**Parcel ID:**

J7SE2B 13 9 0421

**Reputed Owner:**

Steven E. Skrzenski

ALL THAT CERTAIN two story brick dwelling house and lot or piece of ground situate in the Borough of Nazareth.

TITLE TO SAID PREMISES IS VESTED IN Steven E. Skrzenski, married by Deed from Scott P. Slingerland, unmarried, dated 08/30/2011, recorded 09/28/2011 in Deed Book 2011-1, Page 199344.

**Improvements:**

Thereon being erected a two-story single style dwelling with brick

exterior and shingle roof; barn with attached one-car garage.

**Attorney:**

Sherri J. Braunstein, Esquire

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**No. 7****BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2015-07040****Location:**

2415 Brown Street, Bethlehem, PA 18017

**Parcel ID:**

N7NW1C 13 9C 0204

**Reputed Owner:**

Charles A.J. Halpin, III, Esq.,  
Personal Representative of the Estate of Lee A. Rayden

ALL THOSE CERTAIN lots or pieces of land situate in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, being Lots Nos. 56, 57, 58 and 59 on an unrecorded plan entitled "Building Lots, Property of Savercool & Wright, Bethlehem Township, Northampton County, Pennsylvania, dated November 1915", referred to in previous conveyances as "Bethlehem Annex Tract A."

BEING THE SAME PREMISES which Elsie Rayden f/k/a Elsie Wagner and Lee A. Rayden, by Deed dated December 11, 1991 and recorded December 13, 1991 in the Office of the Recorder of Deeds in and for Northampton County in Deed Book Volume 849, Page 519, granted and conveyed unto Elsie Rayden and Lee A. Rayden.

**Improvements:**

Thereon being erected a ranch single style dwelling with brick exterior and shingle roof; attached one-car garage.

**Attorney:**

Gregory Javardian, Esquire

**No. 8**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2015-08797**

**Location:**

844 Maple Road, Hellertown, PA 18055

**Parcel ID:**

Q7SE4A 10 16 0715

**Reputed Owner:**

Craig A. Medei, Jr.

All that certain lot or piece of land with the buildings and improvements thereon erected, situate on the southeasterly side of Maple Road (50 feet wide) at the distance of 121.22 feet measured south 48 degrees 45 minutes 30 seconds west from a point of tangent in the said side of Maple Road, which said point of tangent is at the arc distance of 33.56 feet in a southwesterly direction on the arc of a circle curving to the left having a radius of 25 feet from a point in the southwesterly side of Magnolia Road (50 feet wide) in the Borough of Hellertown, Northampton County, PA, being known as Lot No. 5, Block No. 7, Section B of Plan Mountainview, dated 7/9/1946 and recorded in Northampton County Map Book Volume 11, Page 65.

Title to said Premises vested in Craig A. Medei, Jr. by Deed from David J. McGonagle dated 11/01/2006 and recorded 11/07/2006 in the Northampton County Recorder of Deeds in Book 2006-1, Page 462504.

**Improvements:**

Thereon being erected a cape cod single style dwelling with vinyl siding and shingle roof.

**Attorney:**

Robert W. Williams, Esquire

**No. 9**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2015-01122**

**Location:**

1628 Linwood Street, Bethlehem, PA 18017

**Parcel ID:**

N6SE3B 2 6 0204

**Reputed Owner:**

Juan Cintron

ALL THAT CERTAIN messuage or tenement and lot or piece of ground situate along the southeasterly side of Linwood (formerly Pine) Street, between Washington Avenue and Sycamore Street, in the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania.

TITLE TO SAID PREMISES IS VESTED IN Juan Cintron, married, by Deed from Helen F. Piripavel, widow, dated 07/16/2007, recorded 07/25/2007 in Book 2007-1, Page 271024.

**Improvements:**

Thereon being erected a cape cod single style dwelling with brick exterior and shingle roof; attached one-car garage.

**Attorney:**

Martha E. Von Rosenstiel, Esquire

**No. 10**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2015-09342**

**Location:**

337 S. Main Street aka 337 Main Street, Bangor, PA 18013

**Parcel ID:**

E9NE3A 8 10 0102

**Reputed Owner:**

Sabrina Dunbar

ALL THAT CERTAIN messuage and tenement, lot, tract or piece of land, lying and being in the Borough of Bangor, County of Northampton and Commonwealth of Pennsylvania.

BEING THE SAME PREMISES that Olav E. Sandnes and Gina D. Sandnes, parent and natural guardians of William E. Sandnes, a minor by deed dated May 16, 2006 and recorded on May 18, 2006 in the Office of the Recorder of Deeds in and

for Northampton County, at Book 2006-1 and Page 198243, and Instrument No. 2006030360, conveyed unto Sabrina Dunbar, Grantee herein.

**Improvements:**

Thereon being erected a two-story single style dwelling with vinyl siding and shingle roof.

**Attorney:**

Bradley J. Osborne, Esquire

**No. 11**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2010-13018**

**Location:**

121 High Point Lane, Easton, PA 18042

**Parcel ID:**

L10SW4D 13 53 0310

**Reputed Owners:**

Unknown Heirs, Successors, Assigns and All Persons, Firms or Associations Claiming Right, Title or Interest from or Under Francine Cook and Lamar L. Cook, Brian E. Cook, Monique Cook, and Denver Cook, Known Heirs of Francine Cook

ALL THAT CERTAIN tract or parcel of land, situate, lying and being in the City of Easton, County of Northampton and Commonwealth of Pennsylvania.

TITLE TO SAID PREMISES IS VESTED IN Francine Cook BY DEED FROM Mel Martinez, The Secretary of Housing and Urban Development, of Washington, D.C. DATED 12/13/2001 RECORDED 12/26/2001 AT INSTRUMENT NUMBER 2001055950.

**Improvements:**

Thereon being erected a two-story townhouse style dwelling with brick exterior and shingle roof; attached one-car garage.

**Attorney:**

David Neeren, Esquire

**No. 12**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2013-03956**

**Location:**

537 High Street, Tatamy, PA 18085

**Parcel ID:**

J8SE3B 17 4 0430

**Reputed Owners:**

Adolph Marth and Nancy Marth

ALL THAT CERTAIN messuage, tenement, lot and tract of land situate in the Borough of Tatamy, County of Northampton, and State of Pennsylvania.

TITLE TO SAID PREMISES IS VESTED IN Adolph Marth and Nancy Marth, h/w, by Deed from Gregory P. Stokes and Peggy A. Stokes, h/w, dated 05/30/2007, recorded 06/05/2007 in Book 2007-1, Page 205629.

**Improvements:**

Thereon being erected a cape cod single style dwelling with brick exterior and shingle roof; attached one-car garage.

**Attorney:**

Adam H. Davis, Esquire

**No. 13**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2015-10215**

**Location:**

330 North 5th Street, Bangor, PA 18013

**Parcel ID:**

D9SE4C 13 5 0102

**Reputed Owners:**

Lori E. Lyter-Getz and Daniel J. Getz

ALL THAT CERTAIN messuage, or tenement and tract of land, situate in the Borough of Bangor, County of Northampton, State of Pennsylvania.

BEING THE SAME PREMISES which Alyssa Lopiano-Reilly, Esquire,

as Attorney-In-Fact for Cecelia M. Lopiano, by Deed dated 7/16/03 and recorded 7/17/03 in the Office of the Recorder of Deeds in and for the County of Northampton, in Deed Book 2003-1, Page 277746, and Instrument #2003047452, granted and conveyed unto Lori E. Lyter-Getz and Daniel J. Getz, as tenants by the entireties, in fee.

**Improvements:**

Thereon being erected a two-story single style dwelling with vinyl and stone exterior and shingle roof; detached three-car garage.

**Attorney:**

Leslie J. Rase, Esquire

**No. 14**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2015-07281**

**Location:**

309-311 South Main Street,  
Bangor, PA 18013

**Parcel ID:**

E9NE3A 8 16 0102

**Reputed Owner:**

Iris Perez

ALL THAT CERTAIN messuage and tenement, tract, piece or parcel of land situated in Second Ward of the Borough of Bangor, in the County of Northampton and State of Pennsylvania.

BEING THE SAME PREMISES, which Charles Tanzola and Susan B. Tanzola, husband and wife by Indenture dated 2-17-2006 and recorded 3-1-2006 in the Office of Recorder of Deeds in and for the County of Northampton in Record Book 2006-1, Page 84987, granted and conveyed unto Iris Perez.

**Improvements:**

Thereon being erected a two-story duplex style dwelling with vinyl siding and shingle roof.

**Attorney:**

Sarah K. McCaffery, Esquire

**No. 15**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2014-00784**

**Location:**

27 North 4th Street, Bangor, PA  
18013

**Parcel ID:**

E9NE1B 15 28 0102

**Reputed Owner:**

Raymond Amy

ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND SITUATE IN THE BOROUGH OF BANGOR, COUNTY OF NORTHAMPTON AND COMMONWEALTH OF PENNSYLVANIA, SHOWN AS LOT NUMBER 1 ON A PLAN OF MUSCHOCK SUBDIVISION ACCORDING TO DRAWING 89C2082, AS PREPARED BY JOSEPH B. POLICELLI REGISTERED SURVEYOR, AND RECORDED IN THE RECORDER OF DEEDS OFFICE FOR NORTHAMPTON COUNTY, IN PLAN BOOK 90, AT PAGE 194.

BEING the same property conveyed to Raymond Amy who acquired title by virtue of a deed from Raymond Amy and Paul M. Amy, dated November 19, 2008, recorded March 4, 2009, at Deed Book 2009-1, Page 44939, Northampton County, Pennsylvania records.

**Improvements:**

Thereon being erected a two-story half-of-double style dwelling with brick exterior and shingle roof.

**Attorney:**

Kimberly A. Bonner, Esquire

**No. 16**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2013-02355**

**Location:**

4711 Conway Court, Easton, PA  
18045

**Parcel ID:**

M8SW3 2 5 0205

**Reputed Owners:**

Gus N. Makkas and Sherry A. Makkas

ALL THAT CERTAIN lot or piece of ground, situate in the Township of Bethlehem, County of Northampton, Commonwealth of Pennsylvania described in Accordance with a plan of PennWay Estates Phase I made by Ludgate Engineering Corporation, dated 8/19/88 last revised 12/20/88 and by plan recorded in the Recorder of Deeds Office of Northampton County on 4/4/89 in Map Book 89, page 120.

BEING THE SAME PREMISES which Gus N. Makkas by deed dated March 26, 1997 and recorded April 8, 1997 in the Office of Recorder of Deeds in and for Northampton County, Pennsylvania in Record Book 1997-1, Page 33088, granted and conveyed unto Gus N. Makkas and Sherry Makkas, husband and wife, their heirs and assigns.

**Improvements:**

Thereon being erected a two-story single style dwelling with vinyl and brick exterior and shingle roof; attached two-car garage.

**Attorney:**

Shawn M. Long, Esquire

**No. 17**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2012-02487**

**Location:**

4220 Campbell Drive, Bethlehem, PA 18020

**Parcel ID:**

M7 11 3C-90 0205

**Reputed Owner:**

Wilfredo Rivera

All that certain lot or parcel of land situated in the Township of Bethlehem, County of Northampton

and Commonwealth of Pennsylvania, being Lot No.90 as shown on a plan entitled, 'Final Subdivision Plan of Campbell Estates', dated February 5, 2001 last revised June 17, 2002, prepared by The Pidcock Company, Allentown, Pa. and recorded November 8, 2002 in Plan Book 2002-5 page 317.

TITLE TO SAID PREMISES IS VESTED IN Wilfredo Rivera, by Deed from Toll PA IV, L.P., dated 10/08/2004, recorded 02/17/2005 in Book 2005-1, Page 60025.

**Improvements:**

Thereon being erected a two-story single style dwelling with vinyl and brick exterior and shingle roof; attached three-car garage.

**Attorney:**

Adam H. Davis, Esquire

**No. 18**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2015-00094**

**Location:**

889 Briarstone Road, Bethlehem, PA 18017

**Parcel ID:**

M6SW4 10 6 0214

**Reputed Owner:**

Javier J. Castro

ALL THAT CERTAIN lot or tract of land known as 889 Briarstone Road, Bethlehem, and being Lot No. 30 as shown on a Subdivision Plan of Stones Crossing Phase One, recorded in Map Book Volume 86, Page 169, prepared by the Martin H. Schuler Company, Engineers and Surveyors of Allentown, situate in Hanover Township, Northampton County, Pennsylvania.

BEING THE SAME PREMISES which Carol M. Diehl by Deed dated December 31, 2003 and recorded January 22, 2004 in the Recorder of Deeds Office in and for Northampton County in Deed Book 2004-1, Page

25540, as Instrument No.: 2004004867 granted and conveyed unto Javier J. Castro, in fee.

**Improvements:**

Thereon being erected a two-story row home style dwelling with vinyl siding and shingle roof; attached one-car garage.

**Attorney:**

Stephen M. Hladik, Esquire

**No. 19**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2015-06218**

**Location:**

407 East Laurel Avenue, Pen Argyl, PA 18072

**Parcel ID:**

D8SE3C 5 2 0625

**Reputed Owners:**

Daniel Webster and Carrie Webster

ALL THAT CERTAIN messuage, tenement, tract, piece or parcel of land lying and being in the Borough of Pen Argyl, in the County of Northampton and Commonwealth of Pennsylvania, of Pennsylvania.

BEING THE SAME PREMISES which Christopher D. Brown, by Deed dated April 2, 2003 and recorded April 7, 2003 in the Office of the Recorder of Deeds in and for Northampton County in Deed Book Volume 2003-1, Page 119296, granted and conveyed unto Daniel Webster and Carrie Webster.

**Improvements:**

Thereon being erected a ranch single style dwelling with vinyl and brick exterior; detached one-car garage.

**Attorney:**

Gregory Javardian, Esquire

**No. 20**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2015-10442**

**Location:**

2430 Forest Street, Easton, PA 18042

**Parcel ID:**

L9SW4C 3 14 0837

**Reputed Owner:**

Richard L. Dorsey

ALL THAT CERTAIN lot or piece of land, together with the improvements thereon erected, being the eastern half of a double brick dwelling house, known as No. 2430 Forest Street, situated on the south side of Forest Street in the Borough of Wilson, County of Northampton, and State of Pennsylvania.

BEING the same premises which Richard L. Dorsey and Christine S. Dorsey, by Deed dated October 27, 2001 and recorded September 5, 2002 in the Office of the Recorder of Deeds in and for Northampton County in Deed Instrument Number 2002047147, granted and conveyed unto Richard L. Dorsey.

**Improvements:**

Thereon being erected a two-story half-of-double style dwelling with brick exterior and shingle roof; detached one-vehicle carport with an attached

**Attorney:**

Edward J. McKee, Esquire

**No. 21**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2015-07186**

**Location:**

2842 Delps Road, Danielsville, PA 18038

**Parcel ID:**

G5 6 1F 0520

**Reputed Owners:**

Christopher Deppe and Marcelle Deppe

Situated in the Township of Moore, County of Northampton and State of Pennsylvania. Title to said premises is vested in Christopher Deppe and Marcelle Deppe, husband and wife, as tenants by the entireties by deed from Elizabeth M. Doddy dated 09/02/2005 recorded 09/08/2005 in Deed Book 2005-1, Page 347605.



**Improvements:**

Thereon being erected a two-story single style dwelling with aluminum siding and shingle roof; attached one-car garage.

**Attorney:**

Morris A. Scott, Esquire

**No. 22**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2015-07396**

**Location:**

405 Pawnee Street, Bethlehem, PA 18015

**Parcel ID:**

P6SW2B 11 27 0204

**Reputed Owner:**

Margaret E. Fluck

ALL THAT CERTAIN message, tenement and lot or piece of ground situate on the Easterly side of Pawnee Street, known as 405 Pawnee Street in the First Ward of the City of Bethlehem, County of Northampton, Commonwealth of Pennsylvania as shown on a survey plan prepared by Kenneth R. Hahn PLS drawing No. 85-281 dated November 11, 1985.

BEING THE SAME PREMISES which Stephen Wagner, married, by Deed dated 4/1/05 and recorded 5/30/05 in the Office of the Recorder of Deeds in and for the County of Northampton, in Deed Book 2005-1, Page 116400, and Instrument #2005017331, granted and conveyed unto Terry Fluck and Margaret E. Fluck, husband and wife, in fee.

**Improvements:**

Thereon being erected a two-story single style dwelling with stucco exterior and shingle roof.

**Attorney:**

Sarah K. McCaffery, Esquire

**No. 23**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2015-01144**

**Location:**

204 Delaware Avenue, Wind Gap, PA 18091

**Parcel ID:**

E8SW3A 4 4 0638

**Reputed Owner:**

Grace Mueller

All that certain lot or tract of land, situate in the Borough of Wind Gap, County of Northampton, Commonwealth of Pennsylvania, described in accordance with a subdivision of land of Emanuel Vito made by Robert L. Collura, Civil Engineers and Land Surveyors, dated July 7, 1986, and revised October 23, 1986, and recorded in the Plan Book 86, Page 378.

Title to said Premises vested in Grace Mueller by Deed from Gilbert F. Walter dated 07/03/2007 recorded 07/13/2007 in the Northampton County Recorder of Deeds in Book 2007-1, Page 257996.

**Improvements:**

Thereon being erected a split-level single style dwelling with vinyl and brick exterior and shingle roof; attached one-car garage.

**Attorney:**

Robert W. Williams, Esquire

**No. 24**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2015-02658**

**Location:**

4311 Tiffany Drive, Easton, PA 18045

**Parcel ID:**

M8NW2 9 7 0205

**Reputed Owner:**

Curtis L. Johnson

ALL THAT CERTAIN tract or parcel of land SITUATE, lying and being in the Township of Bethlehem, County of Northampton and State of Pennsylvania, being known as Lot No. 22 on Plan of Subdivision of Country Club Estates, prepared by Robert L. Collura, Registered Professional Engineer, dated May 7, 1987 and



recorded in the Office for the Recorder of Deeds in and for Northampton County at Easton, Pennsylvania, in Plan Book 87, Page 286.

BEING THE SAME PREMISES which Kim Hornbuckle and Carol J. Hornbuckle, husband and wife, by Deed dated 10/10/06 and recorded 11/24/06 in the Office of the Recorder of Deeds in and for the County of Northampton, in Deed Book 2006-1, Page 486071, granted and conveyed unto Curtis L. Johnson, in fee.

**Improvements:**

Thereon being erected a two-story single style dwelling with brick exterior and shingle roof; attached five-car garage.

**Attorney:**

Sarah K. McCaffery, Esquire

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**No. 26**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2015-03597**

**Location:**

739 Fiot Avenue, Bethlehem, PA 18015

**Parcel ID:**

P6SW3B 13 5 0204

**Reputed Owners:**

Marcial Figueroa and Rae Figueroa and United States of America, Department of the Treasury—Internal Revenue Service

ALL THAT CERTAIN lot or piece of ground situate on the East side of Fiot Avenue, in the City of Bethlehem (formerly Borough of South Bethlehem), County of Northampton and Commonwealth of Pennsylvania.

BEING THE SAME PREMISES which Rae Gonzales, now known as Rae Figueroa and Marcial Figueroa, wife and husband, by Deed dated 4/24/06 and recorded 5/1/06 in the Office of the Recorder of Deeds in and for the County of Northampton, in

Deed Book 2006-1, Page 170904, Instrument #2006026686, granted and conveyed unto Marcial Figueroa and Rae Figueroa, husband and wife, as tenants by the entirety, in fee.

**Improvements:**

Thereon being erected a two-story half-of-double style dwelling with vinyl, brick and stone exterior and slate roof.

**Attorney:**

Sarah K. McCaffery, Esquire

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**No. 27**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2013-07581**

**Location:**

437 South 19th Street, Easton, PA 18042

**Parcel ID:**

L9SW3A 12 2A 0837

**Reputed Owner:**

Joseph P. Mahoney, Administrator of the Estate of William Mahoney

ALL THAT CERTAIN HOUSE AND LOT OR PIECE OF LAND SITUATED ON THE WEST SIDE OF NINETEENTH STREET, KNOWN AS 437 SOUTH 19TH STREET, IN THE BOROUGH OF WILSON, COUNTY OF NORTHAMPTON AND STATE OF PENNSYLVANIA.

BEING the same property conveyed to William Mahoney, a single man who acquired title by virtue of a deed from Kathleen A. Brown, a single woman, dated June 6, 2006, recorded June 21, 2006, at Deed Book 2006-1, Page 249226, Northampton County, Pennsylvania records.

**Improvements:**

Thereon being erected a two-story single style dwelling with vinyl siding and shingle roof.

**Attorney:**

Jana Fridfinnsdottir, Esquire

**No. 28**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2015-08864**

**Location:**

31 Freedom Terrace, Easton, PA  
18045

**Parcel ID:**

K9 31 37 0324

**Reputed Owner:**

Phyllis M. Ziello

ALL THAT CERTAIN message, tenement and lot or piece of ground situate in the Township of Palmer, County of Northampton and Commonwealth of Pennsylvania, designated as Lot No. 222 on the Plan of Penn's Grant, Phase 3 as said Plan is recorded in the Recorder of Deeds Office in and for Northampton County, Pennsylvania in Map Book Volume 1996-5, pages 176, et seq.

BEING THE SAME PREMISES WHICH Susan M. Costenbader and Jason T. Costenbader by deed dated September 12, 2005 and recorded October 13, 2005 to Northampton County Deed Book 2005-1, Page 404070, granted and conveyed unto Phyllis M. Ziello.

**Improvements:**

Thereon being erected a three-story row home style dwelling with brick exterior and shingle roof; attached one-car garage.

**Attorney:**

Leon P. Haller, Esquire

**No. 29**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2010-12886**

**Location:**

1533 East Seventh Street,  
Bethlehem, PA 18015

**Parcel ID:**

P7SW1B 6 8 0204

**Reputed Owner:**

Edwin L. Bonilla aka Edwin  
Bonilla

All that certain tract or piece of land with the messuage or tenement thereon erected, situate in the Seventeenth Ward of the City of Bethlehem, County of Northampton and Commonwealth of Pennsylvania.

BEING the same property conveyed to Edwin L. Bonilla who acquired title by virtue of a Fee Simple Deed from Evelyn Molina, formerly known as Evelyn Bracero, Unmarried, dated September 28, 2006, recorded October 4, 2006, at Deed Book 2006-1, Page 411822, Northampton County, Pennsylvania records.

**Improvements:**

Thereon being erected a two-story row home style dwelling with brick and wood exterior and flat roof.

**Attorney:**

Jana Fridfinnsdottir, Esquire

**No. 30**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2013-11432**

**Location:**

1819 1/2 Main Street, Northampton, PA 18067

**Parcel ID:**

L4SW4B 12 18 0522

**Reputed Owner:**

Angelene Montanari

ALL THAT CERTAIN property situated in the Borough of Northampton, in the County of Northampton and Commonwealth of Pennsylvania.

BEING the same property conveyed to Angelene Montanari, Unmarried who acquired title by virtue of a deed from Michelle Strunk, Now Known as Michelle Dodrill, Divorced, dated July 7, 1999, recorded July 9, 1999, at Book/Page 1999-1, Page 102795, Northampton County, Pennsylvania records.

**Improvements:**

Thereon being erected a ranch single style dwelling with block exterior and shingle roof.

**Attorney:**

Jana Fridfinnisdottir, Esquire

**No. 31****BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2010-14085****Location:**1655 Mark Twain Circle,  
Bethlehem, PA 18017**Parcel ID:**

M5SE3 6 4 0214

**Reputed Owner:**

Remoun S. Amin

All that certain lot or piece of ground situate in Hanover Township, Northampton County Pennsylvania, being Lot 8 Block 11 as more fully described on a certain map entitled Plan of Hanover Farms, Section 2, Property of Alburk Corporation.

BEING the same property conveyed to Remoun S. Amin, Unmarried who acquired title by virtue of a(n) Fee Simple Deed from Joseph J. Preisler, Widower, dated October 31, 2005, recorded November 3, 2005, at Deed Book 2005-1, Page 438616, Northampton County, Pennsylvania records.

**Improvements:**

Thereon being erected a ranch single style dwelling with vinyl and brick exterior and shingle roof; attached two-car garage.

**Attorney:**

Jana Fridfinnisdottir, Esquire

**No. 32****BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2015-00823****Location:**1116 Flory Avenue, Pen Argyl, PA  
18072**Parcel ID:**

E9NW1 5 6 0626

**Reputed Owners:**Jason J. Mich and Jennifer L.  
Mich

ALL THAT CERTAIN property situated in the Township of Plainfield,

in the County of Northampton and Commonwealth of Pennsylvania.

BEING the same property conveyed to Jason J. Mich and Jennifer L. Mich, his wife who acquired title by virtue of a deed from Anthony P. Curcio, Thomas M. Curcio and Richard J. Curcio, as tenants in common, dated June 2, 2004, recorded July 2, 2004, at Deed Book 2004-1, Page 256744, Northampton County, Pennsylvania records.

**Improvements:**

Thereon being erected a two-story single style dwelling with brick exterior and slate roof; detached two-car garage.

**Attorney:**

Jana Fridfinnisdottir, Esquire

**No. 33****BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2014-09432****Location:**5823 Monocacy Drive, Bethlehem,  
PA 18017**Parcel ID:**

L6 15 10-147 0214

**Reputed Owners:**

Brigitte L. Bortz and Brian J. Bortz

All that certain piece or parcel of land shown as Lot #147, situate in the Township of Hanover, County of Northampton, Commonwealth of Pennsylvania, on the Final Record Plan of Monocacy Farms, prepared by The Pidcock Company, being dated 5/21/01, and last revised 5/10/02, recorded in Map Book Volume 2003-5, pages 152 to 164, in the Northampton County Recorder of Deeds Office.

BEING the same property conveyed to Brian J. Bortz and Brigitte L. Bortz, husband and wife, as tenants by the entireties who acquired title by virtue of a deed from DeLuca Enterprises, Inc., dated

September 30, 2005, recorded October 10, 2005, at Deed Book 2005-1, Page 394160, Northampton County, Pennsylvania records.

**Improvements:**

Thereon being erected a two-story single style dwelling with vinyl and brick exterior and shingle roof; attached two-car garage.

**Attorney:**

Jana Fridfinnsdottir, Esquire

**No. 34**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2015-07453**

**Location:**

1754 Mount Pleasant Road,  
Hellertown, PA 18055

**Parcel ID:**

R7 11 2A 0719

**Reputed Owners:**

Ann Marie Keck and H. Lynn Keck  
ALL THAT CERTAIN and tract or parcel of land to be known as Lot No. 2 of a Subdivision Plan of Property of Mary Ellen Convalescent Home, Inc., dated October 12, 1987, prepared by William L. Diehl, P.E., P.L.S., and recorded in Plan Book 88 Page 19 at the Northampton County Recorder of Deeds Office, said Lot situate on the Northwesterly corner of the intersection of Pleasant Road (Township Road No. 510) and Springtown Hill Road (Township Road No. 516) in the Township of Lower Saucon, County of Northampton, and commonwealth of Pennsylvania.

Being the same premises which H. Lynn Keck granted and conveyed unto H. Lynn Keck and Ann Marie Keck by Deed dated July 31, 1998 and recorded August 13, 1998 in the Office of the Recorder of Deeds of Northampton County, Pennsylvania in Deed Book Volume 1998-1, Page 107823.

**Improvements:**

Thereon being erected a ranch single style dwelling with vinyl siding and shingle roof; attached one-car garage.

**Attorney:**

Peter E. Meltzer, Esquire

**No. 35**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2015-08034**

**Location:**

2104 Worthington Avenue,  
Bethlehem, PA 18017

**Parcel ID:**

N7NW4D 2 10 0204

**Reputed Owner:**

Rick Millan, Sr.

ALL THAT CERTAIN messuage, tenement and lot known and designated as Lot N. 798, according to a Plan of Lincoln Park Unit No. 2, said Plan being recorded at Easton, Northampton County, Pennsylvania, in Map Book 11, page 38; located in the 14th Ward of the City of Bethlehem, Northampton County, Pennsylvania.

TITLE TO SAID PREMISES IS VESTED IN Rick Millan, Sr., by Deed from Weichert Workforce Mobility, Inc., dated 12/30/2013, recorded 01/30/2014 in Book 2014-1, Page 16885.

**Improvements:**

Thereon being erected a ranch single style dwelling with stone exterior and shingle roof; detached two-car garage.

**Attorney:**

Adam H. Davis, Esquire

**No. 36**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2014-05848**

**Location:**

124 W. Central Avenue, Bangor,  
PA 18013

**Parcel ID:**

D10SW1C 2 4 0109

**Reputed Owners:**

Christopher Russup and Lorinda Russup

ALL THAT CERTAIN message, tenement and lot or piece of ground situate on the north side of Central Avenue, in the Borough of East Bangor, County of Northampton, Commonwealth of Pennsylvania, shown on a plan by Kenneth R. Hahn R.S.; drawing no. 78-228, dated December 5, 1978.

Being the same premises which is vested in Christopher Russup and Lorinda Russup, husband and wife, by Deed from David A. Heckman and Kellen T. Heckman, husband and wife, dated 12/10/2002 and recorded 12/30/2002 in Book 2002-1, Page 367705.

**Improvements:**

Thereon being erected a two-story single style dwelling with aluminum siding and shingle roof.

**Attorney:**

Matthew K. Fissel, Esquire

**No. 37**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2013-01429**

**Location:**

1555 Morgan Hill Road, Easton, PA 18042

**Parcel ID:**

M9 24 6H 0836

**Reputed Owners:**

Gary Crivellaro and Beth A. Crivellaro

ALL THAT CERTAIN tract or piece of land situate in the Township of Williams, County of Northampton and State of Pennsylvania.

BEING THE SAME PREMISES which Charles R. Siemons and Marie R. Siemons, his wife, by Deed dated

09/21/1983 and recorded 09/21/1983 in the Office of the Recorder of Deeds in and for Northampton County in Deed Book Volume 655, Page 887, granted and conveyed unto GARY CRIVELLARO and BETH A. CRIVELLARO.

**Improvements:**

Thereon being erected a ranch single style dwelling with aluminum siding and shingle roof; attached one-car garage.

**Attorney:**

Amanda L. Rauer, Esquire

**No. 38**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2015-08792**

**Location:**

1836 Freemansburg Avenue, Easton, PA 18042

**Parcel ID:**

L9SW3A 19 18 0837

**Reputed Owner:**

Loretta M. Weaver

ALL THAT CERTAIN lot or piece of ground with improvements thereon erected, known as 1836 Freemansburg Avenue, situate on the south side of said Freemansburg Avenue, in the Borough of Wilson, County of Northampton and State of Pennsylvania.

TITLE TO SAID PREMISES IS VESTED IN Arthur R. Weaver, Jr. and Loretta M. Weaver, his wife, by Deed from Consuelo E. Schaffer, now as a result of intermarriage, known as Consuelo E. Krohn and Peter L. Krohn, her husband, dated 04/29/1994, recorded 04/29/1994 in Book 1994-6, Page 16019.

**Improvements:**

Thereon being erected a colonial half-of-double style dwelling with aluminum siding and shingle roof; detached one-car garage.

**Attorney:**

Adam H. Davis, Esquire

**No. 39****BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2014-07763****Location:**540 East Macada Road,  
Bethlehem, PA 18017**Parcel ID:**

M6SE3 7 1 0204

**Reputed Owners:**

Kelly Hall and Michael G. Hall

ALL THAT CERTAIN LOT OR TRACT OF LAND SITUATE ON THE SOUTH SIDE OF MACADA ROAD IN THE FOURTEENTH WARD OF THE CITY OF BETHLEHEM, COUNTY OF NORTHAMPTON, AND STATE OF PENNSYLVANIA.

BEING THE SAME PREMISES GRANTED AND CONVEYED UNTO MICHAEL G. HALL AND KELLY HALL, HUSBAND AND WIFE, AS TENANTS BY THE ENTIRETIES BY DEED FROM MICHAEL G. HALL DATED 12/01/1995 AND RECORDED 12/04/1995 IN INSTRUMENT NUMBER 1995-1, 115990 AND 1995036537

**Improvements:**

Thereon being erected a split-level single style dwelling with vinyl and brick exterior and shingle roof; attached two-car garage, in-ground pool.

**Attorney:**

Matthew K. Fissel, Esquire

**No. 40****BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2014-08390****Location:**331 Crestmont Street, Pen Argyl,  
PA 18072**Parcel ID:**

E9 1 43 0626

**Reputed Owner:**

Marie B. Ali

ALL THAT CERTAIN parcel of land in the Township of Plainfield, County of Northampton and Commonwealth of Pennsylvania.

Title to said premises is vested in Marie B. Ali, surviving spouse of Richard J. Ali, deceased dated May 23, 2005 and recorded August 9, 2005 in Deed Book 2005-1, Page 302194.

**Improvements:**

Thereon being erected a two-story single style dwelling with vinyl and brick exterior and shingle roof; attached one-car garage.

**Attorney:**

Brian T. LaManna, Esquire

**No. 41****BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2015-07881****Location:**710 White Circle, Northampton,  
PA 18067**Parcel ID:**

M4 1 1-18 0501

**Reputed Owners:**

Sheyam G. Sine and William M. Sine

ALL THAT CERTAIN MESSUAGE, TENEMENT, AND LOT OR PARCEL OF LAND SITUATE IN THE TOWNSHIP OF ALLEN NORTHAMPTON COUNTY, PENNSYLVANIA, DESIGNATED AS LOT NO. 18 ON THE PLAN OF PENN'S CHASE, AS SAID PLAN IS RECORDED IN THE RECORDER OF DEEDS OFFICE IN AND FOR NORTHAMPTON COUNTY, PENNSYLVANIA IN PLAN BOOK VOLUME 2001-5, PAGES 323.

Title to said premises is vested in Sheyam G. Sine and William M. Sine, husband and wife, by deed from Stephen R. Henninger and Monna Lou Henninger, husband and wife,

dated June 30, 2005 and recorded July 8, 2005 in Deed Book 2005-1, Page 252830 Instrument Number 2005035560.

**Improvements:**

Thereon being erected a two-story duplex with vinyl and brick exterior and shingle roof; attached two-car garage.

**Attorney:**

Brian T. LaManna, Esquire

**No. 42**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2014-10630**

**Location:**

204 Main Street, Pen Argyl, PA 18072

**Parcel ID:**

E8NE2C 5 8 0625

**Reputed Owner:**

Madeline Ann Ceraul aka Madeline A. Ceraul

ALL THAT CERTAIN messuage or tenement and lot, tract, piece or parcel of land, formerly lying and being in the Township of Plainfield and now in the Borough of Pen Argyl, County of Northampton and State of Pennsylvania.

IT BEING the same premises which Carmella Ceraul, by Deed dated January 26, 1976 and recorded on January 28, 1976 in the Office for the Recording of Deeds in and for Northampton County, at Easton, Pennsylvania, in Deed Book Vol. 535, Page 102, granted and conveyed unto Madeline Ann Ceraul, in fee.

**Improvements:**

Thereon being erected a two-story half-of-double style dwelling with aluminum siding and shingle roof.

**Attorney:**

Stephen M. Hladik, Esquire

**No. 43**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2012-06024**

**Location:**

447 Pawnee Street, Bethlehem, PA 18015

**Parcel ID:**

P6SW2C 3 9 0204

**Reputed Owner:**

Nancy Ortiz

ALL THAT CERTAIN messuage, tenement and lot or piece of ground situate on the southeast corner of Pawnee and Dakotah streets in the City of Bethlehem, County of Northampton, Commonwealth of Pennsylvania, known as 447 Pawnee street according to present city numbering.

TITLE TO SAID PREMISES IS VESTED IN Nancy Ortiz, individually, by Deed from Allentown Neighborhood Housing Services, Inc., nka, Neighborhood Housing Services of the Lehigh Valley, a Pennsylvania Non-Profit Corporation, dated 06/01/2004, recorded 06/03/2004 in Book 2004-1, Page 212950.

**Improvements:**

Thereon being erected a two-story single style dwelling with aluminum siding and shingle roof.

**Attorney:**

Adam H. Davis, Esquire

**No. 44**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2012-09197**

**Location:**

1740 7th Street, Bethlehem, PA 18020

**Parcel ID:**

N7NE4 54 11 0205

**Reputed Owners:**

Pagats Properties, LLC and James L. Pagats



ALL THOSE CERTAIN pieces or parcels or lots as shown on the Plan of Prospect Heights, which plan is recorded in the Office for the Recording of Deeds in and for Northampton County, at Easton, Pennsylvania, in Map Book No. 3, page 16, and said lots being the right of way in front of Block No. 14, and Lots 1,2,3,4, and 5, in Block 14, on plan of said lots in the Township of Bethlehem. County of Northampton, and Commonwealth of Pennsylvania.

BEING the same premises which by Deed dated December 2, 1999 and recorded in the Office of the Recorder of Deeds of Northampton County on February 14, 2000 in Deed Book Volume 2000-1, Page 16536, granted and conveyed unto Pagats Properties, L.L.C. and James L. Pagats.

**Improvements:**

Thereon being erected vacant land.

**Attorney:**

Jeffrey P. Kelly, Esquire

**No. 45**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2011-02242**

**Location:**

1023 Wood Avenue, Easton, PA 18042

**Parcel ID:**

L9NE4D 31 5 0310

**Reputed Owners:**

Melinda W. Watson-Moll and United States of America

ALL THAT CERTAIN lot or piece of land situate on the North side of Spring Garden Street, in the City of Easton, Pennsylvania.

BEING the same premises which by Deed dated October 31, 2003 and recorded in the Office of the Recorder of Deeds of Northampton County on November 6, 2003 in Deed Book

Volume 2003-1, Page 467944, granted and conveyed unto Melinda W. Watson-Moll.

**Improvements:**

Thereon being erected a two-story single style dwelling with aluminum siding and shingle roof.

**Attorney:**

Jeffrey P. Kelly, Esquire

**No. 46**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2014-06811**

**Location:**

1316 Ferry Street, Easton, PA 18042

**Parcel ID:**

L9SW2C 13 4 0310

**Reputed Owners:**

Fernando Arreola and United States of America

ALL THAT CERTAIN lot or piece of ground situate on the South side of Ferry Street, together with a two-story frame dwelling house and two-story kitchen thereon erected, containing in width along the South side of said Ferry Street seventeen feet in length or depth one hundred and twenty feet to a twenty-feet wide alley.

Bounded on the North by Ferry Street, on the East by lot now or late of Mrs. Bieler, on the South by said twenty feet wide private alley, on the West by Lot now or late of Catherine Folkenson.

BEING the same premises which by Deed dated April 25, 1996 and recorded in the Office of the Recorder of Deeds of Northampton County on April 29, 1996 in Deed Book Volume 19961, Page 39331, granted and conveyed unto Fernando Arreola and United States of America.

**Improvements:**

Thereon being erected a two-story half-of-double style dwelling with

aluminum siding and shingle roof; detached one-car garage.

**Attorney:**

Jeffrey P. Kelly, Esquire

**No. 49**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2008-09431**

**Location:**

630 Dettmers Lane, Northampton,  
PA 18067

**Parcel ID:**

J4 8 10D-1A 0516

**Reputed Owners:**

William Kuzmin and Priscilla  
Miller and United States of America

ALL THAT CERTAIN lot or parcel  
of land situate in the Township of  
Lehigh, County of Northampton and  
Commonwealth of Pennsylvania.

BEING the same premises which  
by Deed dated June 1, 1979 and  
recorded in the Office of the Recorder  
of Deeds of Northampton County on  
June 7, 1979 in Deed Book Volume  
600, Page 77, granted and conveyed  
unto William Kuzmin and Priscilla A.  
Miller.

**Improvements:**

Thereon being erected a ranch  
single style dwelling with vinyl and  
brick exterior and shingle roof;  
detached three-car garage.

**Attorney:**

Jeffrey P. Kelly, Esquire

**No. 50**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2013-07958**

**Location:**

282 Iron Street, Easton, PA 18042

**Parcel ID:**

L9SE4D 11 2B 0310

**Reputed Owner:**

Alpha Omega, LLC

ALL THAT CERTAIN parcel of  
land, situate in the City of Easton,

County of Northampton and Com-  
monwealth of Pennsylvania.

BEING the same premises which  
by Deed dated March 27, 2007 and  
recorded in the Office of the Recorder  
of Deeds of Northampton County on  
April 2, 2007 in Deed Book Volume  
2007-1, Page 118906, granted and  
conveyed unto Alpha Omega, LLC.

**Improvements:**

Thereon being erected a two-story  
single style dwelling with vinyl siding  
and shingle roof; attached two-car  
garage.

**Attorney:**

Jeffrey P. Kelly, Esquire

**No. 51**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2012-04896**

**Location:**

622 Shields Street, Bethlehem, PA  
18015

**Parcel ID:**

P6SE2D 17 24 0204

**Reputed Owners:**

Jason Steenhagen and Jeremy  
Steenhagen

ALL THAT CERTAIN message,  
tenement and parcel of land situate  
along the easterly side of Shields  
Street, between Sullivan and East  
Seventh Streets, and commonly  
known as Number 622 Shields Street,  
in the City of Bethlehem, County of  
Northampton, and Commonwealth of  
Pennsylvania.

BEING the same premises which  
by Deed dated June 28, 2007 and  
recorded in the Office of the Recorder  
of Deeds of Northampton County on  
July 2, 2007 in Deed Book Volume  
2007-1, Page 242428, granted and  
conveyed unto Jason Steenhagen and  
Jeremy Steenhagen.

**Improvements:**

Thereon being erected a two-story  
half-of-double style dwelling with

aluminum and stone exterior and shingle roof.

**Attorney:**

Jeffrey P. Kelly, Esquire

**No. 52  
BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2014-04621**

**Location:**

1859 Lincoln Street, Bethlehem, PA 18017

**Parcel ID:**

N7SW1A 6 5 0204

**Reputed Owners:**

Dennis Suarez and United States of America

ALL THOSE TWO CERTAIN LOTS OR PIECES of ground situate in Franklin Park, between Township now City of Bethlehem, County of Northampton and State of Pennsylvania, and known and designated as Lots Nos. 120 and 121 on the Plan of Town lots as laid out by Anthony E. Miller, said plan being recorded in the Office for the Recording of Deeds at Easton, Pennsylvania in Map Book No. 6, Pages 12, etc.

BEING the same premises which by Deed dated November 16, 2011 and recorded in the Office of the Recorder of Deeds of Northampton County on December 2, 2011 in Deed Book Volume 2011-1, Page 250188, granted and conveyed unto Dennis Suarez.

**Improvements:**

Thereon being erected a ranch single style dwelling with vinyl siding and shingle roof.

**Attorney:**

Jeffrey P. Kelly, Esquire

**No. 53  
BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2015-07901**

**Location:**

2844 Buena Vista Drive, Bath, PA 18014

**Parcel ID:**

J5 3 24 0520

**Reputed Owner:**

Robert I. Favata

ALL THAT CERTAIN piece, parcel or tract of land situate in the Township of Moore, County of Northampton and Commonwealth of Pennsylvania, being known as Lot No. 13 on the 'Final Subdivision Plano Valley View Estates III Residential Subdivision', as recorded with the Northampton County Recorder of Deeds Office at Easton, Pennsylvania, in Northampton County Map Book Volume 90, pages 129 A & B.

TITLE TO SAID PREMISES IS VESTED IN Robert I. Favata, by Deed from JR Hamilton Properties, LLC., a Pennsylvania Limited Liability Company, dated 11/24/2014, recorded 12/11/2014 in Book 2014-1, Page 217804.

**Improvements:**

Thereon being erected a two-story single style dwelling with vinyl, stucco and stone exterior and shingle roof; attached three-car garage.

**Attorney:**

Adam H. Davis, Esquire

**No. 54  
BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2015-03174**

**Location:**

2490 Gillian Lane, Easton, PA 18040

**Parcel ID:**

K9 10 6-293 0311

**Reputed Owners:**

Jorne Walter a/k/a Jorne M. Walter and Sheena Walter a/k/a Sheena C. Walter

ALL THAT CERTAIN messuage, tenement, and lot or parcel of land situate in the Township of Forks Northampton County, Common-

wealth of Pennsylvania, designated as Lot No. 293 on the Plan of Penn's Ridge, Phases 10 and 12, as said Plan is recorded in the Recorder of Deeds Office in and for Northampton County, Pennsylvania in Map Book Vol. 2003-5, Page 358.

TITLE TO SAID PREMISES IS VESTED IN Jorne Walter and Sheena Walter, h/w, by Deed from Abby M. Mitchell, f/k/a Abby M. Bossert, dated 06/29/2009, recorded 07/20/2009 in Book 2009-1, Page 184402.

**Improvements:**

Thereon being erected a three-story row home style dwelling with vinyl and brick exterior and shingle roof; attached one-car garage.

**Attorney:**

Adam H. Davis, Esquire

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**No. 55**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2015-02778**

**Location:**

435 South Nulton Avenue aka 435 Nulton Avenue, Easton, PA 18045

**Parcel ID:**

M8NE1 11 16 0324

**Reputed Owner:**

Frank J. Falk, in His Capacity as Administrator of the Estate of Elaine C. A Mathews and Hazel Marion and Carolyn Brown, in Their Capacity as Heirs of The Estate of Elaine C. Mathews aka Elaine Mathews aka Elaine C. A Mathews and Unknown Heirs, Successors, Assigns, and All Persons, Firms, or Associations Claiming Right, Title or Interest From or Under Elaine C. Mathews, Deceased

ALL THAT CERTAIN tract of land and improvements erected thereon, situate in the Township of Palmer, County of Northampton and Commonwealth of Pennsylvania.

TITLE TO SAID PREMISES IS VESTED IN Elaine C. A. Mathews, by Deed from Gary J. Strausser and Bonnie L. Strausser, his wife, dated 09/25/1985, recorded 09/26/1985 in Book 688, Page 783. Mortgagor ELAINE C. MATHEWS a/k/a ELAINE MATTHEWS a/k/a ELAINE C. A. MATTHEWS died on 09/23/2011, and FRANK J. FALK was appointed Administrator of her estate. Letters of Administration were granted to him on 11/14/2013 by the Register of Wills of NORTHAMPTON COUNTY, No. 2011-1408. The Decedent's surviving heirs at law and next-of-kin are HAZEL MARION, JAMES R. COUTTS, JOHN J. LACIRIGNOLA, and CAROLYN BROWN.

**Improvements:**

Thereon being erected a two-story single style dwelling with vinyl siding and shingle roof.

**Attorney:**

Paul Cressman, Esquire

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**No. 56**  
**BY VIRTUE OF A CERTAIN**  
**WRIT OF EXECUTION**  
**CV-2013-12602**

**Location:**

3875 Sycamore Drive, Northampton, PA 18067

**Parcel ID:**

J3 13 11-9 0516

**Reputed Owners:**

Patricia McCuen and Christopher McCuen

ALL THAT CERTAIN lot, known as Lot 9, located in the Township of Lehigh, County of Northampton and State of Pennsylvania, as shown on the Final Plan Sycamore Ridge, prepared by Base Engineering, Inc., and recorded in the Office of the Recorder of Deeds for Northampton County in Easton, Pennsylvania, in Map Book Volume 85, Page 260.

TITLE TO SAID PREMISES IS VESTED IN Christopher McCuen and

Patricia McCuen, h/w, by Deed from Joseph M. Vitovitch, single, dated 12/18/2006, recorded 12/27/2006 in Book 2006-1, Page 529852.

**Improvements:**

Thereon being erected a raised ranch single style dwelling with brick and stucco exterior and shingle roof.

**Attorney:**

Jonathan Lobb, Esquire

**No. 57**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2014-09610**

**Location:**

1173 Municipal Road, Walnutport, PA 18088

**Parcel ID:**

H3 15 2 0516

**Reputed Owner:**

Edgar L. Smith, Jr.

ALL THAT CERTAIN lot or tract of ground known as Lot 2 of the Minor Subdivision For Edgar L. & Julia M. Smith, being Tax Parcel H3/15/20516, located in the Township of Lehigh, County of Northampton and Commonwealth of Pennsylvania, as shown on a Plan entitled Minor Subdivision For Edgar L. & Julia M. Smith, by Hop-pes Professional Engineering & Surveying,

BEING the same premises which by Deed dated December 12, 2007 and recorded in the Office of the Recorder of Deeds of Northampton County on December 13, 2007 in Deed Book Volume 2007-1, Page 444738, granted and conveyed unto Edgar L. Smith, Jr.

**Improvements:**

Thereon being erected a two-story single style dwelling with aluminum siding and shingle roof.

**Attorney:**

Jeffrey P. Kelly, Esquire

**No. 58**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2015-00726**

**Location:**

1831 7th Street, Bethlehem, PA 18020

**Parcel ID:**

N7NE4 41 5 0205

**Reputed Owners:**

James L. Pagats and Tammy M. Pagats

ALL THAT CERTAIN lots and pieces of land situate in the Township of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, designated as Lots Nos. 36, 37, 38, 39, and 40, Block 7, on Plan of Lots of Prospect Heights, which said Plan is recorded in the office of the Recorder of Deeds in and for Northampton County Pennsylvania, in Map Book Volume 3, Page 16.

BEING the same premises which by Deed dated November 11, 2002 and recorded in the Office of the Recorder of Deeds of Northampton County on November 21, 2002 in Deed Book Volume 2002-1, Page 327080, granted and conveyed unto James L. Pagats and Tammy M. Pagats.

**Improvements:**

Thereon being erected a two-story single style dwelling with vinyl and brick exterior and shingle roof; attached one-car garage.

**Attorney:**

Jeffrey P. Kelly, Esquire

**No. 61**

**BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2015-08662**

**Location:**

3662 Lehigh Street, Bethlehem, PA 18020

**Parcel ID:**

N7 11 2-1 0205

**Reputed Owner:**

Nancy M. Chontos

ALL THAT CERTAIN lot or parcel of land situate on the south side of Lehigh Avenue between Seventh Street and Sculac Road in the Township of Bethlehem, County of Northampton, and Commonwealth of Pennsylvania.

TITLE TO SAID PREMISES IS VESTED IN Nancy M. Chontos by the entirety, by deed from Nancy M. Smith N/K/A Nancy M. Chontos, dated 06/08/06 and recorded 06/27/06 in Book 2006-1, Page 261147.

**Improvements:**

Thereon being erected a cape cod single style dwelling with vinyl and brick exterior and shingle roof.

**Attorney:**

Richard J. Nalbandian, III, Esquire

**No. 62****BY VIRTUE OF A CERTAIN  
WRIT OF EXECUTION  
CV-2012-06251****Location:**

585 Blue Mountain Drive, Cherryville, PA 18035

**Parcel ID:**

J3 12 11C 0516

**Reputed Owners:**

Jeanette L. Seem and Charles T. Seem

ALL THAT CERTAIN lot, tract or parcel of land situated in the Township of Lehigh, County of Northampton and State of Pennsylvania.

TITLE TO SAID PREMISES IS VESTED IN Jeanette L. Seem and Charles T. Seem, husband and wife, by deed from Jeanette L. Seem, married dated October 5, 2004 and recorded October 18, 2004 in Deed Book 2004-1, Page 403161.

**Improvements:**

Thereon being erected a ranch single style dwelling with vinyl and brick exterior and shingle roof.

**Attorney:**

Joseph I. Foley, Esquire

A Schedule of Distribution will be filed by the Sheriff thirty days from the date of the sale and distribution will be made in accordance with the schedule unless exceptions are filed thereto within ten days from the date of filing the Schedule of Distribution.

DAVID J. DALRYMPLE

Sheriff

Northampton County,  
Pennsylvania

DAVID J. CERAUL, ESQUIRE

Solicitor to the Sheriff

Mar. 17, 24, 31

**TRICIA MEZZACAPPA, Plaintiff v. BERNIE O'HARE, Defendant***Preliminary Objections—Communications Decency Act—Defamation—Invasion of Privacy.*

Defendant is the operator of an Internet blog ("Blog"). The Blog contains articles and comments written by Defendant as well as comments posted anonymously by others. Plaintiff was the subject of articles and comments written by Defendant and anonymous comments appearing on the Blog. Plaintiff sued for defamation and invasion of privacy, and Defendant filed preliminary objections.

Defendant asserted he was immune from liability for anonymous comments posted on the Blog pursuant to the Communications Decency Act ("CDA"), 47 U.S.C.A. §230(c). The Court analyzed two Pennsylvania Court of Common Pleas cases addressing the CDA, both of which found the defendant to be immune under the CDA, as well as case law from numerous United States Courts of Appeals and other states and ultimately concluded that Defendant was entitled to immunity under the CDA for any claim based upon an anonymous comment.

As for statements or articles produced by Defendant himself, the Court found that Plaintiff failed to allege how Defendant's disclosure of character references submitted with Plaintiff's application for a permit to carry a concealed firearm placed her in a false light and, thus, dismissed her false-light claim based on that disclosure. The Court also found that an article penned by Defendant entitled "[Plaintiff] Must Pay Me \$67,000 for Internet Defamation" and Defendant's statement that Plaintiff displayed a firearm in public were not defamatory as a matter of law and, as a result, dismissed Plaintiff's defamation claim as it pertained to that article and statement.

In the Court of Common Pleas of Northampton County, Pennsylvania,  
Civil Action—No. C-48-CV-2014-4521.

Tricia Mezzacappa, Pro Se.

Bernie O'Hare, Pro Se.

Order of the Court entered on March 31, 2015 by BELTRAMI, J.

*OPINION*

This matter is before the Court on the "Preliminary Objections of Defendant Bernie O'Hare to the Complaint," which were filed on June 3, 2014.<sup>1</sup> On May 15, 2014, Plaintiff filed a Complaint, in which she alleges

<sup>1</sup> On the same date, Defendant filed a "Motion to Dismiss Count VII of Plaintiff's Complaint as Frivolous Litigation, Pursuant to [Pa.R.C.P. 233.1]" and a "Motion to Dismiss Pursuant to Pa.R.C.P. 240(c)(1)(ii)." By an Order of Court filed on November 6, 2014, the Honorable Stephen G. Baratta granted the former Motion and denied the latter. In that Order, President Judge Baratta refrained from ruling on the instant Preliminary Objections because Plaintiff had filed an Amended Complaint on August 29, 2014, rendering the instant objections, for the time being, moot, as Defendant had filed Preliminary Objections to the Amended Complaint on September 16, 2014, and they had been assigned to the Honorable Michael J. Koury, Jr. but had not yet been disposed of. On November 12, 2014, Judge Koury filed an Order of Court sustaining those objections and striking the Amended Complaint. In that Order, Judge Koury instructed Defendant to file a praecipe to place the instant Preliminary Objections onto the next available Argument Court list, stating, "As a result of [Plaintiff's] Amended



that, from April 1, 2013, to present, she has been the target and subject of defamatory content and comments posted on the Internet blog Lehigh Valley Ramblings ("Blog"),<sup>2</sup> a website owned and operated by Defendant.<sup>3</sup> (Compl. ¶¶4-5.) Plaintiff's Complaint contains six counts, which state various claims for defamation and invasion of privacy.<sup>4</sup> Defendant's Preliminary Objections consist of demurrers to all of the remaining counts, asserted under alternative theories outlined in five objections. The Court will address one initial matter before turning to Defendant's demurrers.

On December 9, 2014, Defendant filed a Supplemental Brief in support of the instant Preliminary Objections, wherein he argues that Plaintiff's filing of the Amended Complaint rendered her original Complaint a legal nullity and that, following Judge Koury's striking of the Amended Complaint, the Court may not resurrect Plaintiff's original Complaint, rendering the instant Preliminary Objections moot and the case complete. In support of this argument, Defendant cites to *Hionis v. Concord Township*, 973 A.2d 1030, 1036 (Pa. Commw. 2009), which states that "[a]n amended complaint has the effect of eliminating the prior complaint." However, this proposition would only apply with the result Defendant desires if Defendant had not himself prompted the dismissal of the Amended Complaint by filing Preliminary Objections to it.

In *Vetenshtein v. City of Philadelphia*, 755 A.2d 62 (Pa. Commw. 2000), the Commonwealth Court encountered the inverse of the instant procedural posture, and its reasoning illustrates why Defendant's argument is misplaced. In *Vetenshtein*, the plaintiffs filed a second amended complaint without consent of the adverse parties or by leave of court, in violation of Pennsylvania Rule of Civil Procedure 1033. *Id.* at 64. The second amended complaint removed several claims against the defendant, City of Philadelphia ("Philadelphia"), that were based on federal law and were in the plaintiffs' original complaint and first amended complaint. *Id.* at 64-65. Philadelphia filed an answer to the second amended complaint. *Id.* at 65. One week prior to trial, Philadelphia filed a motion in limine, asking the trial court to preclude the plaintiffs from presenting any evidence in support of the federal claims on the basis of the statute of limitations. *Id.* The trial court granted the motion in limine. *Id.* On appeal, the plaintiffs argued that,

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Complaint being stricken, [Defendant's] preliminary objections to [Plaintiff's] original complaint are no longer moot." Those objections were subsequently placed onto the Argument Court list of December 9, 2014, and were submitted to the undersigned for disposition on brief.

<sup>2</sup> The Blog is located at uniform resource locator ("URL") <http://lehighvalleyramblings.blogspot.com>. (Compl. ¶5.)

<sup>3</sup> In the interest of judicial economy, rather than reproduce, at length, the complained-of content and comments at the outset, the Court will wade into the specifics of the same only as is necessary to dispose of Defendant's objections.

<sup>4</sup> Plaintiff's Complaint also included a claim for fraud in Count VII. As noted above, that claim was dismissed by President Judge Baratta's Order filed on November 6, 2014.

because they had filed their second amended complaint in violation of the Rule 1033, it was a nullity, and the first amended complaint, which contained the federal claims, was the operative pleading. *Id.* at 65-66. The Commonwealth Court rejected the plaintiffs' argument, reasoning that

the second amended complaint ... was filed by the Prothonotary. Although the second amended complaint did not strictly conform to [Rule] 1033, it was filed of record with the trial court and did constitute a pleading, albeit not in strict compliance with the rules. However, neither obtaining leave of court [n]or obtaining the filed consent of the defendant involves a matter of jurisdiction and can be waived by failure of opposing counsel to file preliminary objections for failure of the amended complaint to conform to the rules of court. ... Such a waiver occurred in this case. After [the plaintiffs] filed the second amended complaint, Philadelphia did not object to the [plaintiffs'] failure to obtain the trial court's express consent or to [the plaintiffs'] failure to file Philadelphia's written consent to the amendment. *Because Philadelphia never filed objections to the second amended complaint, it became the operative complaint.* Hence ... it was the docketing of the second amended complaint by the Prothonotary and Philadelphia's failure to file preliminary objections to the filing of the second amended complaint that effected an amendment of the pleadings in this case by waiving the protection afforded Philadelphia in [Rule] 1033. *See, e.g., Skelton v. Lower Merion Township*, 318 Pa. 356, 178 A. 387 (1935)(when an amendment occurs, it virtually withdraws the originally filed pleading); 5 Standard Pa. Practice 2d, 34:89 ('[W]hen an amended complaint is filed it withdraws the original complaint and takes the place of the original pleading ... [.]'). Since the second amended complaint was the effective complaint and it did not contain any allegations of a federal claim, the trial court did not err in precluding evidence of the federal claims.

*Id.* at 67 (emphasis added) (citation omitted) (footnotes omitted).

Here, unlike Philadelphia in *Vetenshtein*, Defendant did not waive the issue of Plaintiff filing the Amended Complaint in violation of Rule 1033 because he filed preliminary objections to it. Those objections were successful, and the Amended Complaint was stricken for one reason—Plaintiff's violation of Rule 1033. (*See* Order of Court, Nov. 12, 2014.) Thus, unlike the second amended complaint in *Vetenshtein*, Plaintiff's Amended Complaint *never became* the operative pleading, and Plaintiff's Complaint is, therefore, not a legal nullity but, in fact, the operative pleading. Accordingly, Defendant's supplemental argument must be rejected.

Having determined that Plaintiff's Complaint is the operative pleading and that Defendant's Preliminary Objections are ripe for disposition, the Court will now turn to Defendant's demurrers. The question presented by a demurrer is whether, on the facts pleaded, the law says, with certainty, that no recovery is possible. *Orange Stones Co. v. City of Reading*, 87 A.3d 1014, 1021 n.7 (Pa. Commw. 2014). The court must resolve a demurrer solely on the basis of the pleadings, without reference to testimony or other outside evidence. *Hill v. Ofalt*, 85 A.3d 540, 546 (Pa. Super. 2014). When considering a demurrer, the Court must accept, as true, all material facts averred in the challenged pleading, as well as all inferences that can be reasonably deduced therefrom. *Schemberg v. Smicherko*, 85 A.3d 1071, 1073 (Pa. Super. 2014).

Preliminary objections which seek the dismissal of a cause of action should be sustained only in cases in which it is clear and free from doubt that the pleader will be unable to prove facts legally sufficient to establish the right to relief. If any doubt exists as to whether a demurrer should be sustained, it should be resolved in favor of overruling the preliminary objections.

*Id.*

The Court will first address Defendant's third and sixth objections, which are demurrers to Counts V and IV of the Complaint, respectively. Both of those counts concern Defendant's alleged publication of certain character references listed by Plaintiff in her confidential application for a permit to carry a concealed firearm. In Count IV, Plaintiff brings a claim for unreasonable publicity given to private life and in Count V a claim for false-light publicity. These claims constitute alternative versions of the tort of invasion of privacy.

In *Vogel v. W.T. Grant Co.*, 458 Pa. 124, 327 A.2d 133 (1974), the Pennsylvania Supreme Court adopted section 652 of the Restatement (Second) of Torts, Tentative Draft, as the law of this Commonwealth. Pursuant to section 652, the cause of action for invasion of privacy is not one tort, but four. This complex of theories consists of (1) unreasonable intrusion upon the seclusion of another; (2) appropriation of another's name or likeness for commercial purposes; (3) unreasonable publicity given to another's private life; and (4) publicity that unreasonably places another in a false light before the public. *Curran v. Children's Service Center*, 396 Pa. Super. 29, 578 A.2d 8 (1990), *allocatur denied*, 526 Pa. 648, 585 A.2d 468; *Harris by Harris v. Easton Publishing Co.*, 335 Pa. Super. 141, 483 A.2d 1377 (1984).

*Jenkins v. Bolla*, 411 Pa. Super. 119, 123-24, 600 A.2d 1293, 1295-96 (1992).

With regard to Defendant's demurrer to Count IV, as raised in his sixth objection, "[t]he publicity-given-to-private-life tort requires (1) publicity, given to (2) private facts, (3) which would be highly offensive to a reasonable person, and (4) is not of legitimate concern to the public." *Id.* at 124, 600 A.2d at 1296. There is no doubt that Defendant gave publicity to the identity of Plaintiff's character references when he wrote on the Blog, "I told you that Northampton County Council candidate Tricia Mezzacappa listed Executive John Stoffa and Attorney Rick Orloski as her two references in her gun permit application last year." (Compl. Ex. A at 1.) Unfortunately, because the Court cannot consider the record in a collateral case when deciding a demurrer, *Kelly v. Kelly*, 887 A.2d 788, 791 (Pa. Super. 2005), it must ignore the record in *Mezzacappa v. Express[-]Times Newspaper*, docketed in this Court at C-48-CV-2013-3384, a case involving Plaintiff, which reveals that the same gun permit character references were not "private" at the time Plaintiff initiated the instant action because the names of those references had already been revealed to the public by the *Express-Times* newspaper. In addition, the Court cannot determine, at this stage of the proceedings and as a matter of law, that the disclosure of character references submitted with an application for a concealed carry permit is not highly offensive to the reasonable person and that the same is not of legitimate concern to the public, as both of these questions are better left to a jury. Therefore, it is not clear and free from doubt that Plaintiff will be unable to prevail on her publicity given to private life claim, and Defendant's demurrer to Count IV, as argued in his sixth objection, will be overruled.

Defendant's demurrer to Count V of the Complaint, as raised in his third objection, also concerns Defendant's disclosure of Plaintiff's gun permit application character references, which Plaintiff states in Count V as a cause of action for false-light invasion of privacy.

The tort of [false-light] invasion of privacy involves 'publicity that unreasonably places the other in a false light before the public.' *Strickland v. University of Scranton*, 700 A.2d 979, 987 (Pa. Super. 1997) (quoting *Curran v. Children's Serv. Ctr. of Wyoming County, Inc.*, 396 Pa. Super. 29, 578 A.2d 8, 12 (1990)). A cause of action for invasion of privacy will be found where a major misrepresentation of a person's character, history, activities or beliefs is made that could reasonably be expected to cause a reasonable man to take serious offense. *Id.* *Rush v. Philadelphia Newspapers, Inc.*, 732 A.2d 648, 654 (Pa. Super. 1999).

Defendant argues that Plaintiff has failed to allege exactly how the disclosure of the character references for her gun permit application placed her in a false light. The Court agrees with Defendant's argument.<sup>5</sup> Plaintiff's

<sup>5</sup> The Honorable Leonard N. Zito and the Honorable Craig A. Dally also agreed with this argument in their Orders entered on April 14, 2014, and September 26, 2014, respectively, in the case of *Mezzacappa v. Express[-]Times Newspaper*, docketed at C-48-CV-2013-3384.

assertion that because of Defendant's disclosure she "has been deprived of fruitful employment, has suffered fear, anxiety and stress, and has had her reputation lowered in the eyes of the community" does not indicate, in any way, that the disclosure itself *placed her in a false light*. (Compl. ¶24.) Neither do any of the paragraphs incorporated into Count V by reference. As a result, Defendant's demurrer to Count V of the Complaint will be sustained.<sup>6</sup>

In his first objection, Defendant asserts demurrers to Counts II, III, and VI of the Complaint on the ground that he is immune from liability pursuant to the Communications Decency Act ("CDA"), 47 U.S.C.A. §230(c). In Counts II and VI, Plaintiff brings claims for defamation, and in Count III, she brings a claim for invasion of privacy, all of which stem, at least in part, from anonymous comments posted on Defendant's Blog and directed at Plaintiff.<sup>7</sup> (See Compl. ¶¶8(a-i), 10-16, 25.) By asserting his immunity from liability in Counts II, III, and VI, Defendant raises an affirmative defense in his preliminary objections and, in doing so, violates Pennsylvania Rule of Civil Procedure 1030(a), which states that "all affirmative defenses including ... immunity from suit ... *shall* be pleaded in a responsive pleading under the heading 'New Matter.'" Pa. R.C.P. No. 1030(a) (emphasis added). However, "courts have permitted [a] limited exception to this rule and have allowed parties to raise the affirmative defense of immunity as a preliminary objection. ... The affirmative defense, however, must be clearly applicable on the face of the complaint." *Sweeney v. Merrymead Farm, Inc.*, 799 A.2d 972, 975-76 (Pa. Commw. 2002). Here, it is clear from the face of the Complaint that Defendant is entitled to immunity under the CDA with regard to any attempt to hold him liable for anonymous comments posted on the Blog.

[The CDA] was first offered as an amendment by Representatives Christopher Cox (R-Cal.) and Ron Wyden (D-Ore.). See 141 Cong. Rec. H8460-01 August 4, 1995). The specific provision at issue here, § 230(c)(1), overrides the traditional treatment of publishers, distributors, and speakers under statutory and common law. As a matter of policy, 'Congress decided not to treat providers of interactive computer services like other information providers such as newspapers, magazines or television and radio stations, all of which may be held liable for publishing or distributing obscene or defama-

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<sup>6</sup> As part of his second objection, Defendant also made a demurrer to Count V, which is now moot.

<sup>7</sup> It is clear from the heading and the substance of Count VI that it deals solely with anonymous comments posted on the Blog. Plaintiff's only claims based on statements made by Defendant himself are contained in Count I and part of Counts II and III of the Complaint. Those counts are the subjects of Defendant's second and fifth objections, which will be discussed *infra*.

tory material written or prepared by others.' *Blumenthal v. Drudge*, 992 F. Supp. 44, 49 (D.D.C. 1998). Absent § 230, a person who published or distributed speech over the Internet could be held liable for defamation even if he or she was not the author of the defamatory text, and, indeed, at least with regard to publishers, even if unaware of the statement. *See, e.g., Stratton Oakmont, Inc. v. Prodigy Services Co.*, 1995 WL 323710 (N.Y. Sup. May 24, 1995) (pre-[CDA] case holding [I]nternet service provider liable for posting by third party on one of its electronic bulletin boards). Congress, however, has chosen to treat cyberspace differently.

Congress made this legislative choice ... to encourage the unfettered and unregulated development of free speech on the Internet, and to promote the development of e-commerce. Section 230(a), 'Findings,' highlights that:

(3) The Internet and other interactive computer services offer a forum for a true diversity of political discourse, unique opportunities for cultural development, and myriad avenues for intellectual activity.

(4) The Internet and other interactive computer services have flourished, to the benefit of all Americans, with a minimum of government regulation.

§ 230(a). Similarly, the listed policy objectives of the section include:

(1) to promote the continued development of the Internet and other interactive computer services and other interactive media; [and]

(2) to preserve the vibrant and competitive free market that presently exists for the Internet and other interactive computer services, unfettered by Federal or State regulation.

§ 230(b).

*Batzel v. Smith*, 333 F.3d 1018, 1026-27 (9th Cir. 2003) (footnotes omitted).

In furtherance of these objectives, the CDA declares that "[n]o provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider." 47 U.S.C.A. §230(c)(1). The CDA further provides that "[n]o cause of action may be brought and no liability may be imposed under any State or local law that is inconsistent with this section." *Id.* §230(e)(3). The combination of these two provisions imbues the CDA with preemptive effect, such that it

creates a federal immunity to any cause of action that would make service providers liable for information originating with a third-party user of the service. Specifically, § 230 precludes courts from entertaining claims that would place a computer

service provider in a publisher's role. Thus, lawsuits seeking to hold a service provider liable for its exercise of a publisher's traditional editorial functions—such as deciding whether to publish, withdraw, postpone or alter content—are barred.

*Zeran v. AOL*, 129 F.3d 327, 330 (4th Cir. 1997). “[D]efamation law would be a good example of such liability” in Pennsylvania, since the second element of a defamation claim is publication by the defendant, as would a claim for false-light, which requires that the defendant give “publicity” to the complained-of information.<sup>8</sup> *Doe v. GTE Corp.*, 347 F.3d 655, 660 (7th Cir. 2003); see 42 Pa. C.S.A. §8343(a)(2); *Rush v. Philadelphia Newspapers, Inc.*, *supra*.

As defined by the CDA, an interactive computer service is “any information service, system, or access software provider that provides or enables computer access by multiple users to a computer server, including specifically a service or system that provides access to the Internet and such systems operated or services offered by libraries or educational institutions.” 47 U.S.C.A. §230(f)(2). An information content provider is “any person or entity that is responsible, in whole or in part, for the creation or development of information provided through the Internet or any other interactive computer service.” *Id.* §230(f)(3).

The [CDA] mandates dismissal if (i) [the defendant] is a ‘provider or user of an interactive computer service,’ (ii) the information for which [the plaintiff] seeks to hold [the defendant] liable was ‘information provided by another information content provider,’ and (iii) the complaint seeks to hold [the defendant] liable as the ‘publisher or speaker’ of that information.

*Klayman v. Zuckerberg*, 753 F.3d 1354, 1357 (D.C. Cir. 2014) (quoting 47 U.S.C.A. §230(c)(1)); see also, *Parker v. Google, Inc.*, 242 Fed. Appx. 833, 838 (3d Cir. 2007) (“The elements required for [CDA] immunity are: (1) that the defendant is a provider or user of an ‘interactive computer service;’ (2) that the asserted claims treat the defendant as the publisher or speaker of the information; and (3) that the information is provided by another ‘information content provider.’”) (quoting 47 U.S.C.A. § 230(c)(1)). When it is clear, as it is in the instant case, that the complained-of statements were not uttered by the named defendant, “[t]he only question, then, is whether holding [the defendant] liable for its alleged ... failure to properly police its network for content transmitted by its users, [for example,] derogatory comments[,] would ‘treat’ [the defendant] ‘as the publisher or speaker’ of that content.” *Green v. AOL*, 318 F.3d 465, 470 (3rd Cir. 2003). In *Green*, the Third Circuit held that a claim against AOL for harmful comments made

<sup>8</sup> Thus, it is clear that the causes of action contained in Counts II, III, and VI of Plaintiff's Complaint are the types of actions for which immunity may be granted by Section 230(e)(3) of the CDA.



by anonymous Internet users *did* attempt to treat AOL as the publisher or speaker of those comments, in contravention of the CDA's immunity. *Id.*

The Court has located only two Pennsylvania state court decisions that have analyzed the issue of immunity under the CDA. In *D'Alonzo v. Truscello*, April Term, 2004 No. 0274, 2006 WL 1768091, at \*1 (C.P. of Philadelphia Cnty. May 31, 2006), the plaintiffs filed a defamation action against the operator of [www.dumpfumo.com](http://www.dumpfumo.com), a website which reproduced articles written by the *Philadelphia Daily News* containing alleged libelous information. The court determined that the defendant's website was an interactive computer service and that the defendant was therefore immune from liability under the CDA and entitled to summary judgment, noting that "[a] party acting as a passive conduit of information is deemed not to have created or developed information, even if the party's role is aggressive in the dissemination of the contents developed by someone else." *Id.* at \*5. In explaining that summary judgment for the defendant was warranted, the court stated:

[T]he website involved here simply acted as a conduit to reproduce and disseminate the articles published by the *Daily News*. [The d]efendant clearly was not the author nor the creator of the article or of the allegedly defamatory statements contained in the story which [the p]laintiffs attributed to [the d]efendant. Since the reproduction of the newspaper article in the website is exactly the situation the [CDA] contemplated for immunity purposes, no error was committed in granting Defendant's motion for summary judgment.

*Id.* at \*6.

More recently, in *Supplementmarket.com, Inc. v. Google, Inc.*, No. 09-43056, 2010 WL 8752835, at \*1 (C.P. Montgomery Cnty. July 26, 2010), the plaintiff sued Google, alleging that Google failed to remove libelous messages that had been posted on a discussion board accessible through Google's Internet search engine. The court sustained Google's demurrer and dismissed the plaintiff's complaint with prejudice. *Id.* In explaining its decision, the court noted that because the allegedly libelous statements originated from an information content provider other than Google, any claim that would hold Google liable as the speaker or publisher of such statements failed as a matter of law pursuant to the CDA. *Id.*

Courts have not limited application of the CDA's immunity to large-scale interactive computer services, such as AOL or Google, nor have they refused to apply the definition of internet content provider to anonymous commenters. In *Donato v. Moldow*, 865 A.2d 711, 713 (N.J. Super. Ct. App. Div. 2005), the court considered "the potential liability of the operator of an electronic community bulletin board website based on allegedly action-

able messages posted anonymously by others.”<sup>9</sup> In that case, the defendant was the owner and operator of “Eye on Emerson,” a website strikingly similar to the Blog, where the defendant

posted information about local government activities, including, for example, minutes of meetings of the borough council, planning board and board of education. Public opinion polls were conducted on the site, which included approval ratings of local elected officials. The site included a discussion forum, in which any user could post messages, either with attribution or anonymously.

*Id.* at 713. Like the instant Plaintiff,

[the plaintiffs’] overriding allegation against [the defendant] [was] that he [was] liable as a publisher of the defamatory statements made by others. They further allege[d] that [the defendant] was more than passive in his role as publisher, and ‘ha[d] actively participated in selective editing, deletion and rewriting of anonymously posted messages on the Eye on Emerson website and, as such, [was] entirely responsible for the content of the messages.’

*Id.* at 716. The court found that the defendant website-operator was protected by the CDA regardless of whether he was a provider or user of an interactive computer service and ultimately affirmed the trial court’s dismissal of the plaintiffs’ case. *Id.* at 719. In explaining its rationale, the court stated the following after outlining the relevant case law:

[W]e are satisfied that [the defendant], by virtue of his conduct, cannot be deemed an information content provider with respect to the anonymously-posted defamatory statements. His status as a provider or user of an interactive computer service garners for him the broad general immunity of [the CDA]. That he allows users to post messages anonymously or that he knows the identity of users of the website are simply not relevant to the terms of Congress’ grant of immunity. The allegation that the anonymous format encourages defamatory and otherwise objectionable messages ‘because users may state their innermost thoughts and vicious statements free from civil recourse by their victims’ does not pierce the immunity for two reasons: (1) the allegation is an unfounded conclusory statement, not a statement of fact; and (2) the allegation mis-

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<sup>9</sup>“While it is a truism that decisions of sister states are not binding precedent on this Court, they may be persuasive authority, ... and are entitled to even greater deference where consistency and uniformity of application are essential elements of a comprehensive statutory scheme like that contemplated by the” CDA. *Commonwealth v. National Bank & Trust Company of Central Pennsylvania*, 469 Pa. 188, 194, 364 A.2d 1331, 1335 (1976) (citation omitted).

states the law; the anonymous posters are not immune from liability, and procedures are available, upon a proper showing, to ascertain their identities.

*Id.* at 725.

In the instant case, Plaintiff proceeds under the same theory rejected in *Donato*. She argues that Defendant “controlled exclusively” the anonymous comments on the Blog. (Compl. ¶8.) In her Brief, Plaintiff expounds that Defendant “will delete comments that he deems inappropriate, and often comments on his blog, that certain anonymous comments were disapproved. By engaging in this type of moderation, the reckless and defamatory anonymous comments in Plaintiff’s [C]omplaint are allowed to stand, and are approved of by Defendant.” (Pl.’s Br. at 6.) However, none of the facts alleged in Plaintiff’s Brief are pleaded in the Complaint and, thus, cannot be considered in ruling on Defendant’s demurrers. Nevertheless, even if the Court could consider the allegations, “[t]hese activities ... are nothing more than the exercise of a publisher’s traditional editorial functions, namely, whether to publish, withdraw, postpone or alter content provided by others. This is the very conduct Congress chose to immunize by [the CDA].” *Id.* at 725-26 (citation omitted).

Lastly, in *DiMeo v. Max*, 248 Fed. Appx. 280, 281 (3d Cir. 2007), the Third Circuit affirmed the district court’s dismissal of the plaintiff’s defamation claim against the defendant, who was the “owner of a website (www.tuckermx.com) that allow[ed] users to write comments on various topics on message boards.” The court found that the defendant’s website was an interactive computer service and that the comments posted on his website were supplied by third-party information content providers, the combination of which triggered immunity under the CDA. *Id.* at 282.

Here, it is clear from the allegations in the Complaint that Defendant has satisfied all three elements required for immunity, pursuant to the CDA, with regard to the anonymous comments posted on the Blog. First, Defendant is a provider or user of an interactive computer service. “The term ‘blog’ is a portmanteau of ‘Web log’ and is a term referring to an online journal or diary.” *Doe v. MySpace, Inc.*, 528 F.3d 413, 415 (5th Cir. 2008). As noted above, the URL for the Blog is <http://lehighvalleyramblings.blogspot.com>. Because the URL bears the suffix “blogspot.com,” the Blog was created and is maintained using “Blogger.” See *Perfect 10, Inc. v. Google, Inc.*, No. CV 04-9484 AHM SHX, 2010 WL 9479060, at \*7 (C.D. Cal. July 30, 2010), *aff’d*, 653 F.3d 976 (9th Cir. 2011).

Blogger is a service that Google owns and operates that allows Blogger account holders to create their own blogs hosted on Google’s servers. Most of these Blogger web pages bear the suffixes ‘blogspot.com’ or ‘blogger.com.’ Google does not charge users to set up Blogger accounts. Blogger account holders may display images on their blogs. In some cases the

images are uploaded onto Google's servers and in other cases a user hyperlinks to content hosted on other servers. In either case, the user decides to display the image on the Blogger site; Google's servers passively process users' upload requests.

*Id.* (citations omitted). Based on the above, it is clear that the Blog is an "interactive computer service." For immunity to apply, the Court does not have to determine whether Defendant is a provider or user of an interactive computer service, for as outlined *supra*, both users and providers of interactive computer services can be immune under the CDA.<sup>10</sup> As to the second element, Plaintiff treats Defendant as the publisher or speaker of the anonymous comments in Counts II, III, and VI of her Complaint. As to the final element, it is apparent that the anonymous comments posted on the Blog originated from "information content providers" other than Defendant. For all the above reasons, it is clear from the Complaint that Defendant cannot be held liable as the publisher or speaker of the anonymous comments identified in Counts II, III, and VI of Plaintiff's Complaint, and the Court will therefore sustain Defendant's first objection and will dismiss Count VI, which relies solely upon anonymous comments, and will dismiss any claim contained in Counts II and III that is based upon an anonymous comment.

In light of the above disposition of Defendant's first objection, Defendant's fourth objection, which is a demurrer to Count VI, which will be dismissed, has been rendered moot. Also rendered moot is that portion of Defendant's second objection which is a demurrer based on the anonymous comments identified in Count II of the Complaint. Remaining to be disposed of are the remainder of Defendant's second objection and his fifth objection.

Defendant's second objection contains demurrers to Counts I, II, III, and V of the Complaint. As previously stated, Defendant's second objection is moot to the extent that it concerns Count V, which will be dismissed as a result of Defendant's third objection. Defendant's second objection has also been rendered moot to the extent that it pertains to claims in Counts II and III that are based on anonymous comments. Hence, all that remains of Defendant's second objection are demurrers based on the statements made by Defendant *himself* that are identified in Counts I, II, and III. These statements are as follows.

In Count I, Plaintiff claims defamation based on the following statements made about Plaintiff by Defendant ("Threat/Gun Statements"): 1) "So public safety menace [Plaintiff], who has actually threatened to kill an elected official, can prance around like Annie Oakley" (Compl. Ex. A at 1.); 2) "A good gun control law, and one that might just prevent [Plaintiff]

<sup>10</sup> "[I]n cases where an individual's role as operator of a Web site raised a question as to whether he was a 'service provider' or a 'user,' the courts found it unnecessary to resolve the issue because the statute confers immunity on both." *Barrett v. Rosenthal*, 146 P.3d 510, 527 (Cal. 2006).

from showing off her guns to customers at Giant Supermarket, would be to give the Sheriff more time to conduct an appropriate investigation” (*id.*); 3) “But then again, a gun in the hands of the wrong person can kill innocent people” (*id.*); and 4)

[S]he has threatened to kill an elected official, has publicly fantasized about killing me three times, shows off her guns to people in Giant and has advocated the use of deadly force against a 14 year old girl. On top of that, she has impulse control issues. [S]he is a menace to public safety.

(*Id.* at 2.)

In Count II, Plaintiff claims defamation based on Defendant’s blog post entitled “[Plaintiff] Must Pay Me \$67,000 for Internet Defamation” (“\$67,000 Article”) and Defendant’s response to an anonymous commenter on the Blog in which Defendant states that the commenter “instigated a mentally ill woman” (“Mental Health Statement”). (Compl. Ex. B at 1, 5.)

Because Plaintiff incorporates into Count III Exhibits A and B of the Complaint as well as the aforementioned statements made by Defendant, she, affording her Complaint a liberal reading as the Court must do,<sup>11</sup> essentially brings a false-light claim based on the Threat/Gun Statements as well as the \$67,000 Article and the Mental Health Statement in Count III. Thus, the demurrers in Defendant’s second objection will only be sustained if Counts I, II, and III are legally insufficient as they pertain to the Threat/Gun Statements, the \$67,000 Article, and the Mental Health Statement.

As stated above, Counts I and II are for defamation. The elements of defamation are as follows:

(a) *Burden of plaintiff.*—In an action for defamation, the plaintiff has the burden of proving, when the issue is properly raised:

- (1) The defamatory character of the communication.
- (2) Its publication by the defendant.
- (3) Its application to the plaintiff.
- (4) The understanding by the recipient of its defamatory meaning.
- (5) The understanding by the recipient of it as intended to be applied to the plaintiff.
- (6) Special harm resulting to the plaintiff from its publication.
- (7) Abuse of a conditionally privileged occasion.

42 Pa. C.S.A. §8343(a)(1)-(7).

The first element of defamation is “[t]he defamatory character of the communication.” *Id.* §8343(a)(1).

<sup>11</sup> See *Danysh v. Department of Corrections*, 845 A.2d 260, 262-63 (Pa. Commw. 2004) (“The allegations of a *pro se* complainant are held to a less stringent standard than that applied to pleadings filed by attorneys.”).

A communication is considered defamatory if it tends to harm the reputation of another so as to lower him in the estimation of the community or to deter third persons from associating or dealing with him. MacElree. ... 'It is not enough that the victim of the [statements] ... be embarrassed or annoyed, he must have suffered the kind of harm which has grievously fractured his standing in the community of respectable society.' Tucker v. Phila. Daily News, 577 Pa. 598, 616, 848 A.2d 113, 124 (2004).

Further, statements alleged to be defamatory must be viewed in context. Baker v. Lafayette Coll., 516 Pa. 291, 532 A.2d 399 (1987) ... .

Alleged claims for defamation should not be dismissed on the basis of a preliminary objection in the nature of a demurrer unless it is clear the communication is incapable of defamatory meaning. Petula v. Melody, 138 Pa.Cmwlt. 411, 588 A.2d 103 (1991) (Petula I). Whether a communication is capable of a defamatory meaning is a question for the court in the first instance. *Id.* ... However, if the court concludes the communication could be construed as defamatory, the final determination is for the jury. Petula I. Under Pennsylvania law, courts act as gatekeepers to determine whether statements are incapable of defamatory meaning in deciding whether any basis exists to proceed to trial. Mzamane.

*Balletta v. Spadoni*, 47 A.3d 183, 197 (Pa. Commw. 2012) (footnote and citation omitted).

The Court finds that the Threat/Gun Statements satisfy not only element one and are therefore capable of defamatory meaning but also elements two through five. To the contrary, the Court finds that the \$67,000 Article fails to satisfy element one, as it appears to be a report on legal proceedings involving the parties and does not contain any defamatory statements that would lower Plaintiff's reputation in the community. Thus, the demurrer in Defendant's second objection will be sustained as to the portion of Count II concerning the \$67,000 Article. Defendant does not argue that the Mental Health Statement fails to satisfy element one; therefore, the Court declines to find that the Mental Health Statement is incapable of defamatory meaning. Defendant raises no argument concerning the sixth element of defamation, special harm, as to either the Threat/Gun Statements or the Mental Health Statement.<sup>12</sup> Instead, Defendant's primary argument is that

<sup>12</sup> In any event, "although the statute indicates that 'special harm' must be proven, our courts have held that a libel plaintiff need not prove 'special harm.'" *Joseph v. Scranton Times, L.P.*, 89 A.3d 251, 261 (Pa. Super. 2014), *appeal granted*, 105 A.3d 655 (Pa. 2014). Plaintiff is a libel plaintiff because her claims are based upon written statements, and libel is defamation taking the form of printed words. See *id.* at 261 n.3.

because Plaintiff was a limited-purpose public figure at the time the relevant statements were made, and because Defendant qualifies as a media defendant, Plaintiff was required to plead facts that would support a finding of actual malice in Counts I, II, and III. As she has not done so, Defendant argues, those counts must be dismissed.

Regarding the claims for defamation based on the Threat/Gun Statements and Mental Health Statements brought in Counts I and II,

**[c]aselaw prescribes additional elements** that arise in relation to the character of the statement, the role of the defendant as a media outlet, or the role of the plaintiff as a public official or public figure. If the statement in question bears on a matter of public concern, or the defendant is a member of the media, First Amendment concerns compel the plaintiff to prove, as an additional element, that the alleged defamatory statement is in fact false. *See Philadelphia Newspapers, Inc. v. Hepps*, 475 U.S. 767, 777, 106 S.Ct. 1558, 89 L.Ed.2d 783 (1986); *see also Milkovich v. Lorain Journal Co.*, 497 U.S. 1, 2, 110 S.Ct. 2695, 111 L.Ed.2d 1 (1990); *Ertel v. Patriot-News Co.*, 544 Pa. 93, 674 A.2d 1038, 1041 (1996). If the plaintiff is a public official or public figure, she must prove also that the defendant, in publishing the offending statement, acted with ‘actual malice,’ *i.e.* ‘with knowledge that [the statement] was false or with reckless disregard of whether it was false or not.’ *Curran v. Philadelphia Newspapers, Inc.*, 376 Pa.Super. 508, 546 A.2d 639, 642 (1988) (quoting *New York Times Co. v. Sullivan*, 376 U.S. 254, 279-80, 84 S.Ct. 710, 11 L.Ed.2d 686 (1964)).

‘Actual malice’ is a fault standard, predicated on the need to protect the public discourse under the First Amendment from the chill that might be fostered by less vigilant limitations on defamation actions brought by public officials.

[T]he stake of the people in public business and the conduct of public officials is so great that neither the defense of truth nor the standard of ordinary care would protect against self-censorship and thus adequately implement First Amendment policies.

Neither lies nor false communications serve the ends of the First Amendment, and no one suggests their desirability or further proliferation. But to insure the ascertainment and publication of the truth about public affairs, it is essential that the First Amendment protect some erroneous publications as well as true ones.

*Curran*, 546 A.2d at 643 (quoting *St. Amant v. Thompson*, 390 U.S. 727, 731-32, 88 S.Ct. 1323, 20 L.Ed.2d 262 (1968)). Thus, the actual malice standard, by design, assures ‘that pub-



lic debate will not suffer for lack of “imaginative expression” or “rhetorical hyperbole” which has traditionally added much to the discourse of this Nation.’ Milkovich, 497 U.S. at 2, 110 S.Ct. 2695. ‘[T]he First Amendment requires that we protect some falsehood in order to protect speech that matters.’ Hepps, 475 U.S. at 778, 106 S.Ct. 1558.

Thus, the ‘actual malice’ standard is a constitutionally mandated safeguard and, as such, must be proven by clear and convincing evidence, the highest standard of proof for civil claims. *See Sprague v. Walter*, 441 Pa.Super. 1, 656 A.2d 890, 904 (1995). Moreover, evidence adduced is not adjudged by an objective standard; rather, ‘actual malice’ must be proven applying a *subjective* standard by evidence ‘that *the defendant in fact entertained serious doubts as to the truth of his publication.*’ *See Curran*, 546 A.2d at 642 (quoting *St. Amant*, 390 U.S. at 731, 88 S.Ct. 1323) (italics in Curran, boldface added). This determination may not be left in the realm of the factfinder: The question whether the evidence in the record in a defamation case is of the convincing clarity required to strip the utterance of First Amendment protection is not merely a question for the trier of fact. Judges, as expositors of the Constitution, must independently decide whether the evidence in the record is sufficient to cross the constitutional threshold that bars the entry of any judgment that is not supported by clear and convincing proof of ‘actual malice’.

*Curran*, 546 A.2d at 644 (citing *Bose Corp. v. Consumers Union*, 466 U.S. 485, 104 S.Ct. 1949, 80 L.Ed.2d 502 (1984)). We have recognized accordingly that the question of ‘actual malice’ is not purely one of fact, but rather may be described as one of ‘ultimate fact,’ a ‘hybrid of evidential fact on the one hand and conclusion of law on the other.’ *Id.* (quoting *Bose*, 466 U.S. at 510-11, 104 S. Ct. 1949).

*Lewis v. Philadelphia Newspapers, Inc.*, 833 A.2d 185, 191-92 (Pa. Super. 2003).

In *New York Times v. Sullivan*, 376 U.S. 254, 279-280, 84 S.Ct. 710, 11 L.Ed.2d 686 (1964), and *Curtis Publishing Co. v. Butts*, 388 U.S. 130, 155, 87 S.Ct. 1975, 18 L.Ed.2d 1094 (1967), the United States Supreme Court mandated that public officials and public figures must prove ‘actual malice’ in order to recover damages in a defamation action against the media, that is, ‘that the defamatory statements were made with knowledge of their falsity or with reckless disregard of the truth.’ *Avins v. White*, 627 F.2d 637, 646 (3d Cir. 1980), *cert. denied*, 449 U.S. 982, 101 S.Ct. 398, 66 L.Ed.2d 244 (1980). Subse-

quently, in *Gertz v. Robert Welch, Inc.*, 418 U.S. 323, 94 S.Ct. 2997, 41 L.Ed.2d 789 (1974), *cert. denied*, 459 U.S. 1226, 103 S.Ct. 1233, 75 L.Ed.2d 467 (1983), the Court identified two classes of public figures:

In some instances an individual may achieve such pervasive fame or notoriety that he becomes a public figure for all purposes and in all contexts. More commonly, an individual voluntarily injects himself or is drawn into a particular public controversy and thereby becomes a public figure for a limited range of issues. In either case such persons assume special prominence in the resolution of public questions.

*Id.*, 418 U.S. at 351, 94 S.Ct. 2997. A person may become a limited[-]purpose public figure if he 'thrust[s] himself into the vortex of the discussion of pressing public concerns.' *Rosenblatt v. Baer*, 383 U.S. 75, 86 n. 12, 86 S.Ct. 669, 15 L.Ed.2d 597 (1966). Such a person uses 'purposeful activity' to thrust 'his personality' into a 'public controversy.' *Curtis Publishing Co.*, 388 U.S. at 155, 87 S.Ct. 1975. He becomes a limited[-]purpose public figure because he invites and merits 'attention and comment.' *Gertz*, 418 U.S. at 346, 94 S.Ct. 2997. A person may become a limited[-]purpose public figure if he attempts to have, or realistically can be expected to have, a major impact on the resolution of a specific public dispute that has foreseeable and substantial ramifications for persons beyond its immediate participants. *Waldbaum v. Fairchild Publications, Inc.*, 627 F.2d 1287, 1292 (D.C.Cir.1980), *cert. denied*, 449 U.S. 898, 101 S.Ct. 266, 66 L.Ed.2d 128 (1980). 'A private individual,' however, 'is not automatically transformed into a public figure just by becoming involved in or associated with a matter that attracts public attention.' *Wolston v. Reader's Digest Assoc.*, 443 U.S. 157, 167, 99 S.Ct. 2701, 61 L.Ed.2d 450 (1979).

It is the function of the court to ascertain in the first instance whether the plaintiff is a public or private figure. *Smith v. A Pocono Country Place Property Owners Assoc., Inc.*, 686 F.Supp. 1053, 1056 (M.D.Pa.1987). 'The classification of a plaintiff as a public or private figure is a question of law to be determined initially by the trial court and then carefully scrutinized by an appellate court.' *Id.*, 686 F.Supp. at 1056 (quoting *Marcone v. Penthouse Int'l Magazine*, 754 F.2d 1072, 1081 n. 4. (3d Cir.1985)); *see also* *Wolston*, 443 U.S. 157, 99 S.Ct. 2701, 61 L.Ed.2d 450.

*Joseph v. Scranton Times L.P.*, 959 A.2d 322, 338-39 (Pa. Super. 2008).

The Threat/Gun Statements were made on or about April 1, 2013. (Compl. Ex. A.) This Court has already determined that, as of that time, Plaintiff was, at minimum, a limited-purpose public figure, and the Court will not disturb that finding as to the Threat/Gun Statements. *See* Order of Court at 7, *Mezzacappa v. Express[-]Times Newspaper*, No. C-48-CV-2013-3384 (Northampton Cnty. Sept. 26, 2014); Order of Court at 25, *id.* (Apr. 14, 2014). Therefore, to withstand the demurrer in Defendant's second objection as it pertains to Count I, Plaintiff must have alleged both: 1) actual malice on the part of Defendant; and 2) the falsity of the Threat/Gun Statements. The Court is satisfied that Plaintiff has met this burden. She alleges that "[Defendant] knowingly and falsely states with malice [the Threat/Gun Statements] with full knowledge that [Plaintiff] was never charged with this crime." (Compl. ¶5.) Plaintiff further avers that "[Defendant] has directly accused Plaintiff of being a person who would kill innocent people [and] is well aware that [Plaintiff] does not have a criminal history." (*Id.*) Plaintiff also pleads that Defendant posted a comment "falsely and maliciously" and that this "false publication" caused her damages. (*Id.* ¶¶6-7.) These allegations are sufficient to meet the additional pleading requirements required by virtue of Plaintiff's status as a limited-purpose public figure at the time the Threat/Gun Statements were published. Accordingly, the demurrer in Defendant's second objection will be overruled as to Count I.

The Mental Health Statement was made on or about March 28, 2014. (*See* Compl. Ex. B.) The Complaint provides the Court with no basis to determine that Plaintiff was anything but a private figure at that time. Consequently, for purposes of ruling on Defendant's demurrer, Plaintiff was not required to plead that the Mental Health Statement was made with actual malice or falsely. Therefore, having already determined that Plaintiff has met her *prima facie* burden with regard to the Mental Health Statement, the demurrer in Defendant's second objection will be overruled as it pertains to that statement.

In a demurrer in his second objection, Defendant additionally argues that Plaintiff is also required to plead actual malice in Count III, her claim for false-light based on the Threat/Gun Statements, the \$67,000 Article, and the Mental Health Statement. As Plaintiff has not alleged actual malice in that count, Defendant argues that Count III should be dismissed. The Court has already determined that Plaintiff has adequately alleged actual malice in Count I; and as that count is incorporated into Count III, Defendant's argument has no merit as to that portion of Count III dealing with the Threat/Gun Statements. As for that portion of Count III that is based on the Mental Health Statement, the Court finds that Plaintiff's allegation that "by virtue of the foregoing paragraphs, [Defendant] has placed Plaintiff ... in false light, in a manner that is highly offensive to any reasonable person, and with reckless disregard of the intentionally slanted, false, and

biased nature of [his] online blogs,” sufficiently pleads the elements of a false-light claim as stated in the Restatement (Second) of Torts §652E. (Compl. ¶11.) Finally, despite the Court’s earlier finding that the \$67,000 Article is incapable of defamatory meaning, the Court finds that Plaintiff has pleaded sufficient facts for the \$67,000 Article to remain part of Plaintiff’s Count III false-light claim. Accordingly, the demurrer in Defendant’s second objection will be overruled as it pertains to Count III.

Lastly, in the demurrer in Defendant’s fifth objection, which is solely directed at that portion of Count I involving Defendant’s statements that Plaintiff displayed her guns in a supermarket, Defendant asserts that such statements are incapable of defamatory meaning. Because Pennsylvania is an open-carry state, the Court agrees with Defendant and will sustain the demurrer in Defendant’s fifth objection with regard to any claim for defamation, in Count I, based upon that portion of the Threat/Gun Statements.<sup>13</sup>

WHEREFORE, the Court enters the following:

#### ORDER

AND NOW, this 31st day of March, 2015, upon consideration of the “Preliminary Objections of Defendant Bernie O’Hare to the Complaint,” it is hereby ORDERED as follows:

1) Defendant’s “Preliminary Objections in Nature of a Demurrer to Counts II, III, & VI of the Complaint Under Communications Decency Act,” are hereby SUSTAINED, in part, and OVERRULED, in part. Any claim contained in Counts II and III that is based upon an anonymous comment posted on Defendant’s blog is hereby DISMISSED, with prejudice. Count VI of Plaintiff’s Complaint is hereby DISMISSED, with prejudice;

2) Defendant’s “Preliminary Objections, in the Nature of a Demurrer, to Counts I, II, III, and V of Plaintiff’s Complaint” are hereby SUSTAINED, in part, and OVERRULED, in part. Any claim in Count II based upon the “\$67,000 Article,” as defined in the above opinion, is hereby DISMISSED, with prejudice;

3) Defendant’s “Preliminary Objection[] in the Nature of a Demurrer to Count V of Plaintiff’s Complaint for Failing to State a Cause of Action Upon Which Relief Can be Granted” is hereby SUSTAINED. Count V of Plaintiff’s Complaint is hereby DISMISSED, with prejudice;

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<sup>13</sup> Pennsylvania requires a license to carry a firearm concealed on one’s person or in a vehicle. 18 Pa. C.S.A. §6106. There is also a statute prohibiting one from openly carrying a firearm in the City of Philadelphia. *Id.* §6108. The law is silent as to the legality of openly carrying a firearm in other situations, making it *de facto* legal. In Plaintiff’s Complaint, she complains that Defendant defamed her by stating that she displayed “her guns to customers at Giant Supermarket” and that she “shows off her guns to people in Giant.” (Compl. Ex. A at 1.) These statements are incapable of defamatory meaning in light of the above, unless the displays were a brandishing type threat or display, which has not been stated by Defendant or pleaded.

4) Defendant's preliminary objection on the basis that "Count VI of Plaintiff's Complaint, Based Upon Advocating an Act of Violence Against Her, Fails to State a Claim Upon Which Relief Can Be Granted Because There is No Allegation that Defendant is the Author," is hereby OVER- RULED, as moot, since Count VI has already been dismissed; and

5) Defendant's "Preliminary Objection[] in Nature of a Demurrer to That Portion of Count I of the Complaint Focused on Showing Off Gun at a Supermarket" is hereby SUSTAINED. Any claim in Count I based on Defendant's statement about Plaintiff displaying a gun at a supermarket is hereby DISMISSED, with prejudice.

Defendant shall file an answer to Plaintiff's Complaint within twenty (20) days.



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## **PERIODICAL PUBLICATION**

**\* Dated Material. Do Not Delay. Please Deliver Before Monday, March 28, 2016**